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(Original Signature of Member)

115TH CONGRESS
2D SESSION

H. R.

To amend and strengthen the Higher Education Act of 1965 so that every student has a path to a quality, debt-free degree or credential that leads to a rewarding career.

IN THE HOUSE OF REPRESENTATIVES

Mr. SCOTT of Virginia (for himself, Mrs. DAVIS of California, Mr. GRIJALVA, Mr. COURTNEY, Ms. FUDGE, Mr. POLIS, Mr. SABLAN, Ms. WILSON of Florida, Ms. BONAMICI, Mr. TAKANO, Ms. ADAMS, Mr. DESAULNIER, Mr. NORCROSS, Ms. BLUNT ROCHESTER, Mr. KRISHNAMOORTHY, Ms. SHEA-PORTER, and Mr. ESPAILLAT) introduced the following bill; which was referred to the Committee on _____

A BILL

To amend and strengthen the Higher Education Act of 1965 so that every student has a path to a quality, debt-free degree or credential that leads to a rewarding career.

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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Aim Higher Act”.

1 (b) TABLE OF CONTENTS.—The table of contents for
2 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. References.
- Sec. 3. General effective date.

TITLE I—GENERAL PROVISIONS

- Sec. 1001. Definitions.
- Sec. 1002. Disclosures of foreign gifts.
- Sec. 1003. Alcohol and substance misuse prevention.
- Sec. 1004. Exception to required registration with selective service system.
- Sec. 1005. For-profit conversions.
- Sec. 1006. Postsecondary data system.
- Sec. 1007. Textbook information.
- Sec. 1008. Repeal of prohibition of student information database.
- Sec. 1009. In-State tuition rates for homeless children and youths and foster care children and youth.
- Sec. 1010. Student loan ombudsman.

TITLE II—TEACHER QUALITY ENHANCEMENT

PART A—TEACHER AND SCHOOL LEADER QUALITY PARTNERSHIP GRANTS

- Sec. 2001. Definitions.
- Sec. 2002. Purposes.
- Sec. 2003. Partnership grants.
- Sec. 2004. Administrative provisions.
- Sec. 2005. Accountability and evaluation.
- Sec. 2006. Accountability for programs that prepare teachers or other school leaders.
- Sec. 2007. Teacher development.
- Sec. 2008. State functions.
- Sec. 2009. General provisions.
- Sec. 2010. Elevation of the education profession study.
- Sec. 2011. Authorization of appropriations.

PART B—ENHANCING TEACHER AND SCHOOL LEADER EDUCATION

- Sec. 2101. Enhancing teacher education.

TITLE III—INSTITUTIONAL AID

- Sec. 3001. Strengthening institutions.
- Sec. 3002. Strengthening historically Black Colleges and Universities.
- Sec. 3003. Historically Black College and University Capital Financing.
- Sec. 3004. Strengthening Historically Black Colleges and Universities and other minority-serving institutions.
- Sec. 3005. General provisions.

TITLE IV—STUDENT ASSISTANCE

- Sec. 4001. Effective date for title IV.

PART A

- Sec. 4011. Improvements to the Pell Grant Program.
- Sec. 4012. Amendments to Pell Grant eligibility.
- Sec. 4013. Extending Federal Pell grant eligibility of certain short-term programs.
- Sec. 4014. Providing Federal Pell grants for Iraq and Afghanistan veteran's dependents.
- Sec. 4015. Federal Pell Grant fraud prevention.
- Sec. 4016. Conforming amendments to academic competitiveness grants.
- Sec. 4017. Federal TRIO program.
- Sec. 4018. Talent search.
- Sec. 4019. Upward bound.
- Sec. 4020. Student support services.
- Sec. 4021. Postbaccalaureate achievement program authority.
- Sec. 4022. Educational opportunity centers.
- Sec. 4023. Staff developmental activities.
- Sec. 4024. Reports and evaluations.
- Sec. 4025. Gaining early awareness and readiness for undergraduate programs.
- Sec. 4026. Gaining early awareness and readiness for undergraduate programs; authorization of appropriations.
- Sec. 4027. Purpose; appropriations authorized.
- Sec. 4028. Allocation of funds.
- Sec. 4029. Emergency grant aid demonstration program.
- Sec. 4030. Special programs for students whose families are engaged in migrant and seasonal farmwork.
- Sec. 4031. Ccampis reauthorization.
- Sec. 4032. Jumpstart to college grant programs.
- Sec. 4033. Revised definitions of teach grants.
- Sec. 4034. Revisions to establishing teach grant program.
- Sec. 4035. Revisions to teach grant applications and eligibility.
- Sec. 4036. Revisions to TEACH Grant data collection and reporting.
- Sec. 4037. Northern Mariana Islands and American Samoa College access.
- Sec. 4038. Community college student success grant program authorized.

PART B

- Sec. 4041. Termination of certain repayment plan options and opportunity to change repayment plans.
- Sec. 4042. Conforming amendment to separate joint consolidation loans.
- Sec. 4043. Disbursement of student loans.
- Sec. 4044. Student loan contract and loan disclosures.
- Sec. 4045. Cohort default rates.
- Sec. 4046. Conforming amendments.
- Sec. 4047. Automatic income monitoring procedures after a total and permanent disability discharge.
- Sec. 4048. Repayment of parent loans due to student disability.

PART C

- Sec. 4051. Purpose; authorization of appropriations.
- Sec. 4052. Allocation formula.
- Sec. 4053. Grants for Federal work-study programs.
- Sec. 4054. Flexible use of funds.
- Sec. 4055. Job location and development programs.
- Sec. 4056. Community service.
- Sec. 4057. Pilot grant program.
- Sec. 4058. Department activities.

Sec. 4059. Study and report.

PART D

Sec. 4061. Refinancing programs.

Sec. 4062. Amendments to terms and conditions of loans and repayment plans.

Sec. 4063. Amendments to terms and conditions of borrower defenses.

Sec. 4064. Amendments to terms and conditions of public service loan forgiveness.

Sec. 4065. Federal direct Perkins Loans terms and conditions.

Sec. 4066. Requiring a common manual for servicers.

Sec. 4067. Refinancing FFEL and Federal direct loans.

Sec. 4068. Refinancing private student loans.

PART E

Sec. 4071. Authorization of appropriations for Perkins Loan.

Sec. 4072. Allocation of funds for Perkins Loan.

Sec. 4073. Federal Direct Perkins Loan allocation.

Sec. 4074. Agreements with institutions of higher education for purposes of the Perkins Loan Program.

Sec. 4075. Student loan information by eligible institutions for purposes of the Perkins Loan Program.

Sec. 4076. Terms of loans for purposes of the Perkins Loan Program.

Sec. 4077. Reimbursement for cancellation of Perkins Loans for certain public service.

Sec. 4078. Distribution of assets from student loan funds for purposes of the Perkins Loan Program.

PART F

Sec. 4081. Conforming amendment to family contribution.

Sec. 4082. Amendments to data elements when determining the expected family contribution.

Sec. 4083. Amendments to family contribution for dependent students.

Sec. 4084. Amendments to family contribution for independent students without dependents other than a spouse.

Sec. 4085. Amendments to family contribution for independent students with dependents other than a spouse.

Sec. 4086. Updated tables and amounts to need analysis.

Sec. 4087. Zero expected family contribution.

Sec. 4088. Amendments to definitions in need analysis.

PART G

Sec. 4091. FAFSA simplification.

Sec. 4092. Federal aid eligibility.

Sec. 4093. Reinstatement of the 6-year statute of limitations for student loans.

Sec. 4094. Exit counseling.

Sec. 4095. Clery act amendments.

Sec. 4096. Online survey tool for campus safety.

Sec. 4097. Amendments to institutional and financial assistance.

Sec. 4098. Conforming amendments to Pell Grants.

Sec. 4099. Information with respect to crime statistics for programs of study abroad.

Sec. 4100. Remedial education grants.

Sec. 4101. Competency-based education.

- Sec. 4102. Competency-based education council.
- Sec. 4103. Improvements to program participation agreements.
- Sec. 4104. Prearbitration agreements.
- Sec. 4105. Compliance with the civil rights act of 1964.
- Sec. 4106. Requirement for institutions to use a financial aid shopping sheet.
- Sec. 4107. Submission of data with respect to students with disabilities.
- Sec. 4108. Education program on hazing.
- Sec. 4109. Changes to program participation agreements to strengthen consumer protections.
- Sec. 4110. Administrative expenses.
- Sec. 4111. Income-based repayment plan.
- Sec. 4112. Fixed repayment plan.
- Sec. 4113. Longitudinal study on the effectiveness of student loan counseling.
- Sec. 4114. Study and procedures on determining family size.

PART H

- Sec. 4121. State responsibilities.
- Sec. 4122. Additional safeguards.
- Sec. 4123. Recognition of accrediting agency or association.
- Sec. 4124. Program review and data.
- Sec. 4125. Strengthening institutional quality.

PART I

- Sec. 4131. Program authorized.
- Sec. 4132. Pathways to student success for historically black colleges and universities.

TITLE V—DEVELOPING INSTITUTIONS

- Sec. 5001. Hispanic-serving institutions.
- Sec. 5002. Promoting Postbaccalaureate Opportunities for Hispanic Americans.
- Sec. 5003. General provisions.

TITLE VI—INTERNATIONAL EDUCATION PROGRAMS

- Sec. 6001. International education.
- Sec. 6002. Global business and professional education programs.
- Sec. 6003. Repeal of assistance program for Institute for International Public Policy.
- Sec. 6004. General provisions.

TITLE VII—GRADUATE AND POSTSECONDARY IMPROVEMENT PROGRAMS

- Sec. 7001. Graduate education programs.
- Sec. 7002. Minority serving institutions innovation fund.
- Sec. 7003. Definitions.
- Sec. 7004. Supporting postsecondary faculty, staff, and administrators in providing accessible education.
- Sec. 7005. Office of Accessibility.
- Sec. 7006. Postsecondary programs for students with intellectual disabilities.
- Sec. 7007. National Technical Assistance Center and National Coordinating Center for Inclusion of Students with Intellectual Disabilities.
- Sec. 7008. Accessible instructional materials and technology.

Sec. 7009. Formula grants to States to improve higher education opportunities for foster youth and homeless youth.

TITLE VIII—ADDITIONAL PROGRAMS

- Sec. 8001. Teach for America.
- Sec. 8002. Patsy T. Mink Fellowship Program.
- Sec. 8003. Improving science, technology, engineering, and mathematics education with a focus on Alaska Native and Native Hawaiian students.
- Sec. 8004. Grants for rural-serving institutions of higher education.
- Sec. 8005. Training for realtime writers to provide closed captioning and court reporting services.
- Sec. 8006. Grant program to establish, maintain, and improve veteran student centers.
- Sec. 8007. Modeling and simulation.
- Sec. 8008. Conforming amendments.
- Sec. 8009. Mandatory funding for masters and postbaccalaureate programs.
- Sec. 8010. Funds for access to open educational resources.

TITLE IX—AMENDMENTS TO OTHER LAWS

PART A—EDUCATION OF THE DEAF ACT OF 1986

- Sec. 9001. Composition of Board of Trustees.
- Sec. 9002. Administrative requirements of Laurent Clerc National Deaf Education Center.
- Sec. 9003. Federal endowment programs for Gallaudet University and the National Technical Institute for the Deaf.

PART B—TRIBALLY CONTROLLED COLLEGES AND UNIVERSITIES ASSISTANCE ACT OF 1978

- Sec. 9101. Tribally Controlled Colleges and Universities Assistance Act of 1978.

PART C—CARL D. PERKINS CAREER AND TECHNICAL EDUCATION ACT OF 2006 AMENDMENTS

- Sec. 9201. Additional authorization of appropriations.

PART D—GENERAL EDUCATION PROVISIONS ACT

- Sec. 9301. Special Assistant for Equity and Inclusion.
- Sec. 9302. Release of education records to facilitate the award of a recognized postsecondary credential.

PART E—EDUCATION SCIENCES REFORM ACT OF 2002

- Sec. 9401. Inclusion of racial subgroups in IPEDS data.

1 SEC. 2. REFERENCES.

- 2 Except as otherwise expressly provided, whenever in
- 3 this Act an amendment or repeal is expressed in terms

1 of an amendment to, or repeal of, a section or other provi-
2 sion, the reference shall be considered to be made to a
3 section or other provision of the Higher Education Act of
4 1965 (20 U.S.C. 1001 et seq.).

5 **SEC. 3. GENERAL EFFECTIVE DATE.**

6 Except as otherwise provided in this Act or the
7 amendments made by this Act, this Act and the amend-
8 ments made by this Act shall take effect on the date of
9 enactment of this Act.

10 **TITLE I—GENERAL PROVISIONS**

11 **SEC. 1001. DEFINITIONS.**

12 Section 103 of the Higher Education Act of 1965 (20
13 U.S.C. 1003) is amended—

14 (1) in paragraph (6), by striking “section 3(2)”
15 and inserting “section 3”;

16 (2) in paragraph (13), by inserting “con-
17 trolled,” before “owned”;

18 (3) by adding at the end the following:

19 “(25) NONPROFIT INSTITUTION OF HIGHER
20 EDUCATION.—The term ‘nonprofit institution of
21 higher education’ means an institution of higher
22 education that—

23 “(A) is a nonprofit, as defined in section
24 103(13); and

1 “(B) at which no member of the governing
2 board of the nonprofit institution of higher edu-
3 cation (other than ex officio members serving at
4 the pleasure of the remainder of the governing
5 board and receiving a fixed salary), or any per-
6 son with the power to appoint or remove mem-
7 bers of such governing board, receives any sub-
8 stantial direct or indirect economic benefit (in-
9 cluding a lease, promissory note, or other con-
10 tract) from the nonprofit institution of higher
11 education.

12 “(26) PUBLIC INSTITUTION OF HIGHER EDU-
13 CATION.— The term ‘public institution of higher
14 education’ means an institution of higher edu-
15 cation—

16 “(A) for which all obligations of the insti-
17 tution are valid and binding obligations of the
18 State (or of an equivalent governmental entity);
19 and

20 “(B) for which the full faith and credit of
21 such State (or equivalent government entity) is
22 pledged for the timely payment of such obliga-
23 tions.

24 “(27) FOSTER CARE CHILDREN AND YOUTH.—
25 The term ‘foster care children and youth’—

1 “(A) means children and youth whose care
2 and placement are the responsibility of the
3 State or Tribal agency that administers a State
4 or Tribal plan under part B or E of title IV of
5 the Social Security Act (42 U.S.C. 621 et seq.
6 and 670 et seq.), without regard to whether fos-
7 ter care maintenance payments are made under
8 section 472 of such Act (42 U.S.C. 672) on be-
9 half of such children and youth; and

10 “(B) includes individuals who were age 13
11 or older when their care and placement were
12 the responsibility of a State or Tribal agency
13 that administered a State or Tribal plan under
14 part B or E of title IV of the Social Security
15 Act (42 U.S.C. 621 et seq. and 670 et seq.)
16 and who are no longer under the care and re-
17 sponsibility of such a State or tribal agency,
18 without regard to any such individual’s subse-
19 quent adoption, guardianship arrangement, or
20 other form of permanency outcome.

21 “(28) FEDERAL EDUCATION ASSISTANCE
22 FUNDS.—The term ‘Federal education assistance
23 funds’ means—

24 “(A) funds under title IV;

1 “(B) educational and training benefits
2 available to veterans, military personal, and
3 other individuals under chapter 30,
4 31,32,33,34, or 35 of title 38, United States
5 Code, or chapter 101, 105, 106A, 1606, 1607,
6 or 1608 of title 10, United States Code, or sec-
7 tion 1784a of title 10, United States Code;

8 “(C) funds for training under the Work-
9 force Innovation and Opportunity Act (29
10 U.S.C. 3101 et seq.), including funds under
11 title II of such Act; and

12 “(D) funds under section 477 of the Social
13 Security Act.

14 “(29) PROGRESS PERIOD STATUS.—The term
15 ‘progress period status’ means the status of an insti-
16 tution of higher education that is determined by the
17 Secretary to be in danger of failing to meet title IV
18 eligibility criteria relating to student debt because
19 the institution has a student default risk indicator of
20 not less than 10 percent and not more than 15 per-
21 cent.”.

22 **SEC. 1002. DISCLOSURES OF FOREIGN GIFTS.**

23 Section 117 of the Higher Education Act of 1965 (20
24 U.S.C. 1011f) is amended—

1 (1) in subsection (a), by striking “250,000”
2 and inserting “100,000”;

3 (2) in subsection (b)—

4 (A) in paragraph (1)—

5 (i) by inserting “The legal name of
6 the person or institution from which the
7 gift is received.” after “particular coun-
8 try.”; and

9 (ii) by striking “, or if unknown” and
10 all that follows through to the period and
11 inserting “and the country of incorpora-
12 tion. In this paragraph, the term ‘aggre-
13 gate dollar amount’ includes the fair mar-
14 ket value of staff members, textbooks, and
15 other in-kind gifts.”; and

16 (B) in paragraph (2)—

17 (i) by inserting “the name of the
18 agency or office within the government
19 from which such a gift is received, and”
20 after “foreign government,”; and

21 (ii) by inserting “In this paragraph,
22 the term ‘aggregate dollar amount’ in-
23 cludes the fair market value of staff mem-
24 bers, textbooks, and other in-kind gifts.”
25 after “each foreign government.”;

1 (3) in subsection (c)(1), by striking “or if un-
2 known” and all that follows through the period and
3 inserting “and the country of incorporation.”;

4 (4) in subsection (d)—

5 (A) in paragraph (1) by striking “are sub-
6 stantially” and all that follows through “this
7 section,” and inserting “includes all information
8 required by this section,”; and

9 (B) in paragraph (2) by striking “require-
10 ments substantially similar to those” and in-
11 serting “all the information”;

12 (5) in subsection (e), by adding at the end the
13 following: “Not later than 30 days after receiving a
14 disclosure report under this section, the Secretary
15 shall make such report electronically available to the
16 public for downloading. Not later than 60 days after
17 the date of the enactment of this sentence, the Sec-
18 retary shall make all previous disclosure reports re-
19 ceived after January 1, 2000 available in the same
20 manner as described in the previous sentence.”;

21 (6) in subsection (h)—

22 (A) in paragraph (1) by inserting “gift,”
23 after “lease,”; and

1 (B) in paragraph (3), by striking “or prop-
2 erty” and inserting “property, human re-
3 sources, or payment of any staff;”; and

4 (C) in paragraph (5)(B), by inserting “in-
5 stitutes, instructional programs,” after “cen-
6 ters,”.

7 **SEC. 1003. ALCOHOL AND SUBSTANCE MISUSE PREVEN-**
8 **TION.**

9 (a) IN GENERAL.—Section 120 of the Higher Edu-
10 cation Act of 1965 (20 U.S.C. 1011i) is amended—

11 (1) in the section heading, by striking “**DRUG**
12 **AND ALCOHOL ABUSE**” and inserting “**ALCOHOL**
13 **AND SUBSTANCE MISUSE**”;

14 (2) in subsection (a)—

15 (A) in the matter preceding paragraph (1),
16 by striking “a program to prevent the use of il-
17 licit drugs and the abuse of alcohol by students
18 and employees that,” and inserting “an evi-
19 dence-based program to prevent alcohol and
20 substance misuse by students and employees
21 that,”;

22 (B) by amending paragraph (1)(D) to read
23 as follows:

24 “(D) a description of any alcohol or sub-
25 stance misuse counseling, treatment, rehabilita-

1 tion, recovery, re-entry, or recovery support
2 programs provided by the institution (including
3 in partnership with a community-based organi-
4 zation) that are available to employees or stu-
5 dents;” and

6 (C) in paragraph (1)(E), by striking “that
7 the institution will impose” and inserting “of
8 the institution’s policies regarding”;

9 (3) in subsection (c)—

10 (A) in paragraph (1)—

11 (i) by striking “and” at the end of
12 subparagraph (A);

13 (ii) in subparagraph (B), by striking
14 the period and inserting “; and”;

15 (iii) by adding at the end the fol-
16 lowing:

17 “(C) compliance assistance to assist insti-
18 tutions in complying with the requirements of
19 this section.”;

20 (B) by redesignating paragraph (2) as
21 paragraph (4); and

22 (C) by inserting after paragraph (1) the
23 following:

24 “(2) INTERAGENCY AGREEMENT.—Not later
25 than 180 days after the date of enactment of the

1 Aim Higher Act, the Secretary shall enter into a
2 interagency agreement with the Secretary of Health
3 and Human Services to—

4 “(A) determine criteria that satisfy the re-
5 quirement of subsection (a) that an institution
6 of higher education has adopted and has imple-
7 mented an evidence-based program described in
8 such subsection;

9 “(B) establish a process for disseminating
10 the best practices for adopting and imple-
11 menting such an evidence-based program; and

12 “(C) establish a process that promotes co-
13 ordination and collaboration between institu-
14 tions of higher education and the respective
15 State agencies that administer the Substance
16 Abuse Prevention and Treatment Block Grants
17 pursuant to subpart II of the Public Health
18 Service Act (42 U.S.C. 300x–21).

19 “(3) GUIDANCE.—Not later than 1 year after
20 the date of enactment of the Aim Higher Act, the
21 Secretary shall, in coordination with the Secretary of
22 Health and Human Services, issue guidance with re-
23 spect to the criteria described in paragraph (2)(A).”;
24 and

25 (4) in subsection (e)—

1 (A) in the subsection heading, by striking
2 “**DRUG ABUSE**” in the heading and inserting
3 “**SUBSTANCE MISUSE**”;

4 (B) in paragraph (1)—

5 (i) by striking “other organizations”
6 and inserting “community-based organiza-
7 tions that partner with institutions of high-
8 er education”;

9 (ii) by striking “programs of preven-
10 tion, and education (including treatment-
11 referral) to reduce and eliminate the illegal
12 use of drugs and alcohol and the violence
13 associated with such use” and inserting
14 “evidence-based programs of alcohol and
15 substance misuse prevention and education
16 (including programs to improve access to
17 treatment, referral for treatment services,
18 or crisis intervention services) to eliminate
19 illegal substance use, decrease substance
20 misuse, and improve public health and
21 safety,”; and

22 (iii) by striking “alcohol and drug
23 abuse” and inserting “substance use dis-
24 order”;

1 (C) by redesignating paragraphs (2)
2 through (5) as paragraphs (3) through (6), re-
3 spectively; and

4 (D) by inserting after paragraph (1) the
5 following:

6 “(2) ADDITIONAL USES.—In addition to the ac-
7 tivities described in paragraph (1), a grant or con-
8 tract awarded under paragraph (1) may be used to
9 carry out 1 or more of the following evidence-based
10 programs or activities:

11 “(A) Providing programs for recovery sup-
12 port services, and peer support services and
13 counseling for students with a substance use
14 disorder.

15 “(B) Promoting integration and collabora-
16 tion in campus-based health services between
17 primary care, substance use disorder services,
18 and mental health services.

19 “(C) Promoting integrated care services re-
20 lated to screening, diagnosis, prevention, and
21 treatment of mental, behavioral, and substance
22 use disorders for students.

23 “(D) Providing re-entry assistance for stu-
24 dents on academic probation due to their sub-
25 stance use disorder.

1 “(E) Preventing fatal and nonfatal
2 overdoses.

3 “(F) Providing education to students, fac-
4 ulty, or other personnel on—

5 “(i) recognizing the signs and symp-
6 toms of substance use disorder, and how to
7 engage and support a person in a crisis sit-
8 uation;

9 “(ii) resources available in the com-
10 munity, within the institution of higher
11 education, and other relevant resources for
12 individuals with a substance use disorder;
13 and

14 “(iii) safely de-escalating crisis situa-
15 tions involving individuals with a substance
16 use disorder.”; and

17 (E) by amending paragraph (6), as redes-
18 igned by subparagraph (C), to read as fol-
19 lows:

20 “(6) AUTHORIZATION OF APPROPRIATIONS.—
21 There are authorized to be appropriated to carry out
22 this section \$30,000,000 for fiscal year 2019 and
23 each of the 5 succeeding fiscal years.”.

24 (b) EFFECTIVE DATES.—

1 (1) IN GENERAL.—Except as provided in para-
2 graph (2), the amendments made by this section
3 shall take effect on the date of enactment of this
4 Act.

5 (2) DELAYED EFFECTIVE DATES.—The amend-
6 ments made by subsection (a)(2) shall apply to insti-
7 tutions of higher education on the date that is 2
8 years after the date of enactment of this Act.

9 **SEC. 1004. EXCEPTION TO REQUIRED REGISTRATION WITH**
10 **SELECTIVE SERVICE SYSTEM.**

11 Part B of title I of the Higher Education Act of 1965
12 (20 U.S.C. 1011 et seq.) is amended by adding at the end
13 the following:

14 **“SEC. 124. EXCEPTION TO REQUIRED REGISTRATION WITH**
15 **SELECTIVE SERVICE SYSTEM.**

16 “Notwithstanding section 12(f) of the Military Selec-
17 tive Service Act (50 U.S.C. 3811(f)), a person shall not
18 be ineligible for assistance or a benefit provided under title
19 IV if the person is required under section 3 of such Act
20 (50 U.S.C. 3802) to present himself for and submit to
21 registration under such section, and fails to do so in ac-
22 cordance with any proclamation, rule, or regulation issued
23 under such section.”.

1 **SEC. 1005. FOR-PROFIT CONVERSIONS.**

2 (a) IN GENERAL.—Part B of title I of the Higher
3 Education Act of 1965 (20 U.S.C. 1011 et seq.) is further
4 amended by adding at the end the following:

5 **“SEC. 125. FOR-PROFIT CONVERSIONS.**

6 “(a) DETERMINATION.—On determining that an in-
7 stitution of higher education meets the requirements
8 under subsection (b), the Secretary shall—

9 “(1) approve the conversion of an institution of
10 higher education to a nonprofit institution of higher
11 education; and

12 “(2) review such approval every 5 years there-
13 after.

14 “(b) REQUIREMENTS.—To be eligible to convert to
15 a nonprofit institution of higher education under this Act,
16 an institution of higher education shall submit an applica-
17 tion to the Secretary that demonstrates—

18 “(1) that such institution is a nonprofit institu-
19 tion of higher education, as defined in section
20 103(25);

21 “(2) subject to subsection (d), that the institu-
22 tion has not acquired any other institution of higher
23 education (as defined in section 102), or a signifi-
24 cant portion of the assets of such other institution,
25 for more than the value of such other institution or
26 such assets, respectively; and

1 “(3) in the case of an institution that has been
2 acquired by another party, that such institution is
3 not controlled by such party.

4 “(c) TRANSITION PERIOD.—In the case of an institu-
5 tion of higher education approved for conversion under
6 subsection (a), such institution shall be subject to any
7 rules and regulations that apply to proprietary institutions
8 of higher education, as defined in section 102(b), for a
9 minimum of 5 years.

10 “(d) VALUE.—The term ‘value’, with respect to an
11 acquisition under subsection (b)(2)—

12 “(1) includes the value of any on-going relation-
13 ship (including any contract, agreement, lease or
14 other arrangement between the acquiring institution
15 and the acquired institution), as defined in section
16 180.905 of title 2, Code of Federal Regulations, as
17 in effect on the date of enactment of this section;

18 “(2) subject to paragraph (3), may be dem-
19 onstrated through any of—

20 “(A) third party valuation;

21 “(B) independent financing of the acquisi-
22 tion based upon the assets acquired; or

23 “(C) full and open competition in the pro-
24 curement of services or assets, as such term is
25 defined in section 2.101(b) of title 48, Code of

1 Federal Regulations, as in effect on the date of
2 the enactment of this section; and

3 “(3) shall be subject to such other demonstra-
4 tion process determined appropriate by the Secretary
5 in a case in which the Secretary does not accept a
6 demonstration process described in paragraph (2).

7 “(e) PUBLICATION.—

8 “(1) APPLICATION.—Before the Secretary may
9 approve the conversion of an institution of higher
10 education under subsection (a), the application of
11 such institution submitted to the Secretary under
12 subsection (b) shall be published in the Federal Reg-
13 ister with an appropriate notice and comment pe-
14 riod.

15 “(2) DETERMINATION.—The Secretary shall
16 publish each determination under this section, and
17 the reasons for such determination, under the Fed-
18 eral Register.

19 “(f) TAX EXEMPT STATUS.—In carrying out this sec-
20 tion, the Secretary may consider the tax exempt status
21 of an institution of higher education under section
22 501(c)(3) of the Internal Revenue Code, but may not use
23 such status as the sole determining factor for approval
24 under subsection (a).”.

1 (b) EXPERTISE.—The Secretary of Education shall
2 create a unit within the Department of Education with
3 the expertise necessary to carry out section 125 of the
4 Higher Education Act of 1965, as added by subsection
5 (a).

6 **SEC. 1006. POSTSECONDARY DATA SYSTEM.**

7 Section 132 of the Higher Education Act of 1965 (20
8 U.S.C. 1015a) is amended—

9 (1) in subsection (i)(1)(T), by striking “rate,”
10 and inserting “rate and adjusted cohort default
11 rate,”;

12 (2) by redesignating subsection (l) as subsection
13 (m); and

14 (3) by inserting after subsection (k) the fol-
15 lowing:

16 “(l) DATA SYSTEM.—

17 “(1) IN GENERAL.—

18 “(A) ESTABLISHMENT OF SYSTEM.—The
19 Commissioner for Education Statistics (referred
20 to in this subsection as the ‘Commissioner’)
21 shall develop and maintain a postsecondary
22 data system that is secure and protects student
23 data privacy to—

24 “(i) evaluate student-level—

1 “(I) enrollment, progression, and
2 completion patterns;

3 “(II) outcomes following postsec-
4 ondary enrollment and completion;

5 “(III) postsecondary costs; and

6 “(IV) financial aid;

7 “(ii) improve institutional trans-
8 parency and facilitate institutional im-
9 provement while reducing the reporting
10 burden on institutions of higher education;
11 and

12 “(iii) analyze, evaluate, and improve
13 Federal student aid programs;

14 “(B) REQUIREMENTS.—In developing the
15 data system described in this subsection, the
16 Commissioner shall—

17 “(i) focus on the needs of users of
18 such system and entities reporting to such
19 system, including institutions of higher
20 education;

21 “(ii) follow relevant web design and
22 digital services standards; and

23 “(iii) ensure student data privacy and
24 security in accordance with the most recent
25 Federal standards developed by the Na-

1 tional Institute of Standards and Tech-
2 nology.

3 “(C) REPORTING.—Notwithstanding any
4 other provision of this section, to the extent
5 that another provision of this section requires
6 the same reporting or collection of data that is
7 required under this subsection, an institution of
8 higher education (as defined in section 102), or
9 the Secretary or Commissioner may use the re-
10 reporting or data required for the postsecondary
11 data system established pursuant to this sub-
12 section to satisfy both such requirements.

13 “(2) DATA SYSTEM ELEMENTS.—

14 “(A) IN GENERAL.—The Commissioner
15 shall consult with institutions of higher edu-
16 cation, individuals and organizations with ex-
17 pertise in data privacy and security, consumer
18 protections, and other stakeholders in deter-
19 mining and, where appropriate, revising, data
20 elements to be included in the postsecondary
21 data system, in accordance with subparagraph
22 (B).

23 “(B) REQUIRED ELEMENTS.—Such post-
24 secondary data system shall include, at a min-
25 imum, the following student-level data elements:

1 “(i) The student-level data elements
2 necessary to calculate the information
3 within any student-related surveys included
4 in the Integrated Postsecondary Education
5 Data System (IPEDS).

6 “(ii) The student-level data elements
7 necessary to allow for reporting student
8 enrollment, persistence, retention, transfer,
9 and completion measures for all credential
10 levels within and across institutions of
11 higher education, and disaggregated by the
12 following categories to allow for cross tab-
13 ulation of data:

14 “(I) First-time enrollment status.

15 “(II) Attendance intensity,
16 whether full-time or part-time.

17 “(III) Distance education enroll-
18 ment status.

19 “(IV) Credential-seeking status.

20 “(V) Credential level.

21 “(VI) Race (as defined in section
22 153(3)(a) of the Education Sciences
23 Reform Act (20 U.S.C. 9501(3)(a))).

24 “(VII) Age.

25 “(VIII) Gender.

1 “(IX) Program of study.

2 “(X) Military or veteran status,
3 as determined made on receipt of vet-
4 eran’s education benefits (defined in
5 section 480(c)).

6 “(XI) Federal Pell Grant eligi-
7 bility.

8 “(XII) Federal Pell Grant recipi-
9 ent status.

10 “(XIII) Federal loan recipient
11 status under title IV.

12 “(XIV) Disability status.

13 “(XV) First-generation college
14 student status (defined in section
15 318).

16 “(C) PROHIBITED ELEMENTS.—The Com-
17 missioner shall not include health data, student
18 discipline records or data, elementary and sec-
19 ondary education data, physical address, citi-
20 zenship or national origin status, course grades,
21 student-level postsecondary entrance examina-
22 tion results, political affiliation, or religion in
23 the postsecondary data system.

24 “(D) ADDITIONAL DATA ELEMENTS.—The
25 Commissioner may, after consultation with in-

1 stitutions of higher education and other stake-
2 holders, make a determination to promulgate
3 regulations to include additional data elements
4 in the postsecondary student data system.

5 “(3) FEDERAL DATA SYSTEM COORDINATION.—

6 “(A) IN GENERAL.—Where appropriate,
7 the Commissioner shall enter into agreements
8 with other Federal agencies to create secure
9 linkages that meet the requirements of this
10 paragraph between the data collected under the
11 postsecondary data system under this sub-
12 section and relevant Federal data systems.

13 “(B) CONSISTENT REPORTING.—The Com-
14 missioner shall ensure that the secure linkages
15 described in subparagraph (A) result in con-
16 sistent reporting of, at a minimum, the fol-
17 lowing categories of data for all students:

18 “(i) Enrollment, retention, transfer,
19 and completion outcomes.

20 “(ii) Financial indicators for students
21 receiving Federal grants and loans under
22 this title, including grant and loan aid by
23 source, cumulative student debt, loan re-
24 payment status, and repayment plan.

1 “(iii) Postcollegiate outcomes, includ-
2 ing earnings, employment, and post-
3 graduate education, by program of study
4 and credential level.

5 “(C) CONFIDENTIALITY AND DATA PRI-
6 VACY.—In creating secure linkages with rel-
7 evant Federal data systems described in this
8 paragraph, the Commissioner shall ensure that
9 such linkages—

10 “(i) protect student data privacy; and

11 “(ii) comply with the security and pri-
12 vacy protections described in all applicable
13 Federal data protection protocols.

14 “(D) REVIEW.—Not less often than once
15 every 5 years after the establishment of the
16 postsecondary data system under this sub-
17 section, the Commissioner shall review methods
18 for streamlining data collection from postsec-
19 ondary institutions and minimizing duplicative
20 reporting with the Department of Education
21 and across Federal agencies that provide data
22 for the postsecondary data system.

23 “(4) INFORMATION SHARING.—

24 “(A) AGGREGATE INFORMATION.—The
25 Commissioner shall make summary aggregate

1 information publicly available and user-friendly.

2 Such aggregate information shall—

3 “(i) include, at a minimum, for each
4 institution of higher education, measures
5 of student access, progression, completion,
6 student costs, and postcollegiate student
7 outcomes; and

8 “(ii) not include any personally identi-
9 fiable information.

10 “(B) RESEARCH AND EVALUATION.—The
11 Commissioner shall develop and implement a
12 secure process—

13 “(i) for making student-level, non-per-
14 sonally identifiable information from the
15 postsecondary data system described in
16 this subsection available for research and
17 evaluation purposes approved by the Com-
18 missioner in a manner compatible with
19 practices for disclosing National Center for
20 Education Statistics data as in effect on
21 the day before the date of enactment of the
22 Aim Higher Act;

23 “(ii) through which any institution of
24 higher education or a State that fully par-
25 ticipates in the postsecondary data system

1 under this subsection may request and re-
2 ceive from the Commissioner non-person-
3 ally identifiable information, and aggregate
4 summary data, related to students who
5 have attended such institution or any insti-
6 tution in such State, as applicable, for pur-
7 poses of institutional or State improvement
8 and program evaluation; and

9 “(iii) for providing, at least annually,
10 each institution of higher education that
11 fully participates in the postsecondary data
12 system under this subsection with a set of
13 program-level, non-personally identifiable
14 information from the postsecondary data
15 system for students currently or formerly
16 associated with the institution.

17 “(C) REGULATION.—The Commissioner
18 shall promulgate guidance and regulations to
19 ensure—

20 “(i) fair, secure, and equitable access
21 to such data; and

22 “(ii) privacy, security, and access to
23 such data.

24 “(D) PROHIBITIONS.—Data collected
25 under this subsection shall not be—

1 “(i) sold to any third party by the
2 Commissioner, any institution of higher
3 education, any State, or any other entity;
4 or

5 “(ii) used for any law enforcement ac-
6 tivity or any other activity that would re-
7 sult in adverse action against any student,
8 including enforcement of Federal immigra-
9 tion law or debt collection activity.

10 “(5) DATA SUBMISSION.—

11 “(A) REQUIRED SUBMISSION.—Each insti-
12 tution of higher education participating in a
13 program under this title shall collect and sub-
14 mit to the Commissioner the data requested by
15 the Commissioner to carry out this subsection.

16 “(B) AUTHORIZED SUBMISSION.—An insti-
17 tution of higher education not participating in
18 a program under this title may collect and sub-
19 mit to the Commissioner the data requested by
20 the Commissioner to carry out this sub-
21 section.”.

22 **SEC. 1007. TEXTBOOK INFORMATION.**

23 Section 133 of the Higher Education Act of 1965 (20
24 U.S.C. 1015b) is amended—

1 (1) in subsection (a), by striking “identify ways
2 to decrease” and inserting “identify and adopt inno-
3 vative tools to decrease”;

4 (2) in subsection (b)(9)—

5 (A) by striking “to accompany a” and in-
6 serting “to accompany or support a” in the
7 matter preceding subparagraph (A); and

8 (B) in subparagraph (A), by striking “ma-
9 terials, computer disks, website access” and in-
10 serting “materials, online and digital learning
11 platforms and materials, website access”;

12 (3) in subsection (c)(1)(D)(i), by striking “pa-
13 perback, and unbound” and inserting “paperback,
14 digital, and unbound”;

15 (4) in subsection (f)—

16 (A) in paragraph (1), by inserting “access-
17 ing lower-cost digital course materials and dig-
18 ital textbooks,” after “programs for”; and

19 (B) in paragraph (3), by inserting “, such
20 as inclusive access programs or digital content
21 distribution platforms” after “delivery pro-
22 grams”.

1 **SEC. 1008. REPEAL OF PROHIBITION OF STUDENT INFOR-**
2 **MATION DATABASE.**

3 Section 134 of the Higher Education Act of 1965 (20
4 U.S.C. 1015c) is repealed.

5 **SEC. 1009. IN-STATE TUITION RATES FOR HOMELESS CHIL-**
6 **DREN AND YOUTHS AND FOSTER CARE CHIL-**
7 **DREN AND YOUTH.**

8 Section 135 of the Higher Education Act of 1965 (20
9 U.S.C. 1015d) is amended—

10 (1) in the section heading, by inserting “,
11 **HOMELESS CHILDREN AND YOUTHS, AND FOS-**
12 **TER CARE CHILDREN AND YOUTH**” after “**CHIL-**
13 **DREN**”;

14 (2) in subsection (a)—

15 (A) by striking “(a) REQUIREMENT.—In
16 the case” and inserting the following:

17 “(a) REQUIREMENT.—

18 “(1) ARMED FORCES.—In the case”; and

19 (B) by adding at the end the following:

20 “(2) HOMELESS CHILDREN AND YOUTHS AND
21 FOSTER CARE CHILDREN AND YOUTH.—In the case
22 of a homeless child or youth or a foster care child
23 or youth, such State shall not charge such individual
24 tuition for attendance at a public institution of high-
25 er education in the State at a rate that is greater

1 than the rate charged for residents of the State.”;
2 and

3 (3) by striking subsections (c) and (d) and in-
4 serting the following:

5 “(c) EFFECTIVE DATE.—

6 “(1) ARMED FORCES.—With respect to an indi-
7 vidual described in subsection (a)(1), this section
8 shall remain in effect as it was in effect on the day
9 before the date of enactment of the Aim Higher Act.

10 “(2) HOMELESS CHILDREN AND YOUTHS AND
11 FOSTER CARE CHILDREN AND YOUTH.—With respect
12 to an individual described in subsection (a)(2), this
13 section shall take effect at each public institution of
14 higher education in a State that receives assistance
15 under this Act for the first period of enrollment at
16 such institution that begins during the first full
17 award year following the date of enactment of the
18 Aim higher Act.

19 “(d) DEFINITIONS.—In this section:

20 “(1) ARMED FORCES.—The terms ‘armed
21 forces’ and ‘active duty for a period of more than 30
22 days’ have the meanings given those terms in section
23 101 of title 10, United States Code.

24 “(2) HOMELESS CHILDREN AND YOUTHS.—The
25 term ‘homeless children and youths’ has the mean-

1 ing given the term in section 725 of the McKinney-
2 Vento Homeless Assistance Act (42 U.S.C.
3 11434a).”.

4 **SEC. 1010. STUDENT LOAN OMBUDSMAN.**

5 Section 141(f)(3) (20 U.S.C. 1018(f)(3)) is amend-
6 ed—

7 (1) in subparagraph (A), by striking “and”
8 after the semicolon;

9 (2) in subparagraph (B), by striking the period
10 at the end and inserting “; and”; and

11 (3) by adding at the end the following:

12 “(C) receive, review, and resolve expedi-
13 tiously complaints regarding a student’s inde-
14 pendence under subparagraph (B) or (H) of
15 section 480(d)(1), in consultation with knowl-
16 edgeable parties, including child welfare agen-
17 cies, local educational agency liaisons for home-
18 less children and youths designated under sec-
19 tion 722(g)(1)(J)(ii) of the McKinney-Vento
20 Homeless Assistance Act (42 U.S.C.
21 11432(g)(1)(J)(ii)), or State Coordinators for
22 Education of Homeless Children and Youths es-
23 tablished in accordance with section 722 of
24 such Act (42 U.S.C. 11432).”.

1 **TITLE II—TEACHER QUALITY**
2 **ENHANCEMENT**

3 **PART A—TEACHER AND SCHOOL LEADER**
4 **QUALITY PARTNERSHIP GRANTS**

5 **SEC. 2001. DEFINITIONS.**

6 Section 200 of the Higher Education Act of 1965 (20
7 U.S.C. 1021) is amended to read as follows:

8 **“SEC. 200. DEFINITIONS.**

9 “Except as otherwise provided, in this title:

10 “(1) ARTS AND SCIENCES.—The term ‘arts and
11 sciences’ means—

12 “(A) when referring to an organizational
13 unit of an institution of higher education, any
14 academic unit that offers one or more academic
15 majors in disciplines or content areas cor-
16 responding to the academic subject matter
17 areas in which teachers provide instruction; and

18 “(B) when referring to a specific academic
19 subject area, the disciplines or content areas in
20 which academic majors are offered by the arts
21 and sciences organizational unit.

22 “(2) BLENDED LEARNING.—The term ‘blended
23 learning’ has the meaning given the term in section
24 4102 of the Elementary and Secondary Education
25 Act of 1965 (20 U.S.C. 7112).

1 “(3) CHILDREN FROM LOW-INCOME FAMI-
2 LIES.—The term ‘children from low-income families’
3 means children described in section 1124(c)(1)(A) of
4 the Elementary and Secondary Education Act of
5 1965 (20 U.S.C. 6333(c)(1)(A)).

6 “(4) COMPREHENSIVE LITERACY INSTRUCC-
7 TION.—The term ‘comprehensive literacy instruc-
8 tion’ has the meaning given the term in section
9 2221(b)(1) of the Elementary and Secondary Edu-
10 cation Act of 1965 (20 U.S.C. 6641(b)(1)).

11 “(5) DIGITAL LEARNING.—The term ‘digital
12 learning’ has the meaning given the term in Section
13 4102 of the Elementary and Secondary Education
14 Act of 1965 (20 U.S.C. 7112).

15 “(6) DIVERSE TEACHER CANDIDATES.—The
16 term ‘diverse teacher candidates’ means teacher can-
17 didates from—

18 “(A) underrepresented groups; or

19 “(B) teachers who are linguistically and
20 culturally prepared to educate high-need stu-
21 dents.

22 “(7) EARLY CHILDHOOD EDUCATOR.—The
23 term ‘early childhood educator’ means an individual
24 with primary responsibility for the education of chil-
25 dren in an early childhood education program.

1 “(8) EDUCATIONAL SERVICE AGENCY.—The
2 term ‘educational service agency’ has the meaning
3 given the term in section 8101 of the Elementary
4 and Secondary Education Act of 1965 (20 U.S.C.
5 7801).

6 “(9) EDUCATOR.—The term ‘educator’ means a
7 teacher, principal or other school leader, specialized
8 instructional support personnel, or other staff mem-
9 ber who provides or directly supports instruction,
10 such as a school librarian, counselor, or paraprofes-
11 sional.

12 “(10) ELIGIBLE PARTNERSHIP.—The term ‘eli-
13 gible partnership’ means an entity that—

14 “(A) shall include—

15 “(i) a high-need local educational
16 agency;

17 “(ii)(I) a high-need school or a con-
18 sortium of high-need schools served by the
19 high-need local educational agency; or

20 “(II) as applicable, a high-need early
21 childhood education program;

22 “(iii) a partner institution;

23 “(iv) a school, department, or pro-
24 gram of education within such partner in-
25 stitution, which may include an existing

1 teacher professional development program
2 with proven outcomes within a four-year
3 institution of higher education that pro-
4 vides intensive and sustained collaboration
5 between faculty and local educational agen-
6 cies consistent with the requirements of
7 this title; and

8 “(v) a school or department of arts
9 and sciences within such partner institu-
10 tion; and

11 “(B) may include any of the following:

12 “(i) The Governor of the State.

13 “(ii) The State educational agency.

14 “(iii) The State board of education.

15 “(iv) The State agency for higher edu-
16 cation.

17 “(v) A business.

18 “(vi) A public or private nonprofit
19 educational organization.

20 “(vii) An educational service agency.

21 “(viii) A teacher, principal, or school
22 leader organization.

23 “(ix) A high-performing local edu-
24 cational agency, or a consortium of such

1 local educational agencies, that can serve
2 as a resource to the partnership.

3 “(x) A charter school (as defined in
4 section 4310 of the Elementary and Sec-
5 ondary Education Act of 1965 (20 U.S.C.
6 7221i)).

7 “(xi) A school or department within
8 the partner institution that focuses on psy-
9 chology and human development.

10 “(xii) A school or department within
11 the partner institution with comparable ex-
12 pertise in the disciplines of teaching, learn-
13 ing, and child and adolescent development.

14 “(xiii) An entity operating a program
15 that provides alternative routes to State
16 certification of teachers or principals.

17 “(11) ENGLISH LEARNER.—The term ‘English
18 learner’ has the meaning given the term in section
19 8101 of the Elementary and Secondary Education
20 Act of 1965 (20 U.S.C. 7801).

21 “(12) EVIDENCE-BASED.—The term ‘evidence-
22 based’ has the meaning given the term in subclauses
23 (I) and (II) of section 8101(21)(A)(i) of the Elemen-
24 tary and Secondary Education Act of 1965 (20
25 U.S.C. 7801(21)(A)).

1 “(13) EVIDENCE OF STUDENT LEARNING.—The
2 term ‘evidence of student learning’ means multiple
3 measures of student learning that include the fol-
4 lowing:

5 “(A) Valid and reliable student assessment
6 data, which may include data—

7 “(i) based on—

8 “(I) student learning gains on
9 statewide academic assessments under
10 section 1111(b)(2) of the Elementary
11 and Secondary Education Act of
12 1965; or

13 “(II) student academic achieve-
14 ment assessments used at the na-
15 tional, State, or local levels, where
16 available and appropriate for the cur-
17 riculum and students taught;

18 “(ii) from classroom-based summative
19 assessments; and

20 “(iii) from high quality validated per-
21 formance-based assessments that are
22 aligned with challenging State academic
23 standards adopted under section
24 1111(b)(1) of the Elementary and Sec-

1 ondary Education Act of 1965 (20 U.S.C.
2 6311(b)(1)).

3 “(B) Not less than one of the following ad-
4 ditional measures:

5 “(i) Student work, including measures
6 of performance criteria and evidence of
7 student growth.

8 “(ii) Teacher-generated information
9 about student goals and growth.

10 “(iii) Parental feedback about student
11 goals and growth.

12 “(iv) Student feedback about learning
13 and teaching supports.

14 “(v) Assessments of affective engage-
15 ment and self-efficacy.

16 “(vi) Other appropriate measures, as
17 determined by the State.

18 “(14) FOSTER CARE.—

19 “(A) IN GENERAL.—The term ‘foster care’
20 means 24-hour substitute care for a child
21 placed away from the child’s parents or guard-
22 ians and for whom the State agency has place-
23 ment and care responsibility. The term includes
24 care through a placement in a foster family
25 home, a foster home of a relative, a group

1 home, an emergency shelter, a residential facil-
2 ity, a child care institution, or a pre-adoptive
3 home.

4 “(B) RULE.—A child shall be considered
5 to be in foster care under subparagraph (A)
6 without regard to whether—

7 “(i) the foster care facility is licensed
8 and payments are made by the State or
9 local agency for the care of the child;

10 “(ii) adoption subsidy payments are
11 being made prior to the finalization of an
12 adoption; or

13 “(iii) Federal matching funds for any
14 payments described in clause (i) or (ii) are
15 being made.

16 “(15) HIGH-NEED EARLY CHILDHOOD EDU-
17 CATION PROGRAM.—The term ‘high-need early child-
18 hood education program’ means an early childhood
19 education program serving children from low-income
20 families that is located within the geographic area
21 served by a high-need local educational agency.

22 “(16) HIGH-NEED LOCAL EDUCATIONAL AGEN-
23 CY.—The term ‘high-need local educational agency’
24 means a local educational agency—

1 “(A)(i) that serves not fewer than 10,000
2 low-income children;

3 “(ii) for which not less than 20 percent of
4 the children served by the agency are low-in-
5 come children;

6 “(iii) that meets the eligibility require-
7 ments for funding under the Small, Rural
8 School Achievement Program under section
9 5211(b) of the Elementary and Secondary Edu-
10 cation Act of 1965 or the Rural and Low-In-
11 come School Program under section 6221(b) of
12 such Act; or

13 “(iv) that has a percentage of low-income
14 children that is in the highest quartile among
15 such agencies in the State; and

16 “(B)(i) for which one or more schools
17 served by the agency is identified by the State
18 for comprehensive supports and interventions
19 under section 1111(c)(4)(D)(i) of the Elemen-
20 tary and Secondary Education Act of 1965; or

21 “(ii) for which one or more schools served
22 by the agency has a high teacher turnover rate
23 or is experiencing a teacher shortage in a high-
24 needs field, as determined by the State.

25 “(17) HIGH-NEED SCHOOL.—

1 “(A) IN GENERAL.—The term ‘high-need
2 school’ means a school that, based on the most
3 recent data available, meets one or both of the
4 following:

5 “(i) The school is in the highest quar-
6 tile of schools in a ranking of all schools
7 served by a local educational agency,
8 ranked in descending order by percentage
9 of students from low-income families en-
10 rolled in such schools, as determined by
11 the local educational agency based on one
12 of the following measures of poverty:

13 “(I) The percentage of students
14 aged 5 through 17 in poverty counted
15 in the most recent census data ap-
16 proved by the Secretary.

17 “(II) The percentage of students
18 eligible for a free or reduced price
19 school lunch under the Richard B.
20 Russell National School Lunch Act.

21 “(III) The percentage of students
22 in families receiving assistance under
23 the State program funded under part
24 A of title IV of the Social Security
25 Act.

1 “(IV) The percentage of students
2 eligible to receive medical assistance
3 under the Medicaid program.

4 “(V) A composite of two or more
5 of the measures described in sub-
6 clauses (I) through (IV).

7 “(ii) In the case of—

8 “(I) an elementary school, the
9 school serves students not less than
10 60 percent of whom are eligible for a
11 free or reduced price school lunch
12 under the Richard B. Russell National
13 School Lunch Act; or

14 “(II) any other school that is not
15 an elementary school, the other school
16 serves students not less than 45 per-
17 cent of whom are eligible for a free or
18 reduced price school lunch under the
19 Richard B. Russell National School
20 Lunch Act.

21 “(B) SPECIAL RULE.—

22 “(i) DESIGNATION BY THE SEC-
23 RETARY.—The Secretary may, upon ap-
24 proval of an application submitted by an
25 eligible partnership seeking a grant under

1 this title, designate a school that does not
2 qualify as a high-need school under sub-
3 paragraph (A) as a high-need school for
4 the purpose of this title. The Secretary
5 shall base the approval of an application
6 for designation of a school under this
7 clause on a consideration of the informa-
8 tion required under clause (ii), and may
9 also take into account other information
10 submitted by the eligible partnership.

11 “(ii) APPLICATION REQUIREMENTS.—
12 An application for designation of a school
13 under clause (i) shall include—

14 “(I) the number and percentage
15 of students attending such school who
16 are—

17 “(aa) aged 5 through 17 in
18 poverty counted in the most re-
19 cent census data approved by the
20 Secretary;

21 “(bb) eligible for a free or
22 reduced price school lunch under
23 the Richard B. Russell National
24 School Lunch Act;

1 “(cc) in families receiving
2 assistance under the State pro-
3 gram funded under part A of
4 title IV of the Social Security
5 Act; or

6 “(dd) eligible to receive med-
7 ical assistance under the Med-
8 icaid program;

9 “(II) information about the stu-
10 dent academic achievement of stu-
11 dents at such school; and

12 “(III) for a secondary school, the
13 four-year adjusted cohort graduation
14 rate for such school.

15 “(18) HIGHLY COMPETENT.—The term ‘highly
16 competent’, when used with respect to an early
17 childhood educator, means an educator—

18 “(A) with specialized education and train-
19 ing in development and education of young chil-
20 dren from birth until entry into kindergarten or
21 a specialization in infants and toddlers or pre-
22 school children;

23 “(B) with—

1 “(i) a baccalaureate degree in an aca-
2 demic major in an early childhood or re-
3 lated field; or

4 “(ii) an associate’s degree in an early
5 childhood or related educational area; and

6 “(C) who has demonstrated a high level of
7 knowledge and use of content and pedagogy in
8 the relevant areas associated with quality early
9 childhood education.

10 “(19) HOMELESS CHILD.—The term ‘homeless
11 child’ means an individual who is a homeless child
12 or youth under section 725 of the McKinney-Vento
13 Homeless Assistance Act (42 U.S.C. 11434).

14 “(20) INDUCTION PROGRAM.—The term ‘induc-
15 tion program’ means a formalized program for new
16 teachers or school leaders, during not less than the
17 teachers’ or school leaders’ first 2 years of, respec-
18 tively, teaching or leading, that is designed to pro-
19 vide support for, and improve the professional per-
20 formance and increase the retention in the education
21 field of, beginning teachers or school leaders. Such
22 program shall promote effective teaching or leader-
23 ship skills and shall include the following compo-
24 nents:

25 “(A) High-quality mentoring.

1 “(B) Periodic, structured time for collabo-
2 ration, including with mentors, as well as time
3 for information-sharing among teachers, prin-
4 cipals, other school leaders and administrators,
5 other appropriate instructional staff, and par-
6 ticipating faculty or program staff in the part-
7 ner institution.

8 “(C) The application of evidence-based in-
9 structional practices.

10 “(D) Opportunities for new teachers or
11 school leaders to draw directly on the expertise
12 of mentors, faculty or program staff, and re-
13 searchers to support the integration of evidence-
14 based research with practice.

15 “(E) The development of skills in evidence-
16 based instructional and behavioral interven-
17 tions.

18 “(F) Faculty or program staff who—

19 “(i) model the integration of research
20 and practice in the classroom and school;
21 and

22 “(ii) as appropriate, assist new teach-
23 ers or school leaders with the effective use
24 and integration of educational technology

1 and the principles of universal design for
2 learning into the classroom or school.

3 “(G) Interdisciplinary collaboration among
4 teacher leaders or school leaders, faculty or pro-
5 gram staff, researchers, and other staff who
6 prepare new teachers or school leaders with re-
7 spect to, as applicable, the learning process, the
8 assessment of learning, or the leadership of a
9 school.

10 “(H) As applicable to the role, assistance
11 with understanding of the effective use of data,
12 particularly student achievement data, and the
13 applicability of such data to inform and improve
14 classroom instruction and school leadership.

15 “(I) Regular and structured observation
16 and evaluation of new teachers, principals, or
17 other school leaders that are based in part on
18 evidence of student learning, shall include mul-
19 tiple measures of educator performance, and
20 shall provide clear, timely, and useful feedback
21 to teachers, principals, or other school leaders,
22 as applicable.

23 “(J) The development of skills in improv-
24 ing the school culture and climate related to

1 school leadership and the role of the principal,
2 including to—

3 “(i) nurture teacher and staff develop-
4 ment to strengthen classroom practice;

5 “(ii) build and sustain an inclusive
6 culture of learning among adults and chil-
7 dren;

8 “(iii) strengthen communications and
9 relationships with parents, caregivers,
10 paraprofessionals, and community stake-
11 holders;

12 “(iv) facilitate the sharing of knowl-
13 edge, insight, and best practices in the
14 community served by the school, preschool
15 program, or early childhood education pro-
16 gram, including with youth serving pro-
17 grams (such as before- and after-school
18 and summer programs); and

19 “(v) build relationships and commu-
20 nicate effectively with State and local edu-
21 cational agency officials.

22 “(21) INFANT OR TODDLER WITH A DIS-
23 ABILITY.—The term ‘infant or toddler with a dis-
24 ability’ has the meaning given the term in section

1 632 of the Individuals with Disabilities Education
2 Act (20 U.S.C. 1432).

3 “(22) MENTORING.—The term ‘mentoring’
4 means the mentoring of new or prospective teachers
5 or school leaders through a program that—

6 “(A) includes clear criteria for the selec-
7 tion of teacher or school leader mentors who
8 may be program staff and who will provide role
9 model relationships for mentees, which criteria
10 shall be developed by the eligible partnership
11 and based on measures of teacher or school
12 leader effectiveness;

13 “(B) provides high-quality training for
14 such mentors, including instructional strategies
15 for literacy instruction and classroom manage-
16 ment (including approaches that improve the
17 schoolwide climate for learning, create inclusive
18 classroom environments, and address the social
19 and emotional needs of students, which may in-
20 clude positive behavioral interventions and sup-
21 ports);

22 “(C) provides regular and ongoing oppor-
23 tunities for mentors and mentees to observe
24 each other’s teaching or leading methods in
25 classroom or school settings during the day in

1 a high-need school in the high-need local edu-
2 cational agency in the eligible partnership;

3 “(D) provides paid release time for men-
4 tors;

5 “(E) for teachers, provides mentoring to
6 each mentee by a colleague who teaches in the
7 same field, grade, or subject as the mentee;

8 “(F) for teachers, promotes empirically-
9 based practice of, and evidence-based research
10 on, where applicable—

11 “(i) teaching and learning;

12 “(ii) assessment of student learning;

13 “(iii) the development of teaching
14 skills through the use of instructional and
15 behavioral interventions; and

16 “(iv) the improvement of the mentees’
17 capacity to measurably advance student
18 learning; and

19 “(G) includes—

20 “(i) common planning time or regu-
21 larly scheduled collaboration for the men-
22 tor and mentee; and

23 “(ii) as applicable, joint professional
24 development opportunities.

1 “(23) PARENT.—The term ‘parent’ has the
2 meaning given the term in section 8101 of the Ele-
3 mentary and Secondary Education Act of 1965.

4 “(24) PARTNER INSTITUTION.—The term ‘part-
5 ner institution’ means an institution of higher edu-
6 cation, which may include a 2-year institution of
7 higher education offering a dual program with a 4-
8 year institution of higher education, participating in
9 an eligible partnership that has a teacher or school
10 leader preparation program that is accredited by the
11 State—

12 “(A) in the case of a teacher preparation
13 program—

14 “(i) whose graduates exhibit strong
15 performance on State-determined quali-
16 fying assessments for new teachers
17 through—

18 “(I) demonstrating that 80 per-
19 cent or more of the graduates of the
20 program who intend to enter the field
21 of teaching have passed all of the ap-
22 plicable State qualification assess-
23 ments for new teachers, which shall
24 include an assessment of each pro-
25 spective teacher’s subject matter

1 knowledge in the content area in
2 which the teacher intends to teach; or

3 “(II) that is not designated as a
4 low-performing teacher preparation
5 program in the State as determined
6 by the State—

7 “(aa) using criteria con-
8 sistent with the requirements for
9 the State assessment under sec-
10 tion 207(a) before the first publi-
11 cation of such report card; and

12 “(bb) using the State assess-
13 ment required under section
14 207(a), after the first publication
15 of such report card and for every
16 year thereafter; and

17 “(ii) that requires—

18 “(I) each student in the program
19 to meet high academic standards or
20 demonstrate a record of success, as
21 determined by the institution (includ-
22 ing prior to entering and being ac-
23 cepted into a program), and partici-
24 pate in intensive clinical experience;

1 “(II) each student in the pro-
2 gram preparing to become a teacher
3 who meets the applicable State certifi-
4 cation and licensure requirements, in-
5 cluding any requirements for certifi-
6 cation obtained through alternative
7 routes to certification, or, with regard
8 to special education teachers, the
9 qualifications described in section
10 612(a)(14)(C) of the Individuals with
11 Disabilities Education Act; and

12 “(III) each student in the pro-
13 gram preparing to become an early
14 childhood educator to meet degree re-
15 quirements, as established by the
16 State, and become highly competent;
17 and

18 “(B) in the case of a school leader prepa-
19 ration program—

20 “(i) whose graduates exhibit a strong
21 record of successful school leadership as
22 demonstrated by—

23 “(I) a high percentage of such
24 graduates taking positions as assist-

1 ant principals and principals within 3
2 years of completing the program; and

3 “(II) a high percentage of such
4 graduates rated effective or above in
5 State school leader evaluation and
6 support systems (as described in sec-
7 tion 2101(c)(4)(B)(ii) of the Elemen-
8 tary and Secondary Education Act of
9 1965) or, if no such ratings are avail-
10 able, other, comparable indicators of
11 performance; and

12 “(ii) that requires each student in the
13 program to participate in intensive clinical
14 experience in an authentic setting (includ-
15 ing by assuming substantial leadership re-
16 sponsibilities) in which the student can be
17 evaluated on leadership skills and the stu-
18 dent’s effect on student outcomes as part
19 of program completion.

20 “(25) PROFESSIONAL DEVELOPMENT.—The
21 term ‘professional development’ has the meaning
22 given the term in section 8101 of the Elementary
23 and Secondary Education Act of 1965.

24 “(26) PROFESSION-READY.—The term ‘profes-
25 sion-ready’—

1 “(A) when used with respect to a principal,
2 means a principal or other school leader who—

3 “(i) has an advanced degree, or other
4 appropriate credential;

5 “(ii) has completed a principal or
6 other school leader preparation process and
7 is fully certified and licensed by the State
8 in which the principal or other school lead-
9 er is employed;

10 “(iii) has demonstrated instructional
11 leadership, including the ability to collect,
12 analyze, and utilize data on evidence of
13 student learning and evidence of classroom
14 practice;

15 “(iv) has demonstrated proficiency in
16 professionally recognized leadership stand-
17 ards, such as through—

18 “(I) a performance assessment;

19 “(II) completion of a residency
20 program; or

21 “(III) other measures of leader-
22 ship effectiveness, as determined by
23 the State; and

1 “(v) has demonstrated the ability to
2 work with students who are culturally and
3 linguistically diverse;

4 “(B) when used with respect to a teacher,
5 means a teacher who—

6 “(i) has completed a teacher prepara-
7 tion program and is fully certified and li-
8 censed to teach by the State in which the
9 teacher is employed;

10 “(ii) has demonstrated content knowl-
11 edge in the subject or subjects the teacher
12 teaches;

13 “(iii) has demonstrated the ability to
14 work with students who are culturally and
15 linguistically diverse;

16 “(iv) has demonstrated teaching skills,
17 such as through—

18 “(I) a teacher performance as-
19 sessment; or

20 “(II) other measures of teaching
21 skills, as determined by the State; and

22 “(v) has demonstrated proficiency
23 with the use of educational technology; and

24 “(C) when used with respect to any other
25 educator not described in subparagraph (A) or

1 (B), means an educator who has completed an
2 appropriate preparation program and is fully
3 certified or licensed by the State in which the
4 educator is employed.

5 “(27) RESIDENCY PROGRAM.—The term ‘resi-
6 dency program’ means a school-based educator prep-
7 aration program in which a prospective teacher,
8 principal or other school leader, or other educator—

9 “(A) for 1 academic year, works alongside
10 a mentor teacher, principal or other school lead-
11 er, or other educator who is the educator of
12 record;

13 “(B) receives concurrent instruction during
14 the year described in subparagraph (A) from
15 the partner institution, which may be courses
16 taught by local educational agency personnel or
17 residency program faculty, in—

18 “(i) the teaching of the content area
19 in which the teacher will become certified
20 or licensed;

21 “(ii) pedagogical practices; and

22 “(iii) leadership, management, organi-
23 zational, and instructional skills necessary
24 to serve as a principal or other school lead-
25 er;

1 “(C) acquires effective teaching or leader-
2 ship skills; and

3 “(D) prior to completion of the program,
4 earns a master’s degree or other appropriate
5 advanced credential, attains full State teacher,
6 principal, or school leader certification or licen-
7 sure, and becomes profession-ready.

8 “(28) SCHOOL LEADER.—The term ‘school
9 leader’ has the meaning given the term in section
10 8101 of the Elementary and Secondary Education
11 Act of 1965.

12 “(29) SCHOOL LEADER PREPARATION ENTI-
13 TY.—The term ‘school leader preparation entity’
14 means an institution of higher education or a non-
15 profit organization, including those institutions or
16 organizations that provide alternative routes to cer-
17 tification, that is approved by the State to prepare
18 school leaders to be effective.

19 “(30) SCHOOL LEADER PREPARATION PRO-
20 GRAM.—The term ‘school leader preparation pro-
21 gram’ means a program offered by a school leader
22 preparation entity, whether a traditional or alter-
23 native route, that is approved by the State to pre-
24 pare school leaders to be effective and that leads to
25 a specific State certification to be a school leader.

1 “(31) TEACHER LEADER.—The term ‘teacher
2 leader’ means a highly-effective educator who carries
3 out formalized leadership responsibilities based on
4 the demonstrated needs of the elementary school or
5 secondary school in which the teacher is employed,
6 while maintaining a role as a classroom instructor
7 who—

8 “(A) is trained in and practices teacher
9 leadership; and

10 “(B) fosters a collaborative culture to—

11 “(i) support educator development, ef-
12 fectiveness, and student learning;

13 “(ii) support access and use research
14 to improve practice and student learning;

15 “(iii) promote professional learning
16 for continuous improvement;

17 “(iv) facilitate improvements in in-
18 struction and student learning; promote
19 the appropriate use of assessments and
20 data for school and district improvement;

21 “(v) improve outreach and collabora-
22 tion with families and community;

23 “(vi) advance the profession by shap-
24 ing and implementing policy; and

1 “(vii) advocate for increased access to
2 great teaching and learning for all stu-
3 dents.

4 “(32) TEACHING SKILLS.—The term ‘teaching
5 skills’ means skills that enable a teacher to—

6 “(A) increase student learning, achieve-
7 ment, and the ability to apply knowledge;

8 “(B) effectively convey, and explain, and
9 provide opportunities for students to apply aca-
10 demic subject matter;

11 “(C) effectively teach higher-order analyt-
12 ical, evaluation, problem-solving, critical think-
13 ing, social and emotional, collaboration, and
14 communication skills;

15 “(D) employ strategies grounded in the
16 disciplines of teaching and learning that—

17 “(i) are based on empirically-based
18 practice and evidence-based research,
19 where applicable, related to teaching and
20 learning;

21 “(ii) are specific to academic subject
22 matter; and

23 “(iii) focus on the identification of
24 students’ specific learning needs, particu-
25 larly students with disabilities, students

1 who are English-learners, students who are
2 gifted and talented, and students with low
3 literacy levels, and the tailoring of aca-
4 demic instruction to such needs;

5 “(E) design and conduct an ongoing as-
6 sessments of student learning, which may in-
7 clude the use of formative assessments, per-
8 formance-based assessments, project-based as-
9 sessments, or portfolio assessments, that meas-
10 ures higher-order thinking skills (including ap-
11 plication, analysis, synthesis, and evaluation)
12 and use this information to inform and person-
13 alize instruction;

14 “(F) support the social, emotional, and
15 academic achievement of all students including
16 effectively manage a classroom creating a posi-
17 tive and inclusive classroom environment, in-
18 cluding the ability to implement positive behav-
19 ioral interventions and support strategies;

20 “(G) support technology-rich instruction,
21 assessment and learning management in con-
22 tent areas, technology literacy, and under-
23 standing of the principles of universal design;

24 “(H) demonstrate proficiency with the use
25 of educational technology;

1 “(I) communicate and work with families,
2 and involve families in their children’s edu-
3 cation; and

4 “(J) use, in the case of an early childhood
5 educator or an educator at the elementary
6 school or secondary school level, age-appropriate
7 and developmentally appropriate strategies and
8 practices for children and youth in early child-
9 hood education and elementary school or sec-
10 ondary school programs, respectively.

11 “(33) TEACHER PERFORMANCE ASSESSMENT.—
12 The term ‘teacher performance assessment’ means a
13 pre-service assessment used to measure teacher per-
14 formance that is approved by the State and is—

15 “(A) based on professional teaching stand-
16 ards;

17 “(B) used to measure the effectiveness of
18 a teacher’s—

19 “(i) curriculum planning;

20 “(ii) instruction of students, including
21 appropriate plans and modifications for
22 students who are limited English proficient
23 and students who are children with disabil-
24 ities;

1 “(iii) assessment of students, includ-
2 ing analysis of evidence of student learn-
3 ing; and

4 “(iv) ability to advance student learn-
5 ing;

6 “(C) validated based on professional as-
7 sessment standards;

8 “(D) reliably scored by trained evaluators,
9 with appropriate oversight of the process to en-
10 sure consistency; and

11 “(E) used to support continuous improve-
12 ment of educator practice.

13 “(34) TEACHER PREPARATION ENTITY.—The
14 term ‘teacher preparation entity’ means an institu-
15 tion of higher education, a nonprofit organization, or
16 other organization that is approved by a State to
17 prepare teachers to be effective in the classroom.

18 “(35) TEACHER PREPARATION PROGRAM.—The
19 term ‘teacher preparation program’ means a pro-
20 gram offered by a teacher preparation entity that
21 leads to a specific State teacher certification.

22 “(36) TRAUMA-INFORMED CARE.—The term
23 ‘trauma-informed care’ is defined as the evidence-
24 based practices outlined in section 4108(B)(II)(aa)

1 of the Elementary and Secondary Education Act of
2 1965.”.

3 **SEC. 2002. PURPOSES.**

4 Section 201 of the Higher Education Act of 1965 (20
5 U.S.C. 1022) is amended—

6 (1) in paragraph (2), by striking “by improving
7 the preparation of prospective teachers and enhanc-
8 ing professional development activities for new
9 teachers” and inserting “, school leaders, including
10 teacher leaders, and other educators by improving
11 the preparation of prospective teachers, school lead-
12 ers, and other educators and enhancing professional
13 development activities for new teachers, school lead-
14 ers, and other educators”;

15 (2) in paragraph (3), by striking “; and” and
16 inserting a semicolon;

17 (3) by striking paragraph (4) and inserting the
18 following new paragraphs:

19 “(4) hold teacher, principal and school leader,
20 and other educator preparation programs account-
21 able for preparing effective teachers, principals and
22 school leaders, and other educators;

23 “(5) recruit profession-ready individuals, includ-
24 ing underrepresented groups and individuals from
25 other occupations (including informal education and

1 youth development fields), as teachers and other
2 educators; and

3 “(6) meet the staffing needs of high-need local
4 educational agencies and high-need schools through
5 close partnerships with educator preparation pro-
6 grams within institutions of higher education.”.

7 **SEC. 2003. PARTNERSHIP GRANTS.**

8 Section 202 of the Higher Education Act of 1965 (20
9 U.S.C. 1022a) is amended—

10 (1) in subsection (b)—

11 (A) in paragraph (1), by inserting “equi-
12 table distribution,” after “professional develop-
13 ment,”;

14 (B) by amending paragraph (2) to read as
15 follows:

16 “(2) a description of the extent to which the
17 program to be carried out with grant funds, as de-
18 scribed in subsection (c), will prepare prospective
19 teachers, school leaders, and new educators with
20 strong teaching, leadership, and other professional
21 skills necessary to increase learning and academic
22 achievement;”;

23 (C) in paragraph (3), by inserting “,
24 school leaders, and other educators,” after
25 “new teachers”;

1 (D) in paragraph (4)—

2 (i) in subparagraph (A), by inserting
3 “, school leader, and other educator” after
4 “other teacher”; and

5 (ii) in subparagraph (B), by inserting
6 “, school leader, and other educator” after
7 “promote teacher”;

8 (E) in paragraph (6)—

9 (i) by striking subparagraphs (F),
10 (G), and (H) and inserting the following:

11 “(F) how the partnership will prepare edu-
12 cators to teach and work with students with
13 disabilities, including training related to early
14 identification of students with disabilities and
15 participation as a member of individualized edu-
16 cation program teams, as defined in section
17 614(d)(1)(B) of the Individuals with Disabil-
18 ities Education Act to ensure that students with
19 disabilities receive effective services, consistent
20 with the requirements of the Individuals with
21 Disabilities Education Act, that are needed for
22 such students to achieve to challenging State
23 academic standards;

24 “(G) how the partnership will prepare edu-
25 cators to teach and work with students who are

1 English learners to ensure that students who
2 are English learners receive the services that
3 are needed for such students to achieve to chal-
4 lenging State academic standards;

5 “(H) how faculty at the partner institution
6 will work, during the term of the grant, with
7 mentor educators in the classrooms and admin-
8 istrators of high-need schools served by the
9 high-need local educational agency in the part-
10 nership to—

11 “(i) provide high-quality professional
12 development activities to strengthen the
13 content knowledge and teaching skills of
14 elementary school and secondary school
15 teachers and other educators, including
16 multi-tiered systems of support and uni-
17 versal design for learning;

18 “(ii) train other classroom teachers,
19 principals or other school leaders, school li-
20 brarians, and other educators to implement
21 literacy programs that incorporate the
22 components of comprehensive literacy in-
23 struction; and

24 “(iii) provide evidence-based, high-
25 quality professional development activities

1 to strengthen the instructional and leader-
2 ship skills of elementary school and sec-
3 ondary school principals or other school
4 leaders and district superintendents, if the
5 partner institution has a principal or
6 school leader preparation program;”;

7 (ii) in subparagraph (I), by inserting
8 “as applicable” before “how the partner-
9 ship”; and

10 (iii) in subparagraph (K)—

11 (I) by inserting “, principals or
12 other school leaders” after “teachers”;
13 and

14 (II) by striking “; and” and in-
15 serting a semicolon;

16 (F) in paragraph (7)—

17 (i) in the matter before subparagraph
18 (A), by striking “under this section” and
19 inserting “under paragraphs (1)(B)(iv)
20 and (3) of subsection (d)”;

21 (ii) in subparagraph (A), by inserting
22 “as applicable,” before “a demonstration”;

23 (iii) in subparagraph (B), by striking
24 “scientifically valid” and inserting “evi-
25 dence-based”; and

1 (iv) in subparagraph (D), by striking
2 the period at the end and inserting “;
3 and”;

4 (2) by amending subsection (c) to read as fol-
5 lows:

6 “(c) USE OF GRANT FUNDS.—An eligible partner-
7 ship that receives a grant under this section—

8 “(1) shall use such grant to carry out —

9 “(A) a program for the pre-baccalaureate
10 or post-baccalaureate preparation of teachers
11 described in subsection (d);

12 “(B) a teaching or principal or other
13 school leader residency program described in
14 subsection (e); or

15 “(C) a combination of such programs; and

16 “(2) may use such grant to carry out other edu-
17 cator development programs under subsection (f),
18 based upon the results of the needs assessment in
19 subsection (b)(1).”;

20 (3) in subsection (d)—

21 (A) in paragraph (1)—

22 (i) by striking “limited English pro-
23 ficient” both places it appears and insert-
24 ing “English learners”; and

1 (ii) by striking “scientifically valid”
2 both places it appears inserting “evidence-
3 based”;

4 (iii) in subparagraph (B)(ii)(VI), by
5 striking “reading instruction” both places
6 it appears and inserting “comprehensive
7 literacy instruction”;

8 (B) in paragraph (5)(B), by striking “lim-
9 ited English proficient” and inserting “English
10 learners”;

11 (C) in paragraph (6)(A), by striking “read-
12 ing instruction” and inserting “comprehensive
13 literacy instruction”;

14 (4) by amending subsection (e) to read as fol-
15 lows:

16 “(e) PARTNERSHIP GRANTS FOR THE ESTABLISH-
17 MENT OF TEACHING AND PRINCIPAL OR OTHER SCHOOL
18 LEADER RESIDENCY PROGRAMS.—

19 “(1) IN GENERAL.—An eligible partnership re-
20 ceiving a grant to carry out an effective teaching
21 residency program or principal or other school leader
22 residency program that meets the following require-
23 ments:

1 “(A) TEACHING RESIDENCY PROGRAM.—
2 An eligible partnership carrying out a teaching
3 residency program shall—

4 “(i) support a teaching residency pro-
5 gram described in paragraph (2) for high-
6 need schools, as determined by the needs
7 of high-need local educational agency in
8 the partnership, and in high-need subjects
9 and areas, as defined by such local edu-
10 cational agency; and

11 “(ii) place graduates of the teaching
12 residency program in cohorts that facilitate
13 professional collaboration, both among
14 graduates of the residency program and
15 between such graduates and mentor teach-
16 ers in the receiving school.

17 “(B) PRINCIPAL OR SCHOOL LEADER RESI-
18 DENCY PROGRAM.—An eligible partnership car-
19 rying out a principal or school leader residency
20 program shall support a program described in
21 paragraph (3) for high-need schools, as deter-
22 mined by the needs of the high-need local edu-
23 cational agency in the partnership.

24 “(2) TEACHING RESIDENCY PROGRAM.—

1 “(A) ESTABLISHMENT AND DESIGN.—A
2 teaching residency program under this para-
3 graph shall be a program based upon models of
4 successful teaching residencies that serves as a
5 mechanism to prepare teachers for success in
6 high-need schools in the eligible partnership and
7 shall be designed to include the following char-
8 acteristics of successful programs:

9 “(i) The integration of pedagogy,
10 classroom practice and teacher mentoring.

11 “(ii) The exposure to principles of
12 child and youth development, and under-
13 standing and applying principles of learn-
14 ing, behavior, and community and family
15 engagement.

16 “(iii) The exposure to principles of
17 universal design for learning and multi-
18 tiered systems of support.

19 “(iv) Engagement of teaching resi-
20 dents in rigorous graduate-level coursework
21 to earn a master’s degree while under-
22 taking a guided teaching clinical experi-
23 ence.

1 “(v) Experience and learning opportu-
2 nities alongside a trained and experienced
3 mentor teacher—

4 “(I) whose teaching shall com-
5 plement the residency program so that
6 school-based clinical practice is tightly
7 aligned and integrated with
8 coursework;

9 “(II) who shall have extra re-
10 sponsibilities as a teacher leader of
11 the teaching residency program, as a
12 mentor for residents, and as a teacher
13 coach during the induction program
14 for new teachers, and for establishing,
15 within the program, a learning com-
16 munity in which all individuals are ex-
17 pected to continually improve their ca-
18 pacity to advance student learning;
19 and

20 “(III) who may be relieved from
21 teaching duties or may be offered a
22 stipend as a result of such additional
23 responsibilities.

24 “(vi) The establishment of clear cri-
25 teria for the selection of mentor teachers

1 based on the appropriate subject area
2 knowledge and measures of teacher effec-
3 tiveness, which shall be based on, but not
4 limited to, observations of the following:

5 “(I) Planning and preparation,
6 including demonstrated knowledge of
7 content, pedagogy, and assessment,
8 including the use of formative,
9 summative, and diagnostic assess-
10 ments to inform instruction and im-
11 prove student learning.

12 “(II) Appropriate instruction
13 that engages all students.

14 “(III) Collaboration with col-
15 leagues to improve instruction.

16 “(IV) Analysis of evidence of stu-
17 dent learning.

18 “(V) Collaboration and the cul-
19 tivation of relationships with external
20 stakeholders (which may include pro-
21 fessional disciplinary organizations
22 and nonprofit advocacy organizations)
23 to foster the sharing of evidence-based
24 resources to promote high-quality, ef-
25 fective practices.

1 “(vii) The development of admissions
2 goals and priorities—

3 “(I) that are aligned with the
4 hiring objectives of the local edu-
5 cational agency partnering with the
6 program, as well as the instructional
7 initiatives and curriculum of such
8 agency to hire qualified graduates
9 from the teaching residency program;
10 and

11 “(II) which may include consider-
12 ation of applicants who reflect the
13 communities in which they will teach
14 as well as consideration of individuals
15 from underrepresented populations in
16 the teaching profession.

17 “(viii) Continued support for residents
18 once such residents are hired as the teach-
19 ers of record, through an induction pro-
20 gram, evidence-based professional develop-
21 ment, and networking opportunities to sup-
22 port the residents through not less than
23 the residents’ first 2 years of teaching.

24 “(B) SELECTION OF INDIVIDUALS AS
25 TEACHER RESIDENTS.—

1 “(i) ELIGIBLE INDIVIDUAL.—In order
2 to be eligible to be a teacher resident in a
3 teacher residency program under this para-
4 graph, an individual shall—

5 “(I) be a recent graduate of a 4-
6 year institution of higher education or
7 a mid-career professional possessing
8 strong content knowledge or a record
9 of professional accomplishment; and

10 “(II) submit an application to
11 the residency program.

12 “(ii) SELECTION CRITERIA.—An eligi-
13 ble partnership carrying out a teaching
14 residency program under this subsection
15 shall establish criteria for the selection of
16 eligible individuals to participate in the
17 teaching residency program based on the
18 following characteristics:

19 “(I) Strong content knowledge or
20 record of accomplishment in the field
21 or subject area to be taught.

22 “(II) Strong verbal and written
23 communication skills, which may be
24 demonstrated by performance on ap-
25 propriate assessments.

1 “(III) Other attributes linked to
2 effective teaching, which may be de-
3 termined by interviews or performance
4 assessments, as specified by the eligi-
5 ble partnership.

6 “(3) PARTNERSHIP GRANTS FOR THE DEVEL-
7 OPMENT OF PRINCIPAL AND OTHER SCHOOL LEADER
8 RESIDENCY PROGRAMS.—

9 “(A) ESTABLISHMENT AND DESIGN.—A
10 principal or other school leader residency pro-
11 gram under this paragraph shall be a program
12 based upon models of successful principal or
13 other school leader residencies that serve as a
14 mechanism to prepare principals and other
15 school leaders for success in high-need schools
16 in the eligible partnership and shall be designed
17 to include the following characteristics of suc-
18 cessful programs:

19 “(i) Engagement of principal or other
20 school leader residents in rigorous grad-
21 uate-level coursework to earn an appro-
22 priate advanced credential while under-
23 taking a guided principal or other school
24 leader clinical experience.

1 “(ii) Experience and learning opportu-
2 nities, including those that provide contin-
3 uous feedback throughout the program on
4 a participants’ progress, alongside a
5 trained and experienced mentor principal
6 or other school leader—

7 “(I) whose mentoring shall be
8 based on standards of effective men-
9 toring practice and shall complement
10 the residence program so that school-
11 based clinical practice is tightly
12 aligned with coursework; and

13 “(II) who may be relieved from
14 some portion of principal or other
15 school leader duties or may be offered
16 a stipend as a result of such addi-
17 tional responsibilities.

18 “(iii) The establishment of clear cri-
19 teria for the selection of mentor principals
20 or other school leaders, which may be
21 based on observations of the following:

22 “(I) Demonstrating awareness of,
23 and having experience with, the
24 knowledge, skills, and attitudes to—

1 “(aa) establish and maintain
2 a professional learning commu-
3 nity that effectively extracts in-
4 formation from data to improve
5 the school culture and climate,
6 and personalize instruction for all
7 students to result in improved
8 student achievement;

9 “(bb) create and maintain a
10 learning culture within the school
11 that provides an inclusive climate
12 conducive to the development of
13 all members of the school com-
14 munity, including one of contin-
15 uous improvement and learning
16 for adults tied to student learn-
17 ing and other school goals;

18 “(cc) develop the profes-
19 sional capacity and practice of
20 school personnel and foster a
21 professional community of teach-
22 ers and other professional staff;

23 “(dd) engage in continuous
24 professional development, uti-
25 lizing a combination of academic

1 study, developmental simulation
2 exercises, self-reflection,
3 mentorship, and internship;

4 “(ee) understand youth de-
5 velopment appropriate to the age
6 level served by the school, and
7 use this knowledge to set high ex-
8 pectations and standards for the
9 academic, social, emotional, and
10 physical development of all stu-
11 dents; and

12 “(ff) actively engage with
13 families and the community to
14 create shared responsibility for
15 student academic performance
16 and successful development.

17 “(II) Planning and articulating a
18 shared and coherent schoolwide direc-
19 tion and policy for achieving high
20 standards of student performance,
21 and closing gaps in achievement
22 among subgroups of students.

23 “(III) Identifying and imple-
24 menting the activities and rigorous
25 curriculum necessary for achieving

1 such standards of student perform-
2 ance.

3 “(IV) Supporting a culture of
4 learning, collaboration, and profes-
5 sional behavior and ensuring quality
6 measures of instructional practice.

7 “(V) Communicating and engag-
8 ing parents, families, and other exter-
9 nal communities.

10 “(VI) Cultivating relationships
11 and collaborating with external stake-
12 holders, which may include profes-
13 sional disciplinary organizations and
14 nonprofit advocacy organizations, to
15 foster the sharing of evidence-based
16 resources to promote high-quality, ef-
17 fective practices.

18 “(VII) Collecting, analyzing, and
19 utilizing data and other evidence of
20 student learning and evidence of class-
21 room practice to guide decisions and
22 actions for continuous improvement
23 and to ensure performance account-
24 ability.

1 “(iv) The development of admissions
2 goals and priorities—

3 “(I) that are aligned with the
4 hiring objectives of the local edu-
5 cational agency partnering with the
6 program, as well as the instructional
7 initiatives and curriculum of such
8 agency to hire qualified graduates
9 from the principal residency program;
10 and

11 “(II) which may include consider-
12 ation of applicants who reflect the
13 communities in which they will serve
14 and consideration of individuals from
15 underrepresented populations in
16 school leadership positions.

17 “(v) Continued support for residents
18 once such residents are hired as principals
19 or other school leaders, through an induc-
20 tion program, evidence-based professional
21 development to support the knowledge and
22 skills of the principal or other school leader
23 in a continuum of learning and content ex-
24 pertise in developmentally appropriate or
25 age-appropriate educational practices, and

1 networking opportunities to support the
2 residents through not less than the resi-
3 dents' first 2 years of serving as principal
4 or other school leader of a school.

5 “(B) SELECTION OF INDIVIDUALS AS
6 PRINCIPAL OR OTHER SCHOOL LEADER RESI-
7 DENTS.—

8 “(i) ELIGIBLE INDIVIDUAL.—In order
9 to be eligible to be a principal or other
10 school leader resident in a principal or
11 other school leader residency program
12 under this paragraph, an individual shall—

13 “(I) have prior prekindergarten
14 through grade 12 teaching experience;

15 “(II) have experience as an effec-
16 tive leader, manager, and written and
17 oral communicator; and

18 “(III) submit an application to
19 the residency program.

20 “(ii) SELECTION CRITERIA.—An eligi-
21 ble partnership carrying out a principal or
22 other school leader residency program
23 under this subsection shall establish cri-
24 teria for the selection of eligible individuals
25 to participate in the principal residency

1 program based on the following character-
2 istics:

3 “(I) Strong instructional leader-
4 ship skills in an elementary school or
5 secondary school setting.

6 “(II) Strong verbal and written
7 communication skills, which may be
8 demonstrated by performance on ap-
9 propriate assessments.

10 “(III) Other attributes linked to
11 effective leadership, such as sound
12 judgment, organizational capacity, col-
13 laboration, commitment to equity and
14 inclusiveness, and openness to contin-
15 uous learning, which may be deter-
16 mined by interviews or performance
17 assessment, as specified by the eligible
18 partnership.

19 “(4) STIPENDS OR SALARIES; APPLICATIONS;
20 AGREEMENTS; AND REPAYMENTS.—

21 “(A) STIPENDS OR SALARIES.—A teaching
22 residency program, or principal or other school
23 leader residency program, under this sub-
24 section—

1 “(i) shall provide a 1-year living sti-
2 pend or salary to teaching or principal or
3 other school leader residents during the
4 teaching residency program or principal
5 residency program; and

6 “(ii) may provide a stipend to a men-
7 tor teacher or mentor principal.

8 “(B) APPLICATIONS.—

9 “(i) IN GENERAL.—Each teaching,
10 principal, or other school residency can-
11 didate desiring a stipend or salary during
12 the period of residency shall submit an ap-
13 plication to the eligible partnership at such
14 time, in such manner, and containing such
15 information and assurances, as the eligible
16 partnership may require, and which shall
17 include an agreement to serve described in
18 clause (ii).

19 “(ii) AGREEMENTS TO SERVE.—Each
20 application submitted under clause (i) shall
21 contain or be accompanied by an agree-
22 ment that the applicant will—

23 “(I) upon successfully completing
24 the 1-year teaching, principal, or
25 other school leader residency program,

1 serve as a full-time teacher, principal,
2 or other school leader for a total of
3 not less than 3 school years at—

4 “(aa) a high-need school
5 served by the high-need local
6 educational agency in the eligible
7 partnership and, in the case of a
8 teacher, teach a subject or area
9 that is designated as high-need
10 by the partnership; or

11 “(bb) in a case in which no
12 appropriate position is available
13 in a high-need school served by
14 the high-need local educational
15 agency in the eligible partner-
16 ship, any other high-need school;

17 “(II) provide to the eligible part-
18 nership a certificate, from the chief
19 administrative officer of the local edu-
20 cational agency in which the teacher
21 or principal, or other school leader is
22 employed, of the employment required
23 under subclause (I) at the beginning
24 of, and upon completion of, each year
25 or partial year of service;

1 “(III) in the case of a teacher
2 resident, meet the requirements to be
3 a profession-ready teacher; and

4 “(IV) comply with the require-
5 ments set by the eligible partnership
6 under subparagraph (C) if the appli-
7 cant is unable or unwilling to com-
8 plete the service obligation required by
9 this subparagraph.

10 “(C) REPAYMENTS.—

11 “(i) IN GENERAL.—An eligible part-
12 nership carrying out a teaching or prin-
13 cipal, or other school leader, residency pro-
14 gram under this subsection shall require a
15 recipient of a stipend or salary under sub-
16 paragraph (A) who does not complete, or
17 who notifies the partnership that the re-
18 cipient intends not to complete, the service
19 obligation required by subparagraph (B) to
20 repay such stipend or salary to the eligible
21 partnership, together with interest, at a
22 rate specified by the partnership in the
23 agreement, and in accordance with such
24 other terms and conditions specified by the
25 eligible partnership, as necessary.

1 “(ii) OTHER TERMS AND CONDI-
2 TIONS.—Any other terms and conditions
3 specified by the eligible partnership may
4 include reasonable provisions for prorated
5 repayment of the stipend or salary de-
6 scribed in subparagraph (A) or for deferral
7 of a teaching or principal, or other school
8 leader, resident’s service obligation re-
9 quired by subparagraph (B), on grounds of
10 health, incapacitation, inability to secure
11 employment in a school served by the eligi-
12 ble partnership, being called to active duty
13 in the Armed Forces of the United States,
14 or other extraordinary circumstances.

15 “(iii) USE OF REPAYMENTS.—An eli-
16 gible partnership shall use any repayment
17 received under this subparagraph to carry
18 out additional activities that are consistent
19 with the purposes of this section.”; and

20 (5) by striking subsection (f) and inserting the
21 following:

22 “(f) TEACHER LEADER DEVELOPMENT PROGRAM.—

23 “(1) IN GENERAL.—A teacher leader develop-
24 ment program carried out with a grant awarded
25 under this section shall involve the professional de-

1 velopment of teachers, as described in paragraph
2 (2), who maintain their roles as classroom teachers
3 and who also carry out formalized leadership respon-
4 sibilities to increase the academic achievement of
5 students and promote data-driven instructional prac-
6 tices that address the demonstrated needs at the ele-
7 mentary schools and secondary schools in which the
8 teachers are employed, such as—

9 “(A) development of curriculum and cur-
10 ricular resources;

11 “(B) facilitating the work of committees
12 and teams;

13 “(C) family and community engagement;

14 “(D) school discipline and culture;

15 “(E) peer observations and coaching; or

16 “(F) dual enrollment instruction.

17 “(2) PROFESSIONAL DEVELOPMENT.—The pro-
18 fessional development of teachers in a teacher leader
19 development program carried out with a grant
20 awarded under this section shall include—

21 “(A) one year of professional development,
22 training, and support that may—

23 “(i) include—

24 “(I) the engagement of teachers
25 in rigorous coursework and fieldwork

1 relevant to their role as a teacher
2 leader, including available teacher
3 leader standards; and

4 “(II) regular observations and
5 professional support from—

6 “(aa) a principal, vice prin-
7 cipal, or a designated instruc-
8 tional leader of the school;

9 “(bb) a representative from
10 the institution of higher edu-
11 cation that is a partner in the eli-
12 gible partnership;

13 “(cc) a representative from
14 another entity that is a partner
15 in the eligible partnership; and

16 “(dd) another member of
17 the teacher leader cohort, if ap-
18 plicable, or a peer teacher; and

19 “(ii) result in the awarding of a cre-
20 dential in teacher leadership; and

21 “(B) one or 2 additional years of support
22 from a principal, vice principal, or a designated
23 instructional leader of the school, a representa-
24 tive from the institution of higher education
25 that is a partner in the eligible partnership, and

1 a representative from another entity that is a
2 partner in the eligible partnership.

3 “(3) TEACHER LEADER DEVELOPMENT PRO-
4 GRAM PLAN.—In carrying out a teacher leader devel-
5 opment program under this section, an eligible part-
6 nership shall develop a plan that shall describe—

7 “(A) how the work hours of teacher leaders
8 will be allocated between their classroom re-
9 sponsibilities and responsibilities as a teacher
10 leader, which may include a description of
11 whether the teacher leader will be relieved from
12 teaching duties during their participation in the
13 teacher leader development program;

14 “(B) how the partnership will support
15 teacher leaders after the first year of profes-
16 sional development in the program; and

17 “(C) how teacher leader activities could be
18 sustained by the eligible partnership after the
19 program concludes, which may include a de-
20 scription of opportunities for the teacher lead-
21 ers to assist in the educator preparation pro-
22 gram at the institution of higher education in
23 the partnership.

24 “(4) SELECTION OF TEACHER LEADERS; USE
25 OF FUNDS.—In carrying out a teacher leader devel-

1 opment program under this section, an eligible part-
2 nership—

3 “(A) shall select a teacher for participation
4 in the program—

5 “(i) who—

6 “(I) is fully certified to teach in
7 the State of the high-need local edu-
8 cational agency that is a partner in
9 the eligible partnership;

10 “(II) is employed by such high-
11 need local educational agency;

12 “(III) has not less than 3 years
13 of teaching experience; and

14 “(IV) submits an application for
15 participation to the eligible partner-
16 ship; and

17 “(ii) based on selection criteria that
18 includes—

19 “(I) demonstration of strong con-
20 tent knowledge or a record of accom-
21 plishment in the field or subject area
22 the teacher will support as a teacher
23 leader; and

24 “(II) demonstration of attributes
25 linked to effective teaching that is de-

1 terminated through interviews, observa-
2 tions, artifacts, student achievement,
3 or performance assessments, such as
4 those leading to an advanced creden-
5 tial;

6 “(B) may develop admissions goals and
7 priorities for the teacher leader development
8 program that—

9 “(i) are aligned with the demonstrated
10 needs of the school or high-need local edu-
11 cational agency in which the teacher is em-
12 ployed;

13 “(ii) considers cultural competencies
14 that would make the applicant effective in
15 the applicant’s teacher leader role; and

16 “(iii) considers whether the teacher
17 has substantial teaching experience in the
18 school in which the teacher is employed or
19 in a school that is similar to the school in
20 which the teacher is employed;

21 “(C) shall use the grant funds to pay for
22 costs of training and supporting teacher leaders
23 for not less than 2 years and not more than 3
24 years;

1 “(D) may use the grant funds to pay for
2 a portion of a stipend for teacher leaders if
3 such grant funds are matched by additional
4 non-Federal public or private funds as follows:

5 “(i) during each of the first and sec-
6 ond years of the grant period, grant funds
7 may pay not more than 50 percent of such
8 stipend; and

9 “(ii) during the third year of the
10 grant period, grant funds may pay not
11 more than 33 percent of such stipend; and

12 “(E) may require teacher leaders to pay
13 back the cost of attaining the credential de-
14 scribed in paragraph (2)(A)(ii) if they do not
15 complete their term of service in the teacher
16 leader development program.”.

17 **SEC. 2004. ADMINISTRATIVE PROVISIONS.**

18 Section 203 of the Higher Education Act of 1965 (20
19 U.S.C. 1022b) is amended—

20 (1) in subsection (a)(2), by striking “five-year
21 period” and inserting “five-year period, except such
22 partnership may receive an additional grant during
23 such period if such grant is used to establish a
24 teacher or principal residency program if such resi-

1 dency program was not established with the prior
2 grant”; and

3 (2) in subsection (b)(2)(A), by striking “teacher
4 preparation program” and inserting “teacher edu-
5 cation, school leader preparation, or educator devel-
6 opment program”.

7 **SEC. 2005. ACCOUNTABILITY AND EVALUATION.**

8 Section 204(a) of the Higher Education Act of 1965
9 (20 U.S.C. 1022c(a)) is amended to read as follows:

10 “(a) **ELIGIBLE PARTNERSHIP EVALUATION.**—Each
11 eligible partnership submitting an application for a grant
12 under this part shall establish, and include in such appli-
13 cation, an evaluation plan that includes rigorous, com-
14 prehensive, and measurable performance objectives. The
15 plan shall include objectives and measures for—

16 “(1) achievement for all prospective and new
17 educators as measured by the eligible partnership;

18 “(2) educator retention in the first 3 years;

19 “(3) as applicable, pass rates and scaled scores
20 for initial State certification or licensure of teachers
21 or pass rates and average scores on valid and reli-
22 able teacher performance assessments; and

23 “(4)(A) the percentage of profession-ready
24 teachers, principals or other school leaders, and
25 other educators hired by the high-need local edu-

1 cational agency participating in the eligible partner-
2 ship;

3 “(B) the percentage of profession-ready teach-
4 ers, principals, and other educators hired by the
5 high-need local educational agency who are members
6 of underrepresented groups;

7 “(C) as applicable, the percentage of profession-
8 ready teachers hired by the high-need local edu-
9 cational agency who teach high-need academic sub-
10 ject areas, such as reading, science, technology, engi-
11 neering, mathematics, computer science, and foreign
12 language (including less commonly taught languages
13 and critical foreign languages);

14 “(D) as applicable, the percentage of profes-
15 sion-ready teachers hired by the high-need local edu-
16 cational agency who teach in high-need areas, in-
17 cluding special education, bilingual education, lan-
18 guage instruction educational programs for English
19 language learners, and early childhood education;

20 “(E) the percentage of profession-ready teach-
21 ers, principals or other school leaders, and other
22 educators hired by the high-need local educational
23 agency who teach in high-need schools,
24 disaggregated by the elementary school and sec-
25 ondary school levels;

1 “(F) as applicable, the percentage of early
2 childhood education program classes in the geo-
3 graphic area served by the eligible partnership
4 taught by early childhood educators who are highly
5 competent;

6 “(G) as applicable, the percentage of educators
7 able to—

8 “(i) integrate technology effectively into
9 curricula and instruction, including technology
10 consistent with the principles of universal de-
11 sign for learning; and

12 “(ii) use technology effectively to collect,
13 manage, and analyze data to improve teaching
14 and learning for the purpose of improving stu-
15 dent learning outcomes; and

16 “(H) as applicable, the percentage of educators
17 taking school leadership positions who, after 3 years
18 in the role, receive ratings of effective or above in
19 State school leader evaluation and support systems
20 (as described in section 2014(c)(4)(B)(ii) of the Ele-
21 mentary and Secondary Education Act of 1965) or,
22 if no such ratings are available, other comparable in-
23 dicators of performance.”.

