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(Original Signature of Member)

116TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To amend and strengthen the Higher Education Act of 1965 to lower the cost of college for students and families, to hold colleges accountable for students' success, and to give a new generation of students the opportunity to graduate on-time and transition to a successful career.

\_\_\_\_\_  
IN THE HOUSE OF REPRESENTATIVES

Mr. SCOTT of Virginia introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To amend and strengthen the Higher Education Act of 1965 to lower the cost of college for students and families, to hold colleges accountable for students' success, and to give a new generation of students the opportunity to graduate on-time and transition to a successful 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 “College Affordability 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

PART A—DEFINITIONS

- Sec. 1001. Definition of institution of higher education for purposes of title IV programs.
- Sec. 1002. Additional definitions.
- Sec. 1003. Gainful employment programs.

PART B—ADDITIONAL GENERAL PROVISIONS

- Sec. 1011. National Advisory Committee on Institutional Quality and Integrity.
- Sec. 1012. Disclosures of foreign gifts.
- Sec. 1013. Alcohol and substance misuse prevention.
- Sec. 1014. Exception to required registration with selective service system.
- Sec. 1015. Integrity of nonprofit institutions of higher education.
- Sec. 1016. Support and guidance for homeless individuals and foster care youth.
- Sec. 1017. Calculation of percentage of enrolled students receiving or eligible for Federal Pell Grants.
- Sec. 1018. Certification regarding the use of certain Federal funds.

PART C—COST OF HIGHER EDUCATION

- Sec. 1021. Consumer information.
- Sec. 1022. Postsecondary student data system.
- Sec. 1023. Avoiding duplicative reporting.
- Sec. 1024. Textbook information.
- Sec. 1025. Repeals.
- Sec. 1026. In-state tuition rates for homeless youth and foster care youth.

PART D—ADMINISTRATIVE PROVISIONS FOR DELIVERY OF STUDENT FINANCIAL ASSISTANCE

- Sec. 1031. Improvements to the Federal student aid office.

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, principals, 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 and school leader 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.

PART A—GRANTS TO STUDENTS IN ATTENDANCE AT INSTITUTIONS OF HIGHER EDUCATION

SUBPART 1—FEDERAL PELL GRANTS

- Sec. 4011. Amount of grants.
- Sec. 4012. 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. Federal Pell Grants on behalf of incarcerated individuals.

SUBPART 2—FEDERAL EARLY OUTREACH AND STUDENT SERVICES PROGRAMS

CHAPTER 1—FEDERAL TRIO PROGRAMS

- Sec. 4021. Program authority; authorization of appropriations.
- Sec. 4022. Talent search.
- Sec. 4023. Upward bound.
- Sec. 4024. Student support services.
- Sec. 4025. Postbaccalaureate achievement program authority.
- Sec. 4026. Educational opportunity centers.
- Sec. 4027. Staff developmental activities.
- Sec. 4028. Reports and evaluations.

CHAPTER 2—GAINING EARLY AWARENESS AND READINESS FOR UNDERGRADUATE PROGRAMS

- Sec. 4031. Gaining early awareness and readiness for undergraduate programs.

SUBPART 3—FEDERAL SUPPLEMENTAL EDUCATIONAL OPPORTUNITY GRANTS

- Sec. 4041. Purpose; appropriations authorized.
- Sec. 4042. Institutional eligibility.
- Sec. 4043. Allocation of funds.
- Sec. 4044. Emergency financial aid grant program.

SUBPART 4—SPECIAL PROGRAMS FOR STUDENTS WHOSE FAMILIES ARE  
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Sec. 4051. Special programs for students whose families are engaged in migrant and seasonal farmwork.

SUBPART 5—CHILD CARE ACCESS MEANS PARENTS IN SCHOOL

Sec. 4061. CCAMPIS Reauthorization.

SUBPART 6—JUMPSTART TO COLLEGE GRANT PROGRAMS

Sec. 4071. Jumpstart to college grant programs.

SUBPART 7—TEACH GRANTS

- Sec. 4081. Revised definitions of teach grants.
- Sec. 4082. Revisions to establishing teach grant program.
- Sec. 4083. Revisions to teach grant agreements to serve and eligibility.
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SUBPART 8—NORTHERN MARIANA ISLANDS AND AMERICAN SAMOA COLLEGE  
ACCESS

Sec. 4091. Northern Mariana Islands and American Samoa College access.

SUBPART 9—COMMUNITY COLLEGE STUDENT SUCCESS

- Sec. 4092. Community College Student Success Grant program authorized.
- Sec. 4093. Federal Pell Bonus Program.

PART B—FEDERAL FAMILY EDUCATION LOAN PROGRAM

- Sec. 4101. Termination of certain repayment plan options and opportunity to change repayment plans.
- Sec. 4102. Termination of interest capitalization for subsidized loans after certain periods.
- Sec. 4103. Termination of interest capitalization for PLUS loans after certain periods.
- Sec. 4104. Subsequent consolidation loans.
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- Sec. 4107. Disbursement of student loans.
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- Sec. 4110. Cohort default rates.
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- Sec. 4112. Repayment of parent loans due to student disability.

PART C—FEDERAL WORK-STUDY PROGRAMS

- Sec. 4201. Purpose; authorization of appropriations.
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#### PART D—FEDERAL DIRECT LOAN PROGRAM

- Sec. 4301. Program authority.
- Sec. 4302. Amendments to terms and conditions of loans and repayment plans.
- Sec. 4303. Amendments to terms and conditions of public service loan forgiveness.
- Sec. 4304. Federal Direct Perkins Loans terms and conditions.
- Sec. 4305. Common manual for loan servicers.
- Sec. 4306. Refinancing FFEL and Federal Direct Loans.
- Sec. 4307. Refinancing private student loans.

#### PART E—FEDERAL PERKINS LOANS

- Sec. 4401. Authorization of appropriations for Perkins loan.
- Sec. 4402. Allocation of funds for Perkins loan.
- Sec. 4403. Federal Direct Perkins loan allocation.
- Sec. 4404. Agreements with institutions of higher education for purposes of the Perkins loan program.
- Sec. 4405. Student loan information by eligible institutions for purposes of the Perkins loan program.
- Sec. 4406. Terms of loans for purposes of the Perkins loan program.
- Sec. 4407. Reimbursement for cancellation of Perkins loans for certain public service.
- Sec. 4408. Distribution of assets from student loan funds for purposes of the Perkins loan program.

#### PART F—NEED ANALYSIS

- Sec. 4501. Conforming amendment to family contribution.
- Sec. 4502. Amendments to data elements when determining the expected family contribution.
- Sec. 4503. Amendments to family contribution for dependent students.
- Sec. 4504. Amendments to family contribution for independent students without dependents other than a spouse.
- Sec. 4505. Amendments to family contribution for independent students with dependents other than a spouse.
- Sec. 4506. Institutional calculations for off-campus room and board.
- Sec. 4507. Updated tables and amounts to need analysis.
- Sec. 4508. Zero expected family contribution.
- Sec. 4509. Amendments to definitions in need analysis.

#### PART G—GENERAL PROVISIONS RELATING TO STUDENT ASSISTANCE PROGRAMS

- Sec. 4601. Definition of eligible program.
- Sec. 4602. Definition of third party servicer.
- Sec. 4603. FAFSA simplification.
- Sec. 4604. Student eligibility.
- Sec. 4606. Reinstatement of the 6-year statute of limitations for student loans.
- Sec. 4607. Student eligibility information for nutrition assistance programs.
- Sec. 4608. Exit counseling.
- Sec. 4609. Clery Act amendments.
- Sec. 4610. Online survey tool for campus safety.

- Sec. 4611. Transfer of credit policies.
- Sec. 4612. Amendments to institutional and financial assistance.
- Sec. 4613. Information with respect to crime statistics for programs of study abroad.
- Sec. 4614. Remedial education grants.
- Sec. 4615. Competency-based education.
- Sec. 4616. Competency-based education council.
- Sec. 4617. Written arrangements to provide educational programs.
- Sec. 4618. Improvements to program participation agreements.
- Sec. 4619. Compliance with the Civil Rights Act of 1964.
- Sec. 4620. Submission of data with respect to students with disabilities.
- Sec. 4621. Education program on hazing.
- Sec. 4622. Changes to program participation agreements to strengthen consumer protections.
- Sec. 4623. Misrepresentation and substantial misrepresentation defined.
- Sec. 4624. Teach-out plans.
- Sec. 4625. Experimental programs.
- Sec. 4626. Administrative expenses.
- Sec. 4627. Regional meetings and negotiated rulemaking.
- Sec. 4628. Income-based repayment plan.
- Sec. 4629. Fixed repayment plan.
- Sec. 4630. Requiring a common manual for loan servicers.
- Sec. 4631. Removal of record of default.
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- Sec. 4701. State responsibilities.

### SUBPART A—ACCREDITING AGENCY RECOGNITION

- Sec. 4711. Accrediting agency recognition of eligible job training programs.
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- Sec. 4713. Requirements for accrediting agency recognition.

### SUBPART B—PROGRAM REVIEW AND DATA

- Sec. 4721. Eligibility and certification procedures.
- Sec. 4722. Program review and data.

### SUBPART C—STRENGTHENING INSTITUTIONAL QUALITY

- Sec. 4731. Strengthening institutional quality.

## PART I—AMERICA'S COLLEGE PROMISE FEDERAL-STATE PARTNERSHIP

- Sec. 4801. Program authorized.
- Sec. 4802. Student Success Fund.
- Sec. 4803. Pathways to student success for Historically Black Colleges and Universities, Tribal Colleges and Universities, and Minority-Serving Institutions.
- Sec. 4804. Unmet need for Federal Pell Grant recipients.
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#### TITLE V—DEVELOPING INSTITUTIONS

Sec. 5001. Hispanic-serving institutions.

Sec. 5002. Promoting postbaccalaureate opportunities for Hispanic Americans.

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#### 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.

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#### TITLE VII—GRADUATE AND POSTSECONDARY IMPROVEMENT PROGRAMS

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Sec. 7003. Minority-serving institutions innovation fund.

Sec. 7004. Definitions.

Sec. 7005. Supporting postsecondary faculty, staff, and administrators in providing accessible education.

Sec. 7006. Office of Accessibility.

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Sec. 7008. National Technical Assistance Center and National Coordinating Center for Inclusion of Students with Intellectual Disabilities.

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

#### TITLE VIII—ADDITIONAL PROGRAMS

Sec. 8001. Ronald V. Dellums memorial STEAM scholars program.

Sec. 8002. Teach for America.

Sec. 8003. Patsy T. Mink Fellowship Program.

Sec. 8004. Improving science, technology, engineering, and mathematics education with a focus on American Indian, Alaska Native, and Native Hawaiian students.

Sec. 8005. Grants for rural-serving institutions of higher education.

Sec. 8006. Training for realtime writers to provide closed captioning and court reporting services.

Sec. 8007. Grant program to establish, maintain, and improve veteran student centers.

Sec. 8008. University Sustainability Program amendments.

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#### TITLE IX—DIRECTIVES TO THE SECRETARY OF EDUCATION

Sec. 9001. Providing that the Secretary of Education may not issue or enforce certain rules that weaken the enforcement of the prohibition of sex discrimination applicable under title IX of the Education Amendments of 1972.

- Sec. 9002. Study and report on single certification form.  
Sec. 9003. Longitudinal study on the effectiveness of student loan counseling.  
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Sec. 9006. Questions on food and housing insecurity in national postsecondary student aid study.  
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#### TITLE X—AMENDMENTS TO OTHER LAWS

##### PART A—EDUCATION OF THE DEAF ACT OF 1986

- Sec. 10001. Composition of Board of Trustees.  
Sec. 10002. Administrative requirements of Laurent Clerc National Deaf Education Center.  
Sec. 10003. 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. 10101. Tribally Controlled Colleges and Universities Assistance Act of 1978.

##### PART C—STRENGTHENING PROGRAM ALIGNMENT FOR POSTSECONDARY PERKINS CAREER AND TECHNICAL EDUCATION PROGRAMS

- Sec. 10201. Strengthening program alignment for postsecondary Perkins Career and Technical Education Programs.

##### PART E—GENERAL EDUCATION PROVISIONS ACT

- Sec. 10301. Release of education records to facilitate the award of a recognized postsecondary credential.

##### PART F—EDUCATION SCIENCES REFORM ACT OF 2002

- Sec. 10401. Inclusion of racial subgroups in IPEDS data.

##### PART G—U.S. INSTITUTE OF PEACE

- Sec. 10501. Reauthorization of the U.S. Institute of Peace.

## 1 **SEC. 2. REFERENCES.**

2       Except as otherwise expressly provided, whenever in  
3 this Act an amendment or repeal is expressed in terms  
4 of an amendment to, or repeal of, a section or other provi-  
5 sion, the reference shall be considered to be made to a  
6 section or other provision of the Higher Education Act of  
7 1965 (20 U.S.C. 1001 et seq.).



1 **SEC. 3. GENERAL EFFECTIVE DATE.**

2 Except as otherwise provided in this Act or the  
3 amendments made by this Act, this Act and the amend-  
4 ments made by this Act shall take effect on the date of  
5 enactment of this Act.

6 **TITLE I—GENERAL PROVISIONS**

7 **PART A—DEFINITIONS**

8 **SEC. 1001. DEFINITION OF INSTITUTION OF HIGHER EDU-**  
9 **CATION FOR PURPOSES OF TITLE IV PRO-**  
10 **GRAMS.**

11 Section 102(a)(4)(A) of Higher Education Act of  
12 1965 (20 U.S.C. 1002(a)(4)(A)) is amended by inserting  
13 “or receivership” after “that files for bankruptcy”.

14 **SEC. 1002. ADDITIONAL DEFINITIONS.**

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

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

19 (2) in paragraph (13), by inserting “con-  
20 trolled,” before “owned”; and

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

22 “(25) PUBLIC INSTITUTION OF HIGHER EDU-  
23 CATION.—The term ‘public institution of higher edu-  
24 cation’ means an institution of higher education—

25 “(A) for which all obligations of the insti-  
26 tution are valid and binding obligations of a

1 State (or of an equivalent governmental entity);  
2 and

3 “(B) for which the full faith and credit of  
4 such State (or equivalent governmental entity)  
5 is pledged for the timely payment of such obli-  
6 gations.

7 “(26) FOSTER CARE YOUTH.—The term ‘foster  
8 care youth’ means an individual whose care and  
9 placement is the responsibility of the State or tribal  
10 agency that administers a State or tribal plan under  
11 part B or E of title IV of the Social Security Act  
12 (42 U.S.C. 621 et seq.; 670 et seq.), without regard  
13 to whether foster care maintenance payments are  
14 made under section 472 of such Act (42 U.S.C. 672)  
15 on behalf of the individual, including any such indi-  
16 vidual who was in such care on or after attaining 13  
17 years of age and without regard to the reason the  
18 individual left such care.

19 “(27) FEDERAL EDUCATION ASSISTANCE  
20 FUNDS.—The term ‘Federal education assistance  
21 funds’—

22 “(A) except as provided in subparagraph  
23 (B), means any Federal funds provided, under  
24 this Act or any other Federal law, through a  
25 grant, contract, subsidy, loan, or guarantee, or

1 through insurance or other means (including  
2 Federal funds disbursed or delivered to an insti-  
3 tution or on behalf of a student or to a student  
4 to be used to attend the institution); and

5 “(B) does not include any monthly housing  
6 stipend provided under the Post-9/11 Edu-  
7 cational Assistance Program under chapter 33  
8 of title 38, United States Code.

9 “(28) **PROGRESS PERIOD STATUS.**—The term  
10 ‘progress period status’ means the status of an insti-  
11 tution of higher education that is determined by the  
12 Secretary to be in danger of failing to meet title IV  
13 eligibility criteria relating to student debt because  
14 the institution has an adjusted cohort default rate of  
15 not less than 10 percent and not more than 15 per-  
16 cent.”.

17 **SEC. 1003. GAINFUL EMPLOYMENT PROGRAMS.**

18 Part A of title I of the Higher Education Act of 1965  
19 (20 U.S.C. 1001 et seq.) is amended by adding at the end  
20 the following:

21 **“SEC. 104. PROGRAM OF TRAINING TO PREPARE STUDENTS**  
22 **FOR GAINFUL EMPLOYMENT IN A RECOG-**  
23 **NIZED OCCUPATION.**

24 “(a) **GAINFUL EMPLOYMENT PROGRAM DEFINED.**—  
25 In this Act (including for purposes of sections 101 and

1 102), the term ‘program of training to prepare students  
2 for gainful employment in a recognized occupation’ means  
3 a training program that—

4 “(1) is in compliance with the performance  
5 metrics (including the eligibility thresholds for each  
6 such metric) established under subsection (b)(1);

7 “(2) is in compliance with the notice require-  
8 ments under subsection (b)(1)(C)(i)(II);

9 “(3) is otherwise eligible to receive funds under  
10 title IV; and

11 “(4) is not a training program that is substan-  
12 tially similar to a training program which, during a  
13 period determined by the Secretary, did not meet  
14 one or more of the performance metrics (such as an  
15 eligibility threshold) described in paragraph (1).

16 “(b) SECRETARIAL REQUIREMENTS.—

17 “(1) ESTABLISHMENT OF REQUIREMENTS.—

18 “(A) IN GENERAL.—Not later than 18  
19 months after the date of enactment of the Col-  
20 lege Affordability Act, the Secretary shall estab-  
21 lish requirements that training programs shall  
22 meet to be programs of training to prepare stu-  
23 dents for gainful employment in a recognized  
24 occupation, which shall include—

1           “(i) establishing performance metrics  
2           (including eligibility thresholds for each  
3           such metric) described in subparagraph  
4           (B); and

5           “(ii) developing a disclosure template  
6           and a verification process for disclosures  
7           described in subparagraph (C).

8           “(B) PERFORMANCE METRICS.—

9           “(i) IN GENERAL.—In establishing the  
10           performance metrics under subparagraph  
11           (A)(i), the Secretary shall, at a minimum,  
12           establish the requirements for a debt-to-  
13           earnings rate that serves the best interests  
14           of students and taxpayers, which shall in-  
15           clude—

16                   “(I) a methodology for calcu-  
17                   lating such debt-to-earnings rate for a  
18                   training program, including—

19                           “(aa) a definition of the co-  
20                           hort of individuals on whom such  
21                           rate shall be based, who shall be  
22                           selected from the individuals who  
23                           were enrolled in such training  
24                           program (without regard to

1 whether the individuals received  
2 a loan for such enrollment);

3 “(bb) a determination of the  
4 debt amount for such rate based  
5 on the median annual loan pay-  
6 ment for the loans made under  
7 title IV and the private education  
8 loans received for such enroll-  
9 ment by such cohort; and

10 “(cc) a determination of the  
11 earnings amount for such rate  
12 based on the mean or median of  
13 the actual, student-level annual  
14 earnings for such cohort;

15 “(II) establishing a process (such  
16 as an appeals process) to authorize  
17 training programs to use alternate  
18 earnings in lieu of the mean or me-  
19 dian of the actual, student-level an-  
20 nual earnings of a cohort; and

21 “(III) establishing a threshold  
22 rate that each training program shall  
23 meet to be eligible to receive funds  
24 under title IV.

1           “(ii) EARNINGS DATA.—In deter-  
2           mining the mean or median of the actual,  
3           student-level annual earnings for purposes  
4           of this subparagraph, the Secretary shall  
5           obtain and use the most appropriate avail-  
6           able Federal data on such earnings.

7           “(C) DISCLOSURE TEMPLATE.—The Sec-  
8           retary shall develop—

9           “(i) a disclosure template that—

10           “(I) is consumer tested; and

11           “(II) is used by each institution  
12           of higher education that offers a  
13           training program to provide enrolled  
14           and prospective students (including  
15           through publication on the website of  
16           such institution of higher education  
17           for such training program)—

18           “(aa) on an annual basis,  
19           student outcome information for  
20           such program (including the  
21           debt-to-earnings rate and wheth-  
22           er the eligibility threshold for any  
23           other performance metric estab-  
24           lished under subparagraph (A)(i)  
25           has been met); and

1                   “(bb) in a case in which the  
2                   training program receives a no-  
3                   tice of determination under para-  
4                   graph (2)(B) that the program  
5                   may be ineligible for funds under  
6                   title IV, or may receive other  
7                   sanctions, not later than 30 days  
8                   after receipt of such notice, an  
9                   explanation of such notice of de-  
10                  termination; and

11                  “(ii) a process to annually verify that  
12                  each institution of higher education that  
13                  offers a training program is providing the  
14                  disclosures required under clause (i)(II).

15                  “(2) ENFORCEMENT OF REQUIREMENTS.—Not  
16                  later than 2 years after the Secretary establishes re-  
17                  quirements under paragraph (1), and annually  
18                  thereafter, the Secretary shall, with respect to each  
19                  training program that meets the definition of sub-  
20                  section (a) or that seeks to meet such definition—

21                  “(A) calculate the debt-to-earnings rate  
22                  and assess performance with respect to any  
23                  other metric established under paragraph  
24                  (1)(A)(i) for the preceding award year, and



1 make such information publicly available on the  
2 website of the Department;

3 “(B) issue a notice of determination on  
4 whether the program is meeting the require-  
5 ments established by the Secretary, including  
6 whether the program shall be subject to sanc-  
7 tions (such as loss of eligibility under title IV);  
8 and

9 “(C) enforce the applicable sanctions.”.

## 10 **PART B—ADDITIONAL GENERAL PROVISIONS**

### 11 **SEC. 1011. NATIONAL ADVISORY COMMITTEE ON INSTITU-** 12 **TIONAL QUALITY AND INTEGRITY.**

13 Section 114 of the Higher Education Act of 1965 (20  
14 U.S.C. 1011c) is amended by striking subsection (f).

### 15 **SEC. 1012. DISCLOSURES OF FOREIGN GIFTS.**

16 (a) IN GENERAL.—Section 117 of the Higher Edu-  
17 cation Act of 1965 (20 U.S.C. 1011f) is amended—

18 (1) in subsection (b)—

19 (A) in paragraph (1), by adding at the end  
20 the following: “In this paragraph, the term ‘ag-  
21 gregate dollar amount’ includes the fair market  
22 value of staff members, textbooks, and other in-  
23 kind gifts.”; and

24 (B) in paragraph (2), by inserting “In this  
25 paragraph, the term ‘aggregate dollar amount’

1 includes the fair market value of staff members,  
2 textbooks, and other in-kind gifts.” after “each  
3 foreign government.”;

4 (2) 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 (3) 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 on searchable database under  
17 which institutions can be individually identified and  
18 compared. Not later than 60 days after the date of  
19 the enactment of the College Affordability Act, the  
20 Secretary shall make available in the same manner  
21 as described in the preceding sentence, each disclo-  
22 sure report received under this section on or after  
23 January 1, 2000, to the extent that the Secretary  
24 has access to such report.”; and

1           (4) by amending subsection (g) to read as fol-  
2           lows:

3           “(g) REGULATIONS.—

4           “(1) IN GENERAL.—Not later than 2 years  
5           after the date of the enactment of the College Af-  
6           fordability Act, the Secretary shall issue regulations  
7           to carry out this section.

8           “(2) PROCEDURE.—Regulations under para-  
9           graph (1) shall be—

10           “(A) developed through the negotiated  
11           rulemaking process under section 492;

12           “(B) developed with consultation from  
13           stakeholders; and

14           “(C) published in the Federal Register in  
15           accordance with section 482.”; and

16           (5) in subsection (h)—

17           (A) in paragraph (3), by striking “or prop-  
18           erty” and inserting “property, human re-  
19           sources, or payment of any staff;”; and

20           (B) in paragraph (5)(B), by inserting “in-  
21           stitutes, instructional programs,” after “cen-  
22           ters,”.

23           (b) APPLICABILITY.—The amendments made by this  
24           section shall apply to institutions under section 117 of the  
25           Higher Education Act of 1965 (20 U.S.C. 1011f) on the

1 date that is 2 years after the date of the enactment of  
2 this section.

3 **SEC. 1013. ALCOHOL AND SUBSTANCE MISUSE PREVEN-**  
4 **TION.**

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

7 (1) in the section heading, by striking “**DRUG**  
8 **AND ALCOHOL ABUSE**” and inserting “**ALCOHOL**  
9 **AND SUBSTANCE MISUSE**”;

10 (2) in subsection (a)—

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

18 (B) by amending paragraph (1)(C) to read  
19 as follows:

20 “(C) a description of the health-risks asso-  
21 ciated with the use of illicit drugs and alcohol  
22 and substance misuse;”;

23 (C) by amending paragraph (1)(D) to read  
24 as follows:

1           “(D) a description of any alcohol or sub-  
2           stance misuse counseling, treatment, rehabilita-  
3           tion, recovery, re-entry, or recovery support  
4           programs provided by the institution (including  
5           in partnership with a community-based organi-  
6           zation) that are available to employees or stu-  
7           dents;” and

8           (D) in paragraph (1)(E), by striking “that  
9           the institution will impose” and inserting “of  
10          the policies of the institution regarding”;

11          (3) in subsection (c)—

12           (A) in paragraph (1)—

13           (i) by striking “and” at the end of  
14           subparagraph (A);

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

17           (iii) by adding at the end the fol-  
18           lowing:

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

22           (B) by redesignating paragraph (2) as  
23           paragraph (4); and

24           (C) by inserting after paragraph (1) the  
25           following:

1           “(2) INTERAGENCY AGREEMENT.—Not later  
2 than 180 days after the date of enactment of the  
3 College Affordability Act, the Secretary shall enter  
4 into a interagency agreement with the Secretary of  
5 Health and Human Services to—

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

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

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

22           “(3) GUIDANCE.—Not later than 1 year after  
23 the date of enactment of the College Affordability  
24 Act, the Secretary shall, in coordination with the  
25 Secretary of Health and Human Services, issue

1 guidance with respect to the criteria described in  
2 paragraph (2)(A).”; and

3 (4) in subsection (e)—

4 (A) in the subsection heading, by striking  
5 “**DRUG ABUSE**” in the heading and inserting  
6 “**SUBSTANCE MISUSE**”;

7 (B) in paragraph (1)—

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

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

1 (iii) by striking “alcohol and drug  
2 abuse” and inserting “substance use dis-  
3 order”;

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

7 (D) by inserting after paragraph (1) the  
8 following:

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

14 “(A) Providing programs for recovery sup-  
15 port services, and peer-to-peer support services  
16 and counseling for students with a substance  
17 use disorder.

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

22 “(C) Promoting integrated care services  
23 for students related to screening, diagnosis, pre-  
24 vention, and treatment of mental, behavioral,  
25 and substance use disorders.



1           “(D) Providing re-entry assistance for stu-  
2           dents on academic probation due to their sub-  
3           stance use disorder.

4           “(E) Preventing fatal and nonfatal  
5           overdoses.

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

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

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

17                  “(iii) safely de-escalating crisis situa-  
18                  tions involving individuals with a substance  
19                  use disorder.”; and

20           (E) by amending paragraph (6), as redes-  
21           ignated by subparagraph (C), to read as fol-  
22           lows:

23           “(6) AUTHORIZATION OF APPROPRIATIONS.—

24           There are authorized to be appropriated to carry out

1 this section \$15,000,000 for fiscal year 2021 and  
2 each of the 5 succeeding fiscal years.”.

3 (b) EFFECTIVE DATES.—

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

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

12 **SEC. 1014. EXCEPTION TO REQUIRED REGISTRATION WITH**  
13 **SELECTIVE SERVICE SYSTEM.**

14 Part B of title I of the Higher Education Act of 1965  
15 (20 U.S.C. 1011 et seq.) is amended by adding at the end  
16 the following:

17 **“SEC. 124. EXCEPTION TO REQUIRED REGISTRATION WITH**  
18 **SELECTIVE SERVICE SYSTEM.**

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

1 cordance with any proclamation, rule, or regulation issued  
2 under such section.”.

3 **SEC. 1015. INTEGRITY OF NONPROFIT INSTITUTIONS OF**  
4 **HIGHER EDUCATION.**

5 Part B of title I of the Higher Education Act of 1965  
6 (20 U.S.C. 1011 et seq.), as amended by this part, is fur-  
7 ther amended by adding at the end the following:

8 **“SEC. 125. INTEGRITY OF NONPROFIT INSTITUTIONS OF**  
9 **HIGHER EDUCATION.**

10 “(a) DETERMINATION.—The Secretary may approve  
11 the conversion of an institution of higher education to a  
12 nonprofit institution of higher education only if the Sec-  
13 retary determines that such institution of higher education  
14 meets the requirements under subsection (b).

15 “(b) APPLICATION.—To be eligible to convert and  
16 participate as a nonprofit institution of higher education  
17 under this Act, an institution of higher education shall  
18 submit an application to the Secretary that demonstrates  
19 each of the following:

20 “(1) That the institution of higher education  
21 that submits such application is controlled, owned,  
22 and operated by one or more nonprofit corporations  
23 or associations, no part of the net earnings of which  
24 inures, or may lawfully inure, to the benefit of any  
25 private shareholder or individual.

1           “(2) That any assets or services acquired by the  
2 institution of higher education that submits such ap-  
3 plication from former owners of such institution of  
4 higher education were not acquired for more than  
5 the value of such assets or services.

6           “(3) That no member of the governing board of  
7 the institution of higher education that submits such  
8 application (other than ex officio members serving at  
9 the pleasure of the remainder of the governing board  
10 and receiving a fixed salary), or any person with the  
11 power to appoint or remove members of such gov-  
12 erning board or any immediate family member of  
13 such a member of the board or such a person with  
14 power of appointment, receives any substantial di-  
15 rect or indirect economic benefit (including a lease,  
16 promissory note, or other contract) from such insti-  
17 tution of higher education.

18           “(4) That the institution of higher education  
19 that submits such application is an organization de-  
20 scribed in section 501(c)(3) of the Internal Revenue  
21 Code of 1986 and is exempt from taxation under  
22 section 501(a) of such Code.

23           “(5) Subject to subsection (c), that none of the  
24 core functions of the institution of higher education  
25 that submits such application are under the control

1 of, or subject to significant direction from, an entity  
2 that is not a public institution of higher education  
3 or other nonprofit entity.

4 “(c) PRESUMPTION OF SIGNIFICANT DIRECTION.—  
5 For purposes of paragraph (5) of subsection (b), in the  
6 case of an institution of higher education that submits an  
7 application under such subsection, there shall be a conclu-  
8 sive presumption that an entity (other than such institu-  
9 tion of higher education) exercises significant direction  
10 over such institution if one or more of the employees or  
11 owners of the entity serves as an officer, member of the  
12 board, or person holding similar authority for such institu-  
13 tion.

14 “(d) TRANSITION PERIOD.—In the case of a propri-  
15 etary institution of higher education (as defined in section  
16 102(b)) approved for conversion under subsection (a), for  
17 a period of at least 5 years that begins on the date such  
18 institution is approved for such conversion, the institution  
19 shall be subject to any provision of this Act and any regu-  
20 lations that apply to proprietary institutions of higher edu-  
21 cation.

22 “(e) VALUE.—The term ‘value’, with respect to an  
23 acquisition under subsection (b)(2)—

1           “(1) includes the value of any ongoing relation-  
2           ship (including any contract, agreement, lease or  
3           other arrangement);

4           “(2) subject to paragraph (3), may be dem-  
5           onstrated through—

6                   “(A) a third-party appraisal based on com-  
7                   parable assets acquired by, or goods or services  
8                   procured by, nonprofit corporations in similar  
9                   market conditions;

10                   “(B) an independent financing of the ac-  
11                   quisition based upon the assets acquired; or

12                   “(C) a full and open competition in the ac-  
13                   quisition of services or assets, as such term is  
14                   defined in section 2.101(b) of title 48, Code of  
15                   Federal Regulations, as in effect on the date of  
16                   the enactment of this section; and

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

21           “(f) PUBLICATION.—

22                   “(1) APPLICATION.—Before the Secretary may  
23                   approve the conversion of an institution of higher  
24                   education under subsection (a), the application of  
25                   such institution submitted to the Secretary under

1 subsection (b) shall be published in the Federal Reg-  
2 ister with an appropriate notice and comment pe-  
3 riod.

4 “(2) DETERMINATION.—The Secretary shall  
5 publish each determination under this section, and  
6 the reasons for such determination, under the Fed-  
7 eral Register.

8 “(g) PUBLIC REPRESENTATION AND MARKETING OF  
9 NONPROFIT STATUS.—An institution of higher education  
10 shall not promote or market itself, in any manner, as a  
11 nonprofit institution of higher education unless—

12 “(1) in the case of an institution of higher edu-  
13 cation that seeks to convert to a nonprofit institu-  
14 tion of higher education under this section—

15 “(A) the Secretary has given final approval  
16 of the conversion of the institution to a non-  
17 profit institution of higher education under this  
18 section;

19 “(B) an accrediting agency or association  
20 recognized by the Secretary pursuant to section  
21 496 has approved the nonprofit status of the  
22 institution; and

23 “(C) the State has given final approval to  
24 the institution as a nonprofit institution of  
25 higher education, as applicable; and

1 “(2) the Commissioner of Internal Revenue has  
2 approved the institution as tax exempt for purposes  
3 of the Internal Revenue Code of 1986.

4 “(h) OFFICE TO MONITOR NONPROFIT INTEGRITY.—  
5 Not later than 1 year after the date of enactment of the  
6 College Affordability Act, the Secretary shall establish an  
7 office within the Department with the expertise necessary  
8 to carry out this section.

9 **“SEC. 126. REVIEW OF GOVERNANCE.**

10 “The Secretary shall review the governance of an in-  
11 stitution of higher education when such institution has en-  
12 gaged in transactions or arrangements determined by the  
13 Secretary as potential indicators of private inurement, in  
14 order to promote the highest standards of nonprofit integ-  
15 rity.”.

16 **SEC. 1016. SUPPORT AND GUIDANCE FOR HOMELESS INDIVIDUALS AND FOSTER CARE YOUTH.**

18 Part B of title I of the Higher Education Act of 1965  
19 (20 U.S.C. 1011 et seq.), as amended by this part, is fur-  
20 ther amended by adding at the end the following:

21 **“SEC. 127. SUPPORT AND GUIDANCE FOR HOMELESS INDIVIDUALS AND FOSTER CARE YOUTH.**

23 “(a) GUIDANCE.—Not later than 120 days after the  
24 date of enactment of the College Affordability Act, the  
25 Secretary shall issue revised guidance for institutions of



1 higher education and financial aid administrators regard-  
2 ing serving homeless individuals and foster care youth, in-  
3 cluding the requirements of the determination process for  
4 financial aid administrators as specified in section 480(d).

5 “(b) PROFESSIONAL DEVELOPMENT.—Beginning not  
6 later than 1 year after the date of enactment of the Col-  
7 lege Affordability Act, the Secretary shall conduct an an-  
8 nual professional development or training program, such  
9 as a webinar, for liaisons described under section 485(k)  
10 and interested faculty or staff regarding postsecondary  
11 education services for such homeless individuals and foster  
12 care youth.

13 “(c) REPORT.—Not later than 1 year after the date  
14 of enactment of the College Affordability Act, and not less  
15 than once every 5 years thereafter, the Secretary shall pre-  
16 pare and submit to Congress a report containing strate-  
17 gies used by institutions, financial aid administrators, and  
18 liaisons described under section 485(k) that were effective  
19 in meeting the needs of such homeless individuals and fos-  
20 ter care youth, including strategies relating to stream-  
21 lining financial aid policies and procedures and postsec-  
22 ondary education recruitment, retention, and completion.

23 “(d) HOMELESS INDIVIDUAL DEFINED.—In this sec-  
24 tion, the term ‘homeless individual’ has the meaning given  
25 the term in section 402A.”.

1 **SEC. 1017. CALCULATION OF PERCENTAGE OF ENROLLED**  
2 **STUDENTS RECEIVING OR ELIGIBLE FOR**  
3 **FEDERAL PELL GRANTS.**

4 Part B of title I of the Higher Education Act of 1965  
5 (20 U.S.C. 1011 et seq.), as amended by this part, is fur-  
6 ther amended by adding at the end the following:

7 **“SEC. 128. CALCULATION OF PERCENTAGE OF ENROLLED**  
8 **STUDENTS RECEIVING OR ELIGIBLE FOR**  
9 **FEDERAL PELL GRANTS.**

10 “Beginning on the date of enactment of the College  
11 Affordability Act, for purposes of calculating under this  
12 Act the percentage of students enrolled at an institution  
13 of higher education or in a program who are receiving  
14 Federal Pell Grants under section 401 or who are eligible  
15 to receive such grants, the total number of students who  
16 are counted as enrolled in such institution or program  
17 shall not include students who are dually or concurrently  
18 enrolled in the institution or program and a secondary  
19 school.”.

20 **SEC. 1018. CERTIFICATION REGARDING THE USE OF CER-**  
21 **TAIN FEDERAL FUNDS.**

22 (a) IN GENERAL.—Part B of title I of the Higher  
23 Education Act of 1965 (20 U.S.C. 1011 et seq.), as  
24 amended by this part, is further amended by adding at  
25 the end the following:

1 **“SEC. 129. CERTIFICATION REGARDING THE USE OF CER-**  
2 **TAIN FEDERAL FUNDS.**

3 “(a) PROHIBITION.—No Federal funds received  
4 under this Act by an institution of higher education or  
5 other postsecondary educational institution may be used  
6 to pay any person for influencing or attempting to influ-  
7 ence an officer or employee of any agency, a Member of  
8 Congress, an officer or employee of Congress, or an em-  
9 ployee of a Member of Congress in connection with any  
10 Federal action described in subsection (b).

11 “(b) APPLICABILITY.—The prohibition in subsection  
12 (a) applies with respect to the following Federal actions:

13 “(1) The awarding of any Federal contract.

14 “(2) The making of any Federal grant.

15 “(3) The making of any Federal loan.

16 “(4) The entering into of any Federal coopera-  
17 tive agreement.

18 “(5) The extension, continuation, renewal,  
19 amendment, or modification of any Federal contract,  
20 grant, loan, or cooperative agreement.

21 “(c) LOBBYING AND EARMARKS.—No Federal stu-  
22 dent aid funding under this Act may be used to hire a  
23 registered lobbyist or pay any person or entity for securing  
24 an earmark.

25 “(d) CERTIFICATION.—Each institution of higher  
26 education or other postsecondary educational institution

1 receiving Federal funding under this Act, as a condition  
2 for receiving such funding, shall annually certify to the  
3 Secretary that the requirements of subsections (a) through  
4 (c) have been met.

5 “(e) ACTIONS TO IMPLEMENT AND ENFORCE.—The  
6 Secretary shall take such actions as are necessary to en-  
7 sure that the provisions of this section are implemented  
8 and enforced.”.

9 (b) CONFORMING AMENDMENT.—Section 119 of the  
10 Higher Education Opportunity Act (20 U.S.C. 1011m) is  
11 repealed.

## 12 **PART C—COST OF HIGHER EDUCATION**

### 13 **SEC. 1021. CONSUMER INFORMATION.**

14 Section 132(i)(1) of the Higher Education Act of  
15 1965 (20 U.S.C. 1015a(i)(1)) is amended—

16 (1) in subparagraph (T), by striking “rate,”  
17 and inserting “rate and adjusted cohort default  
18 rate,”; and

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

20 “(AA) The institution’s expenditures on  
21 each of the following:

22 “(i) Instruction.

23 “(ii) Student services.

24 “(iii) Marketing.

25 “(iv) Recruitment.

1 “(v) Advertising.

2 “(vi) Lobbying.”.

3 **SEC. 1022. POSTSECONDARY STUDENT DATA SYSTEM.**

4 (a) POSTSECONDARY STUDENT DATA SYSTEM.—Sec-  
5 tion 132 of the Higher Education Act of 1965 (20 U.S.C.  
6 1015a) is amended—

7 (1) by redesignating subsection (l) as subsection  
8 (m); and

9 (2) by inserting after subsection (k) the fol-  
10 lowing:

11 “(l) POSTSECONDARY STUDENT DATA SYSTEM.—

12 “(1) IN GENERAL.—

13 “(A) ESTABLISHMENT OF SYSTEM.—The  
14 Commissioner of the National Center for Edu-  
15 cation Statistics (referred to in this subsection  
16 as the ‘Commissioner’) shall develop and main-  
17 tain a secure, privacy-protected postsecondary  
18 student-level data system in order to—

19 “(i) accurately evaluate student en-  
20 rollment patterns, progression, completion,  
21 and postcollegiate outcomes, and higher  
22 education costs and financial aid;

23 “(ii) assist with transparency, institu-  
24 tional improvement, and analysis of Fed-  
25 eral aid programs;

1           “(iii) provide accurate, complete, and  
2           customizable information for students and  
3           families making decisions about postsec-  
4           ondary education; and

5           “(iv) reduce the reporting burden on  
6           institutions of higher education, in accord-  
7           ance with section 1022(b)(2) of the College  
8           Affordability Act.

9           “(B) AVOIDING DUPLICATED REPORT-  
10          ING.—Notwithstanding any other provision of  
11          this section, to the extent that another provi-  
12          sion of this section requires the same reporting  
13          or collection of data that is required under this  
14          subsection, an institution of higher education,  
15          or the Secretary or Commissioner, may use the  
16          reporting or data required for the postsec-  
17          ondary student data system under this sub-  
18          section to satisfy both requirements.

19          “(C) DEVELOPMENT PROCESS.—In devel-  
20          oping the postsecondary student data system  
21          described in this subsection, the Commissioner  
22          shall—

23                 “(i) focus on the needs of—

24                         “(I) users of the data system;  
25                         and

1                   “(II) entities, including institu-  
2                   tions of higher education, reporting to  
3                   the data system;

4                   “(ii) take into consideration, to the  
5                   extent practicable—

6                   “(I) the guidelines outlined in the  
7                   U.S. Web Design Standards main-  
8                   tained by the General Services Admin-  
9                   istration and the Digital Services  
10                  Playbook and TechFAR Handbook for  
11                  Procuring Digital Services Using  
12                  Agile Processes of the U.S. Digital  
13                  Service; and

14                  “(II) the relevant successor docu-  
15                  ments or recommendations of such  
16                  guidelines;

17                  “(iii) use modern, relevant privacy-  
18                  and security-enhancing technology, and en-  
19                  hance and update the data system as nec-  
20                  essary to carry out the purpose of this sub-  
21                  section;

22                  “(iv) ensure data privacy and security  
23                  is consistent with any Federal law relating  
24                  to privacy or data security, including—

1           “(I) the requirements of sub-  
2 chapter II of chapter 35 of title 44,  
3 United States Code, specifying secu-  
4 rity categorization under the Federal  
5 Information Processing Standards or  
6 any relevant successor of such stand-  
7 ards;

8           “(II) security requirements that  
9 are consistent with the Federal agency  
10 responsibilities in section 3554 of title  
11 44, United States Code, or any rel-  
12 evant successor of such responsibil-  
13 ities; and

14           “(III) security requirements,  
15 guidelines, and controls consistent  
16 with cybersecurity standards and best  
17 practices developed by the National  
18 Institute of Standards and Tech-  
19 nology, including frameworks, con-  
20 sistent with section 2(c) of the Na-  
21 tional Institute of Standards and  
22 Technology Act (15 U.S.C. 272(c)), or  
23 any relevant successor of such frame-  
24 works;



1           “(v) follow Federal data minimization  
2 practices to ensure only the minimum  
3 amount of data is collected to meet the  
4 system’s goals, in accordance with Federal  
5 data minimization standards and guide-  
6 lines developed by the National Institute of  
7 Standards and Technology; and

8           “(vi) provide notice to students out-  
9 lining the data included in the system and  
10 how the data are used.

11       “(2) DATA ELEMENTS.—

12           “(A) IN GENERAL.—The Commissioner, in  
13 consultation with the Postsecondary Student  
14 Data System Advisory Committee established  
15 under subparagraph (B), shall determine—

16           “(i) the data elements to be included  
17 in the postsecondary student data system,  
18 in accordance with subparagraphs (C) and  
19 (D); and

20           “(ii) how to include the data elements  
21 required under subparagraph (C), and any  
22 additional data elements selected under  
23 subparagraph (D), in the postsecondary  
24 student data system.