1 **SEC. 2006. ACCOUNTABILITY FOR PROGRAMS THAT PRE-**
2 **PARE TEACHERS OR OTHER SCHOOL LEAD-**
3 **ERS.**

4 Section 205 of the Higher Education Act of 1965 (20
5 U.S.C. 1022d)—

6 (1) by amending subsection (a)(1) to read as
7 follows:

8 “(1) REPORT CARD.—Each teacher preparation
9 or school leader preparation entity approved to oper-
10 ate teacher preparation or school leader preparation
11 programs in the State and that receives or enrolls
12 students receiving Federal assistance shall report
13 annually to the State and the general public, in a
14 uniform and comprehensive manner that conforms
15 with the definitions and methods established by the
16 Secretary, the following:

17 “(A) PASS RATES AND SCALED SCORES.—

18 For the most recent year for which the informa-
19 tion is available for each teacher or school lead-
20 er preparation program offered by the teacher
21 preparation or school leader preparation entity
22 the following:

23 “(i) Except as provided in clause (ii),
24 for those students who took the assess-
25 ments used for teacher or school leader
26 certification or licensure by the State in

1 which the entity is located and are enrolled
2 in the teacher or school leader preparation
3 program or, and for those who have taken
4 such assessments and have completed the
5 teacher or school preparation program dur-
6 ing the 2-year period preceding such year,
7 for each of such assessments—

8 “(I) the percentage of all stu-
9 dents who passed such assessment;

10 “(II) the percentage of students
11 who have taken such assessment who
12 enrolled in and completed the teacher
13 or school leader preparation program;
14 and

15 “(III) the average scaled score
16 for all students who took such assess-
17 ment.

18 “(ii) In the case of an entity that re-
19 quires a valid and reliable teacher perform-
20 ance assessment in order to complete the
21 preparation program, the entity may sub-
22 mit in lieu of the information described in
23 clause (i) the pass rate and average score
24 of students taking the teacher performance
25 assessment.

1 “(B) ENTITY INFORMATION.—A descrip-
2 tion of the following:

3 “(i) The median grade point average
4 and range of grade point averages for ad-
5 mitted students.

6 “(ii) The number of students in the
7 entity disaggregated by race (as defined in
8 section 153(a)(3) of the Education
9 Sciences Reform Act of 2002 (20 U.S.C.
10 9543(a)(3))), ethnicity, and gender.

11 “(iii) The number of hours and types
12 of supervised clinical preparation required
13 for each program.

14 “(iv) The total number of students
15 who have completed programs for certifi-
16 cation or licensure disaggregated by sub-
17 ject area and by race (as defined in section
18 153(a)(3) of the Education Sciences Re-
19 form Act of 2002 (20 U.S.C. 9543(a)(3))),
20 ethnicity, and gender, except that such
21 disaggregation shall not be required in a
22 case in which the result would reveal per-
23 sonally identifiable information about an
24 individual student.

1 “(C) ACCREDITATION.—Whether the pro-
2 gram or entity is accredited by a specialized ac-
3 crediting agency recognized by the Secretary for
4 accreditation of professional teacher or school
5 leader education programs.

6 “(D) DESIGNATION AS LOW-PER-
7 FORMING.—Which programs (if any) offered by
8 the entity have been designated as low-per-
9 forming by the State under section 207(a).”;
10 (2) in subsection (b)—

11 (A) in paragraph (1)—

12 (i) in subparagraph (A)—

13 (I) by inserting “and school lead-
14 er” after “teacher”; and

15 (II) by inserting “, including
16 teacher performance assessments”
17 after “the State”;

18 (ii) by amending subparagraph (D) to
19 read as follows:

20 “(D)(i) Except as provided in clause (ii),
21 for each of the assessments used by the State
22 for teacher or school leader certification or li-
23 censure, disaggregated by subject area, race (as
24 defined in section 153(a)(3) of the Education
25 Sciences Reform Act of 2002 (20 U.S.C.

1 9543(a)(3))), ethnicity, and gender, except that
2 such disaggregation shall not be required in a
3 case in which the result would reveal personally
4 identifiable information about an individual stu-
5 dent—

6 “(I) for each entity located in the
7 State, the percentage of students at such
8 entities who have completed 100 percent of
9 the nonclinical coursework and taken the
10 assessment who pass such assessment;

11 “(II) the percentage of all such stu-
12 dents in all such programs and entities
13 who have taken the assessment who pass
14 such assessment;

15 “(III) the percentage of students who
16 have taken the assessment and who en-
17 rolled in and completed a teacher or school
18 leader preparation program; and

19 “(IV) the average scaled score of indi-
20 viduals participating in such a program, or
21 who have completed such a program dur-
22 ing the 2-year period preceding the first
23 year for which the annual State report
24 card is provided, who took each such as-
25 sessment.

1 “(ii) In the case of a State that has imple-
2 mented a valid and reliable teacher performance
3 assessment, the State may submit in lieu of the
4 information described in clause (i) the pass rate
5 and average score of students taking the teach-
6 er performance assessment, disaggregated by
7 subject area, race (as defined in section
8 153(a)(3) of the Education Sciences Reform
9 Act of 2002 (20 U.S.C. 9543(a)(3))), ethnicity,
10 and gender, except that such disaggregation
11 shall not be required in a case in which the re-
12 sult would reveal personally identifiable infor-
13 mation about an individual student.”;

14 (iii) by striking subparagraphs (G)
15 through (L) and inserting the following:

16 “(G) For each teacher and school leader
17 preparation program in the State the following:

18 “(i) The programs’ admission rate
19 and median grade point average and range
20 of grade point averages for admitted stu-
21 dents.

22 “(ii) The number of students in the
23 program disaggregated by race (as defined
24 in section 153(a)(3) of the Education

1 Sciences Reform Act of 2002 (20 U.S.C.
2 9543(a)(3)), ethnicity, and gender.

3 “(iii) The number of hours and types
4 of supervised clinical preparation required.

5 “(iv) Whether such program has been
6 identified as low-performing, as designated
7 by the State under section 207(a).

8 “(v) For each school leader prepara-
9 tion program in the State, the total num-
10 ber and percentage of program completers
11 placed as principals who are rated as effec-
12 tive or above on the State school leader
13 evaluation and support systems (as de-
14 scribed in section 2101(c)(4)(B)(2) of the
15 Elementary and Secondary Education Act
16 of 1965) or, if no such ratings are avail-
17 able, other comparable indicators of per-
18 formance after three years of leading a
19 school.

20 “(H) For the State as a whole, and for
21 each teacher preparation entity in the State,
22 the number of teachers prepared, in the aggre-
23 gate and reported separately by the following:

24 “(i) Area of certification or licensure.

25 “(ii) Academic major.

1 “(iii) Subject area for which the
2 teacher has been prepared to teach.

3 “(iv) The relationship of the subject
4 area and grade span of teachers graduated
5 by the teacher preparation entity to the
6 teacher workforce needs of the State.

7 “(v) The percentage of teachers grad-
8 uated teaching in high-need schools.

9 “(vi) Race (as defined in section
10 153(a)(3) of the Education Sciences Re-
11 form Act of 2002 (20 U.S.C. 9543(a)(3)),
12 gender, and ethnicity.”; and

13 (B) by adding at the end the following:

14 “(3) NO REQUIREMENT FOR REPORTING ON
15 STUDENTS NOT RESIDING IN THE STATE.—Nothing
16 in this section shall require a State to report data
17 on program completers who do not reside in such
18 State.”; and

19 (3) in subsection (d)(2), by adding at the end
20 the following:

21 “(D) The relationship of the subject area
22 and grade span of teachers graduated by teach-
23 er preparation entities across the States to
24 identified teacher shortage areas.

1 “(E) The number and percentages of such
2 graduates teaching in high-need schools.”.

3 **SEC. 2007. TEACHER DEVELOPMENT.**

4 Section 206 of the Higher Education Act of 1965 (20
5 U.S.C. 1022e) is amended by striking “limited English
6 proficient” both places it appears and inserting “English
7 learner”.

8 **SEC. 2008. STATE FUNCTIONS.**

9 Section 207 of the Higher Education Act of 1965 (20
10 U.S.C. 1022f) is amended to read as follows:

11 **“SEC. 207. STATE FUNCTIONS.**

12 “(a) STATE ASSESSMENT.—

13 “(1) IN GENERAL.—In order to receive funds
14 under this Act or under title II of the Elementary
15 and Secondary Education Act of 1965 (20 U.S.C.
16 6601 et seq.), a State shall conduct an assessment
17 to identify at-risk and low-performing teacher and
18 school leader preparation programs in the State and
19 to assist such programs through the provision of
20 technical assistance.

21 “(2) PROVISION OF LOW-PERFORMING LIST.—

22 Each State described in paragraph (1) shall—

23 “(A) provide the Secretary and the general
24 public an annual list of low-performing teacher
25 and school leader preparation programs and an

1 identification of those programs at risk of being
2 placed on such list, as applicable;

3 “(B) report any teacher and school leader
4 preparation program that has been closed and
5 the reasons for such closure; and

6 “(C) describe the assessment, described in
7 paragraph (1), in the report under section
8 205(b).

9 “(3) DETERMINATION OF AT-RISK AND LOW-
10 PERFORMING PROGRAMS.—The levels of perform-
11 ance and the criteria for meeting those levels for
12 purposes of the assessment under paragraph (1)
13 shall be determined by the State in consultation with
14 a representative group of community stakeholders,
15 including, at a minimum, representatives of leaders
16 and faculty of traditional and alternative route
17 teacher and school leader preparation programs, pre-
18 kindergarten through 12th grade leaders and in-
19 structional staff, current teacher and school leader
20 candidates participating in traditional and alter-
21 native route teacher or school leader preparation
22 programs, the State’s standards board or other ap-
23 propriate standards body, and other stakeholders
24 identified by the State. In making such determina-
25 tion, the State shall consider multiple measures and

1 the information reported by teacher preparation en-
2 tities under section 205.

3 “(b) REPORTING AND IMPROVEMENT.—In order to
4 receive funds under this Act or under title II of the Ele-
5 mentary and Secondary Education Act of 1965 (20 U.S.C.
6 6601 et seq.), a State shall—

7 “(1) report to the Secretary and the general
8 public any programs described in subsection (a);

9 “(2) establish a period of improvement and re-
10 design (as established by the State) for programs
11 identified as at-risk under subsection (a);

12 “(3) provide programs identified as at-risk
13 under subsection (a) with technical assistance for a
14 period of not longer than 3 years;

15 “(4) identify at-risk programs as low-per-
16 forming if there is not sufficient improvement fol-
17 lowing the period of technical assistance provided by
18 the State; and

19 “(5) subject low-performing programs to the
20 provisions described in subsection (c) (as determined
21 by the State) not later than 1 year after the date
22 of such identification as a low-performing program.

23 “(c) TERMINATION OF ELIGIBILITY.—Any teacher or
24 school leader preparation program that is projected to
25 close—

1 “(1) shall be ineligible for any funding for pro-
2 fessional development activities awarded by the De-
3 partment;

4 “(2) may not be permitted to provide new
5 awards under subpart 9 of part A of title IV; and

6 “(3) shall provide transitional support, includ-
7 ing remedial services if necessary, for students en-
8 rolled in the program in the year prior to such clo-
9 sure.

10 “(d) APPLICATION OF THE REQUIREMENTS.—The
11 requirements of this section shall apply to both traditional
12 teacher preparation programs and alternative routes to
13 State certification and licensure programs.”.

14 **SEC. 2009. GENERAL PROVISIONS.**

15 Section 208(a) of the Higher Education Act of 1965
16 (20 U.S.C. 1022g(a)) is amended by striking “sections
17 205 and 206” and inserting “section 205”.

18 **SEC. 2010. ELEVATION OF THE EDUCATION PROFESSION
19 STUDY.**

20 Part A of title II of the Higher Education Act of
21 1965 (20 U.S.C. 1022 et seq.) is amended by inserting
22 after section 208 the following:

1 **“SEC. 209. ELEVATION OF THE EDUCATION PROFESSION**
2 **STUDY.**

3 “(a) PURPOSE.—The purpose of the elevation of the
4 profession feasibility study is to examine State policies re-
5 lated to teacher and school leader education and certifi-
6 cation, produce a comprehensive set of expectations that
7 sets a high bar for entry into the profession and ensures
8 that all entering teachers and school leaders are profes-
9 sion-ready, and develop recommendations to Congress on
10 best practices with respect to elevating the education pro-
11 fession that are evidence-based, reliable, and verified by
12 the field.

13 “(b) ESTABLISHMENT.—

14 “(1) IN GENERAL.—The Secretary of Education
15 shall establish an Advisory Committee to carry out
16 the elevation of the education profession study de-
17 scribed in subsection (c) and make recommendations
18 to Congress on the findings.

19 “(2) MEMBERSHIP OF THE ADVISORY COM-
20 MITTEE.—The Advisory Committee shall include
21 representatives or advocates from the following cat-
22 egories:

23 “(A) Teacher unions.

24 “(B) School leader organizations.

25 “(C) State and local officials.

1 “(D) State educational agencies and local
2 educational agencies.

3 “(E) Teacher and school leader advocacy
4 organizations.

5 “(F) School administrator organizations.

6 “(G) Institutions of higher education, in-
7 cluding colleges of teacher education.

8 “(H) Civil rights organizations.

9 “(I) Organizations representing students
10 with disabilities.

11 “(J) Organizations representing English
12 learners.

13 “(K) Nonprofit organizations representing
14 subject-fields, such as STEM Educator organi-
15 zations, comprehensive literacy Educator orga-
16 nizations, and arts and humanities educator or-
17 ganizations.

18 “(L) Professional development organiza-
19 tions.

20 “(M) Educational technology organiza-
21 tions.

22 “(N) Nonprofit research organizations.

23 “(O) Organizations representing nontradi-
24 tional pathways into teacher and school leader
25 education.

1 “(P) Organizations representing parents.

2 “(c) DUTIES OF THE ADVISORY COMMITTEE.—

3 “(1) FEASIBILITY STUDY.—The Advisory Com-
4 mittee shall conduct a feasibility study to—

5 “(A) assess the state of policies and prac-
6 tices related to teacher and school leader edu-
7 cation and entry into the profession including
8 barriers to achieving certification and licensure,
9 best practices in producing profession-ready
10 teachers and school leaders, and recruitment
11 and retention of teachers and school leaders in
12 schools;

13 “(B) compile best practices for educating
14 and training profession-ready teachers and
15 school leaders including evidence-based prac-
16 tices for training teachers and school leaders to
17 support diverse learners, developing teacher and
18 school leaders, and successful pre-service and
19 in-service educational activities;

20 “(C) review certification and credentialing
21 practices throughout the Nation including min-
22 imum standards in each State, differences in
23 types of credentials, and impact of different
24 certification processes in each State for teach-
25 ers and school leaders who relocate; and

1 “(D) recommend a comprehensive set of
2 rigorous expectations for States standards to
3 elevate the profession of teaching and to
4 produce profession-ready teachers and school
5 leaders prepared to educate diverse learners in
6 inclusive educational settings.

7 “(2) REPORTS.—

8 “(A) Not later than 1 year after the Advi-
9 sory Committee’s first meeting, the Committee
10 shall submit an interim report to the Secretary
11 and to the authorizing committees detailing the
12 methods of the study and progress in devel-
13 oping the set of comprehensive and rigorous ex-
14 pectations.

15 “(B) Not later than 3 years after the Advi-
16 sory Committee’s first meeting, the Committee
17 shall submit a final report to the Secretary and
18 to the authorizing committees detailing the
19 findings, recommendations, and suggested set
20 of comprehensive and rigorous expectations.

21 “(3) DISSEMINATION OF INFORMATION.—In
22 carrying out the study under paragraph (1), the Sec-
23 retary shall disseminate information found in the
24 study in an accessible format to all stakeholders.

1 “(4) DATABASE.—Not later than 180 days
2 after the date of the enactment of this subsection,
3 the Secretary shall produce an electronically acces-
4 sible clearinghouse of State certification procedures
5 and best State practices for producing and retaining
6 profession-ready teachers and school leaders.”.

7 **SEC. 2011. AUTHORIZATION OF APPROPRIATIONS.**

8 Part A of title II of the Higher Education Act of
9 1965 (20 U.S.C. 1022 et seq.) is amended—

10 (1) by redesignating section 209 as section 210;

11 and

12 (2) in section 210, as so redesignated—

13 (A) by striking “\$300,000,000” and in-
14 serting “\$500,000,000”;

15 (B) by striking “2009” and inserting
16 “2019”; and

17 (C) by striking “two succeeding” and in-
18 serting “5 succeeding”.

19 **PART B—ENHANCING TEACHER AND SCHOOL**
20 **LEADER EDUCATION**

21 **SEC. 2101. ENHANCING TEACHER EDUCATION.**

22 Part B of title II of the Higher Education Act of
23 1965 (20 U.S.C. 1031 et seq.) is amended to read as fol-
24 lows:

1 **“PART B—ENHANCING TEACHER EDUCATION**

2 **“SEC. 230. AUTHORIZATION OF APPROPRIATIONS.**

3 “(a) IN GENERAL.—There are authorized to be ap-
4 propriated to carry out this part \$100,000,000 for fiscal
5 year 2019 and each of the 5 succeeding fiscal years.

6 “(b) DISTRIBUTION OF FUNDS.—Subparts 1 through
7 4 of this part shall receive a minimum of 20 percent of
8 the amount appropriated for a fiscal year, and the Sec-
9 retary shall have discretion over the distribution under
10 this part of the remaining amount appropriated for such
11 fiscal year.

12 **“Subpart 1—Honorable Augustus F. Hawkins Centers**
13 **of Excellence**

14 **“SEC. 231. FINDINGS.**

15 “Congress finds the following:

16 “(1) Our Nation’s schools are experiencing a
17 severe diversity gap that negatively impacts student
18 achievement and school culture—50 percent of cur-
19 rent students are from minority groups while only
20 18 percent of teachers are from such groups, accord-
21 ing to a 2016 study by the Brookings Institution.

22 “(2) A 2016 report conducted by the Depart-
23 ment of Education shows that teachers of color tend
24 to provide more culturally relevant teaching and bet-
25 ter understand the situations that students of color
26 may face. These factors help develop trusting teach-

1 er-student relationships. Researchers from Vander-
2 bilt University also found that greater racial and
3 ethnic diversity in the principal corps benefits stu-
4 dents, especially students of color.

5 “(3) Minority teachers and school leaders can
6 also serve as cultural ambassadors who help stu-
7 dents feel more welcome at school or as role models.

8 “(4) Research shows that increasing diversity in
9 the teaching profession can have positive impacts on
10 student educational experiences and outcomes. Stu-
11 dents of color demonstrate greater academic achieve-
12 ment and social-emotional development in classes
13 with teachers of color. Studies also suggest that all
14 students, including White students, benefit from
15 having teachers of color because they bring distinc-
16 tive knowledge, experiences, and role modeling to the
17 student body as a whole.

18 **“SEC. 232. PURPOSE.**

19 “The purpose of this subpart is to strengthen and
20 expand the recruitment, training, and retention of diverse
21 candidates into the teaching profession.

22 **“SEC. 233. ELIGIBLE INSTITUTION DEFINED.**

23 “In this subpart, the term ‘eligible institution’ means
24 an institution of higher education that has a teacher or

1 school leader preparation program that is a accredited by
2 the State and that is—

3 “(1) a part B institution (as defined in section
4 322);

5 “(2) a Hispanic-serving institution (as defined
6 in section 502);

7 “(3) a Tribal college or university (as defined in
8 section 316);

9 “(4) an Alaska Native-serving institution (as
10 defined in section 317(b));

11 “(5) a Native Hawaiian-serving institution (as
12 defined in section 317(b));

13 “(6) a predominantly black institution (as de-
14 fined in section 318);

15 “(7) an Asian-American and Native American
16 Pacific Islander-serving institution (as defined in
17 section 320(b));

18 “(8) a Native American-serving, nontribal insti-
19 tution (as defined in section 319);

20 “(9) a consortium of any of the institutions de-
21 scribed in paragraphs (1) through (8); or

22 “(10) any institution described in paragraphs
23 (1) through (8) in which a center of excellence es-
24 tablished under section 234 is located, or a consor-

1 tium described in subparagraph (B), in partnership
2 with any other institution of higher education.

3 **“SEC. 234. AUGUSTUS F. HAWKINS CENTERS OF EXCEL-**
4 **LENCE.**

5 “(a) PROGRAM AUTHORIZED.—From the amounts
6 provided to carry out this subpart, the Secretary shall
7 award grants, on a competitive basis, to eligible institu-
8 tions to establish centers of excellence.

9 “(b) USE OF FUNDS.—An eligible institution shall
10 use a grant received under this subpart to ensure that pro-
11 grams offered at a center of excellence established by such
12 institution prepare current and future teachers or school
13 leaders to be profession-ready, and meet the applicable
14 State certification and licensure requirements, including
15 any requirements for certification obtained through alter-
16 native routes to certification, or, with regard to special
17 education teachers, the qualifications described in section
18 612(a)(14)(C) of the Individuals with Disabilities Edu-
19 cation Act, by carrying out one or more of the following
20 activities:

21 “(1) Implementing reforms within teacher or
22 school leader preparation programs to ensure that
23 such programs are preparing teachers or school lead-
24 ers who meet such applicable State certification and
25 licensure requirements or qualifications, are using

1 evidence-based instructional practices to improve
2 student academic achievement, by—

3 “(A) retraining or recruiting faculty; and

4 “(B) designing (or redesigning) teacher or
5 school leader preparation programs that—

6 “(i) prepare teachers or school leaders
7 to serve in low-performing schools and
8 close student achievement gaps, and that
9 are based on rigorous academic content,
10 evidence-based research, and challenging
11 State academic standards as described in
12 section 1111(b)(1) of the Elementary and
13 Secondary Education Act of 1965 (20
14 U.S.C. 6311(b)(1)); and

15 “(ii) promote effective teaching skills.

16 “(2) Providing sustained and high-quality
17 preservice clinical experience, including the men-
18 toring of prospective teachers by teacher leaders,
19 substantially increasing interaction between faculty
20 at institutions of higher education and new and ex-
21 perience teachers, principals, school leaders, and
22 other administrators at elementary schools or sec-
23 ondary schools, and providing support, including
24 preparation time, for such interaction.

1 “(3) Developing and implementing initiatives to
2 promote retention of teachers who meet such appli-
3 cable State certification and licensure requirements
4 or qualifications, and principals and other school
5 leaders, including minority teachers, principals and
6 other school leaders, including programs that pro-
7 vide—

8 “(A) teacher or principal and other school
9 leader mentoring; and

10 “(B) induction and support for teachers
11 and principals and other school leaders during
12 their first three years of employment as teach-
13 ers, principals, or other school leaders, respec-
14 tively.

15 “(4) Awarding scholarships based on financial
16 need to help students pay the costs of tuition, room,
17 board, and other expenses of completing a teacher or
18 other school leader preparation program, not to ex-
19 ceed the cost of attendance as defined in section
20 472.

21 “(5) Disseminating information on effective
22 practices for teacher or other school leader prepara-
23 tion and successful teacher or other school leader
24 certification and licensure assessment preparation
25 strategies.

1 “(6) Activities authorized under section 202.

2 “(c) APPLICATION.—Any eligible institution desiring
3 a grant under this subpart shall submit an application to
4 the Secretary at such time, in such manner, and accom-
5 panied by such information as the Secretary may require.

6 “(d) LIMITATION ON ADMINISTRATIVE EXPENSES.—
7 An eligible institution that receives a grant under this sub-
8 part may use not more than 2 percent of the funds pro-
9 vided to administer the grant.

10 “(e) REGULATIONS.—The Secretary shall prescribe
11 such regulations as may be necessary to carry out this
12 subpart.

13 **“Subpart 2—Preparing Well-Rounded Teachers**

14 **“SEC. 241. WELL-ROUNDED TEACHING GRANTS.**

15 “(a) FINDINGS.—Congress finds that—

16 “(1) students have diverse learning needs and
17 teachers must be prepared to provide a high-quality,
18 equitable education to every child;

19 “(2) improving the pedagogical competencies,
20 behavior management skills, and cultural com-
21 petencies of teacher candidates prepares them to ef-
22 fectively teach students from diverse backgrounds
23 and increases the likelihood they will remain in the
24 profession; and

1 “(3) teachers who hold dual certification and
2 receive training in social and emotional learning
3 competencies and nonexclusionary, positive behavior
4 management practices are better prepared to create
5 a supportive school climate and meet the needs of all
6 students, including English learners, racially diverse
7 students, students with disabilities, low-income stu-
8 dents, and students who have experienced trauma.

9 “(b) PURPOSE.—The purpose of this subpart is to—

10 “(1) strengthen and expand teacher preparation
11 programs that embed dual certification for teacher
12 candidates in special education; and

13 “(2) strengthen and expand teacher preparation
14 programs that embed training on social and emo-
15 tional learning competencies and nonexclusionary,
16 positive behavior management practices to teacher
17 candidates.

18 “(c) AUTHORIZATION OF PROGRAM.—

19 “(1) IN GENERAL.—From the amounts pro-
20 vided to carry out this subpart, the Secretary shall
21 award grants, on a competitive basis, to eligible
22 partnerships to improve the preparation of general
23 education teacher candidates to ensure that such
24 teacher candidates possess the knowledge, skills, and
25 credentials necessary to effectively instruct students

1 with disabilities in general education classrooms, and
2 an understanding of positive behavior-management
3 practices that reduce the use of exclusionary and
4 aversive disciplinary practices and create a sup-
5 portive school climate.

6 “(2) DURATION OF GRANTS.—A grant under
7 this subpart shall be awarded for a period of not
8 more than 5 years.

9 “(3) NON-FEDERAL SHARE.—An eligible part-
10 nership that receives a grant under this subpart
11 shall provide not less than 25 percent of the cost of
12 the activities carried out with such grant from non-
13 Federal sources, which may be provided in cash or
14 in-kind.

15 “(d) DEFINITION OF ELIGIBLE PARTNERSHIP.—In
16 this section, the term ‘eligible partnership’ means a part-
17 nership that—

18 “(1) shall include—

19 “(A) one or more departments or programs
20 at an institution of higher education—

21 “(i) that prepare elementary or sec-
22 ondary general education teachers;

23 “(ii) that have a program of study
24 that leads to an undergraduate degree, a
25 master’s degree, or completion of a

1 postbaccalaureate program required for
2 teacher certification; and

3 “(iii) the profession-ready graduates
4 of which meet the applicable State certifi-
5 cation and licensure requirements, includ-
6 ing any requirements for certification ob-
7 tained through alternative routes to certifi-
8 cation, or, with regard to special education
9 teachers, the qualifications described in
10 section 612(a)(14)(C) of the Individuals
11 with Disabilities Education Act;

12 “(B) a department or program that has
13 expertise in special education at an institution
14 of higher education; and

15 “(C) a high-need local educational agency;
16 and

17 “(2) may include—

18 “(A) a department or program of mathe-
19 matics, earth or physical science, foreign lan-
20 guage, or another department at the institution
21 that has a role in preparing teachers; or

22 “(B) a non-profit, research-based organiza-
23 tion.

24 “(e) ACTIVITIES.—An eligible partnership that re-
25 ceives a grant under this section—

1 “(1) shall use the grant funds to—

2 “(A) develop or strengthen an under-
3 graduate, postbaccalaureate, or master’s teach-
4 er preparation program by integrating special
5 education pedagogy into the general education
6 curriculum and academic content that result in
7 applicable dual State certification for teacher
8 candidates who complete the program;

9 “(B) develop or strengthen an under-
10 graduate, postbaccalaureate, or master’s teach-
11 er preparation program by embedding social
12 and emotional learning strategies and nonexclu-
13 sionary, positive behavior-management practices
14 into the general education curriculum and aca-
15 demic content;

16 “(C) provide teacher candidates partici-
17 pating in the program under subparagraph (A)
18 with skills related to—

19 “(i) response to intervention, positive
20 behavioral interventions and supports (in-
21 cluding eliminating the use of aversive
22 interventions such as seclusion and re-
23 straints), differentiated instruction, and
24 data-driven instruction (including the use
25 of data to identify and address disparities

1 in rates of discipline among student sub-
2 groups);

3 “(ii) universal design for learning;

4 “(iii) determining and utilizing accom-
5 modations for instruction and assessments
6 for students with disabilities;

7 “(iv) collaborating with stakeholders
8 such as special educators, related services
9 providers, out-of-school time providers, and
10 parents, including participation in individ-
11 ualized education program development
12 and implementation;

13 “(v) appropriately utilizing technology
14 and assistive technology for students with
15 disabilities; and

16 “(vi) effectively and equitably using
17 technology for digital and blended learning;

18 “(D) provide teacher candidates partici-
19 pating in the program under subparagraph (B)
20 with skills related to—

21 “(i) social and emotional learning
22 competencies;

23 “(ii) positive behavior interventions
24 and supports or multitiered systems of
25 support;

1 “(iii) trauma-informed care;

2 “(iv) evidenced-based restorative jus-
3 tice practices;

4 “(v) culturally responsive teaching
5 and anti-bias training that is evidence-
6 based; and

7 “(E) provide extensive clinical experience
8 for participants described in subparagraphs (A)
9 and (B) with mentoring and induction support
10 throughout the program that continues during
11 the first 2 years of full-time teaching.

12 “(f) APPLICATION.—

13 “(1) APPLICATION REQUIREMENTS.—An eligi-
14 ble partnership seeking a grant under this section
15 shall submit an application to the Secretary at such
16 time, in such manner, and containing such informa-
17 tion as the Secretary may require. Such application
18 shall include—

19 “(A) a self-assessment by the eligible part-
20 nership of the existing teacher preparation pro-
21 gram at the institution of higher education and
22 needs related to preparing general education
23 teacher candidates to instruct students with dis-
24 abilities; and

1 “(B) an assessment of the existing per-
2 sonnel needs for general education teachers who
3 instruct students with disabilities, performed by
4 the local educational agency in which most
5 graduates of the teacher preparation program
6 are likely to teach after completion of the pro-
7 gram under subsection (e)(1).

8 “(2) PEER REVIEW.—

9 “(A) IN GENERAL.—The Secretary shall
10 convene a peer review committee to review ap-
11 plications for grants under this subpart and to
12 make recommendations to the Secretary regard-
13 ing the selection of eligible partnerships for
14 such grants.

15 “(B) MEMBERSHIP.—Members of the peer
16 review committee shall be recognized experts in
17 the fields of special education, social and emo-
18 tional learning, teacher preparation, and gen-
19 eral education and shall not be in a position to
20 benefit financially from any grants awarded
21 under this section.

22 “(g) EQUITABLE GEOGRAPHIC DISTRIBUTION.—In
23 awarding grants under this subpart, the Secretary shall,
24 to the maximum extent possible, provide for an equitable
25 geographic distribution of such grants.

1 “(h) EVALUATIONS.—

2 “(1) BY THE PARTNERSHIP.—

3 “(A) IN GENERAL.—An eligible partner-
4 ship receiving a grant under this subpart shall
5 conduct an evaluation at the end of the grant
6 period to determine—

7 “(i) the effectiveness of the general
8 education teachers who completed a pro-
9 gram under subsection (c)(1) with respect
10 to instruction of students with disabilities
11 in general education classrooms; and

12 “(ii) the systemic impact of the activi-
13 ties carried out by such grant on how each
14 institution of higher education that is a
15 member of the partnership prepares teach-
16 ers for instruction in elementary schools
17 and secondary schools.

18 “(B) REPORT TO THE SECRETARY.—Each
19 eligible partnership performing an evaluation
20 under subparagraph (A) shall report the find-
21 ings of such evaluation to the Secretary.

22 “(2) REPORT BY THE SECRETARY.—Not later
23 than 180 days after the last day of the grant period
24 for which an evaluation was conducted under para-
25 graph (1), the Secretary shall make available to the

1 authorizing committees and the public the findings
2 of the evaluations submitted under paragraph (1),
3 and information on best practices related to effective
4 instruction of students with disabilities in general
5 education classrooms.

6 **“Subpart 3—Preparing Teachers for English-Learner**
7 **Instruction**

8 **“SEC. 251. TEACHING ENGLISH LEARNERS GRANT.**

9 “(a) AUTHORIZATION OF PROGRAM.—The Secretary
10 shall award grants, on a competitive basis, to eligible part-
11 nerships to improve the preparation of teacher candidates
12 to ensure that such teacher candidates possess the knowl-
13 edge and skills necessary to effectively instruct English
14 learners.

15 “(b) DURATION OF GRANTS.—A grant under this
16 section shall be awarded for a period of not more than
17 5 years.

18 “(c) NON-FEDERAL SHARE.—An eligible partnership
19 that receives a grant under this section shall provide not
20 less than 25 percent of the cost of the activities carried
21 out with such grant from non-Federal sources, which may
22 be provided in cash or in kind.

23 “(d) USES OF FUNDS.—An eligible partnership that
24 receives a grant under this section shall use the grant to—

1 “(1) develop or strengthen an undergraduate,
2 postbaccalaureate, or master’s teacher preparation
3 program by integrating strategies for teaching
4 English learners into the education curriculum and
5 academic content;

6 “(2) provide teacher candidates participating in
7 a program under paragraph (1) with skills related
8 to—

9 “(A) helping English learners—

10 “(i) achieve at high levels in pre-
11 kindergarten programs, and elementary
12 schools and secondary schools so that such
13 English learners can meet the challenging
14 State academic standards adopted under
15 section 1111(b)(1) of the Elementary and
16 Secondary Education Act of 1965 (20
17 U.S.C. 6311(b)(1)) by the State of the
18 school attended by the English learners,
19 which all children in the State are expected
20 to meet; and

21 “(ii) attain English proficiency;

22 “(B) appropriately identifying and meeting
23 the specific learning needs of children with dis-
24 abilities who are English learners;

1 “(C) recognizing and addressing the social
2 and emotional needs of English learners; and

3 “(D) promoting parental, family, and com-
4 munity engagement in educational programs
5 that serve English learners;

6 “(3) provide authentic clinical learning opportu-
7 nities for teacher candidates participating in the pro-
8 gram involving sustained interactions with teachers
9 and English learners at public prekindergarten pro-
10 grams, or elementary schools or secondary schools,
11 to the extent practicable, or simulated environments
12 at the eligible institution of higher education in-
13 volved, that foster in-depth, first-hand engagement
14 with tasks required of a teacher providing instruc-
15 tion to English learners; and

16 “(4) provide teacher candidates with the re-
17 quired coursework to qualify for an English-as-a-sec-
18 ond-language certification, endorsement, or initial
19 teaching credential, as recognized by the State of the
20 eligible partnership.

21 “(e) APPLICATION.—An eligible partnership seeking
22 a grant under this section shall submit an application to
23 the Secretary at such time, in such manner, and con-
24 taining such information as the Secretary may require.
25 Such application shall include—

1 “(1) a self-assessment by the eligible partner-
2 ship of the existing teacher preparation program at
3 the institution of higher education and the needs re-
4 lated to preparing teacher candidates to instruct
5 English learners in the manner described in sub-
6 section (d)(2); and

7 “(2) a self-assessment by the eligible partner-
8 ship of the personnel needs for teachers who instruct
9 English learners at local, public prekindergarten
10 programs, and elementary schools and secondary
11 schools.

12 “(f) **EQUITABLE GEOGRAPHIC DISTRIBUTION.**—In
13 awarding grants under this section, the Secretary shall,
14 to the maximum extent possible, provide for an equitable
15 geographic distribution of such grants.

16 “(g) **EVALUATIONS.**—

17 “(1) **REPORT FROM ELIGIBLE PARTNER-**
18 **SHIPS.**—An eligible partnership receiving a grant
19 under this section shall submit to the Secretary the
20 results of an evaluation conducted by the partner-
21 ship at the end of the grant period to determine—

22 “(A) the effectiveness of teachers who com-
23 pleted a program under subsection (d)(1) with
24 respect to instruction of English learners; and

1 “(B) the systemic impact of the activities
2 carried out by such grant on how such partner-
3 ship prepares teachers to provide instruction in
4 prekindergarten programs, and elementary
5 schools and secondary schools.

6 “(2) REPORT FROM THE SECRETARY.—Not
7 later than 180 days after the last day of the grant
8 period under this section, the Secretary shall make
9 available to the authorizing committees and the pub-
10 lic—

11 “(A) the findings of the evaluations sub-
12 mitted under paragraph (1); and

13 “(B) information on best practices related
14 to effective instruction of English learners.

15 **“Subpart 4—Graduate Fellowships To Prepare**
16 **Faculty in High-Need Areas at Colleges of Education**
17 **“SEC. 261. GRADUATE FELLOWSHIPS TO PREPARE FAC-**
18 **ULTY IN HIGH-NEED AREAS AT COLLEGES OF**
19 **EDUCATION.**

20 “(a) GRANTS BY SECRETARY.—From the amounts
21 provided to carry out this subpart, the Secretary shall
22 award grants, on a competitive basis, to eligible institu-
23 tions to enable such institutions to make graduate fellow-
24 ship awards to qualified individuals in accordance with the
25 provisions of this section.

1 “(b) ELIGIBLE INSTITUTIONS.—In this section, the
2 term ‘eligible institution’ means an institution of higher
3 education, or a consortium of such institutions, that offers
4 a program of postbaccalaureate study leading to a doctoral
5 degree.

6 “(c) APPLICATIONS.—An eligible institution that de-
7 sires a grant under this section shall submit an application
8 to the Secretary at such time, in such manner, and con-
9 taining such information as the Secretary may reasonably
10 require.

11 “(d) TYPES OF FELLOWSHIPS SUPPORTED.—

12 “(1) IN GENERAL.—An eligible institution that
13 receives a grant under this subpart shall use the
14 grant funds to provide graduate fellowships to indi-
15 viduals who are preparing for the professorate in
16 order to prepare individuals to become elementary
17 school and secondary school science, technology, en-
18 gineering, and math teachers, special education
19 teachers, and teachers who provide instruction for
20 English-learners, who meet the applicable State cer-
21 tification and licensure requirements, including any
22 requirements for certification obtained through alter-
23 native routes to certification, or, with regard to spe-
24 cial education teachers, the qualifications described

1 in section 612(a)(14)(C) of the Individuals with Dis-
2 abilities Education Act.

3 “(2) TYPES OF STUDY.—A graduate fellowship
4 provided under this section shall support an indi-
5 vidual in pursuing postbaccalaureate study, which
6 leads to a doctoral degree and may include a mas-
7 ter’s degree as part of such study, related to teacher
8 preparation and pedagogy in one of the following
9 areas:

10 “(A) Science, technology, engineering,
11 mathematics, and computer science, and their
12 related subfields, if the individual has completed
13 a master’s degree in mathematics, engineering,
14 science, or computer science and is pursuing a
15 doctoral degree in mathematics, science, engi-
16 neering, or education.

17 “(B) Special education.

18 “(C) The instruction of English-learners,
19 including postbaccalaureate study in language
20 instruction educational programs.

21 “(e) FELLOWSHIP TERMS AND CONDITIONS.—

22 “(1) SELECTION OF FELLOWS.—The Secretary
23 shall ensure that an eligible institution that receives
24 a grant under this subpart—

1 “(A) shall provide graduate fellowship
2 awards to individuals who plan to pursue a ca-
3 reer in instruction at an institution of higher
4 education that has a teacher preparation pro-
5 gram; and

6 “(B) may not provide a graduate fellow-
7 ship to an otherwise eligible individual—

8 “(i) during periods in which such indi-
9 vidual is enrolled at an institution of high-
10 er education unless such individual is
11 maintaining satisfactory academic progress
12 in, and devoting full-time study or research
13 to, the pursuit of the degree for which the
14 fellowship support was provided; or

15 “(ii) if the individual is engaged in
16 gainful employment, other than part-time
17 employment related to teaching, research,
18 or a similar activity determined by the in-
19 stitution to be consistent with and sup-
20 portive of the individual’s progress toward
21 the degree for which the fellowship support
22 was provided.

23 “(2) AMOUNT OF FELLOWSHIP AWARDS.—

24 “(A) IN GENERAL.—An eligible institution
25 that receives a grant under this subpart shall

1 award stipends to individuals who are provided
2 graduate fellowships under this subpart.

3 “(B) AWARDS BASED ON NEED.—A sti-
4 pend provided under this subpart shall be in an
5 amount equal to the level of support provided
6 by the National Science Foundation graduate
7 fellowships, except that such stipend shall be
8 adjusted as necessary so as not to exceed the
9 fellowship recipient’s demonstrated need, as de-
10 termined by the institution of higher education
11 where the fellowship recipient is enrolled.

12 “(3) SERVICE REQUIREMENT.—

13 “(A) TEACHING REQUIRED.—Each indi-
14 vidual who receives a graduate fellowship under
15 this subpart and earns a doctoral degree shall
16 teach for 1 year at an institution of higher edu-
17 cation that has a teacher preparation program
18 for each year of fellowship support received
19 under this section.

20 “(B) INSTITUTIONAL OBLIGATION.—Each
21 eligible institution that receives a grant under
22 this subpart shall provide an assurance to the
23 Secretary that the institution has inquired of
24 and determined the decision of each individual
25 who has received a graduate fellowship to, with-

1 in 3 years of receiving a doctoral degree, begin
2 employment at an institution of higher edu-
3 cation that has a teacher preparation program,
4 as required by this section.

5 “(C) AGREEMENT REQUIRED.—Prior to
6 receiving an initial graduate fellowship award,
7 and upon the annual renewal of the graduate
8 fellowship award, an individual selected to re-
9 ceive a graduate fellowship under this section
10 shall sign an agreement with the Secretary
11 agreeing to pursue a career in instruction at an
12 institution of higher education that has a teach-
13 er preparation program in accordance with sub-
14 paragraph (A).

15 “(D) FAILURE TO COMPLY.—If an indi-
16 vidual who receives a graduate fellowship award
17 under this section fails to comply with the
18 agreement signed pursuant to subparagraph
19 (C), the sum of the amounts of any graduate
20 fellowship award received by such recipient
21 shall, upon a determination of such a failure, be
22 treated as a Federal Direct Unsubsidized Staf-
23 ford Loan under part D of title IV, and shall
24 be subject to repayment, together with interest
25 thereon accruing from the date of the fellowship

1 award, in accordance with terms and conditions
2 specified by the Secretary in regulations under
3 this subpart.

4 “(E) MODIFIED SERVICE REQUIREMENT.—
5 The Secretary may waive or modify the service
6 requirement of this paragraph in accordance
7 with regulations promulgated by the Secretary
8 with respect to the criteria to determine the cir-
9 cumstances under which compliance with such
10 service requirement is inequitable or represents
11 a substantial hardship. The Secretary may
12 waive the service requirement if compliance by
13 the fellowship recipient is determined to be in-
14 equitable or represent a substantial hardship—

15 “(i) because the individual is perma-
16 nently and totally disabled at the time of
17 the waiver request; or

18 “(ii) based on documentation pre-
19 sented to the Secretary of substantial eco-
20 nomic or personal hardship.

21 “(f) INSTITUTIONAL SUPPORT FOR FELLOWS.—An
22 eligible institution that receives a grant under this section
23 may reserve not more than ten percent of the grant
24 amount for academic and career transition support for

1 graduate fellowship recipients and for meeting the institu-
2 tional obligation described in subsection (e)(3)(B).

3 “(g) RESTRICTION ON USE OF FUNDS.—An eligible
4 institution that receives a grant under this section may
5 not use grant funds for general operational overhead of
6 the institution.

7 **“Subpart 5—General Provisions**

8 **“SEC. 271. COMPETITIVE PRIORITY.**

9 “In awarding grants under subparts 1 through 4, the
10 Secretary shall award competitive priority to eligible insti-
11 tutions, eligible partnerships, and eligible entities that
12 demonstrate in the application for such a grant a plan
13 to—

14 “(1) increase the diversity in the educator
15 workforce through—

16 “(A) recruiting, enrolling, and preparing
17 diverse teacher candidates; and

18 “(B) efforts that help retain diverse teach-
19 er candidates in high-needs schools;

20 “(2) address the shortage of teachers in high-
21 needs fields including science, technology, engineer-
22 ing, arts, mathematics, or computer science
23 through—

24 “(A) recruiting, enrolling, and preparing
25 teacher candidates to achieve certification, as

1 required by the State, to offer instruction in
2 high-needs fields, including science, technology,
3 engineering, arts, mathematics, or computer
4 science; and

5 “(B) efforts that help retain teachers of
6 high-needs fields in high-needs schools;

7 “(3) expand the pipeline of school leaders
8 through preparing teacher leaders, which may be
9 achieved by efforts that may include—

10 “(A) embedding pedagogical coursework
11 for teacher candidates that fosters—

12 “(i) leadership and advocacy skills;

13 “(ii) knowledge of school management
14 and finance;

15 “(iii) school operations and business
16 skills;

17 “(iv) effective use and management of
18 educational technology;

19 “(v) strategies for community and
20 family engagement; and

21 “(vi) mentorship and coaching strate-
22 gies; and

23 “(B) providing opportunities for teacher
24 candidates to receive—

1 “(i) exposure to and modeling from
2 teacher leaders and school leaders; and

3 “(ii) ongoing support and continu-
4 ation of professional development on teach-
5 er or other school leadership once exiting
6 the teacher or other school leader prepara-
7 tion program.”.

8 **TITLE III—INSTITUTIONAL AID**

9 **SEC. 3001. STRENGTHENING INSTITUTIONS.**

10 (a) STRENGTHENING INSTITUTIONS.—Section
11 311(d) of the Higher Education Act of 1965 (20 U.S.C.
12 1057(d)) is amended—

13 (1) in paragraph (2)—

14 (A) by striking “non-Federal sources” and
15 inserting “non-Federal sources (which may in-
16 clude gifts to the endowment fund restricted for
17 a specific purpose)”; and

18 (B) by striking “or greater than” and in-
19 serting “50 percent of”; and

20 (2) by inserting after paragraph (3) the fol-
21 lowing:

22 “(4) SCHOLARSHIP.—An eligible institution
23 that uses grant funds provided under this section to
24 establish or increase an endowment fund may use
25 the interest proceeds from such endowment to pro-

1 vide scholarships to students for the purposes of at-
2 tending such institution.”.

3 (b) TRIBALLY CONTROLLED COLLEGES AND UNI-
4 VERSITIES.—Section 316(c)(3) of the Higher Education
5 Act of 1965 (20 U.S.C. 1059c(c)(3)) is amended—

6 (1) in subparagraph (B)—

7 (A) by striking “matching funds” and in-
8 serting “matching funds (which may include
9 gifts to the endowment fund restricted for a
10 specific purpose)”; and

11 (B) by striking “equal to the Federal
12 funds” and inserting “equal to 50 percent of
13 the Federal funds”; and

14 (2) by inserting after subparagraph (C) the fol-
15 lowing:

16 “(D) SCHOLARSHIPS.—An eligible institu-
17 tion that uses grant funds provided under this
18 section to establish or increase an endowment
19 fund may use the interest proceeds from such
20 endowment to provide scholarships to students
21 for the purposes of attending such institution.”.

22 (c) DEFINITION OF STUDENT COUNT; USE OF UN-
23 EXPENDED FUNDS; ELIMINATION OF PRE-APPROVAL RE-
24 QUIREMENT.—Section 316(d) of the Higher Education
25 Act of 1965 (20 U.S.C. 1059c(d)) is amended—

1 (1) by striking paragraph (1);
2 (2) by redesignating paragraphs (2) through
3 (4) as paragraphs (1) through (3), respectively; and
4 (3) in paragraph (2), as so redesignated—

5 (A) in subparagraph (B)(i)(I), by striking
6 “based on the respective Indian student counts
7 (as defined in section 2(a) of the Tribally Con-
8 trolled Colleges and Universities Assistance Act
9 of 1978 (25 U.S.C. 1801(a)) of the Tribal Col-
10 leges and Universities.” and inserting “based
11 on the respective full-time equivalent of all en-
12 rolled students.”; and

13 (B) by adding at the end the following:

14 “(C) USE OF UNEXPENDED FUNDS.—Any
15 funds paid to an institution and not expended
16 or used for the purposes for which the funds
17 were paid during the 5-year period following the
18 date of the initial grant award, may be carried
19 over and expended during the succeeding 5-year
20 period, if such funds were obligated for a pur-
21 pose for which the funds were paid during the
22 5-year period following the date of the initial
23 grant award.”.

24 (d) PROMOTING THE SUSTAINABILITY OF NATIVE
25 AMERICAN LANGUAGES.—Part A of title III of the Higher

1 Education Act of 1965 (20 U.S.C. 1057 et seq.) is further
2 amended by inserting after section 316 (20 U.S.C. 1059c)
3 the following:

4 **“SEC. 316A. NATIVE AMERICAN LANGUAGE VITALIZATION**
5 **AND TRAINING PROGRAM.**

6 “(a) ESTABLISHMENT.—

7 “(1) IN GENERAL.—From the amount appro-
8 priated under subsection (d), the Secretary shall es-
9 tablish the Native American Language Vitalization
10 and Training Program under which the Secretary
11 shall award grants, on a competitive basis, to eligible
12 institutions to promote the preservation, revitaliza-
13 tion, relevancy, and use of Native American lan-
14 guages.

15 “(2) TERM.—The term of a grant under this
16 section shall be not more than 5 years.

17 “(3) APPLICATION.—

18 “(A) STREAMLINED PROCESS.—In car-
19 rying out the program under this section, the
20 Secretary shall establish application require-
21 ments in such a manner as to simplify and
22 streamline the process for the grant application
23 under this section.

24 “(B) IN GENERAL.—To be eligible to re-
25 ceive a grant under this subsection, an eligible

1 institution shall submit to the Secretary an ap-
2 plication at such time, in such manner, and in
3 accordance with any other application require-
4 ments described in subparagraph (A), that the
5 Secretary may prescribe, and including the fol-
6 lowing:

7 “(i) A description of the 5-year pro-
8 gram of the eligible institution for meeting
9 the needs of American Indians, Alaska Na-
10 tives, or Native Hawaiians, as appropriate,
11 in the area served by the institution, and
12 how such plan is consistent with the pur-
13 poses described in paragraph (1).

14 “(ii)(I) An identification of the popu-
15 lation to be served by the eligible institu-
16 tion; and

17 “(II) an identification of the status of
18 Native American language understanding
19 and use within that population and a de-
20 scription of the manner in which the pro-
21 gram will help preserve and revitalize the
22 relevant Native American language.

23 “(iii) A description of the services to
24 be provided under the program, including

1 the manner in which the services will be in-
2 tegrated with other appropriate activities.

3 “(iv) A description, to be prepared in
4 consultation with the Secretary, of the per-
5 formance measures to be used to assess
6 the performance of the eligible institution
7 in carrying out the program.

8 “(b) USE OF FUNDS.—An eligible institution may
9 use a grant under this section to carry out activities con-
10 sistent with the purposes described in subsection (a)(1),
11 including—

12 “(1) curriculum development and academic in-
13 struction, including educational activities, programs,
14 and partnerships relating to students in early child-
15 hood education programs through grade 12;

16 “(2) professional development for faculty at the
17 eligible institution and in-service training programs
18 for early childhood education programs through
19 grade 12 instructors and administrators; and

20 “(3) innovative Native American language pro-
21 grams for students in early childhood education pro-
22 grams through grade 12, including language immer-
23 sion programs.

24 “(c) APPLICABILITY OF OTHER PROVISIONS.—

25 “(1) CONCURRENT FUNDING.—

1 “(A) TRIBAL COLLEGE OR UNIVERSITY.—
2 An eligible institution that is a Tribal College
3 or University may receive a grant under this
4 section and funds under section 316 concu-
5 rently.

6 “(B) ALASKA NATIVE-SERVING INSTITU-
7 TION OR NATIVE HAWAIIAN-SERVING INSTITU-
8 TION.—An eligible institution that is an Alaska
9 Native-serving institution or Native Hawaiian-
10 serving institution may receive a grant under
11 this section and funds under section 317 con-
12 currently.

13 “(2) EXEMPTION.—Sections 312(b) and 313(d)
14 shall not apply to an eligible institution that receives
15 a grant under this section.

16 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
17 are authorized to be appropriated to carry out this section
18 \$20,000,000 for fiscal year 2019 and each of the 5 suc-
19 ceeding fiscal years.

20 “(e) DEFINITIONS.—In this section:

21 “(1) ELIGIBLE INSTITUTION.—The term ‘eligi-
22 ble institution’ means—

23 “(A) a Tribal College or University, as de-
24 fined in section 316;

1 “(B) an Alaska Native-serving institution,
2 as defined in section 317; or

3 “(C) a Native Hawaiian-serving institu-
4 tion, as defined in section 317.

5 “(2) NATIVE AMERICAN.—The term ‘Native
6 American’ has the meaning given the term in section
7 371(c)(6).”.

8 (e) PREDOMINANTLY BLACK INSTITUTIONS.—Sec-
9 tion 318(d)(3) of the Higher Education Act of 1965 (20
10 U.S.C. 1059e(d)(3)) is amended—

11 (1) in subparagraph (B)—

12 (A) by striking “non-Federal sources” and
13 inserting “non-Federal sources (which may in-
14 clude gifts to the endowment fund restricted for
15 a specific purpose)”; and

16 (B) by striking “equal to or greater than
17 the Federal funds” and inserting “equal to 50
18 percent of the Federal funds”; and

19 (2) by inserting after subparagraph (C) the fol-
20 lowing:

21 “(D) SCHOLARSHIPS.—An eligible institu-
22 tion that uses grant funds provided under this
23 section to establish or increase an endowment
24 fund may use the interest proceeds from such

1 endowment to provide scholarships to students
2 for the purposes of attending such institution.”.

3 (f) TECHNICAL CORRECTION TO SECTION 318.—Sec-
4 tion 318(i) of the Higher Education Act of 1965 (20
5 U.S.C. 1059e) is amended—

6 (1) in the subsection heading, by striking “SPE-
7 CIAL RULE ON ELIGIBILITY” and inserting “SPE-
8 CIAL RULES” ;

9 (2) by striking “No Predominantly” and insert-
10 ing the following:

11 “(1) ELIGIBILITY.—No Predominantly”; and

12 (3) by adding at the end the following:

13 “(2) EXEMPTION.—Section 313(d) shall not
14 apply to institutions that are eligible to receive funds
15 under this section.”.

16 (g) STATE RELIEF FROM FEDERAL HIGHER EDU-
17 CATION MANDATE.—Part A of title III of the Higher Edu-
18 cation Act of 1965 (20 U.S.C. 1057 et seq.) is amended
19 by inserting after section 319 the following:

20 **“SEC. 319A. STATE RELIEF FROM FEDERAL HIGHER EDU-
21 CATION MANDATE.**

22 “(a) AMOUNT OF PAYMENT.—For fiscal year 2019
23 and each of the 5 succeeding fiscal years, the Secretary
24 may pay to any eligible college an amount that equals the
25 charges for tuition waived by the college (as described in

1 subsection (e)(1)) for the academic year ending before the
2 beginning of such fiscal year for Native American Indian
3 students who were enrolled in the college for such aca-
4 demic year and who were not residents of the State in
5 which the college is located during such academic year.

6 “(b) TREATMENT OF PAYMENT.—Any amounts re-
7 ceived by an eligible college under subsection (a) shall be
8 treated as a reimbursement from the State in which the
9 college is located, which is provided in fulfillment of any
10 Federal mandate upon the State to waive charges for tui-
11 tion for Native American Indian students.

12 “(c) RULE OF CONSTRUCTION.—Nothing in this sec-
13 tion shall be construed to relieve any State from any man-
14 date the State may have under Federal law to reimburse
15 an eligible college for an academic year—

16 “(1) with respect to Native American Indian
17 students enrolled in the college who are not residents
18 of the State in which the college is located, any
19 amount of charges for tuition waived by the college
20 for such students that exceeds the amount received
21 by the college under subsection (a) for such aca-
22 demic year; and

23 “(2) with respect to Native American Indian
24 students enrolled in the college who are residents of
25 the State in which the college is located, an amount

1 equal to the charges for tuition waived by the college
2 for such students for such academic year.

3 “(d) APPLICABILITY.—

4 “(1) IN GENERAL.—The provisions of any other
5 section of this part or part G shall not apply with
6 respect to funds paid under this section.

7 “(2) NO EFFECT ON ELIGIBILITY.—Funds re-
8 ceived by a Native American-serving, nontribal insti-
9 tution under this section shall not be taken into ac-
10 count for purposes of section 319(d)(3)(A).

11 “(e) DEFINITIONS.—In this section:

12 “(1) ELIGIBLE COLLEGE.—The term ‘eligible
13 college’ means any 4-year Native American-serving,
14 nontribal institution that waives the charges for tui-
15 tion as mandated by Federal statute, with the sup-
16 port of the State in which the institution is located,
17 for Native American Indian students in fulfillment
18 of a condition under which the institution or State
19 received its original grant of land and facilities from
20 the United States.

21 “(2) NATIVE AMERICAN INDIAN STUDENTS.—
22 The term ‘Native American Indian students’ in-
23 cludes reference to the term ‘Indian pupils’ as that
24 term has been utilized in Federal statutes imposing
25 a mandate upon any eligible college or State to

1 waive charges for tuition for Native American Indian
2 students in fulfillment of a condition under which
3 the college or State received its original grant of
4 land and facilities from the United States.

5 “(3) NATIVE AMERICAN-SERVING, NONTRIBAL
6 INSTITUTION.—The term ‘Native American-serving,
7 nontribal institution’ has the meaning given the
8 term in section 319(b).

9 “(f) SUPPLEMENT, NOT SUPPLANT.—Funds under
10 this section shall be used to supplement, not supplant, any
11 Federal or non-Federal funds that would otherwise be
12 used for Indian education programs.”

13 (h) TECHNICAL CORRECTION TO SECTION 320.—
14 Section 320(d)(3)(A) of the Higher Education Act of 1965
15 (20 U.S.C. 1059g(d)(3)(A)) is amended by inserting “part
16 A of” after “or”.

17 **SEC. 3002. STRENGTHENING HISTORICALLY BLACK COL-**
18 **LEGES AND UNIVERSITIES.**

19 (a) ALLOWABLE USES OF FUNDS.—Section 323(a)
20 of the Higher Education Act of 1965 (20 U.S.C. 1062(a))
21 is amended—

22 (1) by striking paragraphs (6) and (7) and in-
23 serting the following:

24 “(6) Tutoring, counseling, advising, and stu-
25 dent service programs designed to improve academic

1 success, including innovative and customized instruc-
2 tional courses (which may include remedial edu-
3 cation and English language instruction) designed to
4 help retain students and move students rapidly into
5 core courses and through program completion.

6 “(7) Funds and administrative management,
7 and acquisition of technology, services, and equip-
8 ment for use in strengthening funds and administra-
9 tive management.”;

10 (2) in paragraph (10)—

11 (A) by striking “teacher education” and
12 inserting “traditional or alternative route teach-
13 er preparation”; and

14 (B) by striking “preparation for teacher
15 certification” and inserting “preparation of
16 graduates for teacher certification or licensure”;

17 (3) by redesignating paragraph (15) as para-
18 graph (19); and

19 (4) by inserting after paragraph (14) the fol-
20 lowing:

21 “(15) Distance education programs and cre-
22 ating or improving facilities for internet or other dis-
23 tance learning academic instruction capabilities, in-
24 cluding the purchase or rental of telecommunications
25 technology equipment or services.

1 “(16) Establishing or improving a program that
2 produces improved results in the educational out-
3 comes of African American males.

4 “(17) Scholarships, fellowships, and other fi-
5 nancial assistance for financially needy under-
6 graduate students, as determined by the institution,
7 to permit the enrollment and degree completion of
8 such students in the physical or natural sciences, en-
9 gineering, mathematics or other scientific disciplines
10 in which African Americas are underrepresented, ex-
11 cept that not more than 30 percent of the grant
12 amount may be for this purpose.

13 “(18) Establishing or improving an office of
14 sponsored programs to assist with identifying exter-
15 nal funding opportunities, applying for external
16 funding, and administering grant awards.”.

17 (b) HISTORICALLY BLACK COLLEGES AND UNIVER-
18 SITIES.—Section 323(b) of the Higher Education Act of
19 1965 (20 U.S.C. 1062(b)) is amended—

20 (1) in paragraph (2)—

21 (A) by striking “non-Federal sources” and
22 inserting “non-Federal sources (which may in-
23 clude gifts to the endowment fund restricted for
24 a specific gifts purpose)”; and

1 (B) by striking “equal to or greater than
2 the Federal funds” and inserting “equal to 50
3 percent of the Federal funds”; and

4 (2) by inserting after paragraph (3) the fol-
5 lowing:

6 “(4) SCHOLARSHIPS.—An eligible institution
7 that uses grant funds provided under this section to
8 establish or increase an endowment fund may use
9 the interest proceeds from such endowment to pro-
10 vide scholarships to students for the purposes of at-
11 tending such institution.”.

12 (c) ALLOTMENTS AND APPLICATION PROCESS.—

13 (1) ALLOTMENTS.—Section 324 of the Higher
14 Education Act of 1965 (20 U.S.C. 1063) is amend-
15 ed—

16 (A) in subsection (c), by striking “5” and
17 inserting “6”;

18 (B) in subsection (d)(1), by striking sub-
19 paragraphs (A) and (B) and inserting the fol-
20 lowing:

21 “(A) less than \$500,000 for a part B insti-
22 tution which has received a grant under this
23 part, the Secretary shall award the part B insti-
24 tution an allotment in the amount of \$500,000;
25 and

1 “(B) less than \$250,000 for a part B insti-
2 tution which has not received a grant under
3 this part for a fiscal year prior to fiscal year
4 2017, the Secretary shall award the part B in-
5 stitution an allotment in the amount of
6 \$250,000.”; and

7 (C) in subsection (h)—

8 (i) in paragraphs (1)(C) and (2)(C),
9 by striking “within 5 years” each time it
10 appears and inserting “within 6 years”;
11 and

12 (ii) by adding at the end the fol-
13 lowing:

14 “(3) LIMITATION FOR NEW INSTITUTIONS.—
15 Notwithstanding any other provision of this section,
16 no part B institution that would otherwise be eligible
17 for funds under this part shall receive an allotment
18 under this part for a fiscal year, unless—

19 “(A) such institution received an allotment
20 under this part for fiscal year 2017; or

21 “(B) the amount appropriated under sec-
22 tion 399(a)(2)(A) for such fiscal year is not less
23 than \$275,000,000.”.

24 (2) APPLICATIONS.—Section 325(c) of the
25 Higher Education Act of 1965 (20 U.S.C. 1063a(c))

1 is amended by inserting “, including goals to en-
2 hance student retention, graduation, and post-
3 graduate outcomes,” after “management and aca-
4 demic programs”.

5 (d) PROFESSIONAL OR GRADUATE INSTITUTIONS.—
6 Section 326(c) of the Higher Education Act of 1965 (20
7 U.S.C. 1063b(c)) is amended—

8 (1) in paragraph (7)—

9 (A) by striking “equipment,” and inserting
10 “equipment, technology, and services,”; and

11 (B) by inserting “and administrative”
12 after “in strengthening funds”;

13 (2) by redesignating paragraph (12) as para-
14 graph (13); and

15 (3) by striking paragraph (11) and inserting
16 the following:

17 “(11) tutoring, counseling, advising, and stu-
18 dent service programs designed to improve academic
19 success, including innovative and customized instruc-
20 tional courses (which may include remedial edu-
21 cation and English language instruction) designed to
22 help retain students and move students rapidly into
23 core courses and through program completion; and

24 “(12) distance education programs and creating
25 or improving facilities for internet or other distance

1 learning academic instruction capabilities, including
2 the purchase or rental of telecommunications tech-
3 nology equipment or services; and”.

4 (e) ELIGIBILITY.—Section 326(e)(1) of the Higher
5 Education Act of 1965 (20 U.S.C. 1063b(e)) is amend-
6 ed—

7 (1) in subparagraph (W), by striking “and” at
8 the end;

9 (2) in subparagraph (X), by striking the period
10 at the end and inserting “; and”; and

11 (3) by adding at the end the following:

12 “(Y) University of the Virgin Islands
13 School of Medicine.”.

14 (f) INTERACTION WITH OTHER GRANT PRO-
15 GRAMS.—Section 326(h) of the Higher Education Act of
16 1965 (20 U.S.C. 1063b(h)) is amended by striking “or
17 724” and inserting “724, or 727.”.

18 **SEC. 3003. HISTORICALLY BLACK COLLEGE AND UNIVER-**
19 **SITY CAPITAL FINANCING.**

20 (a) BOND INSURANCE AND CAPITAL FINANCE OF
21 STEM FACILITIES.—Section 343 of the Higher Education
22 Act of 1965 (20 U.S.C. 1066b) is amended—

23 (1) in subsection (b)—

1 (A) in paragraph (1), by striking “an es-
2 crow account” and inserting “a bond insurance
3 fund”;

4 (B) in paragraph (3), by inserting “(except
5 that loans for the purpose of science, tech-
6 nology, engineering, or mathematics related
7 academic facilities shall carry not more than a
8 1 percent rate of interest)” after “charge such
9 interest on loans”; and

10 (C) in paragraph (8)—

11 (i) in the matter preceding subpara-
12 graph (A), by striking “an escrow ac-
13 count” and inserting “a bond insurance
14 fund”; and

15 (ii) in subparagraph (A), by striking
16 “the escrow account” and inserting “the
17 bond insurance fund”;

18 (D) in paragraph (9), by striking “escrow
19 account” each place it appears and inserting
20 “bond insurance fund”; and

21 (E) in paragraph (12), by striking “, ex-
22 cept as otherwise required by the Secretary”;
23 and

1 (2) in subsection (c), by striking “escrow ac-
2 count” each place it appears and inserting “bond in-
3 surance fund”.

4 (b) INCREASED AGGREGATE BOND LIMIT.—Section
5 344 of the Higher Education Act of 1965 (20 U.S.C.
6 1066c) is amended—

7 (1) in the matter preceding paragraph (1), by
8 striking “\$1,100,000,000” and inserting
9 “\$3,600,000,000”;

10 (2) in paragraph (1), by striking
11 “\$733,333,333” and inserting “two-thirds”; and

12 (3) in paragraph (2), by striking
13 “\$366,666,667” and inserting “one-third”.

14 (c) STRENGTHENING TECHNICAL ASSISTANCE.—
15 Section 345 of the Higher Education Act of 1965 (20
16 U.S.C. 1066d) is amended—

17 (1) in paragraph (8), by inserting “and” at the
18 end;

19 (2) by striking paragraph (9) and inserting the
20 following:

21 “(9) may, directly or by grant or contract, pro-
22 vide financial counseling and technical assistance to
23 eligible institutions to prepare the institutions to
24 qualify, apply for, and maintain a capital improve-
25 ment loan, including a loan under this part.”; and

1 (3) by striking paragraph (10) and inserting
2 the following:

3 “(10) may provide for the modification or
4 deferment of a loan made under this part based on
5 need of the institution, as defined by the Secretary,
6 for a period not to exceed 6 fiscal years, and, during
7 the period of deferment of such a loan, interest on
8 the loan will not accrue or be capitalized.”.

9 (d) HBCU CAPITAL FINANCING ADVISORY
10 BOARD.—Paragraph (2) of Section 347(c) of the Higher
11 Education Act of 1965 (20 U.S.C. 1066f(c)) is amended
12 to read as follows:

13 “(2) REPORT.—On an annual basis, the Advi-
14 sory Board shall prepare and submit to the author-
15 izing committees a report on—

16 “(A) the status of the historically Black
17 colleges and universities described in paragraph
18 (1)(A);

19 “(B) an overview of all loans awarded
20 under the program under this part, including
21 the most recent loans awarded for the fiscal
22 year in which the report is submitted; and

23 “(C) administrative and legislative rec-
24 ommendations for addressing the issues related

1 to construction financing facing historically
2 Black colleges and universities.”.

3 **SEC. 3004. STRENGTHENING HISTORICALLY BLACK COL-**
4 **LEGES AND UNIVERSITIES AND OTHER MI-**
5 **NORITY-SERVING INSTITUTIONS.**

6 Section 371(b) of the Higher Education Act of 1965
7 (20 U.S.C. 1067q(b)) is amended—

8 (1) in paragraph (1)(A)—

9 (A) in the first sentence, by striking “ap-
10 propriated,” and all that follows through
11 “2019” and inserting the following: “appro-
12 priated, \$300,000,000 for fiscal year 2019 and
13 each succeeding fiscal year”; and

14 (B) by striking the second sentence; and

15 (2) in paragraph (2)—

16 (A) in subparagraph (A)—

17 (i) in clause (i), by striking
18 “\$100,000,000” and inserting
19 “\$117,500,000”;

20 (ii) in clause (ii), by striking
21 “\$100,000,000” and inserting
22 “\$99,875,000”;

23 (iii) in clause (iii)—

24 (I) by striking “\$55,000,000”
25 and inserting “\$65,000,000”; and

1 (II) by striking “(D)” and insert-
2 ing “(E)”;

3 (iv) by redesignating clause (iii) as
4 clause (iv);

5 (v) by inserting after clause (ii) the
6 following

7 “(iii) \$17,625,000 shall be available
8 for allocation under subparagraph (D);”;

9 (B) by redesignating subparagraph (D) as
10 subparagraph (E) and—

11 (i) in clause (i), by striking
12 “\$30,000,000” each place it appears and
13 inserting “\$35,000,000”;

14 (ii) in clause (ii), by striking
15 “\$15,000,000” each place it appears and
16 inserting “\$18,000,000”; and

17 (iii) in clauses (iii) and (iv), by strik-
18 ing “\$5,000,000” each place it appears
19 and inserting “\$6,000,000”; and

20 (C) by striking subparagraph (C) and in-
21 serting the following:

22 “(C) ALLOCATION AND ALLOTMENT
23 HBCUS.—The amount made available for alloca-
24 tion under this subparagraph by subparagraph
25 (A)(ii) for any fiscal year shall be available to

1 eligible institutions described in subsection
2 (a)(1) and shall be made available as grants
3 under section 323 and allotted among such in-
4 stitutions under section 324, treating such
5 amount, plus the amount appropriated for such
6 fiscal year in a regular or supplemental appro-
7 priation Act to carry out part B of this title, as
8 the amount appropriated to carry out part B of
9 this title for purposes of allotments under sec-
10 tion 324, for use by such institutions with a
11 priority for—

12 “(i) activities described in paragraphs
13 (1), (2), (4), (5), and (10) of section
14 323(a); and

15 “(ii) other activities, consistent with
16 the institution’s comprehensive plan and
17 designed to increase the institution’s ca-
18 pacity to prepare students for careers in
19 the physical or natural sciences, mathe-
20 matics, computer science or information
21 technology or sciences, engineering, lan-
22 guage instruction in the less-commonly
23 taught languages or international affairs,
24 or nursing or allied health professions.

1 “(D) ALLOCATION AND ALLOTMENT
2 PBIS.—The amount made available for alloca-
3 tion under this subparagraph by subparagraph
4 (A)(iii) for any fiscal year shall be available to
5 eligible institutions described in subsection
6 (a)(5) and shall be available for a competitive
7 grant program to award grants of \$600,000 an-
8 nually for programs in any of the following
9 areas:

10 “(i) science, technology, engineering,
11 or mathematics (STEM);

12 “(ii) health education;

13 “(iii) internationalization or
14 globalization;

15 “(iv) teacher preparation; or

16 “(v) improving educational outcomes
17 of African American males.”.

18 **SEC. 3005. GENERAL PROVISIONS.**

19 Section 399(a) of the Higher Education Act of 1965
20 (20 U.S.C. 1068h(a)) is amended—

21 (1) by striking “2009” each place it appears
22 and inserting “2019”; and

23 (2) in paragraph (1)—

24 (A) in subparagraph (A), by striking
25 “\$135,000,000” and inserting “\$150,000,000”;

1 (B) in subparagraph (B), by striking
2 “\$30,000,000” and inserting “\$45,000,000”;

3 (C) in subparagraph (C), by striking
4 “\$15,000,000” and inserting “\$25,000,000”;

5 (D) in subparagraph (D), by striking
6 “\$75,000,000” and inserting “\$90,000,000”;

7 (E) in subparagraph (E), by striking
8 “\$25,000,000” and inserting “\$30,000,000”;

9 (F) in subparagraph (F), by striking
10 “\$30,000,000” and inserting “\$60,000,000”;

11 (G) by redesignating subparagraph (F) as
12 subparagraph (G); and

13 (H) by inserting after subparagraph (E)
14 the following:

15 “(F) SECTION 319A.—There is authorized to be
16 appropriated to carry out section 319A \$17,400,000
17 for fiscal year 2019 and each of the 5 succeeding fis-
18 cal years.”;

19 (3) in paragraph (2)—

20 (A) in subparagraph (A), by striking
21 “\$375,000,000” and inserting “\$400,000,000”;

22 and

23 (B) in subparagraph (B), by striking
24 “\$125,000,000” and inserting “\$135,000,000”;

1 (4) in paragraph (3), by striking
2 “\$10,000,000” and inserting “\$220,000,000”; and
3 (5) in paragraph (4)(A), by striking
4 “\$185,000” and inserting “\$225,000”.

5 **TITLE IV—STUDENT ASSISTANCE**

6 **SEC. 4001. EFFECTIVE DATE FOR TITLE IV.**

7 Except as otherwise provided in this title or the
8 amendments made by this title, this title and the amend-
9 ments made by this title shall take effect on July 1, 2019.

10 **PART A**

11 **SEC. 4011. IMPROVEMENTS TO THE PELL GRANT PROGRAM.**

12 Section 401 of the Higher Education Act of 1965 (20
13 U.S.C. 1070a) is amended—

14 (1) by striking subsections (a) and (b) and in-
15 sserting the following:

16 “(a) PROGRAM AUTHORITY AND METHOD OF DIS-
17 TRIBUTION.—

18 “(1) For each fiscal year, the Secretary shall
19 pay to each eligible institution such sums as may be
20 necessary to pay to each eligible student (defined in
21 accordance with section 484) for each academic year
22 during which that student is in attendance at an in-
23 stitution of higher education, as an undergraduate,
24 a Federal Pell Grant in the amount for which that
25 student is eligible, as determined pursuant to sub-

1 section (b). Not less than 85 percent of such sums
2 shall be advanced to eligible institutions prior to the
3 start of each payment period and shall be based
4 upon an amount requested by the institution as
5 needed to pay eligible students until such time as
6 the Secretary determines and publishes in the Fed-
7 eral Register with an opportunity for comment, an
8 alternative payment system that provides payments
9 to institutions in an accurate and timely manner, ex-
10 cept that this sentence shall not be construed to
11 limit the authority of the Secretary to place an insti-
12 tution on a reimbursement system of payment.

13 “(2) Nothing in this section shall be interpreted
14 to prohibit the Secretary from paying directly to stu-
15 dents, in advance of the beginning of the academic
16 term, an amount for which they are eligible, in cases
17 where the eligible institution elects not to participate
18 in the disbursement system required by paragraph
19 (1).

20 “(3) Grants made under this subpart shall be
21 known as ‘Federal Pell Grants’.

22 “(b) PURPOSE AND AMOUNT OF GRANTS.—

23 “(1) AMOUNT.—The amount of the Federal
24 Pell Grant for a student eligible under this subpart
25 shall be—

1 “(A) the maximum Federal Pell Grant de-
2 scribed in paragraph (6); less

3 “(B) the amount equal to the amount de-
4 termined to be the expected family contribution
5 with respect to such student for such year.

6 “(2) In any case where a student attends an in-
7 stitution of higher education on less than a full-time
8 basis (including a student who attends an institution
9 of higher education on less than a half-time basis)
10 during any academic year, the amount of the Fed-
11 eral Pell Grant to which that student is entitled
12 shall be reduced in proportion to the degree to which
13 that student is not so attending on a full-time basis,
14 in accordance with a schedule of reductions estab-
15 lished by the Secretary for the purposes of this divi-
16 sion, computed in accordance with this subpart.
17 Such schedule of reductions shall be established by
18 regulation and published in the Federal Register in
19 accordance with section 482 of this Act.

20 “(3) No Federal Pell Grant under this subpart
21 shall exceed the difference between the expected
22 family contribution for a student and the cost of at-
23 tendance (as defined in section 472) at the institu-
24 tion at which that student is in attendance. If, with
25 respect to any student, it is determined that the

1 amount of a Federal Pell Grant plus the amount of
2 the expected family contribution for that student ex-
3 ceeds the cost of attendance for that year, the
4 amount of the Federal Pell Grant shall be reduced
5 until the combination of expected family contribution
6 and the amount of the Federal Pell Grant does not
7 exceed the cost of attendance at such institution.

8 “(4) No Federal Pell Grant shall be awarded to
9 a student under this subpart if the amount of that
10 grant for that student as determined under this sub-
11 section for any academic year is less than ten per-
12 cent of the maximum Federal Pell Grant described
13 in paragraph (6) for such academic year.

14 “(5) Notwithstanding any other provision of
15 this subpart, the Secretary shall allow the amount of
16 the Federal Pell Grant to be exceeded for students
17 participating in a program of study abroad approved
18 for credit by the institution at which the student is
19 enrolled when the reasonable costs of such program
20 are greater than the cost of attendance at the stu-
21 dent’s home institution, except that the amount of
22 such Federal Pell Grant in any fiscal year shall not
23 exceed the maximum amount of a Federal Pell
24 Grant award described in paragraph (6), for which
25 a student is eligible during such award year. If the

1 preceding sentence applies, the financial aid admin-
2 istrator at the home institution may use the cost of
3 the study abroad program, rather than the home in-
4 stitution's cost, to determine the cost of attendance
5 of the student.

6 “(6) MAXIMUM FEDERAL PELL GRANT.—

7 “(A) AWARD YEAR 2019–2020.—For award
8 year 2019–2020, the maximum Federal Pell
9 Grant shall be \$6,595.

10 “(B) SUBSEQUENT AWARD YEARS.—For
11 award year 2020–2021 and each subsequent
12 award year, the maximum Federal Pell Grant
13 shall be equal to the total maximum Federal
14 Pell Grant for the preceding award year under
15 this paragraph—

16 “(i) increased by the annual adjust-
17 ment percentage for the award year for
18 which the amount under this subparagraph
19 is being determined; and

20 “(ii) rounded to the nearest \$5.

21 “(C) DEFINITION OF ANNUAL ADJUST-
22 MENT PERCENTAGE.—In this paragraph, the
23 term ‘annual adjustment percentage,’ as applied
24 to an award year, is equal to the estimated per-
25 centage increase in the Consumer Price Index

1 (as determined by the Secretary, using the defi-
2 nition in section 478(f)) for the most recent cal-
3 endar year ending prior to the beginning of that
4 award year.

5 “(7)(A) Effective in the 2017–2018 award year
6 and thereafter, the Secretary shall award an eligible
7 student not more than one and one-half Federal Pell
8 Grants during a single award year to permit such
9 student to work toward completion of an eligible
10 program if, during that single award year, the stu-
11 dent—

12 “(i) has received a Federal Pell Grant for
13 an award year and is enrolled in an eligible pro-
14 gram for one or more additional payment peri-
15 ods during the same award year that are not
16 otherwise fully covered by the student’s Federal
17 Pell Grant; and

18 “(ii) is enrolled on at least a half-time
19 basis while receiving any funds under this sec-
20 tion.

21 “(B) In the case of a student receiving more
22 than one Federal Pell Grant in a single award year
23 under subparagraph (A), the total amount of Fed-
24 eral Pell Grants awarded to such student for the

1 award year may exceed the maximum Federal Pell
2 Grant available for an award year.

3 “(C) Any period of study covered by a Federal
4 Pell Grant awarded under subparagraph (A) shall be
5 included in determining a student’s duration limit
6 under subsection (c)(5).

7 “(D) In any case where an eligible student is
8 receiving a Federal Pell Grant for a payment period
9 that spans two award years, the Secretary shall
10 allow the eligible institution in which the student is
11 enrolled to determine the award year to which the
12 additional period shall be assigned, as it determines
13 is most beneficial to students.”;

14 (2) in subsection (f)—

15 (A) in paragraph (1), by striking the mat-
16 ter preceding subparagraph (A) and inserting
17 the following: “After receiving an application
18 for a Federal Pell Grant under this subpart, the
19 Secretary (including any contractor of the Sec-
20 retary processing applications for Federal Pell
21 Grants under this subpart) shall, in a timely
22 manner, furnish to the student financial aid ad-
23 ministrators at each institution of higher edu-
24 cation that a student awarded a Federal Pell
25 Grant under this subpart is attending, the ex-

1 pected family contribution for each such stu-
2 dent. Each such student financial administrator
3 shall—”; and

4 (B) in paragraph (3)—

5 (i) by striking “after academic year
6 1986–1987”; and

7 (ii) by striking “the Committee on
8 Appropriations of the Senate, the Com-
9 mittee on Appropriations of the House of
10 Representatives, and”;

11 (3) by striking subsections (g) and (h);

12 (4) by redesignating subsections (i) and (j) as
13 subsections (g) and (h), respectively;

14 (5) in subsection (h), as so redesignated—

15 (A) in paragraph (1) by inserting before
16 the period the following: “, or if such institution
17 of higher education is subject to an ineligibility
18 determination under section 435(a)(9)”; and

19 (B) in paragraph (2) by inserting “or final
20 adjusted cohort default rate” before “deter-
21 mination”; and

22 (6) by adding at the end the following:

23 “(k) APPROPRIATION OF FUNDS.—

1 “(1) IN GENERAL.—There are authorized to be
2 appropriated, and there are appropriated, out of any
3 money in the Treasury not otherwise appropriated—
4 “(A) for fiscal year 2019, the greater of—
5 “(i) the coverage amount; or
6 “(ii) \$19,448,200,000;
7 “(B) for fiscal year 2020, the greater of—
8 “(i) the coverage amount; or
9 “(ii) \$20,610,000,000;
10 “(C) for fiscal year 2021, the greater of—
11 “(i) the coverage amount; or
12 “(ii) \$21,887,400,000;
13 “(D) for fiscal year 2022, the greater of—
14 “(i) the coverage amount; or
15 “(ii) \$23,305,600,000;
16 “(E) for fiscal year 2023, the greater of—
17 “(i) the coverage amount; or
18 “(ii) \$24,609,400,000;
19 “(F) for fiscal year 2024, the greater of—
20 “(i) the coverage amount; or
21 “(ii) \$26,119,400,000;
22 “(G) for fiscal year 2025, the greater of—
23 “(i) the coverage amount; or
24 “(ii) \$27,776,200,000;
25 “(H) for fiscal year 2026, the greater of—

1 “(i) the coverage amount; or
2 “(ii) \$29,463,000,000;
3 “(I) for fiscal year 2027, the
4 greater of—
5 “(i) the coverage amount; or
6 “(ii) \$31,339,200,000; and
7 “(J) for each subsequent fiscal year, the
8 coverage amount.

9 “(2) COVERAGE AMOUNT DEFINED.—In this
10 subsection, the term ‘coverage amount’ means, with
11 respect to a fiscal year, such sums as may be nec-
12 essary to cover 60 percent of the costs of the Fed-
13 eral Pell Grant Program.”.

14 **SEC. 4012. AMENDMENTS TO PELL GRANT ELIGIBILITY.**

15 Section 401(c) of the Higher education Act of 1965
16 (20 U.S.C. 1070a(c)) is amended—

17 (1) in paragraph (1) by striking “except” and
18 all that follows and inserting “except—

19 “(A) that any period during which the stu-
20 dent is enrolled in a noncredit or remedial
21 course of study as define in paragraph (2) shall
22 not be counted for the purpose of this para-
23 graph; and

24 “(B) in the case of a student who received
25 Pell Grants during an undergraduate bacca-

1 laureate course of study, but did not exhaust
2 the maximum period of eligibility as described
3 in paragraph (5), the period during which a
4 student may receive Federal Pell Grants shall
5 also include the period required for the comple-
6 tion of the first postbaccalaureate course of
7 study up to the maximum period of eligibility.”;
8 (2) in paragraph (5)—

9 (A) by striking “(5) The period” and in-
10 sserting the following:

11 “(5) MAXIMUM PERIOD.—

12 “(A) IN GENERAL.—Except as provided in
13 subparagraph (B), the period”.

14 (B) by striking “12” each place the term
15 appears and inserting “14”; and

16 (C) by adding at the end the following:

17 “(B) EXCEPTION.—

18 “(i) IN GENERAL.—Any Federal Pell
19 Grant that a student received during a pe-
20 riod described in subclause (I) or (II) of
21 clause (ii) shall not count toward the stu-
22 dent’s duration limits under this para-
23 graph.

24 “(ii) APPLICABLE PERIODS.—Clause
25 (i) shall apply with respect to any Federal

1 Pell Grant awarded to a student to attend
2 an institution—

3 “(I) during a period—

4 “(aa) for which the student
5 received a loan under this title;
6 and

7 “(bb) for which the loan de-
8 scribed in item (aa) is forgiven
9 under—

10 “(AA) section 437(c)(1)
11 or 464(g)(1) due to the clos-
12 ing of the institution;

13 “(BB) section 455(h)
14 due to the student’s success-
15 ful assertion of a defense to
16 repayment of the loan; or

17 “(CC) section
18 432(a)(6), section 685.215
19 of title 34, Code of Federal
20 Regulations (or a successor
21 regulation), or any other
22 loan forgiveness provision or
23 regulation under this Act, as
24 a result of a determination
25 by the Secretary or a court

1 that the institution com-
2 mitted fraud or other mis-
3 conduct; or

4 “(II) during a period for which
5 the student did not receive a loan
6 under this title but for which, if the
7 student had received such a loan, the
8 student would have qualified for loan
9 forgiveness under subclause (I)(bb).”.

10 **SEC. 4013. EXTENDING FEDERAL PELL GRANT ELIGIBILITY**
11 **OF CERTAIN SHORT-TERM PROGRAMS.**

12 Section 401 of the Higher Education Act of 1965 (20
13 U.S.C. 1070a) is further amended by inserting after sub-
14 section (h) the following:

15 “(i) **JOB TRAINING FEDERAL PELL GRANT PRO-**
16 **GRAM.—**

17 “(1) **DEFINITIONS.—**In this subsection:

18 “(A) **ELIGIBLE CAREER PATHWAY PRO-**
19 **GRAM.—**The term ‘eligible career pathway pro-
20 gram’ means a program that—

21 “(i) meets the requirements of section
22 484(d)(2);

23 “(ii) is a program of training services
24 listed under section 122(d) of the Work-

1 force Innovation and Opportunity Act (29
2 U.S.C. 3152(d)); and

3 “(iii) is part of a career pathway, as
4 defined in section 3 of such Act (29 U.S.C.
5 3102).

6 “(B) JOB TRAINING PROGRAM.—The term
7 ‘job training program’ means a career and tech-
8 nical education program at an institution of
9 higher education that—

10 “(i) provides not less than 150, and
11 not more than 600, clock hours of instruc-
12 tional time over a period of not less than
13 8, and not more than 15, weeks;

14 “(ii) provides training aligned with
15 the requirements of employers in the State
16 or local area, which may include in-demand
17 industry sectors or occupations, as defined
18 in section 3 of the Workforce Innovation
19 and Opportunity Act (29 U.S.C. 3102), in
20 the State or local area (as defined in such
21 section);

22 “(iii) is a program of training serv-
23 ices, and provided through an eligible pro-
24 vider of training services, listed under sec-

1 tion 122(d) of such Act (29 U.S.C.
2 3152(d));

3 “ (iv) provides a student, upon comple-
4 tion of the program, with a recognized
5 postsecondary credential, as defined in sec-
6 tion 3 of such Act, that is recognized by
7 employers in the relevant industry, includ-
8 ing credentials recognized by industry or
9 sector partnerships in the State or local
10 area where the industry is located;

11 “ (v) has been determined, by the in-
12 stitution of higher education, to provide
13 academic content, an amount of instruc-
14 tional time, and a recognized postsec-
15 ondary credential that are sufficient to—

16 “ (I) meet the hiring requirements
17 of potential employers; and

18 “ (II) satisfy any applicable edu-
19 cational prerequisite requirement for
20 professional licensure or certification,
21 so that the student who completes the
22 program and seeks employment quali-
23 fies to take any licensure or certifi-
24 cation examination needed to practice
25 or find employment in an occupation

1 that the program prepares students to
2 enter;

3 “(vi) may include integrated or basic
4 skills courses; and

5 “(vii) may be offered as part of an eli-
6 gible career pathway program.

7 “(2) IN GENERAL.—For the award year begin-
8 ning on July 1, 2019, and each subsequent award
9 year, the Secretary shall carry out a program
10 through which the Secretary shall award job training
11 Federal Pell Grants to students in job training pro-
12 grams. Each job training Federal Pell Grant award-
13 ed under this subsection shall have the same terms
14 and conditions, and be awarded in the same manner,
15 as a Federal Pell Grant awarded under subsection
16 (a), except as follows:

17 “(A) A student who is eligible to receive a
18 job training Federal Pell Grant under this sub-
19 section is a student who—

20 “(i) has not yet attained a bacca-
21 laureate degree or postbaccalaureate de-
22 gree;

23 “(ii) attends an institution of higher
24 education;

1 “(iii) is enrolled, or accepted for en-
2 rollment, in a job training program at such
3 institution of higher education; and

4 “(iv) meets all other eligibility re-
5 quirements for a Federal Pell Grant (ex-
6 cept with respect to the type of program of
7 study, as provided in clause (iii)).

8 “(B) The amount of a job training Federal
9 Pell Grant for an eligible student shall be deter-
10 mined under subsection (b)(1), except that—

11 “(i) the maximum Federal Pell Grant
12 awarded under this subsection for an
13 award year shall be 50 percent of the max-
14 imum Federal Pell Grant awarded under
15 subsection (b)(5) applicable to that award
16 year; and

17 “(ii) subsection (b)(4) shall not apply.

18 “(3) INCLUSION IN TOTAL ELIGIBILITY PE-
19 RIOD.—Any period during which a student receives
20 a job training Federal Pell Grant under this sub-
21 section shall be included in calculating the student’s
22 period of eligibility for Federal Pell Grants under
23 subsection (e), and any regulations under such sub-
24 section regarding students who are enrolled in an
25 undergraduate program on less than a full-time

1 basis shall similarly apply to students who are en-
2 rolled in a job training program at an eligible insti-
3 tution on less than a full-time basis.”.

4 **SEC. 4014. PROVIDING FEDERAL PELL GRANTS FOR IRAQ**
5 **AND AFGHANISTAN VETERAN’S DEPENDENTS.**

6 (a) AMENDMENTS.—Part A of title IV of the Higher
7 Education Act of 1965 (20 U.S.C. 1070a et seq.) is
8 amended in section 401 by inserting after subsection (i)
9 the following:

10 “(j) SCHOLARSHIPS FOR VETERAN’S DEPEND-
11 ENTS.—

12 “(1) DEFINITION OF ELIGIBLE VETERAN’S DE-
13 PENDENT.—In this subsection, the term ‘eligible vet-
14 eran’s dependent’ means a dependent or an inde-
15 pendent student—

16 “(A) whose parent or guardian was a
17 member of the Armed Forces of the United
18 States and died as a result of performing mili-
19 tary service in Iraq or Afghanistan after Sep-
20 tember 11, 2001; and

21 “(B) who, at the time of the parent or
22 guardian’s death, was—

23 “(i) less than 24 years of age; or

1 “(ii) enrolled at an institution of high-
2 er education on a part-time or full-time
3 basis.

4 “(2) GRANTS.—

5 “(A) IN GENERAL.—The Secretary shall
6 award a Federal Pell Grant, as modified in ac-
7 cordance with the requirements of this sub-
8 section, to each eligible veteran’s dependent to
9 assist in paying the eligible veteran’s depend-
10 ent’s cost of attendance at an institution of
11 higher education.

12 “(B) DESIGNATION.—Federal Pell Grants
13 made under this subsection may be known as
14 ‘Iraq and Afghanistan Service Grants’.

15 “(3) PREVENTION OF DOUBLE BENEFITS.—No
16 eligible veteran’s dependent may receive a grant
17 under both this subsection and subsections (a) or (i).

18 “(4) TERMS AND CONDITIONS.—The Secretary
19 shall award Iraq and Afghanistan Service Grants
20 under this subsection in the same manner and with
21 the same terms and conditions, including the length
22 of the period of eligibility, as the Secretary awards
23 Federal Pell Grants under subsection (a), except
24 that—

1 “(A) the award rules and determination of
2 need applicable to the calculation of Federal
3 Pell Grants under subsection (a) shall not apply
4 to Iraq and Afghanistan Service Grants;

5 “(B) the provisions of paragraph (1)(B)
6 and (3) of subsection (b), and subsection (f),
7 shall not apply;

8 “(C) the maximum period determined
9 under subsection (c)(5) shall be determined by
10 including all Iraq and Afghanistan Service
11 Grants received by the eligible veteran’s de-
12 pendent, including such Grants received under
13 subpart 10 before the effective date of this sub-
14 section; and

15 “(D) an Iraq and Afghanistan Service
16 Grant to an eligible veteran’s dependent for any
17 award year shall equal the maximum Federal
18 Pell Grant available under subsection (b)(5) for
19 that award year, except that an Iraq and Af-
20 ghanistan Service Grant—

21 “(i) shall not exceed the cost of at-
22 tendance of the eligible veteran’s depen-
23 dent for that award year; and

24 “(ii) shall be adjusted to reflect the
25 attendance by the eligible veteran’s de-

1 pendent on a less than full-time basis in
2 the same manner as such adjustments are
3 made for a Federal Pell Grant under sub-
4 section (a).

5 “(5) ESTIMATED FINANCIAL ASSISTANCE.—For
6 purposes of determinations of need under part F, an
7 Iraq and Afghanistan Service Grant shall not be
8 treated as estimated financial assistance as de-
9 scribed in sections 471(3) and 480(j).”.

10 (b) EFFECTIVE DATE; TRANSITION.—

11 (1) EFFECTIVE DATE.—The amendments made
12 by this section shall take effect with respect to the
13 award year immediately following the date of enact-
14 ment of this Act.

15 (2) TRANSITION.—The Secretary shall take
16 such steps as are necessary to transition from the
17 Iraq and Afghanistan Service Grants program under
18 subpart 10 of part A of title IV of the Higher Edu-
19 cation Act of 1965 (20 U.S.C. 1070h), as in effect
20 on the day before the effective date of this section,
21 and the Iraq and Afghanistan Service Grants pro-
22 gram under section 401(j) of the Higher Education
23 Act of 1965 (20 U.S.C. 1070a(j)), as amended by
24 this section.

1 **SEC. 4015. FEDERAL PELL GRANT FRAUD PREVENTION.**

2 Part A of title IV of the Higher Education Act of
3 1965 (20 U.S.C. 1070a et seq.) is amended in section 401,
4 by inserting after subsection (j) the following:

5 “(k) PREVENTION OF FRAUD.—

6 “(1) REPORT.—Not later than December 31 of
7 each year, the Secretary shall prepare and submit a
8 report to the authorizing committees that includes
9 the following information with respect to unusual en-
10 rollment history:

11 “(A) The number and percentage of total
12 applicants who were flagged for an unusual en-
13 rollment history in the preceding award year.

14 “(B) The number and percentage of insti-
15 tutions that have had fewer than 2 percent of
16 applicants flagged for an unusual enrollment
17 history in the preceding award year.

18 “(C) The name of every institution that
19 has had more than 3 percent of total applicants
20 flagged for an unusual enrollment history in the
21 preceding award year.

22 “(D) If the percentage of total applicants
23 in subparagraph (A) is greater than 2 percent,
24 a detailed plan from the Secretary as to how to
25 reduce that percentage below 2 percent by the
26 following award year.

1 “(2) DEFINITION.—For the purposes of this
2 subsection the term ‘unusual enrollment history’
3 means, with respect to the application for federal
4 student aid—

5 “(A) a pattern in which a student attends
6 an institution long enough to receive a disburse-
7 ment of credit balance funds authorized by this
8 title, does not complete the enrollment period,
9 enrolls at another institution and repeats this
10 pattern to collect an additional credit balance of
11 funds authorized by this title without earning
12 academic credit; or

13 “(B) any other enrollment pattern that the
14 Department of Education believes may signal
15 an attempt by a student to receive funds au-
16 thorized under this title in a fraudulent man-
17 ner.”.

18 **SEC. 4016. CONFORMING AMENDMENTS TO ACADEMIC**
19 **COMPETITIVENESS GRANTS.**

20 Section 401A(d)(1)(B)(i) of the Higher Education
21 Act of 1965 (20 U.S.C. 1070a–1(d)(1)(B)(i)) is amended
22 by striking “section 401(b)(2)(B)” and inserting “section
23 401(b)(2)”.

1 **SEC. 4017. FEDERAL TRIO PROGRAM.**

2 Section 402A of the Higher Education Act of 1965
3 (20 U.S.C. 1070a–11) is amended—

4 (1) in subsection (b)(3), by striking “\$200,000”
5 and all that follows through the period at the end
6 and inserting the following: “\$220,000, except that
7 for any fiscal year for which such minimum indi-
8 vidual grant amount would result in fewer than
9 2,780 grants awarded under this chapter, an indi-
10 vidual grant authorized under this chapter shall be
11 awarded in an amount that would result in not fewer
12 than 2,780 grants awarded under this chapter for
13 such fiscal year.”;

14 (2) in subsection (c)—

15 (A) by amending subparagraph (A) of
16 paragraph (2) to read as follows:

17 “(A) ACCOUNTABILITY FOR OUTCOMES.—
18 In making grants under this chapter, the Sec-
19 retary shall consider each applicant’s prior suc-
20 cess in achieving high quality service delivery,
21 as determined under subsection (f) under the
22 particular program for which funds are sought.
23 The level of consideration given the factor of
24 prior success in achieving high quality service
25 delivery shall not vary from the level of consid-
26 eration given such factor during fiscal years

1 1994 through 1997, except that grants made
2 under section 402H shall not be given such con-
3 sideration.”;

4 (B) in paragraph (6), by striking the last
5 sentence and inserting the following: “The Sec-
6 retary shall require each applicant for funds
7 under the programs authorized by this chapter
8 to identify and conduct outreach to foster care
9 children and youth and homeless children and
10 youths (as such term is defined in section 725
11 of the McKinney-Vento Homeless Assistance
12 Act (42 U.S.C. 11434a)), and make available to
13 foster care children and youth and homeless
14 children and youths services under such pro-
15 grams, including mentoring, tutoring, and other
16 services provided by such programs.”.