1                   “(B) POSTSECONDARY STUDENT DATA  
2                   SYSTEM ADVISORY COMMITTEE.—

3                   “(i) ESTABLISHMENT.—The Commis-  
4                   sioner shall establish a Postsecondary Stu-  
5                   dent Data System Advisory Committee (re-  
6                   ferred to in this subsection as the ‘Advi-  
7                   sory Committee’), whose members shall in-  
8                   clude—

9                   “(I) the Chief Privacy Officer of  
10                   the Department or an official of the  
11                   Department delegated the duties of  
12                   overseeing data privacy at the Depart-  
13                   ment;

14                   “(II) the Chief Security Officer  
15                   of the Department or an official of  
16                   the Department delegated the duties  
17                   of overseeing data security at the De-  
18                   partment;

19                   “(III) representatives of diverse  
20                   institutions of higher education, which  
21                   shall include equal representation be-  
22                   tween 2-year and 4-year institutions  
23                   of higher education, and from public,  
24                   nonprofit, and proprietary institutions

1 of higher education, including minor-  
2 ity-serving institutions;

3 “(IV) representatives from State  
4 higher education agencies, entities,  
5 bodies, or boards;

6 “(V) representatives of postsec-  
7 ondary students;

8 “(VI) representatives from rel-  
9 evant Federal agencies; and

10 “(VII) other stakeholders (in-  
11 cluding individuals with expertise in  
12 data privacy and security, consumer  
13 protection, and postsecondary edu-  
14 cation research).

15 “(ii) REQUIREMENTS.—The Commis-  
16 sioner shall ensure that the Advisory Com-  
17 mittee—

18 “(I) adheres to all requirements  
19 under the Federal Advisory Com-  
20 mittee Act (5 U.S.C. App.);

21 “(II) establishes operating and  
22 meeting procedures and guidelines  
23 necessary to execute its advisory du-  
24 ties; and

1                   “(III) is provided with appro-  
2                   priate staffing and resources to exe-  
3                   cute its advisory duties.

4                   “(C) REQUIRED DATA ELEMENTS.—The  
5                   data elements in the postsecondary student  
6                   data system shall include, at a minimum, the  
7                   following:

8                   “(i) Student-level data elements nec-  
9                   essary to calculate the information within  
10                  the surveys designated by the Commis-  
11                  sioner as ‘student-related surveys’ in the  
12                  Integrated Postsecondary Education Data  
13                  System (IPEDS), as such surveys are in  
14                  effect on the day before the date of enact-  
15                  ment of the College Affordability Act, ex-  
16                  cept that in the case that collection of such  
17                  elements would conflict with subparagraph  
18                  (F), such elements in conflict with sub-  
19                  paragraph (F) shall be included in the ag-  
20                  gregate instead of at the student level.

21                  “(ii) Student-level data elements nec-  
22                  essary to allow for reporting student en-  
23                  rollment, persistence, retention, transfer,  
24                  and completion measures for all credential  
25                  levels separately (including certificate, as-

1 sociate, baccalaureate, and advanced de-  
2 gree levels), within and across institutions  
3 of higher education (including across all  
4 categories of institution level, control, and  
5 predominant degree awarded). The data  
6 elements shall allow for reporting about all  
7 such data disaggregated by the following  
8 categories:

9 “(I) Enrollment status as a first-  
10 time student, recent transfer student,  
11 or other non-first-time student.

12 “(II) Attendance intensity,  
13 whether full-time or part-time.

14 “(III) Credential-seeking status,  
15 by credential level.

16 “(IV) Race or ethnicity (in ac-  
17 cordance with section 153(a)(3)(B) of  
18 the Education Sciences Reform Act  
19 (20 U.S.C. 9543(a)(3)(B))).

20 “(V) Age intervals.

21 “(VI) Gender.

22 “(VII) Program of study (as ap-  
23 plicable).

24 “(VIII) Military or veteran ben-  
25 efit status (as determined based on

1 receipt of veteran's education benefits,  
2 as defined in section 480(c)).

3 “(IX) Status as a distance edu-  
4 cation student, whether exclusively or  
5 partially enrolled in distance edu-  
6 cation.

7 “(X) Federal Pell Grant and  
8 Federal loan recipient status, provided  
9 that the collection of such information  
10 complies with paragraph (1)(B).

11 “(D) OTHER DATA ELEMENTS.—

12 “(i) IN GENERAL.—The Commissioner  
13 may, after consultation with the Advisory  
14 Committee and provision of a public com-  
15 ment period, include additional data ele-  
16 ments in the postsecondary student data  
17 system, such as those described in clause  
18 (ii), if those data elements—

19 “(I) are necessary to ensure that  
20 the postsecondary data system fulfills  
21 the purposes described in paragraph  
22 (1)(A); and

23 “(II) are consistent with data  
24 minimization principles, including the  
25 collection of only those additional ele-

1                   ments that are necessary to ensure  
2                   such purposes.

3                   “(ii) DATA ELEMENTS.—The data ele-  
4                   ments described in clause (i) may in-  
5                   clude—

6                               “(I) status as a first generation  
7                               college student (as defined in section  
8                               402A(h));

9                               “(II) economic status;

10                              “(III) participation in postsec-  
11                              ondary remedial coursework or gate-  
12                              way course completion; or

13                              “(IV) other data elements that  
14                              are necessary in accordance with  
15                              clause (i).

16                              “(E) REEVALUATION.—Not less than once  
17                              every 3 years after the implementation of the  
18                              postsecondary student data system described in  
19                              this subsection, the Commissioner, in consulta-  
20                              tion with the Advisory Committee described in  
21                              subparagraph (B), shall review the data ele-  
22                              ments included in the postsecondary student  
23                              data system and may revise the data elements  
24                              to be included in such system.

1           “(F) PROHIBITIONS.—The Commissioner  
2 shall not include individual health data (includ-  
3 ing data relating to physical health or mental  
4 health), student discipline records or data, ele-  
5 mentary and secondary education data, an  
6 exact address, citizenship status, migrant sta-  
7 tus, or national origin status for students or  
8 their families, course grades, postsecondary en-  
9 trance examination results, political affiliation,  
10 or religion in the postsecondary student data  
11 system under this subsection.

12           “(3) PERIODIC MATCHING WITH OTHER FED-  
13 ERAL DATA SYSTEMS.—

14           “(A) DATA SHARING AGREEMENTS.—

15           “(i) The Commissioner shall ensure  
16 secure, periodic data matches by entering  
17 into data sharing agreements with each of  
18 the following Federal agencies and offices:

19           “(I) The Secretary of the Treas-  
20 ury and the Commissioner of the In-  
21 ternal Revenue Service, in order to  
22 calculate aggregate program- and in-  
23 stitution-level earnings of postsec-  
24 ondary students.



1                   “(II) The Secretary of Defense,  
2                   in order to assess the use of postsec-  
3                   ondary educational benefits and the  
4                   outcomes of servicemembers.

5                   “(III) The Secretary of Veterans  
6                   Affairs, in order to assess the use of  
7                   postsecondary educational benefits  
8                   and outcomes of veterans.

9                   “(IV) The Director of the Bu-  
10                  reau of the Census, in order to assess  
11                  the occupational and earnings out-  
12                  comes of former postsecondary edu-  
13                  cation students.

14                  “(V) The Chief Operating Officer  
15                  of the Office of Federal Student Aid,  
16                  in order to analyze the use of postsec-  
17                  ondary educational benefits provided  
18                  under this Act.

19                  “(ii) The heads of Federal agencies  
20                  and offices described under clause (i) shall  
21                  enter into data sharing agreements with  
22                  the Commissioner to ensure secure, peri-  
23                  odic data matches as described in this  
24                  paragraph.

1           “(B) CATEGORIES OF DATA.—The Com-  
2           missioner shall, at a minimum, seek to ensure  
3           that the secure periodic data system matches  
4           described in subparagraph (A) permit con-  
5           sistent reporting of the following categories of  
6           data for all postsecondary students:

7                   “(i) Enrollment, retention, transfer,  
8                   and completion outcomes for all postsec-  
9                   ondary students.

10                   “(ii) Financial indicators for postsec-  
11                   ondary students receiving Federal grants  
12                   and loans, including grant and loan aid by  
13                   source, cumulative student debt, loan re-  
14                   payment status, and repayment plan.

15                   “(iii) Post-completion outcomes for all  
16                   postsecondary students, including earnings,  
17                   employment, and further education, by  
18                   program of study and credential level and  
19                   as measured—

20                           “(I) immediately after leaving  
21                           postsecondary education; and

22                           “(II) at time intervals appro-  
23                           priate to the credential sought and  
24                           earned.

1                   “(C) PERIODIC DATA MATCH STREAM-  
2                   LINING AND CONFIDENTIALITY.—

3                   “(i) STREAMLINING.—In carrying out  
4                   the secure periodic data system matches  
5                   under this paragraph, the Commissioner  
6                   shall—

7                   “(I) ensure that such matches  
8                   are not continuous, but occur at ap-  
9                   propriate intervals, as determined by  
10                  the Commissioner; and

11                  “(II) seek to—

12                  “(aa) streamline the data  
13                  collection and reporting require-  
14                  ments for institutions of higher  
15                  education;

16                  “(bb) minimize duplicative  
17                  reporting across or within Fed-  
18                  eral agencies or departments, in-  
19                  cluding reporting requirements  
20                  applicable to institutions of high-  
21                  er education under the Workforce  
22                  Innovation and Opportunity Act  
23                  (29 U.S.C. 3101 et seq.) and the  
24                  Carl D. Perkins Career and  
25                  Technical Education Act of 2006;

1                   “(cc) protect student pri-  
2                   vacy; and

3                   “(dd) streamline the applica-  
4                   tion process for student loan ben-  
5                   efit programs available to bor-  
6                   rowers based on data available  
7                   from different Federal data sys-  
8                   tems.

9                   “(ii) REVIEW.—Not less often than  
10                  once every 3 years after the establishment  
11                  of the postsecondary student data system  
12                  under this subsection, the Commissioner,  
13                  in consultation with the Advisory Com-  
14                  mittee, shall review methods for stream-  
15                  lining data collection from institutions of  
16                  higher education and minimizing duplica-  
17                  tive reporting within the Department and  
18                  across Federal agencies that provide data  
19                  for the postsecondary student data system.

20                  “(iii) CONFIDENTIALITY.—The Com-  
21                  missioner shall ensure that any periodic  
22                  matching or sharing of data through peri-  
23                  odic data system matches established in  
24                  accordance with this paragraph—

1           “(I) complies with the security  
2           and privacy protections described in  
3           paragraph (1)(C)(iv) and other Fed-  
4           eral data protection protocols;

5           “(II) follows industry best prac-  
6           tices commensurate with the sensi-  
7           tivity of specific data elements or  
8           metrics;

9           “(III) does not result in the cre-  
10          ation of a single standing, linked Fed-  
11          eral database at the Department that  
12          maintains the information reported  
13          across other Federal agencies; and

14          “(IV) discloses to postsecondary  
15          students what data are included in the  
16          data system and periodically matched  
17          and how the data are used.

18          “(iv) CORRECTION.—The Commis-  
19          sioner, in consultation with the Advisory  
20          Committee, shall establish a process for  
21          students to request access to only their  
22          personal information for inspection and re-  
23          quest corrections to inaccuracies in a man-  
24          ner that protects the student’s personally  
25          identifiable information. The Commissioner

1           shall respond in writing to every request  
2           for a correction from a student.

3           “(4) PUBLICLY AVAILABLE INFORMATION.—

4           “(A) IN GENERAL.—The Commissioner  
5           shall make the summary aggregate information  
6           described in subparagraph (C), at a minimum,  
7           publicly available through a user-friendly con-  
8           sumer information website and analytic tool  
9           that—

10           “(i) provides appropriate mechanisms  
11           for users to customize and filter informa-  
12           tion by institutional and student character-  
13           istics;

14           “(ii) allows users to build summary  
15           aggregate reports of information, including  
16           reports that allow comparisons across mul-  
17           tiple institutions and programs, subject to  
18           subparagraph (B);

19           “(iii) uses appropriate statistical dis-  
20           closure limitation techniques necessary to  
21           ensure that the data released to the public  
22           cannot be used to identify specific individ-  
23           uals; and

24           “(iv) provides users with appropriate  
25           contextual factors to make comparisons,

1           which may include national median figures  
2           of the summary aggregate information de-  
3           scribed in subparagraph (C).

4           “(B) NO PERSONALLY IDENTIFIABLE IN-  
5           FORMATION AVAILABLE.—The summary aggre-  
6           gate information described in this paragraph  
7           shall not include personally identifiable informa-  
8           tion.

9           “(C) SUMMARY AGGREGATE INFORMATION  
10          AVAILABLE.—The summary aggregate informa-  
11          tion described in this paragraph shall, at a min-  
12          imum, include each of the following for each in-  
13          stitution of higher education:

14                 “(i) Measures of student access, in-  
15                 cluding—

16                         “(I) admissions selectivity and  
17                         yield; and

18                         “(II) enrollment, disaggregated  
19                         by each category described in para-  
20                         graph (2)(C)(ii).

21                 “(ii) Measures of student progression,  
22                 including retention rates and persistence  
23                 rates, disaggregated by each category de-  
24                 scribed in paragraph (2)(C)(ii).

1 “(iii) Measures of student completion,  
2 including—

3 “(I) transfer rates and comple-  
4 tion rates, disaggregated by each cat-  
5 egory described in paragraph  
6 (2)(C)(ii); and

7 “(II) number of completions,  
8 disaggregated by each category de-  
9 scribed in paragraph (2)(C)(ii).

10 “(iv) Measures of student costs, in-  
11 cluding—

12 “(I) tuition, required fees, total  
13 cost of attendance, and net price after  
14 total grant aid, disaggregated by in-  
15 State tuition or in-district tuition sta-  
16 tus (if applicable), program of study  
17 (if applicable), and credential level;  
18 and

19 “(II) typical grant amounts and  
20 loan amounts received by students re-  
21 ported separately from Federal, State,  
22 local, and institutional sources, and  
23 cumulative debt, disaggregated by  
24 each category described in paragraph  
25 (2)(C)(ii) and completion status.



1           “(v) Measures of postcollegiate stu-  
2           dent outcomes, including employment  
3           rates, mean and median earnings, loan re-  
4           payment and default rates, and further  
5           education rates. These measures shall—

6                       “(I) be disaggregated by each  
7                       category described in paragraph  
8                       (2)(C)(ii) and completion status; and

9                       “(II) be measured immediately  
10                      after leaving postsecondary education  
11                      and at time intervals appropriate to  
12                      the credential sought or earned.

13           “(D) DEVELOPMENT CRITERIA.—In devel-  
14           oping the method and format of making the in-  
15           formation described in this paragraph publicly  
16           available, the Commissioner shall—

17                      “(i) focus on the needs of the users of  
18                      the information, which will include stu-  
19                      dents, families of students, potential stu-  
20                      dents, researchers, and other consumers of  
21                      education data;

22                      “(ii) take into consideration, to the  
23                      extent practicable, the guidelines described  
24                      in paragraph (1)(C)(ii)(I), and relevant

1 successor documents or recommendations  
2 of such guidelines;

3 “(iii) use modern, relevant technology  
4 and enhance and update the postsecondary  
5 student data system with information, as  
6 necessary to carry out the purpose of this  
7 paragraph;

8 “(iv) ensure data privacy and security  
9 in accordance with standards and guide-  
10 lines developed by the National Institute of  
11 Standards and Technology, and in accord-  
12 ance with any other Federal law relating to  
13 privacy or security, including complying  
14 with the requirements of subchapter II of  
15 chapter 35 of title 44, United States Code,  
16 specifying security categorization under the  
17 Federal Information Processing Standards,  
18 and security requirements, and setting of  
19 National Institute of Standards and Tech-  
20 nology security baseline controls at the ap-  
21 propriate level; and

22 “(v) conduct consumer testing to de-  
23 termine how to make the information as  
24 meaningful to users as possible.

25 “(5) PERMISSIBLE DISCLOSURES OF DATA.—

1 “(A) DATA REPORTS AND QUERIES.—

2 “(i) IN GENERAL.—The Commissioner  
3 shall develop and implement a secure proc-  
4 ess for making student-level, non-person-  
5 ally identifiable information, with direct  
6 identifiers removed, from the postsec-  
7 ondary student data system available for  
8 vetted research and evaluation purposes  
9 approved by the Commissioner in a man-  
10 ner compatible with practices for disclosing  
11 National Center for Education Statistics  
12 restricted-use survey data as in effect on  
13 the day before the date of enactment of the  
14 College Affordability Act, or by applying  
15 other research and disclosure restrictions  
16 to ensure data privacy and security. Such  
17 process shall be approved by the National  
18 Center for Education Statistics’ Disclosure  
19 Review Board (or successor body).

20 “(ii) PROVIDING DATA REPORTS AND  
21 QUERIES TO INSTITUTIONS AND STATES.—

22 “(I) IN GENERAL.—The Commis-  
23 sioner shall provide feedback reports,  
24 at least annually, to each institution  
25 of higher education, each postsec-

1           ondary education system that fully  
2           participates in the postsecondary stu-  
3           dent data system, and each State  
4           higher education body as designated  
5           by the governor.

6                       “(II) FEEDBACK REPORTS.—The  
7           feedback reports provided under this  
8           clause shall include program-level and  
9           institution-level information from the  
10          postsecondary student data system re-  
11          garding students who are associated  
12          with the institution or, for State rep-  
13          resentatives, the institutions within  
14          that State, on or before the date of  
15          the report, on measures including stu-  
16          dent mobility and workforce outcomes,  
17          provided that the feedback aggregate  
18          summary reports protect the privacy  
19          of individuals.

20                      “(III) DETERMINATION OF CON-  
21          TENT.—The content of the feedback  
22          reports shall be determined by the  
23          Commissioner, in consultation with  
24          the Advisory Committee.

1           “(iii) PERMITTING STATE DATA QUE-  
2           RIES.—The Commissioner shall, in con-  
3           sultation with the Advisory Committee and  
4           as soon as practicable, create a process  
5           through which States may submit lists of  
6           secondary school graduates within the  
7           State to receive summary aggregate out-  
8           comes for those students who enrolled at  
9           an institution of higher education, includ-  
10          ing postsecondary enrollment and college  
11          completion, provided that those data pro-  
12          tect the privacy of individuals and that the  
13          State data submitted to the Commissioner  
14          are not stored in the postsecondary edu-  
15          cation system.

16          “(iv) REGULATIONS.—The Commis-  
17          sioner shall promulgate regulations to en-  
18          sure fair, secure, and equitable access to  
19          data reports and queries under this para-  
20          graph.

21          “(B) DISCLOSURE LIMITATIONS.—In car-  
22          rying out the public reporting and disclosure re-  
23          quirements of this subsection, the Commis-  
24          sioner shall use appropriate statistical disclo-  
25          sure limitation techniques necessary to ensure

1           that the data released to the public cannot in-  
2           clude personally identifiable information or be  
3           used to identify specific individuals.

4           “(C) SALE OF DATA PROHIBITED.—Data  
5           collected under this subsection, including the  
6           public-use data set and data comprising the  
7           summary aggregate information available under  
8           paragraph (4), shall not be sold to any third  
9           party by the Commissioner, including any insti-  
10          tution of higher education or any other entity.

11          “(D) LIMITATION ON USE BY OTHER FED-  
12          ERAL AGENCIES.—

13                 “(i) IN GENERAL.—The Commissioner  
14                 shall not allow any other Federal agency to  
15                 use data collected under this subsection for  
16                 any purpose except—

17                         “(I) for vetted research and eval-  
18                         uation conducted by the other Federal  
19                         agency, as described in subparagraph  
20                         (A)(i); or

21                         “(II) for a purpose explicitly au-  
22                         thorized by this subsection.

23                 “(ii) PROHIBITION ON LIMITATION OF  
24                 SERVICES.—The Secretary, or the head of  
25                 any other Federal agency, shall not use

1 data collected under this subsection to  
2 limit services to students.

3 “(E) LAW ENFORCEMENT.—Personally  
4 identifiable information collected under this  
5 subsection shall not be used for any Federal,  
6 State, or local law enforcement activity or any  
7 other activity that would result in adverse ac-  
8 tion against any student or a student’s family,  
9 including debt collection activity or enforcement  
10 of immigration laws.

11 “(F) LIMITATION OF USE FOR FEDERAL  
12 RANKINGS OR SUMMATIVE RATING SYSTEM.—  
13 The comprehensive data collection and analysis  
14 necessary for the postsecondary student data  
15 system under this subsection shall not be used  
16 by the Secretary or any Federal entity to estab-  
17 lish any Federal ranking system of institutions  
18 of higher education or a system that results in  
19 a summative Federal rating of institutions of  
20 higher education.

21 “(G) RULE OF CONSTRUCTION.—Nothing  
22 in this paragraph shall be construed to prevent  
23 the use of individual categories of aggregate in-  
24 formation to be used for accountability pur-  
25 poses.

1           “(H) RULE OF CONSTRUCTION REGARDING  
2           COMMERCIAL USE OF DATA.—Nothing in this  
3           paragraph shall be construed to prohibit third-  
4           party entities from using publicly-available in-  
5           formation in this data system for commercial  
6           use.

7           “(6) SUBMISSION OF DATA.—

8           “(A) REQUIRED SUBMISSION.—Each insti-  
9           tution of higher education participating in a  
10          program under title IV, or the assigned agent  
11          of such institution, shall, in accordance with  
12          section 487(a)(17), collect, and submit to the  
13          Commissioner, the data requested by the Com-  
14          missioner to carry out this subsection.

15          “(B) VOLUNTARY SUBMISSION.—Any post-  
16          secondary institution not participating in a pro-  
17          gram under title IV may voluntarily participate  
18          in the postsecondary student data system under  
19          this subsection by collecting and submitting  
20          data to the Commissioner, as the Commissioner  
21          may request to carry out this subsection.

22          “(C) PERSONALLY IDENTIFIABLE INFOR-  
23          MATION.—In accordance with paragraph  
24          (2)(C)(i), if the submission of an element of  
25          student-level data is prohibited under para-



1 graph (2)(F) (or otherwise prohibited by law),  
2 the institution of higher education shall submit  
3 that data to the Commissioner in the aggregate.

4 “(7) UNLAWFUL WILLFUL DISCLOSURE.—

5 “(A) IN GENERAL.—It shall be unlawful  
6 for any person who obtains or has access to  
7 personally identifiable information in connection  
8 with the postsecondary student data system de-  
9 scribed in this subsection to willfully disclose to  
10 any person (except as authorized by Federal  
11 law) such personally identifiable information.

12 “(B) PENALTY.—Any person who violates  
13 subparagraph (A) shall be subject to a penalty  
14 described under section 513 of the Confidential  
15 Information Protection and Statistical Effi-  
16 ciency Act of 2002 (44 U.S.C. 3501 note) and  
17 section 183(d)(6) of the Education Sciences Re-  
18 form Act of 2002 (20 U.S.C. 9573(d)(6)).

19 “(C) EMPLOYEE OF OFFICER OF THE  
20 UNITED STATES.—If a violation of subpara-  
21 graph (A) is committed by any officer or em-  
22 ployee of the United States, the officer or em-  
23 ployee shall be dismissed from office or dis-  
24 charged from employment upon conviction for  
25 the violation.

1           “(8) DATA SECURITY.—The Commissioner shall  
2           produce and update as needed guidance and regula-  
3           tions relating to privacy, security, and access which  
4           shall govern the use and disclosure of data collected  
5           in connection with the activities authorized in this  
6           subsection. The guidance and regulations developed  
7           and reviewed shall protect data from unauthorized  
8           access, use, and disclosure, and shall include—

9                   “(A) an audit capability, including manda-  
10                  tory and regularly conducted audits;

11                  “(B) access controls;

12                  “(C) requirements to ensure sufficient data  
13                  security, quality, validity, and reliability;

14                  “(D) student confidentiality protection in  
15                  accordance with the Confidential Information  
16                  Protection and Statistical Efficiency Act;

17                  “(E) appropriate and applicable privacy  
18                  and security protection, including data retention  
19                  and destruction protocols and data minimiza-  
20                  tion, in accordance with the most recent Fed-  
21                  eral standards developed by the National Insti-  
22                  tute of Standards and Technology; and

23                  “(F) protocols for managing a breach, in-  
24                  cluding breach notifications, in accordance with

1           the standards of National Center for Education  
2           Statistics.

3           “(9) DATA COLLECTION.—The Commissioner  
4           shall ensure that data collection, maintenance, and  
5           use under this subsection complies with section 552a  
6           of title 5, United States Code.

7           “(10) DEFINITIONS.—In this subsection:

8                   “(A) INSTITUTION OF HIGHER EDU-  
9                   CATION.—The term ‘institution of higher edu-  
10                   cation’ has the meaning given the term in sec-  
11                   tion 102.

12                   “(B) PERSONALLY IDENTIFIABLE INFOR-  
13                   MATION.—The term ‘personally identifiable in-  
14                   formation’ has the meaning given the term in  
15                   section 444 of the General Education Provi-  
16                   sions Act (20 U.S.C. 1232g).”.

17           (b) EFFECTIVE DATE; TRANSITION PROVISIONS.—

18                   (1) EFFECTIVE DATE.—This section, and the  
19                   amendments made by this section, shall take effect  
20                   on the date that is 4 years after the date of enact-  
21                   ment of this section.

22                   (2) IN GENERAL.—The Secretary of Education  
23                   and the Commissioner for Education Statistics shall  
24                   take such steps as are necessary to ensure that the  
25                   transition to, and implementation of, the postsec-

1       ondary student data system required under section  
2       132(l) of the Higher Education Act of 1965, as  
3       added by this section, is carried out in a manner  
4       that reduces the reporting burden for entities that  
5       reported into the Integrated Postsecondary Edu-  
6       cation Data System (IPEDS).

7       **SEC. 1023. AVOIDING DUPLICATIVE REPORTING.**

8       Section 132 of the Higher Education Act of 1965 (20  
9       U.S.C. 1015a), as amended by section 1022, is further  
10      amended by adding at the end the following:

11      “(n) AVOIDING DUPLICATIVE REPORTING.—If the  
12      Secretary determines that the same reporting or collection  
13      of data that is required under subsection (l) is required  
14      by another reporting or collection of data requirement  
15      under this Act (other than under subsection (l)), the Sec-  
16      retary may—

17          “(1) use the data reported or collected under  
18          subsection (l); and

19          “(2) waive the other reporting or collection of  
20          data requirement.”.

21      **SEC. 1024. TEXTBOOK INFORMATION.**

22      Section 133 of the Higher Education Act of 1965 (20  
23      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”; and

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, subscription mod-  
21                 els, or digital content distribution platforms”  
22                 after “delivery programs”.

23 **SEC. 1025. REPEALS.**

24           Sections 134 and 136 of the Higher Education Act  
25           of 1965 (20 U.S.C. 1015c) are repealed.

1 **SEC. 1026. IN-STATE TUITION RATES FOR HOMELESS**  
2 **YOUTH AND FOSTER CARE YOUTH.**

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

5 (1) in the section heading, by inserting “,  
6 **HOMELESS YOUTH, AND FOSTER CARE YOUTH**”  
7 after “**CHILDREN**”;

8 (2) in subsection (a)—

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

11 “(a) REQUIREMENT.—

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

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

14 “(2) HOMELESS YOUTH AND FOSTER CARE  
15 YOUTH.—In the case of a homeless youth or a foster  
16 care youth, such State shall not charge such indi-  
17 vidual tuition for attendance at a public institution  
18 of higher education in the State at a rate that is  
19 greater than the rate charged for residents of the  
20 State.”; and

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

23 “(c) EFFECTIVE DATE.—

24 “(1) ARMED FORCES.—With respect to an indi-  
25 vidual described in subsection (a)(1), this section  
26 shall remain in effect as it was in effect on the day

1 before the date of enactment of the College Afford-  
2 ability Act.

3 “(2) HOMELESS YOUTH AND FOSTER CARE  
4 YOUTH.—With respect to an individual described in  
5 subsection (a)(2), this section shall take effect at  
6 each public institution of higher education in a State  
7 that receives assistance under this Act for the first  
8 period of enrollment at such institution that begins  
9 during the first full award year following the date of  
10 enactment of the College Affordability Act.

11 “(d) DEFINITIONS.—In this section:

12 “(1) ARMED FORCES.—The terms ‘armed  
13 forces’ and ‘active duty for a period of more than 30  
14 days’ have the meanings given those terms in section  
15 101 of title 10, United States Code.

16 “(2) HOMELESS YOUTH.—The term ‘homeless  
17 youth’ has the meaning given the term ‘homeless  
18 children and youths’ in section 725 of the McKin-  
19 ney-Vento Homeless Assistance Act (42 U.S.C.  
20 11434a).”.

1       **PART D—ADMINISTRATIVE PROVISIONS FOR**  
2       **DELIVERY OF STUDENT FINANCIAL ASSISTANCE**  
3       **SEC. 1031. IMPROVEMENTS TO THE FEDERAL STUDENT AID**  
4               **OFFICE.**

5           Section 141 of the Higher Education Act of 1965 (20  
6 U.S.C. 1018) is amended—

7               (1) in subsection (a), by amending paragraph  
8               (2) to read as follows:

9                   “(2) **PURPOSES.**—The purposes of the PBO are  
10               as follows:

11                       “(A) To prioritize students and borrowers  
12                       in the decision-making processes related to all  
13                       aspects of the management and administration  
14                       of the Federal student financial assistance pro-  
15                       grams authorized under title IV.

16                       “(B) To improve service to students and  
17                       other participants in the Federal student finan-  
18                       cial assistance programs authorized under title  
19                       IV.

20                       “(C) To make such programs more under-  
21                       standable to students and their families.

22                       “(D) To increase the efficiency and effec-  
23                       tiveness of such programs for students and  
24                       their families.

25                       “(E) To manage the costs of administering  
26                       such programs.



1           “(F) To increase the accountability of the  
2 officials responsible for administering the oper-  
3 ational aspects of such programs.

4           “(G) To oversee institutions, contractors,  
5 and third party servicers that participate in the  
6 Federal student financial assistance programs  
7 authorized under title IV.

8           “(H) To provide greater flexibility in the  
9 management and administration of such pro-  
10 grams.

11           “(I) To implement open, common, inte-  
12 grated systems for the delivery of Federal stu-  
13 dent financial assistance programs authorized  
14 under title IV.

15           “(J) To develop and maintain a student fi-  
16 nancial assistance system that contains com-  
17 plete, accurate, and timely data to ensure pro-  
18 gram integrity.

19           “(K) To increase transparency in the oper-  
20 ations and outcomes of Federal student finan-  
21 cial assistance programs authorized under title  
22 IV.”;

23           (2) in subsection (b)—

24           (A) in paragraph (1)—

1 (i) by redesignating subparagraphs  
2 (B) and (C) as subparagraphs (C) and  
3 (D), respectively; and

4 (ii) by inserting after subparagraph  
5 (A) the following:

6 “(B) implement oversight and account-  
7 ability measures to ensure that the PBO carries  
8 out its duties under this section efficiently, ef-  
9 fectively, and in a manner that accomplishes  
10 the purposes specified in subsection (a)(2);”;

11 (B) in paragraph (2)(A)—

12 (i) by redesignating clauses (ii)  
13 through (vi) as clauses (iii) through (vii);

14 (ii) by inserting after clause (i) the  
15 following:

16 “(ii) in accordance with paragraph  
17 (3), the collection, publication, and sharing  
18 of aggregate and longitudinal data that  
19 may be used to evaluate Federal student  
20 financial assistance programs authorized  
21 under title IV, including the outcomes such  
22 programs achieve;” and

23 (iii) in clause (vii), as so redesignated,  
24 by inserting “, including oversight of insti-  
25 tutions, contractors, and third party

1           servicers that participate in such pro-  
2           grams” after “title IV” ;

3           (C) by redesignating paragraphs (3)  
4           through (6) as paragraphs (4) through (7), re-  
5           spectively; and

6           (D) by inserting after paragraph (2) the  
7           following:

8           “(3) COLLECTION, SHARING, AND PUBLICATION  
9           OF DATA.—

10           “(A) COLLECTION.—The PBO shall collect  
11           student-level data that shall be used to evaluate  
12           Federal student financial assistance programs  
13           authorized under title IV.

14           “(B) SHARING WITH NCES.—The PBO  
15           shall make the data collected under subpara-  
16           graph (A) available to the Commissioner of the  
17           National Center for Education Statistics for  
18           purposes of research and policy analysis.

19           “(C) RESEARCH.—The Commissioner of  
20           the National Center for Education Statistics  
21           shall ensure the data shared under subpara-  
22           graph (B) is made available, with direct identi-  
23           fiers removed and with appropriate restrictions  
24           to ensure data privacy and security, for vetted  
25           research and evaluation purposes in a manner

1 consistent with the process under section  
2 132(1)(5)(A)(i).

3 “(D) PUBLICATION.—

4 “(i) IN GENERAL.—Not less fre-  
5 quently than once annually, and subject to  
6 clause (ii), the PBO shall make the data  
7 collected under subparagraph (A) available  
8 on a publicly accessible website of the De-  
9 partment of Education in a format that  
10 enables members of the public to easily re-  
11 trieve, sort, and analyze the data.

12 “(ii) PRIVACY PROTECTIONS.—The  
13 data made available under clause (i) shall  
14 not include—

15 “(I) student-level data; or

16 “(II) any data that would reveal  
17 personally identifiable information  
18 about an individual student.”.

19 (3) by amending subsection (c) to read as fol-  
20 lows:

21 “(c) PERFORMANCE PLAN, REPORT, AND BRIEF-  
22 ING.—

23 “(1) PERFORMANCE PLAN.—

24 “(A) IN GENERAL.—Not later than one  
25 year after the date of the enactment of the Col-

1           lege Affordability Act, and not less than once  
2           every five years thereafter, the Secretary and  
3           Chief Operating Officer shall agree on a per-  
4           formance plan for the PBO for the succeeding  
5           5 years that—

6                   “(i) establishes measurable quan-  
7                   titative and qualitative goals and objectives  
8                   for the organization; and

9                   “(ii) aligns such goals and objectives  
10                  with the purposes specified in subsection  
11                  (a)(2).

12                 “(B) CONSULTATION.—In developing the  
13                 five-year performance plan and any revision to  
14                 the plan, the Secretary and the Chief Operating  
15                 Officer shall consult with students, institutions,  
16                 Congress, contractors, the Borrower Advocate,  
17                 student aid experts, including consumer advo-  
18                 cacy and research groups, the Director of the  
19                 Bureau of Consumer Financial Protection,  
20                 State attorneys general, and other relevant par-  
21                 ties.

22                 “(C) REVISIONS.—The Secretary and  
23                 Chief Operating Officer may annually update  
24                 the plan under paragraph (1) to incorporate the  
25                 recommendations made pursuant to the con-

1 sultation required under subparagraph (B) that  
2 are accepted by the Secretary and the Chief  
3 Operating Officer.

4 “(D) AREAS.—The plan developed under  
5 subparagraph (A) shall address the responsibil-  
6 ities of the PBO in the following areas:

7 “(i) Improving service to students and  
8 other participants in the Federal student  
9 financial assistance programs authorized  
10 under title IV, including making those pro-  
11 grams more understandable and accessible  
12 to students and their families.

13 “(ii) Managing the costs and increas-  
14 ing the efficiency of such programs.

15 “(iii) Improving, integrating, and in-  
16 vesting in the systems that support such  
17 programs.

18 “(iv) Developing open, common, and  
19 integrated systems for such programs.

20 “(v) The collection, publication, and  
21 sharing of data on such programs as de-  
22 scribed in subsection (b)(3).

23 “(vi) Improving performance stand-  
24 ards and outcomes with respect to institu-  
25 tions, contractors, and third party servicers

1           that act as agents of the Department or as  
2           agents of institutions that participate in  
3           such programs.

4                   “(vii) Any other areas identified by  
5           the Secretary.

6                   “(E) PUBLIC AVAILABILITY.—Each plan  
7           developed under subparagraph (A) shall be  
8           made available on a publicly accessible website  
9           of the Department of Education.

10           “(2) ANNUAL REPORT.—

11                   “(A) REPORT REQUIRED.—Not later than  
12           one year after the date of the enactment of the  
13           College Affordability Act and annually there-  
14           after, the Secretary, acting through the Chief  
15           Operating Officer, shall submit to Congress an  
16           annual report on the performance of the PBO.

17                   “(B) CONTENTS.—The annual report shall  
18           include the following:

19                           “(i) An evaluation of the extent to  
20                           which the PBO met the goals and objec-  
21                           tives contained in the five-year perform-  
22                           ance plan described in paragraph (1) for  
23                           the preceding year.

24                           “(ii) A summary of the consultation  
25                           process under paragraph (1)(B) for the

1 preceding year, including the recommenda-  
2 tions that were accepted or denied by the  
3 Chief Operating Officer during such year,  
4 and the rationale for accepting or denying  
5 such recommendations.

6 “(iii) An independent financial audit  
7 of the expenditures of both the PBO and  
8 the programs administered by the PBO.

9 “(iv) A summary of the actions taken  
10 by the PBO to address—

11 “(I) the findings of the audit de-  
12 scribed in clause (iii); and

13 “(II) consumer feedback.

14 “(v) Financial and performance re-  
15 quirements applicable to the PBO under—

16 “(I) the Chief Financial Officers  
17 Act of 1990 (Public Law 101–576);  
18 or

19 “(II) the Government Perform-  
20 ance and Results Act of 1993 (Public  
21 Law 103–62).

22 “(vi) The results achieved by the PBO  
23 during the preceding year and whether  
24 such results met the goals specified in the  
25 performance plan under paragraph (1).



1           “(vii) With respect to the preceding  
2 year, the evaluation rating of the perform-  
3 ance of the Chief Operating Officer and  
4 senior managers under subsections (d)(5)  
5 and (e)(2), including the amounts of bonus  
6 compensation awarded to the Chief Oper-  
7 ating Officer and senior managers.

8           “(viii) Recommendations for legisla-  
9 tive and regulatory changes to improve  
10 service to students and their families, and  
11 to improve the efficiency and integrity of  
12 Federal student financial assistance pro-  
13 grams authorized under title IV.

14           “(ix) Financial statements that pro-  
15 vide a rationale for appropriately funding  
16 the activities of the PBO.

17           “(x) A summary of the management  
18 and compliance of contractors managed by  
19 the PBO in the preceding year, including  
20 corrective actions taken by the PBO with  
21 respect to such contractors.

22           “(xi) A description of how the PBO  
23 used the authority under paragraph (5) of  
24 subsection (b) for making personnel and  
25 procurement decisions in the preceding

1 year, including the number of individuals  
2 hired through such authority and the bo-  
3 nuses provided to staff during such year.

4 “(xii) A summary of the oversight ac-  
5 tivities of institutions, contractors, and  
6 third party servicers that participate in the  
7 Federal student financial assistance pro-  
8 grams authorized under title IV includ-  
9 ing—

10 “(I) fines levied on such institu-  
11 tions, contractors, and third party  
12 servicers, disaggregated by entity;

13 “(II) instances of fraud or mis-  
14 representation by such institutions,  
15 contractors, or third party servicers;

16 “(III) violations of provisions in  
17 this Act by such institutions, contrac-  
18 tors, or third party servicers  
19 disaggregated by entity and type of  
20 violation.

21 “(xiii) A summary of any improve-  
22 ments made with respect to transparency  
23 and any new types of data made available  
24 in the preceding year.

1                   “(xiv) A description of the progress  
2                   made in the preceding year towards the  
3                   specific measurable organization and indi-  
4                   vidual goals specified in subsection  
5                   (d)(5)(A).

6                   “(xv) The report submitted to the  
7                   Secretary under subsection (f)(7).

8                   “(xvi) Other such information as the  
9                   Director of the Office of Management and  
10                  Budget shall prescribe for performance  
11                  based organizations.

12                  “(3) CONSULTATION WITH STAKEHOLDERS.—  
13                  The Chief Operating Officer, in preparing the an-  
14                  nual report described in paragraph (2), shall estab-  
15                  lish appropriate means to consult with students, bor-  
16                  rowers, institutions, student aid experts, including  
17                  consumer advocacy and research groups, the Direc-  
18                  tor of the Bureau of Consumer Financial Protection,  
19                  and others involved in the delivery and evaluation of  
20                  student aid under title IV—

21                  “(A) regarding the degree of satisfaction  
22                  with the delivery system; and

23                  “(B) to seek suggestions on means to im-  
24                  prove the performance of the delivery system.

1           “(4) BRIEFING ON ENFORCEMENT OF PROGRAM  
2           INTEGRITY.—The Secretary shall, at the request of  
3           the authorizing committees, provide to the author-  
4           izing committees a briefing on the steps the Depart-  
5           ment of Education has taken to ensure—

6                   “(A) the experiences of students and bor-  
7                   rowers are accounted for in decision making;  
8                   and

9                   “(B) that contractors, lenders, and guar-  
10                  anty agencies and third party servicers are ad-  
11                  hering to the requirements of title IV, the terms  
12                  of any contract with the Secretary, consumer  
13                  protection laws, Federal regulations and guide-  
14                  lines, and directives of the PBO.

15               “(5) COORDINATION WITH THE DIRECTOR OF  
16               THE BUREAU OF CONSUMER FINANCIAL PROTEC-  
17               TION.—Not later than 180 days after the date of the  
18               enactment of the College Affordability Act, the Sec-  
19               retary shall enter into a memorandum of under-  
20               standing with the Private Education Loan Ombuds-  
21               man in accordance with section 1035(c)(2) of the  
22               Dodd-Frank Wall Street Reform and Consumer Pro-  
23               tection Act (12 U.S.C. 5535(c)(2)).”.

24               (4) in subsection (d)—

1 (A) in paragraph (1), by striking “manage-  
2 ment ability” and all that follows through the  
3 period at the end and inserting “management  
4 ability, including contractor management, ex-  
5 pertise in the Federal student financial assist-  
6 ance programs authorized under title IV, expe-  
7 rience with financial systems, and knowledge of  
8 consumer financial protection laws, and without  
9 regard to political affiliation or activity.”;

10 (B) by redesignating paragraphs (2)  
11 through (5) as paragraphs (3) through (6);

12 (C) by inserting after paragraph (1) the  
13 following:

14 “(2) RESTRICTIONS.—

15 “(A) PRESERVICE AND IN-SERVICE RE-  
16 STRICTIONS.—An individual may not serve as  
17 the Chief Operating Officer if such individual—

18 “(i) is employed by, or has a financial  
19 interest in, an entity that contracts with  
20 the PBO; or

21 “(ii) was employed by, or had a finan-  
22 cial interest in, any such entity in any of  
23 the five years preceding the date of the in-  
24 dividual’s appointment as the Chief Oper-  
25 ating Officer.