17 (C) by redesignating paragraphs (7) and
18 (8) as paragraphs (8) and (9), respectively;

19 (D) in paragraph (6), as so amended—

20 (i) by striking “WITH OTHER PRO-
21 GRAMS FOR DISADVANTAGED STUDENTS”
22 in the heading; and

23 (ii) by striking “The Secretary shall,
24 as appropriate, require each applicant for

1 funds under the programs authorized by
2 this chapter” and inserting the following:

3 “(7) INCLUSION OF HOMELESS AND FOSTER
4 STUDENTS.—The Secretary shall, as appropriate, re-
5 quire each applicant for funds under the programs
6 authorized by this chapter (other than the programs
7 authorized under section 402E or 402G)”;

8 (E) in paragraph (8), as so redesignated,
9 by striking “8 months” and inserting “90
10 days” both places it appears; and

11 (F) in paragraph (9), as so redesignated—

12 (i) in subparagraph (A)—

13 (I) by striking “Not later than
14 180 days after the date of enactment
15 of the Higher Education Opportunity
16 Act,” and inserting “Not less than 90
17 days before the commencement of
18 each competition for a grant under
19 this chapter is held,”;

20 (II) in clause (iii), by striking
21 “prior experience” and inserting “ac-
22 countability for outcomes”; and

23 (III) in clause (v), by striking
24 “prior experience” and inserting “ac-
25 countability for outcomes”; and

1 (ii) by striking subparagraph (B) and
2 redesignating subparagraph (C) as sub-
3 paragraph (B);

4 (3) in subsection (d)(3), by adding at the end
5 the following: “In addition, the Secretary shall host
6 at least one virtual, interactive training to ensure
7 that any interested applicants have access to tech-
8 nical assistance.”;

9 (4) in subsection (e)—

10 (A) in paragraph (1)—

11 (i) by striking “or” at the end of sub-
12 paragraph (C);

13 (ii) by striking the period at the end
14 of subparagraph (D) and inserting a semi-
15 colon; and

16 (iii) by adding at the end the fol-
17 lowing:

18 “(E) documentation that the student has
19 been determined eligible for a Federal Pell
20 Grant authorized under section 401; or

21 “(F) for grants authorized under 402B
22 and 402F of this chapter, documentation that
23 a student is attending a school that elects, or
24 for which the local educational agency serving
25 the school elects on behalf of the school, to re-

1 ceive special assistance payment under section
2 11(a)(1)(F)(ii) of the Richard B. Russell Na-
3 tional School Lunch Act (42 U.S.C.
4 1759a(a)(1)(F)(ii)), or that had a percentage of
5 enrolled students who were identified students
6 (defined in clause (i) of section 11(a)(1)(F) of
7 such Act (42 U.S.C. 1759a(a)(1)(F)) that
8 meets or exceeds the threshold described in
9 clause (viii) of such section (42 U.S.C.
10 1759a(a)(1)(F)) during the school year that
11 ends prior to the first period for which such
12 grant is awarded.”;

13 (B) in paragraph (2)—

14 (i) by striking “or” at the end of sub-
15 paragraph (C);

16 (ii) by striking the period at the end
17 of subparagraph (D) and inserting a semi-
18 colon; and

19 (iii) by adding at the end the fol-
20 lowing:

21 “(E) documentation that the student has
22 been determined to be eligible for a Federal Pell
23 Grant authorized under section 401; or

24 “(F) for grants authorized under 402B
25 and 402F of this chapter, documentation that

1 a student is attending a school that elects, or
2 for which the local educational agency serving
3 the school elects on behalf of the school, to re-
4 ceive special assistance payment under section
5 11(a)(1)(F)(ii) of the Richard B. Russell Na-
6 tional School Lunch Act (42 U.S.C.
7 1759a(a)(1)(F)(ii)), or that had a percentage of
8 enrolled students who were identified students
9 (defined in clause (i) of section 11(a)(1)(F) of
10 such Act (42 U.S.C. 1759a(a)(1)(F)) that
11 meets or exceeds the threshold described in
12 clause (viii) of such section (42 U.S.C.
13 1759a(a)(1)(F)) during the school year that
14 ends prior to the first period for which such
15 grant is awarded.”;

16 (5) in subsection (f)—

17 (A) in paragraph (1)—

18 (i) by striking “PRIOR EXPERIENCE”
19 and inserting “ACCOUNTABILITY IN OUT-
20 COMES” in the heading;

21 (ii) by striking “on or after January
22 1, 2009” and inserting “on or after the
23 date of enactment of the”; and

24 (iii) by striking “prior experience of”
25 and inserting “success in achieving”;

1 (B) in paragraph (2), by striking “college
2 students, and” and inserting “college students,
3 foster care children and youth, homeless chil-
4 dren and youth, and”;

5 (C) in paragraph (3)—

6 (i) in subparagraph (A)—

7 (I) in clause (iv), by striking
8 “will make such students eligible for
9 programs such as the Academic Com-
10 petitiveness Grants Program” and in-
11 sserting “includes at least 4 years of
12 mathematics, 3 years of science, and
13 2 years of a foreign language”;

14 (II) by redesignating clauses (v)
15 and (vi) as clauses (vi) and (vii), re-
16 spectively; and

17 (III) by inserting after clause (iv)
18 the following:

19 “(v) the completion of financial aid
20 applications, including the Free Applica-
21 tion for Federal Student Aid described in
22 section 483(a) and college admissions ap-
23 plications;”;

24 (ii) in subparagraph (B)—

1 (I) by inserting “except in the
2 case of programs that specifically tar-
3 get veterans,” after “under section
4 402C,”;

5 (II) in clause (v), by striking
6 “will make such students eligible for
7 programs such as the Academic Com-
8 petitiveness Grants Program” and in-
9 serting “includes at least 4 years of
10 mathematics, 3 years of science, and
11 2 years of a foreign language”;

12 (III) by redesignating clauses (vi)
13 and (vii) as clauses (vii) and (viii), re-
14 spectively; and

15 (IV) by inserting after clause (v)
16 the following:

17 “(vi) the completion of financial aid
18 applications, including the Free Applica-
19 tion for Federal Student Aid described in
20 section 483(a) and college admission appli-
21 cations;”;

22 (iii) by redesignating subparagraphs
23 (C), (D), and (E), as subparagraphs (D),
24 (E), and (F), respectively;

1 (iv) by inserting after subparagraph
2 (B) the following:

3 “(C) For programs authorized under sec-
4 tion 402C that specifically target veterans, the
5 extent to which the eligible entity met or ex-
6 ceeded the entity’s objectives for such program
7 regarding—

8 “(i) the delivery of service to a total
9 number of students served by the program,
10 as agreed upon by the entity and the Sec-
11 retary for the period of the program;

12 “(ii) such students’ academic perform-
13 ance as measured by standardized tests;

14 “(iii) the retention and completion of
15 participants in the program;

16 “(iv) the provision of assistance to
17 students served by the program in com-
18 pleting financial aid applications, including
19 the Free Application for Federal Student
20 Aid described in section 483(a) and college
21 admission applications;

22 “(v) the enrollment of such students
23 in an institution of higher education; and

1 “(vi) to the extent practicable, the
2 postsecondary completion of such stu-
3 dents.”;

4 (v) in subparagraph (D), as redesis-
5 nated in clause (ii)—

6 (I) in subclause (I), by striking
7 “in which such students were en-
8 rolled” and inserting “at any bacca-
9 laurate granting institution within 6
10 years of initial enrollment in the
11 project”; and

12 (II) in subclause (II), by striking
13 items (aa) and (bb) and inserting the
14 following:

15 “(aa) the transfer of such
16 students to institutions of higher
17 education that offer bacca-
18 laurate degrees, regardless of
19 whether the transferring student
20 completes a degree or certificate;
21 or

22 “(bb) the completion of a
23 degree or certificate by such stu-
24 dents at any accredited institu-

1 tion within 4 years of initial en-
2 rollment in the project;”;

3 (vi) in subparagraph (E), as redesign-
4 nated—

5 (I) in clause (iii), by striking “;
6 and” and inserting “within 2 years of
7 receiving the baccalaureate degree;”;
8 and

9 (II) in clause (iv), by striking
10 “graduate study and the attainment
11 of doctoral degrees by former program
12 participants.” and inserting “graduate
13 study; and”; and

14 (III) adding at the end the fol-
15 lowing:

16 “(v) the attainment of doctoral de-
17 grees by former program participants with-
18 in 10 years of receiving the baccalaureate
19 degree.”;

20 (vii) in subparagraph (F), as redesign-
21 nated—

22 (I) in clause (i), by inserting
23 “within 2 years of service” before the
24 semicolon; and

1 (II) in clause (ii), by inserting
2 “or re-enrollment” after “the enroll-
3 ment”;

4 (6) in subsection (g)—

5 (A) by striking “\$900,000,000 for fiscal
6 year 2009 and such sums as may be necessary
7 for each” and inserting “\$1,010,000,000 for
8 fiscal year 2019, and each of the 5 succeeding
9 years. The amount authorized to be appro-
10 priated in the preceding sentence for fiscal year
11 2020 and each of the 4 succeeding fiscal years
12 shall be deemed increased by the annual adjust-
13 ment percentage. For purposes of this sub-
14 section, the term ‘adjustment percentage’ as ap-
15 plied to a fiscal year, means the estimated per-
16 centage change in the Consumer Price Index
17 (as determined by the Secretary, using the defi-
18 nition in section 478(f)) for the most recent cal-
19 endar year ending before the beginning of that
20 fiscal year.”;

21 (B) by striking “ $\frac{1}{2}$ of”;

22 (C) by striking “, and to provide” and in-
23 serting “, to provide”; and

24 (D) by striking “current grantees.” and all
25 that follows through “additional readers.” and

1 inserting “current grantees, and to carry out
2 the requirements of section 402A(c)(9)(B).”;
3 (7) in subsection (h)—

4 (A) by amending paragraph (4) to read as
5 follows:

6 “(4) LOW-INCOME INDIVIDUAL.—The term
7 ‘low-income individual’ means—

8 “(A) an individual from a family whose
9 taxable income for the preceding year did not
10 exceed 150 percent of the poverty line applica-
11 ble to the individual’s family size as determined
12 under section 673(2) of the Community Serv-
13 ices Block Grant Act (42 U.S.C. 9902(2));

14 “(B) an individual whose taxable income
15 as reported on the individual’s most recently
16 completed Free Application for Federal Student
17 Aid under section 483(a) did not exceed 150
18 percent of such poverty line;

19 “(C) an individual who has been deter-
20 mined to be eligible for a Federal Pell Grant
21 authorized under section 401; or

22 “(D) for grants authorized under 402B
23 and 402F of this chapter, a student who is at-
24 tending a school that elects, or for which the
25 local educational agency serving the school

1 elects on behalf of the school, to receive special
2 assistance payment under section
3 11(a)(1)(F)(ii) of the Richard B. Russell Na-
4 tional School Lunch Act (42 U.S.C.
5 1759a(a)(1)(F)(ii)), or that had a percentage of
6 enrolled students who were identified students
7 (defined in clause (i) of section 11(a)(1)(F) of
8 such Act (42 U.S.C. 1759a(a)(1)(F)) that
9 meets or exceeds the threshold described in
10 clause (viii) of such section (42 U.S.C.
11 1759a(a)(1)(F)) during the school year that
12 ends prior to the first year of the period for
13 which such grant is awarded.”;

14 (B) by redesignating paragraph (5) as sub-
15 section (i) and subparagraphs (A) through (D)
16 as paragraphs (1) through (4); and

17 (C) by redesignating paragraph (6) as sub-
18 section (j); and

19 (8) in subsection (j), as redesignated, by strik-
20 ing “subparagraph (A), (B), or (C) of paragraph
21 (5)” and inserting “paragraph (1), (2), or (3) of
22 subsection (i)”.

23 **SEC. 4018. TALENT SEARCH.**

24 Section 402B of the Higher Education Act of 1965
25 (20 U.S.C. 1070a–12) is amended—

1 (1) in subsection (a)—

2 (A) in paragraph (2), by striking “and” at
3 the end;

4 (B) by redesignating paragraph (3) as
5 paragraph (4); and

6 (C) by inserting after paragraph (2) the
7 following:

8 “(3) to advise such youths regarding the post-
9 secondary education selection process, including con-
10 sideration of financial aid awards offered, potential
11 Federal loan burden, and likelihood of graduating;
12 and”;

13 (2) in subsection (b)—

14 (A) by striking “and” at the end of para-
15 graph (5); and

16 (B) by striking paragraph (6) and insert-
17 ing the following:

18 “(6) education or counseling services to assist
19 students and their families regarding career choice;
20 and

21 “(7) connections to programs providing finan-
22 cial literacy and economic literacy so that students
23 and their families are able to make informed choices
24 regarding postsecondary education, including consid-

1 ering degree choice and potential Federal loan bur-
2 den.”;

3 (3) in subsection (c)(2), by striking “career”
4 and inserting “academic”; and

5 (4) in subsection (d)—

6 (A) in paragraph (3), by striking “and”
7 after the semicolon;

8 (B) in paragraph (4), by striking the pe-
9 riod at the end and inserting a semicolon; and

10 (C) by adding at the end the following:

11 “(5) require an assurance that the entity car-
12 rying out the project has reviewed and revised poli-
13 cies and practices as needed to remove barriers to
14 the participation and retention in the project of
15 homeless children and youths (as such term is de-
16 fined in section 725 of the McKinney-Vento Home-
17 less Assistance Act (42 U.S.C. 11434a)), including
18 unaccompanied youth, and foster care children and
19 youth;

20 “(6) require that such entity submit, as part of
21 the application for the project, a description of the
22 activities that will be undertaken to reach out to
23 homeless children and youths and foster care chil-
24 dren and youth as part of the project; and

1 “(7) require an assurance that such entity will
2 prepare and submit the report required under sec-
3 tion 402H(e) at the conclusion of the project regard-
4 ing homeless children and youths and foster care
5 children and youth.”.

6 **SEC. 4019. UPWARD BOUND.**

7 Section 402C of the Higher Education Act of 1965
8 (20 U.S.C. 1070a–13) is amended—

9 (1) in subsection (b), by striking paragraphs
10 (5) and (6) and inserting the following:

11 “(5) assistance to students and their families
12 regarding career choice;

13 “(6) education or counseling services designed
14 to education improve the financial literacy and eco-
15 nomic literacy of students or the students’ parents
16 in order to aid them in making informed decisions
17 about the postsecondary education selection process
18 and assist students and their families in making in-
19 formed choices regarding the postsecondary edu-
20 cation selection process; and

21 “(7) in the case of such a project that is not
22 specifically designed for veterans, as part of core
23 curriculum, instruction in mathematics through pre-
24 calculus, science, foreign language, language arts,
25 and literature, and in the case of such a project that

1 is specifically designed for veterans, instruction in
2 mathematics through pre-calculus, science, foreign
3 language, and language arts.”;

4 (2) by striking subsections (c) and (g) and re-
5 designating subsections (d), (e), (f), and (h) as sub-
6 sections (c), (d), (e), and (f), respectively;

7 (3) in subsection (c), as so redesignated—

8 (A) in paragraph (1), by striking “youth”
9 and inserting “participants”;

10 (B) in paragraph (2)—

11 (i) by striking “youth participating in
12 the project” and inserting “project partici-
13 pants”; and

14 (ii) by striking “youth;” and inserting
15 “participants;” and

16 (C) in paragraph (5), by striking “youth
17 participating in the project” and inserting “par-
18 ticipants”; and

19 (4) in subsection (e), as so redesignated—

20 (A) by striking “\$60” and inserting
21 “\$90”;

22 (B) by striking “\$300” and inserting
23 “\$450”;

24 (C) by striking “\$40” and inserting
25 “\$60”;

1 (D) by adding at the end the following:

2 “Adults participating in a project specifically
3 targeting veterans under this section may be
4 paid stipends not in excess of \$100 per month
5 during the year.”;

6 (E) in paragraph (4), by striking “and”
7 after the semicolon;

8 (F) in paragraph (5), by striking the pe-
9 riod at the end and inserting a semicolon; and

10 (G) by adding at the end the following:

11 “(7) require an assurance that the entity car-
12 rying out the project has reviewed and revised poli-
13 cies and practices as needed to remove barriers to
14 the participation and retention in the project of
15 homeless children and youths (as such term is de-
16 fined in section 725 of the McKinney-Vento Home-
17 less Assistance Act (42 U.S.C. 11434a)), including
18 unaccompanied youth, and foster care children and
19 youth;

20 “(8) require that such entity submit, as part of
21 the application, a description of the activities that
22 will be undertaken to reach out to homeless children
23 and youths and foster care children and youth re-
24 garding the project; and

1 “(9) require an assurance that such entity will
2 prepare and submit the report required under sec-
3 tion 402H(e) at the conclusion of the project regard-
4 ing homeless children and youths and foster care
5 children and youth.”.

6 **SEC. 4020. STUDENT SUPPORT SERVICES.**

7 Section 402D of the Higher Education Act of 1965
8 (20 U.S.C. 1070a–14) is amended—

9 (1) in subsection (a)—

10 (A) in paragraph (3), by striking “limited
11 English proficient” and inserting “low-income
12 and first generation college students, including
13 limited English proficient students”; and

14 (B) in paragraph (4), by striking “, includ-
15 ing—” and all that follows through the end of
16 the paragraph and inserting a period;

17 (2) in subsection (b)(4), by striking “including
18 financial planning for postsecondary education;” and
19 inserting “including—

20 “(A) financial planning for postsecondary
21 education, including loan burdens required, re-
22 payment options, and expected earnings in po-
23 tential career fields;

1 “(B) basic personal income, household
2 money management, and financial planning
3 skills; and

4 “(C) basic economic decisionmaking
5 skills.”;

6 (3) in subsection (d)(1), by striking “section
7 401(b)(2)(A)” and inserting “section 401(b)(1)”;
8 and

9 (4) in subsection (e)—

10 (A) in paragraph (5), by striking “and”
11 after the semicolon;

12 (B) in paragraph (6)(B), by striking the
13 period at the end and inserting a semicolon;
14 and

15 (C) by adding at the end the following:

16 “(7) require an assurance that the entity car-
17 rying out the project has reviewed and revised poli-
18 cies and practices as needed to remove barriers to
19 the participation and retention in the project of
20 homeless children and youths (as such term is de-
21 fined in section 725 of the McKinney-Vento Home-
22 less Assistance Act (42 U.S.C. 11434a)), including
23 unaccompanied youth, and foster care children and
24 youth;

1 “(8) require that such entity submit, in the ap-
2 plication for the project, a description of the activi-
3 ties that will be undertaken to reach out to homeless
4 children and youths, and foster care children and
5 youth, who are enrolled or accepted for enrollment
6 at the institution; and

7 “(9) require an assurance that such entity will
8 prepare and submit the report required under sec-
9 tion 402H(e) at the conclusion of the project regard-
10 ing homeless children and youths and foster care
11 children and youth.”.

12 **SEC. 4021. POSTBACCALAUREATE ACHIEVEMENT PROGRAM**

13 **AUTHORITY.**

14 Section 402E of the Higher Education Act of 1965
15 (20 U.S.C. 1070a–15) is amended—

16 (1) in subsection (b)(2)—

17 (A) by striking “summer”; and

18 (B) by inserting “or faculty-led research
19 experiences” before the semicolon;

20 (2) in subsection (d)(4)—

21 (A) by striking “summer”; and

22 (B) by inserting “or faculty-led experiences
23 who have stipends” after “internships”; and

24 (3) in subsection (f)(1), by striking “\$2,800”
25 and inserting “\$4,000”.

1 **SEC. 4022. EDUCATIONAL OPPORTUNITY CENTERS.**

2 Section 402F of the Higher Education Act of 1965
3 (20 U.S.C. 1070a–16) is amended—

4 (1) in subsection (a)(1), by striking “pursue”
5 and inserting “begin or re-enter”;

6 (2) in subsection (b), by striking “students;”
7 and inserting “students, including—

8 “(A) financial planning for postsecondary
9 education, including loan burdens required, re-
10 payment options, and expected earnings in po-
11 tential career fields;

12 “(B) basic personal income, household
13 money management, and financial planning
14 skills; and

15 “(C) basic economic decision-making
16 skills;” and”.

17 (3) in subsection (c)—

18 (A) in paragraph (2), by striking “and”
19 after the semicolon;

20 (B) in paragraph (3), by striking the pe-
21 riod at the end and inserting a semicolon; and

22 (C) by adding at the end the following:

23 “(4) require an assurance that the entity car-
24 rying out the project has reviewed and revised poli-
25 cies and practices as needed to remove barriers to
26 the participation and retention in the project of

1 homeless children and youths (as such term is de-
2 fined in section 725 of the McKinney-Vento Home-
3 less Assistance Act (42 U.S.C. 11434a)), including
4 unaccompanied youth, and foster care children and
5 youth;

6 “(5) require that such entity submit, as part of
7 the application, a description of the activities that
8 will be undertaken to reach out to homeless children
9 and youths and foster care children and youth re-
10 garding the project; and

11 “(6) require an assurance that such entity will
12 prepare and submit the report required under sec-
13 tion 402H(e) at the conclusion of the project regard-
14 ing homeless children and youths and foster care
15 children and youth.”.

16 **SEC. 4023. STAFF DEVELOPMENTAL ACTIVITIES.**

17 Section 402G(b) of the Higher Education Act of
18 1965 (20 U.S.C. 1070a–17(b)) is amended—

19 (1) by inserting “webinars, online classes,”
20 after “seminars, workshops,”;

21 (2) by striking “new directors” and inserting
22 “staff”;

23 (3) by redesignating paragraphs (1) through
24 (5) as paragraphs (2) through (6), respectively;

1 (4) by inserting before paragraph (2), as so re-
2 designated, the following:

3 “(1) Legislation and regulatory requirements
4 and program management for new directors of pro-
5 grams funded under this chapter.”;

6 (5) in paragraph (2), as redesignated, by insert-
7 ing “for continuing directors and staff of programs”
8 after “operation of programs”; and

9 (6) in paragraph (4), as redesignated, by strik-
10 ing “model programs” and inserting “innovations”.

11 **SEC. 4024. REPORTS AND EVALUATIONS.**

12 (a) OTHER REPORTING REQUIREMENTS.—Section
13 402H of the Higher Education Act of 1965 (20 U.S.C.
14 1070a–18) is further amended—

15 (1) in subsection (b)—

16 (A) in paragraph (1)—

17 (i) in subparagraph (A), by striking “,
18 including a rigorous evaluation of the pro-
19 grams and projects assisted under section
20 402C. The evaluation of the programs and
21 projects assisted under section 402C shall
22 be implemented not later than June 30,
23 2010.” and inserting “The issues such
24 evaluations shall measure shall include the

1 effectiveness of programs and projects as-
2 sisted under this chapter in—

3 “(i) meeting or exceeding the stated
4 objectives regarding the outcome criteria
5 under 402A(f);

6 “(ii) enhancing the access of low-in-
7 come individuals and first-generation col-
8 lege students to postsecondary education;

9 “(iii) preparing individuals for post-
10 secondary education;

11 “(iv) comparing students who partici-
12 pate in the programs funded under this
13 chapter with students who do not partici-
14 pate in such programs with respect to—

15 “(I) level of education completed;

16 “(II) retention rates;

17 “(III) graduation rates;

18 “(IV) college admission and com-
19 pletion rates; and

20 “(V) other issues as the Sec-
21 retary considers appropriate.”; and

22 (ii) in subparagraph (C), by inserting
23 “and take into account the agreed upon
24 target determined under section
25 402A(f)(4)” before the period; and

1 (B) by amending paragraph (2) to read as
2 follows:

3 “(2) PRACTICES.—The evaluations described in
4 paragraph (1) shall identify institutional, commu-
5 nity, and program or project practices that are effec-
6 tive in—

7 “(A) enhancing the access of low-income
8 individuals and first-generation college students
9 to postsecondary education;

10 “(B) the preparation of such individuals
11 and students for postsecondary education;

12 “(C) fostering the success of the individ-
13 uals and students in postsecondary education;
14 and

15 “(D) for programs and projects assisted
16 under section 402C, the characteristics of stu-
17 dents who benefit most from such programs
18 and projects.”; and

19 (2) in subsection (d), by inserting “, including
20 the authorizing committees” before the period.

21 (b) HOMELESS CHILDREN AND YOUTHS AND FOS-
22 TER CARE CHILDREN AND YOUTH.—Section 402H of the
23 Higher Education Act of 1965 (20 U.S.C. 1070a–18) is
24 further amended by adding at the end the following:

1 “(e) REPORT REGARDING HOMELESS CHILDREN
2 AND YOUTHS AND FOSTER CARE CHILDREN AND
3 YOUTH.—Each entity carrying out a project under section
4 402B, 402C, 402D, or 402F shall, at the conclusion of
5 the project, prepare and submit a report to the Secretary
6 that includes—

7 “(1) data on the number of homeless children
8 and youths (as such term is defined in section 725
9 of the McKinney-Vento Homeless Assistance Act (42
10 U.S.C. 11434a)) and foster care children and youth
11 served through the project; and

12 “(2) a description of any strategies or program
13 enhancements that were used in the project and that
14 were effective in meeting the needs of homeless chil-
15 dren and youths and foster care children and
16 youth.”.

17 **SEC. 4025. GAINING EARLY AWARENESS AND READINESS**
18 **FOR UNDERGRADUATE PROGRAMS.**

19 Section 404C(a)(2) of the Higher Education Act of
20 1965 (20 U.S.C. 1070a–23(a)(2)) is amended—

21 (1) in subparagraph (I), by striking “and” after
22 the semicolon;

23 (2) in subparagraph (J), by striking the period
24 at the end and inserting “; and”; and

25 (3) by adding at the end the following:

1 “(K) describe how the eligible entity will
2 facilitate the participation of foster care chil-
3 dren and youth and homeless children and
4 youths (as such term is defined in section 725
5 of the McKinney-Vento Homeless Assistance
6 Act (42 U.S.C. 11434a)), including—

7 “(i) how the eligible entity will iden-
8 tify foster care children and youth and
9 homeless children and youths, in collabora-
10 tion with child welfare agencies, homeless
11 shelters, and local educational agency liai-
12 sons for homeless children and youths des-
13 ignated under section 722(g)(1)(J)(ii) of
14 the McKinney-Vento Homeless Assistance
15 Act (42 U.S.C. 11432(g)(1)(J)(ii));

16 “(ii) how the eligible entity will collect
17 and submit to the Secretary data on the
18 number of homeless children and youths
19 and foster care children and youth served;
20 and

21 “(iii) the policies and practices the eli-
22 gible entity will adopt to remove barriers to
23 the participation of homeless children and
24 youths and foster care children and youth,
25 including policies to facilitate continued

1 participation despite changes in residence
2 resulting from homelessness or foster care
3 placement and policies consistent with the
4 McKinney-Vento Homeless Assistance Act
5 (42 U.S.C. 11301 et seq.).”.

6 **SEC. 4026. GAINING EARLY AWARENESS AND READINESS**
7 **FOR UNDERGRADUATE PROGRAMS; AUTHOR-**
8 **IZATION OF APPROPRIATIONS.**

9 Section 404H of the Higher Education Act of 1965
10 (20 U.S.C. 1070a–28) is amended by striking
11 “\$400,000,000 for fiscal year 2009” and inserting
12 “\$500,000,000 for fiscal year 2019”.

13 **SEC. 4027. PURPOSE; APPROPRIATIONS AUTHORIZED.**

14 Section 413A of the Higher Education Act of 1965
15 (20 U.S.C. 1070b) is amended—

16 (1) by amending subsection (a) to read as fol-
17 lows:

18 “(a) PURPOSE OF SUBPART.—It is the purpose of
19 this subpart to—

20 “(1) provide, through institutions of higher edu-
21 cation, supplemental grants to assist in making
22 available the benefits of postsecondary education to
23 qualified students who demonstrate financial need in
24 accordance with the provisions of part F of this title;
25 and

1 “(2) to establish demonstration projects at var-
2 ious institutions of higher education, as defined in
3 section 101, to determine best practices and policies
4 regarding the distribution of emergency grant aid to
5 assist students in completing their program of study,
6 notwithstanding aid they may have received in ac-
7 cordance with the provisions of part F of this title.”;

8 (2) in subsection (b)(1), by striking “appro-
9 priated” and all that follows through the end and in-
10 serting “appropriated—

11 “(A) \$1,150,000,000 for fiscal year 2019;

12 “(B) \$1,300,000,000 for fiscal year 2020;

13 “(C) \$1,450,000,000, for fiscal year 2021;

14 “(D) \$1,600,000,000 for fiscal year 2022;

15 and

16 “(E) \$1,750,000,000 for fiscal year 2023

17 and each succeeding fiscal year.”;

18 (3) by redesignating paragraph (2) as para-
19 graph (3); and

20 (4) by inserting after paragraph (1) the fol-
21 lowing:

22 “(2) For the purpose of enabling the Secretary
23 to fund demonstration projects under section
24 413(F), there are allocated, from funds authorized

1 under paragraph (b)(1), \$1,250,000 for fiscal year
2 2019 and each of the 3 succeeding fiscal years.”.

3 **SEC. 4028. ALLOCATION OF FUNDS.**

4 Section 413D of the Higher Education Act of 1965
5 (20 U.S.C. 1070b–3) is amended to read as follows:

6 **“SEC. 413D. ALLOCATION OF FUNDS.**

7 “(a) ALLOCATION FORMULA FOR FISCAL YEARS
8 2019 THROUGH 2023.—

9 “(1) IN GENERAL.—From the amount appro-
10 priated under section 413A(b)(1) for a fiscal year,
11 the Secretary shall allocate to each institution—

12 “(A) for fiscal year 2019, an amount equal
13 to the greater of—

14 “(i) 90 percent of the amount the in-
15 stitution received under subsection (a) for
16 fiscal year 2018, as such subsection was in
17 effect with respect to such fiscal year (in
18 this subparagraph referred to as ‘the 2018
19 amount for the institution’); or

20 “(ii) the fair share amount for the in-
21 stitution determined under subsection (c);

22 “(B) for fiscal year 2020, an amount equal
23 to the greater of—

24 “(i) 80 percent of the 2018 amount
25 for the institution; or

1 “(ii) the fair share amount for the in-
2 stitution determined under subsection (c);

3 “(C) for fiscal year 2021, an amount equal
4 to the greater of—

5 “(i) 60 percent of the 2018 amount
6 for the institution; or

7 “(ii) the fair share amount for the in-
8 stitution determined under subsection (c);

9 “(D) for fiscal year 2022, an amount equal
10 to the greater of—

11 “(i) 40 percent of the 2018 amount
12 for the institution; or

13 “(ii) the fair share amount for the in-
14 stitution determined under subsection (c);

15 and

16 “(E) for fiscal year 2023, an amount equal
17 to the greater of—

18 “(i) 20 percent of the 2018 amount
19 for the institution; or

20 “(ii) the fair share amount for the in-
21 stitution determined under subsection (c).

22 “(2) RATABLE REDUCTION.—

23 “(A) IN GENERAL.—If the amount appro-
24 priated under section 413A(b)(1) for a fiscal
25 year is less than the amount required to be allo-

1 cated to the institutions under this subsection,
2 then the amount of the allocation to each insti-
3 tution shall be ratably reduced.

4 “(B) ADDITIONAL APPROPRIATIONS.—If
5 the amounts allocated to each institution are
6 ratably reduced under subparagraph (A) for a
7 fiscal year and additional amounts are appro-
8 priated for such fiscal year, the amount allo-
9 cated to each institution from the additional
10 amounts shall be increased on the same basis as
11 the amounts under subparagraph (A) were re-
12 duced (until each institution receives the
13 amount required to be allocated under this sub-
14 section).

15 “(b) ALLOCATION FORMULA FOR FISCAL YEAR 2024
16 AND EACH SUCCEEDING FISCAL YEAR.—From the
17 amount appropriated under section 413A(b)(1) for fiscal
18 year 2024 and each succeeding fiscal year, the Secretary
19 shall allocate to each institution the fair share amount for
20 the institution determined under subsection (c).

21 “(c) DETERMINATION OF FAIR SHARE AMOUNT.—

22 “(1) IN GENERAL.—Subject to paragraph (2),
23 the fair share amount for an institution for a fiscal
24 year shall be equal to the sum of the institution’s

1 undergraduate student need described in paragraph
2 (2) for the preceding fiscal year.

3 “(2) INSTITUTIONAL UNDERGRADUATE STU-
4 DENT NEED.—The undergraduate student need for
5 an institution for a fiscal year shall be equal to the
6 sum of the following:

7 “(A) An amount equal to 50 percent of the
8 amount that bears the same proportion to the
9 available appropriated amount for such fiscal
10 year as the total amount of Federal Pell Grant
11 funds awarded at the institution for the pre-
12 ceding fiscal year bears to the total amount of
13 Federal Pell Grant funds awarded at all institu-
14 tions participating under this part for the pre-
15 ceding fiscal year.

16 “(B) An amount equal to 50 percent of the
17 amount that bears the same proportion to the
18 available appropriated amount for such fiscal
19 year as the total amount of the undergraduate
20 student need at the institution for the preceding
21 fiscal year bears to the total amount of under-
22 graduate student need at all institutions partici-
23 pating under this part for the preceding fiscal
24 year.

1 “(3) ELIGIBILITY FOR FAIR SHARE AMOUNT.—
2 The Secretary may not allocate funds under this
3 part to any institution that, for 2 or more fiscal
4 years during any 3 fiscal year period beginning not
5 earlier than the first day of the first fiscal year that
6 is 2 years after the date of the enactment of this
7 paragraph, has a student population with less than
8 7 percent of undergraduate students who are recipi-
9 ents of Federal Pell Grants.”.

10 **SEC. 4029. EMERGENCY GRANT AID DEMONSTRATION PRO-**
11 **GRAM.**

12 Subpart 3 of part A of title IV of the Higher Edu-
13 cation Act of 1965 (20 U.S.C. 1070b et seq.) is amended
14 by adding at the end the following:

15 **“SEC. 413F. EMERGENCY GRANT AID DEMONSTRATION**
16 **PROGRAM.**

17 “(a) DEMONSTRATION PROJECTS AUTHORIZED.—
18 The Secretary shall select, in accordance with subsection
19 (d), eligible entities to voluntarily carry out emergency
20 grant aid demonstration projects designed to aid in the
21 completion of their program of study.

22 “(b) NON-FEDERAL SHARE REQUIREMENT; USE OF
23 FUNDS.—The Federal share of the cost of any project
24 funded under this section shall not exceed 50 percent. The
25 share provided by the eligible entity shall not include in-

1 kind contributions. Federal funds provided shall be used
2 solely to provide emergency grant aid to eligible students
3 and cannot be used to pay or subsidize the salary of any
4 employee of an eligible entity.

5 “(c) APPLICATION.—

6 “(1) IN GENERAL.—Each eligible entity desir-
7 ing to carry out a demonstration project under this
8 section shall submit an application to the Secretary,
9 at such time and in such manner as the Secretary
10 may require.

11 “(2) OUTREACH.—The Secretary shall, prior to
12 any deadline to submit applications under paragraph
13 (1), conduct outreach to any institution eligible to
14 receive funds under Section 371 (20 U.S.C.
15 1067(q)) to provide those institutions with informa-
16 tion on the opportunity to apply to carry out a dem-
17 onstration project under this section.

18 “(3) CONTENTS.—Each application under para-
19 graph (1) shall include a description of the emer-
20 gency grant aid program to be offered by the eligible
21 entity under the demonstration project which shall
22 include—

23 “(A) a description of the assessment the
24 entity has undertaken to develop an estimate of

1 the number of emergency aid grants that entity
2 will make in an award year;

3 “(B) the criteria the entity will use to de-
4 fine an emergency for which a student will be
5 eligible to receive an emergency grant;

6 “(C) an assurance that the definition or
7 criteria of an emergency for which a student
8 will be eligible to receive an emergency grant
9 will include at a minimum—

10 “(i) the unexpected loss of employ-
11 ment, transportation, child care or hous-
12 ing;

13 “(ii) an unexpected medical condition
14 of the student, or a dependent of the stu-
15 dent; and

16 “(iii) in the case of a dependent stu-
17 dent—

18 “(I) the unexpected death of a
19 parent or guardian; or

20 “(II) an unexpected medical con-
21 dition of the parent or guardian which
22 results in their loss of employment;

23 “(D) a description of the process by which
24 a student will navigate the process for applying
25 and receiving emergency aid;

1 “(E) how the entity will administer the
2 program, including—

3 “(i) which employees and departments
4 of the entity will administer the program;

5 “(ii) which departments will coordi-
6 nate in the delivery of the program;

7 “(iii) the role of the student financial
8 aid administrator of the eligible entity in
9 the program;

10 “(iv) the processes the entity has in
11 place to respond to applications, approve
12 applications, and disburse emergency grant
13 aid outside of normal business hours;

14 “(v) the data management tools the
15 entity will have in place to ensure efficient
16 administration of the program and data
17 collection for evaluation; and

18 “(vi) the internal controls in place to
19 discourage fraud in the program;

20 “(F) an assurance that either the financial
21 aid department or the student services depart-
22 ment will serve as the primary program admin-
23 istrator;

1 “(G) An assurance that the process by
2 which a student applies for emergency aid in-
3 cludes at a minimum—

4 “(i) an in-person interview where fea-
5 sible;

6 “(ii) an opportunity for the student to
7 learn about other forms of emergency aid
8 outside of the eligible entity that they may
9 be eligible for; and

10 “(iii) at least one opportunity to ap-
11 peal a denial of a grant;

12 “(H) an assurance that an eligible entity
13 will be able to acknowledge a student request
14 for emergency aid within 8 hours of a request,
15 make a decision within 48 hours of a request
16 and disburse aid within 24 hours of approval of
17 a request;

18 “(I) an assurance that a student eligible to
19 receive an emergency aid grant is enrolled at
20 least part-time at the entity and is making sat-
21 isfactory academic progress;

22 “(J) an assurance that the eligible entity
23 will limit the emergency grant aid a student
24 may receive in any individual request to no

1 more than \$750 and the lifetime limit for emer-
2 gency grant aid for a student is \$2,000;

3 “(K) a description of how the school in-
4 tends to limit excessive demand, fraud or abuse
5 through program audits, required student docu-
6 mentation of the expenses for which the grant
7 aid was disbursed, and other means; and

8 “(L) any other information the Secretary
9 may require.

10 “(d) NOTIFICATION.—Not later than 9 months after
11 the date of enactment of this subsection, the Secretary
12 shall make available to the authorizing committees and the
13 public a list of eligible entities selected to carry out a dem-
14 onstration project under this section.

15 “(e) INFORMATION AND EVALUATION.—

16 “(1) INFORMATION.—

17 “(A) STUDENT-LEVEL DATA.—Each eligi-
18 ble entity that carries out a demonstration
19 project under this section shall provide to the
20 Director of the Institute of Education Sciences
21 the student-level data and the record of emer-
22 gency grant aid received by students who par-
23 ticipated in the program authorized in sub-
24 section (a), to enable the Director—

1 “(i) to determine the aggregate infor-
2 mation described in subparagraph (B) with
3 respect to the program; and

4 “(ii) to the extent practicable, to com-
5 pare the grant aid programs using a rig-
6 orous evaluation.

7 “(B) AGGREGATE INFORMATION.—For
8 purposes of the evaluation under paragraph (2),
9 the Director shall use the student-level data
10 provided under subparagraph (A) by an eligible
11 entity to determine the following information
12 with respect to each program described in sub-
13 paragraph (C)(i) offered at such eligible entity:

14 “(i) the average number of credit
15 hours students earned prior to receipt of
16 an emergency grant;

17 “(ii) the average period of time be-
18 tween the receipt of emergency aid by a
19 student and when that student completes
20 their program;

21 “(iii) the average amount of grant aid
22 received in one disbursement;

23 “(iv) the average amount of grant aid
24 received over a recipient’s period of enroll-
25 ment at the eligible entity;

1 “(v) the completion and retention
2 rates of students who received aid under
3 the program;

4 “(vi) the point in the academic year
5 the student applied for emergency aid;

6 “(vii) the type of emergency declared
7 by the student;

8 “(viii) the average time taken by the
9 eligible entity to acknowledge a grant ap-
10 plication, make a decision on the applica-
11 tion, and disburse funding to a student;
12 and

13 “(ix) such other information as the
14 Director may reasonably require.

15 “(C) DISAGGREGATION.—The information
16 determined under subparagraph (B) shall be
17 disaggregated as follows, provided that the
18 disaggregation of the information does not iden-
19 tify any individual student:

20 “(i) For each eligible entity that car-
21 ries out a demonstration project under this
22 section, disaggregation by—

23 “(I) the students receiving aid
24 under the program;

1 “(II) the students who applied
2 but did not receive aid under the pro-
3 gram;

4 “(III) the students who received
5 more than one grant under the pro-
6 gram; and

7 “(IV) the students who received
8 the maximum lifetime benefit awarded
9 by the program; and

10 “(ii) For each group of students de-
11 scribed in clause (i), disaggregation by age,
12 race (as defined in section 153(a)(3) of the
13 Education Sciences Reform Act of 2002
14 (20 U.S.C. 9543), gender, disability status,
15 students who are veterans or
16 servicemembers, first generation college
17 students, and status as a recipient of a
18 Federal Pell Grant.

19 “(2) EVALUATION.—

20 “(A) IN GENERAL.—The Director, in con-
21 sultation with the Secretary and using the in-
22 formation determined under paragraph (1),
23 shall annually evaluate each eligible entity car-
24 rying out a demonstration project under this
25 section. Each evaluation shall be disaggregated

1 in accordance with subparagraph (B) and in-
2 clude—

3 “(i) the extent to which the eligible
4 entity has met the elements of its applica-
5 tion under subsection (c);

6 “(ii) whether the demonstration
7 project led to reduced time to completion
8 or increased retention rates;

9 “(iii) obstacles related to administra-
10 tion of emergency grant aid;

11 “(iv) total cost and net cost per stu-
12 dent who received emergency aid;

13 “(v) the 3-year adjusted cohort de-
14 fault rate, as defined in section 435(m), of
15 students receiving aid;

16 “(vi) the median student earnings 1,
17 3, and 4 years after graduation;

18 “(vii) enrollment data, disaggregated
19 by enrollment status, retention rates, cred-
20 it accumulation, and completion rates
21 for—

22 “(I) first-time, full-time students;

23 “(II) first-time, part-time stu-
24 dents;

1 “(III) non-first-time, full-time
2 students;

3 “(IV) non-first-time, part-time
4 students;

5 “(V) eligibility for Federal Pell
6 grants;

7 “(VI) race (as defined in section
8 153(a)(3) of the Education Sciences
9 Reform Act of 2002 (20 U.S.C.
10 9543)), and ethnicity;

11 “(VII) transfer rates; and

12 “(viii) a description of the role of staff
13 and faculty in the administration of the
14 project.

15 “(3) DISAGGREGATION.—The data collected
16 under clause (v) through (vii) shall be disaggregated
17 by each group of students described in paragraph
18 (1)(C).

19 “(4) ANNUAL REPORT.—The Director, in con-
20 sultation with the Secretary, shall annually provide
21 to the authorizing committees a report on the effec-
22 tiveness of the programs.

23 “(f) DATA PRIVACY.—

24 “(1) IN GENERAL.—It shall be unlawful for any
25 person who obtains or has access to personally iden-

1 tifiable information in connection with this section to
2 willfully disclose to any person (except as authorized
3 in this section or any Federal law) such personally
4 identifiable information.

5 “(2) PENALTY.—Any person who violates para-
6 graph (1) shall be fined not more than \$5,000, im-
7 prisoned not more than 5 years, or both, together
8 with the costs of prosecution.

9 “(3) EMPLOYEE OR OFFICER OF THE UNITED
10 STATES.—If a violation of paragraph (1) is com-
11 mitted by any officer or employee of the United
12 States, the officer or employee shall be dismissed
13 from office or discharged from employment upon
14 conviction for the violation.

15 “(4) SALE OF DATA PROHIBITED.—Data col-
16 lected under this section shall not be sold to any
17 third party by the Director, any postsecondary insti-
18 tution, or any other entity.

19 “(5) LIMITATION ON USE BY OTHER FEDERAL
20 AGENCIES.—The Director shall not allow any other
21 Federal agency to use data collected under this sec-
22 tion for any purpose except as explicitly authorized
23 by this section.

24 “(6) LAW ENFORCEMENT.—Personally identifi-
25 able information collected under this section shall

1 not be used for any law enforcement activity or any
2 other activity that would result in adverse action
3 against any student, including debt collection activ-
4 ity or enforcement of the immigration laws.

5 “(g) DEFINITIONS.—For the purpose of this section:

6 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-
7 tity’ means an institution of higher education that
8 participates in the FSEOG program as authorized in
9 section 413A.

10 “(2) INSTITUTION OF HIGHER EDUCATION.—

11 The term ‘institution of higher education’ has the
12 meaning given the term in section 101.

13 “(3) FIRST GENERATION COLLEGE STUDENT.—

14 The term ‘first generation college student’ has the
15 meaning given the term in section 402A(h)(3).”.

16 **SEC. 4030. SPECIAL PROGRAMS FOR STUDENTS WHOSE**
17 **FAMILIES ARE ENGAGED IN MIGRANT AND**
18 **SEASONAL FARMWORK.**

19 Section 418A(i) of the Higher Education Act of 1965
20 (20 U.S.C. 1070d–2(i)) is amended by striking “2009”
21 and inserting “2019”.

22 **SEC. 4031. CCAMPIS REAUTHORIZATION.**

23 Section 419N of the Higher Education Act of 1965
24 (20 U.S.C. 1070e) is amended by striking subsection (g)
25 and inserting the following:

1 “(g) AUTHORIZATION OF APPROPRIATIONS.—

2 “(1) IN GENERAL.—Subject to paragraph (2),
3 there are authorized to be appropriated to carry out
4 this section \$67,000,000 for fiscal year 2019 and
5 each of the 5 succeeding fiscal years.

6 “(2) ADJUSTMENT FOR INFLATION.—

7 “(A) IN GENERAL.—The amount author-
8 ized to be appropriated under paragraph (1) for
9 fiscal year 2020 and each of the 4 succeeding
10 fiscal years shall be deemed increased by the
11 annual adjustment percentage.

12 “(B) DEFINITION.—In this paragraph, the
13 term ‘annual adjustment percentage’, as applied
14 to a fiscal year, means the estimated percentage
15 change in the Consumer Price Index (as deter-
16 mined by the Secretary, using the definition in
17 section 478(f)) for the most recent calendar
18 year ending before the beginning of that fiscal
19 year.”.

20 **SEC. 4032. JUMPSTART TO COLLEGE GRANT PROGRAMS.**

21 Part A of title IV of the Higher Education Act of
22 1965 (20 U.S.C. 1070 et seq.) is further amended by in-
23 serting after subpart 7 the following:

24 “subpart 8—Jumpstart to College

1 **“SEC. 4190. DEFINITIONS.**

2 “In this subpart:

3 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-
4 tity’ means an institution of higher education in
5 partnership with one or more local educational agen-
6 cies (which may be an educational service agency).
7 Such partnership may also include other entities
8 such as nonprofit organizations or businesses.

9 “(2) INSTITUTION OF HIGHER EDUCATION.—
10 The term ‘institution of higher education’ has the
11 meaning given the term in section 101 (20 U.S.C.
12 1001).

13 “(3) ESEA TERMS.—The terms ‘dual or concu-
14 rent enrollment program’, ‘early college high school’,
15 ‘educational service agency’, ‘four-year adjusted co-
16 hort graduation rate’, ‘local educational agency’,
17 ‘secondary school’, and ‘State’ have meanings given
18 the terms in section 8101 of the Elementary and
19 Secondary Education Act of 1965 (20 U.S.C. 7801).

20 “(4) LOW-INCOME STUDENT.—The term ‘low-
21 income student’ means a student counted under sec-
22 tion 1124(c) of the Elementary and Secondary Edu-
23 cation Act of 1965 (20 U.S.C. 6333(c)).

24 “(5) RECOGNIZED POSTSECONDARY CREDEN-
25 TIAL.—The term ‘recognized postsecondary creden-
26 tial’ has the meaning given the term in section 3 of

1 the Workforce Innovation and Opportunity Act (29
2 U.S.C. 3102).

3 **“SEC. 419P. AUTHORIZATION OF APPROPRIATIONS; RES-**
4 **ERVATIONS.**

5 “(a) IN GENERAL.—To carry out this subpart, there
6 are authorized to be appropriated \$250,000,000 for fiscal
7 year 2019 and each of the five succeeding fiscal years.

8 “(b) RESERVATIONS.—From the funds appropriated
9 under subsection (a) for each fiscal year, the Secretary
10 shall reserve—

11 “(1) not less than 40 percent for grants to eli-
12 gible entities under section 419Q;

13 “(2) not less than 55 percent for grants to
14 States under section 419R; and

15 “(3) not less than 5 percent for national activi-
16 ties under section 419T.

17 **“SEC. 419Q. GRANTS TO ELIGIBLE ENTITIES.**

18 “(a) IN GENERAL.—The Secretary shall award
19 grants to eligible entities, on a competitive basis, to assist
20 such entities in establishing or supporting an early college
21 high school or dual or concurrent enrollment program in
22 accordance with this section.

23 “(b) DURATION.—Each grant under this section shall
24 be awarded for a period of 6 years.

1 “(c) GRANT AMOUNT.—The Secretary shall ensure
2 that the amount of each grant under this section is suffi-
3 cient to enable each grantee to carry out the activities de-
4 scribed in subsection (h), except that a grant under this
5 section may not exceed \$2,000,000.

6 “(d) MATCHING REQUIREMENT.—

7 “(1) IN GENERAL.—For each year that an eligi-
8 ble entity receives a grant under this section, the en-
9 tity shall contribute matching funds, in the amounts
10 described in paragraph (2), for the activities sup-
11 ported by the grant.

12 “(2) AMOUNTS DESCRIBED.—The amounts de-
13 scribed in this paragraph are—

14 “(A) for each of the first and second years
15 of the grant period, 20 percent of the grant
16 amount;

17 “(B) for each of the third and fourth years
18 of the grant period, 30 percent of the grant
19 amount;

20 “(C) for the fifth year of the grant period,
21 40 percent of the grant amount; and

22 “(D) for the sixth year of the grant period,
23 50 percent of the grant amount.

24 “(3) DETERMINATION OF AMOUNT CONTRIB-
25 UTED.—

1 “(A) IN-KIND CONTRIBUTIONS.—The Sec-
2 retary shall allow an eligible entity to meet the
3 requirements of this subsection through in-kind
4 contributions.

5 “(B) NON-FEDERAL SOURCES.—Not less
6 than half of each amount described in para-
7 graph (2) shall be provided by the eligible entity
8 from non-Federal sources.

9 “(e) SUPPLEMENT, NOT SUPPLANT.—An eligible en-
10 tity shall use a grant received under this section only to
11 supplement funds that would, in the absence of such
12 grant, be made available from other Federal, State, or
13 local sources for activities supported by the grant, not to
14 supplant such funds.

15 “(f) PRIORITY.—In awarding grants under this sec-
16 tion, the Secretary shall give priority to eligible entities
17 that—

18 “(1) propose to establish or support an early
19 college high school or other dual or concurrent en-
20 rollment program that will serve a student popu-
21 lation of which not less than 51 percent are low-in-
22 come students;

23 “(2) are from States that provide assistance to
24 early college high schools or other dual enrollment
25 programs, such as assistance to defray the costs of

1 higher education (including costs of tuition, fees,
2 and textbooks); and

3 “(3) propose to establish or support an early
4 college high school or dual or concurrent enrollment
5 program that meets quality standards established
6 by—

7 “(A) a nationally recognized accrediting
8 agency or association that offers accreditation
9 specifically for such programs; or

10 “(B) a State process specifically for the re-
11 view and approval of such programs.

12 “(g) **EQUITABLE DISTRIBUTION.**—The Secretary
13 shall ensure, to the extent practicable, that eligible entities
14 receiving grants under this section—

15 “(1) are from a representative cross section
16 of—

17 “(A) urban, suburban, and rural areas;
18 and

19 “(B) regions of the United States; and

20 “(2) include both two-year and four-year insti-
21 tutions of higher education.

22 “(h) **USES OF FUNDS.**—

23 “(1) **MANDATORY ACTIVITIES.**—

24 “(A) **IN GENERAL.**—An eligible entity shall
25 use grant funds received under this section—

1 “(i) to support the activities described
2 in its application under subsection (i);

3 “(ii) to create and maintain a coher-
4 ent system of supports for students, teach-
5 ers, principals, and faculty under the pro-
6 gram, including—

7 “(I) college and career readiness,
8 academic, and social support services
9 for students;

10 “(II) professional development
11 for secondary school teachers, faculty,
12 and principals and faculty from the
13 institution of higher education, includ-
14 ing—

15 “(aa) joint professional de-
16 velopment activities; and

17 “(bb) activities to assist
18 such teachers, faculty, and prin-
19 cipals in using effective parent
20 and community engagement
21 strategies and to help ensure the
22 success of students academically
23 at risk of not enrolling in or com-
24 pleting postsecondary education,
25 first-generation college students,

1 and students described in section
2 1111(b)(2)(B)(xi) of the Elemen-
3 tary and Secondary Education
4 Act of 1965 (20 U.S.C.
5 6311(b)(2)(B)(xi));

6 “(iii) to carry out liaison activities
7 among the partners that comprise the eli-
8 gible entity pursuant to an agreement or
9 memorandum of understanding docu-
10 menting commitments, resources, roles,
11 and responsibilities of the partners con-
12 sistent with the design of the program;

13 “(iv) for outreach programs to ensure
14 that secondary school students and their
15 families, including students academically at
16 risk of not enrolling in or completing post-
17 secondary education, first-generation col-
18 lege students, and students described in
19 section 1111(b)(2)(B)(xi) of the Elemen-
20 tary and Secondary Education Act of 1965
21 (20 U.S.C. 6311(b)(2)(B)(xi)), are—

22 “(I) aware of, and recruited into,
23 the early college high school or dual
24 or concurrent enrollment program;
25 and

1 “(II) assisted with the process of
2 enrolling in the early college high
3 school or dual or concurrent enroll-
4 ment program;

5 “(v) to collect, share, and use data (in
6 compliance with section 444 of the General
7 Education Provisions Act (20 U.S.C.
8 1232g)) for program improvement and
9 program evaluation; and

10 “(vi) to review and strengthen its pro-
11 gram to maximize the potential that stu-
12 dents participating in the program will
13 eventually complete a recognized postsec-
14 ondary credential, including by opti-
15 mizing—

16 “(I) the curriculum of the pro-
17 gram;

18 “(II) the sequence of courses of-
19 fered by the program; and

20 “(III) the alignment of academic
21 calendars between the secondary
22 schools and the institution of higher
23 education participating in the pro-
24 gram.

1 “(B) NEW PROGRAMS.—In the case of an
2 eligible entity that uses a grant under this sec-
3 tion to establish an early college high school or
4 dual or concurrent enrollment program, the en-
5 tity shall use such funds during the first year
6 of the grant period—

7 “(i) to design the curriculum and se-
8 quence of courses in collaboration with, at
9 a minimum—

10 “(I) faculty from the institution
11 of higher education;

12 “(II) teachers and faculty from
13 the local educational agency; and

14 “(III) in the case of a career and
15 technical education program, employ-
16 ers or workforce development entities
17 to ensure that the program is aligned
18 with labor market demand;

19 “(ii) to develop and implement an ar-
20 ticulation agreement between the institu-
21 tion of higher education and the local edu-
22 cational agency that governs how sec-
23 ondary and postsecondary credits will be
24 awarded under the program; and

1 “(iii) to carry out the activities de-
2 scribed in subparagraph (A).

3 “(2) ALLOWABLE ACTIVITIES.—An eligible enti-
4 ty may use grant funds received under this section
5 to support the activities described in its application
6 under subsection (i), including by—

7 “(A) purchasing textbooks and equipment
8 that support the program’s curriculum;

9 “(B) pursuant to the assurance provided
10 by the eligible entity under subsection (i)(3)(A),
11 paying tuition and fees for postsecondary
12 courses taken by students under the program;

13 “(C) incorporating work-based learning op-
14 portunities into the program (which may in-
15 clude partnering with entities that provide such
16 opportunities), including—

17 “(i) internships;

18 “(ii) career-based capstone projects;

19 “(iii) pre-apprenticeships and appren-
20 ticeships provided by eligible providers of
21 apprenticeship programs described in sec-
22 tion 122(a)(2)(B) of the Workforce Inno-
23 vation and Opportunity Act (29 U.S.C.
24 3152(a)(2)(B)); and

1 “(iv) work-based learning opportuni-
2 ties provided under chapters 1 and 2 of
3 subpart 2 of part A of title IV of the High-
4 er Education Act of 1965 (20 U.S.C.
5 1070a–11 et seq.);

6 “(D) providing students with transpor-
7 tation to and from the program;

8 “(E) paying costs for—

9 “(i) high school teachers to obtain the
10 skills, credentials, or industry certifications
11 necessary to teach for the institution of
12 higher education participating in the pro-
13 gram; or

14 “(ii) postsecondary faculty to become
15 certified to teach high school; or

16 “(F) providing time during which sec-
17 ondary school teachers and faculty and faculty
18 from an institution of higher education can col-
19 laborate, which may include the planning of
20 team activities for such teachers and faculty.

21 “(i) APPLICATION.—

22 “(1) IN GENERAL.—To be eligible to receive a
23 grant under this section, an eligible entity shall sub-
24 mit to the Secretary an application at such time, in

1 such manner, and containing such information as
2 the Secretary may require.

3 “(2) CONTENTS OF APPLICATION.—The appli-
4 cation under paragraph (1) shall include, at min-
5 imum, a description of—

6 “(A) the partnership that comprises the el-
7 igible entity, including documentation of part-
8 ner commitments, resources and budget, roles,
9 and responsibilities;

10 “(B) how the partners that comprise the
11 eligible entity will coordinate to carry out the
12 mandatory activities described in subsection
13 (h)(1);

14 “(C) the number of students intended to
15 be served by the program and demographic in-
16 formation relating to such students;

17 “(D) how the eligible entity’s curriculum
18 and sequence of courses form a program of
19 study leading to a recognized postsecondary cre-
20 dential;

21 “(E) how postsecondary credits earned will
22 be transferable to institutions of higher edu-
23 cation within the State, including any applicable
24 statewide transfer agreements and any provi-

1 sions of such agreements that are specific to
2 dual or concurrent enrollment programs;

3 “(F) how the eligible entity will ensure
4 that students understand how credits earned by
5 such students will transfer;

6 “(G) outreach programs to provide sec-
7 ondary school students, especially those in mid-
8 dle grades, and their parents, teachers, school
9 counselors, and principals information about,
10 and academic preparation for, the early college
11 high school or other dual or concurrent enroll-
12 ment program;

13 “(H) how the eligible entity will determine
14 the eligibility of students for postsecondary
15 courses, including an explanation of the mul-
16 tiple factors the entity will take into account to
17 assess the readiness of students for such
18 courses; and

19 “(I) the sustainability plan for the early
20 college high school or other dual or concurrent
21 enrollment program.

22 “(3) ASSURANCES.—The application under
23 paragraph (1) shall include assurances from the eli-
24 gible entity that—

1 “(A) students participating in a program
2 funded with a grant under this section will not
3 be required to pay tuition or fees for postsec-
4 ondary courses taken under the program;

5 “(B) postsecondary credits earned by stu-
6 dents under the program will be transcribed
7 upon completion of the required course work;
8 and

9 “(C) instructors of postsecondary courses
10 under the program will meet the same stand-
11 ards applicable to other faculty at the institu-
12 tion of higher education that is participating in
13 the program.

14 **“SEC. 419R. GRANTS TO STATES.**

15 “(a) IN GENERAL.—The Secretary shall award
16 grants to States, on a competitive basis, to assist States
17 in supporting or establishing early college high schools or
18 dual or concurrent enrollment programs.

19 “(b) DURATION.—Each grant under this section shall
20 be awarded for a period of 6 years.

21 “(c) GRANT AMOUNT.—The Secretary shall ensure
22 that the amount of each grant under this section is suffi-
23 cient to enable each grantee to carry out the activities de-
24 scribed in subsection (f).

1 “(d) MATCHING REQUIREMENT.—For each year that
2 a State receives a grant under this section, the State shall
3 provide, from non-Federal sources, an amount equal to 50
4 percent of the amount of the grant received by the State
5 for such year to carry out the activities supported by the
6 grant.

7 “(e) SUPPLEMENT, NOT SUPPLANT.—A State shall
8 use a grant received under this section only to supplement
9 funds that would, in the absence of such grant, be made
10 available from other Federal, State, or local sources for
11 activities supported by the grant, not to supplant such
12 funds.

13 “(f) USES OF FUNDS.—

14 “(1) MANDATORY ACTIVITIES.—A State shall
15 use grant funds received under this section to—

16 “(A) support the activities described in its
17 application under subsection (g);

18 “(B) plan and implement a statewide
19 strategy for expanding access to early college
20 high schools and dual or concurrent enrollment
21 programs for students who are underrep-
22 resented in higher education to raise statewide
23 rates of secondary school graduation, readiness
24 for postsecondary education, and completion of
25 recognized postsecondary credentials, with a

1 focus on students academically at risk of not
2 enrolling in or completing postsecondary edu-
3 cation;

4 “(C) identify any obstacles to such a strat-
5 egy under State law or policy;

6 “(D) provide technical assistance (either
7 directly or through a knowledgeable inter-
8 mediary) to early college high schools and other
9 dual or concurrent enrollment programs, which
10 may include—

11 “(i) brokering relationships and agree-
12 ments that forge a strong partnership be-
13 tween elementary and secondary and post-
14 secondary partners; and

15 “(ii) offering statewide training and
16 peer learning opportunities for school lead-
17 ers, instructors, and counselors or advisors;

18 “(E) identify and implement policies that
19 will improve the effectiveness and ensure the
20 quality of early college high schools and dual or
21 concurrent enrollment programs, such as eligi-
22 bility and access, funding, data and quality as-
23 surance, governance, accountability, and align-
24 ment policies;

1 “(F) disseminate best practices for early
2 college high schools and dual or concurrent en-
3 rollment programs, which may include best
4 practices from programs in the State or other
5 States;

6 “(G) facilitate statewide secondary and
7 postsecondary data collection, research and
8 evaluation, and reporting to policymakers and
9 other stakeholders; and

10 “(H) conduct outreach programs to ensure
11 that secondary school students, their families,
12 and community members are aware of early col-
13 lege high schools and dual or concurrent enroll-
14 ment programs in the State.

15 “(2) ALLOWABLE ACTIVITIES.—A State may
16 use grant funds received under this section to—

17 “(A) establish a mechanism to offset the
18 costs of tuition, fees, and support services for
19 low-income students enrolled in early college
20 high schools or dual or concurrent enrollment
21 programs;

22 “(B) establish formal transfer systems
23 within and across State higher education sys-
24 tems, including two-year and four-year public

1 and private institutions, to maximize the trans-
2 ferability of college courses;

3 “(C) provide incentives to school districts
4 that—

5 “(i) assist high school teachers in get-
6 ting the credentials needed to participate
7 in early college high school programs and
8 dual or concurrent enrollment; and

9 “(ii) encourage the use of college in-
10 structors to teach college courses in high
11 schools;

12 “(D) support initiatives to improve the
13 quality of early college high school and dual or
14 concurrent enrollment programs at partici-
15 pating institutions, including by assisting such
16 institutions in aligning programs with the qual-
17 ity standards described in section 419Q(f)(3);
18 and

19 “(E) reimburse low-income students to
20 cover part or all of the costs of an Advanced
21 Placement or International Baccalaureate ex-
22 amination.

23 “(g) STATE APPLICATIONS.—

24 “(1) APPLICATION.—To be eligible to receive a
25 grant under this section, a State shall submit to the

1 Secretary an application at such time, in such man-
2 ner, and containing such information as the Sec-
3 retary may require.

4 “(2) CONTENTS OF APPLICATION.—The appli-
5 cation under paragraph (1) shall include, at min-
6 imum, a description of—

7 “(A) how the State will carry out the man-
8 datory State activities described in subsection
9 (f)(1);

10 “(B) how the State will ensure that any
11 programs funded with a grant under this sec-
12 tion are coordinated with programs under—

13 “(i) the Carl D. Perkins Career and
14 Technical Education Act of 2006 (20
15 U.S.C. 2301 et seq.);

16 “(ii) the Workforce Innovation and
17 Opportunity Act (29 U.S.C. 3101 et seq.);

18 “(iii) the Elementary and Secondary
19 Education Act of 1965 (20 U.S.C. 6301 et
20 seq.); and

21 “(iv) the Individuals with Disabilities
22 Education Act (20 U.S.C. 1400 et seq.);

23 “(C) how the State intends to use grant
24 funds to address achievement gaps for each cat-
25 egory of students described in section

1 1111(b)(2)(B)(xi) of the Elementary and Sec-
2 ondary Education Act of 1965 (20 U.S.C.
3 6311(b)(2)(B)(xi)) as identified by the State in
4 its accountability system under section 1111(c)
5 of the Elementary and Secondary Education
6 Act of 1965 (20 U.S.C. 6311(c));

7 “(D) how the State will access and lever-
8 age additional resources necessary to sustain
9 early college high schools or other dual or con-
10 current enrollment programs;

11 “(E) how the State will identify and elimi-
12 nate barriers to implementing effective early
13 college high schools and dual or concurrent en-
14 rollment programs after the grant expires, in-
15 cluding by engaging businesses and nonprofit
16 organizations; and

17 “(F) such other information as the Sec-
18 retary determines to be appropriate.

19 **“SEC. 419S. REPORTING AND OVERSIGHT.**

20 “(a) IN GENERAL.—Not less frequently than once
21 annually, each State and eligible entity that receives a
22 grant under this subpart shall submit to the Secretary a
23 report on the progress of the State or eligible entity in
24 carrying out the programs supported by such grant.

1 “(b) FORM OF REPORT.—The report under sub-
2 section (a) shall be submitted to the Secretary at such
3 time, in such manner, and containing such information as
4 the Secretary may require. The Secretary shall issue uni-
5 form guidelines describing the information that shall be
6 reported by grantees under such subsection.

7 “(c) CONTENTS OF REPORT.—

8 “(1) IN GENERAL.—The report under sub-
9 section (a) shall include, at minimum, the following:

10 “(A) The number of students enrolled in
11 the early college high school or dual or concur-
12 rent enrollment program.

13 “(B) The number and percentage of stu-
14 dents reimbursed by the State for part or all of
15 the costs of an Advanced Placement or Inter-
16 national Baccalaureate examination and the
17 student test scores.

18 “(C) The number and percentage of stu-
19 dents enrolled in the early college high school or
20 dual or concurrent enrollment program who
21 earn a recognized postsecondary credential con-
22 currently with a high school diploma.

23 “(D) The number of postsecondary credits
24 earned by eligible students while enrolled in the
25 early college high school or dual or concurrent

1 enrollment program that may be applied toward
2 a recognized postsecondary credential.

3 “(E) The number and percentage of stu-
4 dents who earn a high school diploma.

5 “(F) Total number and percentage of eligi-
6 ble students who enroll in and subsequently
7 complete the early college high school or dual or
8 concurrent enrollment program.

9 “(G) The number and percentage of grad-
10 uates who enroll in postsecondary education, in
11 military service, and in employment.

12 “(2) CATEGORIES OF STUDENTS.—The infor-
13 mation described in each of subparagraphs (A)
14 through (G) of paragraph (1) shall be set forth sepa-
15 rately for each category of students described in sec-
16 tion 1111(b)(2)(B)(xi) of the Elementary and Sec-
17 ondary Education Act of 1965 (20 U.S.C.
18 6311(b)(2)(B)(xi)).

19 **“SEC. 419T. NATIONAL ACTIVITIES.**

20 “(a) REPORTING BY SECRETARY.—Not less fre-
21 quently than once annually, the Secretary shall submit to
22 Congress a report that includes—

23 “(1) an analysis of the information received
24 from States and eligible entities under section 419S;

1 “(2) an identification of best practices for car-
2 rying out programs supported by grants under this
3 subpart; and

4 “(3) the results of the evaluation under sub-
5 section (b).

6 “(b) NATIONAL EVALUATION.—Not later than 6
7 months after the date of the enactment of the Aim Higher
8 Act, the Secretary shall seek to enter into a contract with
9 an independent entity to perform an evaluation of the
10 grants awarded under this subtitle. Such evaluation shall
11 apply rigorous procedures to obtain valid and reliable data
12 concerning student outcomes by social and academic char-
13 acteristics and monitor the progress of students from sec-
14 ondary school to and through postsecondary education.

15 “(c) TECHNICAL ASSISTANCE.—The Secretary shall
16 provide technical assistance to States and eligible entities
17 concerning best practices and quality improvement pro-
18 grams in early college high schools and dual or concurrent
19 enrollment programs and shall disseminate such best prac-
20 tices among eligible entities, States, and local educational
21 agencies.

22 “(d) ADMINISTRATIVE COSTS.—From amounts re-
23 served to carry out this section under section 419P(b)(3),
24 the Secretary may reserve such sums as may be necessary

1 for the direct administrative costs of carrying out the Sec-
2 retary's responsibilities under this subtitle.

3 **“SEC. 419U. RULES OF CONSTRUCTION.**

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

13 “(b) GRADUATION RATE.—A student who graduates
14 from an early college high school supported by a grant
15 under section 419Q within 100 percent of the normal time
16 for completion described in the eligible entity's application
17 under such section shall be counted in the four-year ad-
18 justed cohort graduation rate for such high school.”.

19 **SEC. 4033. REVISED DEFINITIONS OF TEACH GRANTS.**

20 Section 420L of the Higher Education Act of 1965
21 (20 U.S.C. 1070g) is amended by adding at the end the
22 following:

23 “(4) TEACHER PREPARATION PROGRAM.—The
24 term ‘teacher preparation program’—

1 “(A) means a State-approved course of
2 study provided by an institution of higher edu-
3 cation, the completion of which signifies that an
4 enrollee has met all the State’s educational or
5 training requirements for initial certification or
6 licensure to teach in the State’s elementary
7 schools or secondary schools; and

8 “(B) may be a regular program or an al-
9 ternative route to certification, as defined by
10 the State that approved such course of study.”.

11 **SEC. 4034. REVISIONS TO ESTABLISHING TEACH GRANT**
12 **PROGRAM.**

13 Section 420M(d)(1) of the Higher Education Act of
14 1965 (20 U.S.C. 1070g-1(d)(1)) is amended—

15 (1) in the matter preceding subparagraph (A),
16 by striking “baccalaureate or” and inserting “asso-
17 ciate or baccalaureate, or”; and

18 (2) in subparagraph (B), by inserting before
19 the period at the end the following: “, except that
20 not more than \$8,000 may be received for under-
21 graduate associate study”.

22 **SEC. 4035. REVISIONS TO TEACH GRANT APPLICATIONS**
23 **AND ELIGIBILITY.**

24 Section 420N of the Higher Education Act of 1965
25 (20 U.S.C. 1070g-2) is amended—

1 (1) in subsection (a)—

2 (A) in the heading of paragraph (2), by
3 striking “DEMONSTRATION OF TEACH”
4 and inserting “TEACH”;

5 (B) in paragraphs (2)(B)(i), by striking
6 “or another high-need” and inserting “early
7 childhood education, or another high-need”; and

8 (C) in paragraph (2)(B)(ii), by striking “,
9 such as Teach for America,”;

10 (2) in subsection (b)—

11 (A) in paragraph (1)—

12 (i) in subparagraph (B), by inserting
13 before the semicolon at the end the fol-
14 lowing: “or in a high-need early childhood
15 education program (as defined in section
16 200(15));”;

17 (ii) in subparagraph (C)—

18 (I) by striking “or” at the end of
19 clause (vi);

20 (II) by redesignating clause (vii)
21 as clause (viii);

22 (III) by inserting after clause
23 (vi), as so amended, the following:

24 “(vii) early childhood education; or”;

25 and

- 1 (IV) in clause (viii), as so reded-
- 2 igned, by adding “and” at the end;
- 3 (iii) in subparagraph (D), by striking
- 4 “and” at the end; and
- 5 (iv) by striking subparagraph (E);
- 6 (B) by striking “and” at the end of para-
- 7 graph (2);
- 8 (C) by striking the period at the end of
- 9 paragraph (3) and inserting “; and”; and
- 10 (D) by adding at the end the following:
- 11 “(4) contains an assurance by the Secretary
- 12 that the Secretary will notify, or ensure that the ap-
- 13 plicable loan servicer will notify, the applicant of—
- 14 “(A) the date on which submission of the
- 15 certification under paragraph (1)(D) is re-
- 16 quired; and
- 17 “(B) any failure to submit such certifi-
- 18 cation.”;
- 19 (3) in subsection (c)—
- 20 (A) by striking “In the event” and insert-
- 21 ing the following:
- 22 “(1) IN GENERAL.—In the event”; and
- 23 (B) by adding at the end the following:
- 24 “(2) CLARIFICATION.—

1 “(A) IN GENERAL.—Except as provided in
2 subparagraph (B) and without regard to wheth-
3 er a recipient of a grant under this subpart
4 submits the evidence under subsection
5 (b)(1)(D) for any year or receives or responds
6 to a notification described in subsection (b)(4),
7 such recipient shall be considered to be in com-
8 pliance with the service obligation under sub-
9 section (b) and shall not be subject to para-
10 graph (1) of this subsection.

11 “(B) EXCEPTIONS.—Paragraph (1) of this
12 subsection shall apply to a recipient of a grant
13 under this subpart if—

14 “(i) after completing the course of
15 study for which the recipient received the
16 grant, the recipient does not serve as a
17 full-time teacher as required under sub-
18 section (b)(1) for at least—

19 “(I) 1 year, by not later than 5
20 years after such completion;

21 “(II) 2 years, by not later than 6
22 years after such completion;

23 “(III) 3 years, by not later than
24 7 years after such completion; or

1 “(IV) 4 years, by not later than
2 8 years after such completion; or

3 “(ii) the recipient elects to have such
4 grant treated as a loan in accordance with
5 such paragraph (1).”; and

6 (4) in subsection (d)—

7 (A) by redesignating paragraph (2) as
8 paragraph (4);

9 (B) in paragraph (1), by striking “sub-
10 section (b)(1)(C)(vii)” and inserting “sub-
11 section (b)(1)(C)(viii)”; and

12 (C) by inserting after paragraph (1), the
13 following:

14 “(2) CHANGE OF SCHOOL DESCRIPTION OR
15 PROGRAM DEFINITION.—If a recipient of an initial
16 grant under this subpart teaches in a school or an
17 early childhood education program for an academic
18 year during which the school is identified as a school
19 described in section 465(a)(2)(A) or a program that
20 meets the definition of section 200(15), but the
21 school or program no longer meets such description
22 or definition during a subsequent academic year, the
23 grant recipient may fulfill the service obligation de-
24 scribed in subsection (b)(1) by continuing to teach
25 at that school or program.

1 “(3) CHANGE OF TEACHER DUTIES OR ASSIGN-
2 MENT.—If a recipient of an initial grant under this
3 subpart teaches as a full-time teacher described in
4 subsection (b)(1)(A), but the recipient no longer
5 meets such description during a subsequent aca-
6 demic year due to switching academic roles to that
7 of a full-time co-teacher, teacher leader, instruc-
8 tional or academic coach, department chairperson,
9 special education case manager, guidance counselor,
10 or school administrator within a school or program,
11 the grant recipient may fulfill the service obligation
12 described in subsection (b)(1) by continuing to work
13 in any such academic role on a full-time basis at
14 that school or program.”.

15 **SEC. 4036. REVISIONS TO TEACH GRANT DATA COLLECTION**
16 **AND REPORTING.**

17 Section 420P of the Higher Education Act of 1965
18 (20 U.S.C. 1070g–4) is amended to read as follows:

19 **“SEC. 420P. DATA COLLECTION AND REPORTING.**

20 “(a) DATA COLLECTION.—

21 “(1) AGGREGATE STUDENT DATA.—On an an-
22 nual basis, the Secretary shall determine,
23 disaggregate in accordance with paragraph (2), and
24 make available to the public in accordance with
25 paragraph (3), with respect to each institution (and

1 each category of institution listed in section 132(d))
2 that received a payment under this subpart in the
3 previous academic year, the following information:

4 “(A) The number and mean dollar amount
5 of TEACH Grants awarded to students at the
6 institution.

7 “(B) The number and proportion of
8 TEACH Grant recipients who exit their pro-
9 gram of study before completing the program.

10 “(C) The number and proportion of
11 TEACH Grant recipients who complete their
12 program of study and begin employment as a
13 teacher in the first academic year following the
14 year of such completion.

15 “(D) The adjusted cohort default rate (as
16 determined under section 435(m)) for TEACH
17 Grant recipients who exit their program of
18 study before completing the program, and for
19 TEACH Grant recipients who complete their
20 program of study.

21 “(E) The number and proportion of indi-
22 viduals employed as teachers who received a
23 TEACH Grant and whose TEACH Grants are
24 converted into loans during the 8-year period
25 following the year in which the recipient com-

1 pleted the recipient’s program of study, set
2 forth separately for each year in such period.

3 “(F) The number and proportion of
4 TEACH Grant recipients who fulfill the terms
5 of their agreement to serve under section
6 420N(b) during the 8-year period following the
7 year in which the recipient completed the recipi-
8 ent’s program of study, set forth separately for
9 each year in such period.

10 “(2) DISAGGREGATION.—The information de-
11 termined under paragraph (1)—

12 “(A) except in cases in which such
13 disaggregation would reveal personally identifi-
14 able information about an individual student,
15 shall be disaggregated by—

16 “(i) race, in accordance with section
17 153(a)(3) of the Education Sciences Re-
18 form Act of 2002 (20 U.S.C. 9543);

19 “(ii) gender;

20 “(iii) socioeconomic status;

21 “(iv) Federal Pell Grant eligibility
22 status;

23 “(v) status as a first-generation col-
24 lege student (as defined in section
25 402A(h));

1 “(vi) veteran or active duty status;

2 “(vii) disability status;

3 “(viii) level of study (undergraduate,
4 post-baccalaureate, or graduate, as applica-
5 ble);

6 “(ix) year of study (freshman, sopho-
7 more, junior, senior, as applicable); and

8 “(x) each teacher preparation pro-
9 gram offered by an institution; and

10 “(B) may be disaggregated by any com-
11 bination of subgroups or descriptions described
12 in subparagraph (A).

13 “(3) AVAILABILITY OF DATA.—The information
14 determined under paragraph (1) shall—

15 “(A) remain available to the public for a
16 period of not less than 10 years after its initial
17 release by the Secretary; and

18 “(B) be updated as necessary to reflect the
19 most accurate and up-to-date information for
20 each institution for each year of data collection.

21 “(b) INFORMATION FROM INSTITUTIONS.—Each in-
22 stitution that receives a payment under this subpart shall
23 provide to the Secretary, on an annual basis, such infor-
24 mation as may be necessary for the Secretary to carry out
25 subsection (a).

1 “(c) REPORTS AND DISSEMINATION.—

2 “(1) INITIAL AND INTERIM REPORTS.—Not
3 later than one year after the date on which the first
4 TEACH Grant is awarded under this subpart after
5 the date of enactment of the Aim Higher Act, and
6 annually thereafter, the Secretary shall submit to
7 the authorizing committees a report that includes
8 the information required under paragraph (3).

9 “(2) FINAL REPORT.—

10 “(A) IN GENERAL.—Not later than one
11 year after the date described in subparagraph
12 (B), the Secretary shall submit to the author-
13 izing committees a final report that includes the
14 information required under paragraph (3).

15 “(B) DATE DESCRIBED.—The date de-
16 scribed in this subparagraph is the later of—

17 “(i) the date on which the last service
18 agreement associated with a TEACH
19 Grant is completed; or

20 “(ii) the date on which the last
21 TEACH Grant awarded under this subpart
22 is converted into a loan.

23 “(3) ELEMENTS.—Each report under this sub-
24 section shall include, based on information deter-
25 mined under subsection (a), the following:

1 “(A) A review of the utilization of TEACH
2 Grants at teacher preparation programs at in-
3 stitutions that received a payment under this
4 subpart.

5 “(B) A review of TEACH Grant practices
6 that correlate with higher rates of completion of
7 agreements under section 420N(b).

8 “(C) Guidance and recommendations on
9 how effective utilization of TEACH Grants can
10 be replicated.

11 “(4) AVAILABILITY.—Each report under this
12 subsection shall be made available to the public in
13 an accessible format—

14 “(A) on a website of the Department of
15 Education; and

16 “(B) in any other format determined to be
17 appropriate by the Secretary.”.

18 **SEC. 4037. NORTHERN MARIANA ISLANDS AND AMERICAN**
19 **SAMOA COLLEGE ACCESS.**

20 Subpart 10 of Part A of title IV (20 U.S.C. 1070(h))
21 is amended to read as follows:

22 “subpart 10—Northern Mariana Islands and Amer-
23 ican Samoa College Access

1 **“SEC. 420R. PUBLIC SCHOOL GRANTS.**

2 “(a) PURPOSE.—It is the purpose of this subpart to
3 establish a program that enables college-bound residents
4 of the Northern Mariana Islands and American Samoa to
5 have greater choices among institutions of higher edu-
6 cation.

7 “(b) GRANTS.—

8 “(1) IN GENERAL.—From amounts appro-
9 priated under subsection (j), the Secretary shall pro-
10 vide—

11 “(A) 50 percent of such amount to the
12 Northern Mariana Islands for the Governor to
13 award grants to eligible institutions that enroll
14 eligible students to pay the difference between
15 the tuition and fees charged for in-State stu-
16 dents and the tuition and fees charged for out-
17 of-State students on behalf of each eligible stu-
18 dent enrolled in the eligible institution; and

19 “(B) 50 percent of such amount to the
20 American Samoa for the Governor to award
21 grants to eligible institutions that enroll eligible
22 students to pay the difference between the tui-
23 tion and fees charged for in-State students and
24 the tuition and fees charged for out-of-State
25 students on behalf of each eligible student en-
26 rolled in the eligible institution.

1 “(2) MAXIMUM STUDENT AMOUNTS.—The
2 amount paid on behalf of an eligible student under
3 this section shall be—

4 “(A) not more than \$15,000 for any one
5 award year (as defined in section 481); and

6 “(B) not more than \$45,000 in the aggre-
7 gate.

8 “(3) PRORATION.—The Governor shall prorate
9 payments under this section for students who attend
10 an eligible institution on less than a full-time basis.

11 “(c) REDUCTION FOR INSUFFICIENT APPROPRIA-
12 TIONS.—

13 “(1) IN GENERAL.—If the funds appropriated
14 pursuant to subsection (j) for any fiscal year are in-
15 sufficient to award a grant in the amount deter-
16 mined under subsection (a) on behalf of each eligible
17 student enrolled in an eligible institution, then the
18 Governor, in consultation with the Secretary of Edu-
19 cation, shall—

20 “(A) first, ratably reduce the amount of
21 the tuition and fee payment made on behalf of
22 each eligible student who has not received funds
23 under this section for a preceding year; and

24 “(B) after making reductions under sub-
25 paragraph (A), ratably reduce the amount of

1 the tuition and fee payments made on behalf of
2 all other eligible students.

3 “(2) ADJUSTMENTS.—The Governor, in con-
4 sultation with the Secretary of Education, may ad-
5 just the amount of tuition and fee payments made
6 under paragraph (1) based on—

7 “(A) the financial need of the eligible stu-
8 dents to avoid undue hardship to the eligible
9 students; or

10 “(B) undue administrative burdens on the
11 Governor.

12 “(3) FURTHER ADJUSTMENTS.—Notwith-
13 standing paragraphs (1) and (2), the Governor may
14 prioritize the making or amount of tuition and fee
15 payments under this subsection based on the income
16 and need of eligible students.

17 “(d) DEFINITIONS.—In this subpart:

18 “(1) ELIGIBLE INSTITUTION.—The term ‘eligi-
19 ble institution’ means an institution that—

20 “(A) is a public four-year institution of
21 higher education located in one of the several
22 States, the District of Columbia, Puerto Rico,
23 the United States Virgin Islands, or Guam;

1 “(B) is eligible to participate in the stu-
2 dent financial assistance programs under title
3 IV; and

4 “(C) enters into an agreement with the
5 Governors of the Northern Mariana Islands and
6 American Samoa containing such conditions as
7 each Governor may specify, including a require-
8 ment that the institution use the funds made
9 available under this section to supplement and
10 not supplant assistance that otherwise would be
11 provided to eligible students from the Northern
12 Mariana Islands and American Samoa.

13 “(2) ELIGIBLE STUDENT.—The term ‘eligible
14 student’ means an individual who—

15 “(A) graduated from a public institution of
16 higher education located in the Northern Mar-
17 iana Islands or American Samoa;

18 “(B) begins the individual’s course of
19 study within the 3 calendar years (excluding
20 any period of service on active duty in the
21 Armed Forces or service under the Peace Corps
22 Act (22 U.S.C. 2501 et seq.) or subtitle D of
23 title I of the National and Community Service
24 Act of 1990 (42 U.S.C. 12571 et seq.)) of grad-
25 uation from a public institution of higher edu-

1 cation located in the Northern Mariana Islands
2 or American Samoa;

3 “(C) is enrolled or accepted for enrollment,
4 on at least a half-time basis, in a baccalaureate
5 degree or other program (including a program
6 of study abroad approved for credit by the insti-
7 tution at which such student is enrolled) lead-
8 ing to a recognized educational credential at an
9 eligible institution;

10 “(D) if enrolled in an eligible institution, is
11 maintaining satisfactory progress in the course
12 of study the student is pursuing in accordance
13 with section 484(c); and

14 “(E) has not completed the individual’s
15 first undergraduate baccalaureate course of
16 study.

17 “(3) INSTITUTION OF HIGHER EDUCATION.—
18 The term ‘institution of higher education’ has the
19 meaning given the term in section 101.

20 “(4) GOVERNOR.—The term ‘Governor’ means
21 the Governor of the Commonwealth of the Northern
22 Mariana Islands or American Samoa.

23 “(e) CONSTRUCTION.—Nothing in this subpart shall
24 be construed to require an institution of higher education
25 to alter the institution’s admissions policies or standards

1 in any manner to enable an eligible student to enroll in
2 the institution.

3 “(f) APPLICATIONS.—Each student desiring a tuition
4 payment under this section shall submit an application to
5 the eligible institution at such time, in such manner, and
6 accompanied by such information as the eligible institution
7 may require.

8 “(g) ADMINISTRATION OF PROGRAM.—

9 “(1) IN GENERAL.—Each Governor shall carry
10 out the program under this section in consultation
11 with the Secretary. Each Governor may enter into a
12 grant, contract, or cooperative agreement with an-
13 other public or private entity to administer the pro-
14 gram under this section if the Governor determines
15 that doing so is a more efficient way of carrying out
16 the program.

17 “(2) POLICIES AND PROCEDURES.—Each Gov-
18 ernor, in consultation with institutions of higher
19 education eligible for participation in the program
20 authorized under this section, shall develop policies
21 and procedures for the administration of the pro-
22 gram.

23 “(3) MEMORANDUM OF AGREEMENT.—Each
24 Governor and the Secretary shall enter into a Memo-
25 randum of Agreement that describes—

1 “(A) the manner in which the Governor
2 shall consult with the Secretary with respect to
3 administering the program under this section;
4 and

5 “(B) any technical or other assistance to
6 be provided to the Governor by the Secretary
7 for purposes of administering the program
8 under this section (which may include access to
9 the information in the common financial report-
10 ing form developed under section 483).

11 “(h) GOVERNOR’S REPORT.—Each Governor shall re-
12 port to the authorizing committees annually regarding—

13 “(1) the number of eligible students attending
14 each eligible institution and the amount of the grant
15 awards paid to those institutions on behalf of the eli-
16 gible students;

17 “(2) the extent, if any, to which a ratable re-
18 duction was made in the amount of tuition and fee
19 payments made on behalf of eligible students; and

20 “(3) the progress in obtaining recognized aca-
21 demic credentials of the cohort of eligible students
22 for each year.

23 “(i) GAO REPORT.—Beginning on the date of the en-
24 actment of this Act, the Comptroller General of the United
25 States shall monitor the effect of the program assisted

1 under this section on educational opportunities for eligible
2 students. The Comptroller General shall analyze whether
3 eligible students had difficulty gaining admission to eligi-
4 ble institutions because of any preference afforded in-
5 State residents by eligible institutions, and shall expedi-
6 tiously report any findings regarding such difficulty to
7 Congress and the Governor. In addition the Comptroller
8 General shall—

9 “(1) analyze the extent to which there are an
10 insufficient number of eligible institutions to which
11 Northern Mariana Islands and American Samoa stu-
12 dents can gain admission, including admission aided
13 by assistance provided under this subpart, due to—

14 “(A) caps on the number of out-of-State
15 students the institution will enroll;

16 “(B) significant barriers imposed by aca-
17 demic entrance requirements (such as grade
18 point average and standardized scholastic ad-
19 missions tests); and

20 “(C) absence of admission programs bene-
21 fitting minority students; and

22 “(2) report the findings of the analysis de-
23 scribed in paragraph (1) and the assessment de-
24 scribed in paragraph (2) to Congress and the Gov-
25 ernor.

1 “(j) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to the Commonwealth
3 of the Northern Mariana Islands and American Samoa to
4 carry out this subpart \$5,000,000, to be available until
5 expended, for fiscal year 2019 and each of the 5 suc-
6 ceeding fiscal years.

7 “(k) EFFECTIVE DATE.—This subpart shall take ef-
8 fect with respect to payments for periods of instruction
9 that begin on or after January 1, 2019.

10 **“SEC. 420S. GENERAL REQUIREMENTS.**

11 “(a) PERSONNEL.—The Secretary shall arrange for
12 the assignment of an individual, pursuant to subchapter
13 VI of chapter 33 of title 5, United States Code, to serve
14 as an adviser to each Governor with respect to the pro-
15 grams assisted under this subpart.

16 “(b) ADMINISTRATIVE EXPENSES.—Each Governor
17 may use not more than 5 percent of the funds made avail-
18 able for a program under section 420R for a fiscal year
19 to pay the administrative expenses of a program under
20 section 420R for the fiscal year.

21 “(c) INSPECTOR GENERAL REVIEW.—Each of the
22 programs assisted under this subpart shall be subject to
23 audit and other review by the Inspector General of the
24 Department of Education in the same manner as pro-

1 grams are audited and reviewed under the Inspector Gen-
2 eral Act of 1978 (5 U.S.C. App.).

3 “(d) GIFTS.—The Governor may accept, use, and dis-
4 pose of donations of services or property for purposes of
5 carrying out this subpart.

6 “(e) MAXIMUM STUDENT AMOUNT ADJUSTMENTS.—
7 Each Governor shall establish rules to adjust the max-
8 imum student amounts described in section 440S(b)(2) for
9 eligible students described in section 440S(d)(2) who
10 transfer between the eligible institutions described in sec-
11 tion 440S(d)(1).”.

12 **SEC. 4038. COMMUNITY COLLEGE STUDENT SUCCESS**
13 **GRANT PROGRAM AUTHORIZED.**

14 Part A of title IV (20 U.S.C. 1070 et seq.) is further
15 amended by adding at the end the following: “subpart
16 11—Community College Student Success

17 **“SEC. 420T. COMMUNITY COLLEGE STUDENT SUCCESS**
18 **GRANT PROGRAM AUTHORIZED.**

19 “From the amounts appropriated under 420BB, the
20 Secretary of Education shall establish and carry out the
21 community college student success grant program to
22 award grants under sections 420U and 420V, on a com-
23 petitive basis, to eligible institutions to plan and imple-
24 ment community college student success programs de-
25 signed to increase—

1 “(1) the rate at which eligible students grad-
2 uate from a program of study at such eligible insti-
3 tution within 150 percent of the normal time for
4 graduation; and

5 “(2) transfer rates of eligible students.

6 **“SEC. 420U. GRANTS TO PLAN COMMUNITY COLLEGE STU-**
7 **DENT SUCCESS PROGRAMS.**

8 “(a) PLANNING GRANTS AUTHORIZED.—From the
9 amounts appropriated to carry out this section under sec-
10 tion 420BB for a fiscal year, the Secretary shall award
11 planning grants for such fiscal year, on a competitive
12 basis, to eligible institutions to develop plans for commu-
13 nity college student success programs.

14 “(b) DURATION.—A grant awarded under this sec-
15 tion shall be for a 1-year period.

16 “(c) PEER REVIEW PROCESS; PRIORITY.—In award-
17 ing grants under this section for a fiscal year, the Sec-
18 retary shall—

19 “(1) carry out a peer review process that—

20 “(A) requires that each application sub-
21 mitted under subsection (d) be peer reviewed by
22 a panel of readers composed of individuals se-
23 lected by the Secretary, which shall include—

24 “(i) not less than 50 percent of read-
25 ers—

1 “(I) who are not employees of the
2 Federal Government; and

3 “(II) who have relevant research
4 or practical experience with respect to
5 student support programs designed to
6 increase graduation rates and transfer
7 rates at public 2-year institutions of
8 higher education; and

9 “(ii) to the maximum extent prac-
10 ticable, individuals who are members of
11 groups underrepresented in higher edu-
12 cation, including African Americans, His-
13 panics, Native Americans, Alaska Natives,
14 Asian Americans, Native American Pacific
15 Islanders (including Native Hawaiians),
16 and individuals with disabilities; and

17 “(B) ensures that no individual assigned
18 under subparagraph (A) to review an applica-
19 tion has any conflict of interest with regard to
20 that application that may make the individual
21 unable to impartially conduct such review; and

22 “(2) give priority to eligible institutions that
23 are eligible to receive funding under title III or V.

24 “(d) APPLICATION.—An eligible institution desiring
25 a grant under this section shall submit an application to

1 the Secretary at such time, in such manner, and con-
2 taining such information as the Secretary may require,
3 which shall include—

4 “(1) the graduation rate and transfer rate for
5 the most recent academic year for which data are
6 available for eligible students and all students, re-
7 spectively;

8 “(2) an analysis of how implementing a commu-
9 nity college student success program may improve
10 the graduation rate or transfer rate for eligible stu-
11 dents; and

12 “(3) an analysis of the methods the eligible in-
13 stitution has previously used to improve the gradua-
14 tion rate or transfer rate with respect to eligible stu-
15 dents and all students, respectively.

16 “(e) USE OF FUNDS.—An eligible institution that re-
17 ceives a grant under this section shall use the grant to
18 develop a plan to implement a community college student
19 success program at the eligible institution.

20 “(f) REPORT.—Not later than 1 year after the date
21 on which an eligible institution receives a grant under this
22 section, such eligible institution shall submit to the Sec-
23 retary a report that includes—

1 “(1) a plan for implementing a community col-
2 lege student success program at the eligible institu-
3 tion, including—

4 “(A) the ambitious outcome goals for
5 achieving significant improvements in gradua-
6 tion rates and transfer rates for eligible stu-
7 dents and all students, respectively, as such
8 rates are defined by the eligible institution, in
9 consultation with the Secretary, before the end
10 of the grant period;

11 “(B) the number of such eligible students
12 who will participate in such program, including
13 how such eligible students will be identified, re-
14 ferred, and selected, in cases where the interest
15 in the program is larger than the budget for the
16 program;

17 “(C) the demographics (including income,
18 race (as defined by section 153(a) of the Edu-
19 cation of the Sciences Reform Act of 2002 (20
20 U.S.C. 9543)), disability status, and gender) of
21 such eligible students; and

22 “(D) based on the most recent academic
23 year for which data are available, disaggregated
24 by eligible students and all students—

25 “(i) graduation rates;

1 “(ii) transfer rates;

2 “(iii) retention rates;

3 “(iv) rates of completion of remedial
4 courses for students required to complete
5 such courses; and

6 “(v) average number of credits at-
7 tempted and average number of credits
8 earned;

9 “(E) an analysis of the financial needs of
10 the eligible students described in subparagraph
11 (B);

12 “(F) an analysis of how the eligible institu-
13 tion will collaborate across departments at the
14 institution and with external partners to imple-
15 ment a community college student success pro-
16 gram, including the detailed roles and respon-
17 sibilities of each potential external partner (in-
18 cluding each investor, State or local government
19 entity, or other stakeholder);

20 “(G) a description of how the eligible insti-
21 tution will effectively staff a community college
22 student success program; and

23 “(H) a timeline for the implementation of
24 such program;

25 “(2) a budgetary analysis that includes—

1 “(A) a description of how the eligible insti-
2 tution will—

3 “(i) provide non-Federal funds for
4 such program under subsection (d) of sec-
5 tion 420V; and

6 “(ii) meet the requirement of sub-
7 section (b)(3) of such section; and

8 “(B) a description of how the eligible insti-
9 tution will continue to fund such program after
10 the end of the grant period for the grant
11 awarded to the institution under section 420V;

12 “(3) a description of the data system the eligi-
13 ble institution will use to track and evaluate the
14 progress of eligible students participating in such
15 program;

16 “(4) an analysis of the institutional barriers
17 that may hinder implementation of such program at
18 such eligible institution; and

19 “(5) such other information as the Secretary
20 may require.

21 **“SEC. 420V. GRANTS TO IMPLEMENT COMMUNITY COLLEGE**
22 **STUDENT SUCCESS PROGRAMS.**

23 “(a) IMPLEMENTATION GRANTS AUTHORIZED.—

24 “(1) IN GENERAL.—From the amounts appro-
25 priated to carry out this section under section

1 420BB for a fiscal year, the Secretary shall award
2 grants for such fiscal year, on a competitive basis,
3 to eligible institutions awarded a grant under section
4 420U to implement community college student suc-
5 cess programs.

6 “(2) CONSULTATION.—In awarding grants
7 under this section for a fiscal year, the Secretary
8 shall consult with the independent evaluator before
9 finalizing which eligible institutions will receive such
10 a grant for such fiscal year.

11 “(b) REQUIREMENTS FOR SELECTION.—To be eligi-
12 ble to receive a grant under this section, an eligible institu-
13 tion shall meet the following requirements:

14 “(1) The eligible institution was awarded a
15 grant under section 420U at least 1 year before
16 such eligible institution submits an application under
17 subsection (e).

18 “(2) The eligible institution submits an applica-
19 tion under subsection (e).

20 “(3) The eligible institution demonstrates, on
21 the date of the application described in subsection
22 (e), the availability of non-Federal funding for the
23 matching funds required under subparagraphs (A),
24 (B), and (C) of subsection (d)(1).

1 “(c) DURATION.—A grant awarded under this section
2 shall be for a 5-year period.

3 “(d) NON-FEDERAL CONTRIBUTION.—

4 “(1) IN GENERAL.—Except as provided in para-
5 graph (2), an eligible institution awarded a grant
6 under this section shall contribute in cash from non-
7 Federal sources, the following:

8 “(A) For the second year of the grant pe-
9 riod, an amount equal to 20 percent of the cost
10 of carrying out the community college student
11 success program at the institution for such
12 year.

13 “(B) For the third year of the grant pe-
14 riod, an amount equal to 40 percent of the cost
15 of carrying out such program for such year.

16 “(C) For the fourth year of the grant pe-
17 riod, an amount equal to 60 percent of the cost
18 of carrying out such program for such year.

19 “(D) For the fifth year of the grant pe-
20 riod, an amount equal to 80 percent of the cost
21 of carrying out such program for such year.

22 “(2) EXCEPTION.—

23 “(A) IN GENERAL.—Notwithstanding para-
24 graph (1), with respect to an exempt institution
25 awarded a grant under this section, for each

1 year of the grant period beginning with the sec-
2 ond year through the fifth year, the Secretary
3 shall not require the institution to make a cash
4 contribution from non-Federal sources in an
5 amount that is greater than the amount equal
6 to 5 percent of the cost of carrying out the
7 community college student success program at
8 the institution for such year.

9 “(B) DEFINITIONS.—For purposes of this
10 paragraph:

11 “(i) EXEMPT INSTITUTION.—The
12 term ‘exempt institution’ means an eligible
13 institution that is a—

14 “(I) Tribal college or university;
15 or

16 “(II) an institution located in the
17 Commonwealth of Puerto Rico, Guam,
18 American Samoa, the United States
19 Virgin Islands, the Commonwealth of
20 the Northern Mariana Islands, the
21 Republic of the Marshall Islands, the
22 Federated States of Micronesia, or the
23 Republic of Palau.

24 “(ii) TRIBAL COLLEGE OR UNIVER-
25 SITY.—The term ‘Tribal college or univer-

1 sity’ has the meaning given the term in
2 section 316 of the Higher Education Act
3 of 1965 (20 U.S.C. 1059c).

4 “(e) APPLICATION.—

5 “(1) IN GENERAL.—An eligible institution de-
6 siring a grant under this section shall submit an ap-
7 plication to the Secretary at such time, in such man-
8 ner, and containing such information as the Sec-
9 retary may require, which shall include a copy of the
10 report described in 420U(e).

11 “(2) REQUIREMENTS FOR ELIGIBLE INSTITU-
12 TIONS THAT REAPPLY.—An institution that submits
13 an application under paragraph (1) that is not the
14 first application submitted by such institution under
15 such paragraph shall include the following in such
16 application:

17 “(A) The number of applications such eli-
18 gible institution has submitted under paragraph
19 (1) and the dates on which such applications
20 were submitted.

21 “(B) A description of the changes the eligi-
22 ble institution has made since the most recent
23 application submitted under paragraph (1) to
24 improve the plan to implement a community

1 college student success program at such eligible
2 institution.

3 “(3) REVIEW.—Not later than 60 days after re-
4 ceiving an application under this subsection, the Sec-
5 retary shall approve or deny such application.

6 “(f) REQUIRED USE OF FUNDS.—An eligible institu-
7 tion that receives a grant under this section shall use the
8 grant funds to—

9 “(1) implement a community college student
10 success program;

11 “(2) regularly review—

12 “(A) data to monitor the academic
13 progress of eligible students participating in
14 such program; and

15 “(B) the meeting and program participa-
16 tion requirements described in section
17 420AA(1); and

18 “(3) cover the employment of administrators
19 for the program whose sole job shall be to admin-
20 ister the program, without regard to whether the
21 employment is full-time or less than full-time.

22 “(g) PERMISSIBLE USE OF FUNDS.—An eligible in-
23 stitution that receives a grant under this section may use
24 the grant to—

1 “(1) establish or expand a data tracking system
2 that includes early alerts to complete the regular re-
3 views required under subsection (f)(2);

4 “(2) provide eligible students participating in
5 the community college student success program for
6 which the grant is awarded with financial assistance
7 to cover the costs described in paragraph (2), (3), or
8 (8) of section 472;

9 “(3) establish or expand career development
10 services for such students, such as career workshops
11 or career counseling;

12 “(4) establish or expand tutoring services for
13 such students; and

14 “(5) provide financial support for eligible stu-
15 dents participating in such program to enroll in
16 courses offered during enrollment periods that are
17 outside the fall and spring semesters (or equivalent
18 terms).

19 “(h) REPORTS.—An eligible institution that receives
20 a grant under this section shall—

21 “(1) not less than once for each year of the
22 grant period, submit to the Secretary an annual per-
23 formance report for such year of the grant period,
24 and when data is available, compares such year with

1 each of the 2 years preceding the date on which the
2 grant was awarded—

3 “(A) the demographic characteristics of
4 the eligible students participating in the com-
5 munity college student success program;

6 “(B) the average number of credits at-
7 tempted and average number of credits earned,
8 rate of retention, rate of degree completion, and
9 rates of transfer of such eligible students;

10 “(C) the graduation rate of such eligible
11 students within—

12 “(i) 100 percent of the normal time
13 for graduation;

14 “(ii) 150 percent of the normal time
15 for graduation; and

16 “(iii) 200 percent of the normal time
17 for graduation;

18 “(D) an analysis of the implementation
19 and progress of such program based on the am-
20 bitious outcome goals described in the report
21 submitted by the institution under section
22 420U(e)(1)(A), including challenges to and
23 changes made to such program; and

24 “(E) if according to the analysis under
25 subparagraph (D), the program is not on track

1 to meet such ambitious outcome goals, a de-
2 scription of the plans to adjust the program to
3 improve the performance of the program; and

4 “(F) the participation of such eligible stu-
5 dents in tutoring, career services, and meetings
6 with program advisors;

7 “(G) for the report for year 3 of the grant
8 period, the plan to meet the non-Federal con-
9 tribution requirement under subsection
10 (d)(1)(D);

11 “(H) for the report for year 4 of the grant
12 period, a description of—

13 “(i) the source of the funds to meet
14 the non-Federal contribution requirement
15 under subsection (d)(1)(D);

16 “(ii) the plans to continue to fund
17 such program after the grant period ends;
18 and

19 “(iii) the plans to use this program as
20 a catalyst for institution-wide reform with
21 respect to graduation rates and transfer
22 rates for all students; and

23 “(2) not later than 6 years after the date on
24 which the eligible institution received such grant,

1 submit a final report to the Secretary that includes
2 an analysis of—

3 “(A) the factors that contributed to the
4 success or failure of the community college stu-
5 dent success program in meeting the ambitious
6 outcome goals described in the report submitted
7 by the institution under section 3(e)(1)(A);

8 “(B) the challenges faced in attempting to
9 implement such program;

10 “(C) information on how to improve such
11 program;

12 “(D) whether the program has created an
13 institution-wide reform with respect to gradua-
14 tion rates and transfer rates for all students,
15 and if so, how such reform was created; and

16 “(E) how the eligible institution will con-
17 tinue to fund such program after the end of the
18 grant period.

19 **“SEC. 420W. EVALUATIONS.**

20 “(a) INDEPENDENT EVALUATIONS.—Before final-
21 izing which eligible institutions will receive grants under
22 section 420V for a fiscal year, the Secretary, acting
23 through the Director of the Institute of Education
24 Sciences, shall enter into a contract with an independent
25 evaluator—

1 “(1) to consult with the Secretary on which eli-
2 gible institutions should receive the grants; and

3 “(2) to use the What Works Clearinghouse
4 Standards (without reservations) to evaluate,
5 throughout the duration of the grant period of such
6 grants—

7 “(A) each community college student suc-
8 cess program for which such grant is awarded,
9 including whether the program met its ambi-
10 tious outcome goals described in the report sub-
11 mitted by the institution under section
12 420U(e)(1)(A);

13 “(B) the average impact of community col-
14 lege student success programs on graduation
15 rates and transfer rates for eligible students;

16 “(C) the variation in program impact
17 across eligible institutions with respect to such
18 rates; and

19 “(D) whether such programs lead to higher
20 graduation rates and transfer rates of eligible
21 students per dollar spent for such students by
22 such institutions compared with such rates at
23 eligible institutions without such programs.

1 “(b) RESULTS OF EVALUATIONS.—The results of the
2 evaluations under subsection (a) shall be made publicly
3 available on the website of the Department of Education.

4 “(c) FUNDING FOR EVALUATIONS.—The Secretary
5 may reserve not more than 15 percent of the funds appro-
6 priated under section 420BB for a fiscal year to carry out
7 this section for such fiscal year.

8 **“SEC. 420X. OUTREACH AND TECHNICAL ASSISTANCE.**

9 “(a) OUTREACH.—The Secretary shall conduct out-
10 reach activities to notify eligible institutions of the avail-
11 ability of grants under this subpart.

12 “(b) TECHNICAL ASSISTANCE.—The Secretary shall
13 provide technical assistance—

14 “(1) to eligible institutions that may be inter-
15 ested in applying for grants under this subpart, in-
16 cluding assistance with applications for such grants;
17 and

18 “(2) to eligible institutions awarded grants
19 under this subpart, including assistance with—

20 “(A) establishing ambitious outcome goals
21 described in section 420U(e)(1)(A); and

22 “(B) the implementation of a community
23 college student success program.

24 “(c) FUNDING FOR TECHNICAL ASSISTANCE FOR
25 EVALUATIONS.—The Secretary may reserve not more

1 than 7 percent of the funds appropriated under section
2 420BB for a fiscal year for technical assistance under this
3 section for such fiscal year.

4 **“SEC. 420Y. REPORT TO CONGRESS.**

5 “Not later than 1 year after the date on which the
6 Secretary receives the final evaluation results under sec-
7 tion 420W for eligible institutions that were awarded
8 grants under section 420V for the same fiscal year, the
9 Secretary shall submit to Congress a report that in-
10 cludes—

11 “(1) the number of grants awarded under sec-
12 tion 420V for such fiscal year, and the amount of
13 such grants;

14 “(2) the number of grants awarded under sec-
15 tion 420U to eligible institutions that received the
16 grants described in paragraph (1), and the amount
17 of such grants;

18 “(3) the number of grants awarded under sec-
19 tion 420U to eligible institutions that would have
20 been eligible but did not receive the grants in para-
21 graph (1);

22 “(4) such final evaluation results; and

23 “(5) any other information the Secretary may
24 deem relevant.

1 **“SEC. 420Z. SUPPLEMENT, NOT SUPPLANT.**

2 “Funds awarded to an eligible institution under this
3 subpart shall be used only to supplement the amount of
4 funds that would, in the absence of the Federal funds pro-
5 vided under this subpart, be made available from non-Fed-
6 eral sources or other Federal sources to carry out the ac-
7 tivities under this subpart, and not to supplant such
8 funds.

9 **“SEC. 420AA. DEFINITIONS.**

10 “In this subpart:

11 “(1) COMMUNITY COLLEGE STUDENT SUCCESS
12 PROGRAM.—The term ‘community college student
13 success program’ means a program carried out by
14 an eligible institution under which the institution
15 carries out the following:

16 “(A) Provides eligible students partici-
17 pating in such program with an amount that
18 covers the cost of tuition and fees that are not
19 covered by any Federal, State, or institutional
20 financial assistance received by the student.

21 “(B) Requires eligible students partici-
22 pating in such program to—

23 “(i) be enrolled in the eligible institu-
24 tion and carry a full-time academic work-
25 load during each fall and spring semester

1 (or equivalent terms) during which the stu-
2 dent participates in such program;

3 “(ii) if the eligible student is referred
4 to remedial courses or is on academic pro-
5 bation, meet, on at least a weekly basis,
6 with a tutor, except that in the case of an
7 eligible student who is academically strug-
8 gling, but who is not referred to remedial
9 courses or on academic probation, the stu-
10 dent may meet with a tutor as often as the
11 program advisor for such student requires;

12 “(iii) meet with a program advisor—

13 “(I) twice each month during the
14 first semester (or equivalent term) of
15 participation in such program; and

16 “(II) as directed by the program
17 advisor in subsequent semesters (or
18 equivalent terms) under subparagraph
19 (C)(ii); and

20 “(iv) meet with an on-campus career
21 advisor or participate in a career services
22 event once each semester (or equivalent
23 term).

1 “(C) Provides a program advisor to each
2 eligible student participating in such program
3 who—

4 “(i) provides comprehensive academic
5 and personal advising to the eligible stu-
6 dent, including—

7 “(I) the creation and implemen-
8 tation of an academic plan for the
9 student to graduate from a program
10 of study at the eligible institution
11 within 150 percent of the normal time
12 for graduation from such program;

13 “(II) if an eligible student is re-
14 ferred to remedial courses, encour-
15 aging such student to complete such
16 courses as quickly as possible; and

17 “(III) assisting the eligible stu-
18 dent with developing and achieving
19 academic goals, including creating
20 strong transfer pathways that dem-
21 onstrate programmatic transfer for
22 students interested in transferring to
23 a 4-year institution of higher edu-
24 cation;

1 “(ii) after the eligible student partici-
2 pating in such program completes a semes-
3 ter (or equivalent term), creates for the eli-
4 gible student a needs-based advising sched-
5 ule that indicates, based on the eligible
6 student’s academic performance, the fre-
7 quency with which such eligible student
8 shall be required to meet with a program
9 advisor for each subsequent semester (or
10 equivalent term) of program participation;

11 “(iii) has a caseload of not more than
12 150 eligible students;

13 “(iv) tracks the attendance of the eli-
14 gible student at the meetings described in
15 clauses (ii), (iii), and (iv) of subparagraph
16 (B);

17 “(v) monitors the academic progress
18 of the eligible student; and

19 “(vi) provides each eligible student
20 who meets the requirements of subpara-
21 graph (B), on at least a monthly basis,
22 with financial incentives, such as a trans-
23 portation pass or a gas card.

24 “(D) Provides free tutoring and career
25 services to eligible students participating in

1 such program, and may reserve places in select
2 courses for such eligible students in order to
3 create a community within cohorts of eligible
4 students.

5 “(2) ELIGIBLE INSTITUTION.—The term ‘eligi-
6 ble institution’ means a public 2-year institution of
7 higher education.

8 “(3) ELIGIBLE STUDENT.—The term ‘eligible
9 student’ means a student enrolled at an eligible in-
10 stitution who—

11 “(A) on the date such eligible student
12 would begin participation in a community col-
13 lege student success program at such eligible
14 institution—

15 “(i) is enrolled in a program of study
16 leading to an associate degree;

17 “(ii) is enrolled at such institution
18 and carrying a full-time academic workload
19 during each fall and spring semester (or
20 equivalent terms) during which the student
21 participates in such program;

22 “(iii) is—

23 “(I) a first-time undergraduate
24 student; or

1 “(II) a continuing or transfer
2 student with not more than 15 credits
3 and a minimum grade point average
4 of 2.0 (or its equivalent); and

5 “(iv) is considered by the eligible in-
6 stitution to need no more than two reme-
7 dial courses;

8 “(B) if the student is eligible for financial
9 aid under title IV, has completed the Free Ap-
10 plication for Federal Student Aid or other com-
11 mon financial reporting form under section
12 483(a); and

13 “(C) meets any other requirements estab-
14 lished by the institution.

15 “(4) FULL-TIME ACADEMIC WORKLOAD.—The
16 term ‘full-time academic workload’, when used with
17 respect to a semester or equivalent term, means at
18 least 12 credits (or the equivalent).

19 “(5) INSTITUTION OF HIGHER EDUCATION.—
20 The term ‘institution of higher education’ has the
21 meaning given the term under section 101.

22 “(6) TRANSFER RATE.—The term ‘transfer
23 rate’, when used with respect to students enrolled in
24 a program of study at an eligible institution, means

1 the rate at which such students transfer to a 4-year
2 institution of higher education.

3 **“SEC. 420BB. AUTHORIZATION OF APPROPRIATIONS.**

4 “There are authorized to be appropriated to carry out
5 this subpart \$1,000,000,000, to be available until ex-
6 pended for fiscal year 2019 and each of the 5 succeeding
7 fiscal years.”.

8 **PART B**

9 **SEC. 4041. TERMINATION OF CERTAIN REPAYMENT PLAN**
10 **OPTIONS AND OPPORTUNITY TO CHANGE RE-**
11 **PAYMENT PLANS.**

12 Section 428(b) of the Higher Education Act of 1965
13 (20 U.S.C. 1078(b)) is amended—

14 (1) in paragraph (1)—

15 (A) in subparagraph (D)—

16 (i) in clause (ii), by striking “may an-
17 nually change the selection of a repayment
18 plan under this part,” and inserting “may
19 at any time after July 1, 2019, change the
20 selection of a repayment plan under this
21 part to one of the 2 repayment plans de-
22 scribed in paragraph (9)(C),”; and

23 (ii) in clause (iii), by striking “be sub-
24 ject to income contingent repayment in ac-
25 cordance with subsection (m);” and insert-

1 ing “be subject to income-based repayment
2 in accordance with section 493C(f);” and
3 (B) in subparagraph (E)(i), by striking
4 “the option of repaying the loan in accordance
5 with a standard, graduated, income-sensitive, or
6 extended repayment schedule (as described in
7 paragraph (9)) established by the lender in ac-
8 cordance with regulations of the Secretary;
9 and” and inserting “the option of repaying the
10 loan in accordance with a repayment plan de-
11 scribed in paragraph (9)(C) established by the
12 lender in accordance with regulations of the
13 Secretary; and”; and

14 (2) in paragraph (9), by adding at the end the
15 following:

16 “(C) SELECTION OF REPAYMENT PLANS
17 ON AND AFTER JULY 1, 2019.—

18 “(i) OPPORTUNITY TO CHANGE RE-
19 PAYMENT PLANS.—Notwithstanding any
20 other provision of this paragraph, or any
21 other provision of law, and in accordance
22 with regulations, beginning on July 1,
23 2019, the lender shall offer a borrower of
24 a loan made, insured, or guaranteed under
25 this part the opportunity to change repay-

1 ment plans, and to enroll in one of the fol-
2 lowing repayment plans:

3 “(I) A fixed repayment plan de-
4 scribed in section 493E.

5 “(II) The income-based repay-
6 ment plan under section 493C(f).”.

7 **SEC. 4042. CONFORMING AMENDMENT TO SEPARATE JOINT**
8 **CONSOLIDATION LOANS.**

9 Section 428C(a)(3)(B)(i)(V) of the Higher Education
10 Act of 1965 (20 U.S.C. 1078–3(3)(B)(i)(V)) is amend-
11 ed—

12 (1) by striking “or” at the end of item (bb);

13 (2) by striking the period at the end of item
14 (cc) and inserting “; or”; and

15 (3) by adding at the end the following:

16 “(dd) for the purpose of sep-
17 arating a joint consolidation loan
18 into 2 separate Federal Direct
19 Consolidation Loans under sec-
20 tion 455(g)(2).”.

21 **SEC. 4043. DISBURSEMENT OF STUDENT LOANS.**

22 Section 428G of the Higher Education Act of 1965
23 (20 U.S.C. 1078-7(a)) is amended—

24 (1) in subsection (a) by adding at the end the
25 following:

1 “(5) ADJUSTED COHORT DEFAULT RATE.—Be-
2 ginning on the date on which the final adjusted co-
3 hort default rates are published by the Secretary for
4 not less than 3 fiscal years under section 435(m), an
5 institution whose adjusted cohort default rate (as de-
6 termined under section 435(m)) for each of the 3
7 most recent fiscal years for which data are available
8 is less than 5 percent may disburse any loan made,
9 insured, or guaranteed under this part in a single in-
10 stallment for any period of enrollment that is not
11 more than 1 semester, 1 trimester, 1 quarter, or 4
12 months.”; and

13 (2) in subsection (e), by inserting before the pe-
14 riod the following: “, or beginning on the date on
15 which the final adjusted cohort default rates are
16 published by the Secretary for fiscal year 2016
17 under section 435(m), an adjusted cohort default
18 rate (as determined under section 435(m)) of less
19 than 2 percent”.

20 **SEC. 4044. STUDENT LOAN CONTRACT AND LOAN DISCLO-**
21 **SURES.**

22 (a) STUDENT LOAN CONTRACT.—Section
23 432(m)(1)(D) of the Higher Education Act of 1965 (20
24 U.S.C. 1082(m)(1)(D)) is amended by adding at the end
25 the following:

1 “(iv) STUDENT LOAN CONTRACT.—

2 “(I) IN GENERAL.—Any master
3 promissory note form described in this
4 subparagraph that is developed or
5 used for loans made under part D for
6 periods of enrollment beginning on or
7 after the date of enactment of the
8 Aim Higher Act shall be referred to
9 as a ‘student loan contract’.

10 “(II) CLARIFICATION ON USE.—
11 Notwithstanding clause (i), each stu-
12 dent loan contract for a part D loan
13 made for periods of enrollment begin-
14 ning on or after the date of enactment
15 of the Aim Higher Act shall—

16 “(aa) not be entered into by
17 a student unless the student has
18 completed all required counseling
19 related to such loan, including
20 counseling required under section
21 485(l);

22 “(bb) be signed by the stu-
23 dent entering such student loan
24 contract after completion of such
25 counseling; and

1 “(cc) be used only for the
2 award year for which the initial
3 loans are made under the con-
4 tract, and shall not be valid for
5 additional loans for the same or
6 subsequent periods of enroll-
7 ment.”.

8 (b) LOAN DISCLOSURES.—Section 432(m)(1)(D) of
9 the Higher Education Act of 1965 (20 U.S.C.
10 1082(m)(1)(D)) is further amended by adding after clause
11 (iv) (as amended) the following:

12 “(v) LOAN DISCLOSURES.—For loans
13 made for periods of enrollment beginning
14 on or after the date of enactment of the
15 Aim Higher Act, the Secretary shall take
16 such steps as are necessary to streamline
17 the student loan disclosure requirements
18 under this Act. The Secretary shall ensure
19 that information required to be disclosed to
20 a student who is applying for, receiving, or
21 preparing to repay a loan under part D of
22 this Act shall be streamlined in a manner
23 that—

1 “(I) reduces and simplifies the
2 paperwork students are required to
3 complete; and

4 “(II) limits the number of times
5 students are presented with disclo-
6 sures by incorporating the streamlined
7 disclosures into required student loan
8 counseling under section 485(l), the
9 student loan contract under this sub-
10 paragraph, or both.”.

11 **SEC. 4045. COHORT DEFAULT RATES.**

12 (a) INELIGIBILITY BASED ON HIGH DEFAULT
13 RATES.—

14 (1) IN GENERAL.—Section 435(a) of the High-
15 er Education Act of 1965 (20 U.S.C. 1085(a)) is
16 amended—

17 (A) in paragraph (7)(A), by adding at the
18 end the following:

19 “(iii) DEFAULT MANAGEMENT
20 PLAN.—The default management plan re-
21 quired under clause (II) may not include
22 placing students in forbearance as a means
23 of reducing the cohort default rate of the
24 institution.”; and

25 (B) by adding at the end the following:

1 “(9) INELIGIBILITY BASED ON HIGH DEFAULT
2 RATES ON OR AFTER FISCAL YEAR 2016.—Beginning
3 on the date that is one year after the date on which
4 the final adjusted cohort default rates are published
5 by the Secretary for not less than 3 fiscal years—

6 “(A) an institution shall be ineligible to
7 participate in a program under this title—

8 “(i) in a case in which the institu-
9 tion’s adjusted cohort default rate is great-
10 er than 20 percent for each of the three
11 most recent fiscal years for which the ad-
12 justed cohort default rate is published; or

13 “(ii)(I) in a case in which the institu-
14 tion’s adjusted cohort default rate is great-
15 er than 10 percent for each of the 8 most
16 recent fiscal years for which the adjusted
17 cohort default rate is published; and

18 “(II) the Secretary determines that
19 the institution has not made adequate
20 progress in meeting standards for student
21 achievement established by the relevant ac-
22 crediting agency or association pursuant to
23 section 496(a)(5)(A) during such 8-year
24 period; and

1 “(B) an institution whose adjusted cohort
2 default rate is greater than 15 percent for each
3 of the 6 most recent fiscal years for which the
4 adjusted cohort default rate is published—

5 “(i) shall be ineligible to receive Fed-
6 eral Pell Grants under section 401 on be-
7 half of any student who enrolls in the insti-
8 tution for the first-time after the expira-
9 tion of such 6-year period;

10 “(ii) shall be subject to ongoing track-
11 ing and monitoring by the Secretary to de-
12 termine the progress of the institution in
13 meeting the standards for student achieve-
14 ment described in subparagraph (A)(ii)(II);
15 and

16 “(iii) if the institution shows no im-
17 provement on meeting the standards for
18 student achievement described in subpara-
19 graph (A)(ii)(II) within a 2-year period,
20 such institution shall be ineligible to re-
21 ceive Federal loans under this title on be-
22 half of any student who enrolls in the insti-
23 tution for the first time after the expira-
24 tion of such 2-year period.

1 “(10) APPLICATION OF SECTION 435(A) TO AD-
2 JUSTED COHORT DEFAULT RATE.—Beginning on the
3 date on which the final adjusted cohort default rates
4 are published by the Secretary for not less than 3
5 fiscal years—

6 “(A) paragraph (1) shall be applied by
7 substituting ‘paragraph (9)’ for ‘paragraph (2)’;

8 “(B) paragraph (3) shall be applied by
9 substituting ‘adjusted cohort default rate, cal-
10 culated in accordance with subsection
11 (m)(1)(E), is equal to or greater than 20 per-
12 cent’ for ‘cohort default rate, calculated in ac-
13 cordance with subsection (m), is equal to or
14 greater than the threshold percentage specified
15 in paragraph (2)(B)(iv)’;

16 “(C) paragraph (4) shall be applied—

17 “(i) in subparagraph (C), by sub-
18 stituting ‘adjusted cohort default rate
19 equals or exceeds 15 percent’ for ‘cohort
20 default rate equals or exceeds 20 percent’;
21 and

22 “(ii) in the matter following subpara-
23 graph (C), by substituting ‘adjusted cohort
24 default rate to reflect the percentage of de-
25 faulted loans in the representative sample

1 that are required to be excluded pursuant
2 to subsection (m)(1)(B)’ for ‘cohort default
3 rate to reflect the percentage of defaulted
4 loans in the representative sample that are
5 required to be excluded pursuant to sub-
6 section (m)(1)(B)’;

7 “(D) paragraph (5)(A) shall be applied by
8 substituting ‘paragraph (9)’ for ‘paragraph (2)’;

9 “(E) paragraph (6) shall be applied—

10 “(i) in subparagraph (A)—

11 “(I) in the matter preceding
12 clause (i), by substituting ‘Any insti-
13 tution that has an adjusted cohort de-
14 fault rate that equals or exceeds 15
15 percent’ for ‘After July 1, 1999, any
16 institution that has a cohort default
17 rate that equals or exceeds 25 per-
18 cent’; and

19 “(II) in clause (i), by sub-
20 stituting ‘has an adjusted cohort de-
21 fault rate that is less than 15%’ for
22 ‘by July 1, 2004, have a cohort de-
23 fault rate that is less than 25 per-
24 cent’; and

1 “(ii) in subparagraph (B), by sub-
2 stituting ‘has an adjusted cohort default
3 rate that is less than 15%’ for ‘by July 1,
4 2004, have a cohort default rate that is
5 less than 25 percent’;

6 “(F) paragraph (7) shall be applied—

7 “(i) in subparagraph (A)(i)—

8 “(I) in the matter preceding sub-
9 clause (I), by substituting ‘adjusted
10 cohort default rate is equal to or
11 greater than 20 percent’ for ‘cohort
12 default rate is equal to or greater
13 than the threshold percentage speci-
14 fied in paragraph (2)(B)(iv)’;

15 “(II) in subclauses (I) and (II),
16 by substituting ‘adjusted cohort de-
17 fault rate’ for ‘cohort default rate’;
18 and

19 “(ii) in subparagraph (B)(i), by sub-
20 stituting ‘adjusted cohort default rate is
21 equal to or greater than 20 percent’ for
22 ‘cohort default rate is equal to or greater
23 than the threshold percentage specified in
24 paragraph (2)(B)(iv)’; and

1 “(G) paragraph (8) shall be applied by
2 substituting ‘adjusted cohort default rate’ for
3 ‘cohort default rate’ both places it appears.

4 “(11) EXCEPTION FOR TRANSITION TO AD-
5 JUSTED COHORT DEFAULT RATE METRIC.—

6 “(A) IN GENERAL.—During a period of
7 transition to using an adjusted cohort default
8 rate, any public institution with an adjusted co-
9 hort default rate that equals or exceeds 20 per-
10 cent may request a transition exception to con-
11 tinue to be an eligible institution for purposes
12 of title IV.

13 “(B) EXCEPTION REVIEW.—The Secretary,
14 with respect to an institution requesting an ex-
15 ception under subparagraph (A), shall—

16 “(i) review such institution to deter-
17 mine whether during year 4 of repayment
18 the institution’s default rate rose higher
19 than the default rate during year 3 of re-
20 payment; and

21 “(ii) if such rate is higher than 10
22 percent, require such institution to develop
23 a default management plan as specified in
24 section 435(a)(7).

1 “(C) TRANSITION PERIOD LIMIT.—An ex-
2 ception under subparagraph (A) shall expire not
3 later than 2 years after the date on which the
4 first year of the adjusted cohort default rate is
5 published with respect to the institution for
6 which the exception applies.”.

7 (2) CONFORMING AMENDMENTS.—Section
8 435(a)(2) of the Higher Education Act of 1965 (20
9 U.S.C. 1085(a)) is amended—

10 (A) in the paragraph heading, by adding at
11 the end the following: “BEFORE FISCAL YEAR
12 2016”; and

13 (B) in subparagraph (B)(iv), by striking
14 “and any succeeding fiscal year” and inserting
15 “through fiscal year 2015”.

16 (b) ADJUSTED COHORT DEFAULT RATE DEFINED.—
17 Section 435(m)(1) of the Higher Education Act of 1965
18 (20 U.S.C. 1085(m)(1)) is amended by adding at the end
19 the following:

20 “(E)(i) With respect to a cohort default
21 rate calculated for an institution under this
22 paragraph for fiscal year 2016 and for each
23 succeeding fiscal year, such cohort default rate
24 shall be adjusted as follows:

1 “(I) In determining the number of
2 current and former students at an institu-
3 tion who enter repayment for such fiscal
4 year—

5 “(aa) any such student who is in
6 nonmandatory forbearance for such
7 fiscal year for a period of greater than
8 18 months but less than 36 months
9 shall not be counted as entering re-
10 payment for such fiscal year;

11 “(bb) such a student shall be
12 counted as entering repayment for the
13 first fiscal year for which the student
14 ceases to be in a period of forbearance
15 and otherwise meets the requirements
16 for being in repayment; and

17 “(cc) any such student who is in
18 a period of forbearance for 3 or more
19 years shall be counted as in default
20 and included in the institution’s total
21 number of students in default.

22 “(II) Such rate shall be multiplied by
23 the percentage of students enrolled at the
24 institution for such fiscal year who are
25 borrowing a loan under part D of this title.

1 “(ii) The result obtained under this sub-
2 paragraph for an institution shall be referred to
3 in this Act as the ‘adjusted cohort default’ with
4 ‘cohort default’.”.

5 **SEC. 4046. CONFORMING AMENDMENTS.**

6 The Higher Education Act of 1965 (20 U.S.C. 1001
7 et seq.) is amended in section 435(a)(5)(A)(i)(I) (20
8 U.S.C. 1085(a)(5)(A)(i)(I)), by striking “under section
9 401(b)(2)(A)” and inserting “, as appropriate, under sec-
10 tion 401(b)(2)(A) (as in effect on the day before the effec-
11 tive date of the Aim Higher Act) or section 401(b)(1).”.

12 **SEC. 4047. AUTOMATIC INCOME MONITORING PROCEDURES**
13 **AFTER A TOTAL AND PERMANENT DIS-**
14 **ABILITY DISCHARGE.**

15 Section 437(a) of the Higher Education Act of 1965
16 (20 U.S.C. 1087(a)) is amended by adding at the end the
17 following:

18 “(3) AUTOMATIC INCOME MONITORING.—

19 “(A) IN GENERAL.—Not later than 2 years
20 after the date of enactment of the Aim Higher
21 Act, the Secretary shall establish and imple-
22 ment, with respect to any borrower described in
23 subparagraph (B), procedures to—

24 “(i) obtain (for each year of the in-
25 come-monitoring period described in sub-

1 paragraph (B) and without further action
2 by the borrower) such information as is
3 reasonably necessary regarding the income
4 of such borrower (and the borrower's
5 spouse, if applicable) for the purpose of de-
6 termining the borrower's continued eligi-
7 bility for the loan discharge described in
8 subparagraph (B) for such year, and any
9 other information necessary to determine
10 such continued eligibility of the borrower
11 for such year, except that in the case of a
12 borrower whose returns and return infor-
13 mation indicate that the borrower has no
14 earned income for any year of such in-
15 come-monitoring period, such borrower
16 shall be treated as not having earned in-
17 come in excess of the poverty line for such
18 year subject to clause (ii);

19 “(ii) allow the borrower, at any time,
20 to opt out of clause (i) and prevent the
21 Secretary from obtaining information
22 under such clause without further action
23 by the borrower; and

24 “(iii) provide the borrower with an op-
25 portunity to update the information ob-

1 tained under clause (i) before the deter-
2 mination of the borrower’s continued eligi-
3 bility for such loan discharge for such
4 year.

5 “(B) APPLICABILITY.—Subparagraph (A)
6 shall apply—

7 “(i) to each borrower of a covered
8 loan (defined in section 455(d)(10)) that is
9 discharged under this subsection or section
10 464(c)(1)(F) due to the permanent and
11 total disability of the borrower; and

12 “(ii) during the income-monitoring pe-
13 riod under this subsection, defined in this
14 paragraph as the period—

15 “(I) beginning on the date on
16 which such loan is so discharged; and

17 “(II) during which the Secretary
18 determines whether a reinstatement of
19 the obligation of, and resumption of
20 collection on, such loan may be nec-
21 essary.”.

22 **SEC. 4048. REPAYMENT OF PARENT LOANS DUE TO STU-**
23 **DENT DISABILITY.**

24 Section 437(d) of the Higher Education Act of 1965
25 (20 U.S.C. 1087(d)) is amended—

1 (1) by striking “If a student” and inserting the
2 following:

3 “(1) DEATH.—If a student”; and

4 (2) by adding at the end the following:

5 “(2) DISABILITY.—

6 “(A) IN GENERAL.—The Secretary shall
7 discharge a parent’s liability on a loan de-
8 scribed in section 428B by repaying the amount
9 owed on the loan if the student on whose behalf
10 the parent has received the loan—

11 “(i) becomes permanently and totally
12 disabled (as determined in accordance with
13 regulations of the Secretary); or

14 “(ii) is unable to engage in any sub-
15 stantial gainful activity by reason of any
16 medically determinable physical or mental
17 impairment that can be expected to result
18 in death, has lasted for a continuous pe-
19 riod of not less than 60 months, or can be
20 expected to last for a continuous period of
21 not less than 60 months.

22 “(B) DISABILITY DETERMINATIONS.—Sub-
23 section (a)(2) shall apply to a disability deter-
24 mination under this paragraph in the same

1 manner as such subsection applies to a deter-
2 mination under subsection (a)(1).

3 “(C) SAFEGUARDS.—The safeguards to
4 prevent fraud and abuse developed under sub-
5 section (a)(1) shall apply under this paragraph.

6 “(D) REINSTATEMENT OF LOANS.—The
7 Secretary may promulgate regulations to rein-
8 state the obligation of, and resume collection
9 on, loans discharged under this paragraph in
10 cases in which the Secretary determines that
11 the reinstatement and resumption is necessary
12 and appropriate based upon the regulations de-
13 veloped under subsection (a)(1).”

14 **PART C**

15 **SEC. 4051. PURPOSE; AUTHORIZATION OF APPROPRIA-**
16 **TIONS.**

17 Section 441 of the Higher Education Act of 1965 (20
18 U.S.C. 1087–51) is amended—

19 (1) in subsection (b), by striking “part, such
20 sums as may be necessary for fiscal year 2009 and
21 each of the five succeeding fiscal years.” and insert-
22 ing “part—

23 “(1) \$1,500,000,000 for fiscal year 2019;

24 “(2) \$1,750,000,000 for fiscal year 2020;

25 “(3) \$2,000,000,000 for fiscal year 2021;

1 “(4) \$2,250,000,000 for fiscal year 2022; and

2 “(5) \$2,500,000,000 for fiscal year 2023 and
3 each succeeding fiscal year.”;

4 (2) in subsection (c)—

5 (A) in paragraph (3), by striking “and”;

6 (B) in paragraph (4)(C), by striking the
7 period at the end and inserting “; and”; and

8 (C) by adding at the end the following:

9 “(5) work-based learning designed to give stu-
10 dents experience in any activity described in para-
11 graph (1), (2), (3), or (4), whether or not credit is
12 awarded.”; and

13 (3) by adding at the end the following:

14 “(d) WORK-BASED LEARNING DEFINED.—For pur-
15 poses of this part, the term ‘work-based learning’ means
16 sustained interactions with industry, community, or aca-
17 demic professionals in real workplace settings that—

18 “(1) foster in-depth, first-hand engagement
19 with the tasks required of a given career field that
20 are aligned to a student’s field of study; and

21 “(2) may include internships, fellowships, and
22 apprenticeships.”.

23 **SEC. 4052. ALLOCATION FORMULA.**

24 Section 442 of the Higher Education Act of 1965 (20
25 U.S.C. 1087–52) is amended to read as follows:

1 “(a) RESERVATIONS.—

2 “(1) RESERVATION FOR IMPROVED INSTITU-
3 TIONS.—

4 “(A) AMOUNT OF RESERVATION FOR IM-
5 PROVED INSTITUTIONS.—Beginning with the
6 first fiscal year that is 2 years after the date
7 of the enactment of the Aim Higher Act of
8 2018, for a fiscal year in which the amount ap-
9 propriated under section 441(b) exceeds
10 \$700,000,000, the Secretary shall—

11 “(i) reserve the lesser of—

12 “(I) an amount equal to 20 per-
13 cent of the amount by which the
14 amount appropriated under section
15 441(b) exceeds \$700,000,000; or

16 “(II) \$150,000,000; and

17 “(ii) allocate the amount reserved
18 under clause (i) to each improved institu-
19 tion in an amount equal to the greater of
20 the following:

21 “(I) The amount that bears the
22 same proportion to the amount re-
23 served under clause (i) as the total
24 amount of all Federal Pell Grant
25 funds awarded at the improved insti-

1 tution for the second preceding fiscal
2 year bears to the total amount of Fed-
3 eral Pell Grant funds awarded at im-
4 proved institutions participating under
5 this part for the second preceding fis-
6 cal year.

7 “(II) \$5,000.

8 “(B) IMPROVED INSTITUTION DE-
9 SCRIBED.—For purposes of this paragraph, an
10 improved institution is an institution that, on
11 the date the Secretary makes an allocation
12 under subparagraph (A)(ii)—

13 “(i) is an institution of higher edu-
14 cation (as defined under section 101);

15 “(ii) meets the requirements of sub-
16 section (d)(5); and

17 “(iii) is with respect to—

18 “(I) the completion rate or grad-
19 uation rate of Federal Pell Grant re-
20 cipients at the institution, in the top
21 75 percent of all institutions partici-
22 pating under this part for the pre-
23 ceding fiscal year;

24 “(II) the percentage of Federal
25 Pell Grant recipients at the institu-

1 tion, in the top 50 percent of the in-
2 stitutions described in subclause (I);
3 and

4 “(III) the annual increase in the
5 completion rate or graduation rate of
6 Federal Pell Grant recipients at the
7 institution, in the top 50 percent of
8 the institutions described in sub-
9 clauses (I) and (II).

10 “(C) COMPLETION RATE OR GRADUATION
11 RATE.—For purposes of determining the com-
12 pletion rate or graduation rate under this sec-
13 tion, a Federal Pell Grant recipient who is ei-
14 ther a full-time student or a part-time student
15 shall be counted as a completer or graduate if,
16 within 150 percent of the normal time for com-
17 pletion of or graduation from the program, the
18 student has completed or graduated from the
19 program, or enrolled in any program of an in-
20 stitution participating in any program under
21 this title for which the prior program provides
22 substantial preparation.

23 “(2) RESERVATION FOR GRANT PROGRAM.—
24 From the amount appropriated under section 441(b)
25 for a fiscal year and remaining after the Secretary

1 reserves funds under subparagraph (A), the Sec-
2 retary shall reserve \$30,000,000 to carry out grants
3 under section 449.

4 “(3) REALLOCATION OF AMOUNT RETURNED BY
5 IMPROVED INSTITUTIONS.—If an institution returns
6 to the Secretary any portion of the sums allocated
7 to such institution under this subsection for any fis-
8 cal year, the Secretary shall reallocate such excess to
9 improved institutions on the same basis as under
10 paragraph (1)(A).

11 “(4) PUBLICATION.—Beginning 1 year after
12 the first allocations are made to improved institu-
13 tions under paragraph (1)(A) and annually there-
14 after, the Secretary shall make publicly available—

15 “(A) a list of the improved institutions
16 that received funding under such paragraph in
17 the prior fiscal year;

18 “(B) the percentage of students at each
19 such improved institution that are Federal Pell
20 Grant recipients;

21 “(C) the completion rate or graduation
22 rate for the students described in subparagraph
23 (B) with respect to each such improved institu-
24 tion; and

1 “(D) a comparison between the informa-
2 tion described in subparagraphs (A), (B), and
3 (C) for the prior fiscal year for such improved
4 institution, and such information for the year
5 prior to such year.

6 “(b) ALLOCATION FORMULA FOR FISCAL YEARS
7 2019 THROUGH 2023.—

8 “(1) IN GENERAL.—From the amount appro-
9 priated under section 441(b) for a fiscal year and re-
10 maining after the Secretary reserves funds under
11 subsection (a), the Secretary shall allocate to each
12 institution—

13 “(A) for fiscal year 2019, an amount equal
14 to the greater of—

15 “(i) 90 percent of the amount the in-
16 stitution received under this subsection
17 and subsection (a) for fiscal year 2018, as
18 such subsections were in effect with re-
19 spect to such fiscal year (in this subpara-
20 graph referred to as ‘the 2018 amount for
21 the institution’); or

22 “(ii) the fair share amount for the in-
23 stitution determined under subsection (d);

24 “(B) for fiscal year 2020, an amount equal
25 to the greater of—

1 “(i) 80 percent of the 2018 amount
2 for the institution; or

3 “(ii) the fair share amount for the in-
4 stitution determined under subsection (d);

5 “(C) for fiscal year 2021, an amount equal
6 to the greater of—

7 “(i) 60 percent of the 2018 amount
8 for the institution; or

9 “(ii) the fair share amount for the in-
10 stitution determined under subsection (d);

11 “(D) for fiscal year 2022, an amount equal
12 to the greater of—

13 “(i) 40 percent of the 2018 amount
14 for the institution; or

15 “(ii) the fair share amount for the in-
16 stitution determined under subsection (d);

17 and

18 “(E) for fiscal year 2023, an amount equal
19 to the greater of—

20 “(i) 20 percent of the 2018 amount
21 for the institution; or

22 “(ii) the fair share amount for the in-
23 stitution determined under subsection (d).

24 “(2) RATABLE REDUCTION.—

1 “(A) IN GENERAL.—If the amount appro-
2 priated under section 441(b) for a fiscal year
3 and remaining after the Secretary reserves
4 funds under subsection (a) is less than the
5 amount required to be allocated to the institu-
6 tions under this subsection, then the amount of
7 the allocation to each institution shall be rat-
8 ably reduced.

9 “(B) ADDITIONAL APPROPRIATIONS.—If
10 the amounts allocated to each institution are
11 ratably reduced under subparagraph (A) for a
12 fiscal year and additional amounts are appro-
13 priated for such fiscal year, the amount allo-
14 cated to each institution from the additional
15 amounts shall be increased on the same basis as
16 the amounts under subparagraph (A) were re-
17 duced (until each institution receives the
18 amount required to be allocated under this sub-
19 section).

20 “(c) ALLOCATION FORMULA FOR FISCAL YEAR 2024
21 AND EACH SUCCEEDING FISCAL YEAR.—Except as pro-
22 vided in subsection (d)(5), from the amount appropriated
23 under section 441(b) for fiscal year 2024 and each suc-
24 ceeding fiscal year and remaining after the Secretary re-
25 serves funds under subsection (a), the Secretary shall allo-

1 cate to each institution the fair share amount for the insti-
2 tution determined under subsection (d).

3 “(d) DETERMINATION OF FAIR SHARE AMOUNT.—

4 “(1) IN GENERAL.—Subject to paragraph (2),
5 the fair share amount for an institution for a fiscal
6 year shall be equal to the sum of—

7 “(A) 100 percent of the institution’s un-
8 dergraduate student need described in para-
9 graph (2) for the preceding fiscal year; and

10 “(B) 25 percent of the institution’s grad-
11 uate student need described in paragraph (3)
12 for the preceding fiscal year.

13 “(2) INSTITUTIONAL UNDERGRADUATE STU-
14 DENT NEED.—The undergraduate student need for
15 an institution for a fiscal year shall be equal to the
16 sum of the following:

17 “(A) An amount equal to 50 percent of the
18 amount that bears the same proportion to the
19 available appropriated amount for such fiscal
20 year as the total amount of Federal Pell Grant
21 funds awarded at the institution for the pre-
22 ceding fiscal year bears to the total amount of
23 Federal Pell Grant funds awarded at all institu-
24 tions participating under this part for the pre-
25 ceding fiscal year.

1 “(B) An amount equal to 50 percent of the
2 amount that bears the same proportion to the
3 available appropriated amount for such fiscal
4 year as the total amount of the undergraduate
5 student need at the institution for the preceding
6 fiscal year bears to the total amount of under-
7 graduate student need at all institutions partici-
8 pating under this part for the preceding fiscal
9 year.

10 “(3) INSTITUTIONAL GRADUATE STUDENT
11 NEED.—The graduate student need for an institu-
12 tion for a fiscal year shall be equal to the amount
13 that bears the same proportion to the available ap-
14 propriated amount for such fiscal year as the total
15 amount of the graduate student need at the institu-
16 tion for the preceding fiscal year bears to the total
17 amount of graduate student need at all institutions
18 participating under this part for the preceding fiscal
19 year.

20 “(4) ELIGIBILITY FOR FAIR SHARE AMOUNT.—
21 The Secretary may not allocate funds under this
22 part to any institution that, for two or more fiscal
23 years during any three fiscal year period beginning
24 not earlier than the first day of the first fiscal year

1 that is 2 years after the date of the enactment of
2 this paragraph, has—

3 “(A) a student population with less than 7
4 percent of undergraduate students who are re-
5 cipients of Federal Pell Grants; or

6 “(B) if the institution only enrolls grad-
7 uate students, a student population with less
8 than 5 percent of students that have an ex-
9 pected family contribution of zero.

10 “(5) DEFINITIONS.—In this subsection:

11 “(A) AVAILABLE APPROPRIATED
12 AMOUNT.—In this section, the term ‘available
13 appropriated amount’ means—

14 “(i) the amount appropriated under
15 section 441(b) for a fiscal year, minus

16 “(ii) the amounts reserved under sub-
17 section (a) for such fiscal year.

18 “(B) AVERAGE COST OF ATTENDANCE.—
19 The term ‘average cost of attendance’ means,
20 with respect to an institution, the average of
21 the attendance costs for a fiscal year for stu-
22 dents which shall include—

23 “(i) tuition and fees, computed on the
24 basis of information reported by the insti-

1 tution to the Secretary, which shall in-
2 clude—

3 “(I) total revenue received by the
4 institution from undergraduate and
5 graduate tuition and fees for the sec-
6 ond year preceding the year for which
7 it is applying for an allocation; and

8 “(II) the institution’s enrollment
9 for such second preceding year;

10 “(ii) standard living expenses equal to
11 150 percent of the difference between the
12 income protection allowance for a family of
13 five with one in college and the income
14 protection allowance for a family of six
15 with one in college for a single independent
16 student; and

17 “(iii) books and supplies, in an
18 amount not exceeding \$1000.

19 “(C) GRADUATE STUDENT NEED.—The
20 term ‘graduate student need’ means, with re-
21 spect to a graduate student for a fiscal year,
22 the lesser of the following:

23 “(i) The amount equal to (except the
24 amount computed by this clause shall not
25 be less than zero)—

1 “(I) the average cost of attend-
2 ance for the preceding fiscal year,
3 minus

4 “(II) each such graduate stu-
5 dent’s expected family contribution
6 (computed in accordance with part F
7 of this title) for the preceding fiscal
8 year.

9 “(ii) The total loan limit for a Federal
10 Direct Unsubsidized Stafford Loan.

11 “(D) UNDERGRADUATE STUDENT NEED.—
12 The term ‘undergraduate student need’ means,
13 with respect to an undergraduate student for a
14 fiscal year, the lesser of the following:

15 “(i) The total of the amount equal to
16 (except the amount computed by this
17 clause shall not be less than zero)—

18 “(I) the average cost of attend-
19 ance for the fiscal year, minus

20 “(II) each such undergraduate
21 student’s expected family contribution
22 (computed in accordance with part F
23 of this title) for the preceding fiscal
24 year.

1 “(ii) The total loan limit for a Federal
2 Direct Unsubsidized Stafford Loan and a
3 Federal Direct Loan.

4 “(e) RETURN OF SURPLUS ALLOCATED FUNDS.—

5 “(1) IN GENERAL.—Except with respect to
6 funds returned under subsection (a)(3), if an institu-
7 tion returns to the Secretary any portion of the
8 sums allocated to such institution under this section
9 for any fiscal year, the Secretary shall reallocate such
10 excess to institutions that used at least 10 percent
11 of the total amount of funds granted to such institu-
12 tion under this section to compensate students em-
13 ployed during a qualified period of nonenrollment
14 (as such term is defined in section 443(f)) on the
15 same basis as excess eligible amounts are allocated
16 under subsection (d).

17 “(2) USE OF FUNDS.—Funds received by insti-
18 tutions pursuant to this subsection shall be used to
19 compensate students employed in work-based learn-
20 ing positions.

21 “(3) RETAINED FUNDS.—

22 “(A) AMOUNT RETURNED.—If an institu-
23 tion returns more than 10 percent of its alloca-
24 tion under paragraph (1), the institution’s allo-

1 cation for the next fiscal year shall be reduced
2 by the amount returned.

3 “(B) WAIVER.—The Secretary may waive
4 this paragraph for a specific institution if the
5 Secretary finds that enforcing this paragraph
6 would be contrary to the interest of the pro-
7 gram.

8 “(f) FILING DEADLINES.—The Secretary may re-
9 quire applications under this section, at such time, in such
10 manner, and containing such information as the Secretary
11 may require.”.

12 **SEC. 4053. GRANTS FOR FEDERAL WORK-STUDY PRO-**
13 **GRAMS.**

14 Section 443 of the Higher Education Act of 1965 (20
15 U.S.C. 1087–53) is amended—

16 (1) in subsection (b)—

17 (A) by amending paragraph (2)(A) to read
18 as follows:

19 “(A) for fiscal year 2019 and succeeding
20 fiscal years, an institution shall (unless the Sec-
21 retary determines that enforcing this subpara-
22 graph would cause hardship for students at the
23 institution) use—

24 “(i) at least 7 percent of the total
25 amount of funds granted to such institu-

1 tion under this section for such fiscal year
2 to compensate students employed in work-
3 based learning positions; and

4 “(ii) at least 3 percent of the total
5 amount of funds granted to such institu-
6 tion under this section for such fiscal year
7 to compensate students who have excep-
8 tional need (as defined in section
9 413C(c)(2)) and are employed in a work-
10 based learning position during a qualified
11 period of nonenrollment, as defined in sub-
12 section (f).”;

13 (B) in paragraph (4)—

14 (i) by striking “\$300” and inserting
15 “\$500”; and

16 (ii) by inserting “except as provided
17 under subsection (f),” before “provide”;

18 (C) in paragraph (5), by striking “75 per-
19 cent” each place it appears and inserting “75
20 percent in the first year after the date of the
21 enactment of the Aim Higher Act, 65 percent
22 in the first succeeding fiscal year, 60 percent in
23 the second succeeding fiscal year, 55 percent in
24 the third succeeding fiscal year, and 50 percent
25 each succeeding fiscal year”;

1 (D) in paragraph (6)—

2 (i) by inserting “who demonstrate ex-
3 ceptional need (as defined in section
4 413C(c)(2))” after “students”; and

5 (ii) by inserting after “institution”,
6 “and prioritize employment for students
7 who are currently or formerly homeless
8 children and youths (as such term is de-
9 fined in section 725 of the McKinney-
10 Vento Homeless Assistance act (42 U.S.C.
11 11434a)) or foster care children and
12 youth”;

13 (E) in paragraph (7), by striking “voca-
14 tional” and inserting “career”;

15 (F) in paragraph (8)(A)(i), by striking “or
16 vocational goals” and inserting “career goals”;

17 (G) in paragraph (10), by striking “; and”
18 and inserting a semicolon;

19 (H) in paragraph (11), by striking the pe-
20 riod at the end and inserting a semicolon; and

21 (I) by adding at the end the following:

22 “(12) provide assurances that compensation of
23 students employed in the work-study program in ac-
24 cordance with the agreement shall include reim-
25 bursement for reasonable travel (not including the

1 purchase of a vehicle) directly related to such work-
2 study program;

3 “(13) provide assurances that the institution
4 will administer and use feedback from the surveys
5 required under section 450, to improve the experi-
6 ences of students employed in the work-study pro-
7 gram in accordance with the agreement;

8 “(14) provide assurances that the institution
9 will collect data from students and employers such
10 that the employment made available from funds
11 under this part will, to the maximum extent prac-
12 ticable, complement and reinforce the educational
13 goals or career goals of each student receiving as-
14 sistance under this part; and

15 “(15) provide assurances that if the institution
16 receives funds under section 442(a)(1)(A), such in-
17 stitution shall—

18 “(A) use such funds to compensate stu-
19 dents employed in the work-study program in
20 accordance with the agreement;

21 “(B) prioritize the awarding of such funds
22 (and increasing the amount of each award) to
23 students—

24 “(i) who demonstrate exceptional need
25 (as defined in section 413C(e)(2)); and

1 “(ii) who are employed in work-based
2 learning opportunities through the work
3 study program in accordance with the
4 agreement.”;

5 (2) in subsection (c)—

6 (A) by striking paragraph (2);

7 (B) by inserting after paragraph (1) the
8 following:

9 “(2) provide assurances that compensation of
10 students employed in the work-study program in ac-
11 cordance with the agreement shall include reim-
12 bursement for reasonable travel (not including the
13 purchase of a vehicle) directly related to such work-
14 study program.”; and

15 (C) in paragraph (4), by inserting “and
16 complement and reinforce the educational goals
17 or career goals of each student receiving assist-
18 ance under this part” after “academically rel-
19 evant”;

20 (3) in subsection (d)(1)—

21 (A) by striking “In any academic year to
22 which subsection (b)(2)(A) applies, an institu-
23 tion shall ensure that” and inserting “An insti-
24 tution may use the”; and

1 (B) by striking “travel” and inserting
2 “reasonable travel (not including the purchase
3 of a vehicle)”;

4 (4) in subsection (e)(3), by striking “75” and
5 inserting “50”; and

6 (5) by adding at the end the following:

7 “(f) QUALIFIED PERIOD OF NONENROLLMENT.—

8 “(1) IN GENERAL.—A student may be awarded
9 work-study employment during a qualified period of
10 nonenrollment if—

11 “(A) the student demonstrates exceptional
12 need (as defined in section 413C(e)(2)) in the
13 award year prior to the qualified period of non-
14 enrollment;

15 “(B) the student is employed in a work-
16 based learning position; and

17 “(C) the employment—

18 “(i) involves less than 25 percent ad-
19 ministrative work; and

20 “(ii) is for at least 20 hours per week,
21 unless the institution waives such require-
22 ment—

23 “(I) at the request of the stu-
24 dent; or

1 “(II) based on a finding by the
2 institution that such requirement pre-
3 sents a hardship in finding a work-
4 based learning position for the stu-
5 dent.

6 “(2) FUNDS EARNED.—

7 “(A) IN GENERAL.—Any funds earned by
8 a student (beyond standard living expenses (as
9 such term is described in section
10 413D(c)(3)(C))) during the qualified period of
11 nonenrollment less than or equal to \$2,500 may
12 not be applied to such student’s cost of attend-
13 ance for the next period in which the student
14 is enrolled.

15 “(B) EXCESS FUNDS.—Any funds earned
16 by a student (beyond standard living expenses
17 (as such term is described in section
18 413D(c)(3)(C))) during the qualified period of
19 nonenrollment in excess of \$2,500 shall be ap-
20 plied to such student’s cost of attendance for
21 the next period in which the student is enrolled.

22 “(3) DEFINITION OF QUALIFIED PERIOD OF
23 NONENROLLMENT.—In this subsection, the term
24 ‘qualified period of nonenrollment’ means, with re-
25 spect to a student, a period of nonenrollment that—

1 “(A) occurs between a period of enrollment
2 and a period of anticipated enrollment; and

3 “(B) the duration of which is no longer
4 than 6 months.”.

5 **SEC. 4054. FLEXIBLE USE OF FUNDS.**

6 Section 445 of the Higher Education Act of 1965 (20
7 U.S.C. 1087–55) is amended—

8 (1) in subsection (a), by adding at the end the
9 following:

10 “(3) In addition to the carry-over sums author-
11 ized under paragraph (1) of this section, an institu-
12 tion may permit a student who completed the pre-
13 vious award period to continue to earn unearned
14 portions of the student’s work-study award from
15 that previous period if—

16 “(A) any reduction in the student’s need
17 upon which the award was based is accounted
18 for in the remaining portion; and

19 “(B) the student is currently employed in
20 a work-based learning position.”; and

21 (2) by striking “10 percent” both places it ap-
22 pears and inserting “20 percent”.

23 **SEC. 4055. JOB LOCATION AND DEVELOPMENT PROGRAMS.**

24 (a) AMENDMENTS.—Section 446 of the Higher Edu-
25 cation Act of 1965 (20 U.S.C. 1087–56) is amended—

1 (1) in subsection (a)—

2 (A) in paragraph (1), by striking “10 per-
3 cent or \$75,000” and inserting “20 percent or
4 \$150,000”; and

5 (B) in paragraph (2), by striking “voca-
6 tional” and inserting “career”; and

7 (2) in subsection (b)—

8 (A) by striking paragraphs (1) and (2);
9 and

10 (B) by inserting before paragraph (3) the
11 following:

12 “(1) provide satisfactory assurance that the in-
13 stitution will prioritize placing students with excep-
14 tional need (as defined in section 413C(c)(2)) and
15 Federal work-study recipients in jobs located and de-
16 veloped under this section;

17 “(2) provide satisfactory assurances that the
18 funds available under this section will be used to lo-
19 cate and develop work-based learning positions;”;
20 and

21 (C) in paragraph (6), by striking the pe-
22 riod and inserting the following: “, including—

23 “(A) the number of students employed in
24 work-based learning positions through such pro-
25 gram;

1 “(B) the number of students dem-
2 onstrating exceptional need (as defined in sec-
3 tion 413C(c)(2)) and Federal work-study recipi-
4 ents employed through such program; and

5 “(C) the number of students dem-
6 onstrating exceptional need (as defined in sec-
7 tion 413C(c)(2)) and Federal work-study recipi-
8 ents employed in work-based learning positions
9 through such program.”.

10 (b) CLARIFICATION ON CARRY-OVER AUTHORITY.—
11 Of the sums granted to an eligible institution under part
12 C of title IV of the Higher Education Act (20 U.S.C.
13 1087–51) for any fiscal year, 10 percent may, at the dis-
14 cretion of the institution, remain available for expenditure
15 during the succeeding fiscal year to carry out programs
16 under such part, including the job location and develop-
17 ment programs under section 446 of such Act (20 U.S.C.
18 1087–56).

19 **SEC. 4056. COMMUNITY SERVICE.**

20 Section 447 of the Higher Education Act of 1965 (20
21 U.S.C. 1087–57) is amended to read as follows:

22 **“SEC. 447. ADDITIONAL FUNDS TO CONDUCT COMMUNITY**
23 **SERVICE WORK STUDY PROGRAMS.**

24 “Each institution participating under this part may
25 use up to 10 percent of the funds made available under

1 section 489(a) and attributable to the amount of the insti-
2 tution's expenditures under this part to conduct that insti-
3 tution's program of community service-learning, includ-
4 ing—

5 “(1) development of mechanisms to assure the
6 academic quality of the student experience;

7 “(2) assuring student access to educational re-
8 sources, expertise, and supervision necessary to
9 achieve community service objectives;

10 “(3) assuring, to the maximum extent prac-
11 ticable, that the community service-learning program
12 will support the educational goals or career goals of
13 students participating in such program;

14 “(4) collaboration with public and private non-
15 profit agencies, and programs assisted under the
16 National and Community Service Act of 1990 in the
17 planning, development, and administration of such
18 programs; and

19 “(5) to recruit and compensate students for
20 community service-learning (including compensation
21 for time spent in training and for reasonable travel
22 (not including the purchase of a vehicle) directly re-
23 lated to such community service).”.

1 **SEC. 4057. PILOT GRANT PROGRAM.**

2 Part C of title IV of the Higher Education Act (20
3 U.S.C. 1087–51 et seq.) is amended by adding at the end
4 the following:

5 **“SEC. 449. WORK-BASED LEARNING OPPORTUNITIES PILOT**
6 **GRANT PROGRAM.**

7 “(a) ESTABLISHMENT.—

8 “(1) IN GENERAL.—The Secretary shall estab-
9 lish a program to provide grants to eligible institu-
10 tions participating under this part to establish or ex-
11 pand a program to develop work-based learning posi-
12 tions.

13 “(2) LIMITATIONS.—

14 “(A) DURATION.—A grant awarded under
15 this section shall be for a period of not more
16 than 4 years, but may be renewed by the Sec-
17 retary for a period of 2 years.

18 “(B) AMOUNT.—A grant under this sec-
19 tion may not be in an amount greater than
20 \$1,000,000.

21 “(b) APPLICATION.—To be selected to receive a grant
22 under this section an eligible institution participating
23 under this part shall submit an application to the Sec-
24 retary at such time, in such manner, and containing such
25 information as the Secretary may require, including a plan
26 that describes how the eligible institution will establish or

1 expand a program to develop work-based learning posi-
2 tions that will—

3 “(1) benefit students who demonstrate excep-
4 tional need (as defined in section 413C(c)(2));

5 “(2) identify high-demand occupations (as de-
6 termined by the Bureau of Labor and Statistics,
7 State departments of labor, and local workforce in-
8 vestment boards) and develop partnerships with
9 high-demand employers (including nonprofit organi-
10 zations, for-profit firms, or public agencies);

11 “(3) involve participating employers in evalu-
12 ating and improving such program;

13 “(4) track and report academic and employ-
14 ment outcomes for participating students; and

15 “(5) be able to continue after the end of the
16 grant term.

17 “(c) USE OF FUNDS.—Grant funds awarded under
18 this program shall be used to pay wages for students par-
19 ticipating under this program and develop work-based
20 learning positions that—

21 “(1) are for a period of at least 12 weeks;

22 “(2) serve students who demonstrate excep-
23 tional need (as defined in section 413C(c)(2));

24 “(3) limit administrative work to no more than
25 25 percent of such position;

1 “(4) provide a minimum of 15 hours of work
2 per week during periods of enrollment and 30 hours
3 per week during periods of nonenrollment, except
4 such requirement may be waived by the institution
5 in consultation with a student;

6 “(5) include career coaching from participating
7 employers (including mock interviews, resume writ-
8 ing assistance, and counseling on applying for and
9 attaining employment); and

10 “(6) provide participating students with oppor-
11 tunities to meet with employers in fields or indus-
12 tries related to those of participating employers.

13 “(d) REPORT.—On a date that is before the date on
14 which the period of the grant received by an eligible insti-
15 tution under this section terminates, such institution shall
16 submit a report to the Secretary including—

17 “(1) the graduation rate or completion rate (as
18 described under section 442(a)(1)(C)) with respect
19 to students participating in work-based learning po-
20 sitions under the pilot program; and

21 “(2) the results of the work-based learning op-
22 portunities program for which such institution re-
23 ceived such grant, including—

24 “(A) participating students’ satisfaction
25 with the program as reported in surveys under

1 section 450, as amended by section 4178 of the
2 Aim Higher Act;

3 “(B) the types of jobs in which partici-
4 pating students were employed and the types of
5 duties performed in such jobs;

6 “(C) the academic programs of the partici-
7 pating students;

8 “(D) the share of participating students
9 who worked at another job, in addition to the
10 one under the pilot program;

11 “(E) the percentage of participating stu-
12 dents who, during the second quarter after
13 completing their academic program, are in edu-
14 cation or training activities or unsubsidized em-
15 ployment;

16 “(F) the percentage of participating stu-
17 dents employed in high-demand occupations
18 within 2 quarters of completing their academic
19 programs; and

20 “(G) other items as deemed relevant by the
21 Secretary.

22 “(e) RESERVATION OF FUNDING FOR SUCH PRO-
23 GRAM.—From the amount appropriated under section
24 441(b) for a fiscal year and remaining after the Secretary
25 reserves funds under section 442(a)(1), the Secretary shall

1 reserve \$30,000,000 to carry out grants under this sec-
2 tion.”.

3 **SEC. 4058. DEPARTMENT ACTIVITIES.**

4 Part C of title IV of the Higher Education Act of
5 1965 (20 U.S.C. 1087–51 et seq.) is further amended by
6 adding at the end the following:

7 **“SEC. 450. DEPARTMENT ACTIVITIES.**

8 “(a) SURVEYS.—Not later than 1 year after the date
9 of the enactment of this section, the Secretary shall de-
10 velop, in consultation with work-study administrators from
11 institutions of higher education, participating employers,
12 and participating students—

13 “(1) a consumer-tested electronic survey for
14 students awarded work-study employment under the
15 Federal work-study program under this part that—

16 “(A) measures each such student’s satis-
17 faction with the Federal work-study program,
18 including—

19 “(i) any complaints the student has
20 with respect to the program;

21 “(ii) the amount and quality of the
22 on-the-job training the student received;

23 “(iii) the amount and quality of on-
24 the-job supervision and employer feedback
25 the student received;

1 “(iv) the amount and quality of infor-
2 mation provided by the institution about
3 the work-study program and job opportuni-
4 ties and the availability of work-study staff
5 at the institution;

6 “(v) the quality of the assistance pro-
7 vided by the institution to the student in
8 finding a work-study job and the avail-
9 ability of types of jobs; and

10 “(vi) the student’s overall satisfaction
11 with the work-study program;

12 “(B) measures the applicability of work-
13 study employment to the educational goals and
14 career goals of each such student;

15 “(C) elicits an assessment by each such
16 student of the capacity to manage time between
17 work-study employment and coursework;

18 “(D) measures, with respect to the pro-
19 gram—

20 “(i) the award amounts under the
21 program;

22 “(ii) the average number of hours stu-
23 dents worked per week, and the wages re-
24 ceived for such work;

1 “(iii) the number of on campus jobs
2 and off campus jobs;

3 “(iv) how students located work-study
4 positions;

5 “(v) the work performed at each job;

6 “(vi) whether students worked addi-
7 tional jobs while employed in a work-study
8 job (and the reason for such additional
9 job);

10 “(vii) whether the work-study employ-
11 ment had an impact on the student’s aca-
12 demic performance; and

13 “(viii) the voluntarily disclosed demo-
14 graphics of students awarded work-study
15 employment; and

16 “(E) includes such information as the Sec-
17 retary may require; and

18 “(2) a consumer-tested electronic survey for
19 employers of students described in paragraph (1)
20 that—

21 “(A) measures each such employer’s satis-
22 faction with the Federal work-study program,
23 including—

1 “(i) the extent to which the employer
2 is satisfied with its ability to accommodate
3 students’ schedules;

4 “(ii) the extent to which student-em-
5 ployees are prepared for the duties adver-
6 tised for the job; and

7 “(iii) the extent to which the employer
8 is satisfied with opportunities to make rec-
9 ommendations for improving institutions’
10 academic programs;

11 “(B) elicits an assessment by each such
12 employer of—

13 “(i) any complaints the employer had
14 with respect to the program;

15 “(ii) any skills or knowledge necessary
16 for the job that student-employees are
17 lacking; and

18 “(iii) the extent of outreach from in-
19 stitutions to the employer; and

20 “(C) includes such information as the Sec-
21 retary may require; and

22 “(3) a consumer-tested electronic survey that,
23 not less than once every 4 years, with respect to
24 each institution of higher education participating in
25 the Federal work-study program, measures—

1 “(A) methods used to recruit on-campus
2 and off-campus employers;

3 “(B) if an institution operates a job loca-
4 tion development program—

5 “(i) the share of jobs filled on-campus
6 and off-campus;

7 “(ii) the share of jobs filled by—

8 “(I) work-study recipients; and

9 “(II) students who demonstrate
10 exceptional need (as defined in section
11 413C(c)(2));

12 “(iii) the primary factors considered
13 in matching work-study students and jobs;

14 “(iv) the share of students employed
15 in work-based learning opportunities; and

16 “(v) the share of students employed
17 during qualified periods of nonenrollment,
18 including the share of students with excep-
19 tional need (as defined in section
20 413C(c)(2)) employed during qualified pe-
21 riods of nonenrollment;

22 “(C) the institution’s Federal and non-
23 Federal contributions toward work-study wages;

1 “(D) the primary factors considered in
2 awarding students work-study and in deter-
3 mining the amount of the award;

4 “(E) the acceptance rate among students
5 who were offered work-study aid; and

6 “(F) other information the Secretary may
7 require.

8 “(b) RESULTS.—The Secretary shall develop an on-
9 line portal—

10 “(1) for students, employers, and institutions of
11 higher education to access the surveys required
12 under subsection (a); and

13 “(2) to compile the results of such surveys.

14 “(c) REPORT.—Not less than once every 4 years after
15 the date of the enactment of this subsection, the Secretary
16 shall submit a report to Congress that includes—

17 “(1) the data collected under this section (re-
18 dacted for personal information);

19 “(2) with respect to students employed in work-
20 study through the Federal work-study program—

21 “(A) the types of jobs such students par-
22 ticipated in;

23 “(B) the average hours worked per week;

24 “(C) the average award amount;

25 “(D) the average wage rates;

1 “(E) the extent to which students enter
2 employment with skills and knowledge gained
3 from work-study participation that have pre-
4 pared them for the job; and

5 “(F) the students’ satisfaction with the
6 program and primary complaints;

7 “(3) the extent to which institutions conduct
8 outreach to employers and engage them in discus-
9 sions on improving academic programs;

10 “(4) the extent to which institutions conduct
11 outreach to students and make jobs readily avail-
12 able;

13 “(5) the extent to which the work-study employ-
14 ment aligns with students’ academic programs or ca-
15 reer goals;

16 “(6) the employers’ satisfaction with the pro-
17 gram and primary complaints; and

18 “(7) recommendations for improving the pro-
19 gram.

20 “(d) CONSULTATION.—In consulting with the entities
21 described in subsection (a) to create the electronic surveys
22 required under such subsection, the Secretary shall engage
23 with—

1 “(1) a representative sample of institutions of
2 higher education participating in the Federal work-
3 study program;

4 “(2) a representative sample of employers par-
5 ticipating in the Federal work-study program; and

6 “(3) a representative sample of students par-
7 ticipating in the Federal work-study program.

8 “(e) TECHNICAL ASSISTANCE.—The Secretary
9 shall—

10 “(1) provide technical assistance to institutions
11 participating under the Federal work-study program
12 under this part to—

13 “(A) comply with the amendments made
14 by subtitle O of the Aim Higher Act and the
15 regulations issued pursuant to this subtitle;

16 “(B) administer the surveys described in
17 subsection (a) to students and employers par-
18 ticipating in the Federal work-study program;

19 “(C) ensure that Federal work-study posi-
20 tions align with students’ educational goals or
21 career goals to the maximum extent practicable;
22 and

23 “(D) satisfy the requirements under sec-
24 tion 443(b)(7); and

1 “(2) issue guidance and provide technical as-
2 sistance to institutions to support improved partner-
3 ships and coordination among financial aid, career
4 services, and academic advisors to administer the
5 Federal work-study program.

6 “(f) RESPONSE RATE.—In the case of an institution
7 participating under the Federal work-study program
8 under this part with a response rate for students and em-
9 ployers with respect to the surveys described in subsection
10 (a)(1) of less than 75 percent, the Secretary shall require
11 such institution—

12 “(1) to submit to the Secretary an improvement
13 plan to increase such response rate; and

14 “(2) if the response rate has not improved 2
15 years after the date on which an improvement plan
16 was submitted under paragraph (1), submit to the
17 Secretary a revised improvement plan.

18 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
19 is authorized to be appropriated \$2,000,000 to carry out
20 subsection (a).”.

21 **SEC. 4059. STUDY AND REPORT.**

22 (a) STUDY.—Not later than 180 days after the date
23 of the enactment of this Act, the Comptroller General of
24 the United States shall conduct a study on best practices
25 for assisting students participating in the Federal work-

1 study program under Part C of title IV of the Higher
2 Education Act (42 U.S.C. 1087–51 et seq.) with—

3 (1) connecting to off-campus employers;

4 (2) procuring work-based learning opportunities
5 through such program;

6 (3) procuring employment that aligns with stu-
7 dents' educational goals or career goals;

8 (4) locating employment through job location
9 and development programs;

10 (5) procuring employment in high-demand occu-
11 pations;

12 (6) balancing employment with academic pro-
13 grams to improve graduation and completion rates;
14 and

15 (7) with respect to students with exceptional
16 need (as defined in section 413C(e)(2) of the Higher
17 Education Act of 1965 (20 U.S.C. 1070b–
18 2(c)(2)))—

19 (A) locating and coordinating work-study
20 employment during qualified periods of non-
21 enrollment;

22 (B) increasing participation of such stu-
23 dents in such work-study program; and

24 (C) limiting the need for additional em-
25 ployment outside the work-study program.

1 (b) REPORT.—Not later than one year after the date
2 on which the study required under subsection (a) is com-
3 pleted, the Comptroller General of the United States shall
4 submit to Congress a report summarizing the findings of
5 such study.

6 (c) PUBLISH REPORT.—The Comptroller General of
7 the United States shall make the report required under
8 subsection (b) available to the public on the website of the
9 Government Accountability Office.

10 **PART D**

11 **SEC. 4061. REFINANCING PROGRAMS.**

12 Section 451(a) of the Higher Education Act of 1965
13 (20 U.S.C. 1087a(a)) is amended—

14 (1) by striking “and (2)” and inserting “(2)”;
15 and

16 (2) by inserting “; and (3) to make loans under
17 section 460A and section 460B” after “section
18 459A”.

19 **SEC. 4062. AMENDMENTS TO TERMS AND CONDITIONS OF**
20 **LOANS AND REPAYMENT PLANS.**

21 (a) REPEAL OF ORIGINATION FEES.—Subsection (c)
22 of section 455 of the Higher Education Act of 1965 (20
23 U.S.C. 1087e(c)) is repealed.

24 (b) RULEMAKING REGARDING TERMINATION OF
25 CERTAIN REPAYMENT PLANS.—Before the effective date

1 of this title, the Secretary of Education shall carry out
2 a plan to end all eligibility for repayment plans other than
3 a fixed repayment plan described in section 493E and an
4 income-based repayment plan described under section
5 493C(f) for loans made under part B or D of title IV of
6 the Higher Education Act of 1965, unless the borrower
7 is enrolled in another repayment plan before such effective
8 date, in accordance with the amendments made by this
9 Act.

10 (c) REPAYMENT PLANS.—Section 455(d) of the
11 Higher Education Act of 1965 (20 U.S.C. 1087e(d)) is
12 amended—

13 (1) by redesignating paragraphs (2) through
14 (5) as paragraphs (3) through (6), respectively;

15 (2) by inserting after paragraph (1), the fol-
16 lowing:

17 “(2) DESIGN AND SELECTION ON AND AFTER
18 JULY 1, 2019.—

19 “(A) IN GENERAL.—Notwithstanding para-
20 graph (1), for the borrower of a loan made on
21 or after July 1, 2019, and for other borrowers
22 subject to paragraph (7), the Secretary shall
23 offer a borrower of a loan made under this part
24 2 plans for repayment of such loan, including
25 principal and interest on the loan. The borrower

1 shall be entitled to accelerate, without penalty,
2 repayment on the borrower's loans under this
3 part. The borrower may choose—

4 “(i) a fixed repayment plan described
5 in section 493E; or

6 “(ii) the income-based repayment plan
7 under section 493C(f).

8 “(B) SELECTION BY THE SECRETARY.—If
9 a borrower of a loan made under this part on
10 or after July 1, 2019, does not select a repay-
11 ment plan described in subparagraph (A), the
12 Secretary may provide the borrower with a
13 fixed repayment plan described in section 493E.

14 “(C) CHANGES IN SELECTIONS.—Begin-
15 ning on July 1, 2019, a borrower of a loan
16 made under this part may change the bor-
17 rower's selection of a repayment plan in accord-
18 ance with paragraph (7) and under such terms
19 and conditions as may be established by the
20 Secretary.”;

21 (3) in paragraph (6)(B), as redesignated, by
22 striking “an income contingent repayment plan.”
23 and inserting “the income-based repayment plan
24 under section 493C(f).”;

25 (4) by adding at the end the following:

1 “(7) BORROWERS OF LOANS MADE BEFORE
2 JULY 1, 2019.—A borrower who is in repayment on
3 a loan made under part B or part D before July 1,
4 2019—

5 “(A) may choose to retain the repayment
6 plan that the borrower was enrolled in on the
7 day before such date;

8 “(B) may elect to—

9 “(i) enter the income-based repayment
10 plan under section 493C(f); or

11 “(ii) enter a fixed repayment plan de-
12 scribed in section 493E;

13 “(C) after electing to leave a repayment
14 plan other than an income-based repayment
15 plan described under this subsection or a fixed
16 repayment plan described in section 493E, shall
17 not be permitted to re-elect a repayment plan
18 that is not an income-based repayment plan
19 under this subsection or a fixed repayment plan
20 described in section 493E; and

21 “(D) shall retain, for purposes of repay-
22 ment or cancellation of any outstanding balance
23 of principal and interest due on a loan as de-
24 scribed in section 493C(b)(7) any years of re-

1 payment under another income-based or income
2 contingent repayment plan under this title.

3 “(8) NOTIFICATION AND AUTOMATIC ENROLL-
4 MENT PROCEDURES FOR BORROWERS WHO ARE DE-
5 LINQUENT ON LOANS.—

6 “(A) AUTHORITY TO OBTAIN INCOME IN-
7 FORMATION.—In the case of any borrower who
8 is at least 60 days delinquent on a covered loan,
9 the Secretary may obtain such information as is
10 reasonably necessary regarding the income and
11 family size of the borrower (and the borrower’s
12 spouse, if applicable).

13 “(B) BORROWER NOTIFICATION.—With re-
14 spect to each borrower of a covered loan who is
15 at least 60 days delinquent on such loan and
16 who has not been subject to the procedures
17 under this paragraph for such loan in the pre-
18 ceding 120 days, the Secretary shall, as soon as
19 practicable after such 60-day delinquency, pro-
20 vide to the borrower the following:

21 “(i) Notification that the borrower is
22 at least 60 days delinquent on at least 1
23 covered loan, and a description of all delin-
24 quent covered loans, nondelinquent covered

1 loans, and noncovered loans of the bor-
2 rower.

3 “(ii) A brief description of the repay-
4 ment plans for which the borrower is eligi-
5 ble and the covered loans and noncovered
6 loans of the borrower that may be eligible
7 for such plans, based on information avail-
8 able to the Secretary.

9 “(iii) The amount of monthly pay-
10 ments for the covered and noncovered
11 loans under the income-based repayment
12 plan under section 493C(f) and the fixed
13 repayment plan described in section 493E,
14 based on information available to the Sec-
15 retary, including, if the income information
16 of the borrower is available to the Sec-
17 retary under subparagraph (A)—

18 “(I) the amount of the monthly
19 payment under the income-based re-
20 payment plan under section 493C(f)
21 and the fixed repayment plan de-
22 scribed in section 493E for which the
23 borrower is eligible for the borrower’s
24 covered and noncovered loans, based
25 on such income information; and

1 “(II) the income, family size, tax
2 filing status, and tax year information
3 on which each monthly payment is
4 based.

5 “(iv) Clear and simple instructions on
6 how to select the repayment plans.

7 “(v) An explanation that, in the case
8 of a borrower for whom adjusted gross in-
9 come is unavailable—

10 “(I) if the borrower selects to
11 repay the covered loans of such bor-
12 rower pursuant to the income-based
13 repayment plan under section 493C(f)
14 that defines discretionary income in
15 such a manner that an individual not
16 required under section 6012(a)(1) of
17 the Internal Revenue Code of 1986 to
18 file a return with respect to income
19 taxes imposed by subtitle A of such
20 Code may have a calculated monthly
21 payment greater than \$0, the bor-
22 rower will be required to provide the
23 Secretary with other documentation of
24 income satisfactory to the Secretary,
25 which documentation the Secretary

1 may use to determine an appropriate
2 repayment schedule; and

3 “(II) if the borrower selects to
4 repay such loans pursuant to an in-
5 come-driven repayment plan that is
6 not described in subclause (I), the
7 borrower will not be required to pro-
8 vide the Secretary with such other
9 documentation of income, and the bor-
10 rower will have a calculated monthly
11 payment of \$0.

12 “(vi) An explanation that the Sec-
13 retary shall take the actions under sub-
14 paragraph (C) with respect to such bor-
15 rower, if—

16 “(I) the borrower is 120 days de-
17 linquent on 1 or more covered loans
18 and has not selected a new repayment
19 plan for the covered loans of the bor-
20 rower; and

21 “(II) in the case of such a bor-
22 rower whose repayment plan for the
23 covered loans of the borrower is not
24 an income-driven repayment plan de-
25 scribed in subparagraph (D) or (E) of

1 paragraph (1), the monthly payments
2 under such repayment plan are higher
3 than such monthly payments would be
4 under the income-based repayment
5 plan under section 493C(f).

6 “(vii) Instructions on updating the in-
7 formation of the borrower obtained under
8 subparagraph (A).

9 “(C) SECRETARY’S INITIAL SELECTION OF
10 A PLAN.—With respect to each borrower de-
11 scribed in subparagraph (B) who has a repay-
12 ment plan for the covered loans of the borrower
13 that meets the requirements of clause (vi)(II) of
14 subparagraph (B) and has not selected a new
15 repayment plan for such loans in accordance
16 with the notice received under such subpara-
17 graph, and who is at least 120 days delinquent
18 on such a loan, the Secretary shall, as soon as
19 practicable—

20 “(i) provide the borrower with the in-
21 come-based repayment plan under section
22 493C(f); and

23 “(ii) authorize the borrower to change
24 the Secretary’s selection of a plan under

1 this clause to the fixed repayment plan de-
2 scribed in section 493E.

3 “(D) OPT-OUT.—A borrower of a covered
4 loan shall have the right to opt out of the pro-
5 cedures under this paragraph.

6 “(E) PROCEDURES.—The Secretary shall
7 establish procedures as are necessary to effec-
8 tively implement this paragraph.

9 “(9) NOTIFICATION AND AUTOMATIC ENROLL-
10 MENT PROCEDURES FOR BORROWERS WHO ARE RE-
11 HABILITATING DEFAULTED LOANS.—

12 “(A) AUTHORITY TO OBTAIN INCOME IN-
13 FORMATION.—In the case of any borrower who
14 is rehabilitating a covered loan pursuant to sec-
15 tion 428F(a), the Secretary may obtain such in-
16 formation as is reasonably necessary regarding
17 the income and family size of the borrower (and
18 the borrower’s spouse, if applicable).

19 “(B) BORROWER NOTIFICATION.—Not
20 later than 30 days after a borrower makes the
21 6th payment required for the loan rehabilitation
22 described in subparagraph (A), the Secretary
23 shall notify the borrower of the process under
24 subparagraph (C) with respect to such loan.

1 “(C) SECRETARY’S SELECTION OF PLAN.—

2 With respect to each borrower who has made
3 the 9th payment required for the loan rehabili-
4 tation described in subparagraph (A), the Sec-
5 retary shall, as soon as practicable after such
6 payment, provide the borrower with the income-
7 based repayment plan under section 493C(f),
8 without regard to whether the loan has been so
9 rehabilitated.

10 “(D) OPT-OUT.—A borrower of a covered
11 loan shall have the right to opt out of the pro-
12 cedures under this paragraph.

13 “(E) PROCEDURES.—The Secretary shall
14 establish procedures as are necessary to effec-
15 tively implement this paragraph.

16 “(10) DEFINITIONS.—In this subsection:

17 “(A) COVERED LOAN.—The term ‘covered
18 loan’ means—

19 “(i) a loan made under this part;

20 “(ii) a loan purchased under section
21 459A; or

22 “(iii) a loan that has been assigned to
23 the Secretary under section 428(c)(8) or
24 part E.

1 “(B) NONCOVERED LOAN.—The term
2 ‘noncovered loan’ means a loan made, insured,
3 or guaranteed under this title that is not a cov-
4 ered loan.

5 “(11) APPLICATION OF PREPAYMENT
6 AMOUNTS.—

7 “(A) REQUIREMENT.—Notwithstanding
8 any other provision of this subsection or any
9 other provision of law—

10 “(i) with respect to loans made to an
11 eligible borrower under this part or part B,
12 which are held by the same holder and
13 which have different applicable rates of in-
14 terest, the holder of such loans shall, un-
15 less otherwise requested by the borrower in
16 writing, apply the borrower’s prepayment
17 amount (within the meaning of section
18 682.209(b) of title 34, Code of Federal
19 Regulations, or a successor regulation) for
20 one or more of such loans, first toward the
21 outstanding balance of principal due on the
22 loan with the highest applicable rate of in-
23 terest among such loans; and

24 “(ii) except as provided in clause (i),
25 with respect to loans made to an eligible

1 borrower under this part or part B, which
2 are held by the same holder and which
3 have the same applicable rates of interest,
4 the holder of such loans shall, unless other-
5 wise requested by the borrower in writing,
6 apply the borrower's prepayment amount
7 (within the meaning of section 682.209(b)
8 of title 34, Code of Federal Regulations, or
9 a successor regulation) for one or more of
10 such loans, first toward the outstanding
11 balance of principal due on the loan with
12 the highest principal balance among such
13 loans.

14 “(B) ELIGIBLE BORROWER.—

15 “(i) IN GENERAL.—For purposes of
16 this paragraph, the term ‘eligible borrower’
17 means a borrower with no outstanding bal-
18 ance of fees, including collection costs and
19 authorized late charges, due on any loan
20 made under this part or part B.

21 “(ii) PREPAYMENT AMOUNTS.—A pre-
22 payment amount (as described in subpara-
23 graph (A)) made by a borrower who is not
24 an eligible borrower to a holder shall be
25 applied first toward the borrower's out-

1 standing balance of fees, including collec-
2 tion costs and authorized late charges, due
3 on any loan made under this part or part
4 B held by such holder.”.

5 (d) APPLICATION.—The amendments made by sub-
6 section (c)(5) shall—

7 (1) take effect as soon as the Secretary of Edu-
8 cation determines practicable after the Secretary fi-
9 nalizes the procedures under section 4114, but not
10 later than 2 years after the date of enactment of
11 this Act; and

12 (2) apply to all borrowers of covered loans (as
13 defined in section 455(d)(10) of the Higher Edu-
14 cation Act of 1965, as added by subsection (c)(5)).

15 (e) AUTOMATIC RECERTIFICATION OF INCOME FOR
16 INCOME-DRIVEN REPAYMENT PLANS.—Section 455(e) of
17 the Higher Education Act of 1965 (20 U.S.C. 1087e(e))
18 is amended—

19 (1) in paragraph (3)—

20 (A) by striking “does not reasonably re-
21 flect the borrower’s current income” and insert-
22 ing “whose income has decreased relative to the
23 adjusted gross income available to the Sec-
24 retary”; and

1 (B) by inserting “, consistent with the pro-
2 cedures established under paragraph
3 (8)(B)(iv)” before the period at the end; and
4 (2) by adding at the end the following:

5 “(8) AUTOMATIC RECERTIFICATION.—

6 “(A) DEFINITION.—In this paragraph, the
7 term ‘covered loan’ has the meaning given the
8 term in subsection (d)(10).

9 “(B) IN GENERAL.—Beginning as soon as
10 the Secretary determines practicable after the
11 Secretary finalizes the procedures under section
12 4114 of the Aim Higher Act, but not later than
13 2 years after the date of enactment of such Act,
14 the Secretary shall establish and implement,
15 with respect to any borrower described in sub-
16 paragraph (C), procedures to—

17 “(i) obtain (for each year of repay-
18 ment and without further action by the
19 borrower) such information as is reason-
20 ably necessary regarding the income of
21 such borrower (and the borrower’s spouse,
22 if applicable), for the purpose of deter-
23 mining the repayment obligation of the
24 borrower for such year, including informa-
25 tion with respect to the borrower’s family

1 size in accordance with the procedures
2 under section 4114 of the Aim Higher Act,
3 subject to clause (ii);

4 “(ii) allow the borrower, at any time,
5 to opt out of clause (i) and prevent the
6 Secretary from obtaining information
7 under such clause without further action
8 by the borrower;

9 “(iii) provide the borrower with an op-
10 portunity to update the information ob-
11 tained under clause (i) before the deter-
12 mination of the annual repayment obliga-
13 tion of the borrower; and

14 “(iv) in the case of a borrower for
15 whom adjusted gross income is unavail-
16 able—

17 “(I) if the borrower has selected
18 to repay the covered loans of such
19 borrower pursuant to an income con-
20 tingent repayment plan that defines
21 discretionary income in such a man-
22 ner that an individual not required
23 under section 6012(a)(1) of the Inter-
24 nal Revenue Code of 1986 to file a re-
25 turn with respect to income taxes im-

1 posed by subtitle A of such Code may
2 have a calculated monthly payment
3 greater than \$0, the borrower will be
4 required to provide the Secretary with
5 other documentation of income satis-
6 factory to the Secretary, which docu-
7 mentation the Secretary may use to
8 determine an appropriate repayment
9 schedule; or

10 “(II) if the borrower has selected
11 to repay such loans pursuant to an in-
12 come contingent repayment that is not
13 described in subclause (I), the bor-
14 rower will not be required to provide
15 the Secretary with such other docu-
16 mentation of income, and the bor-
17 rower will have a calculated monthly
18 payment of \$0.

19 “(C) APPLICABILITY.—Subparagraph (B)
20 shall apply to each borrower of a covered loan
21 who, on or after the date on which the Sec-
22 retary establishes procedures under such sub-
23 paragraph—

24 “(i) selects, or for whom the Secretary
25 selects under paragraph (8)(C) or (9)(C)

1 of subsection (d), or section 428(m)(1), an
2 income contingent repayment plan; or

3 “(ii) recertifies income and family size
4 under such plan.

5 “(D) OTHER REQUIREMENTS.—The proce-
6 dures established by the Secretary under this
7 paragraph shall be consistent with the require-
8 ments of paragraphs (1) through (7), except as
9 otherwise provided in this paragraph.”.

10 (f) SEPARATING JOINT CONSOLIDATION LOANS.—
11 Section 455(g) of the Higher Education Act of 1965 (20
12 U.S.C. 1087e(g)) is amended—

13 (1) by striking “A borrower” and inserting the
14 following:

15 “(1) IN GENERAL.—A borrower”; and

16 (2) by adding at the end the following:

17 “(2) SEPARATING JOINT CONSOLIDATION
18 LOANS.—

19 “(A) IN GENERAL.—A married couple, or
20 2 individuals who were previously a married
21 couple, and who received a joint consolidation
22 loan as such married couple under subpara-
23 graph (C) of section 428C(a)(3) (as such sub-
24 paragraph was in effect on or before June 30,
25 2006), may apply to the Secretary for each in-

1 dividual borrower in the married couple (or pre-
2 viously married couple) to receive a separate
3 Federal Direct Consolidation Loan under this
4 part—

5 “(i) that shall—

6 “(I) unless the Secretary receives
7 notice of an agreement described in
8 subclause (II)(aa), be equal to the
9 sum of—

10 “(aa) the unpaid principal
11 and accrued unpaid interest of
12 the percentage of the joint con-
13 solidation loan that, as of the day
14 before such joint consolidation
15 loan was made, was attributable
16 to the loans of the individual bor-
17 rower for whom such separate
18 consolidation loan is being made;
19 and

20 “(bb) any other loans de-
21 scribed in section 428C(a)(4)
22 that such individual borrower se-
23 lects for consolidation under this
24 part; or

25 “(II) be equal to the sum of—

1 “(aa) the unpaid principal
2 and accrued unpaid interest of
3 the percentage of the joint con-
4 solidation loan that, as of the
5 date of application under this
6 paragraph, the married couple
7 (or previously married couple)
8 agrees shall be considered attrib-
9 utable to the loans of the indi-
10 vidual borrower for whom such
11 separate consolidation loan is
12 being made; and

13 “(bb) any other loans de-
14 scribed in section 428C(a)(4)
15 that such individual borrower se-
16 lects for consolidation under this
17 part;

18 “(ii) the proceeds of which shall be
19 paid by the Secretary to the holder or
20 holders—

21 “(I) of the joint consolidation
22 loan for the purpose of discharging
23 the liability on the percentage of such
24 joint consolidation loan described in

1 subclause (I)(aa) or (II)(aa) of clause
2 (i); and

3 “ (II) of the loans selected for
4 consolidation under subclause (I)(bb)
5 or subclause (II)(bb) of clause (i) for
6 the purpose of discharging the liability
7 on such loans;

8 “(iii) except as otherwise provided in
9 this paragraph, that has the same terms
10 and conditions, and rate of interest as the
11 joint consolidation loan;

12 “(iv) for which any payment made
13 under section 455(m)(1)(A) on the joint
14 consolidation loan during a period in which
15 the individual borrower for whom such sep-
16 arate consolidation loan is being made was
17 employed in a public service job described
18 in section 455(m)(1)(B) shall be treated as
19 if such payment were made on such sepa-
20 rate consolidation loan; and

21 “(v) for which any payment made
22 under an income contingent repayment
23 plan or an income-based repayment plan
24 described in subparagraph (D) or (E) of
25 section 455(d)(1), respectively, on the joint

1 consolidation loan shall be treated as if
2 such payment were made on such separate
3 consolidation loan.

4 “(B) APPLICATION FOR SEPARATE DIRECT
5 CONSOLIDATION LOAN.—

6 “(i) JOINT APPLICATION.—Except as
7 provided in clause (ii), to receive separate
8 consolidation loans under subparagraph
9 (A), both individual borrowers in a married
10 couple (or previously married couple) shall
11 jointly apply under subparagraph (A).

12 “(ii) SEPARATE APPLICATION.—An
13 individual borrower in a married couple (or
14 previously married couple) may apply for a
15 separate consolidation loan under subpara-
16 graph (A) separately and without regard to
17 whether or when the other individual bor-
18 rower in the married couple (or previously
19 married couple) applies under subpara-
20 graph (A), in a case in which—

21 “(I) the individual borrower has
22 experienced from the other individual
23 borrower—

24 “(aa) domestic violence (as
25 defined in section 40002(a) of

1 the Violence Against Women Act
2 of 1994 (34 U.S.C. 12291 (a));
3 or

4 “(bb) economic abuse (in-
5 cluding behaviors that control
6 such borrower’s ability to ac-
7 quire, use, and maintain access
8 to money, credit, or the joint fi-
9 nancial obligations of both bor-
10 rowers);

11 “(II) the individual borrower cer-
12 tifies, on a form approved by the Sec-
13 retary, that such borrower is unable
14 to reasonably reach or access the loan
15 information of the other individual
16 borrower; or

17 “(III) the Secretary determines
18 that authorizing each individual bor-
19 rower to apply separately under sub-
20 paragraph (A) would be in the best
21 fiscal interests of the Federal Govern-
22 ment.

23 “(C) BORROWER ELIGIBILITY.—Notwith-
24 standing section 428C(a)(3)(A), the Secretary

1 shall award a consolidation loan under this part
2 to each borrower who—

3 “(i) applies for such loan under sub-
4 paragraph (A); and

5 “(ii) meets the requirements of sub-
6 paragraphs (A) and (B).”.

7 **SEC. 4063. AMENDMENTS TO TERMS AND CONDITIONS OF**
8 **BORROWER DEFENSES.**

9 Section 455(h) of the Higher Education Act of 1965
10 is amended to read as follows:

11 “(h) BORROWER DEFENSES.—

12 “(1) IN GENERAL.—Notwithstanding any other
13 provision of State or Federal law, a defense to re-
14 payment of a loan under this title includes—

15 “(A) a substantial misrepresentation under
16 section 487(c)(3);

17 “(B) an act or omission that would give
18 rise to a cause of action against the school
19 under applicable State law; or

20 “(C) such further acts or omissions that
21 the Secretary determines appropriate.

22 “(2) PROCEDURES.—

23 “(A) IN GENERAL.—The Secretary shall,
24 with respect to a borrower defense under this
25 subsection—

1 “(i) determine the entitlement of a
2 borrower to relief based on all evidence
3 available to the Department; and

4 “(ii) provide an expeditious and fair
5 process to consider applications provided
6 by individuals, groups, and representatives
7 on behalf of groups.

8 “(B) INDEPENDENT DETERMINATION.—A
9 determination under subparagraph (A)(i) shall
10 be independent of any action that the Depart-
11 ment may take to recoup from the school re-
12 lated to the borrower defense.

13 “(C) CANCELLATION OF DEBT.—If the
14 Secretary determines under subparagraph
15 (A)(i) that a borrower is entitled to relief, the
16 Secretary shall cancel all outstanding debt, and
17 return any payments made on the loans of such
18 borrower.

19 “(3) REGULATIONS.—The Secretary shall speci-
20 fy in regulations which acts or omissions of an insti-
21 tution of higher education a borrower may assert as
22 a defense to repayment of a loan made under this
23 part, except that in no event may a borrower recover
24 from the Secretary, in any action arising from or re-
25 lating to a loan made under this part, an amount in

1 excess of the amount such borrower has repaid on
2 such loan.”.

3 **SEC. 4064. AMENDMENTS TO TERMS AND CONDITIONS OF**
4 **PUBLIC SERVICE LOAN FORGIVENESS.**

5 Section 455(m) of the Higher Education Act of 1965
6 (20 U.S.C. 1087e(m)) is amended—

7 (1) by redesignating paragraphs (3) and (4) as
8 paragraphs (4) and (5), respectively; and

9 (2) by inserting after paragraph (2) the fol-
10 lowing:

11 “(3) SPECIAL RULES FOR SECTION 460A
12 LOANS.—

13 “(A) REFINANCED FEDERAL DIRECT
14 LOANS.—Notwithstanding paragraph (1), in de-
15 termining the number of monthly payments
16 that meet the requirements of such paragraph
17 for an eligible Federal Direct Loan refinanced
18 under section 460A that was originally a loan
19 under this part, the Secretary shall include all
20 monthly payments made on the original loan
21 that meet the requirements of such paragraph.

22 “(B) REFINANCED FFEL LOANS.—In the
23 case of an eligible Federal Direct Loan refi-
24 nanced under section 460A that was originally
25 a loan under part B, only monthly payments

1 made after the date on which the loan was re-fi-
2 nanced may be included for purposes of para-
3 graph (1).”;

4 (3) in paragraph (4)(A) (as redesignated by
5 paragraph (1))—

6 (A) by inserting “(including any Federal
7 Direct Stafford Loan, Federal Direct PLUS
8 Loan, Federal Direct Unsubsidized Stafford
9 Loan, or Federal Direct Consolidation Loan re-
10 financed under section 460A)” before the pe-
11 riod at the end; and

12 (B) by striking “The term” and inserting
13 the following:

14 “(i) IN GENERAL.—The term”; and

15 (C) by adding at the end the following:

16 “(ii) TREATMENT OF CERTAIN CON-
17 SOLIDATION LOAN PAYMENTS.—In a case
18 in which a borrower makes a monthly pay-
19 ment under paragraph (1)(A) on a Federal
20 Direct Consolidation Loan that was used
21 to repay an eligible Federal Direct Loan
22 described in clause (i) for which at least
23 one monthly payment has been made under
24 paragraph (1)(A) prior to the consolida-
25 tion, the monthly payment on such Federal

1 Direct Consolidation Loan shall be treated
2 as a monthly payment on such eligible
3 Federal Direct Loan.”; and

4 (4) by amending subparagraph (B) of para-
5 graph (4) (as redesignated by paragraph (1)) to
6 read as follows:

7 “(B) PUBLIC SERVICE JOB.—The term
8 ‘public service job’ means—

9 “(i) a full-time job in emergency man-
10 agement, government (excluding time
11 served as a member of Congress), military
12 service, public safety, law enforcement,
13 public health (including nurses, nurse
14 practitioners, nurses in a clinical setting,
15 and full-time professionals engaged in
16 health care practitioner occupations and
17 health care support occupations, as such
18 terms are defined by the Bureau of Labor
19 Statistics), public education, social work in
20 a public child or family service agency,
21 public interest law services (including pros-
22 ecution or public defense or legal advocacy
23 on behalf of low-income communities at a
24 nonprofit organization), early childhood
25 education (including licensed or regulated

1 childcare, Head Start, and State funded
2 prekindergarten), public service for individ-
3 uals with disabilities, public service for the
4 elderly, public library sciences, school-
5 based library sciences and other school-
6 based services, or at an organization that
7 is described in section 501(c)(3) of the In-
8 ternal Revenue Code of 1986 and exempt
9 from taxation under section 501(a) of such
10 Code;

11 “(ii) teaching as a full-time faculty
12 member at a Tribal College or University
13 as defined in section 316(b) and other fac-
14 ulty teaching in high-needs subject areas
15 or areas of shortage (including nurse fac-
16 ulty, foreign language faculty, and part-
17 time faculty at community colleges), as de-
18 termined by the Secretary;

19 “(iii) a full-time job as an employee or
20 manager of a farm or ranch that, with re-
21 spect to a fiscal year, has earnings of gross
22 revenue during such year from the sale of
23 agricultural products equal to or greater
24 than—

1 “(I) in the case of 2017,
2 \$35,000; or

3 “(II) in the case of any suc-
4 ceeding year, the amount applicable
5 under this subparagraph for the pre-
6 vious year, increased by the estimated
7 percentage change in the Consumer
8 Price Index for the most recent year
9 preceding such year;

10 “(iv) a full-time job with a veterans or
11 military service organization as described
12 in paragraph (19) or (23) of section 501(c)
13 of the Internal Revenue Code; or

14 “(v) any health care practitioner who,
15 as a result of State law, cannot be directly
16 employed by a hospital or other health care
17 facility for the provision of professional
18 medical services, but who works in a public
19 service job at that hospital or other health
20 care facility by virtue of being granted pro-
21 fessional privileges or pursuant to a writ-
22 ten arrangement for the provision of pro-
23 fessional services.”.

1 **SEC. 4065. FEDERAL DIRECT PERKINS LOANS TERMS AND**
2 **CONDITIONS.**

3 Part D of title IV of the Higher Education Act of
4 1965 (20 U.S.C. 1087a et seq.) is amended by inserting
5 after section 455 the following new section:

6 **“SEC. 455A. FEDERAL DIRECT PERKINS LOANS.**

7 “(a) DESIGNATION OF LOANS.—Loans made to bor-
8 rowers under this section shall be known as ‘Federal Di-
9 rect Perkins Loans’.

10 “(b) IN GENERAL.—It is the purpose of this section
11 to authorize loans to be awarded by institutions of higher
12 education through agreements established under section
13 463(f). Unless otherwise specified in this section, all terms
14 and conditions and other requirements applicable to Fed-
15 eral Direct Unsubsidized Stafford loans established under
16 section 455(a)(2)(D) shall apply to loans made pursuant
17 to this section.

18 “(c) ELIGIBLE BORROWERS.—Any student meeting
19 the requirements for student eligibility under section
20 464(b) (including graduate and professional students as
21 defined in regulations promulgated by the Secretary) shall
22 be eligible to borrow a Federal Direct Perkins Loan, pro-
23 vided the student attends an eligible institution with an
24 agreement with the Secretary under section 463(f), and
25 the institution uses its authority under that agreement to
26 award the student a loan.

1 “(d) LOAN LIMITS.—The annual and aggregate lim-
2 its for loans under this section shall be the same as those
3 established under section 464, and aggregate limits shall
4 include loans made by institutions under agreements
5 under section 463(a).

6 “(e) APPLICABLE RATES OF INTEREST.—Loans
7 made pursuant to this section shall bear interest, on the
8 unpaid balance of the loan, at the rate of 5 percent per
9 year.”.

10 **SEC. 4066. REQUIRING A COMMON MANUAL FOR**
11 **SERVICERS.**

12 Section 456 of the Higher Education Act of 1965 (20
13 U.S.C. 1092) is amended by adding at the end the fol-
14 lowing:

15 “(c) COMMON MANUAL.—The Secretary shall create
16 a manual of common procedures and policies for entities
17 with which the Secretary enters into contracts for origina-
18 tion, servicing, and collection of federal student loans as
19 described in subsection (b), to standardize procedures to
20 ensure borrowers are well-served.”.

21 **SEC. 4067. REFINANCING FFEL AND FEDERAL DIRECT**
22 **LOANS.**

23 Part D of title IV of the Higher Education Act of
24 1965 (20 U.S.C. 1087a et seq.) is amended by adding at
25 the end the following:

1 **“SEC. 460A. REFINANCING FFEL AND FEDERAL DIRECT**
2 **LOANS.**

3 “(a) IN GENERAL.—Beginning not later than 180
4 days after the date of enactment of the Aim Higher Act,
5 the Secretary shall establish a program under which the
6 Secretary, upon the receipt of an application from a quali-
7 fied borrower, makes a loan under this part, in accordance
8 with the provisions of this section, in order to permit the
9 borrower to obtain the interest rate provided under sub-
10 section (c).

11 “(b) REFINANCING DIRECT LOANS.—

12 “(1) FEDERAL DIRECT LOANS.—Upon applica-
13 tion of a qualified borrower, the Secretary shall
14 repay a Federal Direct Stafford Loan, a Federal Di-
15 rect Unsubsidized Stafford Loan, a Federal Direct
16 PLUS Loan, or a Federal Direct Consolidation
17 Loan of the qualified borrower, for which the first
18 disbursement was made, or the application for the
19 consolidation loan was received, before July 1, 2019,
20 with the proceeds of a refinanced Federal Direct
21 Stafford Loan, a Federal Direct Unsubsidized Staf-
22 ford Loan, a Federal Direct PLUS Loan, or a Fed-
23 eral Direct Consolidation Loan, respectively, issued
24 to the borrower in an amount equal to the sum of
25 the unpaid principal, accrued unpaid interest, and
26 late charges of the original loan.

1 “(2) REFINANCING FFEL PROGRAM LOANS AS
2 REFINANCED FEDERAL DIRECT LOANS.—Upon ap-
3 plication of a qualified borrower for any loan that
4 was made, insured, or guaranteed under part B and
5 for which the first disbursement was made, or the
6 application for the consolidation loan was received,
7 before July 1, 2010, the Secretary shall make a loan
8 under this part, in an amount equal to the sum of
9 the unpaid principal, accrued unpaid interest, and
10 late charges of the original loan to the borrower in
11 accordance with the following:

12 “(A) The Secretary shall pay the proceeds
13 of such loan to the eligible lender of the loan
14 made, insured, or guaranteed under part B, in
15 order to discharge the borrower from any re-
16 maining obligation to the lender with respect to
17 the original loan.