1           “(B) POSTSERVICE RESTRICTIONS.—An  
2 individual who served as the Chief Operating  
3 Officer may not accept employment with an en-  
4 tity that contracts with the PBO until a period  
5 of five years has elapsed following the date on  
6 which such individual’s service as the Chief Op-  
7 erating Officer terminated.”;

8           (D) in paragraph (5), as so redesignated—

9                 (i) in subparagraph (A)—

10                         (I) by inserting “specific” before  
11 “measurable”; and

12                         (II) by inserting “and metrics  
13 used to measure progress toward such  
14 goals” before the period; and

15                 (ii) in subparagraph (B), by inserting  
16 “on the website of the Department” before  
17 the period;

18           (E) in paragraph (6), as so redesignated,  
19 by amending subparagraph (B) to read as fol-  
20 lows:

21           “(B) BONUS AUTHORIZED.—The Secretary  
22 may pay to the Chief Operating Officer a bonus  
23 in an amount that does not exceed 50 percent  
24 of such annual rate of basic pay. The decision  
25 to pay such a bonus, and the amount of the

1           bonus, shall be based solely on the Secretary’s  
2           evaluation of the performance of the Chief Op-  
3           erating Officer with respect to the goals set  
4           forth in the performance agreement as de-  
5           scribed in paragraph (5)(A).”;

6           (5) in subsection (e)(2), by striking “organiza-  
7           tion and individual goals” and inserting “specific,  
8           measurable organization and individual goals and  
9           the metrics used to measure progress toward such  
10          goals. Performance agreements for senior manage-  
11          ment responsible for procurement shall include  
12          metrics that measure ability to oversee contractors.”;

13          (6) by amending subsection (f) to read as fol-  
14          lows:

15          “(f) BORROWER ADVOCATE.—

16                 “(1) IN GENERAL.—There is established in the  
17          PBO an ‘Office of the Borrower Advocate’ (referred  
18          to in this subsection as the ‘Office’). The function of  
19          the Office shall be to provide timely assistance to  
20          borrowers of loans made, insured, or guaranteed  
21          under title IV by performing the duties described in  
22          paragraph (6).

23                 “(2) HEAD OF OFFICE.—There shall be an offi-  
24          cial known as the ‘Borrower Advocate’ who shall  
25          serve as the head of the Office. The Borrower Advo-

1       cate shall be appointed by the Secretary from among  
2       individuals who have worked closely with the Federal  
3       student loan programs authorized under title IV.

4           “(3) REMOVAL.—The Borrower Advocate may  
5       be removed only by the Secretary who shall commu-  
6       nicate the reasons for any such removal to the au-  
7       thorizing committees.

8           “(4) RESTRICTIONS.—

9           “(A) PRESERVICE AND IN-SERVICE RE-  
10       STRICTIONS.—An individual may not serve as  
11       the Borrower Advocate if such individual—

12           “(i) is employed by, or has a financial  
13       interest in, an entity that contracts with  
14       the PBO; or

15           “(ii) was employed by, or had a finan-  
16       cial interest in, any such entity in any of  
17       the five years preceding the date of the in-  
18       dividual’s appointment as the Borrower  
19       Advocate.

20           “(B) POSTSERVICE RESTRICTIONS.—An  
21       individual who served as the Borrower Advocate  
22       may not accept employment with an entity that  
23       contracts with the PBO until a period of five  
24       years has elapsed following the date on which



1           such individual's service as the Borrower Advoca-  
2           cate terminated.

3           “(5) STAFF.—The Office shall be staffed suffi-  
4           ciently to carry out the responsibilities of the Office  
5           under this subsection.

6           “(6) DUTIES OF THE BORROWER ADVOCATE.—  
7           The Office of the Borrower Advocate shall—

8           “(A) assist borrowers of loans made, in-  
9           sured, or guaranteed under title IV in resolving  
10          problems with the PBO and its contractors or  
11          other agents, including by—

12                 “(i) receiving and reviewing com-  
13                 plaints of such problems from borrowers;

14                 “(ii) working to resolve such com-  
15                 plaints in a manner that is in the best in-  
16                 terests of borrowers; and

17                 “(iii) transmitting such complaints to  
18                 States and recognized accrediting agencies  
19                 or associations, as appropriate.

20           “(B) attempt to resolve complaints within  
21           the Department of Education and with institu-  
22           tions of higher education, lenders, guaranty  
23           agencies, loan servicers, and other participants  
24           in the Federal student loan programs author-

1           ized under title IV in a manner that will im-  
2           prove the experience of the borrower;

3           “(C) conduct impartial reviews regarding a  
4           student’s independence under subparagraph (B)  
5           or (H) of section 480(d)(1), in consultation  
6           with knowledgeable parties, including institu-  
7           tions of higher education, child welfare agen-  
8           cies, local educational agency liaisons for home-  
9           less individuals designated under section  
10          722(g)(1)(J)(ii) of the McKinney-Vento Home-  
11          less Assistance Act (42 U.S.C.  
12          11432(g)(1)(J)(ii)), or State Coordinators for  
13          Education of Homeless Children and Youth es-  
14          tablished in accordance with section 722 of  
15          such Act (42 U.S.C. 11432);

16          “(D) compile and analyze data on bor-  
17          rower complaints and share such data with the  
18          Director of the Bureau of Consumer Financial  
19          Protection;

20          “(E) publish, with any personally identifi-  
21          able information redacted, such complaints and  
22          responses of the Secretary to such complaints  
23          on the website of the Department; and

24          “(F) make appropriate recommendations  
25          to Congress, the Chief Operating Officer, and

1 Secretary with respect to Federal student loan  
2 programs authorized under title IV and the ex-  
3 periences of borrowers in repayment of loans  
4 under such programs.

5 “(7) PUBLIC INFORMATION.—The Chief Oper-  
6 ating Officer shall establish and maintain a public  
7 page on the website of the Department of Education  
8 exclusively to provide members of the public with in-  
9 formation about the role of the PBO with respect to  
10 the oversight of institutions of higher education,  
11 lenders, guaranty agencies, contractors that contract  
12 with the PBO, subcontractors of such contractors,  
13 and third party servicers.

14 “(8) REPORT.—On an annual basis, the Bor-  
15 rower Advocate shall submit to the Chief Operating  
16 Officer a report on the activities of the Office during  
17 the preceding year that—

18 “(A) identifies the activities carried out by  
19 the Borrower Advocate;

20 “(B) summarizes the complaints received  
21 from borrowers, including the number of such  
22 complaints, and explains the activities under-  
23 taken by the PBO to address such complaints;

1           “(C) proposes changes in the administra-  
2           tive practices of the PBO to mitigate problems  
3           experienced by borrowers; and

4           “(D) identifies potential legislative changes  
5           which may be appropriate to mitigate such  
6           problems.”;

7           (7) by redesignating subsection (i) as subsection  
8           (k); and

9           (8) by inserting after subsection (h) the fol-  
10          lowing:

11          “(i) ENFORCEMENT UNIT.—

12           “(1) IN GENERAL.—Not later than 180 days  
13           after the date of enactment of the College Afford-  
14           ability Act, the Secretary shall establish within the  
15           PBO an enforcement unit (referred to in this section  
16           as the ‘Unit’) to review and investigate violations of  
17           this Act and recommend enforcement actions in ac-  
18           cordance with paragraph (3).

19          “(2) CHIEF ENFORCEMENT OFFICER.—

20           “(A) APPOINTMENT.—The Secretary shall  
21           appoint an official to be known as the ‘Chief  
22           Enforcement Officer’ who shall serve as the  
23           head of the Unit. The Secretary shall appoint  
24           an individual to serve as the Chief Enforcement  
25           Officer solely on the basis of such individual’s

1 integrity and expertise in law and investigations  
2 and without regard to such individual's political  
3 affiliation.

4 “(B) AUTHORITY.—The Chief Enforce-  
5 ment Officer shall report directly to the Sec-  
6 retary without being required to report through  
7 any other official of the Department of Edu-  
8 cation.

9 “(C) TERM.—The Chief Enforcement Offi-  
10 cer shall be appointed for a term of 6 years and  
11 may be reappointed for additional terms of 6  
12 years at the discretion of the Secretary.

13 “(D) REMOVAL.—

14 “(i) IN GENERAL.—The Chief En-  
15 forcement Officer may not be removed dur-  
16 ing the Officer's term except for cause.

17 “(ii) NOTICE TO CONGRESS.—If the  
18 Secretary removes the Chief Enforcement  
19 Officer before the expiration of the Offi-  
20 cer's term, the Secretary shall submit to  
21 the authorizing committees a report that  
22 explains the reasons for such removal. The  
23 report shall be submitted to the author-  
24 izing committees not later than 30 days

1                   after the date on which the removal takes  
2                   effect.

3                   “(3) DUTIES.—The Chief Enforcement Officer  
4 shall have the following duties:

5                   “(A) Receive, process, and analyze allega-  
6 tions that a covered entity has violated Federal  
7 law or has engaged in unfair, deceptive, or abu-  
8 sive practices.

9                   “(B) Review and investigate such allega-  
10 tions or refer such allegations to an entity de-  
11 scribed in subparagraphs (A) through (E) of  
12 paragraph (6).

13                   “(C) After reviewing and investigating an  
14 allegation under subparagraph (B), in consulta-  
15 tion with the Chief Operating Officer—

16                   “(i) if the covered entity subject to  
17 such allegation is an entity described in  
18 clause (i) or (iii) of paragraph (8)(A),  
19 make recommendations with respect to  
20 such covered entity, including—

21                   “(I) whether such covered entity  
22 should be limited, suspended, or ter-  
23 minated from participation in one or  
24 more programs under title IV;

1                   “(II) whether such covered entity  
2                   should be subject to an emergency ac-  
3                   tion under section 487(c)(1)(G);

4                   “(III) whether such covered enti-  
5                   ty should be subject to a civil penalty  
6                   described in section 487(c)(3)(B);

7                   “(IV) whether such covered enti-  
8                   ty should be subject to a criminal pen-  
9                   alty described in section 490; or

10                  “(V) whether such covered entity  
11                  should be subject to a combination of  
12                  any of the actions described in sub-  
13                  clauses (I) through (IV);

14                  “(ii) if the covered entity subject to  
15                  such allegation is an entity described in  
16                  clause (ii) of paragraph (8)(A), make rec-  
17                  ommendations with respect to such covered  
18                  entity, including whether such covered en-  
19                  tity should be limited, suspended, or termi-  
20                  nated from administering or providing  
21                  services with respect to one or more pro-  
22                  grams under title IV; and

23                  “(iii) provide the Secretary with such  
24                  recommendations.

1           “(4) SECRETARIAL REVIEW AND ACTION.—  
2           After receiving notice of a determination of the Chief  
3           Enforcement Officer under paragraph (3)(C), the  
4           Secretary shall decide whether or not to pursue en-  
5           forcement action against the entity concerned, in ac-  
6           cordance with the procedures established under sec-  
7           tion 487(c)(3). In a case in which the Chief Enforce-  
8           ment Officer recommends enforcement action  
9           against an entity, but the Secretary decides not to  
10          pursue such enforcement action, the Secretary shall  
11          notify the Chief Enforcement Officer, in writing, of  
12          the rationale for such decision.

13          “(5) COORDINATION AND STAFFING.—The  
14          Chief Enforcement Officer shall—

15                 “(A) coordinate with relevant Federal and  
16                 State agencies and oversight bodies; and

17                 “(B) hire staff with the expertise necessary  
18                 to conduct investigations, respond to allegations  
19                 against covered entities, and enforce compliance  
20                 with laws governing Federal student financial  
21                 assistance programs under title IV.

22          “(6) INFORMATION SHARING.—The Chief En-  
23          forcement Officer shall develop and implement a  
24          process for sharing relevant information about alle-  
25          gations against covered entities with—



1           “(A) the Borrower Advocate appointed  
2           under subsection (f);

3           “(B) personnel of the Department on re-  
4           sponsible for processing borrower defense  
5           claims submitted under section 493H;

6           “(C) other relevant Federal agencies;

7           “(D) States, including State law enforce-  
8           ment and regulatory agencies; and

9           “(E) recognized accrediting agencies or as-  
10          sociations.

11          “(7) REPORT TO CONGRESS.—On an annual  
12          basis, the Chief Enforcement Officer shall submit to  
13          the authorizing committees a report that includes—

14               “(A) the number of allegations about cov-  
15               ered entities received by Unit in the year cov-  
16               ered by the report;

17               “(B) the number of such allegations inves-  
18               tigated by the Unit;

19               “(C) the number of such allegations that  
20               were referred to the Secretary under paragraph  
21               (3)(C) and a summary of any action taken by  
22               the Secretary with respect to such allegations;

23               “(D) the number of such allegations that  
24               were referred to other Federal agencies and the

1 names of the agencies to which the allegations  
2 were referred; and

3 “(E) the number of such allegations that  
4 remain under review or investigation as of the  
5 date of the report.

6 “(8) DEFINITIONS.—In this subsection:

7 “(A) COVERED ENTITY.—In this sub-  
8 section, the term ‘covered entity’ means—

9 “(i) an institution of higher education  
10 (as defined in section 102) that partici-  
11 pates in the Federal student financial as-  
12 sistance programs authorized under title  
13 IV;

14 “(ii) a contractor that contracts with  
15 the PBO to provide services relating to  
16 such programs, or a subcontractor of such  
17 contractor; or

18 “(iii) a third party servicer.

19 “(B) THIRD PARTY SERVICER.—the term  
20 ‘third party servicer’ has the meaning given  
21 that term in section 481(c).”.

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 who are—

18                 “(A) members of racial and ethnic groups  
19                 underrepresented in the teaching profession; or

20                 “(B) linguistically and culturally prepared  
21                 to educate students in high-need schools.

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—

14                   “(A) that—

15                           “(i) shall include—

16                                   “(I) a high-need local educational  
17 agency;

18                                   “(II)(aa) a high-need school or a  
19 consortium of high-need schools  
20 served by such high-need local edu-  
21 cational agency; or

22                                   “(bb) as applicable, a high-need  
23 early childhood education program;

24                                   “(III) a partner institution;

1           “(IV) a school, department, or  
2           program of education within such  
3           partner institution, which may include  
4           an existing teacher professional devel-  
5           opment program with proven out-  
6           comes within a four-year institution of  
7           higher education that provides inten-  
8           sive and sustained collaboration be-  
9           tween faculty and local educational  
10          agencies consistent with the require-  
11          ments of this title; and

12           “(V) a school or department of  
13          arts and sciences within such partner  
14          institution; or

15          “(ii) shall include—

16           “(I)(aa) a partner education in-  
17          stitution;

18           “(bb) a school, department, or  
19          program of education within such  
20          partner institution, which may include  
21          an existing teacher professional devel-  
22          opment program with proven out-  
23          comes within a four-year institution of  
24          higher education that provides inten-  
25          sive and sustained collaboration be-

1           tween faculty and local educational  
2           agencies consistent with the require-  
3           ments of this title; or

4                   “(cc) a school or department of  
5           arts and sciences within such partner  
6           institution; and

7                   “(II) a State educational agency  
8           that will serve to place graduates of  
9           partnership programs into high-need  
10          local educational agencies, schools, or  
11          early childhood programs, or schools  
12          that have been identified for com-  
13          prehensive support and improvement  
14          under section 1111(d)(2) of the Ele-  
15          mentary and Secondary Education  
16          Act of 1965 (20 U.S.C. 6311(d)(2));  
17          and

18          “(B) that may include any of the following:

19                   “(i) The Governor of the State.

20                   “(ii) The State educational agency.

21                   “(iii) The State board of education.

22                   “(iv) The State agency for higher edu-  
23          cation.

24                   “(v) A public or private nonprofit edu-  
25          cational organization.

1 “(vi) An educational service agency.

2 “(vii) A public school teacher, prin-  
3 cipal, or school leader organization.

4 “(viii) A high-performing local edu-  
5 cational agency, or a consortium of such  
6 local educational agencies, that can serve  
7 as a resource to the partnership.

8 “(ix) A charter school (as defined in  
9 section 4310 of the Elementary and Sec-  
10 ondary Education Act of 1965 (20 U.S.C.  
11 7221i)).

12 “(x) A school or department within  
13 the partner institution that focuses on psy-  
14 chology and human development.

15 “(xi) A school or department within  
16 the partner institution for teacher or  
17 school leader preparation with comparable  
18 expertise in the disciplines of teaching,  
19 learning, and child and adolescent develop-  
20 ment.

21 “(xii) An entity operating a program  
22 that provides alternative routes to State  
23 certification of teachers or principals.

24 “(11) ENGLISH LEARNER.—The term ‘English  
25 learner’ 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 “(12) EVIDENCE-BASED.—The term ‘evidence-  
4 based’ has the meaning given the term in subclauses  
5 (I) and (II) of section 8101(21)(A)(i) of the Elemen-  
6 tary and Secondary Education Act of 1965 (20  
7 U.S.C. 7801(21)(A)).

8 “(13) EVIDENCE OF STUDENT LEARNING.—The  
9 term ‘evidence of student learning’ means multiple  
10 measures of student learning that include the fol-  
11 lowing:

12 “(A) Valid and reliable student assessment  
13 data, which may include data—

14 “(i) on student learning gains on  
15 statewide academic assessments under sec-  
16 tion 1111(b)(2) of the Elementary and  
17 Secondary Education Act of 1965;

18 “(ii) from student academic achieve-  
19 ment assessments used at the national,  
20 State, or local levels, where available and  
21 appropriate for the curriculum and stu-  
22 dents taught;

23 “(iii) from classroom-based summative  
24 assessments; and

1 “(iv) from high quality validated per-  
2 formance-based assessments that are  
3 aligned with challenging State academic  
4 standards adopted under section  
5 1111(b)(1) of the Elementary and Sec-  
6 ondary Education Act of 1965 (20 U.S.C.  
7 6311(b)(1)).

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

10 “(i) Student work, including measures  
11 of performance criteria and evidence of  
12 student growth.

13 “(ii) Teacher-generated information  
14 about student goals and growth.

15 “(iii) Parental feedback about student  
16 goals and growth.

17 “(iv) Student feedback about learning  
18 and teaching supports.

19 “(v) Assessments of affective engage-  
20 ment and self-efficacy.

21 “(vi) Other appropriate measures, as  
22 determined by the State.

23 “(14) FOSTER CARE.—

24 “(A) IN GENERAL.—The term ‘foster care’  
25 means 24-hour substitute care for a child

1 placed away from the child’s parents or guard-  
2 ians and for whom the State agency has place-  
3 ment and care responsibility. The term includes  
4 care through a placement in a foster family  
5 home, a foster home of a relative, a group  
6 home, an emergency shelter, a residential facil-  
7 ity, a child care institution, or a pre-adoptive  
8 home.

9 “(B) RULE.—A child shall be considered  
10 to be in foster care under subparagraph (A)  
11 without regard to whether—

12 “(i) the foster care facility is licensed  
13 and payments are made by the State or  
14 local agency for the care of the child;

15 “(ii) adoption subsidy payments are  
16 being made prior to the finalization of an  
17 adoption; or

18 “(iii) Federal matching funds for any  
19 payments described in clause (i) or (ii) are  
20 being made.

21 “(15) HIGH-NEED EARLY CHILDHOOD EDU-  
22 CATION PROGRAM.—The term ‘high-need early child-  
23 hood education program’ means an early childhood  
24 education program serving children from low-income

1 families that is located within the geographic area  
2 served by a high-need local educational agency.

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

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

8 “(ii) for which not less than 40 percent of  
9 the children served by the agency are low-in-  
10 come children;

11 “(iii) that meets the eligibility require-  
12 ments for funding under the Small, Rural  
13 School Achievement Program under section  
14 5211(b) of the Elementary and Secondary Edu-  
15 cation Act of 1965 or the Rural and Low-In-  
16 come School Program under section 6221(b) of  
17 such Act; or

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

21 “(B)(i) for which one or more schools  
22 served by the agency is identified by the State  
23 for comprehensive supports and interventions  
24 under section 1111(c)(4)(D)(i) of the Elemen-  
25 tary and Secondary Education Act of 1965; or

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

5           “(17) HIGH-NEED SCHOOL.—

6           “(A) IN GENERAL.—The term ‘high-need  
7           school’ means a school that, based on the most  
8           recent data available, is—

9                   “(i) an elementary school, in which  
10                   not less than 60 percent of students are el-  
11                   igible for a free or reduced price school  
12                   lunch under the Richard B. Russell Na-  
13                   tional School Lunch Act;

14                   “(ii) any other school that is not an  
15                   elementary school, in which not less than  
16                   45 percent of students are eligible for a  
17                   free or reduced price school lunch under  
18                   the Richard B. Russell National School  
19                   Lunch Act (42 U.S.C. 1751 et seq.); or

20                   “(iii) identified for comprehensive  
21                   support and improvement under section  
22                   1111(c)(4)(D) of the Elementary and Sec-  
23                   ondary Education Act of 1965 (20 U.S.C.  
24                   6311(c)(4)(D)), targeted support and im-  
25                   provement under section 1111(d)(2) of

1 such Act (20 U.S.C. 6311(d)(2)), or addi-  
2 tional targeted support under section  
3 1111(d)(2)(C) of such Act (20 U.S.C.  
4 6311(d)(2)(C)).

5 “(B) SPECIAL RULE.—

6 “(i) DESIGNATION BY THE SEC-  
7 RETARY.—The Secretary may, upon ap-  
8 proval of an application submitted by an  
9 eligible partnership seeking a grant under  
10 this title, designate a school that does not  
11 qualify as a high-need school under sub-  
12 paragraph (A) as a high-need school for  
13 the purpose of this title. The Secretary  
14 shall base the approval of an application  
15 for designation of a school under this  
16 clause on a consideration of the informa-  
17 tion required under clause (ii), and may  
18 also take into account other information  
19 submitted by the eligible partnership.

20 “(ii) APPLICATION REQUIREMENTS.—  
21 An application for designation of a school  
22 under clause (i) shall include—

23 “(I) the number and percentage  
24 of students attending such school who  
25 are—

1           “(aa) aged 5 through 17 in  
2 poverty counted in the most re-  
3 cent census data approved by the  
4 Secretary;

5           “(bb) eligible for a free or  
6 reduced price school lunch under  
7 the Richard B. Russell National  
8 School Lunch Act;

9           “(cc) in families receiving  
10 assistance under the State pro-  
11 gram funded under part A of  
12 title IV of the Social Security  
13 Act; or

14           “(dd) eligible to receive med-  
15 ical assistance under the Med-  
16 icaid program;

17           “(II) information about the stu-  
18 dent academic achievement of stu-  
19 dents at such school; and

20           “(III) for a secondary school, the  
21 four-year adjusted cohort graduation  
22 rate for such school.

23           “(18) HIGHLY COMPETENT.—The term ‘highly  
24 competent’, when used with respect to an early

1 childhood educator, means an early childhood educa-  
2 tor—

3 “(A) with specialized education and train-  
4 ing in development and education of young chil-  
5 dren from birth until entry into kindergarten or  
6 a specialization in infants and toddlers or pre-  
7 school children;

8 “(B) with a baccalaureate degree in an  
9 academic major in an early childhood or related  
10 field; and

11 “(C) who has demonstrated a high level of  
12 knowledge and use of content and pedagogy in  
13 the relevant areas associated with quality early  
14 childhood education.

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

19 “(20) INDUCTION PROGRAM.—The term ‘induc-  
20 tion program’ means a formalized program for new  
21 teachers, principals, or school leaders, during not  
22 less than the teachers’, principals, or school leaders’  
23 first 2 years of, respectively, teaching or leading,  
24 that is designed to provide support for, and improve  
25 the professional performance and increase the reten-



1       tion in the education field of, beginning teachers,  
2       principals, or school leaders. Such program shall  
3       promote effective teaching or leadership skills and  
4       shall include the following components:

5               “(A) High-quality and structured teacher  
6               or school leader mentoring led by a trained and  
7               expert mentor who has demonstrated high skill  
8               and effectiveness and who teaches or leads, or  
9               has taught or led, in the same or similar field,  
10              grade, or subject as the mentee.

11             “(B) Periodic, structured time for collabo-  
12             ration, including with mentors, as well as time  
13             for information-sharing among teachers, prin-  
14             cipals, other school leaders and administrators,  
15             other appropriate instructional staff, and par-  
16             ticipating faculty or program staff in the part-  
17             ner institution.

18             “(C) The application of evidence-based in-  
19             structional practices.

20             “(D) Opportunities for new teachers, prin-  
21             cipals, or school leaders to draw directly on the  
22             expertise of mentors, faculty or program staff,  
23             and researchers, including through mentor ob-  
24             servation and feedback, to support the integra-  
25             tion of evidence-based research and practice.

1           “(E) The development of skills in evidence-  
2           based instructional and behavioral supports and  
3           interventions.

4           “(F) Faculty or program staff who—

5                 “(i) model the integration of research  
6                 and practice in the classroom and school;  
7                 and

8                 “(ii) as appropriate, assist new teach-  
9                 ers or school leaders with the effective use  
10                and integration of educational technology  
11                and the principles of universal design for  
12                learning into the classroom or school.

13           “(G) Interdisciplinary collaboration among  
14           teacher leaders or school leaders, faculty or pro-  
15           gram staff, researchers, and other staff who  
16           prepare new teachers or school leaders with re-  
17           spect to, as applicable, the learning process, the  
18           assessment of learning, or the leadership of a  
19           school.

20           “(H) As applicable to the role, assistance  
21           with understanding of the effective use of data,  
22           particularly student achievement data, and the  
23           applicability of such data to inform and improve  
24           classroom instruction and school leadership.

1           “(I) Regular and structured observation  
2           and evaluation of new teachers, principals, or  
3           other school leaders that are based in part on  
4           evidence of student learning, shall include mul-  
5           tiple measures of educator performance, and  
6           shall provide clear, timely, and useful feedback  
7           to teachers, principals, or other school leaders  
8           to be used to improve instruction, as applicable.

9           “(J) With respect to a principal induction  
10          program, the development of local-educational-  
11          agency-wide systems such as rigorous leader  
12          standards, continuous ongoing identification of  
13          goals for improvement, and support for achiev-  
14          ing those goals.

15          “(K) The development of skills in improv-  
16          ing the school culture and climate related to  
17          school leadership and the role of the principal,  
18          including to—

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

21                 “(ii) build and sustain an inclusive  
22                 culture of learning among adults and chil-  
23                 dren;

24                 “(iii) strengthen communications and  
25                 relationships with teachers, parents, care-

1           givers, paraprofessionals, and community  
2           stakeholders;

3           “(iv) facilitate the sharing of knowl-  
4           edge, insight, and best practices in the  
5           community served by the school, preschool  
6           program, or early childhood education pro-  
7           gram, including with youth serving pro-  
8           grams (such as before- and after-school  
9           and summer programs); and

10           “(v) build relationships and commu-  
11           nicate effectively with State and local edu-  
12           cational agency officials.

13           “(21) INFANT OR TODDLER WITH A DIS-  
14           ABILITY.—The term ‘infant or toddler with a dis-  
15           ability’ has the meaning given the term in section  
16           632 of the Individuals with Disabilities Education  
17           Act (20 U.S.C. 1432).

18           “(22) MENTORING.—The term ‘mentoring’  
19           means the mentoring or coaching of new or prospec-  
20           tive teachers, principals, or school leaders through a  
21           program that—

22           “(A) includes clear criteria for the selec-  
23           tion of teacher, principal, or school leader men-  
24           tors who may be program staff and who will  
25           provide role model relationships for mentees,

1           which criteria shall be developed by the eligible  
2           partnership and based on measures of teacher  
3           or school leader effectiveness;

4           “(B) provides high-quality training for  
5           such mentors, including instructional strategies  
6           for culturally relevant teaching practices, lit-  
7           eracy instruction and classroom management  
8           (including approaches that improve the  
9           schoolwide climate for learning, create inclusive  
10          classroom environments, and address the social  
11          and emotional needs of students, which may in-  
12          clude positive behavioral interventions and sup-  
13          ports);

14          “(C) provides regular and ongoing oppor-  
15          tunities for mentors and mentees to observe  
16          each other’s teaching or leading methods in  
17          classroom or school settings during the day in  
18          a high-need school in the high-need local edu-  
19          cational agency in the eligible partnership;

20          “(D) provides paid release time for men-  
21          tors;

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

1           “(F) for teachers, promotes empirically-  
2           based practice of, and evidence-based research  
3           on, where applicable—

4                   “(i) teaching and learning;

5                   “(ii) assessment of student learning;

6                   “(iii) the development of teaching  
7           skills through the use of instructional and  
8           behavioral interventions; and

9                   “(iv) the improvement of the mentees’  
10          capacity to measurably advance student  
11          learning; and

12          “(G) includes—

13                   “(i) common planning time or regu-  
14          larly scheduled collaboration for the men-  
15          tor and mentee; and

16                   “(ii) as applicable, joint professional  
17          development opportunities.

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

21          “(24) PARTNER INSTITUTION.—The term ‘part-  
22          ner institution’ means an institution of higher edu-  
23          cation, which may include a 2-year institution of  
24          higher education offering a dual program with a 4-  
25          year institution of higher education, participating in

1 an eligible partnership that has a teacher or school  
2 leader preparation program that is accredited by the  
3 State—

4 “(A) in the case of a teacher preparation  
5 program—

6 “(i) whose graduates exhibit strong  
7 performance on State-determined quali-  
8 fying assessments for new teachers  
9 through—

10 “(I) demonstrating that 80 per-  
11 cent or more of the graduates of the  
12 program who intend to enter the field  
13 of teaching have passed all of the ap-  
14 plicable State qualification assess-  
15 ments for new teachers, which shall  
16 include an assessment of each pro-  
17 spective teacher’s subject matter  
18 knowledge in the content area in  
19 which the teacher intends to teach; or

20 “(II) that is not designated as a  
21 low-performing teacher preparation  
22 program in the State as determined  
23 by the State—

24 “(aa) using criteria con-  
25 sistent with the requirements for

1 the State assessment under sec-  
2 tion 207(a) before the first publi-  
3 cation of such report card; and

4 “(bb) using the State assess-  
5 ment required under section  
6 207(a), after the first publication  
7 of such report card and for every  
8 year thereafter; and

9 “(ii) that requires—

10 “(I) each student in the program  
11 to meet high academic standards or  
12 demonstrate a record of success, as  
13 determined by the institution (includ-  
14 ing prior to entering and being ac-  
15 cepted into a program), and partici-  
16 pate in intensive clinical experience;

17 “(II) each student in the pro-  
18 gram preparing to become a teacher  
19 who meets the applicable State certifi-  
20 cation and licensure requirements, in-  
21 cluding any requirements for certifi-  
22 cation obtained through alternative  
23 routes to certification, or, with regard  
24 to special education teachers, the  
25 qualifications described in section



1 612(a)(14)(C) of the Individuals with  
2 Disabilities Education Act; and

3 “(III) each student in the pro-  
4 gram preparing to become an early  
5 childhood educator to become highly  
6 competent; and

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

9 “(i) whose graduates exhibit a strong  
10 record of successful school leadership as  
11 demonstrated by—

12 “(I) a high percentage of such  
13 graduates taking positions as assist-  
14 ant principals and principals within 3  
15 years of completing the program; and

16 “(II) a high percentage of such  
17 graduates rated effective or above in  
18 State school leader evaluation and  
19 support systems (as described in sec-  
20 tion 2101(c)(4)(B)(ii) of the Elemen-  
21 tary and Secondary Education Act of  
22 1965) or, if no such ratings are avail-  
23 able, other, comparable indicators of  
24 performance; and

1           “(ii) that requires each student in the  
2           program to participate in intensive clinical  
3           experience in an authentic setting (includ-  
4           ing by assuming substantial leadership re-  
5           sponsibilities) in which the student can be  
6           evaluated on leadership skills and the stu-  
7           dent’s effect on student outcomes as part  
8           of program completion.

9           “(25) PROFESSIONAL DEVELOPMENT.—The  
10          term ‘professional development’ has the meaning  
11          given the term in section 8101 of the Elementary  
12          and Secondary Education Act of 1965.

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

15                 “(A) when used with respect to a principal  
16                 or other school leader, means a principal or  
17                 other school leader who—

18                         “(i) has an advanced degree, or other  
19                         appropriate credential;

20                         “(ii) has completed a principal or  
21                         other school leader preparation process and  
22                         is fully certified and licensed by the State  
23                         in which the principal or other school lead-  
24                         er is employed;

1 “(iii) has demonstrated instructional  
2 leadership, including the ability to collect,  
3 analyze, and utilize data on evidence of  
4 student learning and evidence of classroom  
5 practice;

6 “(iv) has demonstrated proficiency in  
7 professionally recognized leadership stand-  
8 ards, such as through—

9 “(I) a performance assessment;

10 “(II) completion of a residency  
11 program; or

12 “(III) other measures of leader-  
13 ship effectiveness, as determined by  
14 the State; and

15 “(v) has demonstrated the ability to  
16 work with students who are culturally and  
17 linguistically diverse;

18 “(B) when used with respect to a teacher,  
19 means a teacher who—

20 “(i) has completed a teacher prepara-  
21 tion program and is fully certified and li-  
22 censed to teach by the State in which the  
23 teacher is employed;

24 “(ii) has a baccalaureate degree or  
25 higher;

1                   “(iii) has demonstrated content  
2                   knowledge in the subject or subjects the  
3                   teacher teaches;

4                   “(iv) has demonstrated the ability to  
5                   work with students who are culturally and  
6                   linguistically diverse;

7                   “(v) has demonstrated teaching skills,  
8                   such as through—

9                                 “(I) a teacher performance as-  
10                                sessment; or

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

13                               “(vi) has demonstrated proficiency  
14                               with the use of educational technology; and

15                               “(C) when used with respect to any other  
16                   educator not described in subparagraph (A) or  
17                   (B), means an educator who has completed an  
18                   appropriate preparation program and is fully  
19                   certified or licensed by the State in which the  
20                   educator is employed.

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

1           “(A) for 1 academic year, works alongside  
2 a mentor teacher, principal, or other school  
3 leader who is—

4                   “(i) the educator of record; and

5                   “(ii) is rated as effective or above in  
6 the State’s school leader evaluation and  
7 support system (as described in section  
8 2101(c)(4)(B)(ii) of the Elementary and  
9 Secondary Education Act of 1965 (20  
10 U.S.C. 6611(c)(4)(B)(ii))) or, if no such  
11 ratings are available, other, on comparable  
12 indicators of performance;

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, as applicable—

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           attains full State teacher, principal, or school  
5           leader certification or licensure, and becomes  
6           profession-ready.

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

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

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

1           “(31) SCHOOL LEADER SKILLS.—The term  
2           ‘school leader skills’ refers to evidenced-based com-  
3           petencies for principals and other school leaders  
4           such as—

5                   “(A) shaping a vision of academic success  
6                   for all students;

7                   “(B) creating a safe and inclusive learning  
8                   environment;

9                   “(C) cultivating leadership in others;

10                   “(D) improving instruction; and

11                   “(E) managing people, data, and processes  
12                   to foster school improvement.

13           “(32) TEACHER LEADER.—The term ‘teacher  
14           leader’ means an effective educator who carries out  
15           formalized leadership responsibilities based on the  
16           demonstrated needs of the elementary school or sec-  
17           ondary school in which the teacher is employed,  
18           while maintaining a role as a classroom instructor  
19           who—

20                   “(A) is trained in and practices teacher  
21                   leadership; and

22                   “(B) fosters a collaborative culture to—

23                           “(i) support educator development, ef-  
24                           fectiveness, and student learning;

1                   “(ii) support access and use research  
2                   to improve practice and student learning;

3                   “(iii) promote professional learning  
4                   for continuous improvement;

5                   “(iv) facilitate improvements in in-  
6                   struction and student learning; promote  
7                   the appropriate use of assessments and  
8                   data for school and district improvement;

9                   “(v) improve outreach and collabora-  
10                  tion with families and community;

11                  “(vi) advance the profession by shap-  
12                  ing and implementing policy;

13                  “(vii) advocate for increased access to  
14                  great teaching and learning for all stu-  
15                  dents; and

16                  “(viii) demonstrate cultural com-  
17                  petencies and provide instruction and sup-  
18                  port as such.

19                  “(33) TEACHING SKILLS.—The term ‘teaching  
20                  skills’ means skills that enable a teacher to—

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

23                  “(B) effectively convey, explain, and pro-  
24                  vide opportunities for students to develop the  
25                  skills aligned with the full depth and breadth of



1 the State challenging academic standards, in-  
2 cluding the application of academic subject  
3 matter;

4 “(C) effectively teach higher-order analyt-  
5 ical, evaluation, problem-solving, critical think-  
6 ing, social and emotional, collaboration, and  
7 communication skills;

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

10 “(i) are based on empirically-based  
11 practice and evidence-based research,  
12 where applicable, related to teaching and  
13 learning;

14 “(ii) are specific to academic subject  
15 matter; and

16 “(iii) focus on the identification of  
17 students’ specific learning needs, particu-  
18 larly students with disabilities, students  
19 who are English learners, students who are  
20 gifted and talented, and students with low  
21 literacy levels, and the tailoring of aca-  
22 demic instruction to such needs;

23 “(E) design and conduct ongoing assess-  
24 ments of student learning, which may include  
25 the use of formative assessments, performance-

1 based assessments, project-based assessments,  
2 or portfolio assessments, that measures higher-  
3 order thinking skills (including application,  
4 analysis, synthesis, and evaluation) and use this  
5 information to inform and personalize instruc-  
6 tion;

7 “(F) support the social, emotional, and  
8 academic achievement of all students including  
9 effectively manage a classroom creating a posi-  
10 tive and inclusive classroom environment, in-  
11 cluding the ability to implement positive behav-  
12 ioral interventions, trauma-informed care, and  
13 other support strategies;

14 “(G) support an inclusive learning environ-  
15 ment through culturally responsive teaching;

16 “(H) support technology-rich instruction,  
17 assessment and learning management in con-  
18 tent areas, technology literacy, and under-  
19 standing of the principles of universal design;

20 “(I) demonstrate proficiency with the use  
21 of educational technology;

22 “(J) communicate and work with families,  
23 and involve families in their children’s edu-  
24 cation; and

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

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

12                   “(A) based on professional teaching stand-  
13 ards;

14                   “(B) used to measure the effectiveness of  
15 a teacher’s—

16                           “(i) curriculum planning;

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

22                           “(iii) assessment of students, includ-  
23 ing analysis of evidence of student learn-  
24 ing;

1                   “(iv) ability to advance student learn-  
2                   ing; and

3                   “(v) demonstrate cultural com-  
4                   petencies through curriculum planning and  
5                   instruction.

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                  “(35) 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                  “(36) 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                  “(37) 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 individuals, including members of  
24 racial and ethnic groups underrepresented in the  
25 teaching profession and individuals from other occu-

1 pations (including informal education and youth de-  
2 velopment fields), as profession-ready teachers and  
3 other educators, with an emphasis on areas of State-  
4 identified teacher shortage; and

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

9 **SEC. 2003. PARTNERSHIP GRANTS.**

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

12 (1) in subsection (b)—

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

16 (B) by amending paragraph (2) to read as  
17 follows:

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

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

4 (D) in paragraph (4)—

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

8 (ii) in subparagraph (B), by inserting  
9 “, school leader, and other educator” after  
10 “promote teacher”;

11 (E) in paragraph (6)—

12 (i) by redesignating subparagraphs  
13 (I), (J), and (K) as subparagraphs (J),  
14 (K), and (M), respectively;

15 (ii) by striking subparagraphs (F),  
16 (G), and (H) and inserting the following:

17 “(F) how the partnership will prepare edu-  
18 cators to teach and work with students with  
19 disabilities, including training related to early  
20 identification of students with disabilities and  
21 participation as a member of individualized edu-  
22 cation program teams, as defined in section  
23 614(d)(1)(B) of the Individuals with Disabil-  
24 ities Education Act to ensure that students with  
25 disabilities receive effective services, consistent

1 with the requirements of the Individuals with  
2 Disabilities Education Act, that are needed for  
3 such students to achieve to challenging State  
4 academic standards;

5 “(G) how the partnership will prepare edu-  
6 cators to teach and work with students who are  
7 English learners to ensure that students who  
8 are English learners receive the services that  
9 are needed for such students to achieve to chal-  
10 lenging State academic standards;

11 “(H) in the case of activities related to  
12 principal and school leader preparation pro-  
13 grams, how the partnership will prepare prin-  
14 cipals and other school leaders to foster instruc-  
15 tion that supports the success of all students,  
16 including students with disabilities, students  
17 who are English learners, and students in early  
18 childhood education in alignment with State  
19 early learning standards for early childhood  
20 education programs;

21 “(I) how faculty at the partner institution  
22 will work, during the term of the grant, with  
23 mentor educators in the classrooms and admin-  
24 istrators of high-need schools served by the



1 high-need local educational agency in the part-  
2 nership to—

3 “(i) provide high-quality professional  
4 development activities to strengthen the  
5 content knowledge and teaching skills of  
6 elementary school and secondary school  
7 teachers and other educators, including  
8 multi-tiered systems of support and uni-  
9 versal design for learning;

10 “(ii) train other classroom teachers,  
11 principals or other school leaders, school li-  
12 brarians, and other educators to implement  
13 literacy programs that incorporate the  
14 components of comprehensive literacy in-  
15 struction; and

16 “(iii) provide evidence-based, high-  
17 quality professional development activities  
18 to strengthen the instructional and leader-  
19 ship skills of elementary school and sec-  
20 ondary school principals or other school  
21 leaders and district superintendents, if the  
22 partner institution has a principal or  
23 school leader preparation program;”;

1 (iii) in subparagraph (J) (as so rededesignated), by inserting “as applicable” before “how the partnership”;

2  
3  
4 (iv) in subparagraph (K) (as so redesignated)—

5  
6 (I) by inserting “, principals or other school leaders” after “teachers”;

7  
8 and

9 (II) by striking “and” at the end;

10 and

11 (v) by inserting after subparagraph (K) (as so redesignated) the following:

12 “(L) how faculty at the partner institution for school leader preparation will work, during the term of the grant, with their—

13  
14  
15  
16 “(i) State to use rigorous, research-based leader standards and align program accreditation criteria and principal licensure requirements with those standards;

17  
18  
19  
20 and

21 “(ii) high-needs local education agencies that hire their graduates to use rigorous, evidence-based leader standards and align program content and local edu-

22  
23  
24

1 cational agencies' evaluation systems with  
2 those standards; and”.

3 (F) in paragraph (7)—

4 (i) in the matter before subparagraph  
5 (A), by striking “under this section” and  
6 inserting “under paragraphs (1)(B)(iv)  
7 and (3) of subsection (d)”;

8 (ii) in subparagraph (A), by inserting  
9 “as applicable,” before “a demonstration”;  
10 and

11 (iii) in subparagraph (B), by striking  
12 “scientifically valid” and inserting “evi-  
13 dence-based”;

14 (2) by amending subsection (c) to read as fol-  
15 lows:

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

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

19 “(A) a program for the pre-baccalaureate  
20 or post-baccalaureate preparation of teachers  
21 described in subsection (d);

22 “(B) a teaching residency program, or a  
23 principal or other school leader residency pro-  
24 gram, described in subsection (e);

1           “(C) a high-quality ‘Grow Your Own’ pro-  
2           gram; or

3           “(D) a combination of such programs; and

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

8           (3) in subsection (d)—

9           (A) in paragraph (1)—

10           (i) by striking “limited English pro-  
11           ficient” both places it appears and insert-  
12           ing “English learners”; and

13           (ii) by striking “scientifically valid”  
14           both places it appears and inserting “evi-  
15           dence-based”;

16           (iii) in subparagraph (B)(ii)(VI), by  
17           striking “reading instruction” both places  
18           it appears and inserting “comprehensive  
19           literacy instruction”;

20           (B) in paragraph (5)(B), by striking “lim-  
21           ited English proficient students” and inserting  
22           “students who are English learners”;

23           (C) in paragraph (5)(C), by inserting  
24           “paraprofessionals,” after “occupations,”; and

1 (D) in paragraph (6)(A), by striking  
2 “reading instruction” and inserting “com-  
3 prehensive literacy instruction”;

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

6 “(e) PARTNERSHIP GRANTS FOR THE ESTABLISH-  
7 MENT OF TEACHING AND PRINCIPAL OR OTHER SCHOOL  
8 LEADER RESIDENCY PROGRAMS.—

9 “(1) IN GENERAL.—An eligible partnership re-  
10 ceiving a grant to carry out an effective teaching  
11 residency program or principal or other school leader  
12 residency program that meets the following require-  
13 ments:

14 “(A) TEACHING RESIDENCY PROGRAM.—  
15 An eligible partnership carrying out a teaching  
16 residency program shall—

17 “(i) support a teaching residency pro-  
18 gram described in paragraph (2) for high-  
19 need schools, as determined by the needs  
20 of high-need local educational agency in  
21 the partnership, and in high-need subjects  
22 and areas, as defined by such local edu-  
23 cational agency; and

24 “(ii) place graduates of the teaching  
25 residency program in cohorts that facilitate

1 professional collaboration, both among  
2 graduates of the residency program and  
3 between such graduates and mentor teach-  
4 ers in the receiving school.