18 “(B) A loan made under this section that
19 was originally—

20 “(i) a loan originally made, insured,
21 or guaranteed under section 428 shall be a
22 Federal Direct Stafford Loan;

23 “(ii) a loan originally made, insured,
24 or guaranteed under section 428B shall be
25 a Federal Direct PLUS Loan;

1 “(iii) a loan originally made, insured,
2 or guaranteed under section 428H shall be
3 a Federal Direct Unsubsidized Stafford
4 Loan; and

5 “(iv) a loan originally made, insured,
6 or guaranteed under section 428C shall be
7 a Federal Direct Consolidation Loan.

8 “(C) The interest rate for each loan made
9 by the Secretary under this paragraph shall be
10 the rate provided under subsection (e).

11 “(c) INTEREST RATES.—

12 “(1) IN GENERAL.—The interest rate for the
13 refinanced Federal Direct Stafford Loans, Federal
14 Direct Unsubsidized Stafford Loans, Federal Direct
15 PLUS Loans, and Federal Direct Consolidation
16 Loans, shall be a rate equal to—

17 “(A) in any case where the original loan
18 was a loan under section 428 or 428H, a Fed-
19 eral Direct Stafford loan, or a Federal Direct
20 Unsubsidized Stafford Loan, that was issued to
21 an undergraduate student, a rate equal to the
22 rate for Federal Direct Stafford Loans and
23 Federal Direct Unsubsidized Stafford Loans
24 issued to undergraduate students for the 12-

1 month period beginning on July 1, 2017, and
2 ending on June 30, 2018;

3 “(B) in any case where the original loan
4 was a loan under section 428 or 428H, a Fed-
5 eral Direct Stafford Loan, or a Federal Direct
6 Unsubsidized Stafford Loan, that was issued to
7 a graduate or professional student, a rate equal
8 to the rate for Federal Direct Unsubsidized
9 Stafford Loans issued to graduate or profes-
10 sional students for the 12-month period begin-
11 ning on July 1, 2017, and ending on June 30,
12 2018;

13 “(C) in any case where the original loan
14 was a loan under section 428B or a Federal Di-
15 rect PLUS Loan, a rate equal to the rate for
16 Federal Direct PLUS Loans for the 12-month
17 period beginning on July 1, 2017, and ending
18 on June 30, 2018; and

19 “(D) in any case where the original loan
20 was a loan under section 428C or a Federal Di-
21 rect Consolidation Loan, a rate calculated in ac-
22 cordance with paragraph (2).

23 “(2) INTEREST RATES FOR CONSOLIDATION
24 LOANS.—

1 “(A) METHOD OF CALCULATION.—In
2 order to determine the interest rate for any re-
3 financed Federal Direct Consolidation Loan
4 under paragraph (1)(D), the Secretary shall—

5 “(i) determine each of the component
6 loans that were originally consolidated in
7 the loan under section 428C or the Federal
8 Direct Consolidation Loan, and calculate
9 the proportion of the unpaid principal bal-
10 ance of the loan under section 428C or the
11 Federal Direct Consolidation Loan that
12 each component loan represents;

13 “(ii) use the proportions determined
14 in accordance with clause (i) and the inter-
15 est rate applicable for each component
16 loan, as determined under subparagraph
17 (B), to calculate the weighted average of
18 the interest rates on the loans consolidated
19 into the loan under section 428C or the
20 Federal Direct Consolidation Loan; and

21 “(iii) apply the weighted average cal-
22 culated under clause (ii) as the interest
23 rate for the refinanced Federal Direct Con-
24 solidation Loan.

1 “(B) INTEREST RATES FOR COMPONENT
2 LOANS.—The interest rates for the component
3 loans of a loan made under section 428C or a
4 Federal Direct Consolidation Loan shall be the
5 following:

6 “(i) The interest rate for any loan
7 under section 428 or 428H, Federal Direct
8 Stafford Loan, or Federal Direct Unsub-
9 sidized Stafford Loan issued to an under-
10 graduate student shall be a rate equal to
11 the lesser of—

12 “(I) the rate for Federal Direct
13 Stafford Loans and Federal Direct
14 Unsubsidized Stafford Loans issued
15 to undergraduate students for the 12-
16 month period beginning on July 1,
17 2017, and ending on June 30, 2018;
18 or

19 “(II) the original interest rate of
20 the component loan.

21 “(ii) The interest rate for any loan
22 under section 428 or 428H, Federal Direct
23 Stafford Loan, or Federal Direct Unsub-
24 sidized Stafford Loan issued to a graduate

1 or professional student shall be a rate
2 equal to the lesser of—

3 “(I) the rate for Federal Direct
4 Unsubsidized Stafford Loans issued
5 to graduate or professional students
6 for the 12-month period beginning on
7 July 1, 2017, and ending on June 30,
8 2018; or

9 “(II) the original interest rate of
10 the component loan.

11 “(iii) The interest rate for any loan
12 under section 428B or Federal Direct
13 PLUS Loan shall be a rate equal to the
14 lesser of—

15 “(I) the rate for Federal Direct
16 PLUS Loans for the 12-month period
17 beginning on July 1, 2017, and end-
18 ing on June 30, 2018; or

19 “(II) the original interest rate of
20 the component loan.

21 “(iv) The interest rate for any compo-
22 nent loan that is a loan under section
23 428C or a Federal Direct Consolidation
24 Loan shall be the weighted average of the
25 interest rates that would apply under this

1 subparagraph for each loan comprising the
2 component consolidation loan.

3 “(v) The interest rate for any eligible
4 loan that is a component of a loan made
5 under section 428C or a Federal Direct
6 Consolidation Loan and is not described in
7 clauses (i) through (iv) shall be the inter-
8 est rate on the original component loan.

9 “(3) FIXED RATE.—The applicable rate of in-
10 terest determined under paragraph (1) for a refi-
11 nanced loan under this section shall be fixed for the
12 period of the loan.

13 “(d) TERMS AND CONDITIONS OF LOANS.—

14 “(1) IN GENERAL.—A loan that is refinanced
15 under this section shall have the same terms and
16 conditions as the original loan, except as otherwise
17 provided in this section.

18 “(2) NO AUTOMATIC EXTENSION OF REPAY-
19 MENT PERIOD.—Refinancing a loan under this sec-
20 tion shall not result in the extension of the duration
21 of the repayment period of the loan, and the bor-
22 rower shall retain the same repayment term that
23 was in effect on the original loan. Nothing in this
24 paragraph shall be construed to prevent a borrower

1 from electing a different repayment plan at any time
2 in accordance with section 455(d)(4).

3 “(e) DEFINITION OF QUALIFIED BORROWER.—

4 “(1) IN GENERAL.—For purposes of this sec-
5 tion, the term ‘qualified borrower’ means a bor-
6 rower—

7 “(A) of a loan under this part or part B
8 for which the first disbursement was made, or
9 the application for a consolidation loan was re-
10 ceived, before July 1, 2018; and

11 “(B) who meets the eligibility requirements
12 based on income or debt-to-income ratio estab-
13 lished by the Secretary.

14 “(2) INCOME REQUIREMENTS.—Not later than
15 180 days after the date of enactment of the Aim
16 Higher Act, the Secretary shall establish eligibility
17 requirements based on income or debt-to-income
18 ratio that take into consideration providing access to
19 refinancing under this section for borrowers with the
20 greatest financial need.

21 “(f) NOTIFICATION TO BORROWERS.—The Secretary,
22 in coordination with the Director of the Bureau of Con-
23 sumer Financial Protection, shall undertake a campaign
24 to alert borrowers of loans that are eligible for refinancing
25 under this section that the borrowers are eligible to apply

1 for such refinancing. The campaign shall include the fol-
2 lowing activities:

3 “(1) Developing consumer information mate-
4 rials about the availability of Federal student loan
5 refinancing.

6 “(2) Requiring servicers of loans under this
7 part or part B to provide such consumer information
8 to borrowers in a manner determined appropriate by
9 the Secretary, in consultation with the Director of
10 the Bureau of Consumer Financial Protection.”.

11 **SEC. 4068. REFINANCING PRIVATE STUDENT LOANS.**

12 Part D of title IV of the Higher Education Act of
13 1965 (20 U.S.C. 1087a et seq.) is amended by adding at
14 the end the following:

15 **“SEC. 460B. FEDERAL DIRECT REFINANCED PRIVATE LOAN**
16 **PROGRAM.**

17 “(a) DEFINITIONS.—In this section:

18 “(1) ELIGIBLE PRIVATE EDUCATION LOAN.—
19 The term ‘eligible private education loan’ means a
20 private education loan, as defined in section 140(a)
21 of the Truth in Lending Act (15 U.S.C. 1650(a)),
22 that—

23 “(A) was disbursed to the borrower before
24 July 1, 2019; and

1 “(B) was for the borrower’s own postsec-
2 ondary educational expenses for an eligible pro-
3 gram at an institution of higher education par-
4 ticipating in the loan program under this part,
5 as of the date that the loan was disbursed.

6 “(2) FEDERAL DIRECT REFINANCED PRIVATE
7 LOAN.—The term ‘Federal Direct Refinanced Pri-
8 vate Loan’ means a loan issued under subsection
9 (b)(1).

10 “(3) PRIVATE EDUCATIONAL LENDER.—The
11 term ‘private educational lender’ has the meaning
12 given the term in section 140(a) of the Truth in
13 Lending Act (15 U.S.C. 1650(a)).

14 “(4) QUALIFIED BORROWER.—The term ‘quali-
15 fied borrower’ means an individual who—

16 “(A) has an eligible private education loan;

17 “(B) has been current on payments on the
18 eligible private education loan for the 6 months
19 prior to the date of the qualified borrower’s ap-
20 plication for refinancing under this section, and
21 is in good standing on the loan at the time of
22 such application;

23 “(C) is not in default on the eligible pri-
24 vate education loan or on any loan made, in-

1 sured, or guaranteed under this part or part B
2 or E; and

3 “(D) meets the eligibility requirements de-
4 scribed in subsection (b)(2).

5 “(b) PROGRAM AUTHORIZED.—

6 “(1) IN GENERAL.—The Secretary, in consulta-
7 tion with the Secretary of Treasury, shall carry out
8 a program under which the Secretary, upon applica-
9 tion by a qualified borrower who has an eligible pri-
10 vate education loan, shall issue such borrower a loan
11 under this part in accordance with the following:

12 “(A) The loan issued under this program
13 shall be in an amount equal to the sum of the
14 unpaid principal, accrued unpaid interest, and
15 late charges of the private education loan.

16 “(B) The Secretary shall pay the proceeds
17 of the loan issued under this program to the
18 private educational lender of the private edu-
19 cation loan, in order to discharge the qualified
20 borrower from any remaining obligation to the
21 lender with respect to the original loan.

22 “(C) The Secretary shall require that the
23 qualified borrower undergo loan counseling that
24 provides all of the information and counseling
25 required under clause (i) and clauses (iv)

1 through (xiv) of section 485(b)(1)(A) (as
2 amended by the Aim Higher Act) before the
3 loan is refinanced in accordance with this sec-
4 tion, and before the proceeds of such loan are
5 paid to the private educational lender.

6 “(D) The Secretary shall issue the loan as
7 a Federal Direct Refinanced Private Loan,
8 which shall have the same terms, conditions,
9 and benefits as a Federal Direct Unsubsidized
10 Stafford Loan, except as otherwise provided in
11 this section.

12 “(2) BORROWER ELIGIBILITY.—Not later than
13 180 days after the date of enactment of the Aim
14 Higher Act, the Secretary, in consultation with the
15 Secretary of the Treasury and the Director of the
16 Bureau of Consumer Financial Protection, shall es-
17 tablish eligibility requirements—

18 “(A) based on income or debt-to-income
19 ratio that take into consideration providing ac-
20 cess to refinancing under this section for bor-
21 rowers with the greatest financial need;

22 “(B) to ensure eligibility only for bor-
23 rowers in good standing;

1 “(C) to minimize inequities between Fed-
2 eral Direct Refinanced Private Loans and other
3 Federal student loans;

4 “(D) to preclude windfall profits for pri-
5 vate educational lenders; and

6 “(E) to ensure full access to the program
7 authorized in this subsection for borrowers with
8 private loans who otherwise meet the criteria
9 established in accordance with subparagraphs
10 (A) and (B).

11 “(c) INTEREST RATE.—

12 “(1) IN GENERAL.—The interest rate for a
13 Federal Direct Refinanced Private Loan is—

14 “(A) in the case of a Federal Direct Refi-
15 nanced Private Loan for a private education
16 loan originally issued for undergraduate post-
17 secondary educational expenses, a rate equal to
18 the rate for Federal Direct Stafford Loans and
19 Federal Direct Unsubsidized Stafford Loans
20 issued to undergraduate students for the 12-
21 month period beginning on July 1, 2017, and
22 ending on June 30, 2018; and

23 “(B) in the case of a Federal Direct Refi-
24 nanced Private Loan for a private education
25 loan originally issued for graduate or profes-

1 sional degree postsecondary educational ex-
2 penses, a rate equal to the rate for Federal Di-
3 rect Unsubsidized Stafford Loans issued to
4 graduate or professional students for the 12-
5 month period beginning on July 1, 2017, and
6 ending on June 30, 2018.

7 “(2) COMBINED UNDERGRADUATE AND GRAD-
8 UATE STUDY LOANS.—If a Federal Direct Refi-
9 nanced Private Loan is for a private education loan
10 originally issued for both undergraduate and grad-
11 uate or professional postsecondary educational ex-
12 penses, the interest rate shall be a rate equal to the
13 rate for Federal Direct PLUS Loans for the 12-
14 month period beginning on July 1, 2017, and ending
15 on June 30, 2018.

16 “(3) FIXED RATE.—The applicable rate of in-
17 terest determined under this subsection for a Fed-
18 eral Direct Refinanced Private Loan shall be fixed
19 for the period of the loan.

20 “(d) NO INCLUSION IN AGGREGATE LIMITS.—The
21 amount of a Federal Direct Refinanced Private Loan, or
22 a Federal Direct Consolidated Loan to the extent such
23 loan was used to repay a Federal Direct Refinanced Pri-
24 vate Loan, shall not be included in calculating a bor-

1 rower's annual or aggregate loan limits under section 428
2 or 428H.

3 “(e) NO ELIGIBILITY FOR SERVICE-RELATED REPAY-
4 MENT.—Notwithstanding sections 428K(a)(2)(A),
5 428L(b)(2), 455(m)(4)(A), and 460(b), a Federal Direct
6 Refinanced Private Loan, or any Federal Direct Consoli-
7 dation Loan to the extent such loan was used to repay
8 a Federal Direct Refinanced Private Loan, shall not be
9 eligible for any loan repayment or loan forgiveness pro-
10 gram under section 428K, 428L, or 460 or for the repay-
11 ment plan for public service employees under section
12 455(m).

13 “(f) PRIVATE EDUCATIONAL LENDER REPORTING
14 REQUIREMENT.—

15 “(1) REPORTING REQUIRED.—Not later than
16 180 days after the date of enactment of the Aim
17 Higher Act, the Secretary, in consultation with the
18 Secretary of the Treasury and the Director of the
19 Bureau of Consumer Financial Protection, shall es-
20 tablish a requirement that private educational lend-
21 ers report the data described in paragraph (2) to the
22 Secretary, to Congress, to the Secretary of the
23 Treasury, and to the Director of the Bureau of Con-
24 sumer Financial Protection, in order to allow for an
25 assessment of the private education loan market.

1 “(2) CONTENTS OF REPORTING.—The data
2 that private educational lenders shall report in ac-
3 cordance with paragraph (1) shall include each of
4 the following about private education loans (as de-
5 fined in section 140(a) of the Truth in Lending Act
6 (15 U.S.C. 1650(a)):

7 “(A) The total amount of private education
8 loan debt the lender holds.

9 “(B) The total number of private edu-
10 cation loan borrowers the lender serves.

11 “(C) The average interest rate on the out-
12 standing private education loan debt held by the
13 lender.

14 “(D) The proportion of private education
15 loan borrowers who are in default on a loan
16 held by the lender.

17 “(E) The proportion of the outstanding
18 private education loan volume held by the lend-
19 er that is in default.

20 “(F) The proportions of outstanding pri-
21 vate education loan borrowers who are 30, 60,
22 and 90 days delinquent.

23 “(G) The proportions of outstanding pri-
24 vate education loan volume that is 30, 60, and
25 90 days delinquent.

1 (2) in subsection (i)(1), by striking “for any fis-
2 cal year,” and inserting “for any fiscal year before
3 fiscal year 2019,”.

4 **SEC. 4073. FEDERAL DIRECT PERKINS LOAN ALLOCATION.**

5 Part E of title IV of the Higher Education Act of
6 1965 (20 U.S.C. 1087aa et seq.) is amended by inserting
7 after section 462 the following:

8 **“SEC. 462A. FEDERAL DIRECT PERKINS LOAN ALLOCATION.**

9 “(a) PURPOSES.—The purposes of this section are—
10 “(1) to allocate, among eligible and partici-
11 pating institutions (as such terms are defined in this
12 section), the authority to make Federal Direct Per-
13 kins Loans under section 455A with a portion of the
14 annual loan authority described in subsection (b);
15 and

16 “(2) to make funds available, in accordance
17 with section 452, to each participating institution
18 from a portion of the annual loan authority de-
19 scribed in subsection (b), in an amount not to exceed
20 the sum of an institution’s allocation of funds under
21 subparagraphs (A), (B), and (C) of subsection (b)(1)
22 to enable each such institution to make Federal Di-
23 rect Perkins Loans to eligible students at the insti-
24 tution.

1 “(b) AVAILABLE DIRECT PERKINS ANNUAL LOAN
2 AUTHORITY.—

3 “(1) AVAILABILITY AND ALLOCATIONS.—There
4 are hereby made available, from funds made avail-
5 able for loans made under part D, not to exceed
6 \$6,000,000,000 of annual loan authority for award
7 year 2019–2020 and each succeeding award year, to
8 be allocated as follows (except as provided in para-
9 graphs (3) and (4)):

10 “(A) The Secretary shall allocate $\frac{1}{2}$ of
11 such funds for each award year by allocating to
12 each participating institution an amount equal
13 to the adjusted self-help need amount of the in-
14 stitution, as determined in accordance with sub-
15 section (c) for such award year.

16 “(B) The Secretary shall allocate $\frac{1}{4}$ of
17 such funds for each award year by allocating to
18 each participating institution an amount equal
19 to the low tuition incentive amount of the insti-
20 tution, as determined in accordance with sub-
21 section (d).

22 “(C) The Secretary shall allocate $\frac{1}{4}$ of
23 such funds for each award year by allocating to
24 each participating institution an amount which
25 bears the same ratio to the funds allocated

1 under this subparagraph as the ratio deter-
2 mined in accordance with subsection (e) for the
3 calculation of the Federal Pell Grant and de-
4 gree recipient amount of the institution.

5 “(2) NO FUNDS TO NON-PARTICIPATING INSTI-
6 TUTIONS.—The Secretary shall not make funds
7 available under this subsection to any eligible insti-
8 tution that is not a participating institution. The ad-
9 justed self-help need amount (determined in accord-
10 ance with subsection (c)) of an eligible institution
11 that is not a participating institution shall not be
12 made available to any other institution.

13 “(3) REQUIRED MINIMUM AMOUNT.—Notwith-
14 standing paragraph (1), in no case shall the sum of
15 a participating institution’s allocation of loan au-
16 thority computed under subsections (c), (d), and (e)
17 be less than the average of the institution’s total
18 principal amount of loans made under this part for
19 each of the academic years 2011–2012 through
20 2015–2016.

21 “(4) ADDITIONAL ADJUSTMENTS.—If the Sec-
22 retary determines that the sum of a participating in-
23 stitution’s allocation of loan authority under sub-
24 sections (c), (d), and (e) is below the minimum

1 amount required under paragraph (3), the Secretary
2 shall—

3 “(A) for each institution for which the
4 minimum amount under paragraph (3) is not
5 satisfied, increase the amount of such sum to
6 the amount of the required minimum under
7 such paragraph; and

8 “(B) ratably reduce the amount of the sum
9 of such loan authority of all participating insti-
10 tutions not described in subparagraph (A).

11 “(c) ADJUSTED SELF-HELP NEED AMOUNT.—For
12 the purposes of subsection (b)(1)(A), the Secretary shall
13 calculate the adjusted self-help need amount of each eligi-
14 ble institution for an award year as follows:

15 “(1) USE OF BASE SELF-HELP NEED
16 AMOUNTS.—

17 “(A) IN GENERAL.—Except as provided in
18 paragraphs (2), (3), and (4), the adjusted self-
19 help need amount of each eligible institution
20 shall be the institution’s base self-help need
21 amount, which is the sum of—

22 “(i) the self-help need of the institu-
23 tion’s eligible undergraduate students for
24 such award year; and

1 “(ii) the self-help need of the institu-
2 tion’s eligible graduate and professional
3 students for such award year.

4 “(B) UNDERGRADUATE STUDENT SELF-
5 HELP NEED.—To determine the self-help need
6 of an institution’s eligible undergraduate stu-
7 dents, the Secretary shall determine the sum of
8 each eligible undergraduate student’s average
9 cost of attendance for the second preceding
10 award year less each such student’s expected
11 family contribution (computed in accordance
12 with part F) for the second preceding award
13 year, except that, for each such eligible under-
14 graduate student, the amount computed by
15 such subtraction shall not be less than zero or
16 more than the lesser of—

17 “(i) 25 percent of the average cost of
18 attendance with respect to such eligible
19 student; or

20 “(ii) \$5,500.

21 “(C) GRADUATE AND PROFESSIONAL STU-
22 DENT SELF-HELP NEED.—To determine the
23 self-help need of an institution’s eligible grad-
24 uate and professional students, the Secretary
25 shall determine the sum of each eligible grad-

1 uate and professional student's average cost of
2 attendance for the second preceding award year
3 less each such student's expected family con-
4 tribution (computed in accordance with part F)
5 for such second preceding award year, except
6 that, for each such eligible graduate and profes-
7 sional student, the amount computed by such
8 subtraction shall not be—

9 “(i) less than zero; and

10 “(ii) more than \$8,000.

11 “(2) RATABLE REDUCTION ADJUSTMENTS.—If
12 the sum of the base self-help need amounts of all eli-
13 gible institutions for an award year as determined
14 under paragraph (1) exceeds $\frac{1}{2}$ of the annual loan
15 authority under subsection (b) for such award year,
16 the Secretary shall ratably reduce the base self-help
17 need amounts of all eligible institutions until the
18 sum of such amounts is equal to the amount that is
19 $\frac{1}{2}$ of the annual loan authority under subsection
20 (b).

21 “(d) LOW TUITION INCENTIVE AMOUNT.—

22 “(1) IN GENERAL.—For purposes of subsection
23 (b)(1)(B), the Secretary shall determine the low tui-
24 tion incentive amount for each participating institu-

1 tion for each award year, by calculating for each
2 such institution the sum of—

3 “(A) the total amount, if any (but not less
4 than zero), by which—

5 “(i) the average tuition and required
6 fees for the institution’s sector for the sec-
7 ond preceding award year; exceeds

8 “(ii) the tuition and required fees for
9 the second preceding award year for each
10 undergraduate and graduate student at-
11 tending the institution who had financial
12 need (as determined under part F); plus

13 “(B) the total amount, if any (but not less
14 than zero), by which—

15 “(i) the total amount for the second
16 preceding award year of non-Federal grant
17 aid provided to meet the financial need of
18 all undergraduate students attending the
19 institution (as determined without regard
20 to financial aid not received under this
21 title); exceeds

22 “(ii) the total amount for the second
23 preceding award year, if any, by which—

1 “(I) the tuition and required fees
2 of each such student with such finan-
3 cial need; exceeds

4 “(II) the average tuition and re-
5 quired fees for the institution’s sector.

6 “(2) RATABLE REDUCTION.—If the sum of the
7 low tuition incentive amounts of all participating in-
8 stitutions for an award year as determined under
9 paragraph (1) exceeds 1/4 of the annual loan au-
10 thority under subsection (b) for such award year,
11 the Secretary shall ratably reduce the low tuition in-
12 centive amounts of all participating institutions until
13 the sum of such amounts is equal to the amount
14 that is 1/4 of the annual loan authority under sub-
15 section (b).

16 “(e) FEDERAL PELL GRANT AND DEGREE RECIPI-
17 ENT AMOUNT.—For purposes of subsection (b)(1)(C), the
18 Secretary shall determine the Federal Pell Grant and de-
19 gree recipient amount for each participating institution for
20 each award year, by calculating for each such institution
21 the ratio of—

22 “(1) the number of students who, during the
23 most recent year for which data are available, ob-
24 tained an associate’s degree or other postsecondary
25 degree from such participating institution and, prior

1 to obtaining such degree, received a Federal Pell
2 Grant for attendance at any institution of higher
3 education; to

4 “(2) the number of students who, during the
5 most recent year for which data are available, ob-
6 tained an associate’s degree or other postsecondary
7 degree from each participating institution and, prior
8 to obtaining such degree, received a Federal Pell
9 Grant for attendance at any institution of higher
10 education.

11 “(f) DEFINITIONS.—In this section:

12 “(1) ANNUAL LOAN AUTHORITY.—The term
13 ‘annual loan authority’ means the total original prin-
14 cipal amount of loans that may be allocated and
15 made available for an award year to make Federal
16 Direct Perkins Loans under section 455A.

17 “(2) AVERAGE COST OF ATTENDANCE.—

18 “(A) IN GENERAL.—The term ‘average
19 cost of attendance’ means the average of the at-
20 tendance costs for undergraduate students and
21 for graduate and professional students, respec-
22 tively, for the second preceding award year
23 which shall include—

1 “(i) tuition and required fees deter-
2 mined in accordance with subparagraph
3 (B);

4 “(ii) standard living expenses deter-
5 mined in accordance with subparagraph
6 (C); and

7 “(iii) books and supplies determined
8 in accordance with subparagraph (D).

9 “(B) TUITION AND REQUIRED FEES.—The
10 average undergraduate and graduate and pro-
11 fessional tuition and required fees described in
12 subparagraph (A)(i) shall be computed on the
13 basis of information reported by the institution
14 to the Secretary, which shall include—

15 “(i) total revenue received by the in-
16 stitution from undergraduate and graduate
17 and professional students, respectively, for
18 tuition and required fees for the second
19 preceding award year; and

20 “(ii) the institution’s full-time equiva-
21 lent enrollment of undergraduate and
22 graduate and professional students, respec-
23 tively, for such second preceding award
24 year.

1 “(C) STANDARD LIVING EXPENSES.—The
2 standard living expense described in subpara-
3 graph (A)(ii) is equal to the allowance, deter-
4 mined by an institution, for room and board
5 costs incurred by a student, as computed in ac-
6 cordance with part F for the second preceding
7 award year.

8 “(D) BOOKS AND SUPPLIES.—The allow-
9 ance for books and supplies described in sub-
10 paragraph (A)(iii) is equal to the allowance, de-
11 termined by an institution, for books, supplies,
12 transportation, and miscellaneous personal ex-
13 penses, including a reasonable allowance for the
14 documented rental or purchase of a personal
15 computer, as computed in accordance with part
16 F for the second preceding award year.

17 “(3) AVERAGE TUITION AND REQUIRED FEES
18 FOR THE INSTITUTION’S SECTOR.—The term ‘aver-
19 age tuition and required fees for the institution’s
20 sector’ shall be determined by the Secretary for each
21 of the categories described in section 132(d).

22 “(4) ELIGIBLE INSTITUTION.—The term ‘eligi-
23 ble institution’ means an institution of higher edu-
24 cation that participates in the Federal Direct Staf-
25 ford Loan Program.

1 “(5) PARTICIPATING INSTITUTION.—The term
2 ‘participating institution’ means an institution of
3 higher education that has an agreement under sec-
4 tion 463(f).

5 “(6) SECTOR.—The term ‘sector’ means each of
6 the categories described in section 132(d).”.

7 **SEC. 4074. AGREEMENTS WITH INSTITUTIONS OF HIGHER**
8 **EDUCATION FOR PURPOSES OF THE PERKINS**
9 **LOAN PROGRAM.**

10 (a) AMENDMENTS.—Section 463 of the Higher Edu-
11 cation Act (20 U.S.C. 1087cc) is amended—

12 (1) in subsection (a)—

13 (A) in the heading, by inserting “FOR
14 LOANS MADE BEFORE JULY 1, 2019”
15 after “AGREEMENTS”;

16 (B) in paragraph (3)(A), by inserting “be-
17 fore July 1, 2019” after “students”;

18 (C) in paragraph (4), by striking “there-
19 on—” and all that follows and inserting “there-
20 on, if the institution has failed to maintain an
21 acceptable collection record with respect to such
22 loan, as determined by the Secretary in accord-
23 ance with criteria established by regulation, the
24 Secretary may require the institution to assign

1 such note or agreement to the Secretary, with-
2 out recompense;” and

3 (D) in paragraph (5), by striking “and the
4 Secretary shall apportion” and all that follows
5 through “in accordance with section 462” and
6 inserting “and the Secretary shall return a por-
7 tion of funds from loan repayments to the insti-
8 tution as specified in section 466(b)”;

9 (2) by amending subsection (b) to read as fol-
10 lows:

11 “(b) ADMINISTRATIVE EXPENSES.—An institution
12 that has entered into an agreement under subsection (a)
13 shall be entitled, for each fiscal year during which it serv-
14 ices student loans from a student loan fund established
15 under such agreement, to a payment in lieu of reimburse-
16 ment for its expenses in servicing student loans made be-
17 fore July 1, 2019. Such payment shall be equal to 0.50
18 percent of the outstanding principal and interest balance
19 of such loans being serviced by the institution as of Sep-
20 tember 30 of each fiscal year.”; and

21 (3) by adding at the end the following:

22 “(f) CONTENTS OF AGREEMENTS FOR LOANS MADE
23 ON OR AFTER JULY 1, 2019.—An agreement with any
24 institution of higher education that elects to participate

1 in the Federal Direct Perkins Loan Program under sec-
2 tion 455A shall provide—

3 “(1) for the establishment and maintenance of
4 a Direct Perkins Loan Program at the institution
5 under which the institution shall use loan authority
6 allocated under section 462A to make loans to eligi-
7 ble students attending the institution;

8 “(2) that the institution, unless otherwise speci-
9 fied in this subsection, shall operate the program
10 consistent with the requirements of agreements es-
11 tablished under section 454;

12 “(3) that the institution will pay matching
13 funds, quarterly, in an amount agreed to by the in-
14 stitution and the Secretary, to an escrow account
15 approved by the Secretary, for the purpose of pro-
16 viding loan benefits to borrowers;

17 “(4) that if the institution fails to meet the re-
18 quirements of paragraph (3), the Secretary shall
19 suspend or terminate the institution’s eligibility to
20 make Federal Direct Perkins Loans under section
21 455A until such time as the Secretary determines,
22 in accordance with section 498, that the institution
23 has met the requirements of such paragraph; and

24 “(5) that if the institution ceases to be eligible
25 to receive federal loans under this title based on loss

1 of eligibility under section 435(a), as amended, due
2 to a high adjusted cohort default rate, the Secretary
3 shall suspend or terminate the institution's eligibility
4 to make Federal Direct Perkins Loans under section
5 455A unless and until the institution would qualify
6 for a resumption of eligible institution status under
7 such section.”.

8 (b) **EFFECTIVE DATE.**—The amendments made by
9 paragraph (2) of subsection (a) shall take effect on Octo-
10 ber 1, 2019.

11 **SEC. 4075. STUDENT LOAN INFORMATION BY ELIGIBLE IN-**
12 **STITUTIONS FOR PURPOSES OF THE PERKINS**
13 **LOAN PROGRAM.**

14 Section 463A of the Higher Education Act of 1965
15 (20 U.S.C. 1087cc–1) is amended—

16 (1) in subsection (a), by striking “Each institu-
17 tion” and inserting “For loans made before July 1,
18 2019, each institution”; and

19 (2) in subsection (b), by striking “Each institu-
20 tion” and inserting “For loans made before July 1,
21 2019, each institution”.

22 **SEC. 4076. TERMS OF LOANS FOR PURPOSES OF THE PER-**
23 **KINS LOAN PROGRAM.**

24 Section 464 of the Higher Education Act of 1965 (20
25 U.S.C. 1087dd) is amended—

1 (1) in subsection (a)(1), by striking “section
2 463” and inserting “section 463(a)”;

3 (2) in subsection (b)(1), by inserting “made be-
4 fore July 1, 2019,” after “A loan”;

5 (3) in subsection (c)—

6 (A) in paragraph (1), by inserting “made
7 before July 1, 2019,” after “a loan”;

8 (B) in paragraph (2)—

9 (i) in subparagraph (A), by inserting
10 “made before July 1, 2019,” after “any
11 loan”; and

12 (ii) in subparagraph (B), by inserting
13 “made before July 1, 2019,” after “any
14 loan”;

15 (C) in paragraph (3)(B), by inserting “for
16 a loan made before July 1, 2019,” after “dur-
17 ing the repayment period”;

18 (D) in paragraph (4), by inserting “before
19 July 1, 2019,” after “for a loan made”;

20 (E) in paragraph (5), by striking “The in-
21 stitution” and inserting “For loans made before
22 July 1, 2019, the institution”; and

23 (F) in paragraph (6), by inserting “made
24 before July 1, 2019,” after “of loans”;

1 (4) in subsection (d), by inserting “made before
2 July 1, 2019,” before “from the student loan fund”;

3 (5) in subsection (e), by inserting “with respect
4 to loans made before July 1, 2019, and” before “as
5 documented in accordance with paragraph (2),”;

6 (6) by repealing subsection (f);

7 (7) in subsection (g)(1), by inserting “and be-
8 fore July 1, 2019,” after “January 1, 1986,”;

9 (8) in subsection (h)—

10 (A) in paragraph (1)(A) by inserting “be-
11 fore July 1, 2019,” after “made under this
12 part”; and

13 (B) in paragraph (2), by inserting “before
14 July 1, 2019,” after “under this part”; and

15 (9) in subsection (j)(1), by inserting “before
16 July 1, 2019,” after “under this part”.

17 **SEC. 4077. REIMBURSEMENT FOR CANCELLATION OF PER-**
18 **KINS LOANS FOR CERTAIN PUBLIC SERVICE.**

19 Section 465 of the Higher Education Act of 1965 (20
20 U.S.C. 1087ee) is amended—

21 (1) in subsection (a), by inserting “and before
22 July 1, 2019,” after “June 30, 1972,”; and

23 (2) by amending subsection (b) to read as fol-
24 lows:

25 “(b) REIMBURSEMENT FOR CANCELLATIONS.—

1 “(1) ASSIGNED LOANS.—In the case of loans
2 made under this part before July 1, 2019, and that
3 are assigned to the Secretary, the Secretary shall,
4 from amounts repaid each quarter on assigned Per-
5 kins Loans made before July 1, 2019, pay to each
6 institution for each quarter an amount equal to—

7 “(A) the aggregate of the amounts of loans
8 from its student loan fund that are canceled
9 pursuant to this section for such quarter, minus

10 “(B) an amount equal to the aggregate of
11 the amounts of any such loans so canceled that
12 were made from Federal capital contributions
13 to its student loan fund.

14 “(2) RETAINED LOANS.—In the case of loans
15 made under this part before July 1, 2019, and that
16 are retained by the institution for servicing, the in-
17 stitution shall deduct from loan repayments owed to
18 the Secretary under section 466, an amount equal
19 to—

20 “(A) the aggregate of the amounts of loans
21 from its student loan fund that are canceled
22 pursuant to this section for such quarter, minus

23 “(B) an amount equal to the aggregate of
24 the amounts of any such loans so canceled that

1 were made from Federal capital contributions
2 to its student loan fund.”.

3 **SEC. 4078. DISTRIBUTION OF ASSETS FROM STUDENT LOAN**
4 **FUNDS FOR PURPOSES OF THE PERKINS**
5 **LOAN PROGRAM.**

6 Section 466 of the Higher Education Act of 1965 (20
7 U.S.C. 1087ff) is amended to read as follows:

8 **“SEC. 466. DISTRIBUTION OF ASSETS FROM STUDENT LOAN**
9 **FUNDS.**

10 “(a) CAPITAL DISTRIBUTION.—Beginning July 1,
11 2019, there shall be a capital distribution of the balance
12 of the student loan fund established under this part by
13 each institution of higher education as follows:

14 “(1) For the quarter beginning July 1, 2019,
15 the Secretary shall first be paid, no later than Sep-
16 tember 30, 2019, an amount that bears the same
17 ratio to the cash balance in such fund at the close
18 of June 30, 2019, as the total amount of the Fed-
19 eral capital contributions to such fund by the Sec-
20 retary under this part bears to—

21 “(A) the sum of such Federal contribu-
22 tions and the institution’s capital contributions
23 to such fund, less

24 “(B) an amount equal to—

1 “(i) the institution’s outstanding ad-
2 ministrative costs as calculated under sec-
3 tion 463(b);

4 “(ii) outstanding charges assessed
5 under section 464(c)(1)(H); and

6 “(iii) outstanding loan cancellation
7 costs incurred under section 465.

8 “(2) At the end of each quarter subsequent to
9 the quarter ending September 30, 2019, the Sec-
10 retary shall first be paid an amount that bears the
11 same ratio to the cash balance in such fund at the
12 close of the preceding quarter, as the total amount
13 of the Federal capital contributions to such fund by
14 the Secretary under this part bears to—

15 “(A) the sum of such Federal contribu-
16 tions and the institution’s capital contributions
17 to such fund, less

18 “(B) an amount equal to—

19 “(i) the institution’s administrative
20 costs incurred for that quarter as cal-
21 culated under section 463(b);

22 “(ii) charges assessed for that quarter
23 under section 464(c)(1)(H); and

24 “(iii) loan cancellation costs incurred
25 for that quarter under section 465.

1 “(3)(A) The Secretary shall calculate the
2 amounts due to the Secretary under paragraph (1)
3 (adjusted in accordance with subparagraph (B), as
4 appropriate) and paragraph (2) and shall promptly
5 inform the institution of such calculated amounts.

6 “(B) In the event that, prior to the date of en-
7 actment of the Student Aid and Fiscal Responsi-
8 bility Act of 2009, an institution made a short-term,
9 interest-free loan to the institution’s student loan
10 fund established under this part in anticipation of
11 collections or receipt of Federal capital contribu-
12 tions, and the institution demonstrates to the Sec-
13 retary, on or before June 30, 2019, that such loan
14 will still be outstanding after June 30, 2019, the
15 Secretary shall subtract the amount of such out-
16 standing loan from the cash balance of the institu-
17 tion’s student loan fund that is used to calculate the
18 amount due to the Secretary under paragraph (1).
19 An adjustment of an amount due to the Secretary
20 under this subparagraph shall be made by the Sec-
21 retary on a case-by-case basis.

22 “(4) Any remaining balance at the end of a
23 quarter after a payment under paragraph (1) or (2)
24 shall be retained by the institution for use at its dis-
25 cretion. Any balance so retained shall be withdrawn

1 from the student loan fund and shall not be counted
2 in calculating amounts owed to the Secretary for
3 subsequent quarters.

4 “(5) Each institution shall make the quarterly
5 payments to the Secretary described in paragraph
6 (2) until all outstanding Federal Perkins Loans at
7 that institution have been assigned to the Secretary
8 and there are no funds remaining in the institution’s
9 student loan fund.

10 “(6) In the event that the institution’s adminis-
11 trative costs, charges, and cancellation costs de-
12 scribed in paragraph (2) for a quarter exceed the
13 amount owed to the Secretary under paragraphs (1)
14 and (2) for that quarter, no payment shall be due
15 to the Secretary from the institution for that quarter
16 and the Secretary shall pay the institution, from
17 funds realized from the collection of assigned Fed-
18 eral Perkins Loans made before July 1, 2019, an
19 amount that, when combined with the amount re-
20 tained by the institution under paragraphs (1) and
21 (2), equals the full amount of such administrative
22 costs, charges, and cancellation costs.

23 “(b) ASSIGNMENT OF OUTSTANDING LOANS.—Be-
24 ginning July 1, 2019, an institution of higher education
25 may assign all outstanding loans made under this part be-

1 fore July 1, 2019, to the Secretary, consistent with the
2 requirements of section 463(a)(5). In collecting loans so
3 assigned, the Secretary shall pay an institution an amount
4 that constitutes the same fraction of such collections as
5 the fraction of the cash balance that the institution retains
6 under subsection (a)(2), but determining such fraction
7 without regard to subparagraph (B)(i) of such sub-
8 section.”.

9

PART F

10 SEC. 4081. CONFORMING AMENDMENT TO FAMILY CON- 11 TRIBUTION.

12 Section 473(b) of the Higher Education Act of 1965
13 (20 U.S.C. 1087mm) is amended—

14 (1) in paragraph (1), by striking “academic
15 year” and inserting “award year”; and

16 (2) in paragraph (2), by striking “academic
17 year 2009–2010 and succeeding academic years”
18 and inserting “award year 2019–2020 and suc-
19 ceeding award years”.

20 SEC. 4082. AMENDMENTS TO DATA ELEMENTS WHEN DE- 21 TERMINING THE EXPECTED FAMILY CON- 22 TRIBUTION.

23 Section 474(b) of the Higher Education Act of 1965
24 (20 U.S.C. 1087nn(b)) is amended in paragraph (4), by

1 inserting before “the net” the following: “only in the case
2 of a pathway three applicant,”.

3 **SEC. 4083. AMENDMENTS TO FAMILY CONTRIBUTION FOR**
4 **DEPENDENT STUDENTS.**

5 (a) **DEPENDENT STUDENTS.**—Section 475 of the
6 Higher Education Act of 1965 (20 U.S.C. 1087oo) is
7 amended—

8 (1) in subsection (a)(3), by inserting before
9 “the student” the following: “only in the case of a
10 pathway three applicant,”;

11 (2) in subsection (b)(1)(B), by inserting before
12 “the parents” the following: “only in the case of a
13 pathway three applicant,”; and

14 (3) in subsection (b)(3), by striking “award pe-
15 riod” and inserting “award year”.

16 (b) **INCREASING SUPPORT FOR WORKING DEPEND-**
17 **ENT STUDENTS.**—Section 475(g)(2)(D) of the Higher
18 Education Act of 1965 (20 U.S.C. 1087oo(g)(2)(D)) is
19 amended to read as follows:

20 “(D) an income protection allowance (or a
21 successor amount prescribed by the Secretary
22 under section 478) of \$9,010 for award year
23 2019–2020;”.

1 **SEC. 4084. AMENDMENTS TO FAMILY CONTRIBUTION FOR**
2 **INDEPENDENT STUDENTS WITHOUT DEPEND-**
3 **ENTS OTHER THAN A SPOUSE.**

4 (a) INDEPENDENT STUDENTS WITHOUT DEPEND-
5 ENTS OTHER THAN A SPOUSE.—Section 476(a)(1)(B) of
6 the Higher Education Act of 1965 (20 U.S.C.
7 1087pp(a)(1)(B)) is amended by inserting before “the
8 family’s contribution” the following: “only in the case of
9 a pathway three applicant,”.

10 (b) INCREASING SUPPORT FOR WORKING INDE-
11 PENDENT STUDENTS WITHOUT DEPENDENTS OTHER
12 THAN A SPOUSE.—Section 476 of the Higher Education
13 Act of 1965 (20 U.S.C. 1087pp) is further amended—

14 (1) in subsection (a)(2), by striking “award pe-
15 riod” and inserting “award year”; and

16 (2) by amending subsection (b)(1)(A)(iv) to
17 read as follows:

18 “(iv) an income protection allowance
19 (or a successor amount prescribed by the
20 Secretary under section 478)—

21 “(I) for single or separated stu-
22 dents, or married students where both
23 are enrolled pursuant to subsection
24 (a)(2), of \$14,010 for award year
25 2019–2020; and

1 “(II) for married students where
2 1 is enrolled pursuant to subsection
3 (a)(2), of \$22,460 for award year
4 2019–2020;”.

5 **SEC. 4085. AMENDMENTS TO FAMILY CONTRIBUTION FOR**
6 **INDEPENDENT STUDENTS WITH DEPEND-**
7 **ENTS OTHER THAN A SPOUSE.**

8 (a) INDEPENDENT STUDENTS WITH DEPENDENTS
9 OTHER THAN A SPOUSE.—Section 477(a)(1)(B) of the
10 Higher Education Act of 1965 (20 U.S.C.
11 1087qq(a)(1)(B)) is amended by inserting before “the
12 family’s contribution” the following: “only in the case of
13 a pathway three applicant,”.

14 (b) INCREASING SUPPORT FOR WORKING INDE-
15 PENDENT STUDENTS WITH DEPENDENTS OTHER THAN
16 A SPOUSE.—Section 477 of the Higher Education Act of
17 1965 (20 U.S.C. 1087qq) is amended—

18 (1) in subsection (a)(3), by striking “award pe-
19 riod” and inserting “award year”; and

20 (2) by amending subsection (b)(4) to read as
21 follows:

22 “(4) INCOME PROTECTION ALLOWANCE.—The
23 income protection allowance is determined by the fol-
24 lowing table (or a successor table prescribed by the

1 Secretary under section 478), for award year 2019–
 2 2020:

“Income Protection Allowance

Family Size (including student)	Number in College					For each additional subtract:
	1	2	3	4	5	
2	\$35,470	\$29,410				\$6,030
3	44,170	38,130	\$32,070			
4	54,540	45,490	42,450	\$36,370		
5	64,360	58,280	52,240	46,190	\$40,160	
6	75,260	69,210	63,190	57,090	51,070	
For each additional add:	8,500					”.

3 **SEC. 4086. UPDATED TABLES AND AMOUNTS TO NEED**
 4 **ANALYSIS.**

5 Section 478 of the Higher Education Act of 1965 (20
 6 U.S.C. 1087rr) is amended—

7 (1) in subsection (b)—

8 (A) in paragraph (1), by striking subpara-
 9 graphs (A) and (B) and inserting the following:

10 “(A) IN GENERAL.—For each award year
 11 after award year 2019–2020, the Secretary
 12 shall publish in the Federal Register a revised
 13 table of income protection allowances for the
 14 purpose of sections 475(c)(4) and 477(b)(4),
 15 subject to subparagraphs (B) and (C).

16 “(B) TABLE FOR INDEPENDENT STU-
 17 DENTS.—For each award year after award year
 18 2019–2020, the Secretary shall develop the re-
 19 vised table of income protection allowances by

1 increasing each of the dollar amounts contained
2 in the table of income protection allowances
3 under section 477(b)(4) by a percentage equal
4 to the estimated percentage increase in the
5 Consumer Price Index (as determined by the
6 Secretary for the most recent calendar year
7 ending prior to the beginning of the award year
8 for which the determination is being made), and
9 rounding the result up to the nearest \$10.”;
10 and

11 (B) in paragraph (2)—

12 (i) in the first sentence, by striking
13 “academic year after academic year 2007–
14 2008” and inserting “award year after
15 award year 2019–2020”; and

16 (ii) in the second sentence, by striking
17 “shall be developed” and all that follows
18 through the period at the end and insert-
19 ing “shall be developed for each award
20 year after award year 2019–2020, by in-
21 creasing each of the dollar amounts con-
22 tained in such section for award year
23 2019–2020 by a percentage equal to the
24 estimated percentage increase in the Con-
25 sumer Price Index (as determined by the

1 Secretary for the most recent calendar
2 year ending prior to the beginning of the
3 award year for which the determination is
4 being made), and rounding the result up to
5 the nearest \$10.”; and

6 (2) in subsection (e)(1), by striking “academic
7 year” and inserting “award year”.

8 **SEC. 4087. ZERO EXPECTED FAMILY CONTRIBUTION.**

9 Section 479 of the Higher Education Act of 1965 (20
10 U.S.C. 1087ss) is amended to read as follows:

11 **“SEC. 479. ZERO EXPECTED FAMILY CONTRIBUTION.**

12 “(a) IN GENERAL.—The Secretary shall consider an
13 applicant to have an expected family contribution equal
14 to zero if—

15 “(1) in the case of a dependent student—

16 “(A)(i) the student’s parents file, or are el-
17 igible to file, a qualifying form, or certify that
18 the parents are not required to file a Federal
19 income tax return; and

20 “(ii) the sum of the adjusted gross in-
21 come of the parents is less than or equal
22 to \$34,000; or

23 “(B) the student’s parents, or the student,
24 received benefits at some time during the pre-

1 vious 24-month period under a means-tested
2 Federal benefit program;

3 “(2) in the case of an independent student
4 without regard to whether the student has depend-
5 ents other than a spouse—

6 “(A)(i) the student (and the student’s
7 spouse, if any) files, or is eligible to file, a
8 qualifying form or certifies that the student
9 (and the student’s spouse, if any) is not re-
10 quired to file a Federal income tax return; and

11 “(ii) the sum of the adjusted gross in-
12 come of the student and spouse (if appro-
13 priate) is less than or equal to \$34,000; or

14 “(B) the student received benefits at some
15 time during the previous 24-month period
16 under a means-tested Federal benefit program;
17 or

18 “(3) the applicant is a pathway one applicant
19 under section 483(a)(13).

20 “(b) EARNED INCOME CREDIT.—An individual is not
21 required to qualify or file for the earned income credit in
22 order to be eligible under this section.

23 “(c) ADJUSTMENTS.—The Secretary shall annually
24 adjust the income level necessary to qualify an applicant
25 for the zero expected family contribution. The income level

1 shall be annually increased by the estimated percentage
2 change in the Consumer Price Index, as defined in section
3 478(f), for the most recent calendar year ending prior to
4 the beginning of an award year, and rounded up to the
5 nearest \$1,000.

6 “(d) DEFINITIONS.—In this section:

7 “(1) QUALIFYING FORM.—The term ‘qualifying
8 form’ means, in the case of an independent student,
9 the student, or in the case of a dependent student,
10 the family, files—

11 “(A) a form 1040A or 1040EZ (including
12 any prepared or electronic version of such form)
13 required pursuant to the Internal Revenue Code
14 of 1986;

15 “(B) a form 1040 (including any prepared
16 or electronic version of such form) required
17 pursuant to the Internal Revenue Code of 1986,
18 except that such form shall be considered a
19 qualifying form only if the student or family
20 files such form in order to take a tax credit
21 under section 25A of the Internal Revenue
22 Code of 1986, and would otherwise be eligible
23 to file a form described in subparagraph (A); or

24 “(C) an income tax return (including any
25 prepared or electronic version of such return)

1 required pursuant to the tax code of the Com-
2 monwealth of Puerto Rico, Guam, American
3 Samoa, the United States Virgin Islands, the
4 Republic of the Marshall Islands, the Federated
5 States of Micronesia, Palau, or the Common-
6 wealth of the Northern Mariana Islands.

7 “(2) MEANS-TESTED FEDERAL BENEFIT PRO-
8 GRAM.—For purposes of this title, a ‘means-tested
9 Federal benefit program’ means a mandatory spend-
10 ing program of the Federal Government, other than
11 a program under this title, in which eligibility for
12 the program’s benefits, or the amount of such bene-
13 fits, are determined on the basis of income or re-
14 sources of the individual or family seeking the ben-
15 efit, and may include such programs as—

16 “(A) the supplemental security income pro-
17 gram under title XVI of the Social Security Act
18 (42 U.S.C. 1381 et seq.);

19 “(B) the supplemental nutrition assistance
20 program under the Food and Nutrition Act of
21 2008 (7 U.S.C. 2011 et seq.);

22 “(C) the program of block grants for
23 States for temporary assistance for needy fami-
24 lies established under part A of title IV of the
25 Social Security Act (42 U.S.C. 601 et seq.);

1 “(D) the special supplemental nutrition
2 program for women, infants, and children es-
3 tablished by section 17 of the Child Nutrition
4 Act of 1966 (42 U.S.C. 1786);

5 “(E) the State Medicaid program under
6 title XIX of the Social Security Act (42 U.S.C.
7 1396 et seq.); and

8 “(F) any other program identified by the
9 Secretary.”.

10 **SEC. 4088. AMENDMENTS TO DEFINITIONS IN NEED ANAL-**
11 **YSIS.**

12 (a) USING DATA FROM THE SECOND PRECEDING
13 YEAR.—Section 480(a)(1)(B) of the Higher Education
14 Act of 1965 (20 U.S.C. 1087vv(a)(1)(B)) is amended by
15 striking “may” in both places it appears and inserting
16 “shall”.

17 (b) CHANGES TO UNTAXED INCOME AND BENE-
18 FITS.—Section 480(b) of the Higher Education Act of
19 1965 (20 U.S.C. 1087vv(b) is amended—

20 (1) in paragraph (1), to read as follows:

21 “(1) The term ‘untaxed income and benefits’
22 means—

23 “(A) child support received;

24 “(B) untaxed portion of pensions; and

1 “(C) payments to individual retirement ac-
2 counts and Keogh accounts excluded from in-
3 come for Federal income tax purposes.”; and
4 (2) in paragraph (2)—

5 (A) by striking “or” at the end of subpara-
6 graph (E);

7 (B) by striking the period at the end of
8 subparagraph (F) and inserting a semicolon;
9 and

10 (C) by adding at the end the following:

11 “(G) workman’s compensation;

12 “(H) veterans’ benefits such as death pen-
13 sion, dependency, and indemnity compensation,
14 but excluding veterans’ education benefits as
15 defined in subsection (c);

16 “(I) interest on tax-free bonds;

17 “(J) housing, food, and other allowances
18 (excluding rent subsidies for low-income hous-
19 ing) for military, clergy, and others (including
20 cash payments and cash value of benefits), ex-
21 cept that the value of on-base military housing
22 or the value of basic allowance for housing de-
23 termined under section 403(b) of title 37,
24 United States Code, received by the parents, in
25 the case of a dependent student, or the student

1 or student's spouse, in the case of an inde-
2 pendent student, shall be excluded;

3 "(K) cash support or any money paid on
4 the student's behalf, except, for dependent stu-
5 dents, funds provided by the student's parents;
6 and

7 "(L) any other untaxed income and bene-
8 fits, such as Black Lung Benefits, Refugee As-
9 sistance, or Railroad Retirement benefits, or
10 benefits received through participation in em-
11 ployment and training activities under title I of
12 the Workforce Investment Act of 1998 (29
13 U.S.C. 2801 et seq.).".

14 (c) AMENDMENT TO THE DEFINITION OF INDE-
15 PENDENT STUDENT AS IT RELATES TO FOSTER AND
16 HOMELESS YOUTH.—Section 480(d)(1)(H) of the Higher
17 Education Act of 1965 (20 U.S.C. 1087vv(d)(1)(H)) is
18 amended—

19 (1) in the matter preceding clause (i)—

20 (A) by striking “during the school year in
21 which the application is submitted”;

22 (B) by inserting “age 23 or younger” after
23 “unaccompanied youth”; and

24 (C) by striking “terms are” and inserting
25 “term is”;

1 (2) in clause (i), by inserting “, or a designee
2 of the liaison” after “Act”;

3 (3) in clause (ii), by striking “a program fund-
4 ed under the Runaway and Homeless Youth Act”
5 and inserting “an emergency or transitional shelter,
6 street outreach program, homeless youths drop-in
7 center, or other program serving homeless youths,”;
8 and

9 (4) in clause (iii), by striking “program funded
10 under subtitle B of title IV of the McKinney-Vento
11 Homeless Assistance Act (relating to emergency
12 shelter grants)” and inserting “Federal TRIO pro-
13 gram or a Gaining Early Awareness and Readiness
14 for Undergraduate program under chapter 1 or 2 of
15 subpart 2 of part A,”.

16 (d) STREAMLINING THE DETERMINATION AND
17 VERIFICATION PROCESS FOR FOSTER AND HOMELESS
18 YOUTH.—Section 480(d) of the Higher Education Act of
19 1965 (20 U.S.C. 1087vv(d)) is further amended by adding
20 at the end the following:

21 “(3) SIMPLIFYING THE DETERMINATION PROC-
22 ESS FOR UNACCOMPANIED YOUTH.—

23 “(A) VERIFICATION.—A financial aid ad-
24 ministrator shall accept a homelessness deter-
25 mination made by any individual authorized to

1 make such determinations under clause (i), (ii),
2 or (iii) of paragraph (1)(H) in the absence of
3 conflicting information. A documented phone
4 call with, or a written statement from, one of
5 the authorized individuals is sufficient
6 verification when needed. For purposes of this
7 paragraph, a financial aid administrator's dis-
8 agreement with the determination made by an
9 authorized individual shall not be considered
10 conflicting information.

11 “(B) DETERMINATION OF INDEPEND-
12 ENCE.—A financial aid administrator shall
13 make a determination of independence under
14 paragraph (1)(H) if a student does not have,
15 and cannot obtain, documentation from any of
16 the other designated authorities described in
17 such paragraph. Such a determination shall
18 be—

19 “(i) based on the definitions outlined
20 in paragraph (1)(H);

21 “(ii) distinct from a determination of
22 independence under paragraph (1)(I);

23 “(iii) based on a documented inter-
24 view with the student; and

1 “(iv) limited to whether the student
2 meets the definitions in paragraph (1)(H)
3 and not about the reasons for the student’s
4 homelessness.

5 “(4) SIMPLIFYING THE VERIFICATION PROCESS
6 FOR FOSTER CHILDREN AND YOUTH.—

7 “(A) VERIFICATION OF INDEPENDENCE.—

8 If an institution requires documentation to
9 verify that a student is independent based on a
10 status described in paragraph (1)(B), a finan-
11 cial aid administrator shall consider any of the
12 following as adequate verification:

13 “(i) Submission of a court order or of-
14 ficial State documentation that the student
15 received Federal or State support in foster
16 care.

17 “(ii) A documented phone call with, or
18 a written statement from—

19 “(I) a child welfare agency au-
20 thorized by a State or county;

21 “(II) a tribal child welfare au-
22 thority;

23 “(III) an Independent Living
24 case worker;

1 “(IV) a public or private foster
2 care placing agency or foster care fa-
3 cility or placement;

4 “(V) another program serving or-
5 phans, foster children, and youth, or
6 wards of the court; or

7 “(VI) a probation officer.

8 “(iii) A documented phone call with,
9 or a written statement from, an attorney,
10 a guardian ad litem, or a Court Appointed
11 Special Advocate, documenting that per-
12 son’s relationship to the student.

13 “(iv) A documented phone call with,
14 or a written statement from, a representa-
15 tive of a Federal TRIO program or a
16 Gaining Early Awareness and Readiness
17 for Undergraduate program under chapter
18 1 or 2 of subpart 2 of part A.

19 “(v) Verification of the student’s eligi-
20 bility for an education and training vouch-
21 er under the John H. Chafee Foster Care
22 Independence Program (42 U.S.C. 677).

23 “(vi) Submission of a copy of the stu-
24 dent’s biological or adoptive parents’—

25 “(I) Certificates of Death; or

1 “(II) newspaper obituaries.

2 “(vii) An attestation from the student,
3 which includes a description of why the
4 student may qualify for a status described
5 in paragraph (1)(B), including the approxi-
6 mate dates that the student was in foster
7 care, dependent, or a ward of the court, to
8 the best of the student’s knowledge after
9 making reasonable efforts to provide any
10 requested documentation.

11 “(B) ADDITIONAL STREAMLINING PER-
12 MITTED.—Nothing in this paragraph prohibits
13 an institution from implementing policies that
14 streamline the determination of independent
15 status and improve a student’s access to finan-
16 cial aid because that student is an orphan, in
17 foster care, or a ward of the court, or was an
18 orphan, in foster care, or a ward of the court
19 at any time since such student was 13 years of
20 age or older.

21 “(5) TIMING; USE OF EARLIER DETERMINA-
22 TION.—

23 “(A) TIMING.—A determination under
24 subparagraph (B) or (H) of paragraph (1) for
25 a student—

1 “(i) shall be made as quickly as prac-
2 ticable;

3 “(ii) may be made as early as the year
4 before the award year for which the stu-
5 dent initially submits an application; and

6 “(iii) shall be made no later than dur-
7 ing the award year for which the student
8 initially submits an application.

9 “(B) USE OF EARLIER DETERMINATION.—
10 Any student who is determined to be inde-
11 pendent under subparagraph (B) or (H) of
12 paragraph (1) for a preceding award year at an
13 institution shall be presumed to be independent
14 for a subsequent award year at the same insti-
15 tution unless—

16 “(i) the student informs the institu-
17 tion that circumstances have changed; or

18 “(ii) the institution has specific con-
19 flicting information about the student’s
20 independence, and has informed the stu-
21 dent of this information and the oppor-
22 tunity to challenge such information
23 through a documented interview or an im-
24 partial review by the Student Loan Om-
25 budsman pursuant to section 141(f)(3)(C).

- 1 (1) in subsection (a)—
- 2 (A) in paragraph (2)—
- 3 (i) in subparagraph (A), by striking
- 4 “process” and all that follows through the
- 5 end of clause (ii) and inserting “process a
- 6 paper version of the forms described in
- 7 this subsection, in accordance with sub-
- 8 paragraph (C).”;
- 9 (ii) by striking subparagraph (B); and
- 10 (iii) by redesignating subparagraph
- 11 (C) as subparagraph (B);
- 12 (B) in paragraph (3)—
- 13 (i) in subparagraph (A), by striking
- 14 the end sentence; and
- 15 (ii) by striking subparagraph (B), and
- 16 redesignating subparagraphs (C) through
- 17 (H) as subparagraphs (B) through (G), re-
- 18 spectively;
- 19 (C) in paragraph (4)—
- 20 (i) by striking “academic year” each
- 21 place it appears and inserting “award
- 22 year”;
- 23 (ii) in subparagraph (A), by striking
- 24 clause (iv); and

1 (iii) by adding at the end the fol-
2 lowing:

3 “(C) SINGLE QUESTION REGARDING
4 HOMELESS STATUS.—The Secretary shall en-
5 sure that, on each form developed under this
6 section for which the information is applicable,
7 there is a single, easily understood screening
8 question to identify an applicant for aid who
9 is—

10 “(i) an unaccompanied homeless child
11 or youth (as such term is defined in sec-
12 tion 725 of the McKinney-Vento Homeless
13 Assistance Act); or

14 “(ii) an unaccompanied youth who is
15 self-supporting and at risk of homeless-
16 ness.”;

17 (D) in paragraph (5)—

18 (i) in subparagraph (A), by striking
19 “paragraphs (2)(B)(iii), (3)(B), and
20 (4)(A)(ii)” and inserting “paragraph
21 (4)(A)(ii)”;

22 (ii) in subparagraph (B)—

23 (I) by striking “determine” and
24 all that follows through “which” and
25 inserting “determine which”; and

1 (II) by striking clause (ii);
2 (iii) in subparagraph (C), by striking
3 “the Secretary” and all that follows
4 through “of the” and inserting “the Sec-
5 retary of the”; and
6 (iv) by striking subparagraphs (D)
7 through (F), and redesignating subpara-
8 graph (G) as subparagraph (D); and
9 (E) by adding at the end the following:
10 “(13) FAFSA PATHWAYS.—
11 “(A) MEMORANDUM OF UNDER-
12 STANDING.—Not later than the effective date of
13 the Aim Higher Act, the Secretary shall seek to
14 enter into a Memorandum of Understanding
15 with the Secretary of Health and Human Serv-
16 ices, the Secretary of Agriculture, and the Sec-
17 retary of the Treasury, under which any infor-
18 mation exchanged under an income and eligi-
19 bility verification system established pursuant
20 to section 1137 of the Social Security Act by
21 State agencies administering a program listed
22 in paragraph (1), (4), or (5) of subsection (b)
23 of such section which may be of use in estab-
24 lishing or verifying eligibility or benefit amounts
25 under such program shall be made available to

1 the Secretary of Education to assist in deter-
2 mining whether the applicant (or the appli-
3 cant's parents) received a benefit at some time
4 during the previous 24-month period under a
5 means-tested Federal benefit program, but sub-
6 ject to the requirements of Federal law.

7 “(B) REQUIREMENT FOR ALL APPLICANTS
8 AND THE SECRETARY.—For any award year for
9 which an applicant applies for financial assist-
10 ance under this title (except for any award year
11 for which, pursuant to paragraph (14), the ap-
12 plicant is not required to submit a FAFSA)—

13 “(i) the applicant shall provide on the
14 form described in this subsection whether
15 the applicant received, or in the case of a
16 dependent applicant, whether the parents
17 of the applicant received, a benefit at some
18 time during the previous 24-month period
19 under a means-tested Federal benefit pro-
20 gram; and

21 “(ii) the Secretary, to the extent prac-
22 ticable and pursuant to the Memorandum
23 of Understanding entered into under sub-
24 paragraph (A), and without any further
25 action by the applicant, shall verify the ap-

1 plicant’s (or the applicant’s parents) re-
2 ceipt of such benefit.

3 “(C) PATHWAY ONE APPLICANTS.—

4 “(i) IN GENERAL.—With respect to an
5 applicant who received, or in the case of a
6 dependent applicant, whose parents re-
7 ceived, benefits at some time during the
8 previous 24-month period under a means-
9 tested Federal benefit program, the appli-
10 cant shall not be required to provide any
11 further income or asset information on the
12 form under this subsection.

13 “(ii) DESIGNATION.—For purposes of
14 this section and part F, an applicant de-
15 scribed in clause (i) shall be referred to as
16 a ‘pathway one applicant’.

17 “(D) PATHWAY TWO APPLICANTS.—

18 “(i) IN GENERAL.—With respect to an
19 applicant who is not a pathway one appli-
20 cant and who is not required to file or, in
21 the case of a dependent applicant, no par-
22 ent of the applicant is required to file, any
23 schedule (other than a schedule R, sched-
24 ule 8812, or schedule EIC) with a Federal
25 income tax return, the Secretary, to the ex-

1 tent practicable, shall use the data re-
2 trieval tool under section 484(q) to obtain
3 any information for the applicant beyond
4 the information described in subparagraph
5 (A) for purposes of the form under this
6 subsection.

7 “(ii) DESIGNATION.—For purposes of
8 this section and part F, an applicant de-
9 scribed in clause (i) shall be referred to as
10 a ‘pathway two applicant’.

11 “(E) PATHWAY THREE APPLICANTS.—

12 “(i) IN GENERAL.—With respect to an
13 applicant who is not a pathway one appli-
14 cant or a pathway two applicant, the Sec-
15 retary, to the extent practicable, shall use
16 the data retrieval tool under section 484(q)
17 to obtain any information for the applicant
18 beyond the information described in sub-
19 paragraph (A) for purposes of the form
20 under this subsection.

21 “(ii) DESIGNATION.—For purposes of
22 this section and part F, an applicant de-
23 scribed in clause (i) shall be referred to as
24 a ‘pathway three applicant’.

1 “(F) MEANS-TESTED FEDERAL BENEFIT
2 PROGRAM DEFINED.—For purposes of this
3 paragraph, the term ‘means-tested Federal ben-
4 efit program’ has the meaning given the term
5 in section 479(d)(2).”

6 “(14) ONE-TIME FAFSA FILING FOR DEPEND-
7 ENT STUDENTS.—

8 “(A) IN GENERAL.—Notwithstanding any
9 other provision of this section and subject to
10 subparagraphs (B) and (C), an applicant who
11 submits a FAFSA for the first time during the
12 period required for the completion of the first
13 undergraduate baccalaureate course of study
14 being pursued by such applicant and is deter-
15 mined to be a dependent student who is eligible
16 to receive a Federal Pell Grant for the award
17 year for which the applicant submitted such
18 FAFSA, for any succeeding award year—

19 “(i) for which the applicant does not
20 submit a FAFSA and for which the appli-
21 cant submits a certification form described
22 in subparagraph (D) based upon which the
23 Secretary confirms that the applicant is a
24 dependent student for such year, such ap-
25 plicant—

1 “(I) shall not be required to sub-
2 mit a FAFSA to receive financial as-
3 sistance under this title; and

4 “(II) shall have an expected fam-
5 ily contribution for such year that is
6 equal to the expected family contribu-
7 tion of the applicant determined for
8 the award year for which the appli-
9 cant submitted a FAFSA during such
10 period, except that an adjustment to
11 such expected family contribution may
12 be made under section 479A;

13 “(ii) for which the applicant submits a
14 FAFSA, such applicant—

15 “(I) shall have an expected fam-
16 ily contribution for such year that is
17 determined based on such FAFSA;
18 and

19 “(II) shall be required to submit
20 a FAFSA for any other award year
21 for which the applicant seeks financial
22 assistance under this title; and

23 “(iii) for which the applicant is deter-
24 mined to be an independent student or
25 does not submit a certification form de-

1 scribed in subparagraph (D), such appli-
2 cant shall submit a FAFSA for such suc-
3 ceeding award year and any other award
4 year for which the applicant seeks financial
5 assistance under this title.

6 “(B) ADJUSTMENT OF EXPECTED FAMILY
7 CONTRIBUTION.—With respect to an applicant
8 described in subparagraph (A)(i) who receives
9 an adjustment under section 479A to the ex-
10 pected family contribution of the applicant for
11 an award year, for any succeeding award year
12 after the award year for which the adjustment
13 was made, subclause (II) of such subparagraph
14 shall be applied to such applicant by sub-
15 stituting ‘expected family contribution of the
16 applicant as most recently adjusted under sec-
17 tion 479A for such applicant’ for the ‘expected
18 family contribution of the applicant determined
19 for the award year for which the applicant sub-
20 mitted a FAFSA during such period’.

21 “(C) RULE FOR CERTAIN STUDENTS.—
22 With respect to an applicant who submits a
23 FAFSA for award year 2019–2020 and enrolls
24 in an institution of higher education for such
25 year, subparagraph (A) shall be applied—

1 “(i) in the matter preceding clause (i),
2 by substituting ‘award year 2019–2020’
3 for ‘the first time’; and

4 “(ii) in clause (i)(II), by substituting
5 ‘award year 2019–2020’ for ‘the award
6 year for which the applicant submitted a
7 FAFSA during such period’.

8 “(D) DEPENDENT STUDENT CERTIFI-
9 CATION FORM.—The Secretary, in cooperation
10 with representatives of agencies and organiza-
11 tions involved in student financial assistance,
12 shall use behavioral science insights to produce,
13 distribute, and process free of charge a short
14 and simple consumer-tested dependent student
15 certification form that uses skip logic to bypass
16 fields that are inapplicable to an applicant.
17 Such form shall not require an applicant to pro-
18 vide data that the Secretary may otherwise ob-
19 tain with respect to the applicant (such as age
20 or active duty military status), and may only
21 contain the data elements required for purposes
22 of subparagraph (A)(i)—

23 “(i) to confirm that the applicant is a
24 dependent student;

1 “(ii) to allow the applicant to update
2 the contact information of such applicant
3 or the Federal School Code of the institu-
4 tion of higher education in which the appli-
5 cant is, or will be enrolled, for the award
6 year for which the applicant submits such
7 form; and

8 “(iii) to ask whether the applicant’s
9 need and eligibility for financial assistance
10 under this title has not changed substan-
11 tially since the most recent of the fol-
12 lowing:

13 “(I) The applicant submitted a
14 FAFSA.

15 “(II) The applicant received an
16 adjustment under section 479A to the
17 expected family contribution of the
18 applicant.

19 “(E) SUCCEEDING AWARD YEAR DE-
20 FINED.—In this paragraph, the term ‘suc-
21 ceeding award year’—

22 “(i) when used with respect to an ap-
23 plicant who submits a FAFSA for the first
24 time for an award year during the period
25 required for the completion of the first un-

1 dergraduate baccalaureate course of study
2 being pursued by such applicant, means
3 any award year during such period that
4 follows the award year for which the appli-
5 cant submits such FAFSA; and

6 “(ii) when used with respect to an ap-
7 plicant described in subparagraph (C),
8 means any award year after award year
9 2018–2019 during the period required for
10 the completion of the first undergraduate
11 baccalaureate course of study being pur-
12 sued by such applicant.”.

13 “(15) FAFSA IN VARIOUS LANGUAGES.—The
14 Secretary shall—

15 “(A) translate the form developed under
16 this subsection into not fewer than 11 foreign
17 languages based on the languages most often
18 spoken by English learner students and their
19 parents, and make the translated form available
20 and accessible to applicants in paper and elec-
21 tronic formats; and

22 “(B) ensure that the form developed under
23 this subsection is available in formats accessible
24 to individuals with disabilities.”.

1 (2) in subsection (c), by striking the last sen-
2 tence;

3 (3) in subsection (d)(3)—

4 (A) in subparagraph (A), by striking “and
5 EZ FAFSA”; and

6 (B) in subparagraph (B), by striking “and
7 EZ FAFSA”;

8 (4) in subsection (e)—

9 (A) in paragraph (3),

10 (i) by striking “or, as appropriate, an
11 EZ FAFSA”; and

12 (ii) in clause (A)(ii), by striking “sec-
13 tion 401(b)(2)(A)” and inserting “section
14 401(b)(1)”; and

15 (B) in paragraph (5)(D), by striking “or,
16 as appropriate, an EZ FAFSA,”;

17 (5) by amending subsection (f) to read as fol-
18 lows:

19 “(f) USE OF INTERNAL REVENUE SERVICE DATA
20 RETRIEVAL TOOL TO POPULATE FAFSA.—

21 “(1) SIMPLIFICATION EFFORTS.—The Sec-
22 retary shall—

23 “(A) make every effort to allow applicants
24 to utilize the current data retrieval tool to
25 transfer data available from the Internal Rev-

1 enue Service to reduce the amount of original
2 data entry by applicants and strengthen the re-
3 liability of data used to calculate expected fam-
4 ily contributions, including through the use of
5 technology to—

6 “(i) allow an applicant to automati-
7 cally populate the electronic version of the
8 forms under this paragraph with data
9 available from the Internal Revenue Serv-
10 ice; and

11 “(ii) direct an applicant to appro-
12 priate questions on such forms based on
13 the applicant’s answers to previous ques-
14 tions; and

15 “(B) allow single taxpayers, married tax-
16 payers filing jointly, and married taxpayers fil-
17 ing separately to utilize the current data re-
18 trieval tool to its full capacity.

19 “(2) USE OF TAX RETURN IN APPLICATION
20 PROCESS.—The Secretary shall continue to examine
21 whether data provided by the Internal Revenue Serv-
22 ice can be used to generate an expected family con-
23 tribution without additional action on the part of the
24 student and taxpayer.

1 “(3) REPORTS ON FAFSA SIMPLIFICATION EF-
2 FORTS.—Not less than once every other year, the
3 Secretary shall report to the authorizing committees
4 and the Committees on Appropriations of the House
5 of Representatives and the Senate on the progress of
6 the simplification efforts under this subsection.”;

7 (6) by repealing subsection (g);

8 (7) redesignating subsection (h) as subsection
9 (g); and

10 (8) by adding at the end the following:

11 “(h) DATA TRANSPARENCY ON THE NUMBER OF AP-
12 PLICANTS.—

13 “(1) IN GENERAL.—The Secretary shall annu-
14 ally publish data on the number of individuals who
15 apply for Federal student aid pursuant to this sec-
16 tion who are homeless children and youths (as such
17 term is defined in section 725 of the McKinney-
18 Vento Homeless Assistance Act (42 U.S.C.
19 11434a)), including unaccompanied youth, and fos-
20 ter care children and youth.

21 “(2) CONTENTS.—The data described in para-
22 graph (1) with respect to homeless children and
23 youths shall include, at a minimum, for each appli-
24 cation cycle—

1 “(A) the total number of all applicants
2 who were determined to be (or to be at risk of
3 becoming) unaccompanied homeless youth,
4 under section 480(d)(1)(H);

5 “(B) the number of applicants described in
6 subparagraph (A), disaggregated—

7 “(i) by State; and

8 “(ii) by the sources of determination
9 as described in clauses (i) through (iv) of
10 section 480(d)(1)(H); and

11 “(C) the number of undetermined requests
12 for homelessness consideration, including
13 statuses that remain unknown because no de-
14 termination had been made in response the ap-
15 plicant’s request for the institution to consider
16 the applicant’s special circumstance of being
17 homeless.

18 “(i) CONVICTIONS.—The Secretary shall not include
19 any question about the conviction of an applicant for the
20 possession or sale of illegal drugs on the FAFSA (or any
21 other form developed under subsection (a)).

22 “(j) FAFSA VERIFICATION.—

23 “(1) IN GENERAL.—With respect to applicants
24 who submit a FAFSA for an award year and were
25 eligible to receive a Federal Pell Grant for such

1 award year, the Secretary shall submit to the au-
2 thorizing committees, and make publicly available, a
3 report for such award year on—

4 “(A) the percentage of such applicants who
5 received a Federal Pell Grant for such award
6 year;

7 “(B) the percentage of such applicants
8 who did not receive a Federal Pell Grant for
9 such year;

10 “(C) the percentage of such applicants who
11 were selected by the Secretary for verification of
12 the data provided in the FAFSA;

13 “(D) the percentage of applicants de-
14 scribed in (1)(C) who received a Federal Pell
15 Grant for such award year; and

16 “(E) the percentage of applicants de-
17 scribed in (1)(C) who did not receive a Federal
18 Pell Grant for such award year.

19 “(2) DISAGGREGATION.—The data provided in
20 a report under paragraph (1) shall be
21 disaggregated—

22 “(A) by applicants who were pathway one
23 applicants for such year;

24 “(B) by applicants who were pathway two
25 applicants for such year;

1 “(C) by applicants who were pathway three
2 applicants for such year; and

3 “(D) to the extent practicable, by appli-
4 cants who enrolled in an institution of higher
5 education for such award year.

6 “(k) SECRETARIAL REQUIREMENTS.—Not later than
7 the effective date of this Act, the Secretary of Education,
8 in consultation with the Secretaries of Defense and Vet-
9 erans Affairs, shall develop and finalize a financial shop-
10 ping sheet that ensures each institution of higher edu-
11 cation provides meaningful information about the financial
12 cost and quality of such institution to students (including
13 students who have authorized the Department of Edu-
14 cation to send the student’s Institutional Student Infor-
15 mation Record to such institution) to assist such students
16 in determining how to use financial aid to attend such in-
17 stitution, and which—

18 “(1) is standardized so that it can be used by
19 all institutions of higher education;

20 “(2) is consumer tested, and presented in a
21 manner that is simple and easily understandable;
22 and

23 “(3) is personalized for each student who re-
24 ceives such sheet by including—

1 “(A) the cost of attendance of the edu-
2 cational program in which the student is en-
3 rolled or seeks to be enrolled;

4 “(B) the type of Federal educational bene-
5 fits available to assist in covering such cost of
6 attendance, including loans and grants under
7 title IV of the Higher Education Act of 1965;

8 “(C) the amount of financial aid, including
9 Federal, State, institutional, or other aid that
10 can be used to assist in covering such cost of
11 attendance;

12 “(D) information about student outcomes
13 for students who graduate from such edu-
14 cational program, including, based upon the
15 most recent data available—

16 “(i) the graduation rate;

17 “(ii) the loan repayment rate; and

18 “(iii) the estimated loan debt upon
19 graduation; and

20 “(E) any other information that facilitates
21 comparison of aid packages offered by different
22 institutions of higher education.”.

23 **SEC. 4092. FEDERAL AID ELIGIBILITY.**

24 (a) **FEDERAL AID ELIGIBILITY FOR DREAMER STU-**
25 **DENTS.**—Section 484(a)(5) of the Higher Education Act

1 of 1965 (20 U.S.C. 1091(a)(5)) is amended by inserting
2 “, or be a Dreamer student, as defined in subsection (q)”,
3 as amended by this section, after “becoming a citizen or
4 permanent resident”.

5 (b) EXCEPTION TO REQUIRED REGISTRATION WITH
6 SELECTIVE SERVICE SYSTEM.—

7 (1) Subsection (n) of section 484 of the Higher
8 Education Act of 1965 (20 U.S.C. 1901(n)) is re-
9 pealed; and

10 (2) Subsections (o) through (q) are redesign-
11 nated as subsections (n) through (p), respectively.

12 (c) DEFINITION OF DREAMER STUDENT.—Section
13 484 of the Higher Education Act of 1965 (20 U.S.C.
14 1091) is further amended by adding at the end the fol-
15 lowing:

16 “(q) DREAMER STUDENT.—

17 “(1) IN GENERAL.—In this section, the term
18 ‘Dreamer student’ means an individual who—

19 “(A) was younger than 16 years of age on
20 the date on which the individual initially en-
21 tered the United States;

22 “(B) has provided a list of each secondary
23 school that the student attended in the United
24 States; and

1 “(C)(i) has earned a high school diploma,
2 the recognized equivalent of such diploma from
3 a secondary school, or a high school equivalency
4 diploma in the United States or is scheduled to
5 complete the requirements for such a diploma
6 or equivalent before the next academic year be-
7 gins;

8 “(ii) has acquired a degree from an institu-
9 tion of higher education or has completed not
10 less than 2 years in a program for a bacca-
11 laureate degree or higher degree at an institu-
12 tion of higher education in the United States
13 and has made satisfactory academic progress,
14 as defined in subsection (e), during such time
15 period;

16 “(iii) at any time was eligible for a grant
17 of deferred action under—

18 “(I) the June 15, 2012, memorandum
19 from the Secretary of Homeland Security
20 entitled ‘Exercising Prosecutorial Discre-
21 tion with Respect to Individuals Who
22 Came to the United States as Children’; or

23 “(II) the November 20, 2014, memo-
24 randum from the Secretary of Homeland
25 Security entitled ‘Exercising Prosecutorial

1 Discretion with Respect to Individuals
2 Who Came to the United States as Chil-
3 dren and with Respect to Certain Individ-
4 uals Who Are the Parents of U.S. Citizens
5 or Permanent Residents’; or

6 “(iv) has served in the uniformed services,
7 as defined in section 101 of title 10, United
8 States Code, for not less than 4 years and, if
9 discharged, received an honorable discharge.

10 “(2) HARDSHIP EXCEPTION.—The Secretary
11 shall issue regulations that direct when the Depart-
12 ment shall waive the requirement of subparagraph
13 (A) or (B), or both, of paragraph (1) for an indi-
14 vidual to qualify as a Dreamer student under such
15 paragraph, if the individual—

16 “(A) demonstrates compelling cir-
17 cumstances for the inability to satisfy the re-
18 quirement of such subparagraph (A) or (B), or
19 both; and

20 “(B) satisfies the requirement of para-
21 graph (1)(C).”.

22 (d) REPEAL OF SUSPENSION OF FINANCIAL AID ELI-
23 GIBILITY FOR DRUG-RELATED OFFENSES.—Subsection
24 (r) of section 484 of the Higher Education Act of 1965
25 (20 U.S.C. 1091(r)) is repealed.

1 **SEC. 4093. REINSTATEMENT OF THE 6-YEAR STATUTE OF**
2 **LIMITATIONS FOR STUDENT LOANS.**

3 Section 484A(a) of the Higher Education Act of
4 1965 (20 U.S.C. 1091a(a)) is amended to read as follows:

5 “(a) STATUTE OF LIMITATIONS.—Notwithstanding
6 any Federal or State statutory, regulatory, or administra-
7 tive limitation on the period within which debts may be
8 enforced—

9 “(1) an institution that receives funds under
10 this title may file a suit or initiate or take another
11 action for collection of a refund due from a student
12 on a grant made, or work assistance awarded, under
13 this title, during the 6-year period beginning on the
14 day after the refund first became due (exclusive of
15 the period during which the State statute of limita-
16 tions otherwise applicable to a suit under this para-
17 graph would be tolled under State law);

18 “(2) a guaranty agency that has an agreement
19 with the Secretary under section 428(c) may file a
20 suit or initiate or take another action for collection
21 of the amount due from a borrower on a loan made
22 under part B during the 6-year period beginning on
23 the day after such guaranty agency reimburses the
24 previous holder of the loan for its loss on account of
25 the default of the borrower (exclusive of the period
26 during which the State statute of limitations other-

1 wise applicable to a suit under this paragraph would
2 be tolled under State law);

3 “(3) an institution that has an agreement with
4 the Secretary pursuant to section 487 may file a suit
5 or initiate or take another action for collection of the
6 amount due from a borrower on a loan made under
7 part D or E after the default of the borrower on
8 such loan during the 6-year period beginning on the
9 day after the date of the default of the borrower
10 with respect to such amount (exclusive of the period
11 during which the State statute of limitations other-
12 wise applicable to a suit under this paragraph would
13 be tolled under State law); or

14 “(4) the Secretary, the Attorney General, or the
15 administrative head of another Federal agency, as
16 the case may be, may file a suit or initiate or take
17 another action for collection of a refund due from a
18 student on a grant made under this title, or for the
19 repayment of the amount due from a borrower on a
20 loan made under this title that has been assigned to
21 the Secretary under this title, during the 6-year pe-
22 riod beginning on the day after the refund or the
23 amount first became due.”.

1 **SEC. 4094. EXIT COUNSELING.**

2 (a) AMENDMENTS TO EXIT COUNSELING FOR BOR-
3 ROWERS.—Section 485(b) of the Higher Education Act of
4 1965 (20 U.S.C. 1092(b)) is amended—

5 (1) in paragraph (1)(A)—

6 (A) in the matter preceding clause (i),
7 striking “through financial aid offices or other-
8 wise” and inserting “through the use of an
9 interactive program, during an exit counseling
10 session that is in-person or online, or through
11 the use of the online counseling tool described
12 in subsection (n)(1)(A)”;

13 (B) by redesignating clauses (i) through
14 (ix) as clauses (iv) through (xii), respectively;

15 (C) by inserting before clause (iv), as so
16 redesignated, the following:

17 “(i) a summary of the outstanding
18 balance of principal and interest due on
19 the loans made to the borrower under part
20 B, D, or E;

21 “(ii) an explanation of the grace pe-
22 riod preceding repayment and the expected
23 date that the borrower will enter repay-
24 ment;

25 “(iii) an explanation that the borrower
26 has the option to pay any interest that has

1 accrued while the borrower was in school
2 or that may accrue during the grace period
3 preceding repayment or during an author-
4 ized period of deferment or forbearance,
5 prior to the capitalization of the interest;”;
6 (D) in clause (iv), as so redesignated—

7 (i) by striking “sample information
8 showing the average” and inserting “infor-
9 mation, based on the borrower’s out-
10 standing balance described in clause (i),
11 showing the borrower’s”; and

12 (ii) by striking “of each plan” and in-
13 sserting “of at least the fixed repayment
14 plan described in section 493E, the in-
15 come-based repayment plan under section
16 493C(f), and any other repayment plan for
17 which each loan may be eligible”;

18 (E) in clause (ix), as so redesignated—

19 (i) by inserting “decreased credit
20 score,” after “credit reports,”; and

21 (ii) by inserting “reduced ability to
22 rent or purchase a home or car, potential
23 difficulty in securing employment,” after
24 “Federal law,”;

1 (F) in clause (x), as so redesignated, by
2 striking “consolidation loan under section 428C
3 or a”;

4 (G) in clauses (xi) and (xii), as so redesignated,
5 by striking “and” at the end; and

6 (H) by adding at the end the following:

7 “(xiii) for each of the borrower’s loans
8 made under part B, D, or E for which the
9 borrower is receiving counseling under this
10 subsection, the contact information for the
11 loan servicer of the loan and a link to such
12 servicer’s website; and

13 “(xiv) an explanation that an indi-
14 vidual has a right to annually request a
15 disclosure of information collected by a
16 consumer reporting agency pursuant to
17 section 612(a) of the Fair Credit Report-
18 ing Act (15 U.S.C. 1681j(a)).”;

19 (2) in paragraph (1)(B)—

20 (A) by inserting “online or” before “in
21 writing”; and

22 (B) by adding before the period at the end
23 the following: “, except that in the case of an
24 institution using the online counseling tool de-
25 scribed in subsection (n)(1)(A), the Secretary

1 shall attempt to provide such information to the
2 student in the manner described in subsection
3 (n)(3)(C)”; and

4 (3) in paragraph (2)(C), by inserting “, such as
5 the online counseling tool described in subsection
6 (n)(1)(A),” after “electronic means”.

7 (b) CONFORMING AMENDMENT.—Section 485(d)(1)
8 of the Higher Education Act of 1965 (20 U.S.C.
9 1092(d)(1)) is amended by striking “including income-
10 sensitive” and all that follows through “part D” and in-
11 serting “including, beginning on July 1, 2019, the income-
12 based repayment plan under section 493C(f) and the fixed
13 repayment plan described in section 493E”.

14 **SEC. 4095. CLERY ACT AMENDMENTS.**

15 (a) DISCLOSURE OF CAMPUS SECURITY POLICY AND
16 CAMPUS CRIME STATISTICS.—Section 485(f) of the High-
17 er Education Act of 1965 (20 U.S.C. 1092(f)) is amend-
18 ed—

19 (1) in paragraph (1)(F)—

20 (A) in clause (i), by striking “and” at the
21 end;

22 (B) in clause (ii), by striking “and” at the
23 end;

24 (C) in clause (iii), by striking the period at
25 the end and inserting “;”; and

1 (D) by adding at the end the following:

2 “(iv) of hazing incidents that were re-
3 ported to campus security authorities or
4 local police agencies; and

5 “(v) of harassment incidents that
6 were reported to campus security authori-
7 ties or local police agencies.”;

8 (2) in paragraph (6)(A), by adding at the end
9 the following:

10 “(vi) For purposes of reporting under
11 this subsection, the term ‘hazing’ means
12 any intentional, knowing, or reckless act
13 committed by a student, or a former stu-
14 dent, of an institution of higher education,
15 whether individually or in concert with
16 other persons, against another student,
17 that—

18 “(I) was committed in connection
19 with an initiation into, an affiliation
20 with, or the maintenance of member-
21 ship in, any organization that is affili-
22 ated with such institution of higher
23 education; and

24 “(II) contributes to a substantial
25 risk of physical injury, mental harm,

1 or personal degradation or causes
2 physical injury, mental harm, or per-
3 sonal degradation.

4 “(vii) For purposes of reporting under
5 this section, the term ‘harassment’ means
6 conduct, including acts of verbal, non-
7 verbal, or physical aggression, intimidation,
8 or hostility (including conduct that is un-
9 dertaken in whole or in part, through the
10 use of electronic messaging services, com-
11 mercial mobile services, electronic commu-
12 nications, or other technology) that—

13 “(I) is sufficiently severe, per-
14 sistent, or pervasive so as to limit a
15 student’s ability to participate in or
16 benefit from a program or activity at
17 an institution of higher education, or
18 to create a hostile or abusive edu-
19 cational environment at an institution
20 of higher education; and

21 “(II) is based on a student’s ac-
22 tual or perceived race, gender, reli-
23 gion, national origin, sexual orienta-
24 tion, gender identity, ethnicity, or dis-
25 ability.

1 “(viii) The term ‘commercial mobile
2 service’ has the meaning given the term in
3 section 332(d) of the Communications Act
4 of 1934 (47 U.S.C. 332(d)).

5 “(ix) The term ‘electronic communica-
6 tion’ means any transfer of signs, signals,
7 writing, images, sounds, or data of any na-
8 ture transmitted in whole or in part by a
9 wire, radio, electromagnetic,
10 photoelectronic, or photooptical system.

11 “(x) The term ‘electronic messaging
12 services’ has the meaning given the term in
13 section 102 of the Communications Assist-
14 ance for Law Enforcement Act (47 U.S.C.
15 1001).”; and

16 (3) in paragraph (7), by inserting after the sec-
17 ond sentence the following: “For hazing incidents,
18 such statistics shall be compiled in accordance with
19 the definition of that term in paragraph (6)(A)(vi).
20 For harassment incidents, such statistics shall be
21 compiled in accordance with the definition of that
22 term in paragraph (6)(A)(vii).”.

23 (b) STATEMENT OF POLICY REGARDING HARASS-
24 MENT.—Section 485(f) of the Higher Education Act of
25 1965 (20 U.S.C. 1092(f)) is further amended—

1 (1) by redesignating paragraphs (9) through
2 (18) as paragraphs (10) through (19), respectively;
3 and

4 (2) by inserting after paragraph (8) the fol-
5 lowing:

6 “(9)(A) Each institution of higher education
7 participating in any program under this title, other
8 than a foreign institution of higher education, shall
9 develop and distribute as part of the report de-
10 scribed in paragraph (1) a statement of policy re-
11 garding harassment, which shall include—

12 “(i) a prohibition of harassment—

13 “(I) on campus;

14 “(II) in or on a noncampus building
15 or property;

16 “(III) on public property;

17 “(IV) in dormitories or other residen-
18 tial facilities for students on campus;

19 “(V) through the use of electronic
20 mail addresses issued by the institution of
21 higher education;

22 “(VI) through the use of computers
23 and communication networks, including
24 any telecommunications service, owned, op-

1 erated, or contracted for use by the institu-
2 tion of higher education or its agents; or

3 “(VII) during an activity sponsored by
4 the institution of higher education or car-
5 ried out with the use of resources provided
6 by the institution of higher education;

7 “(ii) a description of the institution’s pro-
8 grams to combat harassment, which shall be
9 aimed at the prevention of harassment;

10 “(iii) a description of the procedures that
11 a student should follow if an incident of harass-
12 ment occurs; and

13 “(iv) a description of the procedures that
14 the institution will follow once an incident of
15 harassment has been reported, including a
16 statement of the standard of evidence that will
17 be used during any institutional conduct pro-
18 ceeding arising from such a report.

19 “(B) The statement of policy described in sub-
20 paragraph (A) shall address the following areas:

21 “(i) Procedures for timely institutional ac-
22 tion in cases of alleged harassment, which pro-
23 cedures shall include a clear statement that the
24 accuser and the accused shall be informed of

1 the outcome of any disciplinary proceedings in
2 response to an allegation of harassment.

3 “(ii) Possible sanctions to be imposed fol-
4 lowing the final determination of an institu-
5 tional disciplinary procedure regarding harass-
6 ment.

7 “(iii) Notification of existing counseling,
8 mental health, or student services for victims or
9 perpetrators of harassment, both on campus
10 and in the community.

11 “(iv) Identification of a designated em-
12 ployee or office at the institution that will be
13 responsible for receiving and tracking each re-
14 port of harassment.”.

15 **SEC. 4096. ONLINE SURVEY TOOL FOR CAMPUS SAFETY.**

16 Section 485(f) of the Higher Education Act of 1965
17 (20 U.S.C. 1092) is further amended—

18 (1) by redesignating paragraphs (18) and (19)
19 as so redesignated as paragraphs (19) and (20), re-
20 spectively; and

21 (2) by inserting after paragraph (17) the fol-
22 lowing:

23 “(18) **ONLINE SURVEY TOOL FOR CAMPUS**
24 **SAFETY.—**

1 “(A) IN GENERAL.—The Secretary shall,
2 in consultation with the Attorney General and
3 experts in domestic violence, dating violence,
4 sexual assault, and stalking, develop, design,
5 and make available through a secure online por-
6 tal, a standardized online survey tool regarding
7 student experiences with domestic violence, dat-
8 ing violence, sexual assault, and stalking.

9 “(B) DEVELOPMENT OF SURVEY TOOL.—
10 In developing the survey tool required under
11 subparagraph (A), the Secretary shall—

12 “(i) use best practices from peer-re-
13 viewed research measuring domestic vio-
14 lence, dating violence, sexual assault, and
15 stalking; and

16 “(ii) consult with the higher education
17 community and experts in survey research
18 related to domestic violence, dating vio-
19 lence, sexual assault, and stalking regard-
20 ing the development and design of such
21 survey tool and the methodology for ad-
22 ministration of such survey tool.

23 “(C) ELEMENTS.—

24 “(i) IN GENERAL.—The survey tool
25 developed pursuant to this paragraph shall

1 be fair and unbiased, scientifically valid
2 and reliable, and meet the highest stand-
3 ards of survey research.

4 “(ii) SURVEY QUESTIONS.—Survey
5 questions included in the survey tool devel-
6 oped pursuant to this paragraph shall—

7 “(I) be designed to gather infor-
8 mation on student experiences with
9 domestic violence, dating violence, sex-
10 ual assault, and stalking, including
11 the experiences of victims of such inci-
12 dents;

13 “(II) use trauma-informed lan-
14 guage to prevent retraumatization;
15 and

16 “(III) include the following:

17 “(aa) Questions designed to
18 determine the incidence and prev-
19 alence of domestic violence, dat-
20 ing violence, sexual assault, and
21 stalking.

22 “(bb) Questions regarding
23 whether students know about in-
24 stitutional policies and proce-
25 dures related to domestic vio-

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lence, dating violence, sexual assault, and stalking.

“(cc) Questions designed to determine, if victims reported domestic violence, dating violence, sexual assault, or stalking—

“(AA) to whom the incident was reported and what response the victim may have received; and

“(BB) whether the victim was informed of, or referred to, national, State, local, or on-campus resources.

“(dd) Questions regarding contextual factors, such as whether force, incapacitation, or coercion was involved.

“(ee) Questions to determine whether an accused individual was a student at the institution.

“(ff) Questions to determine whether a victim reported an in-

1 eident to State, local, or campus
2 law enforcement.

3 “(gg) Questions to deter-
4 mine why the victim chose to re-
5 port or not report an incident to
6 State, local, or campus law en-
7 forcement.

8 “(hh) Other questions as de-
9 termined by the Secretary.

10 “(iii) ADDITIONAL ELEMENTS.—In
11 addition to the standardized questions de-
12 veloped by the Secretary under clause (ii),
13 an institution may request additional infor-
14 mation from students that would increase
15 the understanding of the institution of
16 school climate factors unique to their cam-
17 puses.

18 “(iv) RESPONSES.—The responses to
19 the survey questions described in clause
20 (ii) shall—

21 “(I) be submitted confidentially;

22 “(II) not be included in crime
23 statistics; and

24 “(III) in the case of such re-
25 sponses being included in a report,

1 shall not include personally identifi-
2 able information.

3 “(D) ADMINISTRATION OF SURVEY.—

4 “(i) IN GENERAL.—Each institution
5 shall administer the survey tool developed
6 pursuant to this paragraph every 2 years.

7 “(ii) FEDERAL ADMINISTRATION.—
8 The Secretary, in consultation with the At-
9 torney General, shall develop a mechanism
10 by which institutions of higher education
11 may, with respect to the survey tool devel-
12 oped pursuant to this paragraph—

13 “(I) administer such survey tool;
14 and

15 “(II) modify such survey tool to
16 include additional elements or require-
17 ments, as determined by the institu-
18 tion.

19 “(iii) COSTS.—The Secretary may not
20 require an institution of higher education
21 to pay to modify the survey tool in accord-
22 ance with clause (ii)(II).

23 “(E) COMPLETED SURVEYS.—The Sec-
24 retary shall require each institution partici-
25 pating in any program under this title to ensure

1 that an adequate, random, and representative
2 sample size of students (as determined by the
3 Secretary) enrolled at the institution complete
4 the survey tool developed pursuant to this para-
5 graph beginning not later than 1 year after the
6 date of enactment of the Aim Higher Act.

7 “(F) REPORT.—Beginning not later than
8 2 years after the date of enactment of the Aim
9 Higher Act, the Secretary shall prepare a bien-
10 nial report on the information gained from the
11 standardized elements of the survey under this
12 paragraph and publish such report in an acces-
13 sible format on the website of the Department
14 and submit such report to Congress. The report
15 shall include campus-level data for each school
16 and attributed by name of each campus in a
17 manner that permits comparisons across
18 schools and campuses.

19 “(G) PUBLICATION.—Each institution
20 shall publish—

21 “(i) the campus-level results of the
22 standardized elements of the survey under
23 this paragraph on the website of the insti-
24 tution and in the annual security report re-

1 required under paragraph 1 for the cam-
2 puses affiliated with the institution; and

3 “(ii) the campus-level results of the
4 additional elements modifying the survey
5 by the institution, if any, on the website of
6 the institution.

7 “(H) VIOLATION.—Upon a determination
8 pursuant to section 487(c)(3)(B) that an insti-
9 tution of higher education has violated or failed
10 to carry out any provision under this sub-
11 section, the Secretary shall impose a civil pen-
12 alty upon the institution in the same amount
13 and pursuant to the same procedures as a civil
14 penalty is imposed under section
15 487(c)(3)(B).”.

16 **SEC. 4097. AMENDMENTS TO INSTITUTIONAL AND FINAN-**
17 **CIAL ASSISTANCE.**

18 (a) NOTICE TO STUDENTS CONCERNING DRUG VIO-
19 LATIONS.—Subsection (k) of section 485 (20 U.S.C.
20 1092) is repealed.

21 (b) SINGLE POINT OF CONTACT FOR FOSTER AND
22 HOMELESS YOUTH.—Section 485 of the Higher Edu-
23 cation Act of 1965 (20 U.S.C. 1092) is amended by insert-
24 ing after subsection (j) the following:

1 “(k) Each institution of higher education partici-
2 pating in any program under this title shall—

3 “(1) have designated an appropriate staff per-
4 son as a single point of contact to assist homeless
5 children and youths (as such term is defined in sec-
6 tion 725 of the McKinney-Vento Homeless Assist-
7 ance Act (42 U.S.C. 11434a)) and foster care chil-
8 dren and youth in accessing and completing postsec-
9 ondary education, including by ensuring that such
10 homeless children and youths and foster care chil-
11 dren and youth are connected to applicable and
12 available student support services, programs, and
13 community resources in areas such as financial aid,
14 academic advising, housing, food, public benefits,
15 health care, health insurance, mental health, and
16 mentoring;

17 “(2) post public notice about student financial
18 assistance and other assistance available to homeless
19 children and youths and foster care children and
20 youth, including their eligibility as independent stu-
21 dents under subparagraphs (B) and (H) of sections
22 480(d)(1);

23 “(3) give priority for any institutionally owned
24 or operated housing facilities, including student

1 housing facilities that remain open for occupation
2 during school breaks or on a year-round basis, to—

3 “(A) homeless children and youths (as
4 such term is defined in section 725 of the
5 McKinney-Vento Homeless Assistance Act (42
6 U.S.C. 11434a);

7 “(B) youth who are unaccompanied, at
8 risk of homelessness, and self-supporting; and

9 “(C) foster care children and youth;

10 “(4) have developed a plan for how homeless
11 children and youths, youth who are unaccompanied,
12 at risk of homelessness, and self-supporting, and fos-
13 ter care children and youth can access housing re-
14 sources during and between academic terms,
15 through means that may include access to institu-
16 tionally owned or operated housing during breaks
17 and a list of housing resources in the community
18 that provide short-term housing; and

19 “(5) include, in its application for admission,
20 questions (to be answered voluntarily) regarding the
21 applicant’s status as a homeless child or youth or
22 foster care child or youth, that—

23 “(A) can be answered by the applicant vol-
24 untarily for the limited purpose of being pro-

1 vided information about financial aid or any
2 other available assistance; and

3 “(B) explain the key terms in the question
4 in a manner children and youth can understand
5 in order to self-identify and declare eligibility as
6 a homeless child or youth or foster care child or
7 youth.”.

8 (c) ANNUAL FINANCIAL AID COUNSELING.—Section
9 485(l) of the Higher Education Act of 1965 (20 U.S.C.
10 1092(l)) is amended to read as follows:

11 “(l) ANNUAL FINANCIAL AID COUNSELING.—

12 “(1) ANNUAL DISCLOSURE REQUIRED.—

13 “(A) IN GENERAL.—Each eligible institu-
14 tion shall ensure that each individual who re-
15 ceives a loan made under part D (other than a
16 Federal Direct Consolidation Loan or a loan
17 made under section 460A and 460B) receives
18 comprehensive information on the terms and
19 conditions of such loan and the responsibilities
20 the individual has with respect to such loan.
21 Such information shall be provided, for each
22 award year for which the individual receives
23 such loan, in a simple and understandable man-
24 ner—

1 “(i) during a counseling session con-
2 ducted in person;

3 “(ii) online, with the individual ac-
4 knowledging receipt of the information; or

5 “(iii) through the use of the online
6 counseling tool described in subsection
7 (n)(1)(B).

8 “(B) USE OF INTERACTIVE PROGRAMS.—

9 In the case of institutions not using the online
10 counseling tool described in subsection
11 (n)(1)(B), the Secretary shall require such in-
12 stitutions to carry out the requirements of sub-
13 paragraph (A) through the use of interactive
14 programs, during an annual counseling session
15 that is in-person or online, that tests the indi-
16 vidual’s understanding of the terms and condi-
17 tions of the loan awarded to the individual,
18 using simple and understandable language and
19 clear formatting.

20 “(2) ALL INDIVIDUALS.—The information to be
21 provided under paragraph (1)(A) to each individual
22 receiving counseling under this subsection shall in-
23 clude the following:

24 “(A) An explanation of how the individual
25 may budget for typical educational expenses

1 and a sample budget based on the cost of at-
2 tendance for the institution.

3 “(B) An explanation that an individual has
4 a right to annually request a disclosure of infor-
5 mation collected by a consumer reporting agen-
6 cy pursuant to section 612(a) of the Fair Credit
7 Reporting Act (15 U.S.C. 1681j(a)).

8 “(C) An introduction to the financial man-
9 agement resources provided by the Consumer
10 Financial Protection Bureau.

11 “(3) BORROWERS RECEIVING LOANS MADE
12 UNDER PART D (OTHER THAN PARENT PLUS
13 LOANS).—The information to be provided under
14 paragraph (1)(A) to a borrower of a loan made
15 under part D (other than a Federal Direct PLUS
16 Loan made on behalf of a dependent student) shall
17 include the following:

18 “(A) A notification that some students
19 may qualify for other financial aid and an ex-
20 planation that the borrower should consider ac-
21 cepting any grant, scholarship, or State or Fed-
22 eral work-study jobs for which the borrower is
23 eligible prior to accepting student loans.

24 “(B) To the extent practicable, the effect
25 of accepting the loan to be disbursed on the eli-

1 gibility of the borrower for other forms of stu-
2 dent financial assistance.

3 “(C) An explanation of the use of the stu-
4 dent loan contract referred to in section
5 432(m)(1)(D).

6 “(D) An explanation that the borrower is
7 not required to accept the full amount of the
8 loan offered to the borrower.

9 “(E) An explanation of the approved edu-
10 cational expenses for which the borrower may
11 use a loan made under part D.

12 “(F) A recommendation to the borrower to
13 exhaust the borrower’s Federal student loan op-
14 tions prior to taking out private education
15 loans, an explanation that Federal student
16 loans typically offer better terms and conditions
17 than private education loans, an explanation
18 that Federal student loans offer consumer pro-
19 tections typically not available in the private
20 education loan market, an explanation of treat-
21 ment of loans made under part D and private
22 education loans in bankruptcy, and an expla-
23 nation that if a borrower decides to take out a
24 private education loan—

1 “(i) the borrower has the ability to se-
2 lect a private educational lender of the bor-
3 rower’s choice;

4 “(ii) the proposed private education
5 loan may impact the borrower’s potential
6 eligibility for other financial assistance, in-
7 cluding Federal financial assistance under
8 this title; and

9 “(iii) the borrower has a right—

10 “(I) to accept the terms of the
11 private education loan within 30 cal-
12 endar days following the date on
13 which the application for such loan is
14 approved and the borrower receives
15 the required disclosure documents,
16 pursuant to section 128(e) of the
17 Truth in Lending Act (15 U.S.C.
18 1638(e)); and

19 “(II) to cancel such loan within 3
20 business days of the date on which the
21 loan is consummated, pursuant to sec-
22 tion 128(e)(7) of such Act (15 U.S.C.
23 1638(e)(7)).

24 “(G) The interest rate for the loan, as of
25 the date of the counseling.

1 “(H) Information on how interest accrues
2 and is capitalized during periods when the in-
3 terest is not paid by either the borrower or the
4 Secretary.

5 “(I) In the case of a Federal Direct PLUS
6 Loan or a Federal Direct Unsubsidized Staf-
7 ford Loan, the option of the borrower to pay
8 the interest while the borrower is in school.

9 “(J) The definition of half-time enrollment
10 at the institution, during regular terms and
11 summer school, if applicable, and the con-
12 sequences of not maintaining at least half-time
13 enrollment.

14 “(K) An explanation of the importance of
15 contacting the appropriate offices at the institu-
16 tion of higher education if the borrower with-
17 draws prior to completing the borrower’s pro-
18 gram of study so that the institution can pro-
19 vide exit counseling, including information re-
20 garding the borrower’s repayment options and
21 loan consolidation.

22 “(L) The obligation of the borrower to
23 repay the full amount of the loan, regardless of
24 whether the borrower completes or does not
25 complete the program in which the borrower is

1 enrolled within the regular time for program
2 completion.

3 “(M) The likely consequences of default on
4 the loan, including adverse credit reports, delin-
5 quent debt collection procedures under Federal
6 law, and litigation.

7 “(N) Notice of the institution’s most re-
8 cent adjusted cohort default rate (calculated in
9 accordance with section 435(m)(1)(E)), an ex-
10 planation of the adjusted cohort default rate,
11 the most recent national average adjusted co-
12 hort default rate, and the most recent national
13 average adjusted cohort default rate for the cat-
14 egory of institution described in section
15 435(m)(4) to which the institution belongs.

16 “(O) Information on the National Student
17 Loan Data System and how the borrower can
18 access the borrower’s records.

19 “(P) The contact information for the insti-
20 tution’s financial aid office or other appropriate
21 office at the institution the borrower may con-
22 tact if the borrower has any questions about the
23 borrower’s rights and responsibilities or the
24 terms and conditions of the loan.

1 “(Q) For a first-time borrower, in addition
2 to all the information described in subpara-
3 graphs (A) through (P)—

4 “(i) a statement of the anticipated
5 balance on the loan for which the borrower
6 is receiving counseling under this sub-
7 section;

8 “(ii) based on such anticipated bal-
9 ance, the anticipated monthly payment
10 amount under, at minimum—

11 “(I) the fixed repayment plan de-
12 scribed in section 493E; and

13 “(II) the income-based repay-
14 ment plan under section 493C(f), as
15 determined using regionally available
16 data from the Bureau of Labor Sta-
17 tistics of the average starting salary
18 for the occupation in which the bor-
19 rower has an interest in or intends to
20 be employed;

21 “(iii) an estimate of the projected
22 monthly payment amount under each re-
23 payment plan described in clause (ii),
24 based on the average cumulative indebted-
25 ness at graduation for borrowers of loans

1 made under part D who are in the same
2 program of study as the borrower and the
3 expected increase in the cost of attendance
4 of such program; and

5 “(iv) information on the annual and
6 aggregate loan limits for Federal Direct
7 Stafford Loans and Federal Direct Unsub-
8 sidized Stafford Loans as it pertains to the
9 loan for which the borrower is receiving
10 counseling, and a statement that such ag-
11 gregate borrowing limit may change based
12 on the borrower’s student status (whether
13 undergraduate or graduate) or if there is a
14 change in the borrower’s dependency sta-
15 tus.

16 “(R) For a borrower with an outstanding
17 balance of principal or interest due on a loan
18 made under this title, in addition to all the in-
19 formation described in subparagraphs (A)
20 through (P)—

21 “(i) information on each student loan
22 that the institution is aware that the stu-
23 dent has borrowed, including Federal
24 loans, private loans, and loans from the in-
25 stitution;

1 “(ii) the total amount of the out-
2 standing balance and interest accrued from
3 the Federal student loans described in
4 clause (i);

5 “(iii) for each Federal loan described
6 in clause (i), the interest rate for the loan,
7 as of the date of the counseling, and a
8 statement that the interest rate on student
9 loans may vary based on when the loan
10 was borrowed and other factors;

11 “(iv) based on such outstanding bal-
12 ance for the Federal student loans, the an-
13 ticipated monthly payment amount under
14 the fixed repayment plan described in sec-
15 tion 493E, the income-based repayment
16 plan under section 493C(f), and any other
17 repayment plan for which each loan may
18 be eligible, calculated using regionally
19 available data from the Bureau of Labor
20 Statistics of the average starting salary for
21 the occupation the borrower intends to be
22 employed;

23 “(v) an estimate of the projected
24 monthly payment amount under each re-

1 payment plan described in clause (iv),
2 based on—

3 “(I) the outstanding balance de-
4 scribed in clause (ii);

5 “(II) the anticipated outstanding
6 balance on the loan for which the stu-
7 dent is receiving counseling under this
8 subsection; and

9 “(III) a projection for any other
10 loans made under part D that the
11 borrower is reasonably expected to ac-
12 cept during the borrower’s program of
13 study based on at least the average
14 cumulative indebtedness at graduation
15 for borrowers of loans made under
16 part D who are in the same program
17 of study as the borrower and the ex-
18 pected increase in the cost of attend-
19 ance of such program;

20 “(vi) a statement that the outstanding
21 balance described in clause (ii), the interest
22 rate described in clause (iii), and the
23 monthly amount described in clause (iv)
24 and clause (v) does not include any
25 amounts that the student may be required

1 to repay for private or institutional loans;
2 and

3 “(vii) the percentage of the total ag-
4 gregate borrowing limit that the student
5 has reached, as of the date of the coun-
6 seling, for Federal Direct Stafford Loans
7 and Federal Direct Unsubsidized Stafford
8 Loans, and a statement that such aggre-
9 gate borrowing limit may change based on
10 the borrower’s student status (whether un-
11 dergraduate or graduate) or if there is a
12 change in the borrower’s dependency sta-
13 tus.

14 “(4) BORROWERS RECEIVING PARENT PLUS
15 LOANS FOR DEPENDENT STUDENTS.—The informa-
16 tion to be provided under paragraph (1)(A) to a bor-
17 rower of a Federal Direct PLUS Loan made on be-
18 half of a dependent student shall include the fol-
19 lowing:

20 “(A) A notification that some students
21 may qualify for other financial aid and an ex-
22 planation that the student for whom the bor-
23 rower is taking out the loan should consider ac-
24 cepting any grant, scholarship, or State or Fed-

1 eral work-study jobs for which the borrower is
2 eligible prior to borrowing Parent PLUS Loans.

3 “(B) The information described in sub-
4 paragraphs (B) through (D) and (L) through
5 (O) of paragraph (3).

6 “(C) The interest rate for the loan, as of
7 the date of the counseling.

8 “(D) The option of the borrower to pay the
9 interest on the loan while the loan is in
10 deferment.

11 “(E) Debt management strategies that are
12 designed to facilitate the repayment of such in-
13 debtedness.

14 “(F) An explanation that the borrower has
15 the options to prepay each loan, pay each loan
16 on a shorter schedule, and change repayment
17 plans.

18 “(G) For each Federal Direct PLUS Loan
19 made on behalf of a dependent student for
20 which the borrower is receiving counseling
21 under this subsection, the contact information
22 for the loan servicer of the loan and a link to
23 such servicer’s Website.

24 “(H) For a first-time borrower of such
25 loan—

1 “(i) a statement of the anticipated
2 balance on the loan for which the borrower
3 is receiving counseling under this sub-
4 section;

5 “(ii) based on such anticipated bal-
6 ance, the anticipated monthly payment
7 amount under the fixed repayment plan
8 described in section 493E, the income-
9 based repayment plan under section
10 493C(f), and any other repayment plan for
11 which each loan may be eligible; and

12 “(iii) an estimate of the projected
13 monthly payment amount under the fixed
14 repayment plan described in section 493E,
15 the income-based repayment plan under
16 section 493C(f), and any other repayment
17 plan for which each loan may be eligible,
18 based on the average cumulative indebted-
19 ness of other borrowers of Federal Direct
20 PLUS Loans made on behalf of dependent
21 students who are in the same program of
22 study as the student on whose behalf the
23 borrower borrowed the loan and the ex-
24 pected increase in the cost of attendance of
25 such program.

1 “(I) For a borrower with an out-
2 standing balance of principal or inter-
3 est due on such loan—

4 “(i) a statement of the amount of
5 such outstanding balance;

6 “(ii) based on such outstanding bal-
7 ance, the anticipated monthly payment
8 amount under the fixed repayment plan
9 described in section 493E, the income-
10 based repayment plan under section
11 493C(f), and any other repayment plan for
12 which each loan may be eligible; and

13 “(iii) an estimate of the projected
14 monthly payment amount under the fixed
15 and income-based repayment plans, based
16 on—

17 “(I) the anticipated outstanding
18 balance on the loan for which the bor-
19 rower is receiving counseling under
20 this subsection; and

21 “(II) a projection for any other
22 Federal Direct PLUS Loan made on
23 behalf of the dependent student that
24 the borrower is reasonably expected to
25 accept during the program of study of

1 such student based on at least the av-
2 erage cumulative indebtedness of
3 other borrowers of Federal Direct
4 PLUS Loans made on behalf of de-
5 pendent students who are in the same
6 program of study as the student on
7 whose behalf the borrower borrowed
8 the loan and the expected increase in
9 the cost of attendance of such pro-
10 gram.

11 “(5) ANNUAL LOAN ACCEPTANCE.—Prior to
12 making the first disbursement of a loan made under
13 part D (other than a Federal Direct Consolidation
14 Loan or a loan made under section 460A and 460B)
15 to a borrower for an award year, an eligible institu-
16 tion, shall, as part of carrying out the counseling re-
17 quirements of this subsection for the loan, ensure
18 that after receiving the applicable counseling under
19 paragraphs (2), (3), and (4) for the loan the bor-
20 rower accepts the loan for such award year by—

21 “(A) signing and returning to the institu-
22 tion the student loan contract for the loan re-
23 ferred to in section 432(m)(1)(D) that affirma-
24 tively states that the borrower accepts the loan;
25 or

1 “(B) electronically signing an electronic
2 version of the student loan contract described in
3 subparagraph (A).”.

4 (d) ONLINE COUNSELING TOOLS.—Section 485 of
5 the Higher Education Act of 1965 (20 U.S.C. 1092) is
6 further amended by adding at the end the following:

7 “(n) ONLINE COUNSELING TOOLS.—

8 “(1) IN GENERAL.—Beginning not later than 1
9 year after the date of enactment of the Aim Higher
10 Act, the Secretary shall maintain—

11 “(A) an online counseling tool that pro-
12 vides the exit counseling required under sub-
13 section (b) and meets the applicable require-
14 ments of this subsection; and

15 “(B) an online counseling tool that pro-
16 vides the annual counseling required under sub-
17 section (l) and meets the applicable require-
18 ments of this subsection.

19 “(2) REQUIREMENTS OF TOOLS.—In maintain-
20 ing the online counseling tools described in para-
21 graph (1), the Secretary shall ensure that each such
22 tool is—

23 “(A) consumer tested, in consultation with
24 other relevant Federal agencies and including
25 students and borrowers, institutions of higher

1 education, secondary school and postsecondary
2 counselors, and nonprofit consumer groups, to
3 ensure that the tool is effective in helping indi-
4 viduals understand their rights and obligations
5 with respect to borrowing a loan made under
6 part D;

7 “(B) understandable to borrowers of loans
8 made under part D; and

9 “(C) freely available to all eligible institu-
10 tions.

11 “(3) RECORD OF COUNSELING COMPLETION.—

12 The Secretary shall—

13 “(A) use each online counseling tool de-
14 scribed in paragraph (1) to keep a record of
15 which individuals have received counseling using
16 the tool, and notify the applicable institutions
17 of the individual’s completion of such coun-
18 seling;

19 “(B) in the case of a borrower who re-
20 ceives annual counseling for a loan made under
21 part D using the tool described in paragraph
22 (1)(B), notify the borrower by when the bor-
23 rower should accept, in a manner described in
24 subsection (1)(5), the loan for which the bor-
25 rower has received such counseling; and

1 “(C) in the case of a borrower described in
2 subsection (b)(1)(B) at an institution that uses
3 the online counseling tool described in para-
4 graph (1)(A) of this subsection, the Secretary
5 shall attempt to provide the information de-
6 scribed in subsection (b)(1)(A) to the borrower
7 through such tool.”.

8 **SEC. 4098. CONFORMING AMENDMENTS TO PELL GRANTS.**

9 Section 485E(b)(1)(A) of the Higher Education Act
10 of 1965 (20 U.S.C. 1092f(b)(1)(A)) is further amended
11 by striking “section 401(b)(2)(A)” and inserting “section
12 401(b)(1)”.

13 **SEC. 4099. INFORMATION WITH RESPECT TO CRIME STATIS-**
14 **TICS FOR PROGRAMS OF STUDY ABROAD.**

15 Part G of title IV of the Higher Education Act of
16 1965 (20 U.S.C. 1088 et seq.) is further amended by in-
17 serting after section 485E the following:

18 **“SEC. 485F. INFORMATION WITH RESPECT TO CRIME STA-**
19 **TISTICS FOR PROGRAMS OF STUDY ABROAD.**

20 “(a) IN GENERAL.—Each institution participating in
21 any program under this title, other than a foreign institu-
22 tion of higher education, shall develop and distribute a
23 statement of policy with respect to students participating
24 in a program of study abroad approved for credit by the
25 institution concerning crime and harm that may occur

1 while participating in such program of study abroad that,
2 at a minimum, includes a biennial review by the institution
3 of the programs of study abroad approved for credit by
4 the institution to determine—

5 “(1) the effectiveness of the programs at pro-
6 tecting students from crime and harm, and whether
7 changes to the programs are needed (based on the
8 most recent guidance or other assistance from the
9 Secretary) and will be implemented;

10 “(2) for the 5 years preceding the date of the
11 report, the number (in the aggregate for all pro-
12 grams of study abroad approved for credit by the in-
13 stitution) of—

14 “(A) deaths of program participants occur-
15 ring during program participation or during
16 any other activities during the study abroad pe-
17 riod;

18 “(B) sexual assaults against program par-
19 ticipants occurring during program participa-
20 tion and reported to the institution;

21 “(C) accidents and illnesses occurring dur-
22 ing program participation that resulted in hos-
23 pitalization and were reported to the institution;
24 and

1 “(D) incidents involving program partici-
2 pants during the program participation that re-
3 sulted in police involvement or a police report
4 and were reported to the institution; and

5 “(3) with respect to the incidents described in
6 subparagraphs (A) and (B) of paragraph (2), wheth-
7 er the incidents occurred—

8 “(A) on campus;

9 “(B) in or on noncampus buildings or
10 property;

11 “(C) on public property;

12 “(D) in dormitories or other residential fa-
13 cilities for students on campus; or

14 “(E) at a location not described in items
15 subparagraphs (A) through (D) of this clause,
16 without regard to whether the institution owns
17 or controls a building or property at the loca-
18 tion.

19 “(b) OTHER DUTIES.—An institution of higher edu-
20 cation described in subsection (a) shall—

21 “(1) provide each student who is interested in
22 participating in a program of study abroad approved
23 for credit by the institution, with an orientation ses-
24 sion and advising that includes—

1 “(A) a list of countries in which such pro-
2 grams of study abroad are located;

3 “(B) all current travel information, includ-
4 ing all travel warnings and travel alerts, issued
5 by the Bureau of Consular Affairs of the De-
6 partment of State for such countries; and

7 “(C) the information described in sub-
8 section (a), provided specifically for each pro-
9 gram of study abroad approved for credit by
10 the institution in which the student is consid-
11 ering participation; and

12 “(2) provide each student who returns from
13 such a program of study abroad with a post-trip de-
14 briefing session, including an exit interview that as-
15 sists the institution in carrying out subsection (a).

16 “(c) LIMITATIONS.—An institution of higher edu-
17 cation shall not disaggregate or otherwise distinguish in-
18 formation for purposes of subsection (a) or (b) in a case
19 in which the number of students in a category is insuffi-
20 cient to yield statistically reliable information or the re-
21 sults would reveal personally identifiable information
22 about an individual student.

23 “(d) REVIEW.—The Secretary shall periodically re-
24 view a representative sample of the policies described in

1 subsection (a) that have been adopted by institutions of
2 higher education.

3 “(e) DEFINITION.—For the purpose of this section,
4 the definitions for ‘campus’, ‘noncampus building or prop-
5 erty’, and ‘public property’ shall have the same meaning
6 as in section 485(f)(6).”.

7 **SEC. 4100. REMEDIAL EDUCATION GRANTS.**

8 Part G of title IV of the Higher Education Act of
9 1965 (20 U.S.C. 1088 et seq.) is amended by inserting
10 after section 486A the following:

11 **“SEC. 486B. REMEDIAL EDUCATION GRANTS.**

12 “(a) GRANTS AUTHORIZED.—

13 “(1) IN GENERAL.—From the funds appro-
14 priated under subsection (i), the Secretary, in con-
15 sultation with the Director of the Institute of Edu-
16 cation Sciences, shall award grants, on a competitive
17 basis, to eligible entities to improve remedial edu-
18 cation in higher education.

19 “(2) DURATION.—A grant under this section
20 shall be awarded for a period of 5 years.

21 “(3) MINIMUM AWARDS.—The total amount of
22 funds provided under a grant awarded under this
23 section shall not be less than \$500,000.

24 “(b) APPLICATION.—An eligible entity that desires to
25 receive a grant under this section shall submit an applica-

1 tion to the Secretary at such time, in such manner, and
2 accompanied by such information as the Secretary may
3 require, which shall include the following:

4 “(1) A description of how the eligible entity will
5 use the grant funds to develop or improve a remedial
6 education program that includes evidence-based, ef-
7 fective strategies for providing instruction to ensure
8 that students are prepared for courses at the post-
9 secondary level.

10 “(2) An assurance that the eligible entity will
11 use more than 2 measures (such as a student’s col-
12 lege entrance examination score, grade point aver-
13 age, high school course list, or a placement examina-
14 tion) to identify students in need of remedial edu-
15 cation who may be eligible to participate in the re-
16 medial education program developed or improved
17 under the grant.

18 “(3) A description of how the eligible entity, in
19 developing or improving such a program, will consult
20 with stakeholders, including individuals with exper-
21 tise in remedial education, students enrolled in reme-
22 dial education, and faculty instructors for remedial
23 education.

24 “(4) The eligible entity’s plan for sustaining the
25 program after the grant period has ended.

1 “(5) The eligible entity’s plan for monitoring
2 and evaluating the program, including how the eligi-
3 ble entity will use the data collected under sub-
4 section (g) to continually update and improve the
5 program.

6 “(c) USE OF FUNDS.—An eligible entity that receives
7 a grant under this section shall use the grant to develop
8 or improve a remedial education program through one or
9 more of the following models:

10 “(1) ALIGNING COURSE WORK.—Working with
11 a local educational agency or State educational agen-
12 cy that is part of the eligible entity to develop or im-
13 prove programs that provide alignment between high
14 school coursework and postsecondary education, and
15 that may include—

16 “(A) assessments in high school to meas-
17 ure student readiness for courses at the post-
18 secondary level; or

19 “(B) interventions in high school that im-
20 prove student competencies for courses at the
21 postsecondary level.

22 “(2) ACCELERATED COURSE WORK.—Rede-
23 signing or improving remedial education that—

1 “(A) allows students to enroll in more than
2 one sequential remedial education course or
3 training in a semester, or the equivalent;

4 “(B) condenses the time of the remedial
5 education; or

6 “(C) provides shortened, intensive courses
7 or training to improve competencies of students
8 for courses at the postsecondary level.

9 “(3) MODULAR INSTRUCTIONAL METHODS.—
10 Developing or improving remedial education that—

11 “(A) specifically targets the skills that stu-
12 dents need to move forward in courses at the
13 postsecondary level; and

14 “(B) may be used to develop new assess-
15 ments, redesign courses to provide targeted skill
16 instruction, or provide faculty professional de-
17 velopment.

18 “(4) CO-REQUISITE MODEL.—Developing or im-
19 proving remedial education programs that allow a
20 student to enroll in remedial education (which may
21 be provided through a modular instructional meth-
22 od) while also enrolled in a course at the postsec-
23 ondary level.

24 “(5) SYSTEMIC REFORM TO IMPLEMENT COM-
25 PREHENSIVE, INTEGRATED SUPPORT PROGRAMS.—

1 Implementing and improving comprehensive, inte-
2 grated, evidence-based support programs that—

3 “(A) enable students enrolled in remedial
4 education to reach completion and graduation
5 at an institution of higher education within 150
6 percent of the normal time for completion of, or
7 graduation from, the program of study for
8 which the students are enrolled; and

9 “(B) may include financial supports, aca-
10 demic tutoring or support, and advising that
11 enable students to find success in remedial edu-
12 cation and courses at the postsecondary level.

13 “(d) CONSIDERATIONS.—In awarding grants under
14 this section, the Secretary, in consultation with the Direc-
15 tor of the Institute of Education Sciences, shall—

16 “(1) ensure—

17 “(A) a minimum of 30 eligible entities are
18 awarded grants for each 5-year grant period;

19 “(B) an equitable geographic distribution
20 of such grants, including an equitable distribu-
21 tion between urban and rural areas;

22 “(C) that grants are used to develop or im-
23 prove remedial education programs—

24 “(i) for a range of types and sizes of
25 institutions of higher education; and

1 “(ii) for each of the models described
2 in subsection (c) to ensure adequate sam-
3 ple sizes to enable statistical comparisons
4 within and among such models; and

5 “(2) give preference to eligible entities that pri-
6 marily serve low-income students.

7 “(e) FISCAL REQUIREMENTS.—

8 “(1) SUPPLEMENT NOT SUPPLANT.—A grant
9 awarded under this section shall be used to supple-
10 ment, not supplant, funds that would otherwise be
11 used to carry out the activities described in this sec-
12 tion.

13 “(2) MATCHING FUNDS.—

14 “(A) IN GENERAL.—Subject to subpara-
15 graph (B), an eligible entity that receives a
16 grant under this section shall provide, from
17 non-Federal sources, an amount equal to 10
18 percent of the amount of the grant for the cost
19 of activities assisted under the grant.

20 “(B) EXCEPTIONS.—The requirements of
21 subparagraph (A) shall not apply to—

22 “(i) Tribal Colleges or Universities; or

23 “(ii) institutions of higher education
24 located in the Commonwealth of Puerto
25 Rico, Guam, American Samoa, the United

1 States Virgin Islands, the Commonwealth
2 of the Northern Mariana Islands, the Re-
3 public of the Marshall Islands, the Fed-
4 erated States of Micronesia, or the Repub-
5 lic of Palau.

6 “(f) EXPERIMENTAL AUTHORITY.—Notwithstanding
7 any other provision of this title, a student may be eligible
8 to receive loans or grants under this title for up to 2 aca-
9 demic years for enrollment in a remedial education pro-
10 gram under this section.

11 “(g) DATA COLLECTION, REPORTS, EVALUATIONS,
12 AND DISSEMINATION.—

13 “(1) INFORMATION.—

14 “(A) STUDENT-LEVEL DATA.—Each eligi-
15 ble entity that receives a grant under this sec-
16 tion shall provide, on an annual basis for each
17 year of the grant period and for 5 years after
18 such grant period, to the Director of the Insti-
19 tute of Education Sciences and the Secretary,
20 the student-level data with respect to the stu-
21 dents who are or were enrolled in a remedial
22 education program funded under the grant to
23 enable the Director, for each such year, to—

24 “(i) determine the information de-
25 scribed in subparagraph (B) with respect

1 to each such remedial education program;
2 and

3 “(ii) submit to the authorizing com-
4 mittees, and make publicly available in an
5 accessible format, such information.

6 “(B) AGGREGATE STUDENT DATA.—The
7 Director shall determine, with respect to each
8 remedial education program for which an eligi-
9 ble entity provides student-level data under sub-
10 paragraph (A), the following information:

11 “(i) The number of students who are
12 or were enrolled in such a remedial edu-
13 cation program.

14 “(ii) The type of remedial education
15 offered under the program.

16 “(iii) The cost of such remedial edu-
17 cation program.

18 “(iv) The number of students who
19 complete such remedial education program.

20 “(v) The length of time students
21 spend in such remedial education program,
22 as measured by semester, trimester, or
23 clock hours.

24 “(vi) The length of time students who
25 complete such remedial education program

1 take to graduate with a recognized edu-
2 cational credential from an institution of
3 higher education.

4 “(vii) The number of students who
5 enroll in postsecondary-level courses upon
6 completing the remedial education pro-
7 gram.

8 “(viii) The number and percentage of
9 such students who graduate, or are on
10 track to graduate, from an institution of
11 higher education within 150 percent of the
12 normal time for completion of, or gradua-
13 tion from, the program of study for which
14 the students are enrolled.

15 “(ix) The amount of grant or loan
16 funds under this title awarded to students
17 for enrollment in such remedial education
18 program.

19 “(C) DISAGGREGATION.—The information
20 determined under subparagraph (B) shall be
21 disaggregated by race (as defined in section
22 153(a)(3) of the Education Sciences Reform
23 Act of 2002), gender, socioeconomic status,
24 Federal Pell Grant eligibility status, status as a

1 first-generation college student, Veteran or ac-
2 tive duty status, and disability status.

3 “(2) EVALUATION.—Not later than 6 years
4 after the first grant is awarded under this section,
5 the Director, in consultation with the Secretary and
6 using the information determined under paragraph
7 (1), shall submit to the authorizing committees and
8 make publicly available in an accessible format, the
9 results of a multi-year, rigorous evaluation on the
10 impact of remedial education programs funded
11 under this section that shall include—

12 “(A) the effectiveness of the remedial edu-
13 cation programs in providing the skills nec-
14 essary for students to advance through remedial
15 education and complete courses at the postsec-
16 ondary level;

17 “(B) the quality of outcomes of the reme-
18 dial education programs within and among
19 models of remedial education described in sub-
20 section (c);

21 “(C) the sustainability and replicability of
22 the remedial education programs that dem-
23 onstrate success, as determined by the number
24 and percentage of students who graduate from
25 an institution of higher education within 150

1 percent of the normal time for completion of, or
2 graduation from, the program of study for
3 which the students are enrolled; and

4 “(D) the effectiveness of the authority
5 under subsection (f) in assisting students who
6 complete a remedial education program funded
7 under this section in graduating from an insti-
8 tution of higher education within 150 percent of
9 the normal time for completion of, or gradua-
10 tion from, the program of study for which the
11 students are enrolled.

12 “(3) REPORTS AND DISSEMINATION.—

13 “(A) INITIAL REPORT.—Not later than 1
14 year after the first grant is awarded under this
15 section, the Secretary shall prepare and submit
16 to the authorizing committees, and make avail-
17 able to the public in an accessible format, a re-
18 port on each remedial education program fund-
19 ed under this section.

20 “(B) SUBSEQUENT REPORT.—Not later
21 than 5 years after the last grant is awarded
22 under this section, the Secretary shall prepare
23 and submit to the authorizing committees, and
24 make available to the public in an accessible
25 format, a report that—

1 “(i) reviews the activities and program
2 performance of each remedial education
3 program funded under this section; and

4 “(ii) provides guidance and rec-
5 ommendations on how successful remedial
6 education programs (as determined by the
7 number and percentage of students who
8 graduate from an institution of higher edu-
9 cation within 150 percent of the normal
10 time for completion of, or graduation from,
11 the program of study for which the stu-
12 dents are enrolled) can be replicated.

13 “(h) DATA PRIVACY.—

14 “(1) IN GENERAL.—It shall be unlawful for any
15 person who obtains or has access to personally iden-
16 tifiable information in connection with this section to
17 willfully disclose to any person (except as authorized
18 in this Act or any Federal law) such personally iden-
19 tifiable information.

20 “(2) PENALTY.—Any person who violates para-
21 graph (1) shall be fined not more than \$5,000, im-
22 prisoned for not more than 5 years, or both, to-
23 gether with the costs of prosecution.

24 “(3) EMPLOYEE OR OFFICER OF THE UNITED
25 STATES.—If a violation of paragraph (1) is com-

1 mitted by any officer or employee of the United
2 States, the officer or employee shall be dismissed
3 from office or discharged from employment upon
4 conviction for the violation.

5 “(4) SALE OF DATA PROHIBITED.—Data col-
6 lected under this section shall not be sold to any
7 third party by the Director, any postsecondary insti-
8 tution, or any other entity.

9 “(5) LIMITATION ON USE BY OTHER FEDERAL
10 AGENCIES.—The Director shall not allow any other
11 Federal agency to use data collected under this sec-
12 tion for any purpose except as explicitly authorized
13 by this Act.

14 “(6) LAW ENFORCEMENT.—Personally identifi-
15 able information collected under this section shall
16 not be used for any law enforcement activity or any
17 other activity that would result in adverse action
18 against any student, including debt collection activ-
19 ity or enforcement of the immigration laws.

20 “(i) AUTHORIZATION OF APPROPRIATIONS.—There
21 are authorized to be appropriated to carry out this section
22 \$162,500,000 for fiscal year 2019 and each of the 5 suc-
23 ceeding fiscal years.

24 “(j) DEFINITIONS.—In this section:

1 “(1) DIRECTOR.—The term ‘Director’ means
2 the Director of the Institute of Education Sciences.

3 “(2) ELIGIBLE ENTITY.—The term ‘eligible en-
4 tity’ means—

5 “(A) an institution of higher education; or

6 “(B) a partnership between an institution
7 of higher education and at least 1 of the fol-
8 lowing:

9 “(i) A local educational agency.

10 “(ii) A State educational agency.

11 “(3) FIRST-GENERATION COLLEGE STUDENT.—
12 The term ‘first-generation college student’ has the
13 meaning given the term in section 402A(h).

14 “(4) INSTITUTION OF HIGHER EDUCATION.—
15 The term ‘institution of higher education’ has the
16 meaning given such term in section 101.

17 “(5) REMEDIAL EDUCATION.—The term ‘reme-
18 dial education’—

19 “(A) means education (such as courses or
20 training) offered at an institution of higher
21 education that—

22 “(i) is below the postsecondary level;

23 and

24 “(ii) is determined by the institution
25 to be necessary to help students be pre-

1 pared for the pursuit of a first under-
2 graduate baccalaureate degree or certifi-
3 cate or, in the case of courses in English
4 language instruction, to be necessary to
5 enable the student to utilize already exist-
6 ing knowledge, training, or skills; and

7 “(B) includes developmental education that
8 meets the requirements of subparagraph (A).

9 “(6) TRIBAL COLLEGE OR UNIVERSITY.—The
10 term ‘Tribal College or University’ has the meaning
11 given the term in section 316.”.

12 **SEC. 4101. COMPETENCY-BASED EDUCATION.**

13 Part G of title IV of the Higher Education Act of
14 1965 (20 U.S.C. 1088 et seq.) is amended by inserting
15 after section 486A the following:

16 **“SEC. 486C. COMPETENCY-BASED EDUCATION DEMONSTRATION PROJECTS.**

17 **“(a) DEMONSTRATION PROJECTS AUTHORIZED.—**
18 The Secretary shall select, in accordance with subsection
19 (d), eligible entities to voluntarily carry out competency-
20 based education demonstration projects and receive waiv-
21 ers or other flexibility described in subsection (e) to carry
22 out such projects.

23 **“(b) APPLICATION.—**

1 “(1) IN GENERAL.—Each eligible entity desir-
2 ing to carry out a demonstration project under this
3 section shall submit an application to the Secretary,
4 at such time and in such manner as the Secretary
5 may require.

6 “(2) OUTREACH.—The Secretary shall, prior to
7 any deadline to submit applications under paragraph
8 (1), conduct outreach to historically black colleges
9 and universities, minority serving institutions, insti-
10 tutions serving students with special needs, and in-
11 stitutions located in rural areas to provide those in-
12 stitutions with information on the opportunity to
13 apply to carry out a demonstration project under
14 this section.

15 “(3) AMENDMENTS.—

16 “(A) IN GENERAL.—An eligible entity that
17 has been selected to carry out a demonstration
18 project under this section may submit to the
19 Secretary amendments to the eligible entity’s
20 approved application under paragraph (1), at
21 such time and in such manner as the Secretary
22 may require, which the Secretary shall approve
23 or deny within 30 days of receipt.

24 “(B) EXPANDING ENROLLMENT.—Not-
25 withstanding the assurance required with re-

1 spect to maximum enrollment under paragraph
2 (4)(I)—

3 “(i) an eligible entity whose dem-
4 onstration project has been evaluated
5 under subsection (g)(2) not less than twice
6 may submit to the Secretary an amend-
7 ment to the eligible entity’s application
8 under paragraph (1) to increase enrollment
9 in the project to more than 3,000 students,
10 but not more than 5,000 students, and
11 which shall specify—

12 “(I) the proposed maximum en-
13 rollment or annual enrollment growth
14 for the project;

15 “(II) how the eligible entity will
16 successfully carry out the project with
17 such maximum enrollment or enroll-
18 ment growth; and

19 “(III) any other amendments to
20 the eligible entity’s application under
21 paragraph (1) that are related to such
22 maximum enrollment or enrollment
23 growth; and

24 “(ii) the Secretary shall determine
25 whether to approve or deny an amendment

1 submitted under clause (i) for a dem-
2 onstration project based on the project's
3 evaluations under subsection (g)(2).

4 “(4) CONTENTS.—Each application under para-
5 graph (1) shall include—

6 “(A) a description of each competency-
7 based education program to be offered by the
8 eligible entity under the demonstration project;

9 “(B) a description of the proposed aca-
10 demic delivery, business, and financial models
11 for the demonstration project, including expla-
12 nations of how each competency-based edu-
13 cation program offered under the demonstration
14 project will—

15 “(i) result in the achievement of com-
16 petencies;

17 “(ii) differ from standard credit hour
18 approaches, in whole or in part; and

19 “(iii) result in lower costs or short-
20 ened time to the completion of a recog-
21 nized educational credential;

22 “(C) a description of how each com-
23 petency-based education program offered under
24 the demonstration project will progress a stu-

1 dent toward completion of a recognized edu-
2 cational credential;

3 “(D) a description of the meaningful role
4 of the appropriate faculty of the eligible entity
5 in the development, design, implementation, de-
6 livery, and evaluation of each such competency-
7 based education program;

8 “(E) a description of how each such com-
9 petency-based education program will provide
10 strong post-enrollment earnings and loan repay-
11 ment outcomes;

12 “(F) a description of how the eligible enti-
13 ty will articulate the transcript from a com-
14 petency-based education program offered under
15 the demonstration project to another program
16 at the eligible entity or at another institution of
17 higher education;

18 “(G) a description of the statutory and
19 regulatory requirements described in subsection
20 (e) for which the eligible entity is seeking a
21 waiver or other flexibility, and why such waiver
22 or flexibility is necessary to carry out the dem-
23 onstration project;

24 “(H) a description of how a third-party
25 will assess student learning for each com-

1 petency-based education program offered under
2 the demonstration project;

3 “(I) a description of how the eligible entity
4 will develop and evaluate the competencies and
5 assessments of student knowledge administered
6 as part of the demonstration project, including
7 how such competencies and assessments are
8 aligned with workforce needs;

9 “(J) a description of the proposal for de-
10 termining a student’s Federal student aid eligi-
11 bility under this title for participating in the
12 demonstration project, the award and distribu-
13 tion of such aid, and the safeguards to ensure
14 that students are making satisfactory progress
15 that warrants the disbursement of such aid;

16 “(K) an assurance that the demonstration
17 project will enroll a minimum of 25 students
18 and a maximum of 3,000 students or, in the
19 case of an eligible entity with an application
20 amendment approved under paragraph (3)(B),
21 the maximum enrollment approved under such
22 paragraph;

23 “(L) a description of the population of stu-
24 dents to whom competency-based education
25 under the demonstration project will be offered,

1 including demographic information and prior
2 educational experience, disaggregated by stu-
3 dents who are Federal Pell Grant recipients,
4 race (as defined in section 153(a)(3) of the
5 Education Sciences Reform Act of 2002 (20
6 U.S.C. 9543), students with disabilities, stu-
7 dents who are veterans or members of the
8 Armed Forces, and first generation college stu-
9 dents, and how such eligible entity will, when
10 appropriate, address the specific needs of each
11 such population of students when carrying out
12 the demonstration project;

13 “(M) an assurance that students partici-
14 pating in the demonstration project will not, on
15 average, be eligible for more Federal assistance
16 under this title than such students would have
17 been eligible for under a traditional program;

18 “(N) the cost of attendance for each com-
19 petency-based education program offered under
20 the demonstration project, disaggregated by
21 each of the applicable costs or allowances de-
22 scribed in paragraphs (1) through (13) of sec-
23 tion 472, and the estimated amount of the cost
24 of attendance of each such program to be cov-
25 ered by need-based grant aid and merit-based

1 grant aid from Federal, State, institutional, and
2 private sources;

3 “(O) an assurance that the eligible entity
4 will identify and disseminate best practices with
5 respect to the demonstration project to other el-
6 igible entities carrying out a demonstration
7 project under this section;

8 “(P) a description of other competency-
9 based education the eligible entity offers or
10 plans to offer outside of the demonstration
11 project;

12 “(Q) an assurance that the eligible entity
13 will use data to—

14 “(i) ensure that each competency-edu-
15 cation program under the demonstration
16 project meets the benchmarks established
17 in accordance with subsection (c)(2)(E);
18 and

19 “(ii) improve each such program;

20 “(R) an assurance that the eligible entity
21 has an agreement with the accrediting agency
22 or association of the eligible entity to establish
23 the standards described in subsection (c); and

24 “(S) other such elements as the Secretary
25 may require.

1 “(c) RECOGNITION BY ACCREDITING AGENCY OR AS-
2 SOCIATION.—To carry out a competency-based education
3 program under a demonstration project under this section,
4 an eligible entity shall ensure that before, on, or after the
5 date of approval of the eligible entity’s application under
6 subsection (b), the accrediting agency or association of the
7 eligible entity will establish the following standards with
8 respect to such competency-based education program:

9 “(1) Standards for determining whether the eli-
10 gible entity or the program requires students to
11 demonstrate competencies that are—

12 “(A) capable of being validly and reliably
13 assessed; and

14 “(B) appropriate in scope and rigor for the
15 award of the relevant recognized educational
16 credential.

17 “(2) Standards for determining whether the eli-
18 gible entity or the program demonstrate—

19 “(A) the administrative capacity and ex-
20 pertise that will ensure—

21 “(i) the validity and reliability of as-
22 sessments of competencies; and

23 “(ii) good practices in assessment and
24 measurement;

1 “(B) sufficient educational content, activi-
2 ties, and resources (including faculty sup-
3 port)—

4 “(i) to enable students to learn or de-
5 velop what is required to demonstrate or
6 attain mastery of competencies; and

7 “(ii) that are consistent with the
8 qualifications of graduates of traditional
9 programs;

10 “(C) that the quality of demonstration of
11 competence is judged at mastery for each com-
12 petency that is assessed for the award of a rec-
13 ognized educational credential;

14 “(D) a standard for the amount of learn-
15 ing that is included in a unit of competency;

16 “(E) reasonable benchmarks for gradua-
17 tion rates and the employment and earnings of
18 graduates, including placements in a field for
19 which the program prepares students, debt-to-
20 earnings ratios, loan repayment rates, and stu-
21 dent satisfaction; and

22 “(F) regular evaluation of whether the pro-
23 gram meets the benchmarks under subpara-
24 graph (E).

1 “(3) Standards for determining when to deny,
2 withdraw, suspend, or terminate the accreditation of
3 the program if the benchmarks under paragraph
4 (2)(E) are not achieved, including standards for pro-
5 viding sufficient opportunity—

6 “(A) for the eligible entity or program to
7 provide a written response regarding the failure
8 to achieve such benchmarks be considered by
9 the agency or association in the manner de-
10 scribed in section 496(a)(6)(B); and

11 “(B) for the eligible entity or program to
12 appeal any adverse action under this subpara-
13 graph before an appeals panel that meets the
14 requirements of section 496(a)(6)(C).

15 “(d) SELECTION.—

16 “(1) IN GENERAL.—Not later than 9 months
17 after the date of enactment, the Secretary shall se-
18 lect not more than 100 eligible entities to carry out
19 a demonstration project under this section under
20 which at least 1 competency-based education pro-
21 gram is offered.

22 “(2) CONSIDERATIONS.—In selecting eligible
23 entities under paragraph (1), the Secretary shall—

24 “(A) consider the number and quality of
25 applications received;

1 “(B) consider an eligible entity’s—

2 “(i) ability to successfully execute the
3 demonstration project as described in the
4 eligible entity’s application under sub-
5 section (b);

6 “(ii) commitment and ability to effec-
7 tively finance the demonstration project;

8 “(iii) ability to provide administrative
9 capability and the expertise to evaluate
10 student progress based on measures other
11 than credit hours or clock hours;

12 “(iv) history of compliance with the
13 requirements of this Act;

14 “(v) commitment to work with the Di-
15 rector of the Institute of Education
16 Sciences and the Secretary to evaluate the
17 demonstration project and the impact of
18 the demonstration project under subsection
19 (g)(2); and

20 “(vi) commitment and ability to as-
21 sess student learning through a third-
22 party;

23 “(C) ensure the selection of a diverse
24 group of eligible entities with respect to size,

1 mission, student population, and geographic
2 distribution;

3 “(D) not limit the types of programs of
4 study or courses of study approved for partici-
5 pation in a demonstration project; and

6 “(E) not select an eligible entity that has
7 had, for 1 of the preceding 2 fiscal years, an
8 adjusted cohort default rate (defined in section
9 435(m)) that is 20 percent or greater.

10 “(e) WAIVERS AND OTHER FLEXIBILITY.—

11 “(1) IN GENERAL.—With respect to any eligible
12 entity selected to carry out a demonstration project
13 under this section, the Secretary may—

14 “(A) waive any requirements of the provi-
15 sions of law (including any regulations promul-
16 gated under such provisions) listed in para-
17 graph (2) for which the eligible entity has pro-
18 vided a reason for waiving under subsection
19 (b)(4)(F); or

20 “(B) provide other flexibility, but not
21 waive, any requirements of the provisions of law
22 (including any regulations promulgated under
23 such provisions) listed in paragraph (3) for
24 which the eligible entity has provided a reason
25 for such flexibility under subsection (b)(4)(F).

1 “(2) PROVISIONS ELIGIBLE FOR WAIVERS.—
2 The Secretary may waive the following under para-
3 graph (1)(A):

4 “(A) Subparagraphs (A) and (B) of section
5 102(a)(3).

6 “(B) Section 484(l)(1).

7 “(3) PROVISIONS ELIGIBLE FOR FLEXI-
8 BILITY.—The Secretary may provide the flexibility
9 described in paragraph (1)(B) with respect to the re-
10 quirements under provisions in title I, part F of this
11 title, or this part, that inhibit the operation of a
12 competency-based education program, relating to the
13 following:

14 “(A) Documenting attendance.

15 “(B) Weekly academic activity.

16 “(C) Minimum weeks of instructional time.

17 “(D) Requirements for credit hour or clock
18 hour equivalencies.

19 “(E) Requirements for substantive inter-
20 action with faculty.

21 “(F) Definitions of the terms ‘academic
22 year’, ‘full-time student’, ‘term’ (including
23 ‘standard term’, ‘non-term’, and ‘non-standard
24 term’), ‘satisfactory academic progress’, ‘edu-

1 cational activity’, ‘project of study’, and ‘pay-
2 ment period’.

3 “(G) Methods of disbursing student finan-
4 cial aid by institutions of higher education se-
5 lected, as of the date of enactment of the Aim
6 Higher Act, as experimental sites under section
7 487A(b)(3) to carry out competency-based edu-
8 cation programs.

9 “(f) NOTIFICATION.—Not later than 9 months after
10 the date of enactment, the Secretary shall make available
11 to the authorizing committees and the public a list of eligi-
12 ble entities selected to carry out a demonstration project
13 under this section, which shall include for each such eligi-
14 ble entity—

15 “(1) the specific waiver or other flexibility from
16 statutory or regulatory requirements offered under
17 subsection (e); and

18 “(2) a description of the competency-based edu-
19 cation programs to be offered under the project.

20 “(g) INFORMATION AND EVALUATION.—

21 “(1) INFORMATION.—

22 “(A) STUDENT-LEVEL DATA.—Each eligi-
23 ble entity that carries out a demonstration
24 project under this section shall provide to the
25 Director of the Institute of Education Sciences

1 the student-level data for the students enrolled
2 in a program described in subparagraph
3 (C)(i)(I), the student-level data for the students
4 enrolled in a program described in subpara-
5 graph (C)(i)(II), and the student-level data for
6 students enrolled in a program described in
7 subparagraph (C)(i)(III) to enable the Direc-
8 tor—

9 “(i) to determine the aggregate infor-
10 mation described in subparagraph (B) with
11 respect to each such program; and

12 “(ii) to the extent practicable, to com-
13 pare the programs using a rigorous evalua-
14 tion, such as propensity score matching.

15 “(B) AGGREGATE INFORMATION.—For
16 purposes of the evaluation under paragraph (2),
17 the Director shall use the student-level data
18 provided under subparagraph (A) by an eligible
19 entity to determine the following information
20 with respect to each program described in sub-
21 paragraph (C)(i) offered at such eligible entity:

22 “(i) The average number of credit
23 hours students earned prior to enrollment
24 in the program, if applicable.

1 “(ii) The number and percentage of
2 students enrolled in a competency-based
3 program that are also enrolled in programs
4 of study or courses of study offered in
5 credit hours or clock hours, disaggregated
6 by student status as a first-year, second-
7 year, third-year, fourth-year, or other stu-
8 dent.

9 “(iii) The average period of time be-
10 tween the enrollment of a student in the
11 program and the first assessment of stu-
12 dent knowledge of such student.

13 “(iv) The average time to 25 percent,
14 50 percent, 75 percent, 100 percent, 150
15 percent, and 200 percent completion of a
16 recognized educational credential.

17 “(v) The percentage of assessments of
18 student knowledge that students passed on
19 the first attempt during the period of en-
20 rollment in the program.

21 “(vi) The percentage of assessments
22 of student knowledge that students passed
23 on the second attempt and the average pe-
24 riod of time between the first and second

1 attempts during the period of enrollment
2 in the program.

3 “(vii) The average number of com-
4 petencies a student acquired while enrolled
5 in a program and the period of time during
6 which the student acquired such com-
7 petencies.

8 “(viii) The number and percentage of
9 students completing the program who find
10 employment, disaggregated by number and
11 percentage of such students finding em-
12 ployment in a field related to the program.

13 “(ix) The median student earnings 1,
14 3, and 4 years after graduating from the
15 program, if available.

16 “(x) Such other information as the
17 Director may reasonably require.

18 “(C) DISAGGREGATION.—The information
19 determined under subparagraph (B) shall be
20 disaggregated as follows, provided that the
21 disaggregation of the information does not iden-
22 tify any individual student:

23 “(i) For each eligible entity that car-
24 ries out a demonstration project under this
25 section, disaggregation by—

1 “(I) the students enrolled in each
2 competency-based education program
3 under the project;

4 “(II) the students enrolled in
5 each competency-based education pro-
6 gram not being carried out under the
7 project; and

8 “(III) the students enrolled in a
9 program not described in subclause
10 (I) or (II).

11 “(ii) For each group of students de-
12 scribed in clause (i), disaggregation by age,
13 race (as defined in section 153(a)(3) of the
14 Education Sciences Reform Act of 2002
15 (20 U.S.C. 9543)), gender, disability sta-
16 tus, students who are Veterans or service
17 members, first generation college students,
18 and status as a recipient of a Federal Pell
19 Grant.

20 “(D) COUNCIL.—The Director shall pro-
21 vide to the Competency-Based Education Coun-
22 cil any information described in subparagraph
23 (A) or (B) (other than personally identifiable
24 information) that may be necessary for the

1 Council to carry out its duties under section
2 4101(g) of the Aim Higher Act.

3 “(2) EVALUATION.—

4 “(A) IN GENERAL.—The Director, in con-
5 sultation with the Secretary and using the in-
6 formation determined under paragraph (1),
7 shall annually evaluate each eligible entity car-
8 rying out a demonstration project under this
9 section. Each evaluation shall be disaggregated
10 in accordance with subparagraph (B) and in-
11 clude—

12 “(i) the extent to which the eligible
13 entity has met the elements of its applica-
14 tion under subsection (b)(4);

15 “(ii) whether the demonstration
16 project led to reduced cost or time to com-
17 pletion of a recognized educational creden-
18 tial, and the amount of cost or time re-
19 duced for such completion;

20 “(iii) obstacles related to student fi-
21 nancial assistance for competency-based
22 education;

23 “(iv) the extent to which statutory or
24 regulatory requirements not waived or for
25 which flexibility is not provided under sub-

1 section (e) presented difficulties or unin-
2 tended consequences for students or eligi-
3 ble entities;

4 “(v) a description of the waivers or
5 flexibility provided under subsection (e)
6 that were most beneficial to students or el-
7 igible entities, and an explanation of such
8 benefits;

9 “(vi) the percentage of students who
10 received each of the following—

11 “(I) a grant under this title;

12 “(II) a loan under this title;

13 “(III) a State grant;

14 “(IV) a State loan;

15 “(V) an institutional grant;

16 “(VI) an institutional loan; and

17 “(VII) a private loan;

18 “(vii) total cost and net cost to the
19 student of the program;

20 “(viii) the average outstanding bal-
21 ance of principal and interest on loans
22 made under this title that students have
23 upon graduation;

24 “(ix) the 3-year adjusted cohort de-
25 fault rate as defined under section 435(m);

1 “(x) the 1- and 3-year repayment rate
2 of loans made under this title;

3 “(xi) the median student earnings 1,
4 3, and 4 years after graduation;

5 “(xii) enrollment data, disaggregated
6 by—

7 “(I) enrollment status, retention
8 rates, credit accumulation, and com-
9 pletion rates for—

10 “(II) first-time, full-time stu-
11 dents;

12 “(III) first-time, part-time stu-
13 dents;

14 “(IV) nonfirst-time, full-time stu-
15 dents;

16 “(V) nonfirst-time, part-time stu-
17 dents;

18 “(VI) eligibility for Federal Pell
19 grants;

20 “(VII) race (as defined in section
21 153(a)(3) of the Education Sciences
22 Reform Act of 2002 (20 U.S.C.
23 9543)) and ethnicity; and

24 “(VIII) transfer rates;

1 “(xiii) a description of the assess-
2 ments of student knowledge and the cor-
3 responding competencies;

4 “(xiv) a description of the role of fac-
5 ulty and faculty involvement; and

6 “(xv) outcomes of the assessments of
7 student knowledge.

8 “(B) DISAGGREGATION.—The data col-
9 lected under clauses (vi) through (xii) shall be
10 disaggregated by each group of students de-
11 scribed in paragraph (1)(C)(i).

12 “(3) ANNUAL REPORT.—The Director, in con-
13 sultation with the Secretary, shall annually provide
14 to the authorizing committees a report on—

15 “(A) the evaluations required under para-
16 graph (2);

17 “(B) the number and types of students re-
18 ceiving assistance under this title for com-
19 petency-based education programs offered
20 under projects under this section;

21 “(C) any proposed statutory or regulatory
22 changes designed to support and enhance the
23 expansion of competency-based education pro-
24 grams, which may be independent of or com-

1 bined with traditional credit hour or clock hour
2 projects;

3 “(D) the most effective means of delivering
4 competency-based education programs through
5 projects under this section; and

6 “(E) the appropriate level and distribution
7 methodology of Federal assistance under this
8 title for students enrolled in a competency-
9 based education program.

10 “(h) COORDINATION.—An eligible entity or the Di-
11 rector shall consult with the Secretary of Education or the
12 Secretary of the Treasury to obtain the employment, earn-
13 ings, and loan information that may be necessary for pur-
14 poses of subsection (c)(2)(F) or subsection (g), respec-
15 tively.

16 “(i) OVERSIGHT.—In carrying out this section, the
17 Secretary shall, on a continuing basis—

18 “(1) assure compliance of eligible entities with
19 the requirements of this title (other than the provi-
20 sions of law and regulations that are waived under
21 subsection (e));

22 “(2) provide technical assistance;

23 “(3) monitor fluctuations in the student popu-
24 lation enrolled in the eligible entities carrying out
25 the demonstration projects under this section;

1 “(4) consult with appropriate accrediting agen-
2 cies or associations and appropriate State regulatory
3 authorities for additional ways of improving the de-
4 livery of competency-based education programs; and

5 “(5) collect and disseminate to eligible entities
6 carrying out a demonstration project under this sec-
7 tion, best practices with respect to such projects.

8 “(j) DATA PRIVACY.—

9 “(1) IN GENERAL.—It shall be unlawful for any
10 person who obtains or has access to personally iden-
11 tifiable information in connection with this section to
12 willfully disclose to any person (except as authorized
13 in this Act or any Federal law) such personally iden-
14 tifiable information.

15 “(2) PENALTY.—Any person who violates para-
16 graph (1) shall be fined not more than \$5,000, im-
17 prisoned for not more than 5 years, or both, to-
18 gether with the costs of prosecution.

19 “(3) EMPLOYEE OR OFFICER OF THE UNITED
20 STATES.—If a violation of paragraph (1) is com-
21 mitted by any officer or employee of the United
22 States, the officer or employee shall be dismissed
23 from office or discharged from employment upon
24 conviction for the violation.

1 “(4) SALE OF DATA PROHIBITED.—Data col-
2 lected under this section shall not be sold to any
3 third party by the Director, any postsecondary insti-
4 tution, or any other entity.

5 “(5) LIMITATION ON USE BY OTHER FEDERAL
6 AGENCIES.—The Director shall not allow any other
7 Federal agency to use data collected under this sec-
8 tion for any purpose except as explicitly authorized
9 by this Act.

10 “(6) LAW ENFORCEMENT.—Personally identifi-
11 able information collected under this section shall
12 not be used for any law enforcement activity or any
13 other activity that would result in adverse action
14 against any student, including debt collection activ-
15 ity or enforcement of the immigration laws.

16 “(k) AUTHORIZATION OF APPROPRIATIONS.—There
17 are authorized to be appropriated \$5,000,000 to carry out
18 this section.

19 “(l) DEFINITIONS.—For the purpose of this section:

20 “(1) COMPETENCY-BASED EDUCATION PRO-
21 GRAM.—The term ‘competency-based education pro-
22 gram’ means a program that provides competency-
23 based education for which the accrediting agency or
24 association of the institution of higher education of-
25 fering such program has established or will establish

1 the standards described in subsection (c) and, in ac-
2 cordance with such standards—

3 “(A) measures academic progress and at-
4 tainment by the assessment of student learning
5 in lieu of, or in addition to, credit or clock
6 hours;

7 “(B) measures and assesses such academic
8 progress and attainment in terms of a student’s
9 mastery of competencies by identifying what
10 students know and the skills mastered through
11 rigorous assessment;

12 “(C) determines and reports to the Sec-
13 retary the number of credit or clock hours that
14 would be needed for the attainment of a similar
15 level of knowledge, skills, and characteristics in
16 a standard credit or clock hour program;

17 “(D) provides the educational content, ac-
18 tivities, support, and resources necessary to en-
19 able students to attain the knowledge, skills,
20 and characteristics that are required to dem-
21 onstrate mastery of such competencies, includ-
22 ing—

23 “(i) ready access to academic assist-
24 ance from faculty who meet the standards

1 of the agency or association for providing
2 instruction in the subject area; and

3 “(ii) a system for monitoring a stu-
4 dent’s engagement and progress in each
5 competency, in which faculty are respon-
6 sible for providing proactive academic as-
7 sistance, when needed, on the basis of such
8 monitoring; and

9 “(E) upon a student’s demonstration or
10 mastery of a set of competencies identified and
11 required by the institution, leads to or results
12 in the awarding of a recognized educational cre-
13 dential.

14 “(2) ELIGIBLE ENTITY.—The term ‘eligible en-
15 tity’ means an institution of higher education, which
16 may be an institution of higher education that offers
17 a dual or concurrent enrollment program.

18 “(3) INSTITUTION OF HIGHER EDUCATION.—
19 The term ‘institution of higher education’ has the
20 meaning given the term in section 102, except that
21 such term does not include institutions described in
22 section 102(a)(1)(C).

23 “(4) DUAL OR CONCURRENT ENROLLMENT
24 PROGRAM.—The term ‘dual or concurrent enrollment
25 program’ has the meaning given the term in section

1 8101 of the Elementary and Secondary Education
2 Act of 1965 (20 U.S.C. 7801).

3 “(5) DIRECTOR.—The term ‘Director’ means
4 the Director of the Institute of Education Sciences.

5 “(6) FIRST GENERATION COLLEGE STUDENT.—
6 The term ‘first generation college student’ has the
7 meaning given the term in section 402A(h)(3).”.

8 (m) RULE OF CONSTRUCTION.—Nothing in this sec-
9 tion or the amendments made by this section shall be con-
10 strued to alter the authority of the Secretary of Education
11 to establish experimental sites under any other provision
12 of law.

13 **SEC. 4102. COMPETENCY-BASED EDUCATION COUNCIL.**

14 (a) ESTABLISHMENT OF A COMMITTEE ON COM-
15 PETENCY-BASED EDUCATION.—Not later than 6 months
16 after the date of enactment of the Aim Higher Act, there
17 shall be established the Competency-Based Education
18 Council (referred to in this section as the “Council”).

19 (b) MEMBERSHIP.—

20 (1) COMPOSITION.—The Council shall be com-
21 posed of—

22 (A) 3 individuals appointed by the Sec-
23 retary of Education;

24 (B) 2 individuals appointed by the Director
25 of the Consumer Financial Protection Bureau;

- 1 (C) not less than 8 and not more than 13
2 individuals appointed by the Comptroller Gen-
3 eral of the United States, representing—
- 4 (i) experts in competency-based edu-
5 cation;
 - 6 (ii) faculty members in competency-
7 based education programs;
 - 8 (iii) administrators at institutions that
9 offer competency-based education pro-
10 grams;
 - 11 (iv) individuals currently enrolled in
12 or graduated from a competency-based
13 education program;
 - 14 (v) accrediting agencies or associa-
15 tions that recognize competency-based edu-
16 cation programs; and
 - 17 (vi) experts from the State education
18 agency; and
- 19 (D) 4 members appointed by—
- 20 (i) the majority leader of the Senate;
 - 21 (ii) the minority leader of the Senate;
 - 22 (iii) the Speaker of the House of Rep-
23 resentatives; and
 - 24 (iv) the minority leader of the House
25 of Representatives.

1 (2) CHAIRPERSON.—The Council shall select a
2 Chairperson from among its members.

3 (3) VACANCIES.—Any vacancy in the Council
4 shall not affect the powers of the Council and shall
5 be filled in the same manner as an initial appoint-
6 ment.

7 (c) MEETINGS.—The Council shall hold, at the call
8 of the Chairperson, not less than 6 meetings before com-
9 pleting the study required under subsection (e) and the
10 report required under subsection (f).

11 (d) PERSONNEL MATTERS.—

12 (1) COMPENSATION OF MEMBERS.—Each mem-
13 ber of the Council shall serve without compensation
14 in addition to any such compensation received for
15 the member's service as an officer or employee of the
16 United States, if applicable.

17 (2) TRAVEL EXPENSES.—The members of the
18 Council shall be allowed travel expenses, including
19 per diem in lieu of subsistence, at rates authorized
20 for employees of agencies under subchapter 1 of
21 chapter 57 of title 5, United States Code, while
22 away from their homes or regular places of business
23 in the performance of services for the Council.

24 (e) DUTIES OF THE COUNCIL.—

1 (1) STUDY.—The Council shall conduct a study
2 on the ongoing innovation and development of com-
3 petency-based education programs.

4 (2) RECOMMENDATIONS.—Based on the find-
5 ings of the study under paragraph (1), the Council
6 shall develop recommendations for the authorization
7 of competency-based education under the Higher
8 Education Act of 1965, including recommendations
9 that—

10 (A) provide or update standard definitions,
11 if needed, for relevant terms, including—

12 (i) competency-based education; and

13 (ii) competency-based education pro-
14 gram; and

15 (B) address—

16 (i) the amount of learning in a com-
17 petency unit;

18 (ii) the transfer of competency-based
19 education credits to other institutions or
20 programs;

21 (iii) the minimum amount of time in
22 an academic year for competency-based
23 education programs, for financial aid pur-
24 poses;

1 (iv) considerations for accreditation
2 agencies before recognizing competency-
3 based education programs;

4 (v) the role of faculty and faculty in-
5 volvement in competency-based education
6 programs; and

7 (vi) additional resources that may be
8 needed for adequate oversight of com-
9 petency-based education programs.

10 (f) REPORT.—Not later than 6 years after the date
11 of enactment of this Act, the Council shall prepare and
12 submit a report to the Secretary of Education and to Con-
13 gress containing the findings of the study under sub-
14 section (e)(1) and the recommendations developed under
15 subsection (e)(2).

16 **SEC. 4103. IMPROVEMENTS TO PROGRAM PARTICIPATION**
17 **AGREEMENTS.**

18 (a) ALCOHOL AND SUBSTANCE MISUSE PREVEN-
19 TION.—Section 487(a)(10) of the Higher Education Act
20 of 1965 (20 U.S.C. 1094(a)(10)) is amended by striking
21 “a drug abuse prevention program” and inserting “an al-
22 cohol and substance misuse prevention program in accord-
23 ance with section 120”.

1 (b) ADJUSTED COHORT DEFAULT RATE.—Section
2 487(a)(14) of the Higher Education Act of 1965 is
3 amended by adding at the end the following:

4 “(D) Beginning on the date on which the
5 final adjusted cohort default rates are published
6 by the Secretary for fiscal year 2016 under sec-
7 tion 435(m), subparagraph (C) shall be applied
8 by substituting ‘adjusted cohort default rate in
9 excess of 5 percent’ for ‘cohort default rate in
10 excess of 10 percent’ each place it appears.”.

11 (c) POSTSECONDARY DATA.—Paragraph (17) of sec-
12 tion 487(a) of the Higher Education Act of 1965 (20
13 U.S.C. 1094(a)) is amended to read as follows:

14 “(17) The institution of higher education (or
15 the assigned agent of such institution) shall collect
16 and submit data to the Commissioner for Education
17 Statistics in a timely manner in accordance with—

18 “(A) section 132(l);

19 “(B) nonstudent-related surveys within the
20 Integrated Postsecondary Education Data Sys-
21 tem (IPEDS); and

22 “(C) any other Federal postsecondary data
23 collection effort.”.

1 (d) ACCESS TO HOUSING FOR FOSTER YOUTH.—Sec-
2 tion 487(a)(19) of the Higher Education Act of 1965 (20
3 U.S.C. 1094(a)(19)) is amended—

4 (1) by striking “The institution will not” and
5 inserting the following: “The institution—

6 “(A) will not”;

7 (2) by inserting “housing facilities,” after “li-
8 braries,”;

9 (3) by striking “institution.” and inserting “in-
10 stitution; and”; and

11 (4) by adding at the end the following:

12 “(B) will provide a means for students to
13 access institutionally owned or operated housing
14 if a student is temporarily unable to meet fi-
15 nancial obligations related to housing, including
16 deposits, due to delayed disbursement of vouch-
17 ers for education and training made available
18 under section 477 of part E of title IV of the
19 Social Security Act or delays attributable to the
20 institution.”.

21 (e) DISTRIBUTION OF VOTER REGISTRATION
22 FORMS.—Section 487(a)(23)(A) of the Higher Education
23 Act of 1965 (20 U.S.C. 1094(a)(23)(A)) is amended by
24 striking “, if located in a State to which section (4)(b)

1 of the National Voter Registration Act of 1993 (42 U.S.C.
2 1973gg-2(b)) does not apply.”.

3 (f) PROPRIETARY INSTITUTIONS.—Section
4 487(a)(24) of the Higher Education Act of 1965 (20
5 U.S.C. 1094(a)(24)) is amended by striking “not less than
6 ten percent of such institution’s revenues from sources
7 other than funds provided under this title” and inserting
8 “not less than 15 percent of such institution’s revenues
9 from sources other than Federal education assistance
10 funds”.

11 **SEC. 4104. PREARBITRATION AGREEMENTS.**

12 Section 487(a) of the Higher Education Act of 1965
13 (20 U.S.C. 1094) is amended by adding at the end the
14 following:

15 “(30) The institution will not require students
16 to sign a pre-arbitration agreement that limits or re-
17 stricts a student’s ability to file a claim, either alone
18 or together with other individuals, against the insti-
19 tution in a court of law State or Federal court of
20 competent jurisdiction.”.

21 **SEC. 4105. COMPLIANCE WITH THE CIVIL RIGHTS ACT OF**
22 **1964.**

23 Section 487(a) of the Higher Education Act of 1965
24 (20 U.S.C. 1094(a)) is further amended by adding at the
25 end the following:

1 “(31) The institution will—

2 “(A) designate at least one employee to co-
3 ordinate compliance with title VI of the Civil
4 Rights Act of 1964 (42 U.S.C. 2000d et seq.),
5 including any investigation of any complaint al-
6 leging—

7 “(i) noncompliance with such title;
8 and

9 “(ii) any actions prohibited by such
10 title;

11 “(B) annually submit a report to the Sec-
12 retary that includes all complaints described in
13 subparagraph (A) with respect to such institu-
14 tion;

15 “(C) make the report under subparagraph
16 (B) publicly available on the internet website of
17 the institution; and

18 “(D) notify students and employees of—

19 “(i) the name, office address, and
20 telephone number of each employee des-
21 ignated under subparagraph (A);

22 “(ii) the report under subparagraph
23 (B);

24 “(iii) the enforcement policies of the
25 institution with respect to such title; and

1 “(iv) the procedure for reporting and
2 investigating complaints under such title.”.

3 **SEC. 4106. REQUIREMENT FOR INSTITUTIONS TO USE A FI-**
4 **NANCIAL AID SHOPPING SHEET.**

5 Section 487(a) of the Higher Education Act of 1965
6 (20 U.S.C. 1094(a)) is further amended by adding at the
7 end the following:

8 “(32) The institution will use a financial aid
9 shopping sheet described in section 483(l) as its sole
10 financial award letter or include such sheet as a sup-
11 plemental cover to such financial award letter.”.

12 **SEC. 4107. SUBMISSION OF DATA WITH RESPECT TO STU-**
13 **DENTS WITH DISABILITIES.**

14 Section 487(a) of the Higher Education Act of 1965
15 (20 U.S.C. 1094(a)), is further amended by adding at the
16 end the following:

17 “(33) The institution will submit, for inclusion
18 in the Integrated Postsecondary Education Data
19 System of the Department or any other Federal
20 postsecondary institution data collection effort, key
21 data related to undergraduate and graduate stu-
22 dents enrolled at the institution who are formally
23 registered as students with disabilities with the insti-
24 tution’s office of accessibility, including the total
25 number of students with disabilities enrolled, the

1 number of students accessing or receiving accommo-
2 dation, the percentage of students with disabilities of
3 all undergraduate students, and the total number of
4 undergraduate certificates or degrees awarded to
5 students with disabilities. An institution shall not be
6 required to submit the information described in the
7 preceding sentence if the number of such students
8 would reveal personally identifiable information
9 about an individual student.”.

10 **SEC. 4108. EDUCATION PROGRAM ON HAZING.**

11 Section 487(a) of the Higher Education Act of 1965
12 (20 U.S.C. 1094(a)) is further amended by adding at the
13 end the following:

14 “(34) The institution will provide students with
15 an educational program on hazing (as that term is
16 defined in section 485(f)(6)(A)(vi)), which shall in-
17 clude information on hazing awareness, hazing pre-
18 vention, and the institution’s policies on hazing.”.

19 **SEC. 4109. CHANGES TO PROGRAM PARTICIPATION AGREE-
20 MENTS TO STRENGTHEN CONSUMER PRO-
21 TECTIONS.**

22 (a) PROHIBITION ON LOSS OF ACCESS TO TRAN-
23 SCRIPTS FOR LOAN DEFAULT.—Section 487(a) of the
24 Higher Education Act of 1965 (20 U.S.C. 1094(a)) is fur-
25 ther amended by adding at the end the following:

1 “(35)(A) The institution will not prohibit a stu-
2 dent from accessing the student’s transcripts, degree
3 scrolls, or other certifications of coursework or edu-
4 cational attainments at the institution because the
5 student is in default on the repayment of a loan
6 made, insured, or guaranteed under this title.

7 “(B) For purposes of this paragraph, the term
8 ‘student’ includes former students.”.

9 (b) PROHIBITION ON LIMITATIONS ON ABILITY OF
10 STUDENTS TO PURSUE CLAIMS AGAINST CERTAIN INSTI-
11 TUTIONS OF HIGHER EDUCATION.—Section 487(a) of the
12 Higher Education Act of 1965 (20 U.S.C. 1094(a)) is fur-
13 ther amended by adding at the end the following:

14 “(36) The institution will not require any stu-
15 dent to agree to, and will not enforce, any limitation
16 or restriction (including a limitation or restriction on
17 any available choice of applicable law, a jury trial,
18 or venue) on the ability of a student to pursue a
19 claim, individually or with others, against an institu-
20 tion in court.”.

21 **SEC. 4110. ADMINISTRATIVE EXPENSES.**

22 Section 489(a) of the Higher Education Act of 1965
23 (20 U.S.C. 1096(a)) is amended—

24 (1) in the second sentence, by striking “or
25 under part E of this title”; and

1 (2) in the third sentence—

2 (A) by inserting “and” after “subpart 3 of
3 part A,”; and

4 (B) by striking “compensation of stu-
5 dents,” and all that follows through the period
6 and inserting “compensation of students.”.

7 **SEC. 4111. INCOME-BASED REPAYMENT PLAN.**

8 (a) OPTIONS TO ENTER INTO THE NEW FIXED RE-
9 PAYMENT PLAN AND INCOME-BASED REPAYMENT
10 PLAN.—Section 493C(b) of the Higher Education Act of
11 1965 (20 U.S.C. 1098e) is amended—

12 (1) by amending paragraph (8) to read as fol-
13 lows:

14 “(8) a borrower who is repaying a loan made,
15 insured, or guaranteed under part B or D pursuant
16 to an income contingent repayment plan or an in-
17 come-based repayment plan described in subpara-
18 graph (D) or (E) of section 455(d)(1), respectively,
19 may elect, at any time, to terminate repayment pur-
20 suant to income-based repayment and repay such
21 loan under the income-based repayment plan under
22 section 493C(f) or the fixed repayment plan de-
23 scribed in section 493E;”;

24 (2) in paragraph (9), by striking the period at
25 the end and inserting “; and”; and

1 (3) by adding at the end the following:

2 “(10) a borrower who is repaying a loan made
3 under part B or D pursuant to this section may
4 repay such loan in full at any time without pen-
5 alty.”.

6 (b) AUTOMATIC RECERTIFICATION OF INCOME FOR
7 INCOME-DRIVEN REPAYMENT PLANS.—Section 493C(c)
8 of the Higher Education Act of 1965 (20 U.S.C. 1098e(e))
9 is amended—

10 (1) by striking “The Secretary shall establish”
11 and inserting the following:

12 “(1) IN GENERAL.—The Secretary shall estab-
13 lish”;

14 (2) by striking “The Secretary shall consider”
15 and inserting the following:

16 “(2) PROCEDURES FOR ELIGIBILITY.—The Sec-
17 retary shall—

18 “(A) consider”; and

19 (3) by striking “428C(b)(1)(E).” and inserting
20 the following: “428C(b)(1)(E); and

21 “(B) beginning as soon as the Secretary
22 determines practicable after the Secretary final-
23 izes the procedures required under section 4114
24 of the Aim Higher Act, but not later than 2
25 years after the date of enactment of such Act,

1 carry out, with respect to borrowers of any cov-
2 ered loan (as defined in section 455(d)(10)),
3 procedures for income-based repayment plans
4 under this section that are equivalent to the
5 procedures carried out under section 455(e)(8)
6 with respect to income contingent repayment
7 plans.”.

8 (c) INCOME-BASED REPAYMENT.—Section 493C of
9 the Higher Education Act of 1965 (20 U.S.C. 1098e) is
10 amended by adding at the end the following:

11 “(f) INCOME-BASED REPAYMENT FOR NEW LOANS
12 ON AND AFTER JULY 1, 2019, AND FOR BORROWERS
13 WHO ENTER IBR AFTER JULY 1, 2019.—

14 “(1) IN GENERAL.—The income-based repay-
15 ment plan shall be carried out in accordance with
16 this section, except as otherwise specified in this
17 subsection (including through the special terms de-
18 scribed in paragraph (2))—

19 “(A) with respect to any loan issued on or
20 after July 1, 2019, if such borrower elects the
21 income-based repayment plan for that loan; and

22 “(B) with respect to any borrower who is
23 repaying a loan made, insured, or guaranteed
24 under part B or D, if such borrower elects to

1 repay the loan under the income-based repay-
2 ment plan on or after July 1, 2019.

3 “(2) SPECIAL TERMS.—Notwithstanding any
4 other provision of this section, with respect to a loan
5 described under paragraph (1), the following terms
6 shall apply to the income-based repayment plan:

7 “(A)(i) Notwithstanding subsection
8 (a)(3)(B), the repayment amount under this
9 subsection shall be an amount equal to 10 per-
10 cent of the result obtained by calculating, on at
11 least an annual basis, the amount by which the
12 borrower’s, and the borrower’s spouse’s (if ap-
13 plicable), adjusted gross income; exceedsthe ap-
14 plicable percentage of the poverty line in ac-
15 cordance with clause (ii) that is applicable to
16 the borrower’s family size as determined under
17 section 673(2) of the Community Services
18 Block Grant Act (42 U.S.C. 9902(2)).

19 “(ii) For purposes of clause (i), the term
20 ‘applicable percentage’ means 250 percent re-
21 duced by 5 percentage points for each \$1,000
22 by which the borrower’s adjusted gross income
23 exceeds \$120,000.

1 “(B) Subsection (b)(7)(B) shall be applied,
2 but the period of time prescribed by the Sec-
3 retary shall not exceed 20 years.

4 “(C) A borrower of such a loan shall not
5 be required to have a partial financial hardship
6 and may elect, and remain enrolled in, the in-
7 come-based repayment plan under this sub-
8 section regardless of income level.

9 “(D) Subparagraph (A) of subsection
10 (b)(6) shall not apply and a borrower’s monthly
11 payment shall be determined in accordance with
12 subparagraph (A) divided by 12, which may ex-
13 ceed the monthly repayment amount under a
14 standard 10-year repayment plan or a fixed re-
15 payment plan described in section 493E.

16 “(E) Subparagraph (B) of subsection
17 (b)(3) shall not apply.

18 “(3) ADDITIONAL SPECIAL TERMS FOR CER-
19 TAIN BORROWERS.—A borrower described in para-
20 graph (1)(B)—

21 “(A) may choose to retain the repayment
22 plan in which the borrower is enrolled on June
23 30, 2019;

24 “(B) may elect to—

1 “(i) leave the repayment plan de-
2 scribed in subparagraph (A) and enter the
3 income-based repayment plan under this
4 subsection; or

5 “(ii) leave the repayment plan de-
6 scribed in subparagraph (A) and enter a
7 fixed repayment plan described in section
8 493E;

9 “(C) after electing to leave a repayment
10 plan other than an income-based repayment
11 plan described under this subsection or the
12 fixed repayment plan described in section 493E,
13 shall not be permitted to re-elect a repayment
14 plan that is not an income-based repayment
15 plan under this subsection or a fixed repayment
16 plan described in section 493E; and

17 “(D) shall retain, for purposes of repay-
18 ment or cancellation of any outstanding balance
19 of principal and interest due on a loan (as de-
20 scribed in subsection (b)(7)) any years of repay-
21 ment under another income-based or income
22 contingent repayment plan under this title.

23 “(4) CAP ON INTEREST ACCRUAL.—Notwith-
24 standing any other provision of this Act, the total
25 amount of interest that accrues during a borrower’s

1 grace period and the time that a borrower is in re-
2 payment under this subsection shall not exceed 50
3 percent of the original principal amount of the loan.

4 “(5) WRITTEN, ELECTRONIC, OR VERBAL EN-
5 ROLLMENT IN INCOME-BASED REPAYMENT.—

6 “(A) IN GENERAL.—A borrower of a loan
7 made under part D who is enrolled in the fixed
8 repayment plan under section 493E, or who has
9 not yet selected a repayment plan and is in the
10 grace period for such loan, and who desires to
11 repay such loan under the income-based repay-
12 ment plan under this section for the first time,
13 may elect to repay such loan under this section
14 through written, electronic, or verbal notice to
15 the Secretary of their desire to make such elec-
16 tion.

17 “(B) USE OF INFORMATION.—

18 “(i) IN GENERAL.—The monthly pay-
19 ment amount under this section for a loan
20 for a borrower who makes an election de-
21 scribed in subparagraph (A) shall be im-
22 mediately calculated using the income and
23 family size information provided through
24 the borrower’s written, electronic, or verbal
25 statement.

1 “(ii) VERIFICATION.—The informa-
2 tion described in clause (i) shall be verified
3 by the Secretary not later than 90 days
4 after the date the borrower states such in-
5 come and family size information.

6 “(iii) ADJUSTMENT IF NECESSARY.—
7 Upon verification by the Secretary under
8 clause (ii), the Secretary shall adjust the
9 monthly payment described in clause (i)
10 based on the verified income and family
11 size information of the borrower, if nec-
12 essary. Any increased adjusted monthly
13 payment shall take effect beginning with
14 the payment due not less than 60 days
15 after the Secretary notifies the borrower of
16 the adjusted amount.

17 “(g) SPECIAL RULE FOR REFINANCED LOANS.—

18 “(1) REFINANCED FEDERAL DIRECT AND FFEL
19 LOANS.—In calculating the period of time during
20 which a borrower of a loan that is refinanced under
21 section 460A has made monthly payments for pur-
22 poses of subsection (b)(7), the Secretary shall deem
23 the period to include all monthly payments made for
24 the original loan, and all monthly payments made

1 for the refinanced loan, that otherwise meet the re-
2 quirements of this section.

3 “(2) FEDERAL DIRECT REFINANCED PRIVATE
4 LOANS.—In calculating the period of time during
5 which a borrower of a Federal Direct Refinanced
6 Private Loan under section 460B has made monthly
7 payments for purposes of subsection (b)(7), the Sec-
8 retary shall include only payments—

9 “(A) that are made after the date of the
10 issuance of the Federal Direct Refinanced Pri-
11 vate Loan; and

12 “(B) that otherwise meet the requirements
13 of this section.”.

14 **SEC. 4112. FIXED REPAYMENT PLAN.**

15 Part G of title IV of the Higher Education Act of
16 1965 (20 U.S.C. 1088 et seq.) is amended by adding at
17 the end the following:

18 **“SEC. 493E. FIXED REPAYMENT PLAN.**

19 “(a) IN GENERAL.—A borrower of a loan made under
20 this part on or after July 1, 2019, and a borrower who
21 is in repayment on a loan made under part B or part D
22 before July 1, 2019, may elect to repay such loan under
23 the fixed repayment plan described in this section.

1 “(b) FIXED REPAYMENT PLAN.—Under the fixed re-
2 payment plan, a borrower with a total Federal student
3 loan debt amount that—

4 “(1) is equal to or less than \$20,000, shall
5 repay each loan described in subsection (a) with a
6 fixed monthly repayment amount paid over a period
7 of 10 years;

8 “(2) is more than \$20,000 and less than
9 \$30,000, shall repay each loan described in sub-
10 section (a) with a fixed monthly repayment amount
11 paid over a period of—

12 “(A) 15 years; or

13 “(B) the period described in paragraph
14 (1), if the borrower so chooses;

15 “(3) is equal to or greater than \$30,000, and
16 less than \$40,000, shall repay each loan described in
17 subsection (a) with a fixed monthly repayment
18 amount paid over a period of—

19 “(A) 20 years; or

20 “(B) the period described in paragraph (1)
21 or (2), if the borrower so chooses; and

22 “(4) is equal to or greater than \$40,000, shall
23 repay each loan described in subsection (a) with a
24 fixed monthly repayment amount paid over a period
25 of—

1 “(A) 25 years; or

2 “(B) the period described in any of para-
3 graphs (1) through (3), if the borrower so
4 chooses.”.

5 **SEC. 4113. LONGITUDINAL STUDY ON THE EFFECTIVENESS**
6 **OF STUDENT LOAN COUNSELING.**

7 (a) IN GENERAL.—Not later than 1 year after the
8 date of enactment of this Act, the Secretary of Education,
9 acting through the Director of the Institute of Education
10 Sciences, shall begin conducting a rigorous, longitudinal
11 study of the impact and effectiveness of the student loan
12 counseling—

13 (1) provided under subsections (b), (l), and (n)
14 of section 485 of the Higher Education Act of 1965
15 (20 U.S.C. 1092), as amended by this Act; and

16 (2) provided through such other means as the
17 Secretary of Education may determine.

18 (b) CONTENTS.—

19 (1) BORROWER INFORMATION.—The longitu-
20 dinal study carried out under subsection (a) shall in-
21 clude borrower information, in the aggregate and
22 disaggregated by race (as defined in section
23 153(a)(3) of the Education Sciences Reform Act of
24 2002 (20 U.S.C. 9543), as amended by the Aim
25 Higher Act), ethnicity, gender, income, status as an

1 individual with a disability, and status as a first
2 generation college student (defined in section
3 402A(h)(3)), on—

4 (A) student persistence;

5 (B) degree attainment;

6 (C) program completion;

7 (D) successful entry into student loan re-
8 payment;

9 (E) cumulative borrowing levels; and

10 (F) such other factors as the Secretary of
11 Education may determine.

12 (2) EXCEPTION.—The disaggregation under
13 paragraph (1) shall not be required in a case in
14 which the number of borrowers in a category is in-
15 sufficient to yield statistically reliable information or
16 the results would reveal personally identifiable infor-
17 mation about an individual borrower.

18 (c) INTERIM REPORTS.—Not later than 18 months
19 after the commencement of the study under subsection
20 (a), and annually thereafter, the Secretary of Education
21 shall evaluate the progress of the study and report any
22 short-term findings to the appropriate committees of Con-
23 gress.

1 **SEC. 4114. STUDY AND PROCEDURES ON DETERMINING**
2 **FAMILY SIZE.**

3 (a) IN GENERAL.—Not later than 1 year after the
4 date of enactment of this Act, the Secretary of Education
5 shall—

6 (1) conduct, in consultation with the Secretary
7 of the Treasury, a study which meets the specifica-
8 tions described in subsection (b), on the effect of
9 using data from the Internal Revenue Service on the
10 deduction for personal exemptions provided by sec-
11 tion 151 of the Internal Revenue Code of 1986 for
12 a proxy for family size in an income-driven repay-
13 ment plan, and publish such study in the Federal
14 Register;

15 (2) use the results of the study conducted under
16 paragraph (1) to develop procedures for determining
17 family size for the automatic recertification of in-
18 come for an income-driven repayment plan in a man-
19 ner that minimizes burdens and unintended harm to
20 borrowers;

21 (3) publish the procedures developed under
22 paragraph (2) in the Federal Register; and

23 (4) after a notice and comment period on such
24 procedures, use such comments to finalize the proce-
25 dures.

1 (b) SPECIFICATIONS.—The study conducted under
2 subsection (a)(1) shall—

3 (1) determine how closely such personal exemp-
4 tions match the family size that borrowers report on
5 their income-driven repayment plan request form;

6 (2) compare the borrower’s actual monthly pay-
7 ment amount with the monthly payment amount
8 borrowers would have using family size information
9 derived from tax returns; and

10 (3) use data from more than one year, where
11 possible, to analyze how much family size changes
12 over time.

13 (c) DEFINITION.—The term “the income-driven re-
14 payment plan” means a plan described in subparagraph
15 (D) or (E) of section 455(d)(1) of the Higher Education
16 Act of 1965 (20 U.S.C. 1087e(d)(1)) and the income-
17 based repayment plan under section 493C(f) of such Act
18 (20 U.S.C. 1098e(f)), as added by section 4111 of this
19 Act.

20 **PART H**

21 **SEC. 4121. STATE RESPONSIBILITIES.**

22 Section 495(a) of the Higher Education Act of 1965
23 (20 U.S.C. 1099a(a)) is amended—

24 (1) in paragraph (2), by striking “and” at the
25 end;

1 (2) in paragraph (3), by striking the period at
2 the end and inserting “; and”; and

3 (3) by adding at the end the following:

4 “(4) certify to the Secretary that each institu-
5 tion of higher education located in the State or seek-
6 ing authorization to operate in the State meets State
7 standards relating to—

8 “(A) facilities, equipment, and supplies;

9 “(B) measures of program length and
10 other factors relevant to State licensure; and

11 “(C) records of student complaints re-
12 ceived by, or available to, the State; and

13 “(5) The State shall manage, compile, and dis-
14 tribute to the Secretary and accrediting bodies, data
15 on student complaints received from the Department
16 of Education’s student complaint system, reports
17 made to the State, and reports made directly to the
18 institution’s accrediting body.”.

19 **SEC. 4122. ADDITIONAL SAFEGUARDS.**

20 Section 496(a)(4) of the Higher Education Act of
21 1965 (20 U.S.C. 1099b(a)(4)) is amended—

22 (1) in subparagraph (A), by striking “and”
23 after the semicolon;

24 (2) in subparagraph (B)(ii), by inserting “and”
25 after the semicolon; and

1 (3) by adding at the end the following:

2 “(C) if such agency or association has or
3 seeks to include within its scope of recognition
4 the evaluation of the quality of institutions of
5 higher education participating in the job train-
6 ing Federal Pell Grant Program under section
7 401(i), such agency or association shall, in ad-
8 dition to meeting the other requirements of this
9 subpart, demonstrate to the Secretary that,
10 with respect to such job training programs—

11 “(i) the agency or association’s stand-
12 ards include a process for determining
13 whether the program provides training
14 aligned with the requirements of employers
15 in the State or local area served by the
16 program; and

17 “(ii) the agency or association re-
18 quires a demonstration that the program—

19 “(I) has identified each recog-
20 nized postsecondary credential offered
21 and the corresponding industry or sec-
22 tor partnership that actively recog-
23 nizes each credential in the relevant
24 industry in the State or local area
25 where the industry is located; and

1 “(II) provides the academic con-
2 tent and amount of instructional time
3 that is sufficient to—

4 “(aa) meet the hiring re-
5 quirements of potential employ-
6 ers; and

7 “(bb) satisfy any applicable
8 educational prerequisites for pro-
9 fessional licensure or certification
10 requirements so that the student
11 who completes the program and
12 seeks employment qualifies to
13 take any licensure or certification
14 examination that is needed to
15 practice or find employment in
16 an occupation that the program
17 prepares students to enter;”.

18 **SEC. 4123. RECOGNITION OF ACCREDITING AGENCY OR AS-**
19 **SOCIATION.**

20 Section 496 of the Higher Education Act of 1965 (20
21 U.S.C. 1099b) is further amended—

22 (1) in subsection (a)—

23 (A) in paragraph (5), by striking subpara-
24 graphs (A) through (J) and inserting the fol-
25 lowing:

1 “(A) success with respect to student
2 achievement in relation to the institution’s mis-
3 sion, which—

4 “(i) may include different standards
5 for different institutions or programs, as
6 established by the institution; and

7 “(ii) shall include standards for com-
8 pliance set by the accrediting agency or as-
9 sociation, including—

10 “(I) one or more standards relat-
11 ing to completion (which may include
12 retention rates, rates of course com-
13 pletion resulting in the conferral of a
14 credential, rates of transfer from a 2-
15 year to a 4-year institution, or grad-
16 uation rates) for all students, includ-
17 ing first-time students, transfer stu-
18 dents, and part-time students;

19 “(II) one or more standards re-
20 lating to workforce participation,
21 which may include rates of licensure,
22 job placement, or employment; and

23 “(III) measures that assess
24 progress toward meeting the stand-
25 ards specified in subclauses (I) and

1 (II), such as annual retention rates,
2 persistence rates, numbers of students
3 achieving certification to get a job or
4 enrolling in graduate or professional
5 school;

6 “(B) student achievement outcomes and
7 program outcomes disaggregated by the sub-
8 groups specified section 153(a)(3) of the Edu-
9 cation Sciences Reform Act of 2002 (20 U.S.C.
10 9543);

11 “(C) curricula, including program length,
12 course sequencing, and objectives related to
13 credentialing;

14 “(D) faculty;

15 “(E) student support services;

16 “(F) recruiting and admissions practices,
17 academic calendars, catalogues, publications,
18 and grading; and

19 “(G) administrative capacity as appro-
20 priate to the specified scale of operations.”;

21 (B) by redesignating paragraphs (6)
22 through (8) as paragraphs (8) through (10), re-
23 spectively; and

24 (C) by inserting after paragraph (5) the
25 following:

1 “(6) in measuring success with respect to stu-
2 dent achievement under paragraph (5), the agency
3 or association—

4 “(A) shall establish a transparent and
5 standardized process applicable to all institu-
6 tions of higher education, regardless of sector;

7 “(B) shall identify the completion and
8 workforce participation measures and standards
9 used for student achievement, measures of
10 progress toward meeting those standards, and
11 specify how those progress measures are
12 factored into the accreditation process;

13 “(C) may consider, in assessing whether an
14 institution of higher education (as defined in
15 section 101(a)) meets the student achievement
16 standards established by the agency or associa-
17 tion—

18 “(i) the historical significance of the
19 institution; and

20 “(ii) whether the institution is one of
21 the only physical locations at which post-
22 secondary education is provided in the geo-
23 graphic area; and

24 “(D) may not create peer groups for estab-
25 lishing the student achievement standards

1 based exclusively on the demographic character-
2 istics of the population served at an institution;

3 “(7) the agency or association shall—

4 “(A) compile and make available on a pub-
5 licly accessible website—

6 “(i) the student achievement measures
7 and standards established by the agency or
8 association, and the rationale for the selec-
9 tion of such measures and standards;

10 “(ii) a list of institutions that failed to
11 meet the requirements for accreditation;
12 and

13 “(iii) a list of institutions in progress
14 period status that received support under
15 section 498D and that failed to meet the
16 requirements necessary to receive addi-
17 tional support under such section; and

18 “(B) annually update the lists described in
19 subparagraph (A);”;

20 (2) in subsection (n)(1) inserting before the last
21 sentence in the paragraph “The information pro-
22 vided by such agency or association shall include in-
23 formation on at least one institution representing
24 each of the sectors that are currently accredited by
25 such agency or association.”; and

1 (3) by adding at the end the following:

2 “(r) EVALUATION OF QUALITY AND ACHIEVEMENT
3 MEASURES.—

4 “(1) IN GENERAL.—The Secretary shall direct
5 the National Advisory Committee on Institutional
6 Quality and Integrity—

7 “(A) to regularly evaluate the effectiveness
8 of—

9 “(i) the accountability measures es-
10 tablished under subpart 4; and

11 “(ii) the student achievement progress
12 measures established under subsection
13 (a)(5)(A); and

14 “(B) with respect to the evaluation re-
15 quired under subparagraph (A), to take into ac-
16 count similarly situated accreditors, whose simi-
17 larity may not be determined solely by the edu-
18 cational sector to which the institutions evalu-
19 ated belong.

20 “(2) ACCREDITOR STANDARDS.—The Secretary
21 may require an accreditor to review metrics or set
22 new standards if the Secretary determines that the
23 metrics or standards set by such accreditor pursuant
24 to section 496(a)(5) are, in the case of such metrics,

1 insufficient or, in the case of such standards, too
2 low.

3 “(s) REPORT ON RECOGNIZED INSTITUTIONAL
4 ACCREDITORS REQUIRED.—Not later than 180 days after
5 the date of the enactment of the Aim Higher Act, and
6 annually thereafter, the Secretary shall publish a report
7 that includes the following with respect to each accrediting
8 agency or association aggregated:

9 “(1) The number of institutions of higher edu-
10 cation evaluated by such accrediting agency or asso-
11 ciation in each educational sector.

12 “(2) The number of locations of such institu-
13 tions of higher education.

14 “(3) The number of students enrolled at such
15 institutions of higher education.

16 “(4) The number of students receiving a Fed-
17 eral Pell Grant at such institutions of higher edu-
18 cation in the preceding year.

19 “(5) The total of Federal student aid received
20 by students enrolled at such institutions of higher
21 education in the preceding year.

22 “(6) The graduation rates of such institutions
23 of higher education.

24 “(7) The median earnings of students 10 years
25 after enrollment.

1 “(8) The types of degrees most often conferred
2 by such institutions of higher education.

3 “(9) The number of institutions on heightened
4 cash monitoring status under section 668.162(d) of
5 title 34, Code of Federal Regulations (as in effect on
6 the date of the enactment of this subsection).

7 “(10) An index based on findings with respect
8 to subparagraphs (1) through (9) above, of the
9 accreditor’s status as an effective evaluator of pro-
10 gram quality and gate-keeper to funds under title IV
11 of this Act.

12 “(t) RULE-MAKING TO ESTABLISH STANDARDIZED
13 CONSEQUENCES AND STEPS FOR ACCREDITING AGENCIES
14 AND ASSOCIATIONS.—Not later than 180 days after the
15 date of the enactment of this subsection, the Secretary
16 shall—

17 “(1) initiate a negotiated rule-making processes
18 with experts from different stakeholder groups to es-
19 tablish a common set of consequences or steps all
20 accrediting bodies shall follow when the institutions
21 such accreditors review fail to meet the accreditation
22 standards set by such accreditors pursuant to sec-
23 tion 496(a); and

1 “(2) develop procedures for identifying the in-
2 stitutions an accreditor shall use to demonstrate
3 that such accreditor—

4 “(A) consistently applies and enforces
5 standards; and

6 “(B) effectively evaluates the quality of
7 education or training offered by the institutions
8 of higher education accredited by such
9 accreditor.”.

10 **SEC. 4124. PROGRAM REVIEW AND DATA.**

11 Section 498A(a)(2) of the Higher Education Act of
12 1965 (20 U.S.C. 1099e–1(a)(2)) is amended by striking
13 subparagraph (A) and inserting the following: “institu-
14 tions with an adjusted cohort default rate for loans under
15 part D of this title in excess of 18 percent or which places
16 such institutions in the highest 25 percent of such institu-
17 tions”.

18 **SEC. 4125. STRENGTHENING INSTITUTIONAL QUALITY.**

19 Part H of title IV of the Higher Education Act of
20 1965 (20 U.S.C. 1099a et seq.) is amended by adding at
21 the end the following:

1 **“Subpart 4—Strengthening Institutional Quality**

2 **“SEC. 498C. SUPPORTING INSTITUTIONAL QUALITY IM-**
3 **PROVEMENT.**

4 “(a) REVIEW REQUIRED.—On an annual basis, the
5 Secretary shall conduct a review of each institution of
6 higher education that participates in programs under this
7 title.

8 “(b) ELEMENTS.—In conducting each review under
9 subsection (a), the Secretary shall assess all factors relat-
10 ing to the eligibility of the institution of higher education
11 to participate in programs under this title and the per-
12 formance of the institution, including—

13 “(1) the authority of the institution to operate
14 under State law;

15 “(2) the financial responsibility of the institu-
16 tion;

17 “(3) the administrative capacity of the institu-
18 tion;

19 “(4) rates of gainful employment of graduates
20 of the institution;

21 “(5) the compliance of the institution with pro-
22 gram participation agreements under section 487;

23 “(6) the return of title IV funds under 484B;

24 “(7) the compliance of the institution with Fed-
25 eral revenue requirements;

1 “(8) the institution’s record of compliance with
2 its program responsibilities under title IV of this Act
3 based on the most recent student default rate data,
4 the results of financial or compliance audits, pro-
5 gram reviews, and other information as the Sec-
6 retary may have received from the State or accred-
7 iting agency or association; and

8 “(9) any other criteria the Secretary determines
9 to be appropriate.