5 “(B) PRINCIPAL OR SCHOOL LEADER RESI-  
6 DENCY PROGRAM.—An eligible partnership car-  
7 rying out a principal or school leader residency  
8 program shall support a program described in  
9 paragraph (3) for high-need schools, as deter-  
10 mined by the needs of the high-need local edu-  
11 cational agency in the partnership.

12 “(2) TEACHING RESIDENCY PROGRAM.—

13 “(A) ESTABLISHMENT AND DESIGN.—A  
14 teaching residency program under this para-  
15 graph shall be a program based upon models of  
16 successful teaching residencies that serves as a  
17 mechanism to prepare teachers for success in  
18 high-need schools in the eligible partnership and  
19 shall be designed to include the following char-  
20 acteristics of successful programs:

21 “(i) The integration of pedagogy,  
22 classroom practice and teacher mentoring.

23 “(ii) The exposure to principles of  
24 child and youth development, and under-  
25 standing and applying principles of learn-

1 ing, behavior, and community and family  
2 engagement.

3 “(iii) The exposure to principles of  
4 universal design for learning and multi-  
5 tiered systems of support.

6 “(iv) Engagement of teaching resi-  
7 dents in rigorous coursework that results  
8 in a baccalaureate or master’s degree while  
9 undertaking a guided teaching clinical ex-  
10 perience.

11 “(v) Experience and learning opportu-  
12 nities alongside a trained and experienced  
13 mentor teacher—

14 “(I) whose teaching shall com-  
15 plement the residency program so that  
16 school-based clinical practice is tightly  
17 aligned and integrated with  
18 coursework;

19 “(II) who shall have extra re-  
20 sponsibilities as a teacher leader of  
21 the teaching residency program, as a  
22 mentor for residents, and as a teacher  
23 coach during the induction program  
24 for new teachers, and for establishing,  
25 within the program, a learning com-

1 community in which all individuals are ex-  
2 pected to continually improve their ca-  
3 pacity to advance student learning;  
4 and

5 “(III) who may be relieved from  
6 teaching duties or may be offered a  
7 stipend as a result of such additional  
8 responsibilities.

9 “(vi) The establishment of clear cri-  
10 teria for the selection of mentor teachers  
11 based on the appropriate subject area  
12 knowledge and measures of teacher effec-  
13 tiveness, which shall be based on, but not  
14 limited to, observations of the following:

15 “(I) Planning and preparation,  
16 including demonstrated knowledge of  
17 content, pedagogy, and assessment,  
18 including the use of formative,  
19 summative, and diagnostic assess-  
20 ments to inform instruction and im-  
21 prove student learning.

22 “(II) Appropriate instruction  
23 that engages all students.

24 “(III) Collaboration with col-  
25 leagues to improve instruction.



1                   “(IV) Analysis of evidence of stu-  
2                   dent learning.

3                   “(V) Collaboration and the cul-  
4                   tivation of relationships with external  
5                   stakeholders (which may include pro-  
6                   fessional disciplinary organizations  
7                   and nonprofit advocacy organizations)  
8                   to foster the sharing of evidence-based  
9                   resources to promote high-quality, ef-  
10                  fective practices.

11                  “(vii) The development of admissions  
12                  goals and priorities—

13                         “(I) that are aligned with the  
14                         hiring objectives of the local edu-  
15                         cational agency partnering with the  
16                         program, as well as the instructional  
17                         initiatives and curriculum of such  
18                         agency to hire qualified graduates  
19                         from the teaching residency program;  
20                         and

21                         “(II) which may include consider-  
22                         ation of applicants who reflect the  
23                         communities in which they will teach  
24                         as well as consideration of individuals

1 from underrepresented populations in  
2 the teaching profession.

3 “(viii) Continued support for residents  
4 once such residents are hired as the teach-  
5 ers of record, through an induction pro-  
6 gram, evidence-based professional develop-  
7 ment, and networking opportunities to sup-  
8 port the residents through not less than  
9 the residents’ first 2 years of teaching.

10 “(B) SELECTION OF INDIVIDUALS AS  
11 TEACHER RESIDENTS.—

12 “(i) ELIGIBLE INDIVIDUAL.—In order  
13 to be eligible to be a teacher resident in a  
14 teaching residency program under this  
15 paragraph, an individual shall—

16 “(I) be a recent graduate of a 4-  
17 year institution of higher education or  
18 a mid-career professional possessing  
19 strong content knowledge or a record  
20 of professional accomplishment;

21 “(II) in the case of an under-  
22 graduate residency, enrolled as an un-  
23 dergraduate student in a partner in-  
24 stitution as defined in this title; and

1                   “(III) submit an application to  
2                   the residency program.

3                   “(ii) SELECTION CRITERIA.—An eligi-  
4                   ble partnership carrying out a teaching  
5                   residency program under this subsection  
6                   shall establish criteria for the selection of  
7                   eligible individuals to participate in the  
8                   teaching residency program based on the  
9                   following characteristics:

10                   “(I) Strong content knowledge or  
11                   record of accomplishment in the field  
12                   or subject area to be taught.

13                   “(II) Strong verbal and written  
14                   communication skills, which may be  
15                   demonstrated by performance on ap-  
16                   propriate assessments.

17                   “(III) Other attributes linked to  
18                   effective teaching, which may be de-  
19                   termined by interviews or performance  
20                   assessments, as specified by the eligi-  
21                   ble partnership.

22                   “(3) PARTNERSHIP GRANTS FOR THE DEVEL-  
23                   OPMENT OF PRINCIPAL AND OTHER SCHOOL LEADER  
24                   RESIDENCY PROGRAMS.—

1           “(A) ESTABLISHMENT AND DESIGN.—A  
2 principal or other school leader residency pro-  
3 gram under this paragraph shall be a program  
4 based upon models of successful principal or  
5 other school leader residencies, and may include  
6 the development or support of principal pipe-  
7 lines, that serve as a mechanism to prepare  
8 principals and other school leaders for success  
9 in high-need schools in the eligible partnership  
10 and shall be designed to include the following  
11 characteristics of successful programs:

12           “(i) Engagement of principal or other  
13 school leader residents in rigorous grad-  
14 uate-level coursework to earn an appro-  
15 priate advanced credential while under-  
16 taking a guided principal or other school  
17 leader clinical experience.

18           “(ii) Experience and learning opportu-  
19 nities, including those that provide contin-  
20 uous feedback throughout the program on  
21 a participants’ progress, alongside a  
22 trained and experienced mentor principal  
23 or other school leader—

24           “(I) whose mentoring shall be  
25 based on standards of effective men-

1 toring practice and shall complement  
2 the residence program so that school-  
3 based clinical practice is tightly  
4 aligned with coursework; and

5 “(II) who may be relieved from  
6 some portion of principal or other  
7 school leader duties or may be offered  
8 a stipend as a result of such addi-  
9 tional responsibilities.

10 “(iii) The establishment of clear cri-  
11 teria for the selection of mentor principals  
12 or other school leaders, which may be  
13 based on observations of the following:

14 “(I) Demonstrating awareness of,  
15 and having experience with, the  
16 knowledge, skills, and attitudes to—

17 “(aa) establish and maintain  
18 a professional learning commu-  
19 nity that effectively extracts in-  
20 formation from data to improve  
21 the school culture and climate,  
22 and personalize instruction for all  
23 students to result in improved  
24 student achievement;

1                   “(bb) create and maintain a  
2 learning culture within the school  
3 that provides an inclusive climate  
4 conducive to the development of  
5 all members of the school com-  
6 munity, including one of contin-  
7 uous improvement and learning  
8 for adults tied to student learn-  
9 ing and other school goals;

10                   “(cc) develop the profes-  
11 sional capacity and practice of  
12 school personnel and foster a  
13 professional community of teach-  
14 ers and other professional staff;

15                   “(dd) engage in continuous  
16 professional development, uti-  
17 lizing a combination of academic  
18 study, developmental simulation  
19 exercises, self-reflection,  
20 mentorship, and internship;

21                   “(ee) understand youth de-  
22 velopment appropriate to the age  
23 level served by the school, and  
24 use this knowledge to set high ex-  
25 pectations and standards for the

1 academic, social, emotional, and  
2 physical development of all stu-  
3 dents; and

4 “(ff) actively engage with  
5 families and the community to  
6 create shared responsibility for  
7 student academic performance  
8 and successful development.

9 “(II) Planning and articulating a  
10 shared and coherent schoolwide direc-  
11 tion and policy for achieving high  
12 standards of student performance,  
13 and closing gaps in achievement  
14 among subgroups of students.

15 “(III) Identifying and imple-  
16 menting the activities and rigorous  
17 curriculum necessary for achieving  
18 such standards of student perform-  
19 ance.

20 “(IV) Supporting a culture of  
21 learning, collaboration, and profes-  
22 sional behavior and ensuring quality  
23 measures of instructional practice.

1                   “(V) Communicating with, and  
2                   engaging, parents, families, and other  
3                   external communities.

4                   “(VI) Cultivating relationships  
5                   and collaborating with external stake-  
6                   holders, which may include profes-  
7                   sional disciplinary organizations and  
8                   nonprofit advocacy organizations, to  
9                   foster the sharing of evidence-based  
10                  resources to promote high-quality, ef-  
11                  fective practices.

12                  “(VII) Collecting, analyzing, and  
13                  utilizing data and other evidence of  
14                  student learning and evidence of class-  
15                  room practice to guide decisions and  
16                  actions for continuous improvement  
17                  and to ensure performance account-  
18                  ability.

19                  “(iv) The development of admissions  
20                  goals and priorities—

21                  “(I) that are aligned with the  
22                  hiring objectives of the local edu-  
23                  cational agency partnering with the  
24                  program, as well as the instructional  
25                  initiatives and curriculum of such



1 agency to hire qualified graduates  
2 from the principal residency program;  
3 and

4 “(II) which may include consider-  
5 ation of applicants who reflect the  
6 communities in which they will serve  
7 and consideration of individuals from  
8 underrepresented populations in  
9 school leadership positions.

10 “(v) Continued support for residents  
11 once such residents are hired as principals  
12 or other school leaders, through an induc-  
13 tion program, evidence-based professional  
14 development to support the knowledge and  
15 skills of the principal or other school leader  
16 in a continuum of learning and content ex-  
17 pertise in developmentally appropriate or  
18 age-appropriate educational practices, and  
19 networking opportunities to support the  
20 residents through not less than the resi-  
21 dents’ first 2 years of serving as principal  
22 or other school leader of a school.

23 “(B) SELECTION OF INDIVIDUALS AS  
24 PRINCIPAL OR OTHER SCHOOL LEADER RESI-  
25 DENTS.—

1           “(i) ELIGIBLE INDIVIDUAL.—In order  
2           to be eligible to be a principal or other  
3           school leader resident in a principal or  
4           other school leader residency program  
5           under this paragraph, an individual shall—

6                   “(I) have prior prekindergarten  
7                   through grade 12 teaching experience;

8                   “(II) have experience as an effec-  
9                   tive leader, manager, and written and  
10                  oral communicator; and

11                  “(III) submit an application to  
12                  the residency program.

13           “(ii) SELECTION CRITERIA.—An eligi-  
14           ble partnership carrying out a principal or  
15           other school leader residency program  
16           under this subsection shall establish cri-  
17           teria for the selection of eligible individuals  
18           to participate in the principal residency  
19           program based on the following character-  
20           istics:

21                   “(I) Strong instructional leader-  
22                   ship skills in an elementary school or  
23                   secondary school setting.

24                   “(II) Strong verbal and written  
25                   communication skills, which may be

1 demonstrated by performance on ap-  
2 propriate assessments.

3 “(III) Other attributes linked to  
4 effective leadership, such as sound  
5 judgment, organizational capacity, col-  
6 laboration, commitment to equity and  
7 inclusiveness, and openness to contin-  
8 uous learning, which may be deter-  
9 mined by interviews or performance  
10 assessment, as specified by the eligible  
11 partnership.

12 “(4) STIPENDS OR SALARIES; APPLICATIONS;  
13 AGREEMENTS; AND REPAYMENTS.—

14 “(A) STIPENDS OR SALARIES.—A teaching  
15 residency program, or a principal or other  
16 school leader residency program, under this  
17 subsection—

18 “(i) shall provide a 1-year living sti-  
19 pend or salary to residents during the  
20 teaching residency program or the prin-  
21 cipal or other school leader residency pro-  
22 gram; and

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

25 “(B) APPLICATIONS.—

1           “(i) IN GENERAL.—Each residency  
2 candidate desiring a stipend or salary dur-  
3 ing the period of residency shall submit an  
4 application to the eligible partnership at  
5 such time, in such manner, and containing  
6 such information and assurances, as the el-  
7 ible partnership may require, and which  
8 shall include an agreement to serve de-  
9 scribed in clause (ii).

10           “(ii) AGREEMENTS TO SERVE.—Each  
11 application submitted under clause (i) shall  
12 contain or be accompanied by an agree-  
13 ment that the applicant will—

14           “(I) upon successfully completing  
15 the 1-year teaching residency pro-  
16 gram, or principal or other school  
17 leader residency program, serve as a  
18 full-time teacher, principal, or other  
19 school leader for a total of not less  
20 than 3 school years at—

21           “(aa) a high-need school  
22 served by the high-need local  
23 educational agency in the eligible  
24 partnership and, in the case of a  
25 teacher, teach a subject or area

1 that is designated as high-need  
2 by the partnership; or

3 “(bb) in a case in which no  
4 appropriate position is available  
5 in a high-need school served by  
6 the high-need local educational  
7 agency in the eligible partner-  
8 ship, any other high-need school;

9 “(II) provide to the eligible part-  
10 nership a certificate, from the chief  
11 administrative officer of the local edu-  
12 cational agency in which the teacher  
13 or principal or other school leader is  
14 employed, of the employment required  
15 under subclause (I) at the beginning  
16 of, and upon completion of, each year  
17 or partial year of service;

18 “(III) in the case of a teacher  
19 resident, meet the requirements to be  
20 a profession-ready teacher;

21 “(IV) in the case of a principal  
22 or other school leader resident, meet  
23 the requirements to be a profession-  
24 ready principal or other school leader;  
25 and

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

7                   “(C) REPAYMENTS.—

8                   “(i) IN GENERAL.—An eligible part-  
9                   nership carrying out a teaching residency  
10                  program, or a principal or other school  
11                  leader residency program, under this sub-  
12                  section shall require a recipient of a sti-  
13                  pend or salary under subparagraph (A)  
14                  who does not complete, or who notifies the  
15                  partnership that the recipient intends not  
16                  to complete, the service obligation required  
17                  by subparagraph (B) to repay such stipend  
18                  or salary to the eligible partnership, to-  
19                  gether with interest, at a rate specified by  
20                  the partnership in the agreement, and in  
21                  accordance with such other terms and con-  
22                  ditions specified by the eligible partnership,  
23                  as necessary.

24                  “(ii) OTHER TERMS AND CONDI-  
25                  TIONS.—Any other terms and conditions

1 specified by the eligible partnership may  
2 include reasonable provisions for prorated  
3 repayment of the stipend or salary de-  
4 scribed in subparagraph (A) or for deferral  
5 of a resident's service obligation required  
6 by subparagraph (B), on grounds of  
7 health, incapacitation, inability to secure  
8 employment in a school served by the eligi-  
9 ble partnership, being called to active duty  
10 in the Armed Forces of the United States,  
11 or other extraordinary circumstances.

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

17 (5) by striking subsection (f) and inserting the  
18 following:

19 “(f) TEACHER LEADER DEVELOPMENT PROGRAM.—

20 “(1) IN GENERAL.—A teacher leader develop-  
21 ment program carried out with a grant awarded  
22 under this section shall provide for the professional  
23 development of teachers, as described in paragraph  
24 (2), who maintain their roles as classroom teachers  
25 and who also carry out formalized leadership respon-

1 sibilities to increase the academic achievement of  
2 students and promote data-driven instructional prac-  
3 tices that address the demonstrated needs at the ele-  
4 mentary schools and secondary schools in which the  
5 teachers are employed, such as—

6 “(A) development of curriculum and cur-  
7 ricular resources;

8 “(B) facilitating the work of committees  
9 and teams;

10 “(C) family and community engagement;

11 “(D) school discipline and culture;

12 “(E) peer observations and coaching;

13 “(F) dual enrollment instruction; or

14 “(G) cultural competencies.

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

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

21 “(i) include—

22 “(I) the engagement of teachers  
23 in rigorous coursework and fieldwork  
24 relevant to their role as a teacher



1 leader, including available teacher  
2 leader standards; and

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

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

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

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

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

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

20 “(B) one or 2 additional years of support  
21 from a principal, vice principal, or a designated  
22 instructional leader of the school, a representa-  
23 tive from the institution of higher education  
24 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 are

1 determined through interviews, obser-  
2 vations, other exhibits, student  
3 achievement, or performance assess-  
4 ments, such as those leading to an ad-  
5 vanced credential;

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           “(g) PARTNERSHIP GRANTS FOR THE ESTABLISH-  
18           MENT OF GROW YOUR OWN PROGRAMS.—

19                   “(1) IN GENERAL.—An eligible partnership that  
20                   receives a grant under this section may use such  
21                   grant to carry out a high-quality ‘Grow Your Own’  
22                   program to address subject or geographic areas of  
23                   teacher or school leader shortages or to increase the  
24                   diversity of the teacher or school leader workforce.

1           “(2) ELEMENTS OF A GROW YOUR OWN PRO-  
2           GRAM.—A Grow Your Own program carried out  
3           under this section shall—

4                   “(A) integrate career-focused courses on  
5                   education topics with school-based learning ex-  
6                   perience;

7                   “(B) provide opportunities for candidates  
8                   to practice and develop the skills and dispo-  
9                   sitions that will help them become skilled edu-  
10                  cators and leaders;

11                  “(C) support candidates as they complete  
12                  their associate, baccalaureate, or master’s de-  
13                  gree and earn their teaching or school leader-  
14                  ship credential; and

15                  “(D) offer financial aid, in addition to fi-  
16                  nancial assistance that may be received under  
17                  title IV, to candidates and work in partnership  
18                  with members of the eligible partnership to pro-  
19                  vide academic, counseling, and programmatic  
20                  supports.

21           “(2) ESTABLISHMENT AND DESIGN.—To create  
22           and enhance multiple pathways to enter the educator  
23           and leadership workforce, an eligible partnership  
24           carrying out a Grow Your Own program under this  
25           section, in collaboration with organizations rep-

1       resenting educators and leaders and additional  
2       stakeholders—

3               “(A) shall—

4                       “(i) establish an advisory group to re-  
5                       view barriers impacting underrepresented  
6                       populations entering the teaching and  
7                       school leadership profession, identify local  
8                       teacher and leader workforce needs, de-  
9                       velop policies on the creation or expansion  
10                      of Grow Your Own programs, and provide  
11                      guidance and oversight on the implementa-  
12                      tion of such programs;

13                      “(ii) track and evaluate the effective-  
14                      ness of the program, including, at a min-  
15                      imum, using the data required under sec-  
16                      tion 204(a)(1);

17                      “(iii) require candidates to complete  
18                      all State requirements to become fully cer-  
19                      tified;

20                      “(iv) provide academic and testing  
21                      supports, including advising and financial  
22                      assistance, to candidates for admission and  
23                      completion of education preparation pro-  
24                      grams as well as State licensure assess-  
25                      ments;

1           “(v) include efforts, to the extent fea-  
2           sible, to recruit current paraprofessionals,  
3           as defined under section 8101 of the Ele-  
4           mentary and Secondary Education Act of  
5           1965, instructional assistants, district em-  
6           ployees not certified to teach or lead (such  
7           as long-term substitute teachers), after  
8           school and summer program staff, parent  
9           school volunteers, retired military per-  
10          sonnel, and other career changers with ex-  
11          perience in hard to staff areas who are not  
12          currently certified to teach or lead with a  
13          specific focus on recruiting individuals who  
14          are reflective of the race, ethnicity, and na-  
15          tive language of the existing community’s  
16          student population; and

17                 “(vi) provide a year-long clinical expe-  
18                 rience or teaching or school leadership resi-  
19                 dency in which candidates teach or lead  
20                 alongside an expert mentor teacher or  
21                 school leader; and

22                 “(B) may include—

23                         “(i) a stipend to cover candidate living  
24                         expenses or childcare costs; and

25                         “(ii) compensation for mentors.”.



1 **SEC. 2004. ADMINISTRATIVE PROVISIONS.**

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

4 (1) in subsection (a)(2), by striking “five-year  
5 period” and inserting “five-year period, except such  
6 partnership may receive an additional grant during  
7 such period if such grant is used to establish a  
8 teaching residency program, or a principal or other  
9 school leader residency program, if such residency  
10 program was not established with the prior grant”;  
11 and

12 (2) in subsection (b)(2)—

13 (A) in subparagraph (A)—

14 (i) striking “teacher preparation pro-  
15 gram” and inserting “teacher education,  
16 school leader preparation, or educator de-  
17 velopment program”;

18 (ii) inserting “and demonstrated suc-  
19 cess in having a diverse set of candidates  
20 complete the program, and entering and  
21 remaining in the profession”, after “such  
22 program”; and

23 (iii) striking “; and” at the end;

24 (B) by redesignating subparagraph (B) as  
25 subparagraph (C); and

1 (C) by inserting after subparagraph (A)  
2 the following:

3 “(B) provide a 1–year preservice clinical or  
4 residency experience that includes the integra-  
5 tion of coursework and clinical practice and of-  
6 fers cohorts of candidates the opportunity to  
7 learn to teach or lead in partner schools or  
8 teaching academies; and”.

9 **SEC. 2005. ACCOUNTABILITY AND EVALUATION.**

10 Section 204(a) of the Higher Education Act of 1965  
11 (20 U.S.C. 1022c(a)) is amended to read as follows:

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

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

20 “(2) after the completion of the partnership  
21 program, educator retention at the end of year 3  
22 and year 5;

23 “(3) pass rates and scaled scores for initial  
24 State certification or licensure of teachers or pass

1 rates and average scores on valid and reliable teach-  
2 er performance assessments; and

3 “(4)(A) the percentage of profession-ready  
4 teachers, principals or other school leaders hired by  
5 the high-need local educational agency participating  
6 in the eligible partnership;

7 “(B) the percentage of profession-ready teach-  
8 ers, principals, and other educators hired by the  
9 high-need local educational agency who are members  
10 of underrepresented groups;

11 “(C) the percentage of profession-ready teach-  
12 ers hired by the high-need local educational agency  
13 who teach high-need academic subject areas, such as  
14 reading, science, technology, engineering, mathe-  
15 matics, computer science, and foreign language (in-  
16 cluding less commonly taught languages and critical  
17 foreign languages);

18 “(D) the percentage of profession-ready teach-  
19 ers hired by the high-need local educational agency  
20 who teach in high-need areas, including special edu-  
21 cation, bilingual education, language instruction edu-  
22 cational programs for English language learners,  
23 and early childhood education;

24 “(E) the percentage of profession-ready teach-  
25 ers, principals or other school leaders, and other

1 educators hired by the high-need local educational  
2 agency who teach in high-need schools,  
3 disaggregated by the elementary school and sec-  
4 ondary school levels;

5 “(F) as applicable, the percentage of early  
6 childhood education program classes in the geo-  
7 graphic area served by the eligible partnership  
8 taught by early childhood educators who are highly  
9 competent as a result of participation in the partner-  
10 ship program;

11 “(G) as applicable, the percentage of educators  
12 who have completed the partnership program able  
13 to—

14 “(i) integrate technology effectively into  
15 curricula and instruction, including technology  
16 consistent with the principles of universal de-  
17 sign for learning; and

18 “(ii) use technology effectively to collect,  
19 manage, and analyze data to improve teaching  
20 and learning for the purpose of improving stu-  
21 dent learning outcomes; and

22 “(H) as applicable, the percentage of educators  
23 who have completed the partnership program taking  
24 school leadership positions who, after 3 years in the  
25 role, receive ratings of effective or above in State

1 school leader evaluation and support systems (as de-  
2 scribed in section 2014(c)(4)(B)(ii) of the Elemen-  
3 tary and Secondary Education Act of 1965) or, if no  
4 such ratings are available, other comparable indica-  
5 tors of performance.”.

6 **SEC. 2006. ACCOUNTABILITY FOR PROGRAMS THAT PRE-**  
7 **PARE TEACHERS, PRINCIPALS, OR OTHER**  
8 **SCHOOL LEADERS.**

9 Section 205 of the Higher Education Act of 1965 (20  
10 U.S.C. 1022d) is amended—

11 (1) in subsection (a)—

12 (A) by striking the subsection header and  
13 inserting the following: “INSTITUTIONAL AND  
14 PROGRAM REPORT CARDS ON THE QUALITY OF  
15 TEACHER AND SCHOOL LEADER PREPARA-  
16 TION”; and

17 (B) by striking paragraph (1) and insert-  
18 ing the following:

19 “(1) REPORT CARD.—Each teacher preparation  
20 or school leader preparation entity approved to oper-  
21 ate teacher preparation or school leader preparation  
22 programs in the State and that receives or enrolls  
23 students receiving Federal assistance shall report  
24 annually to the State and the general public, in a  
25 uniform and comprehensive manner that conforms

1 with the definitions and methods established by the  
2 Secretary, the following:

3 “(A) PASS RATES AND SCALED SCORES.—

4 For the most recent year for which the informa-  
5 tion is available for each teacher or school lead-  
6 er preparation program offered by the teacher  
7 preparation or school leader preparation entity  
8 the following:

9 “(i) Except as provided in clause (ii),  
10 for those students who took the assess-  
11 ments used for teacher or school leader  
12 certification or licensure by the State in  
13 which the entity is located and are enrolled  
14 in the teacher or school leader preparation  
15 program, and for those who have taken  
16 such assessments and have completed the  
17 teacher or school preparation program dur-  
18 ing the 2-year period preceding such year,  
19 for each of such assessments—

20 “(I) the percentages of students  
21 enrolled in the preparation program,  
22 and those who have completed such  
23 program, who passed such assess-  
24 ment;

1                   “(II) the percentage of students  
2                   who have taken such assessment who  
3                   enrolled in and completed the teacher  
4                   or school leader preparation program;  
5                   and

6                   “(III) the average scaled score  
7                   for all students who took such assess-  
8                   ment.

9                   “(ii) In the case of an entity that re-  
10                  quires a valid and reliable teacher perform-  
11                  ance assessment in order to complete the  
12                  preparation program, the entity may sub-  
13                  mit in lieu of the information described in  
14                  clause (i) the pass rate and average score  
15                  of students taking the teacher performance  
16                  assessment.

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

19                  “(i) The median grade point average  
20                  and range of grade point averages for ad-  
21                  mitted students.

22                  “(ii) The number of students in the  
23                  entity, disaggregated by race, ethnicity,  
24                  and gender, except that such  
25                  disaggregation shall not be required in a

1 case in which the result would reveal per-  
2 sonally identifiable information about an  
3 individual student.

4 “(iii) The number of hours and types  
5 of supervised clinical preparation required  
6 for each program.

7 “(iv) The total number and percent-  
8 age of students who have completed pro-  
9 grams for certification or licensure  
10 disaggregated by subject area and by race,  
11 ethnicity, gender, income status, and lan-  
12 guage diversity (graduates who have bilin-  
13 gual or dual language immersion endorse-  
14 ments), except that such disaggregation  
15 shall not be required in a case in which the  
16 result would reveal personally identifiable  
17 information about an individual student.

18 “(v) The percentage and total number  
19 of program completers who have been cer-  
20 tified or licensed as teachers or school  
21 leaders (disaggregated by subject area of  
22 certification or licensure and by race, eth-  
23 nicity, and gender, except that such  
24 disaggregation shall not be required in a  
25 case in which the number of students in a



1 category is insufficient to yield statistically  
2 reliable information or the results would  
3 reveal personally identifiable information  
4 about an individual student).

5 “(vi) The 3- and 5-year teacher or  
6 school leader retention rates, including, at  
7 a minimum, in the same school and local  
8 educational agency, and within the profes-  
9 sion (disaggregated by race, ethnicity, and  
10 gender, except that such disaggregation  
11 shall not be required in a case in which the  
12 number of students in a category is insuffi-  
13 cient to yield statistically reliable informa-  
14 tion or the results would reveal personally  
15 identifiable information about an individual  
16 student).

17 “(C) ACCREDITATION.—Whether the pro-  
18 gram or entity is accredited by a specialized ac-  
19 crediting agency recognized by the Secretary for  
20 accreditation of professional teacher or school  
21 leader education programs.

22 “(D) DESIGNATION AS LOW-PER-  
23 FORMING.—Which programs (if any) offered by  
24 the entity have been designated as low-per-  
25 forming by the State under section 207(a).”;

1 (2) in subsection (b)—

2 (A) in paragraph (1)—

3 (i) in subparagraph (A)—

4 (I) by inserting “and school leader”  
5 er” after “teacher”; and

6 (II) by inserting “, including  
7 teacher performance assessments”  
8 after “the State”;

9 (ii) by amending subparagraph (D) to  
10 read as follows:

11 “(D)(i) Except as provided in clause (ii),  
12 for each of the assessments used by the State  
13 for teacher or school leader certification or li-  
14 censure, disaggregated by subject area, race,  
15 ethnicity, and gender, except that such  
16 disaggregation shall not be required in a case in  
17 which the result would reveal personally identi-  
18 fiable information about an individual stu-  
19 dent—

20 “(I) for each entity located in the  
21 State, the percentage of students at each  
22 entity who have completed 100 percent of  
23 the nonclinical coursework and taken the  
24 assessment who pass such assessment;

1           “(II) the percentage of all such stu-  
2           dents in all such programs and entities  
3           who have taken the assessment who pass  
4           such assessment;

5           “(III) the percentage of students who  
6           have taken the assessment and who en-  
7           rolled in and completed a teacher or school  
8           leader preparation program; and

9           “(IV) the average scaled score of indi-  
10          viduals participating in such a program, or  
11          who have completed such a program dur-  
12          ing the 2-year period preceding the first  
13          year for which the annual State report  
14          card is provided, who took each such as-  
15          sessment.

16          “(ii) In the case of a State that has imple-  
17          mented a valid and reliable teacher performance  
18          assessment, the State may submit in lieu of the  
19          information described in clause (i) the pass rate  
20          and average score of students taking the teach-  
21          er performance assessment, disaggregated by  
22          subject area, race, ethnicity, and gender, except  
23          that such disaggregation shall not be required  
24          in a case in which the result would reveal per-

1           sonally identifiable information about an indi-  
2           vidual student.”;

3                   (iii) by striking subparagraphs (G)  
4                   through (L) and inserting the following:

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

7                           “(i) The programs’ admission rate,  
8                           median grade point average, and range of  
9                           grade point averages for admitted stu-  
10                           dents.

11                           “(ii) The number of students in the  
12                           program disaggregated by race, ethnicity,  
13                           and gender, except that such  
14                           disaggregation shall not be required in a  
15                           case in which the result would reveal per-  
16                           sonally identifiable information about an  
17                           individual student.

18                           “(iii) The number of hours and types  
19                           of supervised clinical preparation required.

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

23                           “(v) For each school leader prepara-  
24                           tion program in the State, the total num-  
25                           ber and percentage of program completers

1 placed as principals who are rated as effective  
2 tive or above on the State school leader  
3 evaluation and support systems (as described  
4 in section 2101(c)(4)(B)(2) of the  
5 Elementary and Secondary Education Act  
6 of 1965) or, if no such ratings are available,  
7 other comparable indicators of performance  
8 after three years of leading a  
9 school.

10 “(H) For the State as a whole, and for  
11 each teacher preparation entity in the State,  
12 the number of teachers prepared, in the aggregate  
13 and reported separately by the following:

14 “(i) Area of certification or licensure.

15 “(ii) Route of certification (traditional  
16 versus alternative).

17 “(iii) Academic major.

18 “(iv) Degree type (baccalaureate,  
19 post-baccalaureate, and master’s degrees).

20 “(v) Subject area for which the teacher  
21 has been prepared to teach.

22 “(vi) The relationship of the subject  
23 area and grade span of teachers graduated  
24 by the teacher preparation entity to identified  
25 teacher shortage areas of the State.

1           “(vii) The percentage of teachers  
2 graduated teaching in high-need schools.

3           “(viii) Placement in a teaching or  
4 school leadership position within 6 months  
5 of program completion.

6           “(ix) Rates of 3- and 5-year teacher  
7 or school leadership retention including, at  
8 a minimum, in the same school and local  
9 educational agency, and within the profes-  
10 sion.”; and

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

12           “(3) NO REQUIREMENT FOR REPORTING ON  
13 STUDENTS NOT WORKING IN THE STATE.—Nothing  
14 in this section shall require a State to report data  
15 on program completers who do not work as teachers,  
16 principals, or school leaders in such State.”; and

17           (3) in subsection (d)(2), by adding at the end  
18 the following:

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

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

1 **SEC. 2007. TEACHER DEVELOPMENT.**

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

6 **SEC. 2008. STATE FUNCTIONS.**

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

9 **“SEC. 207. STATE FUNCTIONS.**

10 **“(a) STATE ASSESSMENT.—**

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

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

20 Each State described in paragraph (1) shall—

21 **“(A)** provide the Secretary and the general  
22 public an annual list of low-performing teacher  
23 and school leader preparation programs and an  
24 identification of those programs at risk of being  
25 placed on such list, as applicable;

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

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

7           “(3) DETERMINATION OF AT-RISK AND LOW-  
8           PERFORMING PROGRAMS.—The levels of perform-  
9           ance and the criteria for meeting those levels for  
10          purposes of the assessment under paragraph (1)  
11          shall be determined by the State in consultation with  
12          a representative group of community stakeholders,  
13          including, at a minimum, representatives of leaders  
14          and faculty of traditional and alternative route  
15          teacher and school leader preparation programs, pre-  
16          kindergarten through 12th grade leaders and in-  
17          structional staff, current teacher and school leader  
18          candidates participating in traditional and alter-  
19          native route teacher or school leader preparation  
20          programs, the State’s standards board or other ap-  
21          propriate standards body, and other stakeholders  
22          identified by the State. In making such determina-  
23          tion, the State shall consider multiple measures and  
24          the information reported by teacher preparation en-  
25          tities under section 205.



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

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

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

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

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

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

21       “(c) TERMINATION OF ELIGIBILITY.—Any teacher or  
22 school leader preparation program that is projected to  
23 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) NEGOTIATED RULEMAKING.—If the Secretary  
11          develops any regulations implementing subsection (c)(2),  
12          the Secretary shall submit such proposed regulations to  
13          a negotiated rulemaking process, which shall include rep-  
14          resentatives of States, institutions of higher education,  
15          and educational and student organizations.

16          “(e) APPLICATION OF REQUIREMENTS.—The re-  
17          quirements of this section shall apply to both traditional  
18          teacher preparation programs and alternative routes to  
19          State certification and licensure programs.”.

20          **SEC. 2009. GENERAL PROVISIONS.**

21          Section 208(a) of the Higher Education Act of 1965  
22          (20 U.S.C. 1022g(a)) is amended by striking “sections  
23          205 and 206” and inserting “section 205”.

1 **SEC. 2010. ELEVATION OF THE EDUCATION PROFESSION**  
2 **STUDY.**

3 Part A of title II of the Higher Education Act of  
4 1965 (20 U.S.C. 1022 et seq.) is amended by inserting  
5 after section 208 the following:

6 **“SEC. 209. ELEVATION OF THE EDUCATION PROFESSION**  
7 **STUDY.**

8 “(a) PURPOSE.—The purpose of this section is to au-  
9 thorize a feasibility study on the elevation of the education  
10 profession by examining State policies related to teacher  
11 and school leader education and certification, produce a  
12 comprehensive set of expectations that sets a high bar for  
13 entry into the profession and ensures that all entering  
14 teachers and school leaders are profession-ready, and de-  
15 velop recommendations to Congress on best practices with  
16 respect to elevating the education profession that are evi-  
17 dence-based, reliable, and verified by the field.

18 “(b) ESTABLISHMENT.—

19 “(1) IN GENERAL.—The Secretary of Education  
20 shall establish an Advisory Committee to carry out  
21 the elevation of the education profession study de-  
22 scribed in subsection (c) and make recommendations  
23 to Congress on the findings.

24 “(2) MEMBERSHIP OF THE ADVISORY COM-  
25 MITTEE.—The Advisory Committee shall include

1 representatives or advocates from the following cat-  
2 egories:

3 “(A) Teacher unions.

4 “(B) School leader organizations.

5 “(C) State and local chief executives or  
6 their representatives.

7 “(D) State educational agencies and local  
8 educational agencies.

9 “(E) Teacher and school leader advocacy  
10 organizations.

11 “(F) School administrator organizations.

12 “(G) Institutions of higher education, in-  
13 cluding colleges of teacher education.

14 “(H) Civil rights organizations.

15 “(I) Organizations representing students  
16 with disabilities.

17 “(J) Organizations representing English  
18 learners.

19 “(K) Nonprofit organizations representing  
20 subject-fields, such as STEM Educator organi-  
21 zations, comprehensive literacy Educator orga-  
22 nizations, and arts and humanities educator or-  
23 ganizations.

24 “(L) Professional development organiza-  
25 tions.

1           “(M) Educational technology organiza-  
2           tions.

3           “(N) Nonprofit research organizations.

4           “(O) Organizations representing nontradi-  
5           tional pathways into teacher and school leader  
6           education.

7           “(P) Organizations representing parents.

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

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

11           “(A) assess the state of policies and prac-  
12           tices related to teacher and school leader edu-  
13           cation and entry into the profession including  
14           barriers to achieving certification and licensure,  
15           best practices in producing profession-ready  
16           teachers and school leaders, and recruitment  
17           and retention of teachers and school leaders in  
18           schools;

19           “(B) compile best practices for educating  
20           and training profession-ready teachers and  
21           school leaders including evidence-based prac-  
22           tices for training teachers and school leaders to  
23           support diverse learners, developing teacher and  
24           school leaders, and successful pre-service and  
25           in-service educational activities;

1           “(C) review certification and credentialing  
2 practices throughout the Nation including min-  
3 imum standards in each State, differences in  
4 types of credentials, and impact of different  
5 certification processes in each State for teach-  
6 ers and school leaders who relocate; and

7           “(D) recommend a comprehensive set of  
8 rigorous expectations for States standards to  
9 elevate the profession of teaching and to  
10 produce profession-ready teachers and school  
11 leaders prepared to educate diverse learners in  
12 inclusive educational settings.

13       “(2) REPORTS.—

14           “(A) Not later than 1 year after the Advi-  
15 sory Committee’s first meeting, the Committee  
16 shall submit an interim report to the Secretary  
17 and to the authorizing committees detailing the  
18 methods of the study and progress in devel-  
19 oping the set of comprehensive and rigorous ex-  
20 pectations.

21           “(B) Not later than 3 years after the Advi-  
22 sory Committee’s first meeting, the Committee  
23 shall submit a final report to the Secretary and  
24 to the authorizing committees detailing the

1 findings, recommendations, and suggested set  
2 of comprehensive and rigorous expectations.

3 “(3) DISSEMINATION OF INFORMATION.—In  
4 carrying out the study under paragraph (1), the Sec-  
5 retary shall, after the release of the study, dissemi-  
6 nate information found in the study in an accessible  
7 format to all stakeholders.

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

14 **SEC. 2011. AUTHORIZATION OF APPROPRIATIONS.**

15 Part A of title II of the Higher Education Act of  
16 1965 (20 U.S.C. 1022 et seq.) is amended—

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

18 and

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

20 (A) by striking “\$300,000,000” and in-  
21 sserting “\$500,000,000”;

22 (B) by striking “2009” and inserting  
23 “2019”; and

24 (C) by striking “two succeeding” and in-  
25 sserting “5 succeeding”.

1     **PART B—ENHANCING TEACHER AND SCHOOL**

2                     **LEADER EDUCATION**

3     **SEC. 2101. ENHANCING TEACHER AND SCHOOL LEADER**

4                     **EDUCATION.**

5             Part B of title II of the Higher Education Act of  
6 1965 (20 U.S.C. 1031 et seq.) is amended to read as fol-  
7 lows:

8     **“PART B—ENHANCING TEACHER AND SCHOOL**

9                     **LEADER EDUCATION**

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

11             “(a) IN GENERAL.—There are authorized to be ap-  
12 propriated to carry out this part \$100,000,000 for fiscal  
13 year 2021 and each of the 5 succeeding fiscal years.

14             “(b) DISTRIBUTION OF FUNDS.—Subparts 1 through  
15 4 of this part shall each receive a minimum of 20 percent  
16 of the amount appropriated for a fiscal year, and the Sec-  
17 retary shall have discretion over the distribution under  
18 this part of the remaining amount appropriated for such  
19 fiscal year.

20  **“Subpart 1—Honorable Augustus F. Hawkins Centers**  
21                     **of Excellence**

22  **“SEC. 231. FINDINGS.**

23             “Congress finds the following:

24                     “(1) Our Nation’s schools are experiencing a  
25 severe teacher diversity gap that negatively impacts  
26 student achievement and school culture—50 percent



1 of current students are students of color while only  
2 18 percent of teachers are of color, according to a  
3 2016 study by the Brookings Institution.

4 “(2) A 2016 report conducted by the Depart-  
5 ment of Education shows that teachers of color tend  
6 to provide more culturally relevant teaching and bet-  
7 ter understand the situations that students of color  
8 may face. These factors help in the development of  
9 trusting teacher-student relationships. Researchers  
10 from Vanderbilt University also found that greater  
11 racial and ethnic diversity in the principal corps ben-  
12 efits students, especially students of color.

13 “(3) Teachers and school leaders of color can  
14 also serve as cultural ambassadors who help stu-  
15 dents feel more welcome at school or as role models.

16 “(4) Research consistently shows that increas-  
17 ing diversity in the teaching profession can have  
18 positive impacts on student educational experiences  
19 and outcomes. Students of color demonstrate greater  
20 academic achievement and social-emotional develop-  
21 ment in classes with teachers of color. Studies also  
22 suggest that all students, including white students,  
23 benefit from having teachers of color offering their  
24 distinctive knowledge, experiences, and role modeling  
25 to the student body as a whole.

1 **“SEC. 232. PURPOSE.**

2 “The purpose of this subpart is to strengthen and  
3 expand the recruitment, training, and retention of can-  
4 didates of color into the teaching profession.

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

6 “In this subpart, the term ‘eligible institution’ means  
7 an institution of higher education that has a teacher or  
8 school leader preparation program that is accredited by  
9 the State and that is—

10 “(1) a part B institution (as defined in section  
11 322);

12 “(2) a Hispanic-serving institution (as defined  
13 in section 502);

14 “(3) a Tribal college or university (as defined in  
15 section 316);

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

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

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

22 “(7) an Asian-American and Native American  
23 Pacific Islander-serving institution (as defined in  
24 section 320(b));

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

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

3           “(10) an institution described in paragraphs (1)  
4           through (8), or a consortium described in paragraph  
5           (9), in partnership with any other institution of  
6           higher education, but only if the center of excellence  
7           established under section 234 is located at an insti-  
8           tution described in paragraphs (1) through (8).