10 **“SEC. 498D. ASSISTANCE TO PROGRESS PERIOD INSTITU-**
11 **TIONS.**

12 “(a) IN GENERAL.—The Secretary shall provide
13 grants and technical assistance to covered progress period
14 institutions in accordance with this section.

15 “(b) AUTHORIZED ACTIVITIES.—Grants and assist-
16 ance provided under this section shall be used to improve
17 student achievement (as described in section
18 4965(a)(5)(A)) at covered progress period institutions.

19 “(c) DURATION.—Grants and assistance may be pro-
20 vided under this section for a period of not less than one
21 year and not more than three years.

22 “(d) CONDITIONS.—

23 “(1) BENCHMARKS.—

24 “(A) IN GENERAL.—To continue to receive
25 support under this section after the first year in

1 which such support is provided, an institution
2 must show progress, as determined by the Sec-
3 retary, toward meeting the standards for stu-
4 dent achievement established by the relevant ac-
5 crediting agency or association pursuant to sec-
6 tion 496(a)(5)(A).

7 “(B) CONSIDERATIONS.—In determining
8 the progress of an institution under subpara-
9 graph (A), the Secretary may take into consid-
10 eration extenuating circumstances that may
11 have contributed to the poor performance of the
12 institution in the first year of the review period.

13 “(2) DEADLINE FOR COMPLIANCE.—An institu-
14 tion that does not achieve an adjusted cohort default
15 rate of less than 10 percent after receiving support
16 under this section for three consecutive years shall
17 be ineligible to receive further support under this
18 section.

19 “(3) PROHIBITION.—An institution shall be in-
20 eligible to receive further support under this section
21 if, while the institution was receiving such support,
22 the total enrollment of low-income students (as such
23 term is defined in section 419N(b)(7)) at the institu-
24 tion decreased by 10 percent or more.

1 “(e) COVERED PROGRESS PERIOD INSTITUTION.—In
2 this section, the term ‘covered progress period institution’
3 means—

4 “(1) a public institution of higher education
5 that is determined to be in progress period status;

6 “(2) a part B institution (as defined in section
7 322) that is determined to be in progress period sta-
8 tus; or

9 “(3) a private, nonprofit institution of higher
10 education—

11 “(A) that is determined to be in progress
12 period status; and

13 “(B) at which not less than 45 percent of
14 the total student enrollment consists of low in-
15 come students (as such term is defined in sec-
16 tion 419N(b)(7)).

17 “(f) FUNDING.—

18 “(1) IN GENERAL.—There are appropriated
19 such funds as the Secretary, using the formula de-
20 scribed in paragraph (2), determines necessary to
21 meet the needs of all eligible institutions under this
22 subsection.

23 “(2) FORMULA.—Not later than 1 year after
24 the date of the enactment of this section, the Sec-

1 retary shall establish through negotiated rulemaking
2 a formula to determine the—

3 “(A) proportional amount of institutional
4 need under this section; and

5 “(B) total amount of institutional need
6 under this section.

7 “(3) SPECIAL RULE.—such formula must at
8 minimum take into consideration the severity of the
9 problem, size of the institution, institutional re-
10 sources, historical underfunding, and the number of
11 low income students (as such term is defined in sec-
12 tion 419N(b)(7)) being served.

13 **“SEC. 498E. RESTRICTIONS ON CERTAIN EXPENDITURES.**

14 “(a) MONITORING AUTHORITY.—If, at any point in
15 the 3 preceding fiscal years, the total amount expended
16 by an institution of higher education on instruction as de-
17 scribed in subsection (b) is less than 50 percent, the Sec-
18 retary shall consider such expenditures in determining the
19 eligibility of the institution to participate in programs
20 under this title.

21 “(b) EXPENDITURE DISCLOSURES.—

22 “(1) IN GENERAL.—In the case of an institu-
23 tion at which spending on instruction amounted to
24 less than one-half of net tuition revenue as deter-
25 mined by the institution in each of the three most

1 recent years for which institutional spending figures
2 were required to be reported, the institution of high-
3 er education shall annually disclose to the Secretary
4 the amount of funds used by the institution to carry
5 out each of the following activities in the preceding
6 3 fiscal years:

7 “(A) Marketing.

8 “(B) Recruitment.

9 “(C) Advertising.

10 “(D) Lobbying.

11 “(2) DEFINED TERMS.—The Secretary shall,
12 using a negotiated rulemaking process, issue defini-
13 tions with respect to subparagraphs (A) through (D)
14 of paragraph (1).

15 “(c) LIMITATION.—An institution of higher education
16 may not use any Federal funds acquired through partici-
17 pation in any program under this title for marketing, ad-
18 vertising, recruiting or lobbying expenses if the total
19 amount expended by the institution on instruction, as
20 specified in subsection (a), in each of the 3 most recent
21 fiscal years does not exceed 50 percent of tuition revenue.

22 **“SEC. 498F. INSTITUTIONAL DISCLOSURE SYSTEM.**

23 “(a) DEPARTMENTAL DISCLOSURE.—The Secretary
24 shall make available, on a publicly accessible website of

1 the Department of Education, a list of institutions of high-
2 er education that—

3 “(1) have failed to meet the requirements for
4 accreditation by an agency or association recognized
5 by the Secretary pursuant to section 496(a);

6 “(2) have failed to meet the requirements for
7 participation in programs under this title; or

8 “(3) are in progress period status and are re-
9 ceiving funds or assistance pursuant to section
10 498D.

11 “(b) INSTITUTIONAL DISCLOSURE.—

12 “(1) IN GENERAL.—To be eligible to participate
13 in programs under this title, an institution of higher
14 education shall, using the template developed by the
15 Secretary under subsection (c), disclose the accredi-
16 tation status of the institution on a publicly acces-
17 sible website of the institution and in any print ma-
18 terials made available by the institution. Any failure
19 of the institution to meet an accreditation standard
20 shall be specifically identified by the institution as
21 part of the disclosure under this paragraph.

22 “(2) UPDATES.—Any change in the accredita-
23 tion status of an institution of higher education shall
24 be disclosed in accordance with paragraph (1) not
25 later than 30 days after such change occurs.

1 “(1) FORMULA.—Subject to paragraph (2), the
2 Federal share of a grant under this subpart shall be
3 based on a formula, determined by the Secretary,
4 that—

5 “(A) accounts for the State or Indian
6 tribe’s share of eligible students;

7 “(B) accounts for the ratio between a
8 State or Indian tribe’s funding per full-time
9 equivalent (FTE) student at public colleges and
10 universities and the average net price at State
11 public four-year colleges and universities, in
12 such a way as to reward States that keep net
13 prices for students low while maintaining their
14 investment in higher education; and

15 “(C) provides, for each eligible student in
16 the State or Indian tribe, a per-student amount
17 that is—

18 “(i) not less than 300 percent of the
19 per-student amount of the State or Indian
20 tribe share, determined under subsection
21 (b), subject to clause (ii); and

22 “(ii) at least 75 percent of—

23 “(I) for the 2019–2020 award
24 year, the average resident community
25 college tuition and fees per student in

1 all States for the most recent year for
2 which data are available; and

3 “(II) for each subsequent award
4 year, the average resident community
5 college tuition and fees per student in
6 all States calculated under this sub-
7 clause for the preceding year, in-
8 creased by the lesser of—

9 “(aa) the percentage by
10 which the average resident com-
11 munity college tuition and fees
12 per student in all States for the
13 most recent year for which data
14 are available increased as com-
15 pared to such average for the
16 preceding year; or

17 “(bb) 3 percent.

18 “(2) EXCEPTION FOR CERTAIN INDIAN
19 TRIBES.—In any case in which not less than 75 per-
20 cent of the students at the community colleges oper-
21 ated or controlled by an Indian tribe are low-income
22 students, the amount of the Federal share for such
23 Indian tribe shall be not less than 95 percent of the
24 total amount needed to waive tuition and fees for all

1 eligible students enrolled in such community col-
2 leges.

3 “(b) STATE OR TRIBAL SHARE.—

4 “(1) FORMULA.—

5 “(A) IN GENERAL.—The State or tribal
6 share of a grant under this subpart for each fis-
7 cal year shall be the amount needed to pay 25
8 percent of the average community college resi-
9 dent tuition and fees per student in all States
10 in the 2019–2020 award year for all eligible
11 students in the State or Indian tribe, respec-
12 tively, for such fiscal year, except as provided in
13 subparagraph (B).

14 “(B) EXCEPTION FOR CERTAIN INDIAN
15 TRIBES.—In a case in which not less than 5
16 percent of the students at the community col-
17 leges operated or controlled by an Indian tribe
18 are low-income students, the amount of such
19 Indian tribe’s tribal share shall not exceed 5
20 percent of the total amount needed to waive tui-
21 tion and fees for all eligible students enrolled in
22 such community colleges.

23 “(2) NEED-BASED AID.—A State or Indian
24 tribe may include any need-based financial aid pro-

1 vided through State or tribal funds to eligible stu-
2 dents as part of the State or tribal share.

3 “(3) NO IN-KIND CONTRIBUTIONS.—A State or
4 Indian tribe shall not include in-kind contributions
5 for purposes of the State or tribal share described
6 in paragraph (1).

7 **“SEC. 499C. ELIGIBILITY.**

8 “To be eligible for a grant under this subpart, a State
9 or Indian tribe shall agree to waive community college
10 resident tuition and fees for all eligible students for each
11 year of the grant.

12 **“SEC. 499D. APPLICATIONS.**

13 “(a) SUBMISSION.—For each fiscal year for which a
14 State or Indian tribe desires a grant under this subpart,
15 an application shall be submitted to the Secretary at such
16 time, in such manner, and containing such information as
17 the Secretary may require. Such application shall be sub-
18 mitted by—

19 “(1) in the case of a State, the Governor, the
20 State agency with jurisdiction over higher education,
21 or another agency designated by the Governor to ad-
22 minister the program under this subpart; or

23 “(2) in the case of an Indian tribe, the gov-
24 erning body of such tribe.

1 “(b) CONTENTS.—Each State or Indian tribe appli-
2 cation shall include, at a minimum—

3 “(1) an estimate of the number of eligible stu-
4 dents in the State or Indian tribe and the cost of
5 waiving community college resident tuition and fees
6 for all eligible students for each fiscal year covered
7 by the grant, with annual increases of an amount
8 that shall not exceed 3 percent of the prior year’s
9 average resident community college tuition and fees;

10 “(2) an assurance that all community colleges
11 in the State or under the jurisdiction of the Indian
12 tribe, respectively, will waive resident tuition and
13 fees for eligible students in programs that are—

14 “(A) academic programs with credits that
15 can fully transfer via articulation agreement to-
16 ward a baccalaureate degree or
17 postbaccalaureate degree at any public institu-
18 tion of higher education in the State; or

19 “(B) occupational skills training programs
20 that lead to a recognized postsecondary creden-
21 tial that is in an in-demand industry sector or
22 occupation in the State;

23 “(3) a description of the promising and evi-
24 dence-based institutional reforms and innovative
25 practices to improve student outcomes, including

1 completion or transfer rates, that have been or will
2 be adopted by the participating community colleges,
3 such as—

4 “(A) providing comprehensive academic
5 and student support services, including men-
6 toring and advising, especially for low-income,
7 first-generation, adult, and other underrep-
8 resented students;

9 “(B) providing accelerated learning oppor-
10 tunities, such as dual or concurrent enrollment
11 programs, including early college high school
12 programs;

13 “(C) advancing competency-based edu-
14 cation;

15 “(D) strengthening remedial education, es-
16 pecially for low-income, first-generation, adult
17 and other underrepresented students;

18 “(E) implementing course redesigns of
19 high-enrollment courses to improve student out-
20 comes and reduce cost; or

21 “(F) utilizing career pathways or degree
22 pathways;

23 “(4) a description of how the State or Indian
24 tribe will promote alignment between its public sec-
25 ondary school and postsecondary education systems,

1 including between 2-year and 4-year public institu-
2 tions of higher education and with minority-serving
3 institutions described in section 371 of the Higher
4 Education Act of 1965 (20 U.S.C. 1067q), to ex-
5 pand awareness of and access to postsecondary edu-
6 cation, reduce the need for remediation and repeated
7 coursework, and improve student outcomes;

8 “(5) a description of how the State or Indian
9 tribe will ensure that programs leading to a recog-
10 nized postsecondary credential meet the quality cri-
11 teria established by the State under section 123(a)
12 of the Workforce Innovation and Opportunity Act
13 (29 U.S.C. 3153(a)) or other quality criteria deter-
14 mined appropriate by the State or Indian tribe;

15 “(6) an assurance that all participating commu-
16 nity colleges in the State or under the authority of
17 the Indian tribe have entered into program partici-
18 pation agreements under section 487 of the Higher
19 Education Act of 1965 (20 U.S.C. 1094); and

20 “(7) an assurance that, for each year of the
21 grant, the State or Indian tribe will notify each eligi-
22 ble student of the student’s remaining eligibility for
23 assistance under this subpart.

1 **“SEC. 499E. ALLOWABLE USES OF FUNDS.**

2 “(a) IN GENERAL.—A State or Indian tribe shall use
3 a grant under this subpart only to provide funds to partici-
4 pating community colleges to waive resident tuition and
5 fees for eligible students who are enrolled in—

6 “(1) academic programs with credits that can
7 fully transfer via articulation agreement toward a
8 baccalaureate degree or postbaccalaureate degree at
9 any public institution of higher education in the
10 State; or

11 “(2) occupational skills training programs that
12 lead to a recognized postsecondary credential that is
13 in an in-demand industry sector or occupation in the
14 State.

15 “(b) ADDITIONAL USES.—If a State or Indian tribe
16 demonstrates to the Secretary that it has grant funds re-
17 maining after meeting the demand for activities described
18 in subsection (a), the State or Indian tribe may use those
19 funds to carry out one or more of the following:

20 “(1) Expanding the waiver of resident tuition
21 and fees at community college to students who are
22 returning students or otherwise not enrolling in
23 postsecondary education for the first time, and who
24 meet the student eligibility requirements of clauses
25 (i) through (v) of section 499F(5)(A).

1 “(2) Expanding the scope and capacity of high-
2 quality academic and occupational skills training
3 programs at community colleges.

4 “(3) Improving postsecondary education readi-
5 ness in the State or Indian tribe, through outreach
6 and early intervention.

7 “(4) Expanding access to dual or concurrent
8 enrollment programs, including early college high
9 school programs.

10 “(5) Improving affordability at 4-year public in-
11 stitutions of higher education.

12 “(c) USE OF FUNDS FOR ADMINISTRATIVE PUR-
13 POSES.—A State or Indian tribe that receives a grant
14 under this subpart may not use any funds provided under
15 this subpart for administrative purposes relating to the
16 grant under this subpart.

17 “(d) MAINTENANCE OF EFFORT.—A State or Indian
18 tribe receiving a grant under this subpart is entitled to
19 receive its full allotment of funds under this subpart for
20 a fiscal year only if, for each year of the grant, the State
21 or Indian tribe provides—

22 “(1) financial support for public higher edu-
23 cation at a level equal to or exceeding the average
24 amount provided per full-time equivalent student for
25 public institutions of higher education for the 3 con-

1 secutive preceding State or Indian tribe fiscal years.

2 In making the calculation under this subsection, the

3 State or Indian tribe shall—

4 “(A) exclude capital expenses and research
5 and development costs; and

6 “(B) include need-based financial aid for
7 students who attend public institutions of high-
8 er education; and

9 “(2) financial support for operational expenses
10 for public, four-year colleges and universities at a
11 level equal to or exceeding the average amount pro-
12 vided for the 3 consecutive proceeding State or In-
13 dian tribe fiscal years.

14 “(e) ANNUAL REPORT.—

15 “(1) A State or Indian tribe receiving a grant
16 under this subpart shall submit an annual report to
17 the Secretary describing the uses of grant funds
18 under this subpart, the progress made in fulfilling
19 the requirements of the grant, and rates of gradua-
20 tion, transfer and attainment of recognized postsec-
21 ondary credentials at participating community col-
22 leges, and including any other information as the
23 Secretary may require.

1 “(2) At the discretion of the Secretary, the in-
2 formation required in the report under paragraph
3 (1) may be included in an annual report.

4 “(f) REPORTING BY SECRETARY.—The Secretary an-
5 nually shall—

6 “(1) compile and analyze the information de-
7 scribed in subsection (e); and

8 “(2) prepare and submit a report to the Com-
9 mittee on Health, Education, Labor, and Pensions
10 of the Senate and the Committee on Education and
11 the Workforce of the House of Representatives con-
12 taining the analysis described in paragraph (1) and
13 an identification of State and Indian tribe best prac-
14 tices for achieving the purpose of this subpart.

15 “(g) TECHNICAL ASSISTANCE.—The Secretary shall
16 provide technical assistance to eligible States and Indian
17 tribes concerning best practices regarding the promising
18 and evidence-based institutional reforms and innovative
19 practices to improve student outcomes and shall dissemi-
20 nate such best practices among the States and Indian
21 tribes.

22 “(h) CONTINUATION OF FUNDING.—

23 “(1) IN GENERAL.—A State or Indian tribe re-
24 ceiving a grant under this subpart for a fiscal year
25 may continue to receive funding under this subpart

1 for future fiscal years conditioned on the availability
2 of budget authority and on meeting the require-
3 ments of the grant, as determined by the Secretary.

4 “(2) DISCONTINUATION.—The Secretary may
5 discontinue funding of the Federal share of a grant
6 under this subpart if the State or Indian tribe has
7 violated the terms of the grant or is not making ade-
8 quate progress in implementing the reforms de-
9 scribed in the application submitted under section
10 499D.

11 **“SEC. 499F. DEFINITIONS.**

12 “In this subpart:

13 “(1) CAREER PATHWAY.—The term ‘career
14 pathway’ has the meaning given the term in section
15 3 of the Workforce Innovation and Opportunity Act
16 (29 U.S.C. 3102).

17 “(2) COMMUNITY COLLEGE.—The term ‘com-
18 munity college’ means a public institution of higher
19 education at which the highest degree that is pre-
20 dominantly awarded to students is an associate’s de-
21 gree, including 2-year tribally controlled colleges
22 under section 316 of the Higher Education Act of
23 1965 (20 U.S.C. 1059c) and public 2-year State in-
24 stitutions of higher education.

1 “(3) DUAL OR CONCURRENT ENROLLMENT
2 PROGRAM.—The term ‘dual or concurrent enrollment
3 program’ has the meaning given the term in section
4 8101 of the Elementary and Secondary Education
5 Act of 1965 (20 U.S.C. 7801).

6 “(4) EARLY COLLEGE HIGH SCHOOL.—The
7 term ‘early college high school’ has the meaning
8 given the term in section 8101 of the Elementary
9 and Secondary Education Act of 1965 (20 U.S.C.
10 7801).

11 “(5) ELIGIBLE STUDENT.—

12 “(A) DEFINITION.—The term ‘eligible stu-
13 dent’ means a student who—

14 “(i)(I) enrolls in a community college
15 after the date of enactment of the Aim
16 Higher Act; or

17 “(II) is enrolled in a community col-
18 lege as of the date of enactment of the
19 Aim Higher Act;

20 “(ii) attends the community college on
21 not less than a half-time basis;

22 “(iii) is maintaining satisfactory
23 progress, as defined in section 484(c) of
24 the Higher Education Act of 1965 (20

1 U.S.C. 1091(c)), in the student’s course of
2 study;

3 “(iv) qualifies for resident tuition, as
4 determined by the State or Indian tribe;
5 and

6 “(v) is enrolled in an eligible program
7 described in section 104(b)(2).

8 “(B) SPECIAL RULE.—An otherwise eligi-
9 ble student shall lose eligibility 3 calendar years
10 after first receiving benefits under this subpart.

11 “(6) IN-DEMAND INDUSTRY SECTOR OR OCCU-
12 PATION.—The term ‘in-demand industry sector or
13 occupation’ has the meaning given the term in sec-
14 tion 3 of the Workforce Innovation and Opportunity
15 Act (29 U.S.C. 3102).

16 “(7) INDIAN TRIBE.—The term ‘Indian tribe’
17 has the meaning given the term in section 102 of the
18 Federally Recognized Indian Tribe List Act of 1994
19 (25 U.S.C. 479a).

20 “(8) INSTITUTION OF HIGHER EDUCATION.—
21 The term ‘institution of higher education’ has the
22 meaning given the term in section 101.

23 “(9) RECOGNIZED POSTSECONDARY CREDEN-
24 TIAL.—The term ‘recognized postsecondary creden-
25 tial’ has the meaning as described in section 3 of the

1 Workforce Innovation and Opportunity Act (29
2 U.S.C. 3102).

3 “(10) STATE.—The term ‘State’ has the mean-
4 ing given the term in section 103.

5 **“SEC. 499G. APPROPRIATIONS.**

6 “(a) AUTHORIZATION AND APPROPRIATIONS.—For
7 the purpose of making grants under this subpart there are
8 authorized to be appropriated, and there are appro-
9 priated—

10 “(1) \$1,515,150,000 for fiscal year 2019;

11 “(2) \$3,352,200,000 for fiscal year 2020;

12 “(3) \$4,277,940,000 for fiscal year 2021;

13 “(4) \$5,988,450,000 for fiscal year 2022;

14 “(5) \$7,837,710,000 for fiscal year 2023;

15 “(6) \$8,974,350,000 for fiscal year 2024;

16 “(7) \$11,302,020,000 for fiscal year 2025;

17 “(8) \$14,451,090,000 for fiscal year 2026;

18 “(9) \$15,077,130,000 for fiscal year 2027; and

19 “(10) \$15,729,810,000 for fiscal year 2028 and
20 each succeeding fiscal year.

21 “(b) AVAILABILITY.—Funds appropriated under sub-
22 section (a) shall remain available to the Secretary until
23 expended.

24 “(c) INSUFFICIENT FUNDS.—If the amount appro-
25 priated under subsection (a) for a fiscal year is not suffi-

1 cient to award each participating State and Indian tribe
2 a grant under this subpart that is equal to the minimum
3 amount of the Federal share described in subsection (a),
4 the Secretary may ratably reduce the amount of each such
5 grant or take other actions necessary to ensure an equi-
6 table distribution of such amount.”.

7 **SEC. 4132. PATHWAYS TO STUDENT SUCCESS FOR HISTORI-**
8 **CALLY BLACK COLLEGES AND UNIVERSITIES.**

9 Part J of title IV of the Higher Education Act of
10 1965, as added by subtitle G, is further amended by add-
11 ing at the end the following:

12 **“Subpart 2—Grants to Historically Black Colleges**
13 **and Universities and Other Minority-Serving In-**
14 **stitutions**

15 **“SEC. 499H. IN GENERAL.**

16 “(a) IN GENERAL.—From amounts appropriated
17 under section 499K(a) for any fiscal year, the Secretary
18 shall award grants to participating 4-year historically
19 black colleges or universities that meet the requirements
20 of subsection (b) to—

21 “(1) encourage students to enroll and success-
22 fully complete a bachelor’s degree at participating
23 institutions;

24 “(2) provide incentives to community college
25 students to transfer to participating institutions

1 through strong transfer pathways to complete a
2 bachelor's degree program; and

3 “(3) support participating institutions to better
4 serve new and existing students by engaging in re-
5 forms and innovations designed to improve comple-
6 tion rates and other student outcomes.

7 “(b) ELIGIBILITY.—To be eligible to receive a grant
8 under the program under this section, an institution shall
9 be a historically black college or university that—

10 “(1) has a student body of which not less than
11 35 percent are low-income students;

12 “(2) commits to maintaining or adopting and
13 implementing promising and evidence-based institu-
14 tional reforms and innovative practices to improve
15 the completion rates and other student outcomes,
16 such as—

17 “(A) providing comprehensive academic
18 and student support services, including men-
19 toring and advising;

20 “(B) providing accelerated learning oppor-
21 tunities and degree pathways, such as dual en-
22 rollment and pathways to graduate and profes-
23 sional degree programs;

24 “(C) advancing distance and competency-
25 based education;

1 “(D) partnering with employers, industry,
2 not-for-profit associations, and other groups to
3 provide opportunities to advance learning out-
4 side the classroom, including work-based learn-
5 ing opportunities such as internships or appren-
6 ticeships or programs designed to improve
7 inter-cultural development and personal growth,
8 such as foreign exchange and study abroad pro-
9 grams;

10 “(E) reforming remedial education, espe-
11 cially for low-income students, first generation
12 college students, adult students, and other
13 underrepresented students; or

14 “(F) implementing course redesigns of
15 high-enrollment courses to improve student out-
16 comes and reduce cost;

17 “(3) sets performance goals for improving stu-
18 dent outcomes for the duration of the grant; and

19 “(4) if receiving a grant for transfer students,
20 has articulation agreements with community colleges
21 at the national, State, or local level to ensure that
22 community college credits can fully transfer to the
23 participating institution.

24 “(c) GRANT AMOUNT.—

1 “(1) INITIAL AMOUNT.—For the first year that
2 an eligible institution participates in the grant pro-
3 gram under this section and subject to paragraph
4 (3), such eligible institution shall receive a grant in
5 an amount based on the product of—

6 “(A) the actual cost of tuition and fees at
7 the eligible institution in such year (referred to
8 in this section as the per-student rebate); and

9 “(B) the number of eligible students en-
10 rolled in the eligible institution for the pre-
11 ceding year.

12 “(2) SUBSEQUENT INCREASES.—For each suc-
13 ceeding year after the first year of the grant pro-
14 gram under this section, each participating eligible
15 institution shall receive a grant in the amount deter-
16 mined under paragraph (1) for such year, except
17 that in no case shall the amount of the per-student
18 rebate for an eligible institution increase by more
19 than 3 percent as compared to the amount of such
20 rebate for the preceding year.

21 “(3) LIMITATIONS.—

22 “(A) MAXIMUM PER-STUDENT REBATE.—
23 No eligible institution participating in the grant
24 program under this section shall receive a per-
25 student rebate amount for any year that is

1 greater than the national average of annual tui-
2 tion and fees at public 4-year institutions of
3 higher education for such year, as determined
4 by the Secretary.

5 “(B) FIRST YEAR TUITION AND FEES.—
6 During the first year of participation in the
7 grant program under this section, no eligible in-
8 stitution may increase tuition and fees at a rate
9 greater than any annual increase at the eligible
10 institution in the previous 5 years.

11 “(d) APPLICATION.—An eligible institution that de-
12 sires a grant under this section shall submit an application
13 to the Secretary at such time, in such manner, and con-
14 taining such information as the Secretary may require.

15 “(e) USE OF FUNDS.—Funds awarded under this
16 section to a participating eligible institution shall be used
17 to waive or significantly reduce tuition and fees for eligible
18 students in an amount of not more than up to the annual
19 per-student rebate amount for each student, for not more
20 than the first 60 credits an eligible student enrolls in the
21 participating eligible institution.

1 **“SEC. 499I. PATHWAYS TO STUDENT SUCCESS FOR HIS-**
2 **PANIC-SERVING INSTITUTIONS, ASIAN AMER-**
3 **ICAN AND NATIVE AMERICAN PACIFIC IS-**
4 **LANDER-SERVING INSTITUTIONS, TRIBAL**
5 **COLLEGES AND UNIVERSITIES, ALASKA NA-**
6 **TIVE-SERVING INSTITUTIONS, NATIVE HAWAI-**
7 **IAN-SERVING INSTITUTIONS, PREDOMI-**
8 **NANTLY BLACK INSTITUTIONS, AND NATIVE**
9 **AMERICAN-SERVING NONTRIBAL INSTITU-**
10 **TIONS.**

11 “(a) IN GENERAL.—From amounts appropriated
12 under section 499K(a) for any fiscal year, the Secretary
13 shall award grants to participating 4-year minority-serving
14 institutions to—

15 “(1) encourage students to enroll and success-
16 fully complete a bachelor’s degree at participating
17 institutions;

18 “(2) provide incentives to community college
19 students to transfer to participating institutions
20 through strong transfer pathways to complete a
21 bachelor’s degree program; and

22 “(3) support participating institutions to better
23 serve new and existing students by engaging in re-
24 forms and innovations designed to improve comple-
25 tion rates and other student outcomes.

1 “(b) INSTITUTIONAL ELIGIBILITY.—To be eligible to
2 participate and receive a grant under this section, an insti-
3 tution shall be a minority-serving institution that—

4 “(1) has a student body of which not less than
5 35 percent are low-income students;

6 “(2) commits to maintaining or adopting and
7 implementing promising and evidence-based institu-
8 tional reforms and innovative practices to improve
9 the completion rates and other student outcomes,
10 such as—

11 “(A) providing comprehensive academic
12 and student support services, including men-
13 toring and advising;

14 “(B) providing accelerated learning oppor-
15 tunities and degree pathways, such as dual en-
16 rollment and pathways to graduate and profes-
17 sional degree programs;

18 “(C) advancing distance and competency-
19 based education;

20 “(D) partnering with employers, industry,
21 not-for-profit associations, and other groups to
22 provide opportunities to advance learning out-
23 side the classroom, including work-based learn-
24 ing opportunities such as internships or appren-
25 ticeships or programs designed to improve

1 inter-cultural development and personal growth,
2 such as foreign exchange and study abroad pro-
3 grams;

4 “(E) reforming remedial education, espe-
5 cially for low-income students, first generation
6 college students, adult students, and other
7 underrepresented students; and

8 “(F) implementing course redesigns of
9 high-enrollment courses to improve student out-
10 comes and reduce cost;

11 “(3) sets performance goals for improving stu-
12 dent outcomes for the duration of the grant; and

13 “(4) if receiving a grant for transfer students,
14 has articulation agreements with community colleges
15 at the national, State, or local levels to ensure that
16 community college credits can fully transfer to the
17 participating institution.

18 “(c) GRANT AMOUNT.—

19 “(1) INITIAL AMOUNT.—For the first year that
20 an eligible institution participates in the grant pro-
21 gram under this section and subject to paragraph
22 (3), such participating eligible institution shall re-
23 ceive a grant in an amount based on the product
24 of—

1 “(A) the actual cost of tuition and fees at
2 the eligible institution in such year (referred to
3 in this section as the per-student rebate); and

4 “(B) the number of eligible students en-
5 rolled in the eligible institution for the pre-
6 ceding year.

7 “(2) SUBSEQUENT INCREASES.—For each suc-
8 ceeding year after the first year of the grant pro-
9 gram under this section, each participating eligible
10 institution shall receive a grant in the amount deter-
11 mined under paragraph (1) for such year, except
12 that in no case shall the amount of the per-student
13 rebate increase by more than 3 percent as compared
14 to the amount of such rebate for the preceding year.

15 “(3) LIMITATIONS.—

16 “(A) MAXIMUM PER-STUDENT REBATE.—
17 No eligible institution participating in the grant
18 program under this section shall receive a per-
19 student rebate amount for a grant year greater
20 than the national average of public four-year in-
21 stitutional tuition and fees, as determined by
22 the Secretary.

23 “(B) FIRST YEAR TUITION AND FEES.—
24 During the first year of participation in the
25 grant program under this section, no eligible in-

1 stitution may increase tuition and fees at a rate
2 greater than any annual increase made by the
3 institution in the previous 5 years.

4 “(d) APPLICATION.—An eligible institution shall sub-
5 mit an application to the Secretary at such time, in such
6 a manner, and containing such information as determined
7 by the Secretary.

8 “(e) USE OF FUNDS.—Funds awarded under this
9 section to a participating eligible institution shall be used
10 to waive or significantly reduce tuition and fees for eligible
11 students in an amount of not more than up to the annual
12 per-student rebate amount for each student, for not more
13 than the first 60 credits an eligible student enrolls in the
14 participating eligible institution.

15 **“SEC. 499J. DEFINITIONS.**

16 “In this subpart:

17 “(1) ELIGIBLE STUDENT.—

18 “(A) DEFINITION.—The term ‘eligible stu-
19 dent’ means a student, regardless of age, who—

20 “(i)(I) enrolls in a historically black
21 college or university, or minority-serving
22 institution; or

23 “(II) transfers from a community col-
24 lege into a historically black college or uni-
25 versity, or minority-serving institution;

1 “(ii) attends the historically black col-
2 lege or university, or minority serving in-
3 stitution, on at least a half-time basis;

4 “(iii) maintains satisfactory academic
5 progress; and

6 “(iv) is a low-income student.

7 “(B) SPECIAL RULES.—

8 “(i) FIRST 3 YEARS.—An otherwise el-
9 igible student shall lose eligibility 3 cal-
10 endar years after first receiving benefits
11 under this title.

12 “(ii) SPECIAL RULE FOR CERTAIN
13 STUDENTS.—Notwithstanding subpara-
14 graph (A)(i), an otherwise eligible student
15 whose parent or guardian was denied a
16 Federal Direct PLUS loan under title IV
17 of the Higher Education Act of 1965 (20
18 U.S.C. 1070 et seq.) after November 2011
19 and before March 29, 2015, and who sub-
20 sequently withdrew from a historically
21 black college or university, or minority-
22 serving institution, and has not yet com-
23 pleted a program of study at such histori-
24 cally black college or university or minor-
25 ity-serving institution, shall be eligible to

1 participate under sections 499H or 499I in
2 order to complete such program of study,
3 subject to all other requirements of sec-
4 tions 499H or 499I (as the case may be).

5 “(2) HISTORICALLY BLACK COLLEGE OR UNI-
6 VERSITY.—The term ‘historically black college or
7 university’ means a part B institution described in
8 section 322(2) of the Higher Education Act of 1965
9 (20 U.S.C. 1061(2)).

10 “(3) LOW-INCOME STUDENT.—The term ‘low-
11 income student’—

12 “(A) shall include any student eligible for
13 a Federal Pell Grant under section 401 of the
14 Higher Education Act of 1965 (20 U.S.C.
15 1070a); and

16 “(B) may include a student ineligible for a
17 Federal Pell Grant under section 401 of the
18 Higher Education Act of 1965 (20 U.S.C.
19 1070a) who is determined by the institution to
20 be a low-income student based on an analysis of
21 the student’s ability to afford the cost of at-
22 tendance at the institution.

23 “(4) MINORITY-SERVING INSTITUTION.—The
24 term ‘minority-serving institution’ means any public
25 or not-for-profit institution of higher education—

1 “(A) described in paragraphs (2) through
2 (7) of section 371(a) of the Higher Education
3 Act of 1965 (20 U.S.C. 1067q); and

4 “(B) designated as a minority-serving in-
5 stitution by the Secretary.

6 **“SEC. 499K. APPROPRIATIONS.**

7 “(a) AUTHORIZATION AND APPROPRIATIONS FOR
8 HBCU AND MSI GRANTS.—For the purpose of carrying
9 out sections 499H and 499I, there are authorized to be
10 appropriated, and there are appropriated—

11 “(1) \$61,050,000 for fiscal year 2019;

12 “(2) \$199,800,000 for fiscal year 2020;

13 “(3) \$1,189,920,000 for fiscal year 2021;

14 “(4) \$1,237,650,000 for fiscal year 2022;

15 “(5) \$1,287,600,000 for fiscal year 2023;

16 “(6) \$1,338,660,000 for fiscal year 2024;

17 “(7) \$1,359,750,000 for fiscal year 2025;

18 “(8) \$1,449,660,000 for fiscal year 2026;

19 “(9) \$1,508,490,000 for fiscal year 2027; and

20 “(10) \$1,569,540,000 for fiscal year 2028 and

21 each succeeding fiscal year.

22 “(b) AVAILABILITY.—Funds appropriated under sub-
23 section (a) are to remain available to the Secretary until
24 expended.

1 “(c) INSUFFICIENT FUNDS.—If the amount appro-
2 priated under subsection (a) for a fiscal year is not suffi-
3 cient to award each participating institution in the grant
4 programs under sections 499H and 499I a grant under
5 this part equal to 100 percent of the grant amount deter-
6 mined under section 499H(c), the Secretary may ratably
7 reduce the amount of each such grant or take other ac-
8 tions necessary to ensure an equitable distribution of such
9 amount.”.

10 **TITLE V—DEVELOPING**
11 **INSTITUTIONS**

12 **SEC. 5001. HISPANIC-SERVING INSTITUTIONS.**

13 (a) AUTHORIZED ACTIVITIES.—Section 503(b) of the
14 Higher Education Act of 1965 (20 U.S.C. 1101b(b)) is
15 amended—

16 (1) by redesignating paragraph (16) as para-
17 graph (17); and

18 (2) by inserting after paragraph (15) the fol-
19 lowing:

20 “(16) Promoting opportunities for international
21 education, including through the development of
22 partnerships with institutions of higher education
23 outside the United States.”.

1 (b) ENDOWMENT FUNDING LIMITATIONS.—Section
2 503(c) of the Higher Education Act of 1965 (20 U.S.C.
3 1101b(c)) is amended—

4 (1) in paragraph (2)—

5 (A) by striking “non-Federal funds” and
6 inserting “non-Federal funds (which may in-
7 clude gifts to the endowment fund restricted for
8 a specific purpose)”; and

9 (B) by striking “equal to or greater than”
10 and inserting “equal to 50 percent of”; and

11 (2) by inserting after paragraph (3) the fol-
12 lowing:

13 “(4) SCHOLARSHIPS.—An eligible institution
14 that uses grant funds provided under this title to es-
15 tablish or increase an endowment fund may use the
16 interest proceeds from such endowment to provide
17 scholarships to students for the purposes of attend-
18 ing such institution.”.

19 **SEC. 5002. PROMOTING POSTBACCALUAREATE OPPORTUNI-**
20 **TIES FOR HISPANIC AMERICANS.**

21 (a) PROGRAM AUTHORITY.—Section 512 of the
22 Higher Education Act of 1965 (20 U.S.C. 1102a) is
23 amended by adding at the end the following:

1 “(c) MINIMUM GRANTS AWARDED.—Of the funds ap-
2 propriated to carry out this part for a fiscal year, the Sec-
3 retary—

4 “(1) shall—

5 “(A) use not less than $\frac{1}{3}$ of such funds to
6 award grants to carry out the activities de-
7 scribed in section 513(b); and

8 “(B) use not less than $\frac{1}{3}$ of such funds to
9 award grants to carry out the activities de-
10 scribed in section 513(c); and

11 “(2) may use any funds remaining (after using
12 the funds in accordance with paragraph (1)) to
13 award grants to carry out activities described in sub-
14 section (b) or (c) of section 513.”.

15 (b) AUTHORIZED ACTIVITIES.—Section 513 of the
16 Higher Education Act of 1965 (20 U.S.C. 1102b) is
17 amended to read as follows:

18 **“SEC. 513. AUTHORIZED ACTIVITIES.**

19 “(a) REQUIREMENTS.—

20 “(1) IN GENERAL.—Grants awarded under this
21 part shall be used for—

22 “(A) one or more of the activities described
23 in subsection (b); or

24 “(B) or one or more of the activities de-
25 scribed in subsection (c).

1 “(2) PROHIBITION.—A grant awarded under
2 this part may not be used for activities under both
3 subsections (b) and (c).

4 “(b) PPHOA ACTIVITIES.—Grants awarded under
5 this part may be used for one or more of the following
6 activities promoting postbaccalaureate opportunities for
7 Hispanic Americans:

8 “(1) Purchase, rental, or lease of scientific or
9 laboratory equipment for educational purposes, in-
10 cluding instructional and research purposes.

11 “(2) Construction, maintenance, renovation,
12 and improvement of classrooms, libraries, labora-
13 tories, and other instructional facilities, including
14 purchase or rental of telecommunications technology
15 equipment or services.

16 “(3) Purchase of library books, periodicals,
17 technical and other scientific journals, microfilm,
18 microfiche, and other educational materials, includ-
19 ing telecommunications program materials.

20 “(4) Support for low-income postbaccalaureate
21 students including outreach, academic support serv-
22 ices, mentoring, scholarships, fellowships, and other
23 financial assistance to permit the enrollment of such
24 students in postbaccalaureate certificate and
25 postbaccalaureate degree granting programs.

1 “(5) Creating or improving facilities for Inter-
2 net or other distance education technologies, includ-
3 ing purchase or rental of telecommunications tech-
4 nology equipment or services.

5 “(6) Collaboration with other institutions of
6 higher education to expand postbaccalaureate certifi-
7 cate and postbaccalaureate degree offerings.

8 “(7) Other activities proposed in the application
9 submitted pursuant to section 514 that—

10 “(A) contribute to carrying out the pur-
11 poses of this part; and

12 “(B) are approved by the Secretary as part
13 of the review and acceptance of such applica-
14 tion.

15 “(c) FACULTY DEVELOPMENT ACTIVITIES.—Grants
16 awarded under this part may be used for one or more of
17 the following activities for faculty development:

18 “(1) Support of faculty exchanges, faculty de-
19 velopment, faculty research, curriculum development,
20 and academic instruction.

21 “(2) Financial support to graduate students
22 planning to pursue academic careers who desire to
23 become faculty at Hispanic-serving institutions.

24 “(3) Career services in preparing for an aca-
25 demic career and identifying opportunities.

1 “(4) Developing partnerships between Hispanic
2 serving institutions to help graduate students and
3 hiring institutions connect with each other.

4 “(5) Faculty recruitment efforts with an em-
5 phasis on graduates from Hispanic-serving institu-
6 tions and other minority-serving institutions.

7 “(6) Recruitment and retention incentives to
8 allow Hispanic-serving institutions to make competi-
9 tive offers to potential faculty, including use of
10 funds for student loan repayment.

11 “(7) Research support specifically for early ca-
12 reer faculty.”.

13 **SEC. 5003. GENERAL PROVISIONS.**

14 Section 528(a) of the Higher Education Act of 1965
15 (20 U.S.C. 1103g(a)) is amended—

16 (1) in paragraph (1), by striking
17 “\$175,000,000” and inserting “ \$210,000,000”;

18 (2) in paragraph (2), by striking
19 “\$100,000,000” and inserting “\$115,000,000”; and

20 (3) by striking “2009” each place it appears
21 and inserting “2019”.

1 **TITLE VI—INTERNATIONAL**
2 **EDUCATION PROGRAMS**

3 **SEC. 6001. INTERNATIONAL EDUCATION.**

4 (a) GRADUATE AND UNDERGRADUATE LANGUAGE
5 AND AREA CENTERS AND PROGRAMS.—Section
6 602(b)(2)(B)(ii) of the Higher Education Act of 1965 (20
7 U.S.C. 1122(b)(2)(B)(ii)) is amended—

8 (1) in subclause (III), by striking “or”;

9 (2) in subclause (IV), by striking the period at
10 the end and inserting “; or”; and

11 (3) by adding at the end the following:

12 “(V) the beginning, intermediate, or
13 advanced study of a foreign language re-
14 lated to the area of specialization.”.

15 (b) INTERNATIONAL RESEARCH AND INNOVATION.—

16 Section 605 of the Higher Education Act of 1965 (20
17 U.S.C. 1125) is amended to read as follows:

18 **“SEC. 605. INTERNATIONAL RESEARCH AND INNOVATION.**

19 “(a) PURPOSE.—It is the purpose of this section to
20 support essential international and foreign language edu-
21 cation research and innovation projects with the goal of
22 assessing and strengthening international education ca-
23 pacity, coordination, delivery, and outcomes to meet na-
24 tional needs.

25 “(b) AUTHORITY.—

1 “(1) IN GENERAL.—From the amount provided
2 to carry out this section, the Secretary shall carry
3 out the following activities:

4 “(A) Conduct research and studies that
5 contribute to the purpose described in sub-
6 section (a), which shall include research to pro-
7 vide a systematic understanding of our Nation’s
8 international and foreign language education
9 capacity, structures, and effectiveness in meet-
10 ing growing demands by education, government,
11 and the private sector (including business and
12 other professions).

13 “(B) Create innovative paradigms or en-
14 hance or scale up proven strategies and prac-
15 tices that address systemic challenges to devel-
16 oping and delivering international and foreign
17 language education resources and expertise
18 across educational disciplines, institutions, em-
19 ployers, and other stakeholders.

20 “(C) Develop and manage a national
21 standardized database that—

22 “(i) includes the strengths, gaps, and
23 trends in the Nation’s international and
24 foreign language education capacity; and

1 “(ii) documents the outcomes of pro-
2 grams funded under this title for every
3 grant cycle.

4 “(2) GRANTS OR CONTRACTS.—The Secretary
5 shall carry out activities to achieve the outcomes de-
6 scribed in paragraph (1)—

7 “(A) directly; or

8 “(B) through grants awarded under sub-
9 section (d) or (e).

10 “(c) ELIGIBLE ENTITY DEFINED.—In this section,
11 the term ‘eligible entity’ means—

12 “(1) an institution of higher education;

13 “(2) a public or private nonprofit library;

14 “(3) a nonprofit educational organization;

15 “(4) an entity that—

16 “(A) received a grant under this title for
17 a preceding fiscal year; or

18 “(B) as of the date of application for a
19 grant under this section is receiving a grant
20 under this title; or

21 “(5) a partnership of two or more entities de-
22 scribed in paragraphs (1) through (4).

23 “(d) RESEARCH GRANTS.—

24 “(1) PROGRAM AUTHORIZED.—For any fiscal
25 year for which the Secretary carries out activities

1 under subsection (b)(1) through research grants
2 under this subsection, the Secretary shall award
3 such grants, on a competitive basis, to eligible enti-
4 ties.

5 “(2) REQUIRED ACTIVITIES.—An eligible entity
6 that receives a grant under this subsection shall use
7 the grant funds for the systematic development, col-
8 lection, analysis, publication, and dissemination of
9 data, and other information resources in a manner
10 that is easily understandable, made publicly avail-
11 able, and that contributes to achieving the purposes
12 of subsection (a) and carries out at least one activity
13 under subsection (b)(1).

14 “(3) DISCRETIONARY ACTIVITIES.—An eligible
15 entity that receives a grant under this subsection
16 may use the grant to carry out the following activi-
17 ties:

18 “(A) Assess and document international
19 and foreign language education capacity and
20 supply through studies or surveys that—

21 “(i) determine the number of foreign
22 language courses, programs, and enroll-
23 ments at all levels of education and in all
24 languages, including a determination of

1 gaps in those deemed critical to the na-
2 tional interest;

3 “(ii) measure the number and types of
4 degrees or certificates awarded in area
5 studies, global studies, foreign language
6 studies, and international business and
7 professional studies, including identifica-
8 tion of gaps in those deemed critical to the
9 national interest;

10 “(iii) measure the number of foreign
11 language, area or international studies fac-
12 ulty, including international business fac-
13 ulty, and elementary school and secondary
14 school foreign language teachers by lan-
15 guage, degree, and world area; or

16 “(iv) measure the number of under-
17 graduate and graduate students engaging
18 in long- or short-term education or intern-
19 ship abroad programs as part of their cur-
20 riculum, including countries of destination.

21 “(B) Assess the demands for, and out-
22 comes of, international and foreign language
23 education and their alignment, through studies,
24 surveys, and conferences to—

1 “(i) determine demands for increased
2 or improved instruction in foreign lan-
3 guage, area or global studies, or other
4 international fields, and the demand for
5 employees with such skills and knowledge
6 in the education, government, and private
7 sectors (including business and other pro-
8 fessions);

9 “(ii) assess the employment or utiliza-
10 tion of graduates of programs supported
11 under this title by educational, govern-
12 mental, and private sector organizations
13 (including business and other professions);
14 or

15 “(iii) assess standardized outcomes
16 and effectiveness and benchmarking of
17 programs supported under this title.

18 “(C) Develop and publish specialized mate-
19 rials for use in foreign language, area, global,
20 or other international studies, including in
21 international business or other professional edu-
22 cation or technical training, as appropriate.

23 “(D) Conduct studies or surveys that iden-
24 tify and document systemic challenges and
25 changes needed in higher education and elemen-

1 tary school and secondary school systems to
2 make international and foreign language edu-
3 cation available to all students as part of the
4 basic curriculum, including challenges in cur-
5 rent evaluation standards, entrance and gradua-
6 tion requirements, program accreditation, stu-
7 dent degree requirements, or teacher and fac-
8 ulty legal workplace barriers to education and
9 research abroad.

10 “(E) With respect to underrepresented in-
11 stitutions of higher education (including minor-
12 ity-serving institutions or community colleges),
13 carry out studies or surveys that identify and
14 document—

15 “(i) systemic challenges and changes
16 and incentives and partnerships needed to
17 comprehensively and sustainably inter-
18 nationalize educational programming; or

19 “(ii) short- and long-term outcomes of
20 successful internationalization strategies
21 and funding models;

22 “(F) Evaluate the extent to which pro-
23 grams assisted under this title reflect diverse
24 perspectives and a wide range of views and gen-

1 erate debate on world regions and international
2 affairs.

3 “(e) INNOVATION GRANTS.—

4 “(1) PROGRAM AUTHORIZED.—For any fiscal
5 year for which the Secretary carries out activities to
6 achieve the outcomes described in subsection (b)(1)
7 through innovation grants under this subsection, the
8 Secretary shall award such grants, on a competitive
9 basis, to eligible entities.

10 “(2) USES OF FUNDS.—An eligible entity that
11 receives an innovation grant under this subsection
12 shall use the grant funds to fund projects consistent
13 with this section, which may include one or more of
14 the following:

15 “(A) Innovative paradigms to improve
16 communication, sharing, and delivery of re-
17 sources that further the purposes described in
18 subsection (a) including the following:

19 “(i) Networking structures and sys-
20 tems to more effectively match graduates
21 with international and foreign language
22 education skills with employment needs.

23 “(ii) Sharing international specialist
24 expertise across institutions of higher edu-
25 cation or in the workforce to pursue spe-

1 cialization or learning opportunities not
2 available at any single institution of higher
3 education, such as shared courses for
4 studying less commonly taught languages,
5 world areas or regions, international busi-
6 ness or other professional areas, or special-
7 ized research topics of national strategic
8 interest.

9 “(iii) Producing, collecting, orga-
10 nizing, preserving, and widely dissemi-
11 nating international and foreign language
12 education expertise, resources, courses, and
13 other information through the use of elec-
14 tronic technologies and other techniques.

15 “(iv) Collaborative initiatives to iden-
16 tify, capture, and provide consistent access
17 to, and creation of, digital global library
18 resources that are beyond the capacity of
19 any single eligible entity receiving a grant
20 under this section or any single institution
21 of higher education, including the profes-
22 sional development of library staff.

23 “(v) Utilization of technology to cre-
24 ate open-source resources in international,
25 area, global, and foreign language studies

1 that are adaptable to multiple educational
2 settings and promote interdisciplinary
3 partnerships between technologists, cur-
4 riculum designers, international and for-
5 eign language education experts, language
6 teachers, and librarians.

7 “(B) Innovative curriculum, teaching, and
8 learning strategies, including the following:

9 “(i) New initiatives for collaborations
10 of disciplinary programs with foreign lan-
11 guage, area, global, and international stud-
12 ies, and education abroad programs that
13 address the internationalization of such
14 disciplinary studies with the purpose of
15 producing globally competent graduates.

16 “(ii) Innovative collaborations between
17 established centers of international and
18 foreign language education excellence and
19 underrepresented institutions and popu-
20 lations seeking to further their goals for
21 strengthening international, area, global,
22 and foreign language studies, including at
23 minority-serving institutions or community
24 colleges.

1 “(iii) Teaching and learning collabora-
2 tions among foreign language, area, global,
3 or other international studies with diaspora
4 communities, including heritage students.

5 “(iv) New approaches and methods to
6 teaching emerging global issues, cross-re-
7 gional interactions, and underrepresented
8 regions or countries, such as project- and
9 team-based learning.

10 “(C) Innovative assessment and outcome
11 tools and techniques that further the purposes
12 described in subsection (a), including the fol-
13 lowing:

14 “(i) International and foreign lan-
15 guage education assessment techniques
16 that are coupled with outcome-focused
17 training modules, such as certificates or
18 badges, immersion learning, or e-portfolio
19 systems.

20 “(ii) Effective and easily accessible
21 methods of assessing professionally useful
22 levels of proficiency in foreign languages or
23 competencies in area, culture, and global
24 knowledge or other international fields in
25 programs under this title, which may in-

1 clude use of open access online and other
2 cost-effective tools for students and edu-
3 cators at all educational levels and in the
4 workplace.

5 “(f) APPLICATION.—Each eligible entity desiring a
6 grant under this section shall submit to the Secretary an
7 application at such time, in such manner, and containing
8 such information as the Secretary shall require, includ-
9 ing—

10 “(1) a description of each proposed project the
11 eligible entity plans to carry out under this section
12 and how such project meets the purposes described
13 in subsection (a);

14 “(2) if applicable, a demonstration of why the
15 entity needs a waiver or reduction of the matching
16 requirement under subsection (g); and

17 “(3) an assurance that each such proposed
18 project will be self-sustainable after the grant term
19 is completed.

20 “(g) MATCHING REQUIREMENT.—

21 “(1) IN GENERAL.—The Federal share of the
22 total cost for carrying out a project supported by a
23 grant under this section shall be no more than 66.66
24 percent.

1 “(2) NON-FEDERAL SHARE CONTRIBUTIONS.—

2 The non-Federal share of such cost may be provided
3 either in-kind or in cash, from institutional and non-
4 institutional funds, including contributions from
5 State or private sector corporations, nonprofits, or
6 foundations.

7 “(3) SPECIAL RULE.—The Secretary may waive
8 or reduce the share required under paragraph (1)
9 for eligible entities that—

10 “(A) are minority-serving institutions or
11 are community colleges; or

12 “(B) demonstrate need in an application
13 for such a waiver or reduction under subsection
14 (f)(2).

15 “(h) DATABASE AND REPORTING.—The Secretary
16 shall directly, or through grants or contracts with an eligi-
17 ble grant recipient—

18 “(1) establish, curate, maintain, and update at
19 least every grant cycle, a web-based site which shall
20 showcase the results of this section and serve as a
21 user-friendly repository of the information, re-
22 sources, and best practices generated through activi-
23 ties conducted under this section; and

24 “(2) prepare, publish, and disseminate to Con-
25 gress and the public at least once every 5 years, a

1 report that summarizes key findings and policy
2 issues from the activities conducted under this sec-
3 tion, including as such activities relate to inter-
4 national and foreign language education and out-
5 comes.”.

6 (c) DISCONTINUATION OF FOREIGN INFORMATION
7 ACCESS PROGRAM.—Part A of title VI of the Higher Edu-
8 cation Act of 1965 (20 U.S.C. 1121 et seq.) is further
9 amended by striking sections 606 and 610, and redesi-
10 gnating sections 607, 608, and 609 as sections 606, 607,
11 and 608, respectively.

12 **SEC. 6002. GLOBAL BUSINESS AND PROFESSIONAL EDU-**
13 **CATION PROGRAMS.**

14 (a) FINDINGS; PURPOSE.—Section 611 of the Higher
15 Education Act of 1965 (20 U.S.C. 1130) is amended—

16 (1) in subsection (a)—

17 (A) by amending paragraph (1) to read as
18 follows:

19 “(1) the future welfare of the United States will
20 depend substantially on increasing international and
21 global skills in business, educational, and other pro-
22 fessional communities and creating an awareness
23 among the American public of the internationaliza-
24 tion of our economy and numerous other profes-
25 sional areas important to the national interest;”;

1 (B) by amending paragraph (2) to read as
2 follows:

3 “(2) concerted efforts are necessary to engage
4 business and other professional education and tech-
5 nical training programs, language, area, and global
6 study programs, professional international affairs
7 education programs, public and private sector orga-
8 nizations, and United States business in a mutually
9 productive relationship which benefits the Nation’s
10 future economic and security interests;”;

11 (C) in paragraph (3), by striking “and the
12 international” and inserting “and other profes-
13 sional fields and the international and global”;
14 and

15 (D) in paragraph (4)—

16 (i) by inserting “, as well as other
17 professional organizations” after “depart-
18 ments of commerce”; and

19 (ii) by inserting “or other professions”
20 after “business”; and

21 (2) in subsection (b)—

22 (A) in paragraph (1)—

23 (i) by striking “and economic enter-
24 prise” and inserting “, economic enter-
25 prise, and security”; and

1 (ii) by inserting “and other profes-
2 sional” before “personnel”; and

3 (B) in paragraph (2), by striking “to pros-
4 per in an international” and inserting “and
5 other professional fields to prosper in a global”.

6 (b) PROFESSIONAL AND TECHNICAL EDUCATION FOR
7 GLOBAL COMPETITIVENESS.—Section 613 of the Higher
8 Education Act of 1965 (20 U.S.C. 1130a) is amended to
9 read as follows:

10 **“SEC. 613. PROFESSIONAL AND TECHNICAL EDUCATION**
11 **FOR GLOBAL COMPETITIVENESS.**

12 “(a) PURPOSE.—The purpose of this section is to
13 support innovative strategies that provide undergraduate
14 and graduate students with the global professional com-
15 petencies, perspectives, and skills needed to strengthen
16 and enrich global engagement and competitiveness in a
17 wide variety of professional and technical fields important
18 to the national interest.

19 “(b) PROGRAM AUTHORIZED.—The Secretary shall
20 make grants to, or enter into contracts with eligible enti-
21 ties to pay the Federal share of the cost of programs de-
22 signed to—

23 “(1) establish an interdisciplinary global focus
24 in the undergraduate and graduate curricula of busi-
25 ness, science, technology, engineering, and other pro-

1 professional education and technical training programs
2 to be determined by the Secretary based on national
3 needs;

4 “(2) produce graduates with proficiencies in
5 both the global aspects of their professional edu-
6 cation or technical training fields and international,
7 cross-cultural, and foreign language skills; and

8 “(3) provide appropriate services to or partner-
9 ships with the corporate, government, and nonprofit
10 communities in order to expand knowledge and ca-
11 pacity for global engagement and competitiveness
12 and provide internship or employment opportunities
13 for students and graduates with international skills.

14 “(c) MANDATORY ACTIVITIES.—An eligible entity
15 that receives a grant under this section shall use the grant
16 to carry out the following:

17 “(1) With respect to undergraduate or graduate
18 professional education and technical training cur-
19 ricula, incorporating—

20 “(A) foreign language programs that lead
21 to proficiency, including immersion opportuni-
22 ties;

23 “(B) international, area, or global studies
24 programs;

1 “(C) education, internships, or other inno-
2 vative or technological linkages abroad; and

3 “(D) global business, economic, and trade
4 studies, where appropriate.

5 “(2) Innovating and improving international,
6 global, and foreign language education curricula to
7 serve the needs of business and other professional
8 and non-profit communities, including development
9 of new programs for nontraditional, mid-career, or
10 part-time students.

11 “(3) Establishing education or internship
12 abroad programs, domestic globally focused intern-
13 ships, or other innovative approaches to enable un-
14 dergraduate or graduate students in professional
15 education or technical training to develop foreign
16 language skills and knowledge of foreign cultures,
17 societies, and global dimensions of their professional
18 fields.

19 “(4) Developing collaborations between institu-
20 tions of higher education and corporations or non-
21 profit organizations in order to strengthen engage-
22 ment and competitiveness in global business, trade,
23 or other global professional activities.

1 “(d) DISCRETIONARY ACTIVITIES.—An eligible entity
2 that receives a grant under this section may use the grant
3 to carry out the following:

4 “(1) Developing specialized teaching materials
5 and courses, including foreign language and area or
6 global studies materials, and innovative technological
7 delivery systems appropriate for professionally ori-
8 ented students.

9 “(2) Establishing student fellowships or other
10 innovative support opportunities, including for
11 underrepresented populations, first generation col-
12 lege students (defined in section 402A(h)), and her-
13 itage learners, for education and training in global
14 professional development activities.

15 “(3) Developing opportunities or fellowships for
16 faculty or junior faculty of professional education or
17 technical training (including the faculty of minority-
18 serving institutions or community colleges) to ac-
19 quire or strengthen international and global skills
20 and perspectives.

21 “(4) Creating institutes that take place over
22 academic breaks, like the summer, including through
23 technological means, and cover foreign language,
24 world area, global, or other international studies in
25 learning areas of global business, science, tech-

1 nology, engineering, or other professional education
2 and training fields.

3 “(5) Internationalizing curricula at minority-
4 serving institutions or community colleges to further
5 the purposes of this section.

6 “(6) Establishing international linkages or part-
7 nerships with institutions of higher education, cor-
8 porations, or organizations that contribute to the ob-
9 jectives of this section.

10 “(7) Developing programs to inform the public
11 of increasing global interdependence in professional
12 education and technical training fields.

13 “(8) Establishing trade education programs
14 through agreements with regional, national, global,
15 bilateral, or multilateral trade centers, councils, or
16 associations.

17 “(e) APPLICATION.—Each eligible entity desiring a
18 grant under this section shall submit an application to the
19 Secretary at such time, in such manner, and including
20 such information as the Secretary may reasonably require,
21 including assurances that—

22 “(1) each proposed project have reasonable and
23 demonstrable plans for sustainability and
24 replicability upon completion of the project;

1 “(2) the institution of higher education will use
2 the assistance provided under this section to supple-
3 ment and not supplant activities conducted by insti-
4 tutions of higher education described in (b);

5 “(3) in the case of eligible entities that are con-
6 sortia of institutions of higher education, or partner-
7 ship described in subsection (g)(1)(C), a copy of
8 their partnership agreement that demonstrates com-
9 pliance with subsection (b) will be provided to the
10 Secretary;

11 “(4) the activities funded by the grant will re-
12 flect diverse perspectives and a wide range of views
13 of world regions and international affairs where ap-
14 plicable; and

15 “(5) if applicable, a demonstration of why the
16 eligible entity needs a waiver or reduction of the
17 matching requirement under subsection (f).

18 “(f) MATCHING REQUIREMENT.—

19 “(1) IN GENERAL.—The Federal share of the
20 total cost for carrying out a program supported by
21 a grant under this section shall be not more than 50
22 percent.

23 “(2) NON-FEDERAL SHARE CONTRIBUTIONS.—
24 The non-Federal share of such cost may be provided
25 either in-kind or in cash, from institutional and non-

1 institutional funds, including contributions from
2 State and private sector corporations, nonprofits, or
3 foundations.

4 “(3) SPECIAL RULE.—The Secretary may waive
5 or reduce the share required under paragraph (1)
6 for eligible entities that—

7 “(A) are minority-serving institutions or
8 are community colleges; or

9 “(B) have submitted a grant application as
10 required by subsection (e) that demonstrates a
11 need for such a waiver or reduction.

12 “(g) DEFINITIONS.—In this section:

13 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-
14 tity’ means—

15 “(A) an institution of higher education;

16 “(B) a consortia of such institutions; or

17 “(C) a partnership between—

18 “(i) an institution of higher education
19 or a consortia of such institutions; and

20 “(ii) at least one corporate or non-
21 profit entity.

22 “(2) PROFESSIONAL EDUCATION AND TECH-
23 NICAL TRAINING.—The term ‘professional education
24 and technical training’ means a program at an insti-
25 tution of higher education that offers undergraduate,

1 graduate, or post-graduate level education in a pro-
2 fessional or technical field that is determined by the
3 Secretary as meeting a national need for global or
4 international competency (which may include busi-
5 ness, science, technology, engineering, law, health,
6 energy, environment, agriculture, transportation, or
7 education).

8 “(h) FUNDING RULE.—Notwithstanding any other
9 provision of this title, funds made available to the Sec-
10 retary for a fiscal year may not be obligated or expended
11 to carry out this section unless the funds appropriated for
12 such fiscal year to carry out this title exceeds
13 \$65,103,000.”.

14 (c) DISCONTINUATION OF CERTAIN AUTHORIZA-
15 TIONS OF APPROPRIATIONS.—Part B of the Higher Edu-
16 cation Act of 1965 (20 U.S.C. 1130 et seq.) is further
17 amended by striking section 614.

18 **SEC. 6003. REPEAL OF ASSISTANCE PROGRAM FOR INSTI-
19 TUTE FOR INTERNATIONAL PUBLIC POLICY.**

20 Part C of title VI of the Higher Education Act of
21 1965 (20 U.S.C. 1131 et seq.) is repealed.

22 **SEC. 6004. GENERAL PROVISIONS.**

23 (a) DEFINITIONS.—Section 631(a) of the Higher
24 Education Act of 1965 (20 U.S.C. 1132(a)) is amended—

1 (1) in paragraph (9), by striking “and” at the
2 end;

3 (2) in paragraph (10), by striking the period at
4 the end and inserting a semicolon; and

5 (3) by adding at the end the following:

6 “(11) the term ‘community college’ has the
7 meaning given the term ‘junior or community col-
8 lege’ in section 312(f); and

9 “(12) the term ‘minority-serving institution’
10 means an institution of higher education that is eli-
11 gible to receive a grant under part A or B of title
12 III or title V.”.

13 (b) MINORITY-SERVING INSTITUTIONS.—Part D of
14 title VI of the Higher Education Act of 1965 (20 U.S.C.
15 1132 et seq.) is amended—

16 (1) by striking section 637;

17 (2) by redesignating section 638 as section 637;

18 and

19 (3) by inserting after section 637, as so redesign-
20 nated, the following:

21 **“SEC. 638. PRIORITY TO MINORITY-SERVING INSTITUTIONS.**

22 “(a) PRIORITY.—In seeking applications and award-
23 ing grants under this title, the Secretary, may give priority
24 to—

25 “(1) minority-serving institutions; or

1 “(2) institutions of higher education that apply
2 for such grants that propose significant and sus-
3 tained collaborative activities with one or more mi-
4 nority-serving institutions.

5 “(b) TECHNICAL ASSISTANCE.—The Secretary shall
6 provide technical assistance to minority-serving institu-
7 tions to ensure maximum distribution of grants to eligible
8 minority-serving institutions and among each category of
9 such institutions.”.

10 (c) AUTHORIZATION OF APPROPRIATIONS.—Part D
11 of title VI of the Higher Education Act of 1965 (20 U.S.C.
12 1132 et seq.) is further amended by adding at the end
13 the following new section:

14 **“SEC. 639. AUTHORIZATION OF APPROPRIATIONS.**

15 “(a) IN GENERAL.—Subject to subsection (b), there
16 are authorized to be appropriated to carry out this title
17 \$125,000,000 for fiscal year 2019 and each of the 5 suc-
18 ceeding fiscal years.

19 “(b) ADJUSTMENT FOR INFLATION.—

20 “(1) IN GENERAL.—The amount authorized to
21 be appropriated under subsection (a) for fiscal year
22 2020 and each of the 4 succeeding fiscal years shall
23 be deemed increased by a percentage equal to the
24 annual adjustment percentage.

1 “(2) DEFINITION.—In this subsection, the term
2 ‘annual adjustment percentage’ as applied to a fiscal
3 year, means the estimated percentage change in the
4 Consumer Price Index (as determined by the Sec-
5 retary, using the definition in section 478(f)) for the
6 most recent calendar year ending prior to the begin-
7 ning of that fiscal year.”.

8 **TITLE VII—GRADUATE AND**
9 **POSTSECONDARY IMPROVE-**
10 **MENT PROGRAMS**

11 **SEC. 7001. GRADUATE EDUCATION PROGRAMS.**

12 (a) HBCU.—Section 723 of the Higher Education
13 Act of 1965 (20 U.S.C. 1136a) is amended—

14 (1) in subsection (b)(1), by adding at the end
15 the following:

16 “(S) Each institution not listed under sub-
17 paragraphs (A) through (R) that is eligible to
18 receive funds under part B of title III and that
19 offers a qualified masters degree program.”;

20 (2) in subsection (e), by striking “or 724” and
21 inserting “724, or 727.”; and

22 (3) in subsection (f)(3)—

23 (A) by striking “any amount in excess of
24 \$9,000,000” and inserting “after the applica-

1 tion of paragraph (2), the remaining amount”;

2 and

3 (B) by striking “(R)” and inserting “(S)”.

4 (b) **PREDOMINANTLY BLACK INSTITUTIONS.**—Sec-
5 tion 724 of the Higher Education Act of 1965 (20 U.S.C.
6 1136b) is amended—

7 (1) in subsection (b)(1), by adding at the end
8 the following:

9 “(F) Each institution not listed in sub-
10 paragraph (A) through (E) that is eligible to
11 receive funds under section 318 and that offers
12 a qualified masters degree program.”;

13 (2) in subsection (e), by striking “or 724” and
14 inserting “724, or 727.”; and

15 (3) in subsection (f)(3)—

16 (A) by striking “any amount in excess of
17 \$2,500,000” and inserting “after the applica-
18 tion of paragraph (2), any remaining amount”;

19 and

20 (B) by striking “(E)” and inserting “(F)”.

21 (c) **ENHANCING SUPPORT FOR ASIAN AMERICAN AND**
22 **NATIVE AMERICAN PACIFIC ISLANDER-SERVING INSTITU-**
23 **TIONS.**—

1 (1) GRADUATE OPPORTUNITIES.—Part A of
2 title VII of the Higher Education Act of 1965 (20
3 U.S.C. 1134 et seq.) is amended—

4 (A) in section 731—

5 (i) by striking “1 through 4” each
6 place it appears and inserting “1 through
7 5”; and

8 (ii) by striking “subpart 1, 2, 3, or 4”
9 and inserting “subparts 1 through 5”;

10 (B) by redesignating subpart 5 as subpart
11 6; and

12 (C) by inserting after subpart 4 the fol-
13 lowing:

14 **“Subpart 5—Graduate Opportunities At Asian Amer-**
15 **ican and Native American Pacific Islander Serv-**
16 **ing Institutions**

17 **“SEC. 726. PURPOSES.**

18 “The purposes of this subpart are—

19 “(1) to expand postbaccalaureate educational
20 opportunities for, and improve the academic attain-
21 ment of, Asian American and Native American Pa-
22 cific Islander students; and

23 “(2) to expand the postbaccalaureate academic
24 offerings and enhance the program quality in the in-
25 stitutions of higher education that are educating

1 large numbers of Asian American and Native Amer-
2 ican Pacific Islander students and helping low-in-
3 come students complete postsecondary degrees.

4 **“SEC. 727. GRANT PROGRAM ESTABLISHED.**

5 “(a) IN GENERAL.—Subject to the availability of
6 funds appropriated to carry out this subpart, the Sec-
7 retary shall award grants, on a competitive basis, to eligi-
8 ble institutions to enable the eligible institutions to carry
9 out the activities described in section 729.

10 “(b) AWARD OF GRANT FUNDS.—Of the funds ap-
11 propriated to carry out this subpart for a fiscal year, the
12 Secretary—

13 “(1) shall reserve—

14 “(A) not less than one-third of such funds
15 to award grants to carry out the activities de-
16 scribed in section 729(b); and

17 “(B) not less than one-third of such funds
18 to award grants to carry out the activities de-
19 scribed in section 729(c); and

20 “(2) may use the amount of funds remaining
21 after the reservation required under paragraph (1)
22 to award grants to carry out the activities described
23 in subsections (b) and (c) of section 729.

24 “(c) DURATION.—Grants under this part shall be
25 awarded for a period not to exceed five years.

1 “(d) LIMITATION ON NUMBER OF AWARDS.—The
2 Secretary may not award more than one grant under this
3 subpart in any fiscal year to any Asian American and Na-
4 tive American Pacific Islander-serving institutions.

5 **“SEC. 728. APPLICATIONS.**

6 “(a) APPLICATION.—Any eligible institution may
7 apply for a grant under this subpart by submitting an ap-
8 plication to the Secretary at such time and in such manner
9 as the Secretary may require. Such application shall dem-
10 onstrate how the grant funds will be used to improve
11 postbaccalaureate education opportunities for Asian
12 American and Native American Pacific Islander and low-
13 income students.

14 “(b) INTERACTION WITH OTHER GRANT PRO-
15 GRAMS.—No institution that is eligible for and receives an
16 award under section 326, 512, 723, or 724 for a fiscal
17 year shall be eligible to apply for a grant, or receive grant
18 funds, under this section for the same fiscal year.

19 **“SEC. 729. USE OF FUNDS.**

20 “(a) IN GENERAL.—

21 “(1) ACTIVITIES.—An eligible institution that
22 receives a grant under this subpart shall use such
23 funds to carry out—

24 “(A) one or more of the activities described
25 in subsection (b); or

1 “(B) one or more of the activities de-
2 scribed in subsection (c).

3 “(2) REQUIREMENT.—An eligible institution
4 that receives a grant under this subpart may not use
5 such funds for activities under both subsections (b)
6 and (c).

7 “(b) GRADUATE PROGRAM ACTIVITIES.—Grants
8 awarded under this subpart may be used for one or more
9 of the following activities promoting postbaccalaureate
10 opportunities for Asian American and Native American
11 Pacific Islander students:

12 “(1) Purchase, rental, or lease of scientific or
13 laboratory equipment for educational purposes, in-
14 cluding instructional and research purposes.

15 “(2) Construction, maintenance, renovation,
16 and improvement of classrooms, libraries, labora-
17 tories, and other instructional facilities, including
18 purchase or rental of telecommunications technology
19 equipment or services.

20 “(3) Purchase of library books, periodicals,
21 technical and other scientific journals, microfilm,
22 microfiche, and other educational materials, includ-
23 ing telecommunications program materials.

24 “(4) Support for low-income postbaccalaureate
25 students including outreach, academic support serv-

1 ices and mentoring, scholarships, fellowships, and
2 other financial assistance to permit the enrollment of
3 such students in postbaccalaureate certificate and
4 postbaccalaureate degree granting programs.

5 “(5) Creating or improving facilities for Inter-
6 net or other distance education technologies, includ-
7 ing purchase or rental of telecommunications tech-
8 nology equipment or services.

9 “(6) Collaboration with other institutions of
10 higher education to expand postbaccalaureate certifi-
11 cate and postbaccalaureate degree offerings.

12 “(7) Other activities proposed in the application
13 submitted pursuant to section 728 that—

14 “(A) contribute to carrying out the pur-
15 poses of this subpart; and

16 “(B) are approved by the Secretary as part
17 of the review and acceptance of such applica-
18 tion.

19 “(c) FACULTY DEVELOPMENT ACTIVITIES.—Grants
20 awarded under this subpart may be used for one or more
21 of the following activities for faculty development:

22 “(1) Support of faculty exchanges, faculty de-
23 velopment, faculty research, curriculum development,
24 and academic instruction.

1 “(2) Financial support to graduate students
2 planning to pursue academic careers who desire to
3 become faculty at Asian American and Native Amer-
4 ican Pacific Islander-serving institutions.

5 “(3) Career services in preparing for an aca-
6 demic career and identifying opportunities.

7 “(4) Developing partnerships between Asian
8 American and Native American Pacific Islander-
9 serving institutions to facilitate connections between
10 graduate students and hiring institutions.

11 “(5) Faculty recruitment efforts with an em-
12 phasis on graduates from Asian American and Na-
13 tive American Pacific Islander-serving institutions
14 and other minority-serving institutions.

15 “(6) Recruitment and retention incentives to
16 allow Asian American and Native American Pacific
17 Islander-serving institutions to make competitive of-
18 fers to potential faculty, including use of funds for
19 student loan repayment.

20 “(7) Research support for early career faculty.

21 “(8) Other activities proposed in the application
22 submitted pursuant to section 728 that—

23 “(A) contribute to carrying out the pur-
24 poses of this subpart; and

1 “(B) are approved by the Secretary as part
2 of the review and acceptance of such applica-
3 tion.

4 **“SEC. 730. ELIGIBLE INSTITUTION DEFINED.**

5 “For the purposes of this subpart, an ‘eligible institu-
6 tion’ means an institution of higher education that—

7 “(1) is an Asian-American and Native Amer-
8 ican Pacific Islander-serving institution (as defined
9 in section 320); and

10 “(2) offers a postbaccalaureate certificate or
11 postbaccalaureate degree granting program.

12 **“SEC. 730A. AUTHORIZATION OF APPROPRIATIONS.**

13 “‘There is authorized to be appropriated to carry out
14 this subpart \$30,000,000 for fiscal year 2019 and each
15 of the 9 succeeding fiscal years.’”.

16 **SEC. 7002. MINORITY SERVING INSTITUTIONS INNOVATION**
17 **FUND.**

18 Title VII of the Higher Education Act of 1965 (20
19 U.S.C. 1133 et seq.) is amended by inserting after part
20 B the following:

21 **“PART C—FUNDING INNOVATIONS AT MINORITY-**
22 **SERVING INSTITUTIONS**

23 **“SEC. 751. PURPOSE.**

24 “‘It is the purpose of this part to assist minority-serv-
25 ing institutions in planning, developing, implementing,

1 validating, and replicating innovations that provide solu-
2 tions to persistent challenges in enabling economically and
3 educationally disadvantaged students to enroll in, persist
4 through, and graduate from college, including innovations
5 designed to—

6 “(1) improve student achievement at minority-
7 serving institutions;

8 “(2) increase the successful recruitment at mi-
9 nority-serving institutions of—

10 “(A) students from low-income families of
11 all races;

12 “(B) adults; and

13 “(C) military-affiliated students;

14 “(3) increase the rate at which students en-
15 rolled in minority-serving institutions make adequate
16 or accelerated progress toward graduation, and suc-
17 cessfully graduate from such institutions;

18 “(4) increase the number of students pursuing
19 and completing degrees in science, technology, engi-
20 neering, and mathematics at minority-serving insti-
21 tutions and pursuing graduate work in such fields,
22 including through the establishment of innovation
23 ecosystems on the campuses of such institutions;

24 “(5) redesign course offerings and other in-
25 structional strategies at minority-serving institutions

1 to improve student outcomes and reduce postsec-
2 ondary education costs;

3 “(6) enhance the quality and number of tradi-
4 tional and alternative route teacher preparation pro-
5 grams offered by minority-serving institutions;

6 “(7) expand the effective use of technology at
7 minority-serving institutions; and

8 “(8) strengthen postgraduate employment out-
9 comes for students enrolled in minority-serving insti-
10 tutions.

11 **“SEC. 752. DEFINITION.**

12 “In this part:

13 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-
14 tity’ means—

15 “(A) a minority-serving institution; or

16 “(B) a consortium of a minority-serving in-
17 stitution and—

18 “(i) one or more other institutions of
19 higher education;

20 “(ii) a private nonprofit organization;

21 “(iii) a local educational agency; or

22 “(iv) any combination of the entities
23 described in clauses (i) through (iii).

24 “(2) MINORITY SERVING INSTITUTION.—The
25 term ‘minority serving institution’ means an institu-

1 tion of higher education described in paragraphs (1),
2 (2), (3), (4), (5), (6), or (7) of section 371(a).

3 **“SEC. 753. GRANTS AUTHORIZED.**

4 “(a) IN GENERAL.—Except as provided in subsection
5 (b)(2), with the funds made available for this part under
6 section 757, the Secretary shall make competitive planning
7 and implementation grants, as described in subsections (b)
8 and (c), to eligible entities to enable such entities to plan
9 for the implementation of, in the case of a planning grant,
10 and implement, in the case of an implementation grant,
11 innovations described in section 751 and to support the
12 planning, development, implementation, validation, scaling
13 up, and replication of such innovations.

14 “(b) PLANNING GRANTS.—

15 “(1) IN GENERAL.—Except as provided in para-
16 graph (2), with the funds made available under sec-
17 tion 757 for a fiscal year, the Secretary shall use not
18 more than 5 percent or \$42,500,000 (whichever is
19 greater) to award, on a competitive basis, planning
20 grants to enable eligible entities to plan, design, and
21 develop innovations described in section 751.

22 “(2) SECTORS.—Planning grants shall be
23 awarded to each sector of a minority-serving institu-
24 tion in proportion to the allocations made in sub-
25 paragraphs (A) through (G) of section 757(1).

1 “(3) DURATION.—A planning grant authorized
2 under this subsection shall be for the duration of 1
3 year.

4 “(4) GRANT AMOUNTS.—Each planning grant
5 authorized under this subsection shall be in an
6 amount that is not more than \$150,000.

7 “(c) IMPLEMENTATION GRANTS.—

8 “(1) IN GENERAL.—With funds made available
9 for this part under section 757, the Secretary shall
10 award implementation grants to enable eligible enti-
11 ties to further develop, pilot, field-test, implement,
12 document, validate, and, as applicable, scale up and
13 replicate, innovations described in section 751.

14 “(2) DURATION.—An implementation grant au-
15 thorized under this subsection shall be for a dura-
16 tion of 5 years, except that the Secretary may not
17 continue providing funds under the grant after year
18 3 of the grant period unless the eligible entity dem-
19 onstrates that the entity has achieved satisfactory
20 progress toward carrying out the educational innova-
21 tions, activities, and projects described in their appli-
22 cation pursuant to section 754(d), as determined by
23 the Secretary.

24 “(3) GRANT AMOUNT.—Each implementation
25 grant authorized under this subsection shall be in an

1 amount sufficient to enable the eligible entity to
2 achieve the purposes of its proposed activities and
3 projects, but shall not exceed \$10,000,000.

4 “(d) SPECIAL RULES FOR CONSORTIUMS.—

5 “(1) FISCAL AGENT.—

6 “(A) IN GENERAL.—In the case of an eligi-
7 ble entity applying for a grant under this part
8 as a consortium, each member of the consor-
9 tium shall agree on 1 such member of such eli-
10 gibility entity to serve as a fiscal agent of such
11 entity.

12 “(B) RESPONSIBILITIES.—The fiscal agent
13 of an eligible entity, as described in subpara-
14 graph (A), shall act on behalf of such entity in
15 performing the financial duties of such entity
16 under this part.

17 “(C) WRITTEN AGREEMENT.—The agree-
18 ment described in subparagraph (A) shall be in
19 writing and signed by each member of the con-
20 sortium.

21 “(2) SUBGRANTS.—In the case of an eligible
22 entity applying for a grant under this part as a con-
23 sortium, the fiscal agent for such entity (as de-
24 scribed in paragraph (1)) may use the funds pro-

1 vided by the grant to make subgrants to members
2 of the consortium.

3 **“SEC. 754. APPLICATIONS.**

4 “(a) IN GENERAL.—An eligible entity desiring to re-
5 ceive a grant under this part shall submit an application
6 to the Secretary at such time, in such manner, and con-
7 taining such information as the Secretary may reasonably
8 require.

9 “(b) CONSORTIUM ENTITIES.—An application under
10 this section which is submitted by an eligible entity apply-
11 ing as a consortium shall include the written agreement
12 described in section 753(d)(1)(C).

13 “(c) PLANNING GRANTS.—The Secretary shall en-
14 sure that the application requirements under this section
15 for a planning grant authorized under section 753(b) in-
16 clude, in addition to the requirement in subsection (b) (if
17 applicable), only those minimal requirements that are nec-
18 essary to review the proposed process of an eligible entity
19 for the planning, design, and development of one or more
20 of the innovations described in section 751.

21 “(d) IMPLEMENTATION GRANTS.—An application
22 under this section for an innovation grant authorized
23 under section 753(e) shall include, in addition to the re-
24 quirement under subsection (b) (if applicable), descrip-
25 tions of—

1 “(1) each innovation described in section 751
2 that the eligible entity would implement using the
3 funds made available by such grant, including, as
4 applicable, a description of the evidence base sup-
5 porting such innovation;

6 “(2) how each such innovation will address the
7 purpose of this part, as described in section 751,
8 and how each such innovation will further the insti-
9 tutional or organizational mission of the minority-
10 serving institution that is part of the eligible entity;

11 “(3) the specific activities that the eligible enti-
12 ty will carry out with funds made available by such
13 grant, including, in the case of an eligible entity ap-
14 plying as a consortium, a description of the activities
15 that each member of the consortium will carry out
16 and a description of the capacity of each such mem-
17 ber to carry out those activities;

18 “(4) the performance measures that the eligible
19 entity will use to track its progress in implementing
20 each such innovation, including a description of how
21 the entity will implement those performance meas-
22 ures and use information on performance to make
23 adjustments and improvements to its implementa-
24 tion activities, as needed, over the course of the
25 grant period;

1 “(5) how the eligible entity will provide for an
2 independent evaluation of the implementation and
3 impact of the projects funded by such grant, includ-
4 ing—

5 “(A) an interim report (evaluating the
6 progress made in the first 3 years of the grant);
7 and

8 “(B) a final report (completed at the end
9 of the grant period); and

10 “(6) the plan of the eligible entity for con-
11 tinuing each proposed innovation after the grant has
12 ended.

13 **“SEC. 755. PRIORITY.**

14 “(a) PLANNING GRANTS.—In awarding planning
15 grants under this part, the Secretary shall give priority
16 to applications that were submitted in 2019, but did not
17 receive a planning grant due to the circumstances de-
18 scribed in section 753(b)(2).

19 “(b) IMPLEMENTATION GRANTS.—In awarding im-
20 plementation grants under this part, the Secretary shall
21 give—

22 “(1) first priority to applications for programs
23 at minority-serving institutions that have not pre-
24 viously received an implementation grant under this
25 part; and

1 “(2) second priority to applications that address
2 issues of major national need, including—

3 “(A) educational innovations designed to
4 increase the rate of postsecondary degree at-
5 tainment for populations within minority groups
6 that have low relative rates of postsecondary de-
7 gree attainment;

8 “(B) innovative partnerships between mi-
9 nority-serving institutions and local educational
10 agencies that are designed to increase the en-
11 rollment and successful completion of histori-
12 cally underrepresented populations in higher
13 education;

14 “(C) educational innovations that support
15 developing programs and initiatives in minority-
16 serving institutions to enhance undergraduate
17 and graduate programs in science, technology,
18 engineering, and mathematics;

19 “(D) innovative partnerships between mi-
20 nority-serving institutions and other organiza-
21 tions to establish innovation ecosystems in sup-
22 port of economic development, entrepreneur-
23 ship, and the commercialization of technology
24 supported by research funded through this
25 grant;

1 “(E) educational innovations that enhance
2 the quality and number of traditional and alter-
3 native route teacher preparation programs at
4 minority-serving institutions to enable teachers
5 to be highly effective in the classroom and to
6 enable such programs to meet the demands for
7 diversity and accountability in teacher edu-
8 cation; and

9 “(F) educational innovations that strength-
10 en postgraduate employment outcomes of mi-
11 nority-serving institutions through the imple-
12 mentation of comprehensive and strategic ca-
13 reer pathways for students.

14 **“SEC. 756. USES OF FUNDS.**

15 “(a) PLANNING GRANTS.—An eligible entity receiv-
16 ing a planning grant under section 753(b) shall use funds
17 made available by such grant to conduct an institutional
18 planning process that includes—

19 “(1) an assessment of the needs of the minor-
20 ity-serving institution;

21 “(2) research on educational innovations de-
22 scribed in section 751 that will meet the needs de-
23 scribed in paragraph (1);

24 “(3) the selection of one or more such edu-
25 cational innovations for implementation;

1 “(4) an assessment of the capacity of the mi-
2 nority-serving institution to implement such edu-
3 cational innovation; and

4 “(5) activities to further develop such capacity.

5 “(b) IMPLEMENTATION GRANTS.—An eligible entity
6 receiving an implementation grant under section 753(c)
7 shall use the funds made available by such grant to further
8 develop, pilot, field-test, implement, document, validate,
9 and, as applicable, scale up, and replicate innovations de-
10 scribed in section 751, such as innovations designed to—

11 “(1) improve student achievement, such as
12 through activities designed to increase the number
13 or percentage of students who successfully complete
14 developmental or remedial coursework (which may
15 be accomplished through the evidence-based redesign
16 of such coursework) and pursue and succeed in post-
17 secondary studies;

18 “(2) improve and expand institutional recruit-
19 ment, postsecondary school awareness, and postsec-
20 ondary school preparation efforts targeting students,
21 including high-achieving students from low-income
22 families, such as through activities undertaken in
23 partnership with local educational agencies and non-
24 profit organizations (including the introduction of
25 dual-enrollment programs and the implementation of

1 activities designed to enable more students to enter
2 college without the need for remediation);

3 “(3) increase the number of minority males who
4 attain a postsecondary degree, such as through evi-
5 dence-based interventions that integrate academic
6 advising with social and cultural supports and assist-
7 ance with job placement;

8 “(4) increase the number or percentage of stu-
9 dents who make satisfactory or accelerated progress
10 toward graduation from postsecondary school and
11 the number or percentage who graduate from post-
12 secondary school on time, such as through the provi-
13 sion of comprehensive academic and nonacademic
14 student support services;

15 “(5) increase the number or percentage of stu-
16 dents, particularly students who are members of his-
17 torically underrepresented populations, who enroll in
18 science, technology, engineering, and mathematics
19 courses, graduate with degrees in such fields, and
20 pursue advanced studies in such fields;

21 “(6) develop partnerships between minority-
22 serving institutions and other organizations to estab-
23 lish innovation ecosystems in support of economic
24 development, entrepreneurship, and the commer-

1 cialization of technology supported by funded re-
2 search;

3 “(7) implement evidence-based improvements to
4 courses, particularly high-enrollment courses, to im-
5 prove student outcomes and reduce education costs
6 for students, including costs of remedial courses;

7 “(8) enhance the quality and number of tradi-
8 tional and alternative route teacher and school lead-
9 er preparation programs at minority-serving institu-
10 tions that enable graduates to be profession-ready
11 and highly effective in the classroom and to enable
12 such programs to meet the demands for diversity
13 and accountability in educator preparation;

14 “(9) expand the effective use of technology in
15 higher education, such as through collaboration be-
16 tween institutions on implementing technology-en-
17 abled delivery models (including hybrid models) or
18 through the use of open educational resources and
19 digital content;

20 “(10) strengthen postgraduate employment out-
21 comes through the implementation of comprehensive
22 and strategic career pathways for students, which
23 may include aligning curricula with workforce needs,
24 experiential learning, integration of career services,

1 and developing partnerships with employers and
2 business organizations; and

3 “(11) provide a continuum of solutions by in-
4 corporating activities that address multiple objec-
5 tives described in paragraphs (1) through (10).

6 **“SEC. 757. AUTHORIZATION OF APPROPRIATIONS.**

7 “There are authorized to be appropriated to carry out
8 activities under this part \$850,000,000 for fiscal year
9 2019 and each of the 5 succeeding fiscal years, to be allo-
10 cated as follows:

11 “(1) for institutions described in paragraph (1)
12 of section 371(a), \$224,987,083;

13 “(2) for institutions described in paragraph (2)
14 of section 371(a), \$214,446,428;

15 “(3) for institutions described in paragraph (3)
16 of section 371(a), \$78,056,743;

17 “(4) for institutions described in paragraph (4)
18 of section 371(a), \$20,662,079;

19 “(5) for institutions described in paragraph (5)
20 of section 371(a), \$130,859,834;

21 “(6) for institutions described in paragraph (6)
22 of section 371(a), \$122,305,533; and

23 “(7) for institutions described in paragraph (7)
24 of section 371(a), \$58,682,300.”.

1 **SEC. 7003. DEFINITIONS.**

2 Section 760 of the Higher Education Act of 1965 (20
3 U.S.C. 1140) is amended to read as follows:

4 **“SEC. 760. DEFINITIONS.**

5 “In this part:

6 “(1) COMPREHENSIVE TRANSITION AND POST-
7 SECONDARY PROGRAM FOR STUDENTS WITH INTEL-
8 LECTUAL DISABILITIES.—The term ‘comprehensive
9 transition and postsecondary program for students
10 with intellectual disabilities’ means a program that
11 leads to a recognized educational credential or recog-
12 nized postsecondary credential issued by an institu-
13 tion of higher education that meets each of the fol-
14 lowing requirements:

15 “(A) Is offered by an institution of higher
16 education.

17 “(B) Is designed to support students with
18 intellectual disabilities who are seeking to con-
19 tinue academic, career and technical, or inde-
20 pendent living instruction at an institution of
21 higher education in order to prepare for com-
22 petitive integrated employment.

23 “(C) Includes student advising and a pro-
24 gram of study.

25 “(D) Requires students with intellectual
26 disabilities to participate on not less than a

1 half-time basis as determined by the institution,
2 with such participation focusing on academic
3 and career development components and occur-
4 ring through 1 or more of the following activi-
5 ties:

6 “(i) Regular enrollment in credit-bear-
7 ing courses with students without disabil-
8 ities that are offered by the institution.

9 “(ii) Auditing or participating in
10 courses with students without disabilities
11 that are offered by the institution and for
12 which the student does not receive regular
13 academic credit.

14 “(iii) Enrollment in noncredit-bearing,
15 nondegree courses with students without
16 disabilities.

17 “(iv) Participation in internships, ap-
18 prenticeships, or work-based experiences in
19 competitive integrated settings for a se-
20 mester, or multiple semesters.

21 “(E) Requires students with intellectual
22 disabilities to be socially and academically inte-
23 grated with students without disabilities to the
24 maximum extent practicable.

1 “(2) DISABILITY.—The term ‘disability’ has the
2 meaning given such term in section 3 of the Ameri-
3 cans with Disabilities Act of 1990 (42 U.S.C.
4 12102).

5 “(3) INSTITUTION OF HIGHER EDUCATION.—
6 The term ‘institution of higher education’ has the
7 meaning given such term in section 101.

8 “(4) OFFICE OF ACCESSIBILITY.—The term
9 ‘Office of Accessibility’ has the meaning given to the
10 office of disability services of the institution or
11 equivalent office

12 “(5) RECOGNIZED POSTSECONDARY CREDEN-
13 TIAL.—The term ‘recognized postsecondary creden-
14 tial’ has the meaning given the term in section 101
15 of the Workforce Innovation and Opportunity Act
16 (29 U.S.C. 3101).

17 “(6) STUDENT WITH INTELLECTUAL DIS-
18 ABILITY.—The term ‘student with an intellectual
19 disability’ means a student—

20 “(A)(i) with a cognitive impairment, char-
21 acterized by significant limitations in—

22 “(I) intellectual and cognitive func-
23 tioning; and

1 “(II) adaptive behavior as expressed
2 in conceptual, social, and practical adapt-
3 ive skills; and

4 “(ii) who is currently, or was formerly, eli-
5 gible for a free appropriate public education
6 under the Individuals with Disabilities Edu-
7 cation Act (20 U.S.C. 1400 et seq.); or

8 “(B) in the case of a student who has not
9 currently or formerly been found eligible for a
10 free appropriate education under the Individ-
11 uals with Disabilities Education Act (20 U.S.C.
12 1400 et seq.), or a student who has not pre-
13 viously been found eligible as a student with an
14 intellectual disability under such Act, docu-
15 mentation establishing that the student has an
16 intellectual disability, such as—

17 “(i) a documented comprehensive and
18 individualized psycho-educational evalua-
19 tion and diagnosis of an intellectual dis-
20 ability by a psychologist or other qualified
21 professional; or

22 “(ii) a record of the disability from a
23 local or State educational agency, or gov-
24 ernment agency, such as the Social Secu-
25 rity Administration or a vocational reha-

1 bilitation agency, that identifies the intel-
2 lectual disability.

3 “(7) UNIVERSAL DESIGN FOR LEARNING.—The
4 term ‘universal design for learning’ means a scientif-
5 ically valid framework for guiding educational prac-
6 tice that—

7 “(A) provides flexibility in the ways infor-
8 mation is presented, in the ways students re-
9 spond or demonstrate knowledge and skills, and
10 in the ways students are engaged; and

11 “(B) reduces barriers in instruction, pro-
12 vides appropriate accommodations, supports,
13 and challenges and maintains high achievement
14 expectations for all students, including students
15 with disabilities and students who are limited
16 English proficient.”.

17 **SEC. 7004. SUPPORTING POSTSECONDARY FACULTY, STAFF,**
18 **AND ADMINISTRATORS IN PROVIDING ACCES-**
19 **SIBLE EDUCATION.**

20 (a) GRANTS.—Section 762 of the Higher Education
21 Act of 1965 (20 U.S.C. 1140b) is amended to read as
22 follows:

1 **“SEC. 762. GRANTS AUTHORIZED.**

2 “(a) COMPETITIVE GRANTS AUTHORIZED TO SUP-
3 PORT POSTSECONDARY FACULTY, STAFF, AND ADMINIS-
4 TRATORS IN PROVIDING AN ACCESSIBLE EDUCATION.—

5 “(1) IN GENERAL.—From amounts appro-
6 priated under section 765C, the Secretary shall
7 award grants, on a competitive basis, to institutions
8 of higher education to enable the institutions to
9 carry out the activities under subsection (b).

10 “(2) AWARDS FOR PROFESSIONAL DEVELOP-
11 MENT AND TECHNICAL ASSISTANCE.—Not less than
12 5 grants shall be awarded to institutions of higher
13 education that provide professional development and
14 technical assistance in order to improve access to
15 and completion of postsecondary education for stu-
16 dents, including students with disabilities.

17 “(b) DURATION; ACTIVITIES.—

18 “(1) DURATION.—A grant under this subpart
19 shall be awarded for a period of 5 years.

20 “(2) AUTHORIZED ACTIVITIES.—A grant
21 awarded under this subpart shall be used to carry
22 out one or more of the following activities:

23 “(A) TEACHING METHODS AND STRATE-
24 GIES.—The development and implementation of
25 training to provide innovative, effective, and evi-
26 dence-based teaching methods and strategies,

1 consistent with the principles of universal de-
2 sign for learning, to provide postsecondary fac-
3 ulty, staff, and administrators with the skills
4 and supports necessary to teach and meet the
5 academic and programmatic needs of students
6 (including students with disabilities) in order to
7 improve the retention of such students in, and
8 the completion by such students of, postsec-
9 ondary education. Such methods and strategies
10 may include in-service training, professional de-
11 velopment, customized and general technical as-
12 sistance, workshops, summer institutes, dis-
13 tance learning, and training in the use of assist-
14 ive and educational technology.

15 “(B) IMPLEMENTING ACCOMMODATIONS.—
16 The development and implementation of train-
17 ing to provide postsecondary faculty, staff, and
18 administrators methods and strategies of pro-
19 viding appropriate accommodations for students
20 with disabilities, including descriptions of the
21 legal obligations of the university to provide
22 such accommodations.

23 “(C) EFFECTIVE TRANSITION PRAC-
24 TICES.—The development and implementation
25 of innovative, effective, and evidence-based

1 teaching methods and strategies to provide
2 postsecondary faculty, staff, and administrators
3 with the skills and supports necessary to ensure
4 the successful and smooth transition of stu-
5 dents with disabilities from secondary school to
6 postsecondary education. The teaching methods
7 and strategies may include supporting students
8 in the development of self-advocacy skills to im-
9 prove transition to, and completion of, postsec-
10 ondary education.

11 “(D) DISTANCE LEARNING.—The develop-
12 ment and implementation of training to provide
13 innovative, effective, and evidence-based teach-
14 ing methods and strategies to enable postsec-
15 ondary faculty, staff, and administrators to pro-
16 vide accessible distance education programs or
17 classes that would enhance the access of stu-
18 dents (including students with disabilities) to
19 postsecondary education, including the use of
20 accessible curricula and electronic communica-
21 tion for instruction and advising.

22 “(E) CAREER PATHWAY GUIDANCE.—The
23 development and implementation of effective
24 and evidence-based teaching methods and strat-
25 egies to provide postsecondary faculty, staff,

1 and administrators with the ability to advise
2 students with disabilities with respect to their
3 chosen career pathway, which shall include—

4 “(i) supporting internships, appren-
5 ticeships, or work-based learning opportu-
6 nities;

7 “(ii) counseling on coursework to meet
8 the recognized educational credential or
9 recognized postsecondary credential appro-
10 priate for the field chosen;

11 “(iii) developing self-advocacy skills to
12 advocate for appropriate accommodations
13 once in the workplace; or

14 “(iv) supporting the student in select-
15 ing a career pathway that leads to com-
16 petitive, integrated employment.

17 “(3) MANDATORY EVALUATION AND DISSEMI-
18 NATION.—An institution of higher education award-
19 ed a grant under this subpart shall evaluate and dis-
20 seminate to other institutions of higher education
21 the information obtained through the activities de-
22 scribed in subparagraphs (A) through (E) of para-
23 graph (2).

24 “(c) CONSIDERATIONS IN MAKING AWARDS.—In
25 awarding grants, contracts, or cooperative agreements

1 under this subpart, the Secretary shall consider the fol-
2 lowing:

3 “(1) GEOGRAPHIC DISTRIBUTION.—Providing
4 an equitable geographic distribution of such awards.

5 “(2) RURAL AND URBAN AREAS.—Distributing
6 such awards to urban and rural areas.

7 “(3) RANGE AND TYPE OF INSTITUTION.—En-
8 suring that the activities to be assisted are developed
9 for a range of types and sizes of institutions of high-
10 er education.

11 “(d) REPORTS.—

12 “(1) INITIAL REPORT.—Not later than one year
13 after the date of enactment of the this Act, the Sec-
14 retary shall prepare and submit to the authorizing
15 committees, and make available to the public, a re-
16 port on all projects awarded grants under this part,
17 including a review of the activities and program per-
18 formance of such projects based on existing informa-
19 tion as of the date of the report.

20 “(2) SUBSEQUENT REPORT.—Not later than
21 five years after the date of the first award of a grant
22 under this subpart after the date of enactment of
23 this section, the Secretary shall prepare and submit
24 to the authorizing committees, and make available to
25 the public, a report that—

1 “(A) reviews the activities and program
2 performance of the projects authorized under
3 this subpart; and

4 “(B) provides guidance and recommenda-
5 tions on how effective projects can be rep-
6 licated.

7 “(e) AUTHORIZATION OF APPROPRIATIONS.—

8 “(1) IN GENERAL.—Subject to paragraph (2),
9 there are authorized to be appropriated to carry out
10 this section \$10,000,000 for fiscal year 2019 and
11 each of the 5 succeeding fiscal years.