9   **“SEC. 234. AUGUSTUS F. HAWKINS CENTERS OF EXCEL-**  
10                                   **LENCE.**

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

15           “(b) USE OF FUNDS.—An eligible institution shall  
16           use a grant received under this subpart to ensure that pro-  
17           grams offered at a center of excellence established by such  
18           institution prepare current and future teachers or school  
19           leaders to be profession-ready, and meet the applicable  
20           State certification and licensure requirements, including  
21           any requirements for certification obtained through alter-  
22           native routes to certification, or, with regard to special  
23           education teachers, the qualifications described in section  
24           612(a)(14)(C) of the Individuals with Disabilities Edu-

1 cation Act, by carrying out one or more of the following  
2 activities:

3 “(1) Implementing reforms within teacher or  
4 school leader preparation programs to ensure that  
5 such programs are preparing teachers or school lead-  
6 ers who meet such applicable State certification and  
7 licensure requirements or qualifications, and are  
8 using evidence-based instructional practices to im-  
9 prove student academic achievement, by—

10 “(A) retraining or recruiting faculty; and

11 “(B) designing (or redesigning) teacher or  
12 school leader preparation programs that—

13 “(i) prepare teachers or school leaders  
14 to serve in low-performing schools and  
15 close student achievement gaps; and

16 “(ii) are based on—

17 “(I) rigorous academic content;

18 “(II) evidence-based research;

19 and

20 “(III) challenging State academic  
21 standards as described in section  
22 1111(b)(1) of the Elementary and  
23 Secondary Education Act of 1965 (20  
24 U.S.C. 6311(b)(1)); and

25 “(iii) promote effective teaching skills.

1           “(2) Providing sustained and high-quality  
2 preservice clinical experience, including the men-  
3 toring of prospective teachers by exemplary teachers  
4 or teacher leaders, substantially increasing inter-  
5 action between faculty at institutions of higher edu-  
6 cation and new and experienced teachers, principals,  
7 school leaders, and other administrators at elemen-  
8 tary schools or secondary schools, and providing sup-  
9 port, including preparation time, for such inter-  
10 action.

11           “(3) Developing and implementing initiatives to  
12 promote retention of teachers who meet such appli-  
13 cable State certification and licensure requirements  
14 or qualifications, and principals and other school  
15 leaders, including teachers, principals, and other  
16 school leaders of color, including programs that pro-  
17 vide—

18                   “(A) teacher or principal and other school  
19 leader mentoring; and

20                   “(B) induction and support for teachers  
21 and principals and other school leaders during  
22 their first three years of employment as teach-  
23 ers, principals, or other school leaders, respec-  
24 tively.

1           “(4) Awarding scholarships based on financial  
2           need to help students pay the costs of tuition, room,  
3           board, and other expenses of completing a teacher or  
4           other school leader preparation program at the Cen-  
5           ter of Excellence, not to exceed the cost of attend-  
6           ance as defined in section 472.

7           “(5) Disseminating information on effective  
8           practices for teacher or other school leader prepara-  
9           tion and successful teacher or other school leader  
10          certification and licensure assessment preparation  
11          strategies.

12          “(6) Activities authorized under section 202.

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

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

21          “(e) REGULATIONS.—The Secretary shall prescribe  
22          such regulations as may be necessary to carry out this  
23          subpart.

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

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

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

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

7               “(2) improving the pedagogical competencies,  
8       behavior management skills, and cultural com-  
9       petencies of teacher candidates prepares them to ef-  
10      fectively teach students from diverse backgrounds  
11      and increases the likelihood they will remain in the  
12      profession; and

13              “(3) teachers who hold dual certification and  
14      receive training in social and emotional learning  
15      competencies and nonexclusionary, positive behavior  
16      management practices are better prepared to create  
17      a supportive school climate and meet the needs of all  
18      students, including English learners, racially diverse  
19      students, students with disabilities, low-income stu-  
20      dents, and students who have experienced trauma.

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

22              “(1) strengthen and expand teacher preparation  
23      programs that embed dual certification for teacher  
24      candidates in special education; and

25              “(2) strengthen and expand teacher preparation  
26      programs that embed training on inclusive practices,

1 culturally responsive teaching, social and emotional  
2 learning competencies and nonexclusionary, positive  
3 behavior management practices to teacher can-  
4 didates.

5 “(c) AUTHORIZATION OF PROGRAM.—

6 “(1) IN GENERAL.—From the amounts pro-  
7 vided to carry out this subpart, the Secretary shall  
8 award grants, on a competitive basis, to eligible  
9 partnerships to improve the preparation of general  
10 education teacher candidates to ensure that such  
11 teacher candidates possess the knowledge, skills, and  
12 credentials necessary to effectively instruct students  
13 with disabilities in general education classrooms, and  
14 an understanding of positive behavior-management  
15 practices that reduce the use of exclusionary and  
16 aversive disciplinary practices and create a sup-  
17 portive school climate.

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

21 “(3) NON-FEDERAL SHARE.—An eligible part-  
22 nership that receives a grant under this subpart  
23 shall provide not less than 25 percent of the cost of  
24 the activities carried out with such grant from non-



1 Federal sources, which may be provided in cash or  
2 in-kind.

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

6 “(1) shall include—

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

9 “(i) that prepare elementary or sec-  
10 ondary general education teachers;

11 “(ii) that have a program of study  
12 that leads to an undergraduate degree, a  
13 master’s degree, or completion of a  
14 postbaccalaureate program required for  
15 teacher certification; and

16 “(iii) the profession-ready graduates  
17 of which meet the applicable State certifi-  
18 cation and licensure requirements, includ-  
19 ing any requirements for certification ob-  
20 tained through alternative routes to certifi-  
21 cation, or, with regard to special education  
22 teachers, the qualifications described in  
23 section 612(a)(14)(C) of the Individuals  
24 with Disabilities Education Act;

1           “(B) a department or program that has  
2 expertise in special education at an institution  
3 of higher education; and

4           “(C) a high-need local educational agency;  
5 and

6           “(2) may include—

7           “(A) a department or program of mathe-  
8 matics, earth or physical science, foreign lan-  
9 guage, or another department at the institution  
10 that has a role in preparing teachers; or

11           “(B) a non-profit, research-based organiza-  
12 tion.

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

15           “(1) shall use the grant funds to—

16           “(A) develop or strengthen an under-  
17 graduate, postbaccalaureate, or master’s teach-  
18 er preparation program by integrating special  
19 education pedagogy into the general education  
20 curriculum and academic content that results in  
21 applicable dual State certification for teacher  
22 candidates who complete the program;

23           “(B) develop or strengthen an under-  
24 graduate, postbaccalaureate, or master’s teach-  
25 er preparation program by embedding social

1 and emotional learning strategies, inclusive  
2 practices, culturally responsive teaching, and  
3 nonexclusionary, positive behavior-management  
4 practices into the general education curriculum  
5 and academic content;

6 “(C) provide teacher candidates partici-  
7 pating in the program under subparagraph (A)  
8 with skills related to—

9 “(i) response to intervention, positive  
10 behavioral interventions and supports (in-  
11 cluding eliminating the use of aversive  
12 interventions such as seclusion and re-  
13 straints), differentiated instruction, and  
14 data-driven instruction (including the use  
15 of data to identify and address disparities  
16 in rates of discipline among student sub-  
17 groups);

18 “(ii) universal design for learning;

19 “(iii) determining and utilizing accom-  
20 modations for instruction and assessments  
21 for students with disabilities;

22 “(iv) collaborating with stakeholders  
23 such as special educators, related services  
24 providers, out-of-school time providers, and  
25 parents, including participation in individ-

1 ualized education program development  
2 and implementation;

3 “(v) appropriately utilizing technology  
4 and assistive technology for students with  
5 disabilities; and

6 “(vi) effectively and equitably using  
7 technology for digital and blended learning;

8 “(D) provide teacher candidates partici-  
9 pating in the program under subparagraph (B)  
10 with skills related to—

11 “(i) social and emotional learning  
12 competencies;

13 “(ii) positive behavior interventions  
14 and supports or multitiered systems of  
15 support;

16 “(iii) trauma-informed care;

17 “(iv) evidenced-based restorative jus-  
18 tice practices;

19 “(v) culturally responsive teaching  
20 and anti-bias training that is evidence-  
21 based; and

22 “(E) provide extensive clinical experience  
23 for participants described in subparagraphs (A)  
24 and (B) with mentoring and induction support

1           throughout the program that continues during  
2           the first 2 years of full-time teaching.

3           “(f) APPLICATION.—

4           “(1) APPLICATION REQUIREMENTS.—An eligi-  
5           ble partnership seeking a grant under this section  
6           shall submit an application to the Secretary at such  
7           time, in such manner, and containing such informa-  
8           tion as the Secretary may require. Such application  
9           shall include—

10           “(A) a self-assessment by the eligible part-  
11           nership of the existing teacher preparation pro-  
12           gram at the institution of higher education and  
13           needs related to preparing general education  
14           teacher candidates to instruct students with dis-  
15           abilities; and

16           “(B) an assessment of the existing per-  
17           sonnel needs for general education teachers who  
18           instruct students with disabilities, performed by  
19           the high-need local educational agency described  
20           in subsection (d)(1)(C).

21           “(2) PEER REVIEW.—

22           “(A) IN GENERAL.—The Secretary shall  
23           convene a peer review committee to review ap-  
24           plications for grants under this subpart and to  
25           make recommendations to the Secretary regard-

1           ing the selection of eligible partnerships for  
2           such grants.

3           “(B) MEMBERSHIP.—Members of the peer  
4           review committee shall be recognized experts in  
5           the fields of special education, social and emo-  
6           tional learning, teacher preparation, and gen-  
7           eral education and shall not be in a position to  
8           benefit financially from any grants awarded  
9           under this section.

10          “(g) EQUITABLE GEOGRAPHIC DISTRIBUTION.—In  
11         awarding grants under this subpart, the Secretary shall,  
12         to the maximum extent possible, provide for an equitable  
13         geographic distribution of such grants.

14          “(h) EVALUATIONS.—

15                 “(1) BY THE PARTNERSHIP.—

16                         “(A) IN GENERAL.—An eligible partner-  
17                         ship receiving a grant under this subpart shall  
18                         conduct an evaluation at the end of the grant  
19                         period to determine—

20                                 “(i) the effectiveness of the general  
21                                 education teachers who completed a pro-  
22                                 gram under subsection (c)(1) with respect  
23                                 to instruction of students with disabilities  
24                                 in general education classrooms; and



1 to ensure that such teacher candidates possess the knowl-  
2 edge and skills necessary to effectively instruct English  
3 learners.

4 “(b) DURATION OF GRANTS.—A grant under this  
5 section shall be awarded for a period of not more than  
6 5 years.

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

12 “(d) ELIGIBLE PARTNERSHIP.—The term ‘eligible  
13 partnership’ means an eligible institution of higher edu-  
14 cation in partnership with a high-need local educational  
15 agency or a high-need early childhood education program.

16 “(e) USES OF FUNDS.—An eligible partnership that  
17 receives a grant under this section shall use the grant to—

18 “(1) develop or strengthen an undergraduate,  
19 postbaccalaureate, or master’s teacher preparation  
20 program by integrating strategies for teaching  
21 English learners into the education curriculum and  
22 academic content;

23 “(2) provide teacher candidates participating in  
24 a program under paragraph (1) with skills related  
25 to—



1 “(A) helping English learners—

2 “(i) achieve at high levels in pre-  
3 kindergarten programs, and elementary  
4 schools and secondary schools so that such  
5 English learners can meet the challenging  
6 State academic standards adopted under  
7 section 1111(b)(1) of the Elementary and  
8 Secondary Education Act of 1965 (20  
9 U.S.C. 6311(b)(1)) by the State of the  
10 school attended by the English learners,  
11 which all children in the State are expected  
12 to meet; and

13 “(ii) attain English proficiency;

14 “(B) appropriately identifying and meeting  
15 the specific learning needs of children with dis-  
16 abilities who are English learners;

17 “(C) recognizing and addressing the social  
18 and emotional needs of English learners; and

19 “(D) promoting parental, family, and com-  
20 munity engagement in educational programs  
21 that serve English learners;

22 “(3) provide authentic clinical learning opportu-  
23 nities for teacher candidates participating in the pro-  
24 gram involving sustained interactions with teachers  
25 and English learners at public prekindergarten pro-

1       grams, or elementary schools or secondary schools,  
2       to the extent practicable, or simulated environments  
3       at the eligible institution of higher education in-  
4       volved, that foster in-depth, first-hand engagement  
5       with tasks required of a teacher providing instruc-  
6       tion to English learners; and

7               “(4) provide teacher candidates with the re-  
8       quired coursework to qualify for an English-as-a-sec-  
9       ond-language certification, endorsement, or initial  
10      teaching credential, as recognized by the State of the  
11      eligible partnership.

12      “(f) APPLICATION.—An eligible partnership seeking  
13      a grant under this section shall submit an application to  
14      the Secretary at such time, in such manner, and con-  
15      taining such information as the Secretary may require.  
16      Such application shall include—

17              “(1) a self-assessment by the eligible partner-  
18      ship of the existing teacher preparation program at  
19      the institution of higher education and the needs re-  
20      lated to preparing teacher candidates to instruct  
21      English learners in the manner described in sub-  
22      section (d)(2); and

23              “(2) a self-assessment by the eligible partner-  
24      ship of the personnel needs for teachers who instruct  
25      English learners at local, public prekindergarten

1 programs, and elementary schools and secondary  
2 schools.

3 “(g) EQUITABLE GEOGRAPHIC DISTRIBUTION.—In  
4 awarding grants under this section, the Secretary shall,  
5 to the maximum extent possible, provide for an equitable  
6 geographic distribution of such grants.

7 “(h) EVALUATIONS.—

8 “(1) REPORT FROM ELIGIBLE PARTNER-  
9 SHIPS.—An eligible partnership receiving a grant  
10 under this section shall submit to the Secretary the  
11 results of an evaluation conducted by the partner-  
12 ship at the end of the grant period to determine—

13 “(A) the effectiveness of teachers who com-  
14 pleted a program under subsection (d)(1) with  
15 respect to instruction of English learners; and

16 “(B) the systemic impact of the activities  
17 carried out by such grant on how such partner-  
18 ship prepares teachers to provide instruction in  
19 prekindergarten programs, and elementary  
20 schools and secondary schools.

21 “(2) REPORT FROM THE SECRETARY.—Not  
22 later than 180 days after the last day of the grant  
23 period under this section, the Secretary shall make  
24 available to the authorizing committees and the pub-  
25 lic—

1           “(A) the findings of the evaluations sub-  
2           mitted under paragraph (1); and

3           “(B) information on best practices related  
4           to effective instruction of English learners.

5           **“Subpart 4—Graduate Fellowships To Prepare**  
6           **Faculty in High-Need Areas at Colleges of Education**

7           **“SEC. 261. GRADUATE FELLOWSHIPS TO PREPARE FAC-**  
8                                 **ULTY IN HIGH-NEED AREAS AT COLLEGES OF**  
9                                 **EDUCATION.**

10          “(a) GRANTS BY SECRETARY.—From the amounts  
11          provided to carry out this subpart, the Secretary shall  
12          award grants, on a competitive basis, to eligible institu-  
13          tions to enable such institutions to make graduate fellow-  
14          ship awards to qualified individuals in accordance with the  
15          provisions of this section.

16          “(b) ELIGIBLE INSTITUTIONS.—In this section, the  
17          term ‘eligible institution’ means an institution of higher  
18          education, or a consortium of such institutions, that offers  
19          a program of postbaccalaureate study leading to a doctoral  
20          degree.

21          “(c) APPLICATIONS.—An eligible institution that de-  
22          sires a grant under this section shall submit an application  
23          to the Secretary at such time, in such manner, and con-  
24          taining such information as the Secretary may reasonably  
25          require.

1 “(d) TYPES OF FELLOWSHIPS SUPPORTED.—

2 “(1) IN GENERAL.—An eligible institution that  
3 receives a grant under this subpart shall use the  
4 grant funds to provide graduate fellowships to indi-  
5 viduals who are preparing for the professorate in  
6 order to prepare individuals to become elementary  
7 school and secondary school science, technology, en-  
8 gineering, and math teachers, special education  
9 teachers, and teachers who provide instruction for  
10 English-learners, who meet the applicable State cer-  
11 tification and licensure requirements, including any  
12 requirements for certification obtained through alter-  
13 native routes to certification, or, with regard to spe-  
14 cial education teachers, the qualifications described  
15 in section 612(a)(14)(C) of the Individuals with Dis-  
16 abilities Education Act.

17 “(2) TYPES OF STUDY.—A graduate fellowship  
18 provided under this section shall support an indi-  
19 vidual in pursuing postbaccalaureate study, which  
20 leads to a doctoral degree and may include a mas-  
21 ter’s degree as part of such study, related to teacher  
22 preparation and pedagogy in one of the following  
23 areas:

24 “(A) Science, technology, engineering,  
25 mathematics, and computer science, and their

1 related subfields, if the individual has completed  
2 a master's degree in mathematics, engineering,  
3 science, or computer science and is pursuing a  
4 doctoral degree in mathematics, science, engi-  
5 neering, or education.

6 “(B) Special education.

7 “(C) The instruction of English-learners,  
8 including postbaccalaureate study in language  
9 instruction educational programs.

10 “(e) FELLOWSHIP TERMS AND CONDITIONS.—

11 “(1) SELECTION OF FELLOWS.—The Secretary  
12 shall ensure that an eligible institution that receives  
13 a grant under this subpart—

14 “(A) shall provide graduate fellowship  
15 awards to individuals who plan to pursue a ca-  
16 reer in instruction at an institution of higher  
17 education that has a teacher preparation pro-  
18 gram; and

19 “(B) may not provide a graduate fellow-  
20 ship to an otherwise eligible individual—

21 “(i) during periods in which such indi-  
22 vidual is enrolled at an institution of high-  
23 er education unless such individual is  
24 maintaining satisfactory academic progress  
25 in, and devoting full-time study or research

1 to, the pursuit of the degree for which the  
2 fellowship support was provided; or

3 “(ii) if the individual is engaged in  
4 gainful employment, other than part-time  
5 employment related to teaching, research,  
6 or a similar activity determined by the in-  
7 stitution to be consistent with and sup-  
8 portive of the individual’s progress toward  
9 the degree for which the fellowship support  
10 was provided.

11 “(2) AMOUNT OF FELLOWSHIP AWARDS.—

12 “(A) IN GENERAL.—An eligible institution  
13 that receives a grant under this subpart shall  
14 award stipends to individuals who are provided  
15 graduate fellowships under this subpart.

16 “(B) AWARDS BASED ON NEED.—A sti-  
17 pend provided under this subpart shall be in an  
18 amount equal to the level of support provided  
19 by the National Science Foundation graduate  
20 fellowships, except that such stipend shall be  
21 adjusted as necessary so as not to exceed the  
22 fellowship recipient’s demonstrated need, as de-  
23 termined by the institution of higher education  
24 where the fellowship recipient is enrolled.

25 “(3) SERVICE REQUIREMENT.—

1           “(A) TEACHING REQUIRED.—Each indi-  
2           vidual who receives a graduate fellowship under  
3           this subpart and earns a doctoral degree shall  
4           teach for 1 year at an institution of higher edu-  
5           cation that has a teacher preparation program  
6           for each year of fellowship support received  
7           under this section.

8           “(B) INSTITUTIONAL OBLIGATION.—Each  
9           eligible institution that receives a grant under  
10          this subpart shall provide an assurance to the  
11          Secretary that the institution has inquired of  
12          and determined the decision of each individual  
13          who has received a graduate fellowship to, with-  
14          in 3 years of receiving a doctoral degree, begin  
15          employment at an institution of higher edu-  
16          cation that has a teacher preparation program,  
17          as required by this section.

18          “(C) AGREEMENT REQUIRED.—Prior to  
19          receiving an initial graduate fellowship award,  
20          and upon the annual renewal of the graduate  
21          fellowship award, an individual selected to re-  
22          ceive a graduate fellowship under this section  
23          shall sign an agreement with the Secretary  
24          agreeing to pursue a career in instruction at an  
25          institution of higher education that has a teach-



1 er preparation program in accordance with sub-  
2 paragraph (A).

3 “(D) FAILURE TO COMPLY.—If an indi-  
4 vidual who receives a graduate fellowship award  
5 under this section fails to comply with the  
6 agreement signed pursuant to subparagraph  
7 (C), the sum of the amounts of any graduate  
8 fellowship award received by such recipient  
9 shall, upon a determination of such a failure, be  
10 treated as a Federal Direct Unsubsidized Staf-  
11 ford Loan under part D of title IV, and shall  
12 be subject to repayment, together with interest  
13 thereon accruing from the date of the fellowship  
14 award, in accordance with terms and conditions  
15 specified by the Secretary in regulations under  
16 this subpart.

17 “(E) MODIFIED SERVICE REQUIREMENT.—  
18 The Secretary may waive or modify the service  
19 requirement of this paragraph in accordance  
20 with regulations promulgated by the Secretary  
21 with respect to the criteria to determine the cir-  
22 cumstances under which compliance with such  
23 service requirement is inequitable or represents  
24 a substantial hardship. The Secretary may  
25 waive the service requirement if compliance by

1 the fellowship recipient is determined to be in-  
2 equitable or represent a substantial hardship—

3 “(i) because the individual is perma-  
4 nently and totally disabled at the time of  
5 the waiver request; or

6 “(ii) based on documentation pre-  
7 sented to the Secretary of substantial eco-  
8 nomic or personal hardship.

9 “(f) INSTITUTIONAL SUPPORT FOR FELLOWS.—An  
10 eligible institution that receives a grant under this section  
11 may reserve not more than ten percent of the grant  
12 amount for academic and career transition support for  
13 graduate fellowship recipients and for meeting the institu-  
14 tional obligation described in subsection (e)(3)(B).

15 “(g) RESTRICTION ON USE OF FUNDS.—An eligible  
16 institution that receives a grant under this section may  
17 not use grant funds for general operational overhead of  
18 the institution.

19 **“Subpart 5—General Provisions**

20 **“SEC. 281. COMPETITIVE PRIORITY.**

21 “In awarding grants under subparts 1 through 4, the  
22 Secretary shall award competitive priority to eligible insti-  
23 tutions, eligible partnerships, and eligible entities that  
24 demonstrate in the application for such a grant a plan  
25 to—

1           “(1) increase the diversity in the educator  
2 workforce through—

3           “(A) recruiting, enrolling, and preparing  
4 diverse teacher candidates; and

5           “(B) efforts that help retain diverse teach-  
6 er candidates in high-needs schools;

7           “(2) address the shortage of teachers in high-  
8 needs fields including science, technology, engineer-  
9 ing, arts, mathematics, or computer science  
10 through—

11           “(A) recruiting, enrolling, and preparing  
12 teacher candidates to achieve certification, as  
13 required by the State, to offer instruction in  
14 high-needs fields, including science, technology,  
15 engineering, arts, mathematics, or computer  
16 science; and

17           “(B) efforts that help retain teachers of  
18 high-needs fields in high-needs schools;

19           “(3) expand the pipeline of school leaders  
20 through preparing teacher leaders, which may be  
21 achieved by efforts that may include—

22           “(A) embedding pedagogical coursework  
23 for teacher candidates that fosters—

24           “(i) leadership and advocacy skills;

1 “(ii) knowledge of school management  
2 and finance;

3 “(iii) school operations and business  
4 skills;

5 “(iv) effective use and management of  
6 educational technology;

7 “(v) strategies for community and  
8 family engagement; and

9 “(vi) mentorship and coaching strate-  
10 gies; and

11 “(B) providing opportunities for teacher  
12 candidates to receive—

13 “(i) exposure to and modeling from  
14 teacher leaders and school leaders; and

15 “(ii) ongoing support and continu-  
16 ation of professional development on teach-  
17 er or other school leadership once exiting  
18 the teacher or other school leader prepara-  
19 tion program.”.

## 20 **TITLE III—INSTITUTIONAL AID**

### 21 **SEC. 3001. STRENGTHENING INSTITUTIONS.**

22 (a) PROGRAM PURPOSE.—Section 311(d) of the  
23 Higher Education Act of 1965 (20 U.S.C. 1057(d)) is  
24 amended—

25 (1) in paragraph (2)—

1 (A) by striking “non-Federal sources” and  
2 inserting “non-Federal sources (which may in-  
3 clude gifts to the endowment fund restricted for  
4 a specific purpose)”; and

5 (B) by striking “or greater than” and in-  
6 serting “50 percent of”; and

7 (2) by inserting after paragraph (3) the fol-  
8 lowing:

9 “(4) SCHOLARSHIP.—An eligible institution  
10 that uses grant funds provided under this section to  
11 establish or increase an endowment fund may use  
12 the interest proceeds from such endowment to pro-  
13 vide scholarships to students for the purposes of at-  
14 tending such institution.”.

15 (b) TRIBALLY CONTROLLED COLLEGES AND UNI-  
16 VERSITIES.—Section 316(c) of the Higher Education Act  
17 of 1965 (20 U.S.C. 1059c(c)) is amended—

18 (1) in paragraph (2)—

19 (A) in subparagraph (D), by striking “In-  
20 dians” and all that follows through “policy”  
21 and inserting “American Indians and Alaska  
22 Natives are underrepresented, instruction in  
23 Native American language, and instruction to  
24 support tribal governance, tribal public policy,  
25 and tribal history and sovereignty;” and

1 (B) in subparagraph (L) by striking “out-  
2 reach” and all that follows through “education”  
3 and inserting “outreach and recruitment activi-  
4 ties and programs that encourage American In-  
5 dian and Alaska Native elementary school stu-  
6 dents, secondary school students, and adults to  
7 develop the academic skills and the interest to  
8 pursue and succeed in postsecondary edu-  
9 cation”; and

10 (2) in paragraph (3)—

11 (A) in subparagraph (B)—

12 (i) by striking “matching funds” and  
13 inserting “matching funds (which may in-  
14 clude gifts to the endowment fund re-  
15 stricted for a specific purpose)”; and

16 (ii) by striking “equal to the Federal  
17 funds” and inserting “equal to 50 percent  
18 of the Federal funds”; and

19 (B) by inserting after subparagraph (C)  
20 the following:

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           (c) **ELIMINATION OF PRE-APPROVAL REQUIREMENT;**  
4 **USE OF UNEXPENDED FUNDS.**—Section 316(d) of the  
5 Higher Education Act of 1965 (20 U.S.C. 1059c(d)) is  
6 amended—

7           (1) by striking paragraph (1);

8           (2) by redesignating paragraphs (2) through  
9           (4) as paragraphs (1) through (3), respectively; and

10           (3) in paragraph (2), as so redesignated, by  
11 adding at the end the following:

12                   “(C) **USE OF UNEXPENDED FUNDS.**—Any  
13 funds paid to an institution and not expended  
14 or used for the purposes for which the funds  
15 were paid during the 5-year period following the  
16 date of the initial grant award, may be carried  
17 over and expended during the succeeding 5-year  
18 period, if such funds were obligated for a pur-  
19 pose for which the funds were paid during the  
20 5-year period following the date of the initial  
21 grant award.”.

22           (d) **PROMOTING THE SUSTAINABILITY OF NATIVE**  
23 **AMERICAN LANGUAGES.**—Part A of title III of the Higher  
24 Education Act of 1965 (20 U.S.C. 1057 et seq.) is further

1 amended by inserting after section 316 (20 U.S.C. 1059c)  
2 the following:

3 **“SEC. 316A. NATIVE AMERICAN LANGUAGE VITALIZATION**  
4 **AND TRAINING PROGRAM.**

5 “(a) ESTABLISHMENT.—

6 “(1) IN GENERAL.—From the amount appro-  
7 priated under subsection (d), the Secretary shall es-  
8 tablish the Native American Language Vitalization  
9 and Training Program under which the Secretary  
10 shall award grants, on a competitive basis, to eligible  
11 institutions to promote the preservation, revitaliza-  
12 tion, relevancy, and use of Native American lan-  
13 guages.

14 “(2) TERM.—The term of a grant under this  
15 section shall be not more than 5 years.

16 “(3) APPLICATION.—

17 “(A) STREAMLINED PROCESS.—In car-  
18 rying out the program under this section, the  
19 Secretary shall establish application require-  
20 ments in such a manner as to simplify and  
21 streamline the process for the grant application  
22 under this section.

23 “(B) IN GENERAL.—To be eligible to re-  
24 ceive a grant under this subsection, an eligible  
25 institution shall submit to the Secretary an ap-



1           plication at such time, in such manner, and in  
2           accordance with any other application require-  
3           ments described in subparagraph (A), that the  
4           Secretary may prescribe, and including the fol-  
5           lowing:

6                   “(i) A description of the 5-year pro-  
7                   gram of the eligible institution for meeting  
8                   the needs of American Indians, Alaska Na-  
9                   tives, Native Hawaiians, or Native Amer-  
10                  ican Pacific Islanders, as appropriate, in  
11                  the area served by the institution, and how  
12                  such plan is consistent with the purposes  
13                  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  
25                   the manner in which the services will be in-

1           tegrated with other appropriate language  
2           programs available in the relevant commu-  
3           nity.

4           “(iv) A description, to be prepared in  
5           consultation with the Secretary, of the per-  
6           formance measures to be used to assess  
7           the performance of the eligible institution  
8           in carrying out the program.

9           “(b) USE OF FUNDS.—An eligible institution may  
10          use a grant under this section to carry out activities con-  
11          sistent with the purposes described in subsection (a)(1),  
12          including—

13           “(1) curriculum development and academic in-  
14          struction, including educational activities, programs,  
15          and partnerships relating to students in early child-  
16          hood education programs through grade 12;

17           “(2) professional development for faculty at the  
18          eligible institution and in-service training programs  
19          for early childhood education programs through  
20          grade 12 instructors and administrators; and

21           “(3) innovative Native American language pro-  
22          grams for students in early childhood education pro-  
23          grams through grade 12, including language immer-  
24          sion programs.

25          “(c) APPLICABILITY OF OTHER PROVISIONS.—

1 “(1) CONCURRENT FUNDING.—

2 “(A) TRIBAL COLLEGE OR UNIVERSITY.—

3 An eligible institution that is a Tribal College  
4 or University may, concurrently, receive a grant  
5 under this section and funds under section 316.

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, concurrently, receive a

11 grant under this section and funds under sec-

12 tion 317.

13 “(C) ASIAN AMERICAN AND NATIVE AMER-

14 ICAN PACIFIC ISLANDER-SERVING INSTITU-

15 TION.—An eligible institution that is an Asian

16 American and Native American Pacific Is-  
17 lander-serving institution may, concurrently, re-

18 ceive a grant under this section and funds

19 under section 320.

20 “(2) EXEMPTION.—Sections 312(b) and 313(d)

21 shall not apply to an eligible institution that receives

22 a grant under this section.

23 “(d) AUTHORIZATION OF APPROPRIATIONS.—There

24 are authorized to be appropriated to carry out this section

25 \$20,000,000 (of which \$15,000,000 shall be available for

1 Tribal Colleges or Universities and \$5,000,000 shall be  
2 available for the institutions described in subparagraphs  
3 (B) through (D) of subsection (e)(1)) for fiscal year 2021  
4 and each of the 5 succeeding fiscal years.

5 “(e) DEFINITIONS.—In this section:

6 “(1) ELIGIBLE INSTITUTION.—The term ‘eligi-  
7 ble institution’ means—

8 “(A) a Tribal College or University, as de-  
9 fined in section 316;

10 “(B) an Alaska Native-serving institution,  
11 as defined in section 317;

12 “(C) a Native Hawaiian-serving institu-  
13 tion, as defined in section 317; or

14 “(D) an Asian American and Native Amer-  
15 ican Pacific Islander-serving institution, as de-  
16 fined in section 320, which is located in Amer-  
17 ican Samoa, Guam, or the Commonwealth of  
18 the Northern Mariana Islands.

19 “(2) NATIVE AMERICAN.—The term ‘Native  
20 American’ has the meaning given the term in section  
21 371(c)(6).”.

22 (e) PREDOMINANTLY BLACK INSTITUTIONS.—Sec-  
23 tion 318(d)(3) of the Higher Education Act of 1965 (20  
24 U.S.C. 1059e(d)(3)) is amended—

25 (1) in subparagraph (B)—

1 (A) by striking “non-Federal sources” and  
2 inserting “non-Federal sources (which may in-  
3 clude gifts to the endowment fund restricted for  
4 a specific purpose)”; and

5 (B) by striking “equal to or greater than  
6 the Federal funds” and inserting “equal to 50  
7 percent of the Federal funds”; and

8 (2) by inserting after subparagraph (C) the fol-  
9 lowing:

10 “(D) SCHOLARSHIPS.—An eligible institu-  
11 tion that uses grant funds provided under this  
12 section to establish or increase an endowment  
13 fund may use the interest proceeds from such  
14 endowment to provide scholarships to students  
15 for the purposes of attending such institution.”.

16 (f) TECHNICAL CORRECTION TO SECTION 317.—  
17 Section 317(d)(3)(A) of the Higher Education Act of 1965  
18 (20 U.S.C.1059d(d)(3)(A) is amended to read as follows:

19 “(A) ELIGIBILITY.—No Alaskan Native-  
20 serving institution of Native Hawaiian-serving  
21 institution that receives funds under this sec-  
22 tion shall concurrently receive funds under  
23 other provisions of this part, part B, or part A  
24 of title V.”.

1 (g) TECHNICAL CORRECTION TO SECTION 318.—  
2 Section 318(i) of the Higher Education Act of 1965 (20  
3 U.S.C. 1059e) is amended—

4 (1) in the subsection heading, by striking “SPE-  
5 CIAL RULE ON ELIGIBILITY” and inserting “SPE-  
6 CIAL RULES” ;

7 (2) by striking “No Predominantly” and insert-  
8 ing the following:

9 “(1) ELIGIBILITY.—No Predominantly”; and

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

11 “(2) EXEMPTION.—Section 313(d) shall not  
12 apply to institutions that are eligible to receive funds  
13 under this section.”.

14 (h) TECHNICAL CORRECTION TO SECTION 320.—  
15 Section 320(d)(3)(A) of the Higher Education Act of 1965  
16 (20 U.S.C. 1059g(d)(3)(A)) is amended by inserting “part  
17 A of” after “or”.

18 **SEC. 3002. STRENGTHENING HISTORICALLY BLACK COL-**  
19 **LEGES AND UNIVERSITIES.**

20 (a) ALLOWABLE USES OF FUNDS.—Section 323(a)  
21 of the Higher Education Act of 1965 (20 U.S.C. 1062(a))  
22 is amended—

23 (1) by striking paragraphs (6) and (7) and in-  
24 serting the following:

1           “(6) Tutoring, counseling, advising, and stu-  
2           dent service programs designed to improve academic  
3           success, including innovative and customized instruc-  
4           tional courses (which may include remedial edu-  
5           cation and English language instruction) designed to  
6           help retain students and move students rapidly into  
7           core courses and through program completion.

8           “(7) Funds and administrative management,  
9           and acquisition of technology, services, and equip-  
10          ment for use in strengthening funds and administra-  
11          tive management.”;

12          (2) in paragraph (10)—

13                (A) by striking “teacher education” and  
14                inserting “traditional or alternative route teach-  
15                er preparation”; and

16                (B) by striking “preparation for teacher  
17                certification” and inserting “preparation of  
18                graduates for teacher certification or licensure”;

19          (3) by redesignating paragraph (15) as para-  
20          graph (19); and

21          (4) by inserting after paragraph (14) the fol-  
22          lowing:

23                “(15) Distance education programs and cre-  
24                ating or improving facilities for internet or other dis-  
25                tance learning academic instruction capabilities, in-

1 cluding the purchase or rental of telecommunications  
2 technology equipment or services.

3 “(16) Establishing or improving a program that  
4 produces improved results in the educational out-  
5 comes of African American males.

6 “(17) Scholarships, fellowships, and other fi-  
7 nancial assistance for financially needy under-  
8 graduate students, as determined by the institution,  
9 to permit the enrollment and degree completion of  
10 such students in the physical or natural sciences, en-  
11 gineering, mathematics or other scientific disciplines  
12 in which African Americans are underrepresented, ex-  
13 cept that not more than 30 percent of the grant  
14 amount may be used for this purpose.

15 “(18) Establishing or improving an office of  
16 sponsored programs to assist with identifying exter-  
17 nal funding opportunities, applying for external  
18 funding, and administering grant awards.”.

19 (b) HISTORICALLY BLACK COLLEGES AND UNIVER-  
20 SITIES.—Section 323(b) of the Higher Education Act of  
21 1965 (20 U.S.C. 1062(b)) is amended—

22 (1) in paragraph (2)—

23 (A) by striking “non-Federal sources” and  
24 inserting “non-Federal sources (which may in-



1           clude gifts to the endowment fund restricted for  
2           a specific purpose)”; and

3                   (B) by striking “equal to or greater than  
4           the Federal funds” and inserting “equal to 50  
5           percent of the Federal funds”; and

6           (2) by inserting after paragraph (3) the fol-  
7           lowing:

8                   “(4) SCHOLARSHIPS.—An eligible institution  
9           that uses grant funds provided under this section to  
10          establish or increase an endowment fund may use  
11          the interest proceeds from such endowment to pro-  
12          vide scholarships to students for the purposes of at-  
13          tending such institution.”.

14          (c) ALLOTMENTS AND APPLICATION PROCESS.—

15                  (1) ALLOTMENTS.—Section 324 of the Higher  
16          Education Act of 1965 (20 U.S.C. 1063) is amend-  
17          ed—

18                          (A) in subsection (c), by striking “5” and  
19                  inserting “6”;

20                          (B) in subsection (d)(1), by striking sub-  
21                  paragraphs (A) and (B) and inserting the fol-  
22                  lowing:

23                                  “(A) less than \$500,000 for a part B insti-  
24                  tution which has received a grant under this  
25                  part, the Secretary shall award the part B insti-

1           tution an allotment in the amount of \$500,000;  
2           and

3           “(B) less than \$250,000 for a part B insti-  
4           tution which has not received a grant under  
5           this part for a fiscal year prior to fiscal year  
6           2019, the Secretary shall award the part B in-  
7           stitution an allotment in the amount of  
8           \$250,000.”; and

9           (C) in subsection (h)—

10           (i) in paragraphs (1)(C) and (2)(C),  
11           by striking “within 5 years” each time it  
12           appears and inserting “within 6 years”;  
13           and

14           (ii) by adding at the end the fol-  
15           lowing:

16           “(3) LIMITATION FOR NEW INSTITUTIONS.—  
17           Notwithstanding any other provision of this section,  
18           no part B institution that would otherwise be eligible  
19           for funds under this part shall receive an allotment  
20           under this part for a fiscal year, unless—

21           “(A) such institution received an allotment  
22           under this part for fiscal year 2019; or

23           “(B) the amount appropriated under sec-  
24           tion 399(a)(2)(A) for such fiscal year is not less  
25           than \$282,420,000.”.

1           (2) APPLICATIONS.—Section 325(c) of the  
2 Higher Education Act of 1965 (20 U.S.C. 1063a(e))  
3 is amended by inserting “, including goals to en-  
4 hance student retention, graduation, and post-  
5 graduate outcomes,” after “management and aca-  
6 demic programs”.

7           (d) PROFESSIONAL OR GRADUATE INSTITUTIONS.—  
8 Section 326(e) of the Higher Education Act of 1965 (20  
9 U.S.C. 1063b(c)) is amended—

10           (1) in paragraph (7)—

11               (A) by striking “equipment,” and inserting  
12 “equipment, technology, and services,”; and

13               (B) by inserting “and administrative”  
14 after “in strengthening funds”;

15           (2) by redesignating paragraph (12) as para-  
16 graph (13); and

17           (3) by striking paragraph (11) and inserting  
18 the following:

19               “(11) tutoring, counseling, advising, and stu-  
20 dent service programs designed to improve academic  
21 success, including innovative and customized instruc-  
22 tional courses (which may include remedial edu-  
23 cation and English language instruction) designed to  
24 help retain students and move students rapidly into  
25 core courses and through program completion; and

1           “(12) distance education programs and creating  
2           or improving facilities for internet or other distance  
3           learning academic instruction capabilities, including  
4           the purchase or rental of telecommunications tech-  
5           nology equipment or services; and”.

6           (e) ELIGIBILITY.—Section 326(e)(1) of the Higher  
7           Education Act of 1965 (20 U.S.C. 1063b(e)) is amend-  
8           ed—

9           (1) in subparagraph (W), by striking “and” at  
10          the end;

11          (2) in subparagraph (X), by striking the period  
12          at the end and inserting “; and”; and

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

14                   “(Y) University of the Virgin Islands  
15                   School of Medicine.”.

16          (f) CONFORMING AMENDMENT.—Section 326(f) of  
17          the Higher Education Act of 1965 (20 U.S.C. 1063b(f))  
18          is amended by striking “through (X)” both places it ap-  
19          pears and inserting “through (Y)”.

20          (g) INTERACTION WITH OTHER GRANT PRO-  
21          GRAMS.—Section 326(h) of the Higher Education Act of  
22          1965 (20 U.S.C. 1063b(h)) is amended by striking “or  
23          724” and inserting “724, 727, or 729.”.

1 **SEC. 3003. HISTORICALLY BLACK COLLEGE AND UNIVER-**  
2 **SITY CAPITAL FINANCING.**

3 (a) BOND INSURANCE AND CAPITAL FINANCE OF  
4 STEM FACILITIES.—Section 343 of the Higher Edu-  
5 cation Act of 1965 (20 U.S.C. 1066b) is amended—

6 (1) in subsection (b)—

7 (A) in paragraph (1), by striking “an es-  
8 crow account” and inserting “a bond insurance  
9 fund”;

10 (B) in paragraph (3), by inserting “(except  
11 that loans for the purpose of science, tech-  
12 nology, engineering, or mathematics related  
13 academic facilities shall carry not more than a  
14 1 percent rate of interest)” after “charge such  
15 interest on loans”;

16 (C) in paragraph (8)—

17 (i) in the matter preceding subpara-  
18 graph (A), by striking “an escrow ac-  
19 count” and inserting “a bond insurance  
20 fund”; and

21 (ii) in subparagraph (A), by striking  
22 “the escrow account” and inserting “the  
23 bond insurance fund”;

24 (D) in paragraph (9), by striking “escrow  
25 account” each place it appears and inserting  
26 “bond insurance fund”; and

1 (E) in paragraph (12), by striking “, ex-  
2 cept as otherwise required by the Secretary”;  
3 and

4 (2) in subsection (c), by striking “escrow ac-  
5 count” each place it appears and inserting “bond in-  
6 surance fund”.

7 (b) INCREASED AGGREGATE BOND LIMIT.—Section  
8 344 of the Higher Education Act of 1965 (20 U.S.C.  
9 1066c) is amended—

10 (1) in the matter preceding paragraph (1), by  
11 striking “\$1,100,000,000” and inserting  
12 “\$3,600,000,000”;

13 (2) in paragraph (1), by striking  
14 “\$733,333,333” and inserting “two-thirds”; and

15 (3) in paragraph (2), by striking  
16 “\$366,666,667” and inserting “one-third”.

17 (c) STRENGTHENING TECHNICAL ASSISTANCE.—  
18 Section 345 of the Higher Education Act of 1965 (20  
19 U.S.C. 1066d) is amended—

20 (1) in paragraph (8), by inserting “and” at the  
21 end;

22 (2) by striking paragraph (9) and inserting the  
23 following:

24 “(9) may, directly or by grant or contract, pro-  
25 vide financial counseling and technical assistance to

1 eligible institutions to prepare the institutions to  
2 qualify, apply for, and maintain a capital improve-  
3 ment loan, including a loan under this part.”; and

4 (3) by striking paragraph (10) and inserting  
5 the following:

6 “(10) may provide for the modification or  
7 deferment of a loan made under this part based on  
8 need of the institution, as defined by the Secretary,  
9 for a period not to exceed 6 fiscal years, and, during  
10 the period of deferment of such a loan, interest on  
11 the loan will not accrue or be capitalized.”.

12 (d) HBCU CAPITAL FINANCING ADVISORY  
13 BOARD.—Paragraph (2) of Section 347(c) of the Higher  
14 Education Act of 1965 (20 U.S.C. 1066f(c)) is amended  
15 to read as follows:

16 “(2) REPORT.—On an annual basis, the Advi-  
17 sory Board shall prepare and submit to the author-  
18 izing committees a report on—

19 “(A) the financial status of the historically  
20 Black colleges and universities described in  
21 paragraph (1)(A);

22 “(B) an overview of all loans awarded  
23 under the program under this part, including  
24 the most recent loans awarded for the fiscal  
25 year in which the report is submitted; and

1           “(C) administrative and legislative rec-  
2           ommendations for addressing the issues related  
3           to construction financing facing historically  
4           Black colleges and universities.”.

5 **SEC. 3004. STRENGTHENING HISTORICALLY BLACK COL-**  
6 **LEGES AND UNIVERSITIES AND OTHER MI-**  
7 **NORITY-SERVING INSTITUTIONS.**

8           Section 371(b) of the Higher Education Act of 1965  
9 (20 U.S.C. 1067q(b)) is amended—

10           (1) in paragraph (1)(A)—

11           (A) in the first sentence, by striking “ap-  
12           propriated,” and all that follows through  
13           “2019” and inserting the following: “appro-  
14           priated, \$300,000,000 for fiscal year 2021 and  
15           each succeeding fiscal year”; and

16           (B) by striking the second sentence; and

17           (2) in paragraph (2)—

18           (A) in subparagraph (A)—

19           (i) in clause (i), by striking  
20           “\$100,000,000” and inserting  
21           “\$117,500,000”;

22           (ii) in clause (ii), by striking  
23           “\$100,000,000” and inserting  
24           “\$99,875,000”;

25           (iii) in clause (iii)—



1 (I) by striking “\$55,000,000”  
2 and inserting “\$65,000,000”; and

3 (II) by striking “(D)” and insert-  
4 ing “(E)”;

5 (iv) by redesignating clause (iii) as  
6 clause (iv); and

7 (v) by inserting after clause (ii) the  
8 following:

9 “(iii) \$17,625,000 shall be available  
10 for allocation under subparagraph (D);”;

11 (B) by redesignating subparagraph (D) as  
12 subparagraph (E) and—

13 (i) in clause (i), by striking  
14 “\$30,000,000” each place it appears and  
15 inserting “\$35,000,000”;

16 (ii) in clause (ii), by striking  
17 “\$15,000,000” each place it appears and  
18 inserting “\$18,000,000”; and

19 (iii) in clauses (iii) and (iv), by strik-  
20 ing “\$5,000,000” each place it appears  
21 and inserting “\$6,000,000”; and

22 (C) by striking subparagraph (C) and in-  
23 serting the following:

24 “(C) ALLOCATION AND ALLOTMENT  
25 HBCUS.—The amount made available for alloca-

1           tion under this subparagraph by subparagraph  
2           (A)(ii) for any fiscal year shall be available to  
3           eligible institutions described in subsection  
4           (a)(1) and shall be made available as grants  
5           under section 323 and allotted among such in-  
6           stitutions under section 324, treating such  
7           amount, plus the amount appropriated for such  
8           fiscal year in a regular or supplemental appro-  
9           priation Act to carry out part B of this title, as  
10          the amount appropriated to carry out part B of  
11          this title for purposes of allotments under sec-  
12          tion 324, for use by such institutions with a  
13          priority for—

14                   “(i) activities described in paragraphs  
15                   (1), (2), (4), (5), and (10) of section  
16                   323(a); and

17                   “(ii) other activities, consistent with  
18                   the institution’s comprehensive plan and  
19                   designed to increase the institution’s ca-  
20                   pacity to prepare students for careers in  
21                   the physical or natural sciences, mathe-  
22                   matics, computer science or information  
23                   technology or sciences, engineering, lan-  
24                   guage instruction in the less-commonly

1           taught languages or international affairs,  
2           or nursing or allied health professions.

3           “(D) ALLOCATION AND ALLOTMENT  
4           PBIS.—The amount made available for alloca-  
5           tion under this subparagraph by subparagraph  
6           (A)(iii) for any fiscal year shall be available to  
7           eligible institutions described in subsection  
8           (a)(5) and shall be available for a competitive  
9           grant program to award grants of \$600,000 an-  
10          nually for programs in any of the following  
11          areas:

12                   “(i) science, technology, engineering,  
13                   or mathematics (STEM);

14                   “(ii) health education;

15                   “(iii) internationalization or  
16                   globalization;

17                   “(iv) teacher preparation; or

18                   “(v) improving educational outcomes  
19                   of African American males.”.

20   **SEC. 3005. GENERAL PROVISIONS.**

21          Section 399(a) of the Higher Education Act of 1965  
22   (20 U.S.C. 1068h(a)) is amended—

23           (1) by striking “2009” each place it appears  
24          and inserting “2021”;

25           (2) in paragraph (1)—

1 (A) in subparagraph (A), by striking  
2 “\$135,000,000” and inserting “\$150,000,000”;

3 (B) in subparagraph (B), by striking  
4 “\$30,000,000” and inserting “\$45,000,000”;

5 (C) in subparagraph (C), by striking  
6 “\$15,000,000” and inserting “\$25,000,000”;

7 (D) in subparagraph (D), by striking  
8 “\$75,000,000” and inserting “\$90,000,000”;

9 (E) in subparagraph (E), by striking  
10 “\$25,000,000” and inserting “\$30,000,000”;

11 and

12 (F) in subparagraph (F), by striking  
13 “\$30,000,000” and inserting “\$60,000,000”;

14 (3) in paragraph (2)—

15 (A) in subparagraph (A), by striking  
16 “\$375,000,000” and inserting “\$400,000,000”;

17 and

18 (B) in subparagraph (B), by striking  
19 “\$125,000,000” and inserting “\$135,000,000”;

20 (4) in paragraph (3), by striking  
21 “\$10,000,000” and inserting “\$220,000,000”; and

22 (5) in paragraph (4)(A), by striking  
23 “\$185,000” and inserting “\$225,000”.

1 **TITLE IV—STUDENT ASSISTANCE**

2 **SEC. 4001. EFFECTIVE DATE.**

3 Except as otherwise provided in this title or the  
4 amendments made by this title, this title and the amend-  
5 ments made by this title shall take effect on July 1, 2021.

6 **PART A—GRANTS TO STUDENTS IN ATTENDANCE**

7 **AT INSTITUTIONS OF HIGHER EDUCATION**

8 **Subpart 1—Federal Pell Grants**

9 **SEC. 4011. AMOUNT OF GRANTS.**

10 Section 401 of the Higher Education Act of 1965 (20  
11 U.S.C. 1070a) is amended—

12 (1) in subsection (a)(1)—

13 (A) by striking “through fiscal year 2017”;

14 and

15 (B) by inserting “or as a postbaccalaureate  
16 in accordance with subsection (c)(1)(B)” after  
17 “as an undergraduate”;

18 (2) in subsection (b)—

19 (A) in paragraph (2)(A)(ii), by striking  
20 “paragraph (7)(B)” and inserting “paragraph  
21 (6)(B)”;

22 (B) by striking paragraph (6), and redesignig-  
23 nating paragraph (7) as paragraph (6); and

1 (C) in paragraph (6)(C) (as so redesign-  
2 nated), by amending clause (iii) to read as fol-  
3 lows:

4 “(iii) SUBSEQUENT AWARD YEARS.—  
5 “(I) AWARD YEARS 2018–2019,  
6 2019–2020 AND 2020–2021.—For each  
7 of the award years 2018–2019, 2019–  
8 2020, and 2020–2021 the amount de-  
9 termined under this subparagraph for  
10 purposes of subparagraph (B)(iii)  
11 shall be equal to the amount deter-  
12 mined under clause (ii) for award year  
13 2017–2018.

14 “(II) AWARD YEAR 2021–2022.—  
15 For award year 2021–2022, the  
16 amount determined under this sub-  
17 paragraph for purposes of subpara-  
18 graph (B)(iii) shall be equal to—

19 “(aa) \$6,195 or the total  
20 maximum Federal Pell Grant for  
21 the preceding award year (as de-  
22 termined under clause (iv)(II)),  
23 whichever is greater, increased by  
24 \$500; reduced by

1           “(bb) \$5,135 or the max-  
2           imum Federal Pell Grant for  
3           which a student was eligible for  
4           the preceding award year, as  
5           specified in the last enacted ap-  
6           propriation Act applicable to that  
7           year, whichever is greater, and

8           “(cc) rounded to the neared  
9           \$5.

10           “(III) AWARD YEAR 2022–2023  
11           AND EACH SUBSEQUENT AWARD  
12           YEAR.—For award year 2022–2023  
13           and each subsequent award year, the  
14           amount determined under this sub-  
15           paragraph for purposes of subpara-  
16           graph (B)(iii) shall be equal to—

17           “(aa) \$6,695 or the total  
18           maximum Federal Pell Grant for  
19           the preceding award year (as de-  
20           termined under clause (iv)(II)),  
21           whichever is greater, increased by  
22           a percentage equal to the annual  
23           adjustment percentage for the  
24           award year for which the amount

1 under this subparagraph is being  
2 determined; reduced by

3 “(bb) \$5,135 or the max-  
4 imum Federal Pell Grant for  
5 which a student was eligible for  
6 the preceding award year, as  
7 specified in the last enacted ap-  
8 propriation Act applicable to that  
9 year, whichever is greater; and

10 “(cc) rounded to the nearest  
11 \$5.”;

12 (3) in subsection (f)—

13 (A) in paragraph (1), by striking the mat-  
14 ter preceding subparagraph (A) and inserting  
15 the following: “After receiving an application  
16 for a Federal Pell Grant under this subpart, the  
17 Secretary (including any contractor of the Sec-  
18 retary processing applications for Federal Pell  
19 Grants under this subpart) shall, in a timely  
20 manner, furnish to the student financial aid ad-  
21 ministrator at each institution of higher edu-  
22 cation that a student awarded a Federal Pell  
23 Grant under this subpart is attending, the ex-  
24 pected family contribution for each such stu-



1 dent. Each such student financial administrator  
2 shall—”; and

3 (B) in paragraph (3), by striking “after  
4 academic year 1986–1987”; and

5 (4) in subsection (j)—

6 (A) in paragraph (1) by inserting before  
7 the period the following: “, or if such institution  
8 of higher education is subject to an ineligibility  
9 determination under section 435(a)(9) or  
10 493I(b)”; and

11 (B) in paragraph (2) by inserting “, final  
12 adjusted cohort default rate, or on-time repay-  
13 ment rate” before “determination”.

14 **SEC. 4012. GRANT ELIGIBILITY.**

15 Section 401(c) of the Higher Education Act of 1965  
16 (20 U.S.C. 1070a(c)) is amended—

17 (1) by amending paragraph (1) to read as fol-  
18 lows:

19 “(1) PERIOD OF ELIGIBILITY FOR GRANTS.—

20 The period during which a student may receive Fed-  
21 eral Pell Grants shall be the period required for the  
22 completion of the first undergraduate baccalaureate  
23 course of study being pursued by that student at the  
24 institution at which the student is in attendance ex-  
25 cept that—

1           “(A) any period during which the student  
2 is enrolled in a noncredit or remedial course of  
3 study as defined in paragraph (2) shall not be  
4 counted for the purpose of this paragraph; and

5           “(B) the period during which a student  
6 may receive Federal Pell Grants shall also in-  
7 clude the period required for the completion of  
8 the first postbaccalaureate course of study at  
9 an eligible institution that meets the definition  
10 of institution of higher education in section  
11 101, in a case in which—

12           “(i) the student received a Federal  
13 Pell Grant during the period required for  
14 the completion of the student’s first under-  
15 graduate baccalaureate course of study for  
16 fewer than 14 semesters, or the equivalent  
17 of fewer than 14 semesters, as determined  
18 under paragraph (5);

19           “(ii) the student would otherwise be  
20 eligible for a Federal Pell Grant, but for  
21 the completion of such baccalaureate  
22 course of study; and

23           “(iii) the period during which the stu-  
24 dent receives Federal Pell Grants does not

1 exceed the student's duration limits under  
2 paragraph (5)."; and

3 (3) in paragraph (5)—

4 (A) by striking "(5) The period" and in-  
5 serting the following: "(5) MAXIMUM PERIOD.—

6 "(A) IN GENERAL.—Except as provided in  
7 subparagraph (B), the period";

8 (B) by striking "12" each place the term  
9 appears and inserting "14"; and

10 (C) by adding at the end the following:

11 "(B) EXCEPTION.—

12 "(i) IN GENERAL.—Any Federal Pell  
13 Grant that a student received during a pe-  
14 riod described in subclause (I) or (II) of  
15 clause (ii) shall not count toward the stu-  
16 dent's duration limits under this para-  
17 graph.

18 "(ii) APPLICABLE PERIODS.—Clause  
19 (i) shall apply with respect to any Federal  
20 Pell Grant awarded to a student to attend  
21 an institution—

22 "(I) during a period—

23 "(aa) for which the student  
24 received a loan under this title;  
25 and

1 “(bb) for which the loan de-  
2 scribed in item (aa) is forgiven  
3 under—

4 “(AA) section 437(e)(1)  
5 or 464(g)(1) due to the clos-  
6 ing of the institution;

7 “(BB) section 493H  
8 due to the student’s success-  
9 ful assertion of a defense to  
10 repayment of the loan; or

11 “(CC) section  
12 432(a)(6), section 685.215  
13 of title 34, Code of Federal  
14 Regulations (or a successor  
15 regulation), or any other  
16 loan forgiveness provision or  
17 regulation under this Act, as  
18 a result of a determination  
19 by the Secretary or a court  
20 that the institution com-  
21 mitted fraud or other mis-  
22 conduct; or

23 “(II) during a period for which  
24 the student did not receive a loan  
25 under this title but for which, if the

1 student had received such a loan, the  
2 student would have qualified for loan  
3 forgiveness under subclause (I)(bb).”.

4 **SEC. 4013. EXTENDING FEDERAL PELL GRANT ELIGIBILITY**  
5 **OF CERTAIN SHORT-TERM PROGRAMS.**

6 (a) IN GENERAL.—Section 401 of the Higher Edu-  
7 cation Act of 1965 (20 U.S.C. 1070a) is amended by in-  
8 serting after subsection (j) the following:

9 “(k) JOB TRAINING FEDERAL PELL GRANT PRO-  
10 GRAM.—

11 “(1) IN GENERAL.—For the award year begin-  
12 ning on July 1, 2021, and each subsequent award  
13 year, the Secretary shall carry out a program  
14 through which the Secretary shall award job training  
15 Federal Pell Grants to students in eligible job train-  
16 ing programs approved by the Secretary in accord-  
17 ance with paragraph (4).

18 “(2) TERMS AND CONDITIONS.—Each job train-  
19 ing Federal Pell Grant awarded under this sub-  
20 section shall have the same terms and conditions,  
21 and be awarded in the same manner, as a Federal  
22 Pell Grant awarded under subsection (a), except as  
23 follows:

1           “(A) A student who is eligible to receive a  
2 job training Federal Pell Grant under this sub-  
3 section is a student who—

4                   “(i) has not yet attained a  
5 postbaccalaureate degree; and

6                   “(ii) is enrolled, or accepted for en-  
7 rollment, in an eligible job training pro-  
8 gram at an institution of higher education.

9           “(B) The amount of a job training Federal  
10 Pell Grant for an eligible student shall be deter-  
11 mined under subsection (b), except that sub-  
12 section (b)(4) shall not apply.

13           “(3) TREATMENT OF JOB TRAINING FEDERAL  
14 PELL GRANT.—

15                   “(A) INCLUSION IN TOTAL ELIGIBILITY  
16 PERIOD.—The period during which a student  
17 received a job training Federal Pell Grant  
18 under this subsection shall be included in calcu-  
19 lating the duration limits with respect to such  
20 student under subsection (c)(5) and to the ex-  
21 tent that such period was a fraction of a semes-  
22 ter or the equivalent, only that same fraction of  
23 such semester or equivalent shall count towards  
24 such duration limits.

1           “(B) PREVENTION OF DOUBLE BENE-  
2           FITS.—No student may for the same payment  
3           period receive both a job training Federal Pell  
4           Grant under this subsection and a Federal Pell  
5           Grant under subsection (a).

6           “(4) APPROVAL OF ELIGIBLE JOB TRAINING  
7           PROGRAMS.—

8           “(A) ELIGIBLE JOB TRAINING PROGRAM.—  
9           An eligible job training program shall be a ca-  
10          reer and technical education program at an in-  
11          stitution of higher education that the Secretary  
12          determines meets the following requirements:

13               “(i) The job training program pro-  
14               vides not less than 150, and less than 600,  
15               clock hours of instructional time over a pe-  
16               riod of not less than 8, and less than 15,  
17               weeks.

18               “(ii) The job training program pro-  
19               vides training aligned with the require-  
20               ments of high-skill, high-wage, or in-de-  
21               mand industry sectors or occupations in  
22               the State or local area in which the job  
23               training program is provided, as deter-  
24               mined by an industry or sector partnership  
25               in such State or local area.

1           “(iii) The job training program has  
2           been determined by the institution of high-  
3           er education and by such industry or sec-  
4           tor partnership to provide academic con-  
5           tent, an amount of instructional time, and  
6           a recognized postsecondary credential that  
7           are sufficient to—

8                       “(I) meet the hiring requirements  
9                       of potential employers in the sectors  
10                      or occupations described in clause (ii);  
11                      and

12                     “(II) satisfy any applicable edu-  
13                     cational prerequisite requirement for  
14                     professional license or certification, so  
15                     that a student who completes the pro-  
16                     gram and seeks employment is quali-  
17                     fied to take any licensure or certifi-  
18                     cation examination needed to practice  
19                     or find employment in such sectors or  
20                     occupations.

21                   “(iv) The job training program pre-  
22                   pares students to pursue related certificate  
23                   or degree programs at an institution of  
24                   higher education, including—



1                   “(I) by ensuring the acceptability  
2                   of the credits received under the job  
3                   training program toward meeting such  
4                   certificate or degree program require-  
5                   ments (such as through an articula-  
6                   tion agreement); and

7                   “(II) by ensuring that a student  
8                   who completes noncredit coursework  
9                   in the job training program, upon  
10                  completion of the job training pro-  
11                  gram and enrollment in such a related  
12                  certificate or degree program, will re-  
13                  ceive academic credit for such non-  
14                  credit coursework that will be accept-  
15                  ed toward meeting such certificate or  
16                  degree program requirements.

17                  “(v) The job training program pro-  
18                  vides to the Secretary the annual earnings  
19                  expected to be paid in the sectors or occu-  
20                  pations for which the program provides  
21                  training not later than 6 months after  
22                  completion of such program (in this sub-  
23                  section referred to as the ‘expected earn-  
24                  ings’), as such earnings are determined by  
25                  an industry or sector partnership in the

1 State or local area in which the program is  
2 provided, and which shall be—

3 “(I) greater than the average or  
4 median annual earnings paid to indi-  
5 viduals with only a high school di-  
6 ploma (or the equivalent) based on the  
7 most recently available data from the  
8 Bureau of Labor Statistics or the Bu-  
9 reau of the Census with respect to  
10 such State or local area, or the Nation  
11 as a whole, as selected by such pro-  
12 gram;

13 “(II) validated by the Secretary;  
14 and

15 “(III) used to review the job  
16 training program under subparagraph  
17 (C).

18 “(vi) The job training program is part  
19 of a career pathway, and includes coun-  
20 seling for students to—

21 “(I) support each such student in  
22 achieving the student’s education and  
23 career goals; and

24 “(II) ensure that each such stu-  
25 dent receives information on—

1                   “(aa) the sectors or occupa-  
2                   tions described in clause (ii) for  
3                   which the job training program  
4                   provides training (including the  
5                   expected earnings to be paid,  
6                   and, if available, the mean and  
7                   median earnings (described in  
8                   subparagraph (C)(ii)) paid, in  
9                   such sectors or occupations));  
10                  and

11                  “(bb) the related certificate  
12                  or degree programs described in  
13                  clause (iv) for which the job  
14                  training program provides prepa-  
15                  ration.

16                  “(vii) The job training program meets  
17                  the requirements under section 104 that  
18                  are applicable to a program of training to  
19                  prepare students for gainful employment in  
20                  a recognized occupation.

21                  “(viii) The job training program does  
22                  not exceed by more than 50 percent the  
23                  minimum number of clock hours required  
24                  by a State to receive a professional license  
25                  or certification in the State.

1                   “(ix) The job training program is pro-  
2                   vided by an institution of higher education  
3                   that—

4                               “(I) is approved by an accred-  
5                               iting agency or association that meets  
6                               the requirements of section  
7                               496(a)(4)(C);

8                               “(II) during the preceding 5  
9                               years, has not been subject to any ad-  
10                              verse actions or negative actions by  
11                              the accrediting agency or association  
12                              of the institution, State or Federal en-  
13                              forcement agencies, or the Secretary;

14                             “(III) is listed on the provider  
15                             list under section 122(d) of the Work-  
16                             force Innovation and Opportunity Act  
17                             (29 U.S.C. 3152(d)); and

18                             “(IV) has a designated official  
19                             responsible for engaging with the  
20                             workforce development system in the  
21                             State or local area in which the job  
22                             training program is provided.

23                             “(x) The job training program has a  
24                             verified completion rate and a verified an-  
25                             nual earnings rate that meets the require-

1           ments of clauses (i) and (iii) of section  
2           481(b)(2)(A), respectively, and satisfies  
3           the criteria described in clause (v) of such  
4           section.

5           “(xi) The State board representing  
6           the State in which the job training pro-  
7           gram is provided certifies to the Secretary  
8           that the program meets the requirements  
9           of clauses (ii), (viii), and (ix)(III).

10          “(B) INITIAL APPROVAL BY THE SEC-  
11          RETARY.—Not later than 180 days after the  
12          date on which a job training program is sub-  
13          mitted for approval under this subparagraph,  
14          the Secretary shall make a determination as to  
15          whether such job training program is an eligible  
16          job training program in accordance with sub-  
17          paragraph (A).

18          “(C) REVIEW OF APPROVAL.—

19          “(i) IN GENERAL.—Not later than 3  
20          years after the date an eligible job training  
21          program is approved under subparagraph  
22          (B), and not less than once every 3 years  
23          thereafter, the Secretary shall, using the  
24          data collected under paragraph (5) and  
25          such other information as the Secretary

1           may require, determine whether such job  
2           training program continues to meet the re-  
3           quirements of subparagraph (A).

4           “(ii) REQUIREMENTS.—Subject to  
5           clause (iii), a determination under clause  
6           (i) that a job training program continues  
7           to meet the requirements of subparagraph  
8           (A) shall, at a minimum, require the Sec-  
9           retary to determine that the mean or me-  
10          dian earnings (whichever is higher) paid to  
11          students not later than 6 months after  
12          completing such program is equal to or  
13          greater than the expected earnings of the  
14          program.

15          “(iii) EXCEPTION AND APPEALS.—

16                 “(I) EXCEPTION.—The Secretary  
17                 may extend, by not more than an ad-  
18                 ditional 6 months, the period by when,  
19                 after completion of the job training  
20                 program, the mean or median earn-  
21                 ings (whichever is higher) paid to stu-  
22                 dents meets the requirements of  
23                 clause (ii), in a case in which the job  
24                 training program requesting such ex-  
25                 tension provides sufficient justification

1 for such extension (as determined by  
2 the Secretary).

3 “(II) APPEALS.—Not later than  
4 60 days after receiving notification  
5 from the Secretary of the loss of eligi-  
6 bility resulting from the review under  
7 subparagraph (C), a job training pro-  
8 gram may appeal any loss of eligibility  
9 under this subparagraph by dem-  
10 onstrating extenuating circumstances.

11 “(III) SECRETARIAL REQUIRE-  
12 MENTS.—The Secretary shall issue a  
13 decision on any appeal submitted by a  
14 job training program under subclause  
15 (II) not later than 45 days after its  
16 submission.

17 “(5) DATA COLLECTION.—Using the postsec-  
18 ondary student data system established under sec-  
19 tion 132(l) or a successor system (whichever in-  
20 cludes the most recent data) to streamline reporting  
21 requirements and minimize reporting burdens, and  
22 in coordination with the National Center for Edu-  
23 cation Statistics, the Secretary of Labor, and each  
24 institution of higher education offering an eligible  
25 job training program under this subsection, the Sec-

1       retary shall, on at least an annual basis, collect data  
2       with respect to each such eligible job training pro-  
3       gram, including the following:

4               “(A) The number and demographics of  
5       students who enroll in the program.

6               “(B) The number of credits attempted and  
7       accumulated annually by students enrolled in  
8       the program.

9               “(C) The share of such students who cease  
10       enrollment on or before the completion of 60  
11       percent of the payment period or period of en-  
12       rollment.

13              “(D) The verified completion rate and the  
14       verified annual earnings rate described in  
15       clauses (i) and (iii) of section 481(b)(2)(A), re-  
16       spectively, for the program.

17              “(E) The number and demographics of—

18                      “(i) students who complete the pro-  
19       gram; and

20                      “(ii) students who do not complete the  
21       program.

22              “(F) The outcomes of the students who  
23       complete the program, including—



1           “(i) the share of such students who  
2           continue enrollment at the institution of  
3           higher education offering the program;

4           “(ii) the share of such students who  
5           transfer to another institution of higher  
6           education;

7           “(iii) the share of such students who  
8           complete a subsequent certificate or degree  
9           program;

10          “(iv) the share of such students who  
11          secure employment 6 months and 1 year,  
12          respectively—

13                 “(I) after completion of such pro-  
14                 gram; or

15                 “(II) in the case of a program  
16                 that prepares students for a profes-  
17                 sional license or certification exam,  
18                 after acquiring such license or certifi-  
19                 cation;

20          “(v) the expected earnings in the sec-  
21          tors or occupations for which the program  
22          provides training;

23                 “(vi) the mean and median earnings  
24                 paid in such sectors or occupations to such  
25                 students not later than 6 months after

1 completing such program (as described in  
2 paragraph (4)(C)(ii)); and

3 “(vii) in the case of a job training  
4 program that prepares students for a pro-  
5 fessional license or certification exams, the  
6 share of such students who pass such  
7 exams.

8 “(6) TITLE OF JOB TRAINING FEDERAL PELL  
9 GRANT.—Grants made under this subsection shall be  
10 known as ‘job training Federal Pell Grants’.

11 “(7) DEFINITIONS.—In this subsection:

12 “(A) ARTICULATION AGREEMENT.—The  
13 term ‘articulation agreement’ has the meaning  
14 given the term in section 486A.

15 “(B) CAREER AND TECHNICAL EDU-  
16 CATION.—The term ‘career and technical edu-  
17 cation’ has the meaning given the term in sec-  
18 tion 3 of the Carl D. Perkins Career and Tech-  
19 nical Education Act (20 U.S.C. 2302).

20 “(C) INSTITUTION OF HIGHER EDU-  
21 CATION.—The term ‘institution of higher edu-  
22 cation’ means an eligible institution for pur-  
23 poses of this subpart that is an institution of  
24 higher education (as defined in section 101) or

1 a postsecondary vocational institution (as de-  
2 fined in section 102(e)).

3 “(D) WIOA DEFINITIONS.—The terms ‘ca-  
4 reer pathway’, ‘industry or sector partnership’,  
5 ‘in-demand industry sector or occupation’, ‘rec-  
6 ognized postsecondary credential’, ‘State board’,  
7 and ‘workforce development system’ have the  
8 meanings given such terms in section 3 of the  
9 Workforce Innovation and Opportunity Act (29  
10 U.S.C. 3102).”.

11 (b) REPORT.—Not later than 3 years after the date  
12 of enactment of this Act, the Secretary of Education  
13 shall—

14 (1) submit to the Committee on Education and  
15 Labor of the House of Representatives and the Com-  
16 mittee on Health, Education, Labor, and Pensions  
17 of the Senate a report on the impact of eligible job  
18 training programs described in subsection (k) of sec-  
19 tion 401 of the Higher Education Act of 1965 (20  
20 U.S.C. 1079a), as added by this section, based on  
21 the most recent data collected under paragraph (5)  
22 of such subsection (k); and

23 (2) make the report described in paragraph (1)  
24 available publicly on the website of the Department  
25 of Education.

1 **SEC. 4014. PROVIDING FEDERAL PELL GRANTS FOR IRAQ**  
2 **AND AFGHANISTAN VETERAN'S DEPENDENTS.**

3 (a) AMENDMENT.—Section 401 of the Higher Edu-  
4 cation Act of 1965 (20 U.S.C. 1070a et seq.) as amended  
5 by this subpart, is further amended by inserting after sub-  
6 section (k) the following:

7 “(1) SCHOLARSHIPS FOR VETERAN’S DEPEND-  
8 ENTS.—

9 “(1) DEFINITION OF ELIGIBLE VETERAN’S DE-  
10 PENDENT.—In this subsection, the term ‘eligible vet-  
11 eran’s dependent’ means a dependent or an inde-  
12 pendent student—

13 “(A) whose parent or guardian was a  
14 member of the Armed Forces of the United  
15 States and died as a result of performing mili-  
16 tary service in Iraq or Afghanistan after Sep-  
17 tember 11, 2001; and

18 “(B) who, at the time of the parent or  
19 guardian’s death, was—

20 “(i) less than 24 years of age; or

21 “(ii) enrolled at an institution of high-  
22 er education on a part-time or full-time  
23 basis.

24 “(2) GRANTS.—

25 “(A) IN GENERAL.—The Secretary shall  
26 award a Federal Pell Grant, as modified in ac-

1 cordance with the requirements of this sub-  
2 section, to each eligible veteran's dependent to  
3 assist in paying the eligible veteran's depend-  
4 ent's cost of attendance at an institution of  
5 higher education.

6 “(B) DESIGNATION.—Federal Pell Grants  
7 made under this subsection may be known as  
8 ‘Iraq and Afghanistan Service Grants’.

9 “(3) PREVENTION OF DOUBLE BENEFITS.—No  
10 eligible veteran's dependent may receive a grant  
11 under both this subsection and subsection (a) or (k).

12 “(4) TERMS AND CONDITIONS.—The Secretary  
13 shall award Iraq and Afghanistan Service Grants  
14 under this subsection in the same manner and with  
15 the same terms and conditions, including the length  
16 of the period of eligibility, as the Secretary awards  
17 Federal Pell Grants under subsection (a), except  
18 that—

19 “(A) the award rules and determination of  
20 need applicable to the calculation of Federal  
21 Pell Grants under subsection (a) shall not apply  
22 to Iraq and Afghanistan Service Grants;

23 “(B) the provisions of paragraph  
24 (2)(A)(iii) and (3) of subsection (b), and sub-  
25 section (f), shall not apply;

1           “(C) the maximum period determined  
2           under subsection (c)(5) shall be determined by  
3           including all Iraq and Afghanistan Service  
4           Grants received by the eligible veteran’s de-  
5           pendent, including such Grants received under  
6           subpart 10 before the date of enactment of the  
7           College Affordability Act; and

8           “(D) an Iraq and Afghanistan Service  
9           Grant to an eligible veteran’s dependent for any  
10          award year shall equal the maximum Federal  
11          Pell Grant available under subsection (b)(5) for  
12          that award year, except that an Iraq and Af-  
13          ghanistan Service Grant—

14                 “(i) shall not exceed the cost of at-  
15                 tendance of the eligible veteran’s depend-  
16                 ent for that award year; and

17                 “(ii) shall be adjusted to reflect the  
18                 attendance by the eligible veteran’s de-  
19                 pendent on a less than full-time basis in  
20                 the same manner as such adjustments are  
21                 made for a Federal Pell Grant under sub-  
22                 section (a).

23           “(5) ESTIMATED FINANCIAL ASSISTANCE.—For  
24           purposes of determinations of need under part F, an  
25           Iraq and Afghanistan Service Grant shall not be

1 treated as estimated financial assistance as de-  
2 scribed in sections 471(3) and 480(j).”

3 (b) EFFECTIVE DATE; TRANSITION.—

4 (1) EFFECTIVE DATE.—The amendments made  
5 by this section shall take effect with respect to the  
6 award year that begins following the date of enact-  
7 ment of this Act, and each succeeding award year.

8 (2) TRANSITION.—The Secretary shall take  
9 such steps as are necessary to transition from the  
10 Iraq and Afghanistan Service Grants program under  
11 subpart 10 of part A of title IV of the Higher Edu-  
12 cation Act of 1965 (20 U.S.C. 1070h), as in effect  
13 on the day before the effective date of this Act, and  
14 the Iraq and Afghanistan Service Grants program  
15 under section 401(l) of the Higher Education Act of  
16 1965 (20 U.S.C. 1070a(j)), as added by this section.

17 **SEC. 4015. FEDERAL PELL GRANT FRAUD PREVENTION.**

18 Section 401 of the Higher Education Act of 1965 (20  
19 U.S.C. 1070a et seq.), as amended by this subpart, is fur-  
20 ther amended by inserting after subsection (l) the fol-  
21 lowing:

22 “(m) PREVENTION OF FRAUD.—

23 “(1) REPORT.—Not later than December 31 of  
24 each year, the Secretary shall prepare and submit a  
25 report to the authorizing committees that includes

1 the following information with respect to unusual en-  
2 rollment history:

3 “(A) The number and percentage of total  
4 applicants who were flagged for an unusual en-  
5 rollment history in the preceding award year.

6 “(B) The number and percentage of insti-  
7 tutions that have had fewer than 2 percent of  
8 applicants flagged for an unusual enrollment  
9 history in the preceding award year.

10 “(C) The name of each institution that has  
11 had more than 2 percent of total applicants  
12 flagged for an unusual enrollment history in the  
13 preceding award year.

14 “(D) If the percentage of total applicants  
15 in subparagraph (A) is greater than 2 percent,  
16 a detailed plan from the Secretary as to how to  
17 reduce that percentage below 2 percent by the  
18 following award year.

19 “(2) DEFINITION.—For the purposes of this  
20 subsection the term ‘unusual enrollment history’  
21 means, with respect to the application for Federal  
22 student aid—

23 “(A) a pattern in which a student attends  
24 an institution long enough to receive a disburse-  
25 ment of credit balance funds authorized by this



1 title, does not complete the enrollment period,  
2 enrolls at another institution and repeats this  
3 pattern to collect an additional credit balance of  
4 funds authorized by this title without earning  
5 academic credit; or

6 “(B) any other enrollment pattern that the  
7 Department believes may signal an attempt by  
8 a student to receive funds authorized under this  
9 title in a fraudulent manner.”.

10 **SEC. 4016. FEDERAL PELL GRANTS ON BEHALF OF INCAR-**  
11 **CERATED INDIVIDUALS.**

12 (a) IN GENERAL.—Section 401 of the Higher Edu-  
13 cation Act of 1965 (20 U.S.C. 1070a), as amended by this  
14 subpart, is further amended by adding at the end the fol-  
15 lowing:

16 “(n) FEDERAL PELL GRANTS ON BEHALF OF INCAR-  
17 CERATED INDIVIDUALS.—

18 “(1) INSTITUTIONAL REQUIREMENTS.—An eli-  
19 gible institution may not award a Federal Pell Grant  
20 to an incarcerated individual or on behalf of such in-  
21 dividual, unless the institution meets the following:

22 “(A) The institution is approved to enroll  
23 incarcerated individuals by—

24 “(i) the Secretary in accordance with  
25 paragraph (2); and

1                   “(ii) an accrediting agency or associa-  
2                   tion that meets the requirements of section  
3                   496(a)(4)(D).

4                   “(B) The eligible institution—

5                   “(i) is an institution of higher edu-  
6                   cation (as defined in section 101) or a  
7                   postsecondary vocational institution (as de-  
8                   fined in section 102(c)); and

9                   “(ii) during the preceding 5 years, has  
10                  not been subject to the denial, withdrawal,  
11                  suspension, or termination of accreditation.

12                  “(C) The institution provides each incar-  
13                  cerated individual, upon completion of a course  
14                  offered by the institution, with academic credits  
15                  that are the equivalent to credits earned by  
16                  non-incarcerated students for an equivalent  
17                  course of study.

18                  “(D) The institution provides to the Sec-  
19                  retary confirmation from each facility involved  
20                  that the course of study offered by the institu-  
21                  tion at such facility is accessible to incarcerated  
22                  individuals (including such individuals who are  
23                  individuals with disabilities).

24                  “(E) The institution does not enroll incar-  
25                  cerated individuals in a course of study offered

1 primarily as a distance education program, ex-  
2 cept in a case in which the institution provides  
3 to the Secretary—

4 “(i) confirmation that the distance  
5 education program offers levels of faculty  
6 interaction, peer engagement, and student  
7 support sufficient to enable incarcerated  
8 individuals to successfully participate in  
9 such a program; and

10 “(ii) evidence of the institution’s suc-  
11 cess in offering other distance education  
12 programs;

13 “(F) The institution develops and carries  
14 out a process to allow each incarcerated indi-  
15 vidual to access the transcripts and any other  
16 educational records of such individual held by  
17 the institution, without regard to the facility at  
18 which the individual is being held or whether  
19 the individual has been released from such a fa-  
20 cility.

21 “(G) The institution develops and carries  
22 out a process to allow each incarcerated indi-  
23 vidual an opportunity to provide feedback on  
24 courses that is comparable to the opportunity to

1 provide such feedback that the institution offers  
2 to non-incarcerated students.

3 “(H) The institution does not directly  
4 charge an incarcerated individual—

5 “(i) in the case of such an individual  
6 who is an individual with a disability, for  
7 any cost of the provision of reasonable ac-  
8 commodations for the individual to partici-  
9 pate in a course of study offered by the in-  
10 stitution;

11 “(ii) in the case of such an individual  
12 with an expected family contribution for an  
13 award year that would not disqualify the  
14 individual from receiving a Federal Pell  
15 Grant, for any amount of the cost of at-  
16 tendance not covered by the Federal Pell  
17 Grant or other Federal assistance received  
18 by the institution on behalf of the indi-  
19 vidual by ensuring that any such amount  
20 is offset—

21 “(I) by a State or institutional  
22 grant; or

23 “(II) other non-Federal financial  
24 assistance that does not have to be re-  
25 paid by such individual; or

1           “(iii) in the case of such an individual  
2           with an expected family contribution for an  
3           award year that would disqualify the indi-  
4           vidual from receiving a Federal Pell Grant,  
5           an amount that exceeds such expected  
6           family contribution.

7           “(I) The institution makes available to in-  
8           carcerated individuals who are considering en-  
9           rolling in a course of study offered by the insti-  
10          tution, in simple and understandable terms, the  
11          following:

12           “(i) Information with respect to each  
13           course of study at the institution for which  
14           such an individual may receive a Federal  
15           Pell Grant, including—

16                   “(I) the cost of attendance;

17                   “(II) the mode of instruction  
18                   (such as distance education, in-person  
19                   instruction, or a combination of such  
20                   modes);

21                   “(III) how enrollment in such  
22                   course of study will impact the period  
23                   of eligibility for Federal Pell Grants  
24                   for such an individual, including in a  
25                   case in which the individual is trans-

1                   ferred to another facility or released  
2                   before the completion of such course;

3                   “ (IV) the transferability of cred-  
4                   its earned, and the acceptability of  
5                   such credits toward a certificate or  
6                   degree program offered by the institu-  
7                   tion;

8                   “ (V) the process for continuing  
9                   postsecondary education—

10                   “ (aa) upon transfer to an-  
11                   other facility; or

12                   “ (bb) after the student’s pe-  
13                   riod of incarceration or confine-  
14                   ment; and

15                   “ (VI) the process for continuing  
16                   enrollment at the institution after the  
17                   student’s period of incarceration or  
18                   confinement, including any barriers to  
19                   admission (such as criminal history  
20                   questions on applications for admis-  
21                   sion to such institution).

22                   “ (ii) In the case of an institution that  
23                   offers a program to prepare incarcerated  
24                   individuals for gainful employment in a

1 recognized occupation (as such term is de-  
2 fined in section 104)—

3 “(I) information on any applica-  
4 ble State licensure and certification  
5 requirements, including the require-  
6 ments of the State in which the facil-  
7 ity involved is located and each State  
8 in which such individuals permanently  
9 reside; and

10 “(II) restrictions related to the  
11 employment of formerly incarcerated  
12 individuals for each recognized occu-  
13 pation for which the course of study  
14 prepares students, including such re-  
15 strictions—

16 “(aa) in Federal law; and

17 “(bb) in the laws of the  
18 State in which the facility in-  
19 volved is located and each State  
20 in which such individuals perma-  
21 nently reside.

22 “(J) The institution submits the informa-  
23 tion described in subparagraph (I) to each facil-  
24 ity involved, the Secretary, and the accrediting

1 agency or association described in subparagraph  
2 (A)(ii).

3 “(2) APPROVAL BY THE SECRETARY.—

4 “(A) INITIAL ELIGIBILITY.—With respect  
5 to an eligible institution that seeks to award  
6 Federal Pell Grants to incarcerated individuals  
7 under this subsection, the Secretary shall make  
8 an initial determination about whether such in-  
9 stitution meets the requirements of this sub-  
10 section, which shall include a confirmation that  
11 the institution—

12 “(i) has secured the approval required  
13 under paragraph (1)(A)(ii); and

14 “(ii) meets the requirements of para-  
15 graph (1)(B).

16 “(B) ONGOING ELIGIBILITY.—Not later  
17 than 5 years after the Secretary makes an ini-  
18 tial determination under subparagraph (A) that  
19 an institution meets the requirements of this  
20 subsection, and not less than every 5 years  
21 thereafter, the Secretary shall determine wheth-  
22 er such institution continues to meet the re-  
23 quirements of this subsection, based on—

24 “(i) a review of the data collected  
25 under paragraph (3) with respect to the



1 courses of study offered by such institution  
2 in which incarcerated individuals are en-  
3 rolled, and other applicable information  
4 that may be available to the Secretary; and  
5 “(ii) whether such institution meets  
6 the requirements of paragraph (1).

7 “(3) DATA COLLECTION.—The Secretary shall,  
8 on at least an annual basis, collect data with respect  
9 to each course of study offered by each institution  
10 at which incarcerated individuals are enrolled, in-  
11 cluding—

12 “(A) the demographics of such individuals;

13 “(B) the share of such individuals receiv-  
14 ing Federal Pell Grants;

15 “(C) information on the academic out-  
16 comes of such individuals (such as credits at-  
17 tempted and earned, and credential and degree  
18 completion);

19 “(D) to the extent practicable, information  
20 on post-release outcomes of such individuals  
21 (such as continued postsecondary enrollment,  
22 employment, and recidivism); and

23 “(E) any data from student satisfaction  
24 surveys conducted by the institution or the fa-  
25 cility involved regarding such course of study.

1           “(4) BEST PRACTICES IN EDUCATING INCAR-  
2           CERATED INDIVIDUALS.—Not later than 3 years  
3           after the date of enactment of the College Afford-  
4           ability Act, and at least once every 3 years there-  
5           after, the Secretary shall collect and disseminate to  
6           institutions awarding Federal Pell Grants to incar-  
7           cerated individuals under this subsection, best prac-  
8           tices with respect to the postsecondary education of  
9           such individuals.

10           “(5) DEFINITIONS.—In this subsection:

11           “(A) FACILITY.—The term ‘facility’  
12           means—

13                   “(i) a place used for the confinement  
14                   of individuals convicted of a criminal of-  
15                   fense that is owned by, or under contract  
16                   to, the Bureau of Prisons, a State, or a  
17                   unit of local government; or

18                   “(ii) a facility to which an individual  
19                   subject to involuntary civil confinement is  
20                   committed.

21           “(B) FACILITY INVOLVED.—The term ‘fa-  
22           cility involved’ means, when used with respect  
23           to an institution of higher education, a facility  
24           at which a course of study of the institution is  
25           offered to incarcerated individuals.