12 “(2) ADJUSTMENT FOR INFLATION.—

13 “(A) IN GENERAL.—The amount author-
14 ized to be appropriated under paragraph (1) for
15 fiscal year 2020 and each of the 4 succeeding
16 fiscal years shall be deemed increased by the
17 annual adjustment percentage.

18 “(B) DEFINITION.—In this paragraph, the
19 term ‘annual adjustment percentage’, as applied
20 to a fiscal year, means the estimated percentage
21 change in the Consumer Price Index (as deter-
22 mined by the Secretary, using the definition in
23 section 478(f)) for the most recent calendar
24 year ending before the beginning of that fiscal
25 year.”.

1 (b) APPLICATIONS.—Section 763 of the Higher Edu-
2 cation Act of 1965 (20 U.S.C. 1140c) is amended to read
3 as follows:

4 **“SEC. 763. APPLICATIONS.**

5 “Each institution of higher education desiring to re-
6 ceive a grant under this subpart shall submit an applica-
7 tion to the Secretary at such time, in such manner, and
8 accompanied by such information as the Secretary may
9 require. Each application shall include—

10 “(1) a description of the activities authorized
11 under this subpart that the institution proposes to
12 carry out, and how such institution plans to conduct
13 such activities in order to further the purpose of this
14 subpart;

15 “(2) a description of how the institution con-
16 sulted with a broad range of people, including indi-
17 viduals with expertise in disability supports or spe-
18 cial education, within the institution to develop ac-
19 tivities for which assistance is sought;

20 “(3) a description of how the institution will co-
21 ordinate and collaborate with the office of accessi-
22 bility; and

23 “(4) a description of the extent to which the in-
24 stitution will work to replicate the research-based
25 and best practices of institutions of higher education

1 with demonstrated effectiveness in serving students
2 with disabilities.”.

3 **SEC. 7005. OFFICE OF ACCESSIBILITY.**

4 Subpart 1 of part D of title VII of the Higher Edu-
5 cation Act of 1965 (20 U.S.C. 1440a et seq.) is amend-
6 ed—

7 (1) by redesignating section 765 as section
8 765C;

9 (2) by inserting after section 764 the following:

10 **“SEC. 765A. OFFICE OF ACCESSIBILITY.**

11 “(a) ESTABLISHMENT.—Each institution of higher
12 education shall establish an office of accessibility to de-
13 velop and implement policies to support students who
14 enter postsecondary education with disabilities and stu-
15 dents who acquire a disability while enrolled in an institu-
16 tion of higher education.

17 “(b) DUTIES.—Each office of accessibility shall—

18 “(1) inform students, during student orienta-
19 tion, about services provided at the institution of
20 higher education, and continually update such infor-
21 mation through the accessibility office’s website and
22 other communications to improve accessibility of
23 such services;

24 “(2) provide information to students regarding
25 accommodations and modifications provided by the

1 institution of higher education with respect to in-
2 ternships, practicums, work-based learning, appren-
3 ticeships, or other work-related environments that—

4 “(A) the student may engage in through
5 courses; or

6 “(B) are necessary for completion of a rec-
7 ognized educational credential or recognized
8 postsecondary credential;

9 “(3) provide information to students regarding
10 their legal rights under the Americans with Disabil-
11 ities Act of 1990 (42 U.S.C. 12101 et seq.) and sec-
12 tion 504 of the Rehabilitation Act (29 U.S.C. 794);
13 and

14 “(4) in order to provide appropriate accom-
15 modations to students with disabilities, carry out the
16 following:

17 “(A) Adopt policies that, at a minimum,
18 make any of the following documentation sub-
19 mitted by a student sufficient to establish that
20 such student is an individual with a disability:

21 “(i) Documentation that the indi-
22 vidual has had an individualized education
23 program in accordance with section 614(d)
24 of the Individuals with Disabilities Edu-
25 cation Act (20 U.S.C. 1414(d)), including

1 an individualized education program that
2 may be not current or past-date on the
3 date of the determination.

4 “(ii) Documentation that the indi-
5 vidual has had a plan prepared under sec-
6 tion 504 of the Rehabilitation Act of 1973
7 (29 U.S.C. 794).

8 “(iii) A plan or record of service for
9 the individual from a private school, a local
10 educational agency, a State educational
11 agency, or an institution of higher edu-
12 cation provided in accordance with the
13 Americans with Disabilities Act of 1990
14 (42 U.S.C. 12101 et seq.).

15 “(iv) A record or evaluation from a li-
16 censed professional finding that the indi-
17 vidual has a disability.

18 “(v) A plan or record of disability
19 from another institution of higher edu-
20 cation.

21 “(vi) Documentation of a disability
22 due to service in the uniformed services, as
23 defined in section 484C(a).

24 “(B) Adopt policies that are transparent
25 and explicit regarding the process by which the

1 institution determines eligibility for accom-
2 modations.

3 “(C) Disseminate the information de-
4 scribed in subparagraph (B) to students, par-
5 ents, and faculty—

6 “(i) in an accessible format;

7 “(ii) during student orientation; and

8 “(iii) by making such information
9 readily available on a public website of the
10 institution.

11 “(D) If applicable, provide accommoda-
12 tions to students with mental health disabilities.

13 **“SEC. 765B. COMPETITIVE GRANT FOR INNOVATION AND**
14 **ACCESSABILITY.**

15 “(a) GRANTS AUTHORIZED.—

16 “(1) IN GENERAL.—From amounts appro-
17 priated under section 765C, the Secretary may
18 award grants on a competitive basis to institutions
19 of higher education to enable the institutions to
20 carry out the activities described under subsection
21 (c).

22 “(2) DURATION.—A grant under this subpart
23 shall be awarded for a period of 5 years.

1 “(3) CONSIDERATION IN MAKING AWARDS.—In
2 awarding grants under this subsection, the Secretary
3 shall consider the following:

4 “(A) Providing an equitable geographic
5 distribution of such awards.

6 “(B) Ensuring that the activities to be as-
7 sisted are developed for a range of types and
8 sizes of institutions of higher education.

9 “(b) APPLICATION.—Each institution of higher edu-
10 cation desiring to receive a grant under this subsection
11 shall submit an application to the Secretary at such time,
12 in such manner, and accompanied by such information as
13 the Secretary may require. Each application shall in-
14 clude—

15 “(1) a description of how the institution will
16 carry out the activities under this section;

17 “(2) a description of the consultation the insti-
18 tution has had with a broad range of people within
19 the institution, including individuals with expertise
20 in disability supports or special education, in devel-
21 oping the information under paragraph (1);

22 “(3) a plan for the sustainability of the pro-
23 gram after the end of the grant period; and

1 “(4) a written business plan for revenue and ex-
2 penditures to be provided to the Department under
3 subsection (d).

4 “(c) ACTIVITIES.—A grant awarded under this sec-
5 tion shall be used to—

6 “(1) develop and implement across the institu-
7 tion of higher education, a universal design for
8 learning framework for course design and instruc-
9 tional materials to improve campus-wide accessibility
10 to instruction, materials, and the learning environ-
11 ment; or

12 “(2) develop or improve distance education
13 courses consistent with the principles of universal
14 design for learning to improve accessibility of in-
15 struction and materials.

16 “(d) REPORTS.—

17 “(1) GRANT RECIPIENT REPORTS.—An institu-
18 tion of higher education awarded a grant under this
19 subpart shall evaluate and disseminate to other in-
20 stitutions of higher education, the information ob-
21 tained through the activities described in subsection
22 (c).

23 “(2) INITIAL REPORT BY SECRETARY.—Not
24 later than one year after the date of the enactment
25 of this section, the Secretary shall prepare and sub-

1 mit to the authorizing committees, and make avail-
2 able to the public, a report on all projects awarded
3 grants under this part, including a review of the ac-
4 tivities and program performance of such projects
5 based on existing information as of the date of the
6 report.

7 “(3) FINAL REPORT BY SECRETARY.—Not later
8 than 6 years after the date of the first award of a
9 grant under subsection (a), the Secretary shall pre-
10 pare and submit to the authorizing committees, and
11 make available to the public, a report that—

12 “(A) reviews the activities and program
13 performance of the projects authorized under
14 this subsection; and

15 “(B) provides guidance and recommenda-
16 tions on how effective projects can be rep-
17 licated.”; and

18 (3) by amending section 765C, as so redesign-
19 nated, to read as follows:

20 **“SEC. 765C. AUTHORIZATION OF APPROPRIATIONS.**

21 “(a) IN GENERAL.—Subject to subsection (b), there
22 are authorized to be appropriated to carry out section
23 765B \$10,000,000 for fiscal year 2019 and each of the
24 5 succeeding fiscal years.

25 “(b) ADJUSTMENT FOR INFLATION.—

1 “(1) IN GENERAL.—The amount authorized to
2 be appropriated under paragraph (1) for fiscal year
3 2020 and each of the 4 succeeding fiscal years shall
4 be deemed increased by the annual adjustment per-
5 centage.

6 “(2) DEFINITION.—In this paragraph, the term
7 ‘annual adjustment percentage’, as applied to a fis-
8 cal year, means the estimated percentage change in
9 the Consumer Price Index (as determined by the
10 Secretary, using the definition in section 478(f)) for
11 the most recent calendar year ending before the be-
12 ginning of that fiscal year.”.

13 **SEC. 7006. POSTSECONDARY PROGRAMS FOR STUDENTS**
14 **WITH INTELLECTUAL DISABILITIES.**

15 (a) PURPOSE.—Section 766 of the Higher Education
16 Act of 1965 (20 U.S.C. 1140f) is amended to read as fol-
17 lows:

18 **“SEC. 766. PURPOSE.**

19 “It is the purpose of this subpart to support inclusive
20 programs that promote the successful transition of stu-
21 dents with intellectual disabilities into higher education
22 and the earning of a recognized educational credential or
23 recognized postsecondary credential issued by the institu-
24 tion of higher education.”.

1 (b) PROGRAMS FOR STUDENTS WITH INTELLECTUAL
2 DISABILITIES.—Section 767 of the Higher Education Act
3 of 1965 (20 U.S.C. 1140g) is amended to read as follows:

4 **“SEC. 767. INCLUSIVE HIGHER EDUCATION PROGRAMS FOR**
5 **STUDENTS WITH INTELLECTUAL DISABIL-**
6 **ITIES.**

7 “(a) GRANTS AUTHORIZED.—

8 “(1) IN GENERAL.—From amounts appro-
9 priated under section 769(a), the Secretary shall an-
10 nually award grants, on a competitive basis, to insti-
11 tutions of higher education (or consortia of institu-
12 tions of higher education), to enable the institutions
13 or consortia to create or expand high quality, inclu-
14 sive higher education programs for students with in-
15 tellectual disabilities.

16 “(2) ADMINISTRATION.—The program under
17 this section shall be administered by the office in the
18 Department that administers other postsecondary
19 education programs in consultation with the Office
20 of Special Education and Rehabilitative Services of
21 the Department of Education.

22 “(3) DURATION OF GRANTS.—A grant under
23 this section shall be awarded for a period of 5 years.

24 “(b) APPLICATION.—An institution of higher edu-
25 cation or a consortium desiring a grant under this section

1 shall submit an application to the Secretary at such time,
2 in such manner, and containing such information as the
3 Secretary may require.

4 “(c) AWARD BASIS.—In awarding grants under this
5 section, the Secretary shall—

6 “(1) provide for an equitable geographic dis-
7 tribution of such grants;

8 “(2) provide grant funds for inclusive higher
9 education programs for students with intellectual
10 disabilities that will serve areas that are underserved
11 by programs of this type;

12 “(3) in the case of an institution of higher edu-
13 cation that provides institutionally-owned or oper-
14 ated housing for students attending the institution,
15 award grants only to such institutions that integrate
16 students with intellectual disabilities into the hous-
17 ing offered to students without disabilities or to in-
18 stitutions that provide such integrated housing
19 through providing supports to students directly or
20 through partnerships with other organizations;

21 “(4) provide grant funds to encourage involve-
22 ment of students attending institutions of higher
23 education in the fields of special education, general
24 education, vocational rehabilitation, assistive tech-
25 nology, or related fields in the program;

1 “(5) select applications that—

2 “(A) demonstrate an existing comprehen-
3 sive transition and postsecondary education
4 program for students with intellectual disabili-
5 ties that is title IV eligible; or

6 “(B) agree to establish such a program;
7 and

8 “(6) give preference to applications submitted
9 under subsection (b) that agree to incorporate into
10 the inclusive higher education program for students
11 with intellectual disabilities carried out under the
12 grant one or more of the following elements:

13 “(A) The formation of a partnership with
14 any relevant agency serving students with intel-
15 lectual disabilities, such as a vocational rehabili-
16 tation agency.

17 “(B) Applications that represent geo-
18 graphically underserved States.

19 “(d) USE OF FUNDS; REQUIREMENTS.—An institu-
20 tion of higher education or consortium receiving a grant
21 under this section shall—

22 “(1) use the grant funds to establish an inclu-
23 sive higher education program for students with in-
24 tellectual disabilities that—

1 “(A) serves students with intellectual dis-
2 abilities;

3 “(B) provides individual supports and serv-
4 ices for the academic and social inclusion of
5 students with intellectual disabilities in aca-
6 demic courses, extracurricular activities, and
7 other aspects of the regular postsecondary pro-
8 gram;

9 “(C) with respect to the students with in-
10 tellectual disabilities participating in the pro-
11 gram, provides a focus on—

12 “(i) academic and career development;

13 “(ii) socialization and inclusion with
14 the general student population;

15 “(iii) independent living skills, includ-
16 ing self-advocacy skills; and

17 “(iv) integrated work experiences and
18 career skills that lead to competitive inte-
19 grated employment;

20 “(D) integrates person-centered planning
21 in the development of the course of study for
22 each student with an intellectual disability par-
23 ticipating in the program;

24 “(E) plans for the sustainability of the
25 program after the end of the grant period, with

1 a written business plan for revenue and expend-
2 itures to be provided to the Department by the
3 end of year 3; and

4 “(F) awards a recognized educational cre-
5 dential or recognized postsecondary credential
6 for students with intellectual disabilities upon
7 the completion of the program;

8 “(2) in the case of an institution of higher edu-
9 cation that provides institutionally owned or oper-
10 ated housing for students attending the institution
11 or integrated housing through providing supports to
12 students directly or through partnerships with other
13 organizations, provide for the integration of students
14 with intellectual disabilities into housing offered to
15 students without disabilities;

16 “(3) participate with the coordinating center es-
17 tablished under section 777(b) in the evaluation of
18 the program, including by regularly submitting data
19 on experiences and outcomes of individual students
20 participating in the program; and

21 “(4) partner with one or more local educational
22 agencies to support students with intellectual disabil-
23 ities participating in the program who are eligible
24 for special education and related services under the
25 Individuals with Disabilities Education Act (20

1 U.S.C. 1400 et seq.), including the use of funds
2 available under part B of such Act (20 U.S.C. 1411
3 et seq.) to support the participation of such students
4 in the program.

5 “(e) MATCHING REQUIREMENT.—An institution of
6 higher education (or consortium) that receives a grant
7 under this section shall provide matching funds toward the
8 cost of the inclusive higher education program for students
9 with intellectual disabilities carried out under the grant.
10 Such matching funds may be provided in cash or in-kind,
11 and shall be in an amount of not less than 25 percent
12 of the amount of such costs.

13 “(f) DATA COLLECTION AND TRANSMISSION.—

14 “(1) IN GENERAL.—An institution or consor-
15 tium receiving a grant under this section shall col-
16 lect and transmit to the coordinating center estab-
17 lished under section 777(b) on an annual basis for
18 each student who is enrolled in the program, stu-
19 dent-level information related to the experiences and
20 outcomes of students who participate in the inclusive
21 higher education program for students with intellec-
22 tual disabilities.

23 “(2) LONGITUDINAL DATA.—Each grantee shall
24 collect longitudinal outcome data from each student
25 participating in the program and transmit such data

1 to the coordinating center established under section
2 777(b). Such longitudinal data shall be collected for
3 every student each year for 5 years after the student
4 graduates from, or otherwise exits, the program.

5 “(3) DATA TO BE COLLECTED.—The program-
6 level information and data and student-level infor-
7 mation and data to be collected under this sub-
8 section shall include—

9 “(A) the number and type of postsec-
10 ondary education courses taken and completed
11 by the student;

12 “(B) credits the student earned and wheth-
13 er or not the student earned a recognized edu-
14 cational credential or recognized postsecondary
15 credential issued by the institution of higher
16 education;

17 “(C) academic outcomes;

18 “(D) competitive, integrated employment
19 outcomes;

20 “(E) independent living outcomes; and

21 “(F) social outcomes.

22 “(g) REPORT.—Not later than 5 years after the date
23 of the first grant awarded under this section, the Sec-
24 retary shall prepare and disseminate a report to the au-
25 thorizing committees and to the public that—

1 “(1) reviews the activities of the inclusive high-
2 er education programs for students with intellectual
3 disabilities funded under this section; and

4 “(2) provides guidance and recommendations
5 on how effective programs can be replicated.”.

6 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
7 769(a) of the Higher Education Act of 1965 (20 U.S.C.
8 1140i) is amended to read as follows:

9 “(a) AUTHORIZATION OF APPROPRIATIONS.—

10 “(1) IN GENERAL.—Subject to paragraph (2),
11 there are authorized to be appropriated to carry out
12 this subpart \$15,000,000 for fiscal year 2019 and
13 each of the 5 succeeding fiscal years.

14 “(2) ADJUSTMENT FOR INFLATION.—

15 “(A) IN GENERAL.—The amount author-
16 ized to be appropriated under paragraph (1) for
17 fiscal year 2020 and each of the 4 succeeding
18 fiscal years shall be deemed increased by the
19 annual adjustment percentage.

20 “(B) DEFINITION.—In this paragraph, the
21 term ‘annual adjustment percentage’, as applied
22 to a fiscal year, means the estimated percentage
23 change in the Consumer Price Index (as deter-
24 mined by the Secretary, using the definition in
25 section 478(f)) for the most recent calendar

1 year ending before the beginning of that fiscal
2 year.”.

3 **SEC. 7007. NATIONAL TECHNICAL ASSISTANCE CENTER**
4 **AND NATIONAL COORDINATING CENTER FOR**
5 **INCLUSION OF STUDENTS WITH INTELLEC-**
6 **TUAL DISABILITIES.**

7 (a) IN GENERAL.—Section 777 of the Higher Edu-
8 cation Act of 1965 (20 U.S.C. 1140q) is amended to read
9 as follows:

10 **“SEC. 777. NATIONAL TECHNICAL ASSISTANCE CENTER**
11 **AND COORDINATING CENTER FOR INCLU-**
12 **SION OF STUDENTS WITH INTELLECTUAL**
13 **DISABILITIES.**

14 “(a) NATIONAL TECHNICAL ASSISTANCE CENTER.—

15 “(1) IN GENERAL.—From amounts appro-
16 priated under paragraph (5), the Secretary shall
17 award a grant to, or enter into a contract or cooper-
18 ative agreement with, an eligible entity to provide
19 for the establishment and support of a National
20 Technical Assistance Center. The National Technical
21 Assistance Center shall carry out the duties set forth
22 in paragraph (4).

23 “(2) ADMINISTRATION.—The program under
24 this section shall be administered by the office in the
25 Department that administers other postsecondary

1 education programs in consultation with the Office
2 of Special Education and Rehabilitative Services.

3 “(3) ELIGIBLE ENTITY.—In this subpart, the
4 term ‘eligible entity’ means an institution of higher
5 education, a nonprofit organization, or partnership
6 of two or more such institutions or organizations,
7 with demonstrated expertise in—

8 “(A) transitioning students with disabili-
9 ties from secondary school to postsecondary
10 education;

11 “(B) supporting students with disabilities
12 in postsecondary education;

13 “(C) technical knowledge necessary for the
14 dissemination of information in accessible for-
15 mats; and

16 “(D) working with diverse types of institu-
17 tions of higher education, including community
18 colleges.

19 “(4) DUTIES.—The duties of the National
20 Technical Assistance Center shall include the fol-
21 lowing:

22 “(A) ASSISTANCE TO STUDENTS AND FAM-
23 ILIES.—The National Technical Assistance
24 Center shall provide information and technical
25 assistance to students with disabilities and the

1 families of students with disabilities to support
2 students across the broad spectrum of disabil-
3 ities, including—

4 “(i) information to assist individuals
5 with disabilities who are prospective stu-
6 dents of an institution of higher education
7 in planning for postsecondary education
8 while the students are in secondary school;

9 “(ii) information and technical assist-
10 ance provided to individualized education
11 program teams (as defined in section
12 614(d)(1) of the Individuals with Disabil-
13 ities Education Act) for secondary school
14 students with disabilities, and to early out-
15 reach and student services programs, in-
16 cluding programs authorized under sub-
17 parts 2, 4, and 5 of part A of title IV, to
18 support students across a broad spectrum
19 of disabilities with the successful transition
20 to postsecondary education;

21 “(iii) research-based supports, serv-
22 ices, and accommodations which are avail-
23 able in postsecondary settings, including
24 services provided by other agencies such as
25 vocational rehabilitation;

1 “(iv) information on student men-
2 toring and networking opportunities for
3 students with disabilities; and

4 “(v) effective recruitment and transi-
5 tion programs at postsecondary edu-
6 cational institutions.

7 “(B) ASSISTANCE TO INSTITUTIONS OF
8 HIGHER EDUCATION.—The National Technical
9 Assistance Center shall provide information and
10 technical assistance to faculty, staff, and ad-
11 ministrators of institutions of higher education
12 to improve the services provided to, the accom-
13 modations for, the retention rates of, and the
14 completion rates of, students with disabilities in
15 higher education settings, which may include—

16 “(i) collection and dissemination of
17 best and promising practices and materials
18 for accommodating and supporting stu-
19 dents with disabilities, including practices
20 and materials supported by the grants,
21 contracts, or cooperative agreements au-
22 thorized under subparts 1, 2, and 3;

23 “(ii) development and provision of
24 training modules for higher education fac-
25 ulty on exemplary practices for accommo-

1 dating and supporting postsecondary stu-
2 dents with disabilities across a range of
3 academic fields, which may include uni-
4 versal design for learning and practices
5 supported by the grants, contracts, or co-
6 operative agreements authorized under
7 subparts 1, 2, and 3; and

8 “(iii) development of technology-based
9 tutorials for higher education faculty and
10 staff, including new faculty and graduate
11 students, on best and promising practices
12 related to support and retention of stu-
13 dents with disabilities in postsecondary
14 education.

15 “(C) INFORMATION COLLECTION AND DIS-
16 SEMINATION.—The National Technical Assist-
17 ance Center shall be responsible for building,
18 maintaining, and updating a database of dis-
19 ability support services information with respect
20 to institutions of higher education, or for ex-
21 panding and updating an existing database of
22 disabilities support services information with re-
23 spect to institutions of higher education. Such
24 database shall be available to the general public
25 through a website built to high technical stand-

1 ards of accessibility practicable for the broad
2 spectrum of individuals with disabilities. Such
3 database and website shall include available in-
4 formation on—

5 “(i) disability documentation require-
6 ments;

7 “(ii) support services available;

8 “(iii) links to financial aid;

9 “(iv) accommodations policies;

10 “(v) accessible instructional materials;

11 “(vi) other topics relevant to students
12 with disabilities; and

13 “(vii) the information in the report
14 described in subparagraph (E).

15 “(D) DISABILITY SUPPORT SERVICES.—

16 The National Technical Assistance Center shall
17 work with organizations and individuals with
18 proven expertise related to disability support
19 services for postsecondary students with disabili-
20 ties to evaluate, improve, and disseminate in-
21 formation related to the delivery of high quality
22 disability support services at institutions of
23 higher education.

24 “(E) REVIEW AND REPORT.—Not later
25 than three years after the establishment of the

1 National Technical Assistance Center, and
2 every two years thereafter, the National Tech-
3 nical Assistance Center shall prepare and dis-
4 seminate a report to the Secretary and the au-
5 thorizing committees analyzing the condition of
6 postsecondary success for students with disabil-
7 ities. Such report shall include—

8 “(i) a review of the activities and the
9 effectiveness of the programs authorized
10 under this part;

11 “(ii) annual enrollment and gradua-
12 tion rates of students with disabilities in
13 institutions of higher education from pub-
14 licly reported data;

15 “(iii) recommendations for effective
16 postsecondary supports and services for
17 students with disabilities, and how such
18 supports and services may be widely imple-
19 mented at institutions of higher education;

20 “(iv) recommendations on reducing
21 barriers to full participation for students
22 with disabilities in higher education; and

23 “(v) a description of strategies with a
24 demonstrated record of effectiveness in im-

1 proving the success of such students in
2 postsecondary education.

3 “(F) STAFFING OF THE CENTER.—In hir-
4 ing employees of the National Technical Assist-
5 ance Center, the National Technical Assistance
6 Center shall consider the expertise and experi-
7 ence of prospective employees in providing
8 training and technical assistance to practi-
9 tioners.

10 “(5) AUTHORIZATION OF APPROPRIATIONS.—
11 There is authorized to be appropriated to carry out
12 this subsection \$10,000,000.

13 “(b) THE NATIONAL COORDINATING CENTER FOR
14 INCLUSION OF STUDENTS WITH INTELLECTUAL DISABIL-
15 ITIES.—

16 “(1) DEFINITION OF ELIGIBLE ENTITY.—In
17 this subsection, the term ‘eligible entity’ means an
18 entity, or a partnership of entities, that has dem-
19 onstrated expertise in the fields of—

20 “(A) higher education;

21 “(B) the education of students with intel-
22 lectual disabilities;

23 “(C) the development of inclusive higher
24 education programs for students with intellec-
25 tual disabilities; and

1 “(D) evaluation and technical assistance.

2 “(2) IN GENERAL.—From amounts appro-
3 priated under paragraph (7), the Secretary shall
4 enter into a cooperative agreement, on a competitive
5 basis, with an eligible entity for the purpose of es-
6 tablishing a coordinating center for institutions of
7 higher education that offer inclusive higher edu-
8 cation programs for students with intellectual dis-
9 abilities, including institutions participating in
10 grants authorized under subpart 2, to provide tech-
11 nical assistance and evaluations for such programs,
12 including systematic collection of annual student and
13 program data and facilitation of outcomes data of
14 students with intellectual disabilities.

15 “(3) ADMINISTRATION.—The program under
16 this subsection shall be administered by the office in
17 the Department that administers other postsec-
18 ondary education programs in consultation with the
19 Office of Special Education and Rehabilitative Serv-
20 ices.

21 “(4) DURATION.—The Secretary shall enter
22 into a cooperative agreement under this subsection
23 for a period of five years.

24 “(5) REQUIREMENTS OF COOPERATIVE AGREE-
25 MENT.—The eligible entity entering into a coopera-

1 tive agreement under this subsection shall establish
2 and maintain a coordinating center that shall—

3 “(A) serve as the technical assistance enti-
4 ty for all inclusive higher education programs
5 and comprehensive transition and postsec-
6 ondary programs for students with intellectual
7 disabilities;

8 “(B) provide technical assistance regarding
9 the development, evaluation, and continuous im-
10 provement of such programs;

11 “(C) evaluate such programs using quali-
12 tative and quantitative methodologies for meas-
13 uring program strengths in the areas of aca-
14 demic access, academic enrichment, socializa-
15 tion, competitive integrated employment, attain-
16 ment of a recognized educational credential or
17 recognized postsecondary credential, and inde-
18 pendent living;

19 “(D) create and maintain a database of
20 student and program level data reflecting imple-
21 mentation of the inclusive higher education pro-
22 gram that receives a grant under this subpart;

23 “(E) create and maintain a mechanism to
24 consolidate follow up data on student outcomes

1 collected by inclusive higher education programs
2 funded through previous grant cycles;

3 “(F) assist recipients of grants under sub-
4 part 2 in efforts to award a recognized edu-
5 cational credential or recognized postsecondary
6 credential to students with intellectual disabil-
7 ities upon the completion of such programs;

8 “(G) identify model memoranda of agree-
9 ment for use between or among institutions of
10 higher education and State and local agencies
11 providing funding for such programs;

12 “(H) develop recommendations for the nec-
13 essary components of such programs, such as—

14 “(i) academic, career and technical,
15 social, and independent living skills;

16 “(ii) evaluation of student progress;

17 “(iii) program administration and
18 evaluation;

19 “(iv) student eligibility;

20 “(v) issues regarding the equivalency
21 of a student’s participation in such pro-
22 grams to semester, trimester, quarter,
23 credit, or clock hours at an institution of
24 higher education, as the case may be; and

1 “(vi) access to student housing for
2 students participating in the inclusive
3 higher education programs, including ac-
4 commodations and services that support
5 independent living;

6 “(I) review and analyze—

7 “(i) policy impact of inclusive higher
8 education on Federal and State legislation;
9 and

10 “(ii) funding streams for such pro-
11 grams;

12 “(J) provide recommendations regarding
13 the funding streams described in paragraph
14 (H)(ii);

15 “(K) develop mechanisms for regular com-
16 munication, outreach and dissemination of in-
17 formation about inclusive higher education pro-
18 grams for students with intellectual disabilities
19 under subpart 2 between or among such pro-
20 grams and to families and prospective students;

21 “(L) host a meeting of all recipients of
22 grants under subpart 2 not less often than once
23 each year; and

24 “(M) convene a work group to continue the
25 development of and recommendations for model

1 criteria, standards, and components of inclusive
2 higher education programs and comprehensive
3 transition and postsecondary programs for stu-
4 dents with intellectual disabilities, that are ap-
5 propriate for the development of accreditation
6 standards—

7 “(i) which work group shall include—

8 “(I) an expert in higher edu-
9 cation;

10 “(II) an expert in special edu-
11 cation;

12 “(III) a disability organization
13 that represents students with intellec-
14 tual disabilities;

15 “(IV) a representative from the
16 National Advisory Committee on In-
17 stitutional Quality and Integrity; and

18 “(V) a representative of a re-
19 gional or national accreditation agen-
20 cy or association;

21 “(ii) the work group will carry out the
22 following activities—

23 “(I) conduct outreach to accred-
24 iting agencies;

1 “(II) develop a technical guid-
2 ance document to support implemen-
3 tation of the model standards;

4 “(III) develop and conduct a pro-
5 tocol for field testing and imple-
6 menting the model standards; and

7 “(IV) update recommendations
8 for the model standards, criteria, and
9 components of such programs, as ap-
10 plicable.

11 “(6) REPORT.—Not later than 5 years after the
12 date of the establishment of the coordinating center
13 under this subsection, the coordinating center shall
14 report to the Secretary, the authorizing committees,
15 and the National Advisory Committee on Institu-
16 tional Quality and Integrity on the activities de-
17 scribed in paragraph (5).

18 “(7) AUTHORIZATION OF APPROPRIATIONS.—

19 “(A) IN GENERAL.—Subject to subpara-
20 graph (B), there are authorized to be appro-
21 priated to carry out this subsection \$2,500,000
22 for fiscal year 2019 and each of the 5 suc-
23 ceeding fiscal years.

24 “(B) ADJUSTMENT FOR INFLATION.—

1 “(2) compile and annotate such accessibility
2 standards as an additional information resource for
3 institutions of higher education and companies that
4 service the higher education market.

5 “(c) MEMBERSHIP.—

6 “(1) STAKEHOLDER GROUPS.—The commission
7 shall be composed of representatives from the fol-
8 lowing categories:

9 “(A) Communities of persons with disabil-
10 ities for whom the accessibility of postsecondary
11 electronic instructional materials and related
12 technologies is a significant factor in ensuring
13 equal participation in higher education, and
14 nonprofit organizations that provide accessible
15 electronic materials to these communities.

16 “(B) Higher education leadership, includ-
17 ing university presidents, provosts, deans, vice
18 presidents or deans of libraries, chief informa-
19 tion officers, and other senior institutional ex-
20 ecutives.

21 “(C) Developers of postsecondary elec-
22 tronic instructional materials and manufactur-
23 ers of related technologies.

24 “(2) APPOINTMENT OF MEMBERS.—The com-
25 mission members shall be appointed as follows:

1 “(A) 6 members, 2 from each category de-
2 scribed in paragraph (1), shall be appointed by
3 the Speaker of the House of Representatives, 3
4 of whom shall be appointed on the rec-
5 ommendation of the majority leader of the
6 House of Representatives and 3 of whom shall
7 be appointed on the recommendation of the mi-
8 nority leader of the House of Representatives,
9 with the Speaker ensuring that 1 developer of
10 postsecondary electronic instructional materials
11 and 1 manufacturer of related technologies are
12 appointed. The Speaker shall also appoint 2 ad-
13 ditional members, 1 student with a disability
14 and 1 faculty member from an institution of
15 higher education.

16 “(B) 6 members, 2 from each category de-
17 scribed in paragraph (1), shall be appointed by
18 the President pro tempore of the Senate, 3 of
19 whom shall be appointed on the recommenda-
20 tion of the majority leader of the Senate and 3
21 of whom shall be appointed on the rec-
22 ommendation of the minority leader of the Sen-
23 ate, with the President pro tempore ensuring
24 that 1 developer of postsecondary electronic in-
25 structional materials and 1 manufacturer of re-

1 lated technologies are appointed. The President
2 pro tempore shall also appoint 2 additional
3 members, 1 student with a disability and 1 fac-
4 ulty member from an institution of higher edu-
5 cation.

6 “(C) 3 members, each of whom must pos-
7 sess extensive, demonstrated technical expertise
8 in the development and implementation of ac-
9 cessible postsecondary electronic instructional
10 materials, shall be appointed by the Secretary
11 of Education. 1 of these members shall rep-
12 resent postsecondary students with disabilities,
13 1 shall represent higher education leadership,
14 and 1 shall represent developers of postsec-
15 ondary electronic instructional materials.

16 “(3) ELIGIBILITY TO SERVE AS A MEMBER.—
17 Federal employees are ineligible for appointment to
18 the commission. An appointee to a volunteer or advi-
19 sory position with a Federal agency or related advi-
20 sory body may be appointed to the commission so
21 long as his or her primary employment is with a
22 non-Federal entity and he or she is not otherwise
23 engaged in financially compensated work on behalf
24 of the Federal Government, exclusive of any stand-

1 ard expense reimbursement or grant-funded activi-
2 ties.

3 “(d) AUTHORITY AND ADMINISTRATION.—

4 “(1) AUTHORITY.—The commission’s execution
5 of its duties shall be independent of the Secretary of
6 Education, the Attorney General, and the head of
7 any other agency or department of the Federal Gov-
8 ernment with regulatory or standard setting author-
9 ity in the areas addressed by the commission.

10 “(2) ADMINISTRATION.—

11 “(A) STAFFING.—There shall be no per-
12 manent staffing for the commission.

13 “(B) LEADERSHIP.—Commission members
14 shall elect a chairperson from among the ap-
15 pointees to the commission.

16 “(C) ADMINISTRATIVE SUPPORT.—The
17 Commission shall be provided administrative
18 support, as needed, by the Secretary of Edu-
19 cation through the Office of Postsecondary
20 Education of the Department of Education.

21 “(e) DUTIES.—

22 “(1) GUIDELINES.—Not later than 18 months
23 after the date of enactment of this Act, subject to
24 a 6-month extension that it may exercise at its dis-
25 cretion, the commission shall—

1 “(A) develop and issue guidelines for ac-
2 cessible postsecondary electronic instructional
3 materials, and related technologies; and

4 “(B) in developing the guidelines, the com-
5 mission shall—

6 “(i) establish a technical panel pursu-
7 ant to paragraph (4) to support the com-
8 mission in developing the guidelines;

9 “(ii) develop criteria for determining
10 which materials and technologies constitute
11 postsecondary electronic instructional ma-
12 terials and related technologies;

13 “(iii) identify existing national and
14 international accessibility standards that
15 are relevant to student use of postsec-
16 ondary electronic instructional materials
17 and related technologies at institutions of
18 higher education;

19 “(iv) identify and address any unique
20 pedagogical and accessibility requirements
21 of postsecondary electronic instructional
22 materials and related technologies that are
23 not addressed, or not adequately ad-
24 dressed, by the identified, relevant existing
25 accessibility standards;

1 “(v) identify those aspects of accessi-
2 bility, and types of postsecondary instruc-
3 tional materials and related technologies,
4 for which the commission cannot produce
5 guidelines or which cannot be addressed by
6 existing accessibility standards due to—

7 “(I) inherent limitations of com-
8 mercially available technologies; or

9 “(II) the challenges posed by a
10 specific category of disability that cov-
11 ers a wide spectrum of impairments
12 and capabilities which makes it dif-
13 ficult to assess the benefits from par-
14 ticular guidelines on a categorical
15 basis;

16 “(vi) ensure that the guidelines are
17 consistent with the requirements of section
18 504 of the Rehabilitation Act of 1973 (29
19 U.S.C. 794) and titles II and III of the
20 Americans with Disabilities Act (42 U.S.C.
21 12131 et seq.; 42 U.S.C. 12181 et seq.);

22 “(vii) ensure that the guidelines are
23 consistent, to the extent feasible and ap-
24 propriate, with the technical and functional
25 performance criteria included in the na-

1 tional and international accessibility stand-
2 ards identified by the commission as rel-
3 evant to student use of postsecondary elec-
4 tronic instructional materials and related
5 technologies;

6 “(viii) allow for the use of an alter-
7 native design or technology that results in
8 substantially equivalent or greater accessi-
9 bility and usability by individuals with dis-
10 abilities than would be provided by compli-
11 ance with the guidelines; and

12 “(ix) provide that where electronic in-
13 structional materials, or related tech-
14 nologies, that comply fully with the guide-
15 lines are not commercially available, or
16 where such compliance is not technically
17 feasible, the institution may select the
18 product that best meets the guidelines con-
19 sistent with the institution’s business and
20 pedagogical needs.

21 “(2) ANNOTATED LIST OF INFORMATION TECH-
22 NOLOGY STANDARDS.—Not later than 18 months
23 after the date of the enactment of this Act, subject
24 to a 6-month extension that it may exercise at its
25 discretion, the commission established in section 2

1 shall, with the assistance of the technical panel es-
2 tablished under paragraph (4), develop and issue an
3 annotated list of information technology standards.

4 “(3) APPROVAL.—Issuance of the guidelines
5 and annotated list of information technology stand-
6 ards shall require approval of at least 75 percent of
7 the members of the commission.

8 “(4) TECHNICAL PANEL.—Not later than 1
9 month after first meeting, the Commission shall ap-
10 point and convene a panel of 12 technical experts,
11 each of whom shall have extensive, demonstrated
12 technical experience in developing, researching, or
13 implementing accessible postsecondary electronic in-
14 structional materials, or related technologies. The
15 commission has discretion to determine a process for
16 nominating, vetting, and confirming a panel of ex-
17 perts that fairly represents the stakeholder commu-
18 nities on the commission. The technical panel shall
19 include a representative from the United States Ac-
20 cess Board.

21 “(f) REVIEW OF GUIDELINES.—Not later than 5
22 years after issuance of the guidelines and annotated list
23 of information technology standards described in sub-
24 sections (a) and (b), and every 5 years thereafter, the Sec-
25 retary of Education shall publish a notice in the Federal

1 Register requesting public comment about whether there
2 is a need to reconstitute the commission to update the
3 guidelines and annotated list of information technology
4 standards to reflect technological advances, changes in
5 postsecondary electronic instructional materials and re-
6 lated technologies, or updated national and international
7 accessibility standards. The Secretary shall then submit
8 a report and recommendation to Congress regarding
9 whether the Commission should be reconstituted.

10 “(g) RULE OF APPLICATION.—

11 “(1) NONCONFORMING POSTSECONDARY ELEC-
12 TRONIC INSTRUCTIONAL MATERIALS OR RELATED
13 TECHNOLOGIES.—Nothing in this section shall be
14 construed to require an institution of higher edu-
15 cation to require, provide, or both recommend and
16 provide, postsecondary electronic instructional mate-
17 rials or related technologies that conform to the
18 guidelines. However, an institution that selects or
19 uses nonconforming postsecondary electronic instruc-
20 tional materials or related technologies must other-
21 wise comply with existing obligations under section
22 504 of the Rehabilitation Act of 1973 (29 U.S.C.
23 794) and titles II and III of the Americans with
24 Disabilities Act (42 U.S.C. 12131 et seq.; 42 U.S.C.
25 12181 et seq.) to provide access to the educational

1 benefit afforded by such materials and technologies
2 through provision of appropriate and reasonable
3 modification, accommodation, and auxiliary aids or
4 services.

5 “(2) RELATIONSHIP TO EXISTING LAWS AND
6 REGULATIONS.—With respect to the Americans with
7 Disabilities Act of 1990 (42 U.S.C. 12101 et seq.)
8 and the Rehabilitation Act of 1973 (29 U.S.C. 701
9 et seq.), nothing in this Act may be construed—

10 “(A) to authorize or require conduct pro-
11 hibited under the Americans with Disabilities
12 Act of 1990 and the Rehabilitation Act of
13 1973, including the regulations issued pursuant
14 to those laws;

15 “(B) to expand, limit, or alter the remedies
16 or defenses under the Americans with Disabil-
17 ities Act of 1990 and the Rehabilitation Act of
18 1973;

19 “(C) to supersede, restrict, or limit the ap-
20 plication of the Americans with Disabilities Act
21 of 1990 and the Rehabilitation Act of 1973; or

22 “(D) to limit the authority of Federal
23 agencies to issue regulations pursuant to the
24 Americans with Disabilities Act of 1990 and
25 the Rehabilitation Act of 1973.

1 “(h) DEFINITIONS.—In this section:

2 “(1) ANNOTATED LIST OF INFORMATION TECH-
3 NOLOGY STANDARDS.—the term ‘annotated list of
4 information technology standards’ means a list of
5 existing national and international accessibility
6 standards relevant to student use of postsecondary
7 electronic instructional materials and related tech-
8 nologies, and to other types of information tech-
9 nology common to institutions of higher education,
10 such as institutional websites or registration sys-
11 tems, annotated by the commission established pur-
12 suant to this section. The annotated list of informa-
13 tion technology standards is intended to serve solely
14 as a reference tool to inform any consideration of
15 the relevance of such standards in higher education
16 contexts.

17 “(2) POSTSECONDARY ELECTRONIC INSTRU-
18 TIONAL MATERIALS.—The term ‘postsecondary elec-
19 tronic instructional materials’ means digital cur-
20 ricular content that is required, provided, or both
21 recommended and provided by an institution of high-
22 er education for use in a postsecondary instructional
23 program.

24 “(3) RELATED TECHNOLOGIES.—The term ‘re-
25 lated technologies’ refers to any software, applica-

1 tions, learning management or content management
2 systems, and hardware that an institution of higher
3 education requires, provides, or both recommends
4 and provides for student access to and use of post-
5 secondary electronic instructional materials in a
6 postsecondary instructional program.

7 “(4) TECHNICAL PANEL.—The term ‘technical
8 panel’ means a group of experts with extensive, dem-
9 onstrated technical experience in the development
10 and implementation of accessibility features for post-
11 secondary electronic instructional materials and re-
12 lated technologies, established by the Commission
13 pursuant to subsection (e)(4), which will assist the
14 commission in the development of the guidelines and
15 annotated list of information technology standards
16 authorized under this Act.”.

17 **SEC. 7009. FORMULA GRANTS TO STATES TO IMPROVE**
18 **HIGHER EDUCATION OPPORTUNITIES FOR**
19 **FOSTER YOUTH AND HOMELESS YOUTH.**

20 Title VII of the Higher Education Act of 1965 (20
21 U.S.C. 1133 et seq.) is further amended by adding at the
22 end the following new part:

1 **“PART F—GRANTS FOR IMPROVING ACCESS TO**
2 **AND SUCCESS IN HIGHER EDUCATION FOR**
3 **FOSTER YOUTH AND HOMELESS YOUTH**

4 **“SEC. 791. DEFINITIONS.**

5 “In this part:

6 “(1) FOSTER YOUTH.—The term ‘foster
7 youth’—

8 “(A) means an individual whose care and
9 placement is the responsibility of the State or
10 tribal agency that administers a State or tribal
11 plan under part B or E of title IV of the Social
12 Security Act (42 U.S.C. 621 et seq.; 670 et
13 seq.), without regard to whether foster care
14 maintenance payments are made under section
15 472 of such Act (42 U.S.C. 672) on behalf of
16 the individual; and

17 “(B) includes any individual—

18 “(i) whose care and placement was
19 the responsibility of such a State or tribal
20 agency when, or at any time after, the in-
21 dividual attained 13 years of age, without
22 regard to whether foster care maintenance
23 payments were made under section 472 of
24 such Act (42 U.S.C. 672) on behalf of the
25 individual; and

1 “(ii) who is no longer under the care
2 and responsibility of such a State or tribal
3 agency, without regard to any subsequent
4 adoption of the individual.

5 “(2) HOMELESS YOUTH.—The term ‘homeless
6 youth’ has the meaning given the term ‘homeless
7 children and youths’ in section 725 of the McKin-
8 ney-Vento Homeless Assistance Act (42 U.S.C.
9 11434a).

10 “(3) INDIAN TRIBE; TRIBAL ORGANIZATION.—
11 The terms ‘Indian Tribe’ and ‘tribal organization’
12 have the meanings given the terms in section 4 of
13 the Indian Self-Determination and Education Assist-
14 ance Act (25 U.S.C. 450).

15 “(4) INSTITUTION OF HIGHER EDUCATION.—
16 The term ‘institution of higher education’ has the
17 meaning given the term in section 101.

18 “(5) STATE.—The term ‘State’ means each of
19 the several States and the District of Columbia.

20 “(6) TERRITORY.—The term ‘territory’ means
21 Puerto Rico, United States Virgin Islands, Guam,
22 American Samoa, and the Commonwealth of the
23 Northern Mariana Islands, the Republic of the Mar-
24 shall Islands, the Federated States of Mironesia,
25 and the Republic of Palau.

1 **“SEC. 792. FORMULA GRANTS TO STATES TO IMPROVE AC-**
2 **CESS TO AND SUCCESS IN HIGHER EDU-**
3 **CATION FOR FOSTER YOUTH AND HOMELESS**
4 **YOUTH.**

5 “(a) GRANT PROGRAM ESTABLISHED.—From the
6 amount appropriated under subsection (h), the Secretary
7 shall make allotments under subsection (b), to States hav-
8 ing applications approved under subsection (c), to enable
9 each State to—

10 “(1) carry out the Statewide transition initia-
11 tive described in subsection (d); and

12 “(2) make subgrants described in subsection
13 (e).

14 “(b) ALLOCATIONS.—

15 “(1) FORMULA.—

16 “(A) RESERVATION FOR INDIAN TRIBES
17 AND TERRITORIES.—

18 “(i) IN GENERAL.—From the amount
19 appropriated under subsection (h) for a
20 fiscal year and subject to clause (ii), the
21 Secretary shall reserve—

22 “(I) not more than 3 percent for
23 grants to Indian Tribes, consortia of
24 Indian Tribes, or Tribal organiza-
25 tions; and

1 “(II) not more than 2 percent for
2 grants to territories.

3 “(ii) REQUIREMENTS.—In awarding
4 grants under this subparagraph, the Sec-
5 retary—

6 “(I) shall not award a grant
7 under subclause (I) or (II) of clause
8 (i) for a fiscal year for which no In-
9 dian Tribe (or consortium of Indian
10 Tribes) or Tribal organization, or ter-
11 ritory, respectively, submits a satisfac-
12 tory application for a grant under
13 such subclause;

14 “(II) shall require that any In-
15 dian Tribe, consortium, Tribal organi-
16 zation, or territory that receives a
17 grant under this subparagraph pro-
18 vide an assurance of a partnership
19 among relevant education, child wel-
20 fare, and homeless agencies or organi-
21 zations; and

22 “(III) may determine any other
23 requirements with respect to such
24 grants (including the allocation, appli-
25 cation, and use of fund requirements),

1 which to the extent possible, shall be
2 consistent with the requirements for
3 States under this part, except that ap-
4 propriate adjustments shall be made
5 based on the needs and size of popu-
6 lations served by the Indian Tribe,
7 consortium, Tribal organization, or
8 territory applying for the grant.

9 “(B) RESERVATION FOR DEPARTMENT AC-
10 TIVITIES.—From the amount appropriated
11 under subsection (h) for a fiscal year, the Sec-
12 retary may reserve—

13 “(i) not more than 7 percent to—

14 “(I) provide technical assistance,
15 in consultation with Secretary of
16 Health and Human Services, to
17 States carrying out activities under
18 this section; and

19 “(II) complete the evaluations re-
20 quired by subsection (g)(1); and

21 “(ii) not more than 3 percent for ad-
22 ministrative expenses.

23 “(C) ALLOCATIONS.—From the amount
24 appropriated under subsection (h) for a fiscal
25 year and remaining after the Secretary reserves

1 funds under subparagraphs (A) and (B), the
2 Secretary shall allocate to each State the great-
3 er of—

4 “(i) \$500,000; or

5 “(ii) the amount that bears the same
6 proportion to the remaining appropriated
7 amount for such fiscal year as the number
8 of foster youth and homeless youth in the
9 State bears to the number of foster youth
10 and homeless youth in all States.

11 “(D) RATABLE REDUCTION.—If the
12 amount appropriated under subsection (h) for a
13 fiscal year and remaining after the Secretary
14 reserves funds under subparagraphs (A) and
15 (B) is less than the amount required to be allo-
16 cated to States under subparagraph (C), then
17 the amount of the allocation to each State shall
18 be ratably reduced.

19 “(2) STATE RESERVATION.—From the amounts
20 awarded a State under paragraph (1)(C) for a fiscal
21 year, the State may reserve not more than 5 percent
22 for administrative expenses.

23 “(3) TEMPORARY INELIGIBILITY FOR SUBSE-
24 QUENT PAYMENTS.—

1 “(A) IN GENERAL.—The Secretary shall
2 determine a State to be temporarily ineligible to
3 receive a grant payment under this subsection
4 for a fiscal year if—

5 “(i) the State fails to submit an an-
6 nual report under subsection (f) for the
7 preceding fiscal year; or

8 “(ii) the Secretary determines, based
9 on information in such annual report, that
10 the State is not effectively—

11 “(I) meeting the outcomes de-
12 scribed in the application of such
13 State under subsection (c)(2)(C), and
14 does not have a plan to improve the
15 outcomes;

16 “(II) monitoring and evaluating
17 the activities under subsections (d)
18 and (e); or

19 “(III) using funds as required
20 under subsections (d) and (e).

21 “(B) REINSTATEMENT.—If the Secretary
22 determines that a State is ineligible under sub-
23 paragraph (A), the Secretary may enter into an
24 agreement with the State setting forth the
25 terms and conditions under which the State

1 may regain eligibility to receive payments under
2 this section.

3 “(c) APPLICATIONS.—

4 “(1) IN GENERAL.—For each fiscal year for
5 which a State desires an allotment under subsection
6 (b), the State shall submit an application to the Sec-
7 retary at such time, in such manner, and containing
8 the information described in paragraph (2).

9 “(2) INFORMATION REQUIRED.—An application
10 submitted under paragraph (1) shall include the fol-
11 lowing:

12 “(A) A plan for how the State will carry
13 out the activities under subsections (d) and (e).

14 “(B) A description of the State’s capacity
15 to carry out such activities.

16 “(C) A description of intended outcomes
17 for such activities.

18 “(D) A plan for how the State will monitor
19 and evaluate such activities, including how the
20 State will use data to continually update and
21 improve such activities.

22 “(E) A description of how students will be
23 identified and recruited for participation in the
24 Statewide transition initiative under subsection
25 (d).

1 “(F) An estimate of the number and char-
2 acteristics of the populations targeted for par-
3 ticipation in the Statewide transition initiative
4 under subsection (d) with attention to the di-
5 verse needs of homeless youth and foster youth
6 in the State.

7 “(G) A description of how the State will
8 coordinate services provided under the grant
9 with services provided to foster youth and
10 homeless youth under the McKinney-Vento
11 Homeless Assistance Act (42 U.S.C. 11301 et
12 seq.), the Elementary and Secondary Education
13 Act of 1965 (20 U.S.C. 6301 et seq.), the Run-
14 away and Homeless Youth Act (42 U.S.C. 5701
15 et seq.), and other services provided to foster
16 youth and homeless youth by the State.

17 “(H) An assurance that the State will
18 comply with subtitle B of title VII of the
19 McKinney-Vento Homeless Assistance Act (42
20 U.S.C. 11431 et seq.).

21 “(I) An assurance that the State will part-
22 ner with State educational agencies, local edu-
23 cational agencies, institutions of higher edu-
24 cation, State and local child welfare authorities,

1 and other relevant organizations that serve fos-
2 ter youth or homeless youth.

3 “(J) An assurance that the State will sub-
4 mit the annual report required under subsection
5 (f).

6 “(K) A budgetary analysis of the use of
7 funds awarded under this section.

8 “(L) Such other information as the Sec-
9 retary may require.

10 “(d) STATEWIDE TRANSITION INITIATIVE.—

11 “(1) USE OF FUNDS.—Subject to subsection
12 (b)(2), and in consultation and coordination with the
13 entities described in paragraph (2) of this sub-
14 section, a State receiving a grant award under this
15 section shall use not less than 25 percent of the
16 funds to—

17 “(A) provide intensive outreach and sup-
18 port to foster youth and homeless youth to—

19 “(i) improve the understanding and
20 preparation of such youth for enrollment in
21 institutions of higher education;

22 “(ii) increase the number of applica-
23 tions to institutions of higher education
24 submitted by such youth; and

1 “(iii) increase the number of enroll-
2 ments at institutions of higher education;

3 “(B) provide education to foster youth and
4 homeless youth with respect to—

5 “(i) the benefits and opportunities of
6 postsecondary education;

7 “(ii) planning for postsecondary edu-
8 cation; and

9 “(iii) financial aid opportunities that
10 assist youth with covering the cost of at-
11 tendance of an institution of higher edu-
12 cation;

13 “(iv) the Federal and State services
14 and benefits available to foster youth and
15 homeless youth while enrolled at an insti-
16 tution of higher education, including health
17 and mental health services;

18 “(v) career exploration; and

19 “(vi) financial literacy training, in-
20 cluding security from identity theft; and

21 “(C) assist foster youth and homeless
22 youth with submitting applications for—

23 “(i) enrollment at an institution of
24 higher education;

1 “(ii) financial aid for such enrollment;

2 and

3 “(iii) scholarships available for such

4 students, including under a State edu-

5 cational and training voucher program re-

6 ferred to in section 477(i) of the Social Se-

7 curity Act; and

8 “(D) provide free programming, which may

9 include free transportation to and from such

10 programming, for foster youth and homeless

11 youth to prepare such individuals socially and

12 academically for the rigors of postsecondary

13 education during the summer before such indi-

14 viduals first attend an institution of higher edu-

15 cation.

16 “(2) REQUIRED CONSULTATION AND COORDI-

17 NATION.—In carrying out the activities described in

18 paragraph (1), a State shall consult and coordinate

19 with State educational agencies, local educational

20 agencies, institutions of higher education, State and

21 local child welfare authorities, and other relevant or-

22 ganizations that serve foster youth or homeless

23 youth.

24 “(e) SUBGRANTS TO CREATE INSTITUTIONS OF EX-

25 CELLENCE.—

1 “(1) IN GENERAL.—Subject to the subsection
2 (b)(2), a State receiving a grant under this section
3 shall, acting through the administering State agen-
4 cy, use not less than 70 percent of the funds to
5 award, on a competitive basis, subgrants to eligible
6 institutions to enable such institutions to become in-
7 stitutions of excellence by improving college access,
8 retention, and completion rates for foster and home-
9 less youth as described in paragraph (3).

10 “(2) APPLICATION.—

11 “(A) IN GENERAL.—An eligible institution
12 desiring a subgrant under this subsection shall
13 submit an application to the State in which
14 such eligible institution is located, at such time,
15 in such manner, and containing such informa-
16 tion as the State may require.

17 “(B) TECHNICAL ASSISTANCE.—States
18 shall provide outreach and technical assistance
19 to eligible institutions with respect to applica-
20 tions for subgrants under this subsection.

21 “(3) ACTIVITIES.—An eligible institution that
22 receives a grant under this subsection shall use the
23 grant funds to carry out the following activities with
24 respect to homeless youth and foster youth:

1 “(A) Provide flexibility and assistance in
2 completing the application process to enroll at
3 such institution.

4 “(B) Coordinate programs with relevant
5 on- and off-campus stakeholders to increase the
6 enrollment of such youth at the institution and
7 align services at the institution for such youth.

8 “(C) Adjust the cost of attendance for
9 such youth at such eligible institution to include
10 the cost of housing during periods of non-enroll-
11 ment.

12 “(D) Provide institutional aid to such stu-
13 dents to meet the cost of attendance that is not
14 covered by other Federal or State educational
15 grants.

16 “(E) Provide outreach to such students to
17 ensure that such youth are aware of housing re-
18 sources available during periods of non-enroll-
19 ment.

20 “(F) Subsidize any fees for such students
21 associated with orientation and offer free trans-
22 portation to college orientation or move-in week.

23 “(G) Hire and provide training for at least
24 one full-time staff at the eligible institution to
25 serve as a point of contact to provide case man-

1 agement services and monthly face-to-face
2 meetings with students who are foster youth or
3 homeless youth. Such individual shall have an
4 advanced degree and at least two years of rel-
5 evant experience.

6 “(H) Establish or enhance campus support
7 programs to provide such students with a wide-
8 range of on-campus services including—

9 “(i) assistance with financial aid;

10 “(ii) career advice; and

11 “(iii) leadership development.

12 “(I) Ensure the availability of robust stu-
13 dent health services (physical and mental) that
14 meet the specific needs of foster youth and
15 homeless youth.

16 “(J) Establish or expand early alert sys-
17 tems to identify and support such students who
18 may be struggling academically.

19 “(K) Collect, review, and monitor data for
20 program improvement.

21 “(4) RELIANCE ON INSTITUTIONAL AID.—Any
22 institutional aid provided to a student under para-
23 graph (3)(D) by an eligible institution during the
24 grant period of the institution’s grant under this
25 section shall continue to be provided during the stu-

1 dent’s continuous enrollment at the institution, with-
2 out regard to whether the grant period ends during
3 such enrollment.

4 “(5) DEFINITIONS.—In this subsection:

5 “(A) ADMINISTERING STATE AGENCY.—

6 The term ‘administering State agency’ means a
7 State agency—

8 “(i) designated by the Governor or ex-
9 ecutive of the State to administer the sub-
10 grants under this subsection; and

11 “(ii) that, with respect to such State,
12 has jurisdiction over—

13 “(I) foster youth;

14 “(II) homeless youth;

15 “(III) elementary and secondary
16 education; or

17 “(IV) higher education.

18 “(B) ELIGIBLE INSTITUTION.—The term
19 ‘eligible institution’ means an institution of
20 higher education—

21 “(i) that is in partnership with—

22 “(I) the State child welfare agen-
23 cy that is responsible for the adminis-
24 tration of the State plan under part B
25 or E of title IV of the Social Security

1 Act (42 U.S.C. 621 et seq.; 670 et
2 seq.); and

3 “(II) an organization that serves
4 homeless youth (such as a youth shel-
5 ter or outreach program); and

6 “(ii) that may partner with any other
7 provider, agency, official, or entity that
8 serves foster youth and homeless youth, or
9 former foster youth and homeless youth.

10 “(f) STATE REPORTS.—For each year in which a
11 State receives an allotment under subsection (b), the State
12 shall prepare and submit a report to the Secretary that
13 includes—

14 “(1) each activity or service that was carried
15 out under this section;

16 “(2) the cost of providing each such activity or
17 service;

18 “(3) the number of students who received each
19 activity or service disaggregated by race, as defined
20 in section 153(a)(3) of the Education Sciences Re-
21 form Act of 2002 (20 U.S.C. 9543(a)(3)) and each
22 subgroup of students described in subclauses (II)
23 through (VI) of section 1111(b)(2)(B)(xi) of the El-
24 elementary and Secondary Education Act of 1965 (20
25 U.S.C. 6311(b)(2)(B)(xi));

1 “(4) using qualitative and quantitative analysis,
2 how the State—

3 “(A) improved access to higher education
4 for foster youth and homeless youth; and

5 “(B) measured youth satisfaction with ac-
6 tivities carried out under this part;

7 “(5) an analysis of the implementation and
8 progress of the Statewide transition initiative under
9 subsection (d), including challenges and changes
10 made to the initiative throughout the preceding year;

11 “(6) if, based on the analysis under paragraph
12 (5), the State determines that the program is not on
13 track to meet the intended outcomes described in the
14 application of the State under subsection (c)(2)(C),
15 a description of how the State plans to meet such
16 intended outcomes; and

17 “(7) information on the eligible institutions re-
18 ceiving subgrants, including how such institutions
19 used subgrant funds to carry out the activities de-
20 scribed in subsection (e)(3).

21 “(g) DEPARTMENT ACTIVITIES.—

22 “(1) EVALUATIONS.—Beginning on the date on
23 which funds are first allotted under subsection (b),
24 and annually thereafter, the Secretary shall evaluate
25 recipients of allotments and subgrants under this

1 section. The results of such evaluations shall be
2 made publicly available on the website of the De-
3 partment.

4 “(2) REPORT TO CONGRESS.—Not later than 1
5 year after the date on which funds are first allocated
6 under subsection (b), and annually thereafter, the
7 Secretary shall submit a report to Congress that in-
8 cludes—

9 “(A) the amount of each allotment under
10 subsection (b);

11 “(B) the amount of each subgrant under
12 subsection (e); and

13 “(C) with respect to the year for which
14 such report is made, the results of the evalua-
15 tions under paragraph (1).

16 “(h) AUTHORIZATION OF APPROPRIATIONS.—

17 “(1) IN GENERAL.—Subject to paragraph (2),
18 there are authorized to be appropriated to carry out
19 this part \$150,000,000 for fiscal year 2019 and
20 each of the 5 succeeding fiscal years.

21 “(2) ADJUSTMENT FOR INFLATION.—

22 “(A) IN GENERAL.—The amount author-
23 ized to be appropriated under paragraph (1) for
24 fiscal year 2020 and each of the 4 succeeding

1 fiscal years shall be deemed increased by the
2 annual adjustment percentage.

3 “(B) DEFINITION.—In this paragraph, the
4 term ‘annual adjustment percentage’, as applied
5 to a fiscal year, means the estimated percentage
6 change in the Consumer Price Index (as deter-
7 mined by the Secretary, using the definition in
8 section 478(f)) for the most recent calendar
9 year ending before the beginning of that fiscal
10 year.”.

11 **TITLE VIII—ADDITIONAL** 12 **PROGRAMS**

13 **SEC. 8001. TEACH FOR AMERICA.**

14 Subparagraph (C) of section 806(f)(1) (20 U.S.C.
15 1161f(f)(1)) is amended to read as follows:

16 “(C) \$30,000,000 for fiscal year 2019 and
17 each of the 5 succeeding fiscal years.”.

18 **SEC. 8002. PATSY T. MINK FELLOWSHIP PROGRAM.**

19 Subsection (f) of section 807 (20 U.S.C. 1161g) is
20 amended to read as follows:

21 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
22 is authorized to be appropriated to carry out this section
23 \$10,000,000 for fiscal year 2019 and each of the 5 suc-
24 ceeding fiscal years.”.

1 **SEC. 8003. IMPROVING SCIENCE, TECHNOLOGY, ENGINEER-**
2 **ING, AND MATHEMATICS EDUCATION WITH A**
3 **FOCUS ON ALASKA NATIVE AND NATIVE HA-**
4 **WAIAN STUDENTS.**

5 Subsection (i) of section 819 (20 U.S.C. 1161j) is
6 amended to read as follows:

7 “(i) AUTHORIZATION OF APPROPRIATIONS.—There is
8 authorized to be appropriated to carry out this section
9 \$5,000,000 for fiscal year 2019 and each of the 5 suc-
10 ceeding fiscal years.”.

11 **SEC. 8004. GRANTS FOR RURAL-SERVING INSTITUTIONS OF**
12 **HIGHER EDUCATION.**

13 Subsection (g) of section 861 (20 U.S.C. 1161q) is
14 amended to read as follows:

15 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
16 is authorized to be appropriated to carry out this section
17 \$20,000,000 for fiscal year 2019 and each of the 5 suc-
18 ceeding fiscal years.”.

19 **SEC. 8005. TRAINING FOR REALTIME WRITERS TO PROVIDE**
20 **CLOSED CAPTIONING AND COURT REPORT-**
21 **ING SERVICES.**

22 Section 872(e) (20 U.S.C. 1161s(e)) is amended by
23 striking “2009” and inserting “2019”.

1 **SEC. 8006. GRANT PROGRAM TO ESTABLISH, MAINTAIN,**
2 **AND IMPROVE VETERAN STUDENT CENTERS.**

3 (a) IN GENERAL.—Title VIII (20 U.S.C. 1161a et
4 seq.) is amended by striking part T (20 U.S.C. 1161t)
5 and inserting the following:

6 **“PART T—GRANTS FOR VETERAN STUDENT**
7 **CENTERS**

8 **“SEC. 873. GRANTS FOR VETERAN STUDENT CENTERS.**

9 “(a) GRANTS AUTHORIZED.—Subject to the avail-
10 ability of appropriations under subsection (i), the Sec-
11 retary shall award grants to institutions of higher edu-
12 cation or consortia of institutions of higher education to
13 assist in the establishment, maintenance, improvement,
14 and operation of Veteran Student Centers. The Secretary
15 shall award not more than 30 grants in a fiscal year under
16 this subsection.

17 “(b) ELIGIBILITY.—

18 “(1) APPLICATION.—An institution or Consor-
19 tium seeking a grant under subsection (a) shall sub-
20 mit to the Secretary an application at such time, in
21 such manner, and containing such information as
22 the Secretary may require.

23 “(2) CRITERIA.—The Secretary may award a
24 grant under subsection (a) to an institution or a
25 consortium if the institution or consortium meets
26 each of the following criteria:

1 “(A) The institution or consortium enrolls
2 in undergraduate or graduate courses—

3 “(i) a significant number of veteran
4 students, members of the Armed Forces
5 serving on active duty, and members of a
6 reserve component of the Armed Forces; or

7 “(ii) a significant percentage of vet-
8 eran students, as measured by comparing
9 the overall enrollment of the institution or
10 consortium to the number, for the most re-
11 cent academic year for which data are
12 available, of veteran students, members of
13 the Armed Forces serving on active duty,
14 and members of a reserve component of
15 the Armed Forces who are enrolled in un-
16 dergraduate or graduate courses at the in-
17 stitution or consortium.

18 “(B) The institution or consortium pre-
19 sents a sustainability plan to demonstrate that
20 the Veteran Student Center of such institution
21 or consortium will be maintained and will con-
22 tinue operations upon conclusion of the grant
23 period under subsection (a).

24 “(3) ADDITIONAL CRITERIA.—

1 “(A) MANDATORY CONSIDERATIONS.—In
2 awarding grants under subsection (a), the Sec-
3 retary shall consider institutions or consortia
4 representing a broad spectrum of sectors and
5 sizes, including institutions or consortia from
6 urban, suburban, and rural regions of the
7 United States.

8 “(B) DISCRETIONARY CRITERIA.—In
9 awarding grants under subsection (a), the Sec-
10 retary may provide consideration to institutions
11 or consortia that meet one or more of the fol-
12 lowing criteria:

13 “(i) The institution or consortium is
14 located in a region or community that has
15 a significant population of veterans.

16 “(ii) The institution or consortium
17 carries out programs or activities that as-
18 sist veterans in the local community and
19 the spouses of veteran students.

20 “(iii) The institution or consortium
21 partners in its veteran-specific program-
22 ming with non-profit veteran service orga-
23 nizations, local workforce development or-
24 ganizations, or institutions of higher edu-
25 cation.

1 “(iv) The institution or consortium
2 commits to hiring staff at the Veteran Stu-
3 dent Center that includes veterans (includ-
4 ing veteran student volunteers and veteran
5 students participating in a Federal work-
6 study program under part C of title IV, a
7 work-study program administered by the
8 Secretary of Veteran Affairs, or a State
9 work-study program).

10 “(v) The institution or consortium
11 commits to using a portion of the grant re-
12 ceived under this section to develop and
13 implement an early-warning veteran stu-
14 dent retention program designed to alert
15 staff at the Veteran Student Center that a
16 veteran student may be facing difficulties
17 that could lead to the non-completion of
18 the course of study of such veteran.

19 “(vi) The institution or consortium
20 commits to providing mental health coun-
21 seling to its veteran students and their
22 spouses.

23 “(vii) The institution or consortium
24 carries out programs or activities that as-
25 sist individuals pursuing a course of edu-

1 cation using educational assistance under
2 chapter 31 of title 38, United States Code.

3 “(c) USE OF FUNDS.—

4 “(1) IN GENERAL.—An institution or consor-
5 tium that is awarded a grant under subsection (a)
6 shall use such grant to establish, maintain, improve,
7 or operate a Veteran Student Center.

8 “(2) OTHER ALLOWABLE USES.—An institution
9 or consortium receiving a grant under subsection (a)
10 may use a portion of such funds to carry out sup-
11 portive instruction services for student veterans, in-
12 cluding—

13 “(A) assistance with special admissions
14 and transfer of credit from previous postsec-
15 ondary education or experience; and

16 “(B) any other support services the insti-
17 tution or consortium determines to be necessary
18 to ensure the success of veterans on campus in
19 achieving education and career goals.

20 “(d) AMOUNTS AWARDED.—

21 “(1) DURATION.—Each grant awarded under
22 subsection (a) shall be for a 4-year period.

23 “(2) TOTAL AMOUNT OF GRANT AND SCHED-
24 ULE.—Each grant awarded under subsection (a)
25 may not exceed a total of \$500,000. The Secretary

1 shall disburse to an institution or consortium the
2 amounts awarded under the grant in such amounts
3 and at such times during the grant period as the
4 Secretary determines appropriate.

5 “(e) REPORT.—From the amounts appropriated to
6 carry out this section, and not later than 3 years after
7 the date on which the first grant is awarded under sub-
8 section (a), the Secretary shall submit to Congress a re-
9 port on the grant program established under subsection
10 (a), including—

11 “(1) the number of grants awarded;

12 “(2) the institutions of higher education and
13 consortia that have received grants;

14 “(3) with respect to each such institution of
15 higher education and consortium—

16 “(A) the amounts awarded;

17 “(B) how such institution or consortium
18 used such amounts;

19 “(C) a description of the students to whom
20 services were offered as a result of the award;
21 and

22 “(D) data enumerating whether the use of
23 the amounts awarded helped veteran students
24 at the institution or consortium toward comple-
25 tion of a degree, certificate, or credential;

1 “(4) best practices for veteran student success,
2 identified by reviewing data provided by institutions
3 and consortia that received a grant under this sec-
4 tion; and

5 “(5) a determination by the Secretary with re-
6 spect to whether the grant program under this sec-
7 tion should be extended or expanded.

8 “(f) TERMINATION.—The authority of the Secretary
9 to carry out the grant program established under sub-
10 section (a) shall terminate on the date that is 4 years after
11 the date on which the first grant is awarded under sub-
12 section (a).

13 “(g) DEPARTMENT OF EDUCATION BEST PRACTICES
14 WEBSITE.—Subject to the availability of appropriations
15 under subsection (i) and not later than 3 years after the
16 date on which the first grant is awarded under subsection
17 (a), the Secretary shall develop and implement a website
18 for veteran student services at institutions of higher edu-
19 cation, which details best practices for serving veteran stu-
20 dents at institutions of higher education.

21 “(h) DEFINITIONS.—In this section:

22 “(1) INSTITUTION OF HIGHER EDUCATION.—
23 The term ‘institution of higher education’ has the
24 meaning given the term in section 101.

1 “(2) VETERAN STUDENT CENTER.—The term
2 ‘Veteran Student Center’ means a dedicated space
3 on a campus of an institution of higher education
4 that provides students who are veterans or members
5 of the Armed Forces with the following:

6 “(A) A lounge or meeting space for such
7 veteran students, their spouses or partners, and
8 veterans in the community.

9 “(B) A centralized office for veteran serv-
10 ices that—

11 “(i) is a single point of contact to co-
12 ordinate comprehensive support services
13 for veteran students;

14 “(ii) is staffed by trained employees
15 and volunteers, which includes veterans
16 and at least one full-time employee or vol-
17 unteer who is trained as a veterans’ bene-
18 fits counselor;

19 “(iii) provides veteran students with
20 assistance relating to—

21 “(I) transitioning from the mili-
22 tary to student life;

23 “(II) transitioning from the mili-
24 tary to the civilian workforce;

1 “(III) networking with other vet-
2 eran students and veterans in the
3 community;

4 “(IV) understanding and obtain-
5 ing benefits provided by the institu-
6 tion of higher education, Federal Gov-
7 ernment, and State for which such
8 students may be eligible;

9 “(V) understanding how to suc-
10 ceed in the institution of higher edu-
11 cation, including by understanding
12 academic policies, the course selection
13 process, and institutional policies and
14 practices related to the transfer of
15 academic credits; and

16 “(VI) understanding their dis-
17 ability-related rights and protections
18 under the Americans with Disabilities
19 Act of 1990 (42 U.S.C. 12101 et seq.)
20 and section 504 of the Rehabilitation
21 Act of 1973 (29 U.S.C. 794) ; and

22 “(iv) provides comprehensive academic
23 and tutoring services for veteran students,
24 including peer-to-peer tutoring and aca-
25 demic mentorship.

1 “(i) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to carry out this part
3 \$15,000,000 for fiscal year 2019 and each of the 5 suc-
4 ceeding fiscal years.”.

5 (b) CONTINUATION OF AWARDS.—An institution of
6 higher education that received a grant under section 873
7 of the Higher Education Act of 1965 (20 U.S.C. 1161t)
8 before the date of enactment of this Act, as such section
9 873 (20 U.S.C. 1161t) was in effect on the day before
10 the date of enactment of this Act, shall continue to receive
11 funds in accordance with the terms and conditions of such
12 grant.

13 **SEC. 8007. MODELING AND SIMULATION.**

14 Subsection (e) of section 891 (20 U.S.C. 1161v) is
15 amended, in the matter preceding paragraph (1), by strik-
16 ing the first sentence and inserting the following: “There
17 is authorized to be appropriated to carry out this section
18 \$75,000,000 for fiscal year 2019 and each of the 5 suc-
19 ceeding fiscal years.”

20 **SEC. 8008. CONFORMING AMENDMENTS.**

21 Section 894(f)(2)(C)(ii)(I) (20 U.S.C.
22 1161y(f)(2)(C)(ii)(I)) is amended by striking “section
23 401(b)(2)(A)” and inserting “section 401(b)(1)”.

1 **SEC. 8009. MANDATORY FUNDING FOR MASTERS AND**
2 **POSTBACCALAUREATE PROGRAMS.**

3 (a) MASTERS DEGREE PROGRAMS.—Section 897 (20
4 U.S.C. 1161aa) is amended by striking “\$11,500,000 for
5 fiscal year 2009 and for each of the five succeeding fiscal
6 years” and inserting “\$13,500,000 for fiscal year 2019
7 and each succeeding fiscal year”.

8 (b) POSTBACCALAUREATE PROGRAMS.—Section 898
9 (20 U.S.C., 1161aa-1) is amended—

10 (1) by striking “In addition” and inserting “(a)
11 ADDITIONAL APPROPRIATIONS FOR PART B OF
12 TITLE V.—In addition”;

13 (2) by striking “\$11,500,000 for fiscal year
14 2009 and for each of the five succeeding fiscal
15 years” and inserting “\$21,000,000 for fiscal year
16 2019 and each succeeding fiscal year”; and

17 (3) by adding at the end the following:

18 “(b) ADDITIONAL APPROPRIATIONS FOR PART A OF
19 TITLE VII.—In addition to any amounts appropriated
20 under subpart 5 of part 4 of title VII, there are authorized
21 to be appropriated, and there are appropriated, out of any
22 funds in the Treasury not otherwise appropriated,
23 \$13,000,000 for fiscal year 2019 and each of the 5 suc-
24 ceeding fiscal years to carry out subpart 5 of part A of
25 title VII.”.

1 **SEC. 8010. FUNDS FOR ACCESS TO OPEN EDUCATIONAL RE-**
2 **SOURCES.**

3 Title VIII (20 U.S.C. 1161a et seq.) is amended by
4 adding at the end the following:

5 **“PART BB—ACCESS TO OPEN EDUCATIONAL**
6 **RESOURCES**

7 **“SEC. 899. AFFORDABLE COLLEGE TEXTBOOKS.**

8 “(a) DEFINITIONS.—In this section:

9 “(1) EDUCATIONAL RESOURCE.—The term
10 ‘educational resource’ means a print or digital edu-
11 cational material that can be used in postsecondary
12 instruction, including textbooks and other written or
13 audiovisual works.

14 “(2) OPEN EDUCATIONAL RESOURCE.—The
15 term ‘open educational resource’ means a print or
16 digital educational resource that either resides in the
17 public domain or has been released under an intel-
18 lectual property license that permits its free use,
19 reuse, modification, and sharing with others.

20 “(3) OPEN TEXTBOOK.—The term ‘open text-
21 book’ means an open educational resource or set of
22 open educational resources that either is a textbook
23 or can be used in place of a textbook for a postsec-
24 ondary course at an institution of higher education.

25 “(4) RELEVANT FACULTY.—The term ‘relevant
26 faculty’ means both tenure track and contingent fac-

1 ulty members who may be involved in the creation
2 of open educational resources or the use of open
3 educational resources created as part of the grant
4 application.

5 “(b) GRANT PROGRAM.—

6 “(1) GRANTS AUTHORIZED.—From the
7 amounts appropriated under paragraph (9), the Sec-
8 retary shall make grants, on a competitive basis, to
9 eligible entities to support projects that expand the
10 use of high-quality open textbooks in order to
11 achieve savings for students while improving instruc-
12 tion and student learning outcomes.

13 “(2) ELIGIBLE ENTITY.—In this section, the
14 term ‘eligible entity’ means an institution of higher
15 education or group of institutions of higher edu-
16 cation.

17 “(3) APPLICATIONS.—

18 “(A) IN GENERAL.—Each eligible entity
19 desiring a grant under this subsection, after
20 consultation with relevant faculty, shall submit
21 an application to the Secretary at such time, in
22 such manner, and accompanied by such infor-
23 mation as the Secretary may reasonably re-
24 quire.

1 “(B) CONTENTS.—Each application sub-
2 mitted under subparagraph (A) shall include a
3 description of the project to be completed with
4 grant funds and—

5 “(i) a plan for promoting and track-
6 ing the use of open textbooks in postsec-
7 ondary courses offered by the eligible enti-
8 ty, including an estimate of the projected
9 savings that will be achieved for students;

10 “(ii) a plan for evaluating, before cre-
11 ating new open educational resources,
12 whether existing open educational re-
13 sources could be used or adapted for the
14 same purpose;

15 “(iii) a plan for quality review (includ-
16 ing peer review) and review of accuracy of
17 any open educational resources to be cre-
18 ated or adapted through the grant;

19 “(iv) a plan for assessing the impact
20 of open textbooks on instruction and stu-
21 dent learning outcomes at the eligible enti-
22 ty;

23 “(v) a plan for review of accessibility
24 of any open educational resources to be
25 created or adapted through the grant;

1 “(vi) a plan for disseminating infor-
2 mation about the results of the project to
3 institutions of higher education outside of
4 the eligible entity, including promoting the
5 adoption of any open textbooks created or
6 adapted through the grant;

7 “(vii) a statement on consultation
8 with relevant faculty, including those en-
9 gaged in the creation of open educational
10 resources, in the development of the appli-
11 cation; and

12 “(viii) an assurance that open edu-
13 cational resources utilized, developed, or
14 researched will be available in accessible
15 formats, which may include braille, audio
16 books, closed captioning, and audio de-
17 scriptions.

18 “(4) SPECIAL CONSIDERATION.—In awarding
19 grants under this section, the Secretary shall give
20 special consideration to applications that dem-
21 onstrate the greatest potential to—

22 “(A) achieve the highest level of savings
23 for students through sustainable expanded use
24 of high-quality open textbooks in postsecondary
25 courses offered by the eligible entity;

1 “(B) achieve improvements in student
2 learning and student outcomes;

3 “(C) expand the use of open textbooks at
4 institutions of higher education outside of the
5 eligible entity; and

6 “(D) produce—

7 “(i) the highest quality and most ac-
8 cessible open textbooks;

9 “(ii) open textbooks that can be most
10 easily utilized and adapted by faculty
11 members at institutions of higher edu-
12 cation;

13 “(iii) open textbooks that correspond
14 to the highest enrollment courses at insti-
15 tutions of higher education;

16 “(iv) open textbooks created or adapt-
17 ed in partnership with entities, including
18 campus bookstores, that will assist in mar-
19 keting and distribution of the open text-
20 book; and

21 “(v) Open textbooks that conform
22 with national accessibility standards.

23 “(5) USE OF FUNDS.—An eligible entity that
24 receives a grant under this section shall use the

1 grant funds to carry out the following activities to
2 expand the use of open textbooks:

3 “(A) Professional development for any fac-
4 ulty and staff members at institutions of higher
5 education, including the search for and review
6 of open textbooks.

7 “(B) Creation or adaptation of high-qual-
8 ity open educational resources that conform to
9 accessibility standards, especially open text-
10 books, and the quality assurance of such open
11 educational resources.

12 “(C) Development or improvement of tools
13 and informational resources that support the
14 use of open textbooks, including improving ac-
15 cessible instructional materials for students
16 with disabilities that are consistent with na-
17 tional accessibility standards.

18 “(D) Research evaluating the efficacy of
19 the use of open textbooks for achieving savings
20 for students and the impact on instruction and
21 student learning outcomes.

22 “(6) LICENSE.—

23 “(A) IN GENERAL.—Educational content
24 created under paragraph (5) shall be licensed
25 under a nonexclusive, irrevocable license to the

1 public to exercise any of the rights under copy-
2 right conditioned only on the requirement that
3 attribution be given as directed by the copyright
4 owner.

5 “(B) LIMITATION.—In this paragraph, the
6 term education content does not include the
7 technology or platform used to develop such
8 content.

9 “(7) ACCESS AND DISTRIBUTION.—The full and
10 complete digital content of each educational resource
11 created or adapted under paragraph (5) shall be
12 made available free of charge to the public—

13 “(A) on an easily accessible and interoper-
14 able website, which shall be identified to the
15 Secretary by the eligible entity;

16 “(B) in a machine readable, digital format
17 that anyone can directly download, edit with at-
18 tribution, and redistribute; and

19 “(C) in a fully accessible format in compli-
20 ance with the Americans with Disabilities Act
21 of 1990 (42 U.S.C. 12101 et seq.) and section
22 508 of the Rehabilitation Act of 1973 (29
23 U.S.C. 794d).

24 “(8) REPORT.—Upon an eligible entity’s com-
25 pletion of a project supported under this section, the

1 eligible entity shall prepare and submit a report to
2 the Secretary regarding—

3 “(A) the effectiveness of the project in ex-
4 panding the use of high-quality open textbooks
5 and in achieving savings for students;

6 “(B) the impact of the project on expand-
7 ing the use of open textbooks at institutions of
8 higher education outside of the eligible entity;

9 “(C) educational resources created or
10 adapted under the grant, including instructions
11 on where the public can access each educational
12 resource under the terms of paragraph (7);

13 “(D) information about the quality review
14 process that was used to ensure quality and ac-
15 curacy;

16 “(E) the impact of the project on instruc-
17 tion and student learning outcomes; and

18 “(F) all project costs, including the value
19 of any volunteer labor and institutional capital
20 used for the project.

21 “(9) AUTHORIZATION OF APPROPRIATIONS.—

22 There are authorized to be appropriated to carry out
23 this section \$5,000,000 for fiscal year 2019 and
24 each of the 5 succeeding fiscal years.

1 “(c) REPORT TO CONGRESS.—Not later than 2 years
2 after the date of enactment of this subsection, the Sec-
3 retary shall prepare and submit a report to authorizing
4 committees detailing—

5 “(1) the high-quality open textbooks created or
6 adapted under this section;

7 “(2) the adoption of such open textbooks;

8 “(3) the savings generated for students, States,
9 territories, and the Federal Government through the
10 use of open textbooks; and

11 “(4) the impact of open textbooks on instruc-
12 tion and student learning outcomes.

13 “(d) GAO REPORT.—Not later than 3 years after the
14 date of enactment of this subsection, the Comptroller Gen-
15 eral of the United States shall prepare and submit a re-
16 port to the authorizing committees on the cost of text-
17 books to students at institutions of higher education. The
18 report shall particularly examine—

19 “(1) the change of the cost of textbooks;

20 “(2) the factors that have contributed to the
21 change of the cost of textbooks, including the impact
22 of open textbooks on the cost;

23 “(3) the extent to which open textbooks are
24 used at institutions of higher education compared to

1 the use of open textbooks before the date of the en-
2 actment of this subsection;

3 “(4) how institutions are tracking the impact of
4 open textbooks on instruction and student learning
5 outcomes;

6 “(5) the availability of accessible forms of open
7 textbooks and the barriers faced by students with
8 disabilities in accessing accessible forms of open edu-
9 cational resources compared to the barriers faced in
10 accessing traditional educational materials; and

11 “(6) the barriers faced by other student popu-
12 lations, including low-income students, in accessing
13 high-quality open educational resources compared to
14 the barriers faced in accessing traditional edu-
15 cational materials.”.

16 **TITLE IX—AMENDMENTS TO** 17 **OTHER LAWS**

18 **PART A—EDUCATION OF THE DEAF ACT OF 1986**

19 **SEC. 9001. COMPOSITION OF BOARD OF TRUSTEES.**

20 Section 103(a)(1) of the Education of the Deaf Act
21 of 1986 (20 U.S.C. 4303(a)(1)) is amended—

22 (1) by striking “twenty-one” and inserting
23 “twenty-three”;

24 (2) in subparagraph (A)—

1 (A) by striking “three” and inserting
2 “four”; and

3 (B) in clause (i)—

4 (i) by striking “one” and inserting
5 “two”; and

6 (ii) by striking “Senator” and insert-
7 ing “Senators”; and

8 (3) in subparagraph (B), by striking “eighteen”
9 and inserting “nineteen”.

10 **SEC. 9002. ADMINISTRATIVE REQUIREMENTS OF LAURENT**
11 **CLERC NATIONAL DEAF EDUCATION CENTER.**

12 Section 104(b)(5) of the Education of the Deaf Act
13 of 1986 (20 U.S.C. 4304(b)(5)) is amended—

14 (1) in subparagraph (A)—

15 (A) by amending clause (i) to read as fol-
16 lows:

17 “(i) select challenging State academic
18 standards adopted and implemented under
19 section 1111(b)(1) of the Elementary and
20 Secondary Education Act of 1965 (20
21 U.S.C. 6311(b)(1));”.

22 (B) by redesignating clause (ii) as clause
23 (iii);

24 (C) by inserting after clause (i) the fol-
25 lowing:

1 “(ii) implement, through a contract or
2 other arrangement with a State, nation-
3 ally-recognized entity, or other agreement
4 approved by the Secretary, a set of high-
5 quality student academic assessments that
6 align with the challenging State academic
7 standards under clause (i) and are con-
8 sistent with the requirements of section
9 1111(b)(2) of the Elementary and Sec-
10 ondary Education Act of 1965 (20 U.S.C.
11 6311(b)(2); and”.

12 (D) in clause (iii), as so redesignated, by
13 striking “2016–2017” and inserting “2018–
14 2019”; and

15 (2) by amending subparagraph (B) to read as
16 follows:

17 “(B) develop and implement an accountability
18 system consistent with section 1111(c) of the Ele-
19 mentary and Secondary Education Act of 1965 (20
20 U.S.C. 6311(c)) that annually measures the aca-
21 demic achievement of all students; and”.

1 **SEC. 9003. FEDERAL ENDOWMENT PROGRAMS FOR GAL-**
2 **LAUDET UNIVERSITY AND THE NATIONAL**
3 **TECHNICAL INSTITUTE FOR THE DEAF.**

4 Section 207 of the Education of the Deaf Act of 1986
5 (20 U.S.C. 4357) is amended—

6 (1) in subsection (e), by striking “(and its non-
7 Federal match)”; and

8 (2) in subsection (g)(1), by striking “amounts
9 contributed to the fund from non-Federal sources,
10 and” and inserting “and the related”.

11 **PART B—TRIBALLY CONTROLLED COLLEGES**
12 **AND UNIVERSITIES ASSISTANCE ACT OF 1978**

13 **SEC. 9101. TRIBALLY CONTROLLED COLLEGES AND UNI-**
14 **VERSITIES ASSISTANCE ACT OF 1978.**

15 (a) DEFINITIONS.—Section 2 of the Tribally Con-
16 trolled Colleges and Universities Assistance Act of 1978
17 (25 U.S.C. 1801) is amended—

18 (1) in subsection (a)—

19 (A) in paragraph (7), by adding “and” at
20 the end;

21 (B) in paragraph (8), by striking “; and”
22 and inserting a period; and

23 (C) by striking paragraph (9); and

24 (2) in subsection (b)—

25 (A) by amending paragraph (1) to read as
26 follows:

1 “(1) Such number shall be calculated based on
2 the number of Indian students who are enrolled—

3 “(A) at the conclusion of the third week of
4 each academic term; or

5 “(B) on the fifth day of a shortened pro-
6 gram beginning after the conclusion of the third
7 full week of an academic term.”;

8 (B) in paragraph (3), by striking “for pur-
9 poses of obtaining” and inserting “solely for the
10 purpose of obtaining”; and

11 (C) by inserting after paragraph (5), the
12 following:

13 “(6) Enrollment data from the prior-prior aca-
14 demic year shall be used.”.

15 (b) **AUTHORIZATION OF APPROPRIATIONS.**—The
16 Tribally Controlled Colleges and Universities Assistance
17 Act of 1978 (25 U.S.C. 1801 et seq.) is amended by in-
18 serting after section 2 (25 U.S.C. 1801), the following:

19 **“SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

20 “(a) **TITLES I AND IV.**—There are authorized to be
21 appropriated \$57,412,000 for fiscal year 2019 and each
22 of the 5 succeeding fiscal years to carry out titles I and
23 IV.

1 “(b) TITLE V.—There are authorized to be appro-
2 priated \$7,414,000 for fiscal year 2019 and each of the
3 5 succeeding fiscal years to carry out title V.”.

4 (c) ELIGIBLE GRANT RECIPIENTS.—Section 103 of
5 the Tribally Controlled Colleges and Universities Assist-
6 ance Act of 1978 (25 U.S.C. 1801 et seq.). (20 U.S.C.
7 1804) is amended by striking paragraph (3) and inserting
8 the following:

9 “(3) the majority of students who are enrolled
10 in courses offered on campus are Indians.”.

11 (d) TECHNICAL ASSISTANCE; ELIGIBILITY STUD-
12 IES.—

13 (1) TECHNICAL ASSISTANCE CONTRACTS.—Sec-
14 tion 105(a)(2) of the Tribally Controlled Colleges
15 and Universities Assistance Act of 1978 (20 U.S.C.
16 1805(a)(2)) is amended by striking “college or uni-
17 versity” and inserting “colleges and universities”.

18 (2) ELIGIBILITY STUDIES.—Section 106 of the
19 Tribally Controlled Colleges and Universities Assist-
20 ance Act of 1978 (25 U.S.C. 1806) is amended—

21 (A) in subsection (a), by striking “Indian
22 Affairs” and inserting “Indian Education”;

23 (B) in subsection (b), by striking “for the
24 fiscal year succeeding” and inserting “for the
25 second fiscal year succeeding”; and

1 (C) in subsection (c)(2), by striking “5 per
2 centum” and inserting “1 percent”.

3 (e) REPEAL OF PLANNING GRANTS.—Section 104 of
4 the Tribally Controlled Colleges and Universities Assist-
5 ance Act of 1978 (25 U.S.C. 1804a) is repealed.

6 (f) GRANTS TO TRIBALLY CONTROLLED COLLEGES
7 AND UNIVERSITIES.—Section 107 of the Tribally Con-
8 trolled Colleges and Universities Assistance Act of 1978
9 (25 U.S.C. 1807) is amended—

10 (1) by striking subsection (c);

11 (2) by redesignating subsection (d) as sub-
12 section (c); and

13 (3) in subsection (c), as so redesignated, by in-
14 serting “higher education” after “national Indian”
15 both places it appears.

16 (g) AMOUNT OF GRANTS.—Section 108(b)(1) of the
17 Tribally Controlled Colleges and Universities Assistance
18 Act of 1978 (25 U.S.C. 1808(b)(1)) is amended—

19 (1) by striking “of the funds available for allot-
20 ment by October 15 or no later than 14 days after
21 appropriations become available” and inserting “ of
22 the amounts appropriated for any fiscal year on or
23 before July 1 of that fiscal year”; and

24 (2) by striking “January 1” and inserting
25 “September 30”;

1 (h) AUTHORIZATION OF APPROPRIATIONS.—Section
2 110(a) of the Tribally Controlled Colleges and Universities
3 Assistance Act of 1978 (25 U.S.C. 1810(a)) is amended
4 by striking “2009” each time it appears and inserting
5 “2019”.

6 (i) RULES AND REGULATIONS.—The Tribally Con-
7 trolled Colleges and Universities Assistance Act of 1978
8 (25 U.S.C. 1801 et seq.) is amended by striking section
9 115 (25 U.S.C. 1815).

10 (j) REPEAL OF ENDOWMENT PROGRAM.—

11 (1) REPEAL.—Title III of the Tribally Con-
12 trolled Colleges and Universities Assistance Act of
13 1978 (25 U.S.C. 1831 et seq.) is repealed.

14 (2) TRANSITION.—

15 (A) IN GENERAL.—Subject to subpara-
16 graph (B), title III of the Tribally Controlled
17 Colleges and Universities Assistance Act of
18 1978 (25 U.S.C. 1831 et seq.), as such title
19 was in effect on the day before the date of en-
20 actment of this Act, shall apply with respect to
21 any endowment fund established or funded
22 under such title before such date of enactment,
23 except that the Secretary of the Interior may
24 not make any grants or Federal capital con-
25 tributions under such title after such date.

1 (B) TERMINATION.—Subparagraph (A)
2 shall terminate on the date that is 20 years
3 after the date of enactment of this Act. On or
4 after such date, a tribally controlled college or
5 university may use the corpus (including the
6 Federal and institutional capital contribution)
7 of any endowment fund described in such sub-
8 paragraph to pay any expenses relating to the
9 operation or academic programs of such college
10 or university.

11 (k) TRIBAL ECONOMIC DEVELOPMENT; AUTHORIZA-
12 TION OF APPROPRIATIONS.—Section 403 of the Tribally
13 Controlled Colleges and Universities Assistance Act of
14 1978 (25 U.S.C. 1852) is amended by striking “for fiscal
15 year 2009” and all that follows through the period at the
16 end and inserting “from the amount made available under
17 section 3(a) for each fiscal year.”

18 (l) TRIBALLY CONTROLLED POSTSECONDARY CA-
19 REER AND TECHNICAL INSTITUTIONS.—Section 504 of
20 the Tribally Controlled Colleges and Universities Assist-
21 ance Act of 1978 (25 U.S.C. 1864) is amended by striking
22 “for fiscal year 2009” and all that follows through the
23 period at the end and inserting “from the amount made
24 available under section 3(b) for each fiscal year.”

1 (m) CLERICAL AMENDMENTS.—The Tribally Con-
2 trolled Colleges and Universities Assistance Act of 1978
3 (25 U.S.C. 1801 et seq.), as amended by subsections (a)
4 through (l), is further amended—

5 (1) by striking “Bureau of Indian Affairs” each
6 place it appears and inserting “Bureau of Indian
7 Education”;

8 (2) by striking “Navajo Community College
9 Act” each place it appears and inserting “Dine’ Col-
10 lege Act”;

11 (3) by striking “colleges or universities” each
12 place it appears, including in headings, and inserting
13 “colleges and universities”; and

14 (4) in section 109 (25 U.S.C. 1809), by redesi-
15 gnating the second subsection (c) as subsection (d).

16 **PART C—CARL D. PERKINS CAREER AND TECH-**
17 **NICAL EDUCATION ACT OF 2006 AMEND-**
18 **MENTS**

19 **SEC. 9201. ADDITIONAL AUTHORIZATION OF APPROPRIA-**
20 **TIONS.**

21 (a) POSTSECONDARY EDUCATION PROGRAMS.—Sec-
22 tion 132 of the Carl D. Perkins Career and Technical
23 Education Act of 2006 (20 U.S.C. 2352) is amended by
24 adding at the end the following:

1 “(d) ADDITIONAL AUTHORIZATION OF APPROPRIA-
2 TIONS.—

3 “(1) IN GENERAL.—In addition to the amounts
4 appropriated under section 9, there is authorized to
5 be appropriated to carry out this section
6 \$181,000,000 for fiscal year 2019 and each of the
7 5 succeeding fiscal years.

8 “(2) ALLOTMENT FORMULA.—From the
9 amount appropriated pursuant to paragraph (1), the
10 Secretary shall make allotments to a State for the
11 fiscal year in accordance with subparagraphs (A)
12 through (D) of section 111(a)(2).”.

13 (b) ASSISTANCE FOR OUTLYING AREAS.—Section
14 115 of the Carl D. Perkins Career and Technical Edu-
15 cation Act of 2006 (20 U.S.C. 2325) is amended—

16 (1) in subsection (b)(2), by inserting “from the
17 funds appropriated pursuant to subsection (e) and”
18 before “of the remainder”; and

19 (2) by adding at the end the following:

20 “(e) ADDITIONAL AUTHORIZATION OF APPROPRIA-
21 TIONS.—In addition to the amounts reserved pursuant to
22 section 111(a)(1)(A), there is authorized to be appro-
23 priated to carry out this section \$1,000,000 for fiscal year
24 2019 and each of the 5 succeeding fiscal years.”.

1 (c) ASSISTANCE FOR TRIBALLY CONTROLLED POST-
2 SECONDARY CAREER AND TECHNICAL INSTITUTIONS.—
3 Section 117(i) of the Carl D. Perkins Career and Tech-
4 nical Education Act of 2006 (20 U.S.C. 2327(i)) is
5 amended to read as follows:

6 “(i) AUTHORIZATION OF APPROPRIATIONS.—

7 “(1) IN GENERAL.—There is authorized to be
8 appropriated to carry out this section \$9,469,000 for
9 fiscal year 2019 and each of the 5 succeeding fiscal
10 years.

11 “(2) ADDITIONAL AMOUNT.—In addition to the
12 amounts appropriated under paragraph (1), there is
13 authorized to be appropriated to carry out this sec-
14 tion \$1,000,000 for fiscal year 2019 and each of the
15 5 succeeding fiscal years.”.

16 **PART D—GENERAL EDUCATION PROVISIONS ACT**

17 **SEC. 9301. SPECIAL ASSISTANT FOR EQUITY AND INCLU-**
18 **SION.**

19 Section 202(b) of the Department of Education Or-
20 ganization Act (20 U.S.C. 3412(b)) is amended—

21 (1) by re-designating paragraph (4) as para-
22 graph (5); and,

23 (2) by inserting after paragraph (3), the fol-
24 lowing:

1 “(4) Not later than 60 days after the date of
2 enactment of the Aim Higher Act, the Secretary
3 shall appoint a Special Assistant for Equity and In-
4 clusion who shall, with respect to the activities of the
5 Department—

6 “(A) promote, coordinate, and evaluate eq-
7 uity and inclusion programs, including the dis-
8 semination of information, technical assistance,
9 and coordination of research activities; and

10 “(B) advise the Secretary and Deputy Sec-
11 retary on all matters relating to equity and in-
12 clusion in a manner consistent with title VI of
13 the Civil Rights Act of 1964 (42 U.S.C. 2000d
14 et seq.).”.

15 **SEC. 9302. RELEASE OF EDUCATION RECORDS TO FACILI-**
16 **TATE THE AWARD OF A RECOGNIZED POST-**
17 **SECONDARY CREDENTIAL.**

18 Section 444(b) of the General Education Provisions
19 Act (20 U.S.C. 1232g(b)) is amended—

20 (1) in paragraph (1)—

21 (A) in subparagraph (K)(ii), by striking “;
22 and” and inserting a semicolon; and

23 (B) in subparagraph (L), by striking the
24 period at the end and inserting “; and”; and

1 (2) by inserting after subparagraph (L) the fol-
2 lowing:

3 “(M) an institution of postsecondary education
4 in which the student was previously enrolled, to
5 which records of postsecondary coursework and cred-
6 its are sent for the purpose of applying such
7 coursework and credits toward completion of a rec-
8 ognized postsecondary credential (as that term is de-
9 fined in section 3 of the Workforce Innovation and
10 Opportunity Act (29 U.S.C. 3102)), upon condition
11 that the student provides written consent prior to re-
12 ceiving such credential.”.

13 **PART E—EDUCATION SCIENCES REFORM ACT OF**
14 **2002**

15 **SEC. 9401. INCLUSION OF RACIAL SUBGROUPS IN IPEDS**
16 **DATA.**

17 Section 153(a)(3) of the Education Sciences Reform
18 Act of 2002 (20 U.S.C. 9543(a)(3)) is amended—

19 (1) by striking “feasible, information” and in-
20 serting the following: “feasible—

21 “(A) information”;

22 (2) by inserting “and” after the semicolon; and

23 (3) by adding at the end the following:

24 “(B) information, with respect to the Inte-
25 grated Postsecondary Education Data Survey,

1 that is disaggregated by race in a manner that
2 captures all the racial groups specified in the
3 U.S. Census Bureau’s American Community
4 Survey;”.