1           (1) in subsection (b)(3), by striking “\$200,000”  
2           and all that follows through the period at the end  
3           and inserting the following: “\$220,000, except that  
4           for any fiscal year for which such minimum indi-  
5           vidual grant amount would result in fewer than  
6           2,780 grants awarded under this chapter, an indi-  
7           vidual grant authorized under this chapter shall be  
8           awarded in an amount that would result in not fewer  
9           than 2,780 grants awarded under this chapter for  
10          such fiscal year.”;

11          (2) in subsection (c)—

12                 (A) by amending subparagraph (A) of  
13                 paragraph (2) to read as follows:

14                 “(A) ACCOUNTABILITY FOR OUTCOMES.—  
15                 In making grants under this chapter, the Sec-  
16                 retary shall consider each applicant’s prior suc-  
17                 cess in achieving high-quality service delivery,  
18                 as determined under subsection (f) under the  
19                 particular program for which funds are sought.  
20                 The level of consideration given the factor of  
21                 prior success in achieving high-quality service  
22                 delivery shall not vary from the level of consid-  
23                 eration given such factor during fiscal years  
24                 1994 through 1997, except that grants made

1 under section 402H shall not be given such con-  
2 sideration.”;

3 (B) in paragraph (6)—

4 (i) in the heading, by striking “WITH  
5 OTHER PROGRAMS FOR DISADVANTAGED  
6 STUDENTS”; and

7 (ii) by striking the last sentence;

8 (C) by redesignating paragraphs (7) and  
9 (8) as paragraphs (8) and (9), respectively;

10 (D) by inserting after paragraph (6) the  
11 following:

12 “(7) INCLUSION OF HOMELESS AND FOSTER  
13 STUDENTS.—The Secretary shall, as appropriate, re-  
14 quire each applicant for funds under the programs  
15 authorized by this chapter (other than the programs  
16 authorized under section 402E or 402G) to identify  
17 and conduct outreach to foster care youth and home-  
18 less individuals and make available to foster care  
19 youth and homeless individuals services under such  
20 programs, including mentoring, tutoring, and other  
21 services provided by such programs.”;

22 (E) in paragraph (8), as so redesignated,  
23 by striking “8 months” both places it appears  
24 and inserting “90 days”; and

25 (F) in paragraph (9), as so redesignated—

1 (i) in subparagraph (A)—

2 (I) by striking “Not later than  
3 180 days after the date of enactment  
4 of the Higher Education Opportunity  
5 Act,” and inserting “Not less than 90  
6 days before the date on which a com-  
7 petition for a grant under this chapter  
8 begins,”;

9 (II) in clause (iii), by striking  
10 “prior experience” and inserting “ac-  
11 countability for outcomes”; and

12 (III) in clause (v), by striking  
13 “prior experience” and inserting “ac-  
14 countability for outcomes”; and

15 (ii) by striking subparagraph (B) and  
16 redesignating subparagraph (C) as sub-  
17 subparagraph (B);

18 (iii) in subparagraph (B), as so reded-  
19 icated, by adding at the end the fol-  
20 lowing:

21 “(vii) TECHNICAL COMPONENTS OF  
22 APPLICATIONS.—

23 “(I) TREATMENT OF NONSUB-  
24 STANTIVE TECHNICAL COMPONENTS  
25 OF APPLICATIONS.—With respect to

1 any competition for a grant under this  
2 chapter, the Secretary may not reject  
3 grant applications on the sole basis of  
4 a failure to meet page limits and for-  
5 matted standards (including with re-  
6 spect to font size, font style, font  
7 type, line spacing, paragraph justifica-  
8 tion, and page margins).

9 “(II) TREATMENT OF TECHNICAL  
10 BUDGET ERRORS IN APPLICATIONS.—

11 “(aa) IN GENERAL.—With  
12 respect to any competition for a  
13 grant under this chapter, the  
14 Secretary may not reject grant  
15 applications on the sole basis of a  
16 typographical or rounding error  
17 in a proposed budget until the  
18 Secretary has given the applicant  
19 an opportunity for correction in  
20 accordance with item (bb).

21 “(bb) NOTICE AND OPPOR-  
22 TUNITY FOR CORRECTION.—The  
23 Secretary shall provide notice  
24 and identification of an error de-  
25 scribed in item (aa) to the appli-

1 cant before awarding grants for  
2 each competition and shall allow  
3 the applicant to submit a revised  
4 application that corrects the  
5 identified error.

6 “(cc) TREATMENT OF RE-  
7 VISED APPLICATIONS.—The Sec-  
8 retary shall treat the revised ap-  
9 plication in the same manner as  
10 a timely submitted application.

11 “(dd) FAILURE TO COR-  
12 RECT.—If an applicant has re-  
13 ceived a notice and opportunity  
14 for correction of a typographical  
15 or rounding error in a proposed  
16 budget in accordance with item  
17 (bb) and the applicant fails to  
18 correct the error and submit a  
19 revised application, the Secretary  
20 may reject or penalize that grant  
21 application.”;

22 (3) in subsection (d)(3), by adding at the end  
23 the following: “In addition, the Secretary shall host  
24 at least one virtual, interactive training to ensure



1 that any interested applicants have access to tech-  
2 nical assistance.”;

3 (4) in subsection (e)—

4 (A) in paragraph (1)—

5 (i) by striking “or” at the end of sub-  
6 paragraph (C);

7 (ii) by striking the period at the end  
8 of subparagraph (D) and inserting a semi-  
9 colon; and

10 (iii) by adding at the end the fol-  
11 lowing:

12 “(E) documentation that the student has been  
13 determined eligible for a Federal Pell Grant author-  
14 ized under section 401; or

15 “(F) for a grant authorized under section 402B  
16 or 402F of this chapter, documentation that a stu-  
17 dent is attending a school that—

18 “(i) elects, or for which the local edu-  
19 cational agency serving the school elects on be-  
20 half of the school, to receive special assistance  
21 payment under section 11(a)(1)(F)(ii) of the  
22 Richard B. Russell National School Lunch Act  
23 (42 U.S.C. 1759a(a)(1)(F)(ii)); or

24 “(ii) had a percentage of enrolled students  
25 who were identified students (defined in clause

1 (i) of section 11(a)(1)(F) of such Act (42  
2 U.S.C. 1759a(a)(1)(F))) that meets or exceeds  
3 the threshold described in clause (viii) of such  
4 section (42 U.S.C. 1759a(a)(1)(F)) during the  
5 school year that ends prior to the first period  
6 for which such grant is awarded.”; and

7 (B) in paragraph (2)—

8 (i) by striking “or” at the end of sub-  
9 paragraph (C);

10 (ii) by striking the period at the end  
11 of subparagraph (D) and inserting a semi-  
12 colon; and

13 (iii) by adding at the end the fol-  
14 lowing:

15 “(E) documentation that the student has been  
16 determined to be eligible for a Federal Pell Grant  
17 authorized under section 401; or

18 “(F) for a grant authorized under section 402B  
19 or 402F of this chapter, documentation that a stu-  
20 dent is attending a school that—

21 “(i) elects, or for which the local edu-  
22 cational agency serving the school elects on be-  
23 half of the school, to receive special assistance  
24 payment under section 11(a)(1)(F)(ii) of the

1 Richard B. Russell National School Lunch Act  
2 (42 U.S.C. 1759a(a)(1)(F)(ii)); or

3 “(ii) had a percentage of enrolled students  
4 who were identified students (defined in clause  
5 (i) of section 11(a)(1)(F) of such Act (42  
6 U.S.C. 1759a(a)(1)(F))) that meets or exceeds  
7 the threshold described in clause (viii) of such  
8 section (42 U.S.C. 1759a(a)(1)(F)) during the  
9 school year that ends prior to the first period  
10 for which such grant is awarded.”;

11 (5) in subsection (f)—

12 (A) in paragraph (1)—

13 (i) by striking “PRIOR EXPERIENCE”  
14 and inserting “ACCOUNTABILITY IN OUT-  
15 COMES” in the heading;

16 (ii) by striking “on or after January  
17 1, 2009” and inserting “on or after the  
18 date of enactment of the College Afford-  
19 ability Act”; and

20 (iii) by striking “prior experience of”  
21 and inserting “success in achieving”;

22 (B) in paragraph (2), by striking “college  
23 students, and” and inserting “college students,  
24 foster care youth, homeless individuals, and”;  
25 and

1 (C) in paragraph (3)—

2 (i) in subparagraph (A)—

3 (I) in clause (iv), by striking  
4 “will make such students eligible for  
5 programs such as the Academic Com-  
6 petitiveness Grants Program” and in-  
7 serting “includes at least 4 years of  
8 mathematics, 3 years of science, and  
9 2 years of a foreign language”;

10 (II) by redesignating clauses (v)  
11 and (vi) as clauses (vi) and (vii), re-  
12 spectively; and

13 (III) by inserting after clause (iv)  
14 the following:

15 “(v) the completion of financial aid  
16 applications, including the Free Applica-  
17 tion for Federal Student Aid described in  
18 section 483(a) and college admissions ap-  
19 plications;”.

20 (ii) in subparagraph (B)—

21 (I) by inserting “except in the  
22 case of programs that specifically tar-  
23 get veterans,” after “under section  
24 402C,”;

1 (II) in clause (v), by striking  
2 “will make such students eligible for  
3 programs such as the Academic Com-  
4 petitiveness Grants Program” and in-  
5 serting “includes at least 4 years of  
6 mathematics, 3 years of science, and  
7 2 years of a foreign language”;

8 (III) by redesignating clauses (vi)  
9 and (vii) as clauses (vii) and (viii), re-  
10 spectively; and

11 (IV) by inserting after clause (v)  
12 the following:

13 “(vi) the completion of financial aid  
14 applications, including the Free Applica-  
15 tion for Federal Student Aid described in  
16 section 483(a) and college admission appli-  
17 cations;”;

18 (iii) by redesignating subparagraphs  
19 (C), (D), and (E), as subparagraphs (D),  
20 (E), and (F), respectively;

21 (iv) by inserting after subparagraph  
22 (B) the following:

23 “(C) For programs authorized under sec-  
24 tion 402C that specifically target veterans, the  
25 extent to which the eligible entity met or ex-

1           ceeded the entity’s objectives for such program  
2           regarding—

3                   “(i) the delivery of service to a total  
4                   number of students served by the program,  
5                   as agreed upon by the entity and the Sec-  
6                   retary for the period of the program;

7                   “(ii) such students’ academic perform-  
8                   ance as measured by standardized tests;

9                   “(iii) the retention and completion of  
10                  participants in the program;

11                  “(iv) the provision of assistance to  
12                  students served by the program in com-  
13                  pleting financial aid applications, including  
14                  the Free Application for Federal Student  
15                  Aid described in section 483(a) and college  
16                  admission applications;

17                  “(v) the enrollment of such students  
18                  in an institution of higher education; and

19                  “(vi) to the extent practicable, the  
20                  postsecondary completion of such stu-  
21                  dents.”;

22                  (v) in subparagraph (D)(ii), as reded-  
23                  ignated in clause (iii)—

24                           (I) in subclause (I), by striking

25                           “in which such students were en-

1 rolled” and inserting “at any bacca-  
2 laureate granting institution within 6  
3 years of initial enrollment in the  
4 project”; and

5 (II) in subclause (II), by striking  
6 items (aa) and (bb) and inserting the  
7 following:

8 “(aa) the transfer of such stu-  
9 dents to institutions of higher edu-  
10 cation that offer baccalaureate de-  
11 grees, regardless of whether the trans-  
12 ferring student completes a degree or  
13 certificate; or

14 “(bb) the completion of a degree  
15 or certificate by such students at any  
16 accredited institution within 4 years  
17 of initial enrollment in the project;”;

18 (vi) in subparagraph (E), as redesign-  
19 nated—

20 (I) in clause (iii), by striking “;  
21 and” and inserting “within 2 years of  
22 receiving the baccalaureate degree;”;  
23 and

24 (II) in clause (iv), by striking  
25 “graduate study and the attainment

1 of doctoral degrees by former program  
2 participants.” and inserting “graduate  
3 study; and

4 “(v) the attainment of doctoral de-  
5 grees by former program participants with-  
6 in 10 years of receiving the baccalaureate  
7 degree.”; and

8 (vii) in subparagraph (F), as redesign-  
9 nated—

10 (I) in clause (i), by inserting  
11 “within 2 years of service” before the  
12 semicolon; and

13 (II) in clause (ii), by inserting  
14 “or re-enrollment” after “the enroll-  
15 ment”;

16 (6) in subsection (g)—

17 (A) by striking “\$900,000,000 for fiscal  
18 year 2009 and such sums as may be necessary  
19 for each of the five succeeding fiscal years.”  
20 and inserting “\$1,120,000,000 for fiscal year  
21 2021, and each of the 5 succeeding fiscal years.  
22 The amount authorized to be appropriated in  
23 the preceding sentence for fiscal year 2022 and  
24 each of the 4 succeeding fiscal years shall be  
25 deemed increased by the annual adjustment



1 percentage. For purposes of this subsection, the  
2 term ‘adjustment percentage’ as applied to a  
3 fiscal year, means the estimated percentage  
4 change in the Consumer Price Index (as deter-  
5 mined by the Secretary, using the definition in  
6 section 478(f)) for the most recent calendar  
7 year ending before the beginning of that fiscal  
8 year.”;

9 (B) by striking “ $\frac{1}{2}$  of”;

10 (C) by striking “, and to provide” and in-  
11 sserting “, to provide”; and

12 (D) by striking “current grantees.” and all  
13 that follows through “additional readers.” and  
14 inserting “current grantees, and to carry out  
15 the requirements of subsection (c)(9)(A).”;

16 (7) in subsection (h)—

17 (A) by striking paragraph (4) and insert-  
18 ing the following:

19 “(4) HOMELESS INDIVIDUAL.—The term  
20 ‘homeless individual’ has the meaning given the term  
21 ‘homeless children and youth’ under section 725 of  
22 the McKinney-Vento Homeless Assistance Act (42  
23 U.S.C. 11434a).

24 “(5) LOW-INCOME INDIVIDUAL.—The term  
25 ‘low-income individual’ means—

1           “(A) an individual from a family whose  
2 taxable income for the preceding year did not  
3 exceed 150 percent of the poverty line applica-  
4 ble to the individual’s family size as determined  
5 under section 673(2) of the Community Serv-  
6 ices Block Grant Act (42 U.S.C. 9902(2));

7           “(B) an individual whose taxable income  
8 as reported on the individual’s most recently  
9 completed Free Application for Federal Student  
10 Aid under section 483(a) did not exceed 150  
11 percent of such poverty line;

12           “(C) an individual who has been deter-  
13 mined to be eligible for a Federal Pell Grant  
14 authorized under section 401; or

15           “(D) for grants authorized under 402B  
16 and 402F of this chapter, a student who is at-  
17 tending a school that—

18                   “(i) elects, or for which the local edu-  
19 cational agency serving the school elects on  
20 behalf of the school, to receive special as-  
21 sistance payment under section  
22 11(a)(1)(F)(ii) of the Richard B. Russell  
23 National School Lunch Act (42 U.S.C.  
24 1759a(a)(1)(F)(ii)); or

1           “(ii) had a percentage of enrolled stu-  
2           dents who were identified students (defined  
3           in clause (i) of section 11(a)(1)(F) of such  
4           Act (42 U.S.C. 1759a(a)(1)(F))) that  
5           meets or exceeds the threshold described in  
6           clause (viii) of such section (42 U.S.C.  
7           1759a(a)(1)(F)) during the school year  
8           that ends prior to the first year of the pe-  
9           riod for which such grant is awarded.”;

10           (B) by redesignating paragraph (5) as sub-  
11           section (i) and subparagraphs (A) through (D)  
12           as paragraphs (1) through (4); and

13           (C) by redesignating paragraph (6) as sub-  
14           section (j); and

15           (8) in subsection (j), as redesignated, by strik-  
16           ing “subparagraph (A), (B), or (C) of paragraph  
17           (5)” and inserting “paragraph (1), (2), or (3) of  
18           subsection (i)”.

19           (b) CONFORMING AMENDMENTS.—Chapter 1 of sub-  
20           part 2 of part A of title IV of the Higher Education Act  
21           of 1965 (20 U.S.C. 1070a–11) is amended—

22           (1) by striking “homeless children and youths  
23           as defined in section 725 of the McKinney-Vento  
24           Homeless Assistance Act” each place it appears and  
25           inserting “homeless individuals”; and

1           (2) by striking “homeless children and youths  
2           (as such term is defined in section 725 of the  
3           McKinney-Vento Homeless Assistance Act (42  
4           U.S.C. 11434a))” each place it appears and insert-  
5           ing “homeless individuals”.

6 **SEC. 4022. TALENT SEARCH.**

7           Section 402B of the Higher Education Act of 1965  
8           (20 U.S.C. 1070a–12) is amended—

9           (1) in subsection (a)—

10                   (A) in paragraph (2), by striking “and” at  
11                   the end;

12                   (B) by redesignating paragraph (3) as  
13                   paragraph (4); and

14                   (C) by inserting after paragraph (2) the  
15                   following:

16                   “(3) to advise such youths regarding the post-  
17                   secondary education selection process, including con-  
18                   sideration of financial aid awards offered, potential  
19                   Federal loan burden, and likelihood of graduating;  
20                   and”;

21           (2) in subsection (b)—

22                   (A) by striking “and” at the end of para-  
23                   graph (5); and

24                   (B) by striking paragraph (6) and insert-  
25                   ing the following:

1           “(6) education or counseling services to assist  
2 students and their families regarding career choice;  
3 and

4           “(7) connections to programs providing finan-  
5 cial literacy and economic literacy so that students  
6 and their families are able to make informed choices  
7 regarding postsecondary education, including consid-  
8 ering degree choices and potential Federal loan bur-  
9 dens.”;

10           (3) in subsection (c)(2), by striking “career”  
11 and inserting “academic”; and

12           (4) in subsection (d)—

13           (A) in paragraph (3), by striking “and”  
14 after the semicolon;

15           (B) in paragraph (4), by striking the pe-  
16 riod at the end and inserting a semicolon; and

17           (C) by adding at the end the following:

18           “(5) require an assurance that the entity car-  
19 rying out the project has reviewed and revised poli-  
20 cies and practices as needed to remove barriers to  
21 the participation and retention in the project of  
22 homeless individuals, including unaccompanied youth  
23 and foster care youth;

24           “(6) require that such entity submit, as part of  
25 the application for the project, a description of the

1 activities that will be undertaken to reach out to  
2 such homeless individuals and foster care youth as  
3 part of the project; and

4 “(7) require an assurance that such entity will  
5 prepare and submit the report required under sec-  
6 tion 402H(e) at the conclusion of the project regard-  
7 ing such homeless individuals and foster care  
8 youth.”.

9 **SEC. 4023. UPWARD BOUND.**

10 Section 402C of the Higher Education Act of 1965  
11 (20 U.S.C. 1070a–13) is amended—

12 (1) in subsection (b), by striking paragraphs  
13 (5) and (6) and inserting the following:

14 “(5) assistance to students and their families  
15 regarding career choice;

16 “(6) education or counseling services designed  
17 to education improve the financial literacy and eco-  
18 nomic literacy of students or the students’ parents  
19 in order to aid them in making informed decisions  
20 about the postsecondary education selection process  
21 and assist students and their families in making in-  
22 formed choices regarding the postsecondary edu-  
23 cation selection process; and

24 “(7) in the case of such a project that is not  
25 specifically designed for veterans, as part of core

1 curriculum, instruction in mathematics through pre-  
2 calculus, science, foreign language, language arts,  
3 and literature, and in the case of such a project that  
4 is specifically designed for veterans, instruction in  
5 mathematics through pre-calculus, science, foreign  
6 language, and language arts.”;

7 (2) by striking subsections (c) and (g) and re-  
8 designating subsections (d), (e), (f), and (h) as sub-  
9 sections (c), (d), (e), and (f), respectively;

10 (3) in subsection (c), as so redesignated—

11 (A) in paragraph (1), by striking “youth”  
12 and inserting “participants”;

13 (B) in paragraph (2)—

14 (i) by striking “youth participating in  
15 the project” and inserting “project partici-  
16 pants”; and

17 (ii) by striking “youth;” and inserting  
18 “participants;” and

19 (C) in paragraph (5), by striking “youth  
20 participating in the project” and inserting “par-  
21 ticipants”; and

22 (4) in subsection (d), as so redesignated—

23 (A) in paragraph (4), by striking “and”  
24 after the semicolon;

1 (B) in paragraph (5), by striking the pe-  
2 riod at the end and inserting a semicolon; and

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

4 “(6) require an assurance that the entity car-  
5 rying out the project has reviewed and revised poli-  
6 cies and practices as needed to remove barriers to  
7 the participation and retention in the project of  
8 homeless individuals, including unaccompanied youth  
9 and foster care youth;

10 “(7) require that such entity submit, as part of  
11 the application, a description of the activities that  
12 will be undertaken to reach out to such homeless in-  
13 dividuals and foster care youth regarding the  
14 project; and

15 “(8) require an assurance that such entity will  
16 prepare and submit the report required under sec-  
17 tion 402H(e) at the conclusion of the project regard-  
18 ing such homeless individuals and foster care  
19 youth.”; and

20 (5) in subsection (e), as so redesignated—

21 (A) by striking “\$60” and inserting  
22 “\$90”;

23 (B) by striking “\$300” and inserting  
24 “\$450”;



1 (C) by striking “\$40” and inserting  
2 “\$60”; and

3 (D) by adding at the end the following:  
4 “Adults participating in a project specifically  
5 targeting veterans under this section may be  
6 paid stipends not in excess of \$100 per month  
7 during the year.”.

8 **SEC. 4024. STUDENT SUPPORT SERVICES.**

9 Section 402D of the Higher Education Act of 1965  
10 (20 U.S.C. 1070a–14) is amended—

11 (1) in subsection (a)—

12 (A) in paragraph (3), by striking “limited  
13 English proficient” and inserting “low-income  
14 and first generation college students, including  
15 limited English proficient students”; and

16 (B) in paragraph (4), by striking “, includ-  
17 ing—” and all that follows through the end of  
18 the paragraph and inserting a period;

19 (2) in subsection (b)—

20 (A) in paragraph (4), by striking “includ-  
21 ing financial planning for postsecondary edu-  
22 cation;” and inserting “including—

23 “(A) financial planning for postsecondary  
24 education, including loan burdens required, re-

1 payment options, and expected earnings in po-  
2 tential career fields;

3 “(B) basic personal income, household  
4 money management, and financial planning  
5 skills; and

6 “(C) basic economic decisionmaking  
7 skills.”;

8 (B) in paragraph (5), by striking “and” at  
9 the end;

10 (C) in paragraph (6), by striking the pe-  
11 riod at the end and inserting “; and”; and

12 (D) by adding at the end the following:

13 “(7) basic and emergency supplemental living  
14 assistance grants in accordance with subsection  
15 (f).”;

16 (3) in subsection (e)—

17 (A) in paragraph (5), by striking “and”  
18 after the semicolon;

19 (B) in paragraph (6)(B), by striking the  
20 period at the end and inserting a semicolon;  
21 and

22 (C) by adding at the end the following:

23 “(7) 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

1 the participation and retention in the project of  
2 homeless individuals, including unaccompanied youth  
3 and foster care youth;

4 “(8) require that such entity submit, in the ap-  
5 plication for the project, a description of the activi-  
6 ties that will be undertaken to reach out to such  
7 homeless individuals and foster care youth, who are  
8 enrolled or accepted for enrollment at the institu-  
9 tion; and

10 “(9) require an assurance that such entity will  
11 prepare and submit the report required under sec-  
12 tion 402H(e) at the conclusion of the project regard-  
13 ing such homeless individuals and foster care  
14 youth.”; and

15 (4) by adding at the end the following:

16 “(f) BASIC AND EMERGENCY SUPPLEMENTAL LIV-  
17 ING ASSISTANCE GRANTS.—

18 “(1) IN GENERAL.—In carrying out the activi-  
19 ties required under subsection (b)(7) with a grant  
20 received under this section, the recipient of such  
21 grant shall provide basic and emergency supple-  
22 mental living assistance grants to assist students  
23 who are current participants in the student support  
24 services program offered by the institution (in this  
25 subsection referred to as ‘eligible students’)—

1           “(A) in the case of a basic supplemental  
2 living assistance grant, in covering reasonable,  
3 anticipated expenses necessary for the comple-  
4 tion of an academic year of the students’ first  
5 undergraduate baccalaureate course of study;  
6 and

7           “(B) in the case of an emergency supple-  
8 mental living assistance grant, in covering rea-  
9 sonable, unanticipated expenses necessary for  
10 the students to persist in college during such  
11 academic year.

12           “(2) AMOUNT OF GRANTS.—The recipient may  
13 determine—

14           “(A) the appropriate division of the funds  
15 between basic and emergency supplemental as-  
16 sistance grants, except that funds shall be pro-  
17 vided for both basic and emergency grants;

18           “(B) the amount of each such grant and  
19 the total grant funds that an eligible student  
20 may receive, except that a student may not re-  
21 ceive more than a total of \$500 in emergency  
22 supplemental assistance grants per academic  
23 year; and

24           “(C) the anticipated and unanticipated ex-  
25 penses referred to in paragraph (1) that such

1 grants will cover based on the needs of eligible  
2 students, which—

3 “(i) may vary by factors including  
4 academic year, housing, parental status, lo-  
5 cation in urban or rural area, or other cir-  
6 cumstances; and

7 “(ii) for an individual student, may  
8 cover—

9 “(I) any component of the cost of  
10 attendance for the student;

11 “(II) an allowance for actual or  
12 expected expenses incurred for de-  
13 pendent care that exceeds such ex-  
14 penses determined for the student  
15 under section 472(8);

16 “(III) an allowance for actual or  
17 expected expenses for transportation  
18 that exceeds such expenses deter-  
19 mined for the student under section  
20 472; and

21 “(IV) personal items or expenses  
22 not otherwise covered by the cost of  
23 attendance for the student.

24 “(3) PERCENTAGE OF TOTAL FUNDS.—The re-  
25 cipient may use not more than 2 percent of the

1 funds awarded under this section for grants under  
2 this subsection.

3 “(4) DETERMINATION OF NEED.—A grant pro-  
4 vided to a student under this subsection shall not be  
5 considered in determining that student’s need for  
6 grant or work assistance under this title, except that  
7 in no case shall the total amount of student financial  
8 assistance awarded to a student under this title ex-  
9 ceed that student’s cost of attendance by more than  
10 \$500.

11 “(5) CONSULTATION.—In making grants to  
12 students under this subsection, an institution shall  
13 ensure that adequate consultation takes place be-  
14 tween the student support service program office  
15 and the institution’s financial aid office.

16 “(6) SUPPLEMENT, NOT SUPPLANT.—Funds re-  
17 ceived by a grant recipient that are used under this  
18 subsection shall be used to supplement, and not sup-  
19 plant, non-Federal funds expended for student sup-  
20 port services programs.

21 “(7) FUNDS.—For a fiscal year for which the  
22 funds allocated for projects authorized under this  
23 section from the amounts appropriated pursuant to  
24 the authority of section 402A(g) exceeds the funds  
25 allocated for such purpose for fiscal year 2020, not

1 more than 2 percent of such excess funds may be  
2 made available for grants under this subsection.”.

3 **SEC. 4025. POSTBACCALAUREATE ACHIEVEMENT PROGRAM**

4 **AUTHORITY.**

5 Section 402E of the Higher Education Act of 1965  
6 (20 U.S.C. 1070a–15) is amended—

7 (1) in subsection (b)(2)—

8 (A) by striking “summer”; and

9 (B) by inserting “or faculty-led research  
10 experiences” before the semicolon;

11 (2) in subsection (d)(4)—

12 (A) by striking “summer”; and

13 (B) by inserting “or faculty-led experiences  
14 who have stipends” after “internships”; and

15 (3) in subsection (f)(1), by striking “\$2,800”  
16 and inserting “\$4,000”.

17 **SEC. 4026. EDUCATIONAL OPPORTUNITY CENTERS.**

18 Section 402F of the Higher Education Act of 1965  
19 (20 U.S.C. 1070a–16) is amended—

20 (1) in subsection (a)(1), by striking “pursue”  
21 and inserting “begin or re-enter”;

22 (2) in subsection (b)(5), by striking “students;”  
23 and inserting “students, including—

24 “(A) financial planning for postsecondary  
25 education, including student loan debt, repay-

1           ment options, and expected earnings in poten-  
2           tial career fields;

3           “(B) basic personal income, household  
4           money management, and financial planning  
5           skills; and

6           “(C) basic economic decisionmaking  
7           skills;”; and

8           (3) in subsection (c)—

9           (A) in paragraph (2), by striking “and”  
10          after the semicolon;

11          (B) in paragraph (3), by striking the pe-  
12          riod at the end and inserting a semicolon; and

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

14          “(4) require an assurance that the entity car-  
15          rying out the project has reviewed and revised poli-  
16          cies and practices as needed to remove barriers to  
17          the participation and retention in the project of  
18          homeless individuals, including unaccompanied youth  
19          and foster care youth;

20          “(5) 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 such homeless in-  
23          dividuals and foster care youth regarding the  
24          project; and



1           “(6) 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 such homeless individuals and foster care  
5           youth.”.

6 **SEC. 4027. STAFF DEVELOPMENTAL ACTIVITIES.**

7           Section 402G(b) of the Higher Education Act of  
8           1965 (20 U.S.C. 1070a–17(b)) is amended—

9           (1) by inserting “webinars, online classes,”  
10          after “seminars, workshops,”;

11          (2) by striking “new directors” and inserting  
12          “staff”;

13          (3) by redesignating paragraphs (1) through  
14          (5) as paragraphs (2) through (6), respectively;

15          (4) by inserting before paragraph (2), as so re-  
16          designated, the following:

17               “(1) Legislative and regulatory requirements  
18               and program management for new directors of pro-  
19               grams funded under this chapter.”;

20          (5) in paragraph (2), as redesignated, by insert-  
21          ing “for continuing directors and staff of programs”  
22          after “operation of programs”; and

23          (6) in paragraph (4), as redesignated, by strik-  
24          ing “model programs” and inserting “innovations”.

1 **SEC. 4028. REPORTS AND EVALUATIONS.**

2 (a) OTHER REPORTING REQUIREMENTS.—Section  
3 402H of the Higher Education Act of 1965 (20 U.S.C.  
4 1070a–18) is further amended—

5 (1) in subsection (b)—

6 (A) in paragraph (1)—

7 (i) in subparagraph (A), by striking “,  
8 including a rigorous evaluation of the pro-  
9 grams and projects assisted under section  
10 402C. The evaluation of the programs and  
11 projects assisted under section 402C shall  
12 be implemented not later than June 30,  
13 2010” and inserting “The issues such eval-  
14 uations shall measure shall include the ef-  
15 fectiveness of programs and projects as-  
16 sisted under this chapter in—

17 “(i) meeting or exceeding the stated  
18 objectives regarding the outcome criteria  
19 under 402A(f);

20 “(ii) enhancing the access of low-in-  
21 come individuals and first-generation col-  
22 lege students to postsecondary education;

23 “(iii) preparing individuals for post-  
24 secondary education; and

25 “(iv) comparing students who partici-  
26 pate in the programs funded under this

1 chapter with students who do not partici-  
2 pate in such programs with respect to—

3 “(I) level of education completed;

4 “(II) retention rates;

5 “(III) graduation rates;

6 “(IV) college admission and com-  
7 pletion rates; and

8 “(V) other issues as the Sec-  
9 retary considers appropriate.”; and

10 (ii) in subparagraph (C), by inserting

11 “and take into account the agreed upon  
12 target determined under section  
13 402A(f)(4)” before the period; and

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

16 “(2) PRACTICES.—The evaluations described in  
17 paragraph (1) shall identify institutional, commu-  
18 nity, and program or project practices that are effec-  
19 tive in—

20 “(A) enhancing the access of low-income  
21 individuals and first-generation college students  
22 to postsecondary education;

23 “(B) the preparation of such individuals  
24 and students for postsecondary education;

1           “(C) fostering the success of the individ-  
2           uals and students in postsecondary education;  
3           and

4           “(D) for programs and projects assisted  
5           under section 402C, the characteristics of stu-  
6           dents who benefit most from such programs  
7           and projects.”; and

8           (2) in subsection (d), by inserting “, including  
9           the authorizing committees” before the period.

10          (b) HOMELESS INDIVIDUALS AND FOSTER CARE  
11          YOUTH.—Section 402H of the Higher Education Act of  
12          1965 (20 U.S.C. 1070a–18) is further amended by adding  
13          at the end the following:

14          “(e) REPORT REGARDING HOMELESS INDIVIDUALS  
15          AND FOSTER CARE YOUTH.—Each entity carrying out a  
16          project under section 402B, 402C, 402D, or 402F shall,  
17          at the conclusion of the project, prepare and submit a re-  
18          port to the Secretary that includes—

19                 “(1) where available, data on the number of  
20                 homeless individuals and foster care youth served  
21                 through the project; and

22                 “(2) a description of any strategies or program  
23                 enhancements that were used in the project and that  
24                 were effective in meeting the needs of such homeless  
25                 individuals and foster care youth.”.

1 **CHAPTER 2—GAINING EARLY AWARENESS**  
2 **AND READINESS FOR UNDER-**  
3 **GRADUATE PROGRAMS**

4 **SEC. 4031. GAINING EARLY AWARENESS AND READINESS**  
5 **FOR UNDERGRADUATE PROGRAMS.**

6 Chapter 2 of part A of title IV of the Higher Edu-  
7 cation Act of 1965 (20 U.S.C. 1070a–21 et seq.) is  
8 amended—

9 (1) in section 404A (20 U.S.C. 1070a–21)—

10 (A) in the matter preceding subparagraph

11 (A) of subsection (a)(1), by inserting “, includ-  
12 ing for college readiness” after “academic sup-  
13 port”; and

14 (B) in subsection (b)—

15 (i) by amending paragraph (3) to read  
16 as follows:

17 “(3) PRIORITY.—In making awards to eligible  
18 entities described in subsection (c), the Secretary  
19 may give a competitive priority—

20 “(A) to eligible entities that—

21 “(i) on the day before the date of en-  
22 actment of the College Affordability Act,  
23 carried out successful educational oppor-  
24 tunity programs under this chapter (as

1           this chapter was in effect on such day);

2           and

3           “(ii) have a prior, demonstrated com-  
4           mitment to early intervention leading to  
5           college access and readiness through col-  
6           laboration and replication of successful  
7           strategies; or

8           “(B) to eligible entities that ensure that  
9           students that received assistance under this  
10          chapter on the day before the date of enactment  
11          of the College Affordability Act continue to re-  
12          ceive such assistance through the completion of  
13          secondary school.”;

14           (ii) by adding at the end the fol-  
15          lowing:

16          “(4) MULTIPLE AWARD PROHIBITION.—

17           “(A) IN GENERAL.—An eligible entity de-  
18          scribed in subsection (c)(1) that receives a  
19          grant under this chapter shall not be eligible to  
20          receive an additional grant under this chapter  
21          until after the date on which the grant period  
22          with respect to such grant expires.

23           “(B) EXCEPTION FOR NO-COST EXTEN-  
24          SION.—Notwithstanding subparagraph (A), an  
25          eligible entity described in subsection (c)(1)

1 that receives a grant under this chapter that  
2 has been extended under section 75.261 of title  
3 34, Code of Federal Regulations may receive an  
4 additional grant under this chapter prior to the  
5 date on which the grant period applicable to  
6 such extension expires.”; and

7 (2) in section 404B (20 U.S.C. 1070a–22)—

8 (A) in subsection (a), in the matter pre-  
9 ceeding paragraph (1), by inserting “(except  
10 with respect to continuation awards under this  
11 chapter)” after “grants”; and

12 (B) in subsection (d)(1)—

13 (i) in subparagraph (A), by inserting  
14 “and” after the semicolon;

15 (ii) in subparagraph (B), by striking  
16 “; and” and inserting a period; and

17 (iii) by striking subparagraph (C);

18 (3) in section 404C (20 U.S.C. 1070a–23)—

19 (A) in subsection (a)(2)—

20 (i) in subparagraph (I), by striking  
21 “and” after the semicolon;

22 (ii) in subparagraph (J), by striking  
23 the period at the end and inserting a semi-  
24 colon; and

1 (iii) by adding at the end the fol-  
2 lowing:

3 “(K) provide an assurance that the eligible  
4 entity has reviewed and revised policies and  
5 practices as needed to remove barriers to the  
6 participation and retention of homeless individ-  
7 uals (as defined in section 402A) in the pro-  
8 gram, including unaccompanied youth and fos-  
9 ter care youth;

10 “(L) describe the activities that will be un-  
11 dertaken to reach out to such homeless individ-  
12 uals and foster care youth as part of the pro-  
13 gram; and

14 “(M) provide an assurance that the eligible  
15 entity will prepare and submit the report re-  
16 quired under section 404G(c) at the conclusion  
17 of the grant regarding such homeless individ-  
18 uals and foster care youth.”;

19 (B) in subsection (b)(1)(A)—

20 (i) by inserting “matching funds”  
21 after “will provide”;

22 (ii) by inserting “equaling” after “pri-  
23 vate funds,”; and

24 (iii) by striking “the cost of the pro-  
25 gram, which matching funds” and insert-



1 ing “the total Federal grant award under  
2 this chapter, which”;

3 (C) in subsection (c)(1), by inserting “at  
4 any point during the grant award period” after  
5 “obligated to students”; and

6 (D) by striking subsection (d) and insert-  
7 ing the following:

8 “(d) PEER REVIEW PANELS AND COMPETITIONS.—  
9 The Secretary shall—

10 “(1) convene peer review panels to assist in  
11 making determinations regarding the awarding of  
12 grants under this chapter; and

13 “(2) host a grant competition to make new  
14 awards under this chapter in any year in which  
15 there are funds available to make new awards.”;

16 (4) in section 404D (20 U.S.C. 1070a–24)—

17 (A) in subsection (b)—

18 (i) in paragraph (1), by striking “or  
19 former participants of a program under  
20 this chapter” and inserting “, former par-  
21 ticipants of a program under this chapter,  
22 or peers and near peers” after “adults”;

23 (ii) in paragraph (3), by inserting  
24 “academic, social, and postsecondary plan-  
25 ning” after “supportive”;

1 (iii) in paragraph (10)—

2 (I) by redesignating subpara-  
3 graphs (E) through (K) as subpara-  
4 graphs (F) through (L), respectively;

5 (II) by inserting after subpara-  
6 graph (D) the following:

7 “(E) counseling or referral services to ad-  
8 dress the behavioral, social-emotional, and men-  
9 tal health needs of at-risk students;”;

10 (III) in subparagraph (I), as re-  
11 designated by subclause (I), by insert-  
12 ing “, cognitive, non-cognitive, and  
13 credit-by-examination” after “skills”;

14 (IV) in subparagraph (K), as re-  
15 designated by subclause (I), by strik-  
16 ing “and” after the semicolon;

17 (V) in subparagraph (L), as re-  
18 designated by subclause (I), by strik-  
19 ing the period at the end and insert-  
20 ing “; and”; and

21 (VI) by adding at the end the fol-  
22 lowing:

23 “(M) capacity building activities that cre-  
24 ate college-going cultures in participating  
25 schools and local educational agencies.”; and

1 (iv) by adding at the end the fol-  
2 lowing:

3 “(16) Creating or expanding secondary school  
4 drop-out recovery programs that allow students who  
5 have dropped out of secondary school to complete a  
6 regular secondary school diploma and begin college-  
7 level work.

8 “(17) Establishing data collection and data  
9 sharing agreements to obtain, analyze, and report  
10 postsecondary outcome data for eligible students for  
11 a period of not more than 72 months after the end  
12 of the grant award period, which may include post-  
13 secondary enrollment, persistence, and completion  
14 data.

15 “(18) Establishing or maintaining an agree-  
16 ment with a consortium of eligible entities described  
17 in section 404A(c) to—

18 “(A) foster collaborative approaches to re-  
19 search and evaluation;

20 “(B) improve the quality of data collection,  
21 data sharing, analysis and reporting; and

22 “(C) apply evidence to improve programs  
23 and evaluation under this chapter.

24 “(19) Facilitating the recruitment, participa-  
25 tion, and retention of homeless individuals (as de-

1       fined in section 402A) and foster care youth in the  
2       services provided under this chapter, including—

3               “(A) establishing partnerships with com-  
4               munity-based organizations, child welfare agen-  
5               cies, homeless shelters, and local educational  
6               agency liaisons for homeless individuals to iden-  
7               tify such individuals and youth, improve policies  
8               and practices, and to establish data sharing  
9               agreements;

10              “(B) carrying out activities (consistent  
11              with the McKinney-Vento Homeless Assistance  
12              Act (42 U.S.C. 11301 et seq.)) to facilitate con-  
13              tinued participation of students who are no  
14              longer enrolled in a school served under this  
15              chapter due to changes in residence resulting  
16              from homelessness or foster care placement, in-  
17              cluding—

18                      “(i) allowing continued participation  
19                      when such a student is no longer enrolled,  
20                      on a temporary basis, in a school served  
21                      under this chapter; or

22                      “(ii) providing transitional services  
23                      and referrals when such a student is no  
24                      longer enrolled, on a permanent basis, in a  
25                      school served under this chapter;

1           “(C) carrying out other activities to meet  
2           the needs of such homeless individuals and fos-  
3           ter care youth.

4           “(20) Providing services under this chapter to  
5           students who have received services under a previous  
6           grant award under this chapter but have not yet  
7           completed grade 12.”;

8           (B) in subsection (c)—

9                 (i) in paragraph (3), by inserting  
10                “and technical assistance” after “support”;  
11                and

12               (ii) by striking paragraph (9); and

13           (C) in subsection (d)—

14                 (i) in paragraph (3), by striking “or”;

15                 (ii) by redesignating paragraph (4) as  
16                paragraph (5); and

17                 (iii) by inserting after paragraph (3)

18                the following:

19                “(4) eligible for free or reduced-price lunch  
20                under the Richard B. Russell National School Lunch  
21                Act (42 U.S.C. 1751 et seq.); or”;

22           (5) in section 404E (20 U.S.C. 1070a–25)—

23                 (A) in subsection (a)—

24                         (i) by redesignating paragraph (2) as  
25                         paragraph (3);

1 (ii) by inserting after paragraph (1)  
2 the following:

3 “(2) APPLICATION REQUIREMENTS.—

4 “(A) PLAN FOR MAINTENANCE OF FINAN-  
5 CIAL ASSISTANCE.— An eligible entity pro-  
6 posing to establish or maintain a financial as-  
7 sistance program providing scholarships for stu-  
8 dents assisted by the program of the eligible en-  
9 tity under this chapter shall include a plan re-  
10 garding the financial application program with  
11 the application submitted under section 404C.

12 “(B) SCHOLARSHIP DETAILS.—Under a  
13 plan described in subparagraph (A), an eligible  
14 entity—

15 “(i) may elect to offer 1 or more types  
16 of scholarships; and

17 “(ii) shall describe, for each type of  
18 scholarship—

19 “(I) the minimum and maximum  
20 awards for the scholarships, consistent  
21 with subsection (d), based on criteria  
22 and disbursement priorities estab-  
23 lished by the eligible entity;

1                   “(II) the duration of the scholar-  
2                   ships, which may be single-year or  
3                   multi-year awards;

4                   “(III) the enrollment require-  
5                   ments for participating students,  
6                   which may include providing scholar-  
7                   ships for participating students who  
8                   are enrolled in an institution of higher  
9                   education on less than a full-time  
10                  basis during any award year; and

11                  “(IV) any additional student eli-  
12                  gibility criteria established by the eli-  
13                  gible entity for earning and maintain-  
14                  ing scholarships under this section, in-  
15                  cluding—

16                               “(aa) financial need;

17                               “(bb) meeting participation  
18                               milestones in the activities of-  
19                               fered by the eligible entity under  
20                               section 404D;

21                               “(cc) meeting and maintain-  
22                               ing satisfactory academic mile-  
23                               stones; and

24                               “(dd) other criteria aligned  
25                               with State and local goals to

1                   incentivize postsecondary readi-  
2                   ness, access, and success.”; and

3                   (iii) in paragraph (3), as redesignated  
4                   by clause (i), by striking “may award” and  
5                   inserting “may use not less than 10 per-  
6                   cent and not more than 50 percent of  
7                   funds made available under this chapter to  
8                   award”;

9                   (B) in subsection (b)—

10                   (i) in the subsection heading, by strik-  
11                   ing “Limitation” and inserting “State limi-  
12                   tation”; and

13                   (ii) in paragraph (2), by striking “eli-  
14                   gible entity demonstrates” and all that fol-  
15                   lows through the period at the end and in-  
16                   serting the following: “eligible entity—

17                   “(A) demonstrates that the eligible entity  
18                   has another means of providing the students  
19                   with the financial assistance described in this  
20                   section or eligible students have reasonable ac-  
21                   cess to State and local financial assistance pro-  
22                   grams; and

23                   “(B) describes such means or access in the  
24                   application submitted under section 404C.”;

25                   (C) in subsection (e)—



1 (i) by striking paragraph (1) and in-  
2 serting the following:

3 “(1) IN GENERAL.—

4 “(A) SCHOLARSHIP PLAN.—Each eligible  
5 entity described in section 404A(c)(1) that re-  
6 ceives a grant under this chapter shall hold in  
7 reserve, for the students served by such grant  
8 as described in section 404B(d)(1)(A) or  
9 404D(d), an estimated amount that is based on  
10 the eligible entity’s scholarship plan described  
11 in subsection (a)(1).

12 “(B) INTEREST USE.—Interest earned on  
13 funds held in reserve under subparagraph (A)  
14 may be used by the eligible entity to administer  
15 the scholarship program during the award pe-  
16 riod and through the post-award period de-  
17 scribed in paragraph (4).”;

18 (ii) in paragraph (2)(B), by inserting  
19 “, or been accepted for enrollment,” after  
20 “enrolled”; and

21 (iii) in paragraph (3)—

22 (I) in subparagraph (A), by strik-  
23 ing “and” after the semicolon;

24 (II) by redesignating subpara-  
25 graph (B) as subparagraph (C); and

1 (III) by inserting after subpara-  
2 graph (A) the following:

3 “(B) the costs associated with enrolling in  
4 an institution of higher education; and”; and

5 (D) in subsection (g)—

6 (i) in paragraph (3)—

7 (I) by inserting “or, if the eligible  
8 entity chooses, in another program of  
9 study or credential program for which  
10 an individual could use funds received  
11 under a Federal Pell Grant to at-  
12 tend,” before “that is located”; and

13 (II) by striking “except that, at  
14 the State’s option” and inserting “ex-  
15 cept that, at the eligible entity’s op-  
16 tion”; and

17 (ii) in paragraph (4), by inserting  
18 “and qualifies for an award, consistent  
19 with the eligible entity’s scholarship plan  
20 as described in subsection (a)(2)” after  
21 “404D(a)”;

22 (6) in section 404G (20 U.S.C. 1070a–27)—

23 (A) in subsection (b)—

24 (i) in paragraph (1), by striking  
25 “and” after the semicolon;

1 (ii) in paragraph (2), by striking the  
2 period at the end and inserting “; and”;  
3 and

4 (iii) by inserting after paragraph (2)  
5 the following:

6 “(3) include the following metrics:

7 “(A) The number of students completing  
8 the Free Application for Federal Student Aid  
9 under section 483.

10 “(B) If applicable, the number of students  
11 receiving a scholarship under section 404E.

12 “(C) The graduation rate of participating  
13 students from high school.

14 “(D) The enrollment of participating stu-  
15 dents in postsecondary education.

16 “(E) Such other metrics as the Secretary  
17 may require.”;

18 (B) by redesignating subsections (c) and  
19 (d) as subsections (e) and (f), respectively;

20 (C) by inserting after subsection (b) the  
21 following:

22 “(c) REPORT ON HOMELESS INDIVIDUALS AND FOS-  
23 TER CARE YOUTH.—Each eligible entity that receives a  
24 grant under section 404A shall, at the conclusion of such

1 grant, prepare and submit a report to the Secretary that  
2 includes—

3 “(1) where available, the number of homeless  
4 individuals (as defined in section 402A) and foster  
5 care youth served through the program; and

6 “(2) a description of any strategies or program  
7 enhancements that were used by the eligible entity  
8 in carrying out the program that were effective in  
9 meeting the needs of such homeless individuals and  
10 foster care youth.”;

11 (D) in subsection (d), as so redesignated—

12 (i) in the subsection heading, by in-  
13 sserting “and technical assistance” after  
14 “Federal evaluation”;

15 (ii) in the matter preceding paragraph

16 (1)—

17 (I) by inserting “after consulta-  
18 tion with the community of eligible  
19 entities receiving grants under this  
20 chapter and” after “Secretary shall,”;

21 (II) by striking “0.75” and in-  
22 sserting “1”; and

23 (III) by striking “evaluate the ef-  
24 fectiveness of the program and, as ap-  
25 propriate, disseminate the results of

1 the evaluation. Such evaluation shall  
2 include a separate analysis of”;

3 (iii) by redesignating paragraphs (1)  
4 and (2) as subparagraphs (A) and (B), re-  
5 spectively, and indenting the margins ap-  
6 propriately; and

7 (iv) before subparagraph (A) (as re-  
8 designated by clause (iii)), by inserting the  
9 following:

10 “(1) provide pre-application technical assistance  
11 workshops for eligible entities and potential appli-  
12 cants in any year in which new awards are expected  
13 to be made;

14 “(2) support initiatives designed to improve the  
15 research, data collection and infrastructure, and  
16 evaluation capacity of eligible entities; and

17 “(3) evaluate the effectiveness of the program  
18 and, as appropriate, disseminate the results of the  
19 evaluation. Such evaluation may include a separate  
20 analysis of—”; and

21 (7) in section 404H, by striking “\$400,000,000  
22 for fiscal year 2009” and inserting “\$500,000,000  
23 for fiscal year 2021”.

1       **Subpart 3—Federal Supplemental Educational**  
2                                   **Opportunity Grants**

3   **SEC. 4041. PURPOSE; APPROPRIATIONS AUTHORIZED.**

4       Section 413A of the Higher Education Act of 1965  
5 (20 U.S.C. 1070b) is amended—

6           (1) by amending subsection (a) to read as fol-  
7       lows:

8       “(a) PURPOSE OF SUBPART.—It is the purpose of  
9 this subpart to—

10           “(1) provide, through institutions of higher edu-  
11 cation, supplemental grants to assist in making  
12 available the benefits of postsecondary education to  
13 qualified students who demonstrate financial need in  
14 accordance with the provisions of part F of this title;  
15 and

16           “(2) to establish grant programs at various in-  
17 stitutions of higher education, as defined in section  
18 101, to determine best practices and policies regard-  
19 ing the distribution of emergency grant aid to assist  
20 students in completing their program of study, not-  
21 withstanding aid they may have received in accord-  
22 ance with the provisions of part F of this title.”;

23           (2) in subsection (b)(1), by striking “appro-  
24 priated” and all that follows through the end and in-  
25 serting “appropriated—

26           “(A) \$1,150,000,000 for fiscal year 2021;

1 “(B) \$1,300,000,000 for fiscal year 2022;

2 “(C) \$1,450,000,000, for fiscal year 2023;

3 “(D) \$1,600,000,000 for fiscal year 2024;

4 and

5 “(E) \$1,750,000,000 for fiscal year 2025

6 and each succeeding fiscal year.”;

7 (3) by redesignating paragraph (2) as para-  
8 graph (3); and

9 (4) by inserting after paragraph (1) the fol-  
10 lowing:

11 “(2) For the purpose of enabling the Secretary  
12 to fund emergency grant aid programs under section  
13 440D, there are allocated, from funds authorized  
14 under paragraph (b)(1), \$12,500,000 for fiscal year  
15 2021 and each of the 5 succeeding fiscal years.”.

16 **SEC. 4042. INSTITUTIONAL ELIGIBILITY.**

17 Section 413C(a) of the Higher Education Act of 1965  
18 (20 U.S.C. 1070b-2) is amended—

19 (1) in paragraph (2)—

20 (A) by striking “agrees” inserting “except  
21 as provided in paragraph (4), agrees”; and

22 (B) by striking “and” at the end;

23 (2) in paragraph (3)(D), by striking the period  
24 and inserting “; and”; and

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

1           “(4) agrees that the Federal share of an award  
2           under this subpart to an institution eligible for as-  
3           sistance under title III or title V shall equal 100  
4           percent of such award.”.

5 **SEC. 4043. ALLOCATION OF FUNDS.**

6           Section 413D of the Higher Education Act of 1965  
7 (20 U.S.C. 1070b–3) is amended to read as follows:

8 **“SEC. 413D. ALLOCATION OF FUNDS.**

9           “(a) ALLOCATION FORMULA FOR FISCAL YEARS  
10 2021 THROUGH 2025.—

11           “(1) IN GENERAL.—From the amount appro-  
12 priated under section 413A(b)(1) for a fiscal year,  
13 the Secretary shall allocate to each institution—

14           “(A) for fiscal year 2021, an amount equal  
15 to the greater of—

16           “(i) 90 percent of the amount the in-  
17 stitution received under subsection (a) for  
18 fiscal year 2020, as such subsection was in  
19 effect with respect to such fiscal year (in  
20 this subparagraph referred to as ‘the 2020  
21 amount for the institution’); or

22           “(ii) the fair share amount for the in-  
23 stitution determined under subsection (c);

24           “(B) for fiscal year 2022, an amount equal  
25 to the greater of—



1                   “(i) 80 percent of the 2020 amount  
2                   for the institution; or

3                   “(ii) the fair share amount for the in-  
4                   stitution determined under subsection (c);

5                   “(C) for fiscal year 2023, an amount equal  
6                   to the greater of—

7                   “(i) 60 percent of the fiscal year 2020  
8                   amount for the institution; or

9                   “(ii) the fair share amount for the in-  
10                  stitution determined under subsection (c);

11                  “(D) for fiscal year 2024, an amount equal  
12                  to the greater of—

13                  “(i) 40 percent of the 2020 amount  
14                  for the institution; or

15                  “(ii) the fair share amount for the in-  
16                  stitution determined under subsection (c);

17                  and

18                  “(E) for fiscal year 2025, an amount equal  
19                  to the greater of—

20                  “(i) 20 percent of the 2020 amount  
21                  for the institution; or

22                  “(ii) the fair share amount for the in-  
23                  stitution determined under subsection (c).

24                  “(2) RATABLE REDUCTION.—

1           “(A) IN GENERAL.—If the amount appro-  
2           priated under section 413A(b)(1) for a fiscal  
3           year is less than the amount required to be allo-  
4           cated to the institutions under this subsection,  
5           then the amount of the allocation to each insti-  
6           tution shall be ratably reduced.

7           “(B) ADDITIONAL APPROPRIATIONS.—If  
8           the amounts allocated to each institution are  
9           ratably reduced under subparagraph (A) for a  
10          fiscal year and additional amounts are appro-  
11          priated for such fiscal year, the amount allo-  
12          cated to each institution from the additional  
13          amounts shall be increased on the same basis as  
14          the amounts under subparagraph (A) were re-  
15          duced (until each institution receives the  
16          amount required to be allocated under this sub-  
17          section).

18          “(b) ALLOCATION FORMULA FOR FISCAL YEAR 2026  
19          AND EACH SUCCEEDING FISCAL YEAR.—From the  
20          amount appropriated under section 413A(b)(1) for fiscal  
21          year 2026 and each succeeding fiscal year, the Secretary  
22          shall allocate to each institution the fair share amount for  
23          the institution determined under subsection (c).

24          “(c) DETERMINATION OF FAIR SHARE AMOUNT.—

1           “(1) IN GENERAL.—Subject to paragraph (2),  
2           the fair share amount for an institution for a fiscal  
3           year shall be equal to the sum of the institution’s  
4           undergraduate student need described in paragraph  
5           (2) for the preceding fiscal year.

6           “(2) INSTITUTIONAL UNDERGRADUATE STU-  
7           DENT NEED CALCULATION.—The institutional un-  
8           dergraduate student need for an institution for a fis-  
9           cal year shall be equal to the sum of the following:

10                   “(A) An amount equal to 50 percent of the  
11                   amount that bears the same proportion to the  
12                   available appropriated amount for such fiscal  
13                   year as the total amount of Federal Pell Grant  
14                   funds awarded at the institution for the pre-  
15                   ceding fiscal year bears to the total amount of  
16                   Federal Pell Grant funds awarded at all institu-  
17                   tions participating under this part for the pre-  
18                   ceding fiscal year.

19                   “(B) An amount equal to 50 percent of the  
20                   amount that bears the same proportion to the  
21                   available appropriated amount for such fiscal  
22                   year as the total amount of the undergraduate  
23                   student need at the institution for the preceding  
24                   fiscal year bears to the total amount of under-  
25                   graduate student need at all institutions partici-

1           pating under this part for the preceding fiscal  
2           year.

3           “(3) ELIGIBILITY FOR FAIR SHARE AMOUNT.—

4           The Secretary may not allocate funds under this  
5           subpart to any institution that, for 2 or more fiscal  
6           years during any 3 fiscal year period beginning not  
7           earlier than the first day of the first fiscal year that  
8           is 2 years after the date of the enactment of this  
9           paragraph, has a student population with less than  
10          7 percent of undergraduate students who are recipi-  
11          ents of Federal Pell Grants.

12          “(d) DEFINITIONS.—In this section:

13                 “(1) AVERAGE COST OF ATTENDANCE.—The  
14                 term ‘average cost of attendance’ has the meaning  
15                 given the term in section 4202(e)(5)(B).

16                 “(2) UNDERGRADUATE STUDENT NEED.—The  
17                 term ‘undergraduate student need’ means, with re-  
18                 spect to an undergraduate student for an award  
19                 year, the lesser of the following:

20                         “(A) The total of the amount equal to (ex-  
21                         cept the amount computed by this clause shall  
22                         not be less than zero)—

23                                 “(i) the average cost of attendance for  
24                                 the award year, minus

1                   “(ii) such undergraduate student’s ex-  
2                   pected family contribution (computed in  
3                   accordance with part F of this title) for  
4                   the preceding award year.

5                   “(B) The total loan annual limit for a  
6                   Federal Direct Unsubsidized Stafford Loan and  
7                   a Federal Direct Loan.”.

8 **SEC. 4044. EMERGENCY FINANCIAL AID GRANT PROGRAM.**

9                   Part A of title IV of the Higher Education Act of  
10                  1965 (20 U.S.C. 1070b et seq.) is amended by adding at  
11                  the end the following:

12                 **“Subpart 11—Emergency Financial Aid Grants**

13                 **“SEC. 440D. EMERGENCY FINANCIAL AID GRANT PROGRAM.**

14                 “(a) EMERGENCY FINANCIAL AID GRANT PROGRAMS  
15                 AUTHORIZED.—The Secretary shall carry out a grant pro-  
16                 gram to make grants, in accordance with subsection (c),  
17                 to eligible entities to provide emergency financial aid  
18                 grants to students in accordance with subsection (d).

19                 “(b) MATCHING FUNDS.—

20                 “(1) LIMITATION ON AMOUNT OF FEDERAL  
21                 SHARE.—Except as provided in paragraph (3), the  
22                 Federal share of the cost of any emergency grant  
23                 aid program carried out under this section may not  
24                 exceed 50 percent.

1           “(2) LIMITATION.—Matching funds provided by  
2           an eligible entity under this subsection may not in-  
3           clude in-kind contributions.

4           “(3) EXCEPTIONS.—The Federal share of the  
5           cost of an emergency grant aid program carried out  
6           under this section shall equal 100 percent if the in-  
7           stitution carrying out the emergency grant aid is an  
8           institution of higher education eligible for assistance  
9           under title III or V.

10          “(c) APPLICATION.—

11           “(1) IN GENERAL.—Each eligible entity desir-  
12           ing to carry out an emergency grant aid program  
13           under this section shall submit an application to the  
14           Secretary, at such time, in such manner, and con-  
15           taining such information as the Secretary may re-  
16           quire.

17           “(2) OUTREACH.—The Secretary shall, at least  
18           30 days before each deadline to submit applications  
19           under paragraph (1), conduct outreach to institu-  
20           tions of higher education described in subsection  
21           (b)(3) to provide such institutions with information  
22           on the opportunity to apply under paragraph (1) to  
23           carry out an emergency grant aid program under  
24           this section.

1           “(3) CONTENTS.—Each application under para-  
2           graph (1) shall include a description of the emer-  
3           gency grant aid program to be carried out by the eli-  
4           gible entity, including—

5                   “(A) an estimate of the number of emer-  
6                   gency financial aid grants that such entity will  
7                   make in an award year and how such eligible  
8                   entity assessed such estimate;

9                   “(B) the criteria the eligible entity will use  
10                  to determine an emergency for which an eligible  
11                  student will be eligible to receive an emergency  
12                  financial aid grant;

13                  “(C) an assurance that an emergency for  
14                  which an eligible student will be eligible to re-  
15                  ceive an emergency financial aid grant will in-  
16                  clude financial challenges that would directly  
17                  impact the ability of an eligible student to con-  
18                  tinue and complete the course of study of such  
19                  student, including—

20                           “(i) a loss of employment, transpor-  
21                           tation, child care, utilities, or housing of  
22                           the student;

23                           “(ii) a medical condition (including  
24                           pregnancy) of the student, or a dependent  
25                           of the student;

1                   “(iii) with respect to the eligible stu-  
2                   dent, food insecurity; and

3                   “(iv) in the case of an eligible student  
4                   who is a dependent student—

5                   “(I) the death of a parent or  
6                   guardian of such eligible student; or

7                   “(II) a medical condition of the  
8                   parent or guardian of such eligible  
9                   student which results in the loss of  
10                  employment of such parent or guard-  
11                  ian;

12                  “(D) a description of the process by which  
13                  an eligible student may apply and receive an  
14                  emergency financial aid grant;

15                  “(E) an assurance that the eligible entity,  
16                  when applicable, will make information available  
17                  to eligible students about the eligibility of such  
18                  students and their dependents for assistance  
19                  under the supplemental nutrition assistance  
20                  program under the Food and Nutrition Act of  
21                  2008 (7 U.S.C. 2011 et seq.), the special sup-  
22                  plemental nutrition program for women, in-  
23                  fants, and children under the Child Nutrition  
24                  Act of 1966 (42 U.S.C. 1786), and the pro-  
25                  gram of block grants for States for temporary



1 assistance for needy families established under  
2 part A of title IV of the Social Security Act (42  
3 U.S.C. 601 et seq.);

4 “(F) how the eligible entity will administer  
5 the emergency grant aid program, including the  
6 processes the eligible entity will use to respond  
7 to applications, approve applications, and dis-  
8 burse emergency financial aid grants outside of  
9 normal business hours;

10 “(G) an assurance that the process by  
11 which an eligible student applies for an emer-  
12 gency financial aid grant includes—

13 “(i) to the extent practicable, an  
14 interview; and

15 “(ii) at least one opportunity to ap-  
16 peal a denial of such a grant;

17 “(H) an assurance that the eligible entity  
18 will acknowledge receipt of a student’s request  
19 and distribute funds in a timely manner as de-  
20 termined by the Secretary;

21 “(I) a description of how the school in-  
22 tends to limit fraud or abuse; and

23 “(J) any other information the Secretary  
24 may require.

1           “(4) PRIORITY.—In selecting eligible entities to  
2 carry out an emergency grant aid program under  
3 this section, the Secretary shall give priority to an  
4 eligible entity in which at least 30 percent of the  
5 students enrolled at such eligible entity are eligible  
6 to receive a Federal Pell Grant.

7           “(d) USE OF FUNDS.—

8           “(1) IN GENERAL.—An eligible entity may only  
9 use funds provided under this section to make emer-  
10 gency financial aid grants to eligible students.

11           “(2) LIMITATIONS.—

12           “(A) AMOUNT.—An emergency financial  
13 aid grant to an eligible student may not be in  
14 an amount greater than \$750.

15           “(B) TOTAL AMOUNT.—The total amount  
16 of the Federal share of emergency financial aid  
17 grants that an eligible student may receive from  
18 an eligible entity may not exceed \$2,000. An el-  
19 igible student may receive an amount under  
20 this section that would cause the amount of  
21 total financial aid received by such student to  
22 exceed the cost of attendance of the institution  
23 of higher education in which the student is en-  
24 rolled.

25           “(e) REPORTING AND OVERSIGHT.—

1           “(1) IN GENERAL.—Not less frequently than  
2           once annually, each eligible entity that receives a  
3           grant under this subpart shall submit to the Sec-  
4           retary a report on the progress of the eligible entity  
5           in carrying out the programs supported by such  
6           grant.

7           “(2) FORM OF REPORT.—The report under  
8           paragraph (1) shall be submitted to the Secretary at  
9           such time, in such manner, and containing such in-  
10          formation as the Secretary may require. The Sec-  
11          retary shall issue uniform guidelines describing the  
12          information that shall be reported by grantees under  
13          such paragraph.

14          “(3) CONTENT OF REPORT.—

15                 “(A) IN GENERAL.—The report under  
16                 paragraph (1) shall include, at minimum, the  
17                 following:

18                         “(i) The number of students that re-  
19                         ceived a grant, including the number of  
20                         students who received more than one  
21                         grant.

22                         “(ii) The average award amount  
23                         awarded to eligible students.

1           “(iii) The types of emergencies de-  
2           clared and frequencies emergencies de-  
3           clared by eligible students.

4           “(iv) The number of students that ap-  
5           plied for emergency grant aid.

6           “(v) The number of students that  
7           were denied such grants.

8           “(vi) The average amount of time it  
9           took an eligible entity to respond to re-  
10          quests for emergency grant aid and aver-  
11          age amount of time it took the eligible en-  
12          tity to award or deny the emergency grant  
13          aid.

14          “(vii) Outcomes of the eligible stu-  
15          dents that received emergency grant aid,  
16          including rates of persistence, retention,  
17          and completion, and a comparison of such  
18          rates for such students as compared to  
19          such rates for Federal Pell recipients at  
20          the institution.

21          “(f) DEFINITIONS.—In this section:

22               “(1) ELIGIBLE ENTITY.—The term ‘eligible en-  
23               tity’ means an institution of higher education that  
24               on the date such entity receives a grant under this

1 section, is participating in the FSEOG program  
2 under subpart 3.

3 “(2) ELIGIBLE STUDENT.—The term ‘eligible  
4 student’ means a student who—

5 “(A) is enrolled in an eligible entity on an  
6 at least half-time basis; and

7 “(B) who is making satisfactory academic  
8 progress.

9 “(3) INSTITUTION OF HIGHER EDUCATION.—  
10 The term ‘institution of higher education’ has the  
11 meaning given the term in section 101.”

12 **Subpart 4—Special Programs for Students Whose**  
13 **Families Are Engaged in Migrant and Seasonal**  
14 **Farmwork**

15 **SEC. 4051. SPECIAL PROGRAMS FOR STUDENTS WHOSE**  
16 **FAMILIES ARE ENGAGED IN MIGRANT AND**  
17 **SEASONAL FARMWORK.**

18 Section 418A(i) of the Higher Education Act of 1965  
19 (20 U.S.C. 1070d–2(i)) is amended by striking “2009”  
20 and inserting “2021”.

21 **Subpart 5—Child Care Access Means Parents in**  
22 **School**

23 **SEC. 4061. CCAMPIS REAUTHORIZATION.**

24 Section 419N of the Higher Education Act of 1965  
25 (20 U.S.C. 1070e) is amended—

1 (1) in subsection (b)—

2 (A) in paragraph (2)—

3 (i) in subparagraph (A)—

4 (I) by striking “The amount”  
5 and inserting “Except as provided in  
6 subparagraph (C), the amount”; and

7 (II) by striking “1 percent” and  
8 inserting “2 percent”;

9 (ii) in subparagraph (B)(ii), by strik-  
10 ing “subsection (g)” and inserting “sub-  
11 section (h)”;

12 (iii) by adding at the end the fol-  
13 lowing:

14 “(C) PERFORMANCE BONUS.—

15 “(i) IN GENERAL.—Notwithstanding  
16 subparagraph (A), for any fiscal year for  
17 which the amount appropriated under sub-  
18 section (h) is not less than \$140,000,000,  
19 the Secretary may pay a performance  
20 bonus to an eligible institution of higher  
21 education.

22 “(ii) MAXIMUM AMOUNT.—A bonus  
23 paid to an eligible institution of higher  
24 education under clause (i) for a fiscal year  
25 shall not exceed an amount equal to 20

1 percent of the amount of the annual grant  
2 payment received by the institution under  
3 paragraph (3)(B) for the fiscal year pre-  
4 ceding the fiscal year for which the bonus  
5 is paid.

6 “(iii) USE OF BONUS.—A bonus re-  
7 ceived by an institution under clause (i)  
8 shall be used by the institution in the same  
9 manner as a grant under this section and  
10 shall be treated as grant funds for pur-  
11 poses of the application of paragraph (5),  
12 except that the Secretary may extend the  
13 grant period as necessary for the institu-  
14 tion to use such bonus.

15 “(iv) ELIGIBLE INSTITUTION OF  
16 HIGHER EDUCATION.—In this subpara-  
17 graph, the term ‘eligible institution of  
18 higher education’ means an institution of  
19 higher education that—

20 “(I) has received a grant under  
21 this section for not less than the pe-  
22 riod of three consecutive fiscal years  
23 preceding the fiscal year in which the  
24 bonus is paid under clause (i);

1                   “(II) for each such preceding fis-  
2                   cal year, has met or exceeded the per-  
3                   formance levels established by the in-  
4                   stitution for such year under sub-  
5                   section (e)(1)(B)(v); and

6                   “(III) has demonstrated the need  
7                   for such bonus.”; and

8                   (B) in paragraph (3)—

9                   (i) in subparagraph (A), by striking  
10                  “4 years” and inserting “5 years”; and

11                  (ii) in subparagraph (B), by striking  
12                  “subsection (e)(2)” and inserting “sub-  
13                  section (e)(3)”;

14                  (2) by amending subsection (c) to read as fol-  
15                  lows:

16                  “(c) APPLICATIONS.—

17                  “(1) IN GENERAL.—An institution of higher  
18                  education desiring a grant under this section shall  
19                  submit an application to the Secretary at such time,  
20                  in such manner, and accompanied by such informa-  
21                  tion as the Secretary may require. Such application  
22                  shall—

23                  “(A) demonstrate that the institution is an  
24                  eligible institution described in subsection  
25                  (b)(4);



1           “(B) specify the amount of funds re-  
2           quested;

3           “(C) demonstrate the need of low-income  
4           students at the institution for campus-based  
5           child care services by including in the applica-  
6           tion—

7                   “(i) information regarding student de-  
8                   mographics, including whether the student  
9                   is a full-time or part-time student;

10                   “(ii) an assessment of child care ca-  
11                   pacity on or near campus;

12                   “(iii) information regarding the wait-  
13                   ing lists for child care services on or near  
14                   campus;

15                   “(iv) information regarding additional  
16                   needs created by concentrations of poverty  
17                   or by geographic isolation;

18                   “(v) information about the number of  
19                   low-income student parents being served  
20                   through campus-based child care services;  
21                   and

22                   “(vi) other relevant data;

23           “(D) specify the estimated percentage of  
24           the institution’s grant that will be used directly  
25           to subsidize the fee charged for on-campus and

1 off-campus childcare, respectively, for low-in-  
2 come students;

3 “(E) contain a description of the activities  
4 to be assisted, including whether the grant  
5 funds will support an existing child care pro-  
6 gram or a new child care program;

7 “(F) identify the resources, including tech-  
8 nical expertise and financial support, that the  
9 institution will draw upon to support the child  
10 care program and the participation of low-in-  
11 come students in the program (such as access-  
12 ing social services funding, using student activ-  
13 ity fees to help pay the costs of child care,  
14 using resources obtained by meeting the needs  
15 of parents who are not low-income students,  
16 and accessing foundation, corporate, or other  
17 institutional support) and demonstrate that the  
18 use of the resources will not result in increases  
19 in student tuition;

20 “(G) contain an assurance that the institu-  
21 tion will meet the child care needs of low-in-  
22 come students through the provision of services,  
23 or through a contract for the provision of serv-  
24 ices;

1           “(H) describe the extent to which the child  
2           care program will coordinate with the institu-  
3           tion’s early childhood education curriculum, to  
4           the extent the curriculum is available, to meet  
5           the needs of the students in the early childhood  
6           education program at the institution, and the  
7           needs of the parents and children participating  
8           in the child care program assisted under this  
9           section;

10           “(I) in the case of an institution seeking  
11           assistance for a new child care program—

12                   “(i) provide a timeline, covering the  
13                   period from receipt of the grant through  
14                   the provision of the child care services, de-  
15                   lineating the specific steps the institution  
16                   will take to achieve the goal of providing  
17                   low-income students with child care serv-  
18                   ices;

19                   “(ii) specify any measures the institu-  
20                   tion will take to assist low-income students  
21                   with child care during the period before  
22                   the institution provides child care services;  
23                   and

24                   “(iii) include a plan for identifying re-  
25                   sources needed for the child care services,

1 including space in which to provide child  
2 care services, and technical assistance if  
3 necessary;

4 “(J) contain an assurance that any child  
5 care facility assisted under this section will  
6 meet the applicable State and local government  
7 licensing, certification, approval, or registration  
8 requirements;

9 “(K) in the case of an institution that is  
10 awarded a grant under this section after the  
11 date of the enactment of the College Afford-  
12 ability Act, provide an assurance that, not later  
13 than three years after the date on which such  
14 grant is awarded, any child care facility assisted  
15 with such grant will—

16 “(i) meet Head Start performance  
17 standards under subchapter B of chapter  
18 13 of title 45, Code of Federal Regulations  
19 (as in effect on the date of enactment of  
20 the College Affordability Act) and any suc-  
21 cessor regulations;

22 “(ii) be in the top tier of the quality  
23 rating improvement system for such facili-  
24 ties used by the State in which the facility  
25 is located;

1           “(iii) meet the licensing requirements  
2           of the State in which the facility is located  
3           and the quality requirements under the  
4           Child Care and Development Block Grant  
5           Act of 1990 (42 U.S.C. 9858 et seq.); or

6           “(iv) be accredited by a national early  
7           childhood accrediting body with dem-  
8           onstrated valid and reliable program qual-  
9           ity standards;

10          “(L) contain an assurance that the institu-  
11          tion, when applicable, will make information  
12          available to students receiving child care serv-  
13          ices provided under this section about the eligi-  
14          bility of such students and their dependents for  
15          assistance under the supplemental nutrition as-  
16          sistance program under the Food and Nutrition  
17          Act of 2008 (7 U.S.C. 2011 et seq.), the special  
18          supplemental nutrition program for women, in-  
19          fants, and children under the Child Nutrition  
20          Act of 1966 (42 U.S.C. 1786), and the pro-  
21          gram of block grants for States for temporary  
22          assistance for needy families established under  
23          part A of title IV of the Social Security Act (42  
24          U.S.C. 601 et seq.); and

1           “(M) contain an abstract summarizing the  
2           contents of such application and how the insti-  
3           tution intends to achieve the purpose under  
4           subsection (a).

5           “(2) TECHNICAL ASSISTANCE.—The Secretary  
6           may provide technical assistance to eligible institu-  
7           tions to help such institutions qualify, apply for, and  
8           maintain a grant under this section.”;

9           (3) in subsection (d)—

10           (A) in the matter preceding paragraph (1),  
11           by striking “to institutions of higher education  
12           that submit applications describing programs  
13           that”;

14           (B) by amending paragraph (1) to read as  
15           follows:

16           “(1) based on the extent to which institutions  
17           of higher education that submit applications for such  
18           a grant leverage local or institutional resources, in-  
19           cluding in-kind contributions, to support the activi-  
20           ties assisted under this section;”;

21           (C) by redesignating paragraph (2) as  
22           paragraph (3);

23           (D) by inserting after paragraph (1), the  
24           following:

1           “(2) to institutions of higher education that,  
2           compared to other institutions of higher education  
3           that submit applications for such a grant, dem-  
4           onstrate a high likelihood of need for campus-based  
5           child care based on student demographics (such as  
6           a high proportion of low-income students or inde-  
7           pendent students); and”;

8           (E) in paragraph (3) (as redesignated by  
9           subparagraph (C)), by inserting “to institutions  
10          of higher education that submit applications de-  
11          scribing programs that” before “utilize”; and

12          (4) in subsection (e)—

13           (A) in paragraph (1)(B)—

14           (i) by redesignating clauses (ii), (iii),  
15           and (iv) as clauses (vi), (vii), and (viii), re-  
16           spectively; and

17           (ii) by striking the semicolon at the  
18           end of clause (i) and inserting the fol-  
19           lowing: “which shall include—

20                   “(I) the number of full- and part-  
21                   time students, respectively, receiving  
22                   child care services under this section  
23                   at least once per week during the aca-  
24                   demic year;

1                   “(II) the number of credits accu-  
2                   mulated by students receiving such  
3                   child care services;

4                   “(III) the number of students re-  
5                   ceiving child care services under this  
6                   section at least once per week during  
7                   the academic year who—

8                   “(aa) remain enrolled at the  
9                   institution during the academic  
10                  year for which they received such  
11                  services;

12                  “(bb) enroll at the institu-  
13                  tion for the following academic  
14                  year; and

15                  “(cc) graduate or transfer  
16                  within—

17                  “(AA) 150 percent of  
18                  the normal time for comple-  
19                  tion of a student’s four-year  
20                  degree granting program; or

21                  “(BB) 200 percent of  
22                  the normal time for comple-  
23                  tion of a student’s two-year  
24                  degree-granting program;



1           “(ii) with respect to the total student  
2 enrollment at the institution and the total  
3 enrollment of low-income students at the  
4 institution, respectively—

5           “(I) the rate at which students  
6 who complete an academic year at the  
7 institution re-enroll in the institution  
8 for the following academic year; and

9           “(II) the percentage of students  
10 graduating or transferring within—

11           “(aa) 150 percent of the  
12 normal time for completion of a  
13 student’s four-year degree grant-  
14 ing program; or

15           “(bb) 200 percent of the  
16 normal time for completion of a  
17 student’s two-year degree grant-  
18 ing program;

19           “(iii) the percentage of the institu-  
20 tion’s grant that was used directly to sub-  
21 sidize the fee charged for on-campus and  
22 off-campus childcare, respectively, for low-  
23 income students;

1           “(iv) whether the institution restricts  
2           eligibility for child care services to only  
3           full-time students;

4           “(v) the sufficiently ambitious levels  
5           of performance established for such year  
6           by the institution that demonstrate mean-  
7           ingful progress and allow for meaningful  
8           evaluation of program quality based on the  
9           information in clauses (i)(III) and (iii);”;

10          (B) by redesignating paragraph (2) as  
11          paragraph (3);

12          (C) by inserting after paragraph (1) the  
13          following:

14          “(2) REPORT.—

15                 “(A) REPORT REQUIRED.—On an annual  
16                 basis, the Secretary shall submit to the author-  
17                 izing committees a report that includes—

18                         “(i) a summary of the information de-  
19                         scribed in paragraph (1); and

20                         “(ii) each abstract submitted under  
21                         subsection (c)(1)(M) by an institution of  
22                         higher education that receives a grant  
23                         under this section.

1           “(B) PUBLIC AVAILABILITY.—The Sec-  
2           retary shall make each report submitted under  
3           subparagraph (A) publicly available.”;

4           (D) in paragraph (3), as so redesignated,  
5           by inserting “(other than the information pro-  
6           vided under subparagraph (B)(v) of such para-  
7           graph)” after “paragraph (1)”; and

8           (E) by adding at the end the following:

9           “(4) TECHNICAL ASSISTANCE.—The Secretary  
10          shall provide technical assistance to institutions of  
11          higher education receiving grants under this section  
12          to help such institutions meet the reporting require-  
13          ments under this subsection.”;

14          (5) by redesignating subsection (g) as sub-  
15          section (h);

16          (6) by inserting after subsection (f) the fol-  
17          lowing:

18          “(g) NONDISCRIMINATION.—No person in the United  
19          States shall, on the basis of actual or perceived race, color,  
20          religion, national origin, sex (including sexual orientation,  
21          gender identity, pregnancy, childbirth, a medical condition  
22          related to pregnancy or childbirth, and sex stereotype), or  
23          disability, be excluded from participation in, be denied the  
24          benefits of, or be subjected to discrimination by any pro-  
25          gram funded, in whole or in part, with funds made avail-

1 able under this section or with amounts appropriated for  
2 grants, contracts, or certificates administered with such  
3 funds.”; and

4 (7) in subsection (h), as so redesignated, by  
5 striking “such sums as may be necessary for fiscal  
6 year 2009” and inserting “\$200,000,000 for fiscal  
7 year 2021”.

## 8 **Subpart 6—Jumpstart to College Grant Programs**

### 9 **SEC. 4071. JUMPSTART TO COLLEGE GRANT PROGRAMS.**

10 Part A of title IV of the Higher Education Act of  
11 1965 (20 U.S.C. 1070 et seq.) is further amended by in-  
12 serting after subpart 7 the following:

## 13 **“Subpart 8—Jumpstart to College**

### 14 **“SEC. 4190. DEFINITIONS.**

15 “In this subpart:

16 “(1) **ELIGIBLE ENTITY.**—The term ‘eligible en-  
17 tity’ means an institution of higher education in  
18 partnership with one or more local educational agen-  
19 cies (which may be an educational service agency).  
20 Such partnership may also include other entities  
21 such as nonprofit organizations or businesses, and  
22 schools in juvenile detention centers.

23 “(2) **INSTITUTION OF HIGHER EDUCATION.**—

24 The term ‘institution of higher education’ has the

1 meaning given the term in section 101 (20 U.S.C.  
2 1001).

3 “(3) ESEA TERMS.—The terms ‘dual or con-  
4 current enrollment program’, ‘early college high  
5 school’, ‘educational service agency’, ‘four-year ad-  
6 justed cohort graduation rate’, ‘local educational  
7 agency’, ‘secondary school’, and ‘State’ have mean-  
8 ings given the terms in section 8101 of the Elemen-  
9 tary and Secondary Education Act of 1965 (20  
10 U.S.C. 7801).

11 “(4) LOW-INCOME STUDENT.—The term ‘low-  
12 income student’ means a student counted under sec-  
13 tion 1124(c) of the Elementary and Secondary Edu-  
14 cation Act of 1965 (20 U.S.C. 6333(e)).

15 “(5) RECOGNIZED POSTSECONDARY CREDEN-  
16 TIAL.—The term ‘recognized postsecondary creden-  
17 tial’ has the meaning given the term in section 3 of  
18 the Workforce Innovation and Opportunity Act (29  
19 U.S.C. 3102).

20 **“SEC. 419P. AUTHORIZATION OF APPROPRIATIONS; RES-**  
21 **ERVATIONS.**

22 “(a) IN GENERAL.—To carry out this subpart, there  
23 are authorized to be appropriated \$250,000,000 for fiscal  
24 year 2021 and each of the five succeeding fiscal years.

1       “(b) RESERVATIONS.—From the funds appropriated  
2 under subsection (a) for each fiscal year, the Secretary  
3 shall reserve—

4               “(1) not less than 40 percent for grants to eli-  
5 gible entities under section 419Q;

6               “(2) not less than 55 percent for grants to  
7 States under section 419R; and

8               “(3) not less than 5 percent for national activi-  
9 ties under section 419T.

10 **“SEC. 419Q. GRANTS TO ELIGIBLE ENTITIES.**

11       “(a) IN GENERAL.—The Secretary shall award  
12 grants to eligible entities, on a competitive basis, to assist  
13 such entities in establishing or supporting an early college  
14 high school or dual or concurrent enrollment program in  
15 accordance with this section.

16       “(b) DURATION.—Each grant under this section shall  
17 be awarded for a period of 6 years.

18       “(c) GRANT AMOUNT.—The Secretary shall ensure  
19 that the amount of each grant under this section is suffi-  
20 cient to enable each grantee to carry out the activities de-  
21 scribed in subsection (h), except that a grant under this  
22 section may not exceed \$2,000,000.

23       “(d) MATCHING REQUIREMENT.—

24               “(1) IN GENERAL.—For each year that an eligi-  
25 ble entity receives a grant under this section, the en-

1        tity shall contribute matching funds, in the amounts  
2        described in paragraph (2), for the activities sup-  
3        ported by the grant.

4            “(2) AMOUNTS DESCRIBED.—The amounts de-  
5        scribed in this paragraph are—

6            “(A) for each of the first and second years  
7        of the grant period, 20 percent of the grant  
8        amount;

9            “(B) for each of the third and fourth years  
10       of the grant period, 30 percent of the grant  
11       amount;

12           “(C) for the fifth year of the grant period,  
13       40 percent of the grant amount; and

14           “(D) for the sixth year of the grant period,  
15       50 percent of the grant amount.

16           “(3) DETERMINATION OF AMOUNT CONTRIB-  
17       UTED.—

18           “(A) IN-KIND CONTRIBUTIONS.—The Sec-  
19       retary shall allow an eligible entity to meet the  
20       requirements of this subsection through in-kind  
21       contributions.

22           “(B) NON-FEDERAL SOURCES.—Not less  
23       than half of each amount described in para-  
24       graph (2) shall be provided by the eligible entity  
25       from non-Federal sources.

1           “(e) SUPPLEMENT, NOT SUPPLANT.—An eligible en-  
2 tity shall use a grant received under this section only to  
3 supplement funds that would, in the absence of such  
4 grant, be made available from other Federal, State, or  
5 local sources for activities supported by the grant, not to  
6 supplant such funds.

7           “(f) PRIORITY.—In awarding grants under this sec-  
8 tion, the Secretary shall give priority to eligible entities  
9 that—

10           “(1) propose to establish or support an early  
11 college high school or other dual or concurrent en-  
12 rollment program that will serve a student popu-  
13 lation of which not less than 51 percent are low-in-  
14 come students;

15           “(2) include a local educational agency which  
16 serves a high school that is—

17           “(A) identified for comprehensive support  
18 and improvement under section  
19 1111(c)(4)(D)(i) of the Elementary and Sec-  
20 ondary Education Act of 1965 (20 U.S.C.  
21 6311(c)(4)(D)(i)); or

22           “(B) implementing a targeted support and  
23 improvement plan as described in section  
24 1111(d)(2) of the Elementary and Secondary  
25 Education Act of 1965 (20 U.S.C. 6311(d)(2));



1           “(3) are from States that provide assistance to  
2           early college high schools or other dual enrollment  
3           programs, such as assistance to defray the costs of  
4           higher education (including costs of tuition, fees,  
5           and textbooks); and

6           “(4) propose to establish or support an early  
7           college high school or dual or concurrent enrollment  
8           program that meets quality standards established  
9           by—

10                   “(A) a nationally recognized accrediting  
11                   agency or association that offers accreditation  
12                   specifically for such programs; or

13                   “(B) a State process specifically for the re-  
14                   view and approval of such programs.

15           “(g) **EQUITABLE DISTRIBUTION.**—The Secretary  
16           shall ensure, to the extent practicable, that eligible entities  
17           receiving grants under this section—

18                   “(1) are from a representative cross section  
19                   of—

20                           “(A) urban, suburban, and rural areas;  
21                   and

22                           “(B) regions of the United States; and

23                   “(2) include both two-year and four-year insti-  
24                   tutions of higher education.

25           “(h) **USES OF FUNDS.**—

1           “(1) MANDATORY ACTIVITIES.—

2                   “(A) IN GENERAL.—An eligible entity shall  
3 use grant funds received under this section—

4                           “(i) to support the activities described  
5 in its application under subsection (i);

6                           “(ii) to create and maintain a coher-  
7 ent system of supports for students, teach-  
8 ers, principals, and faculty under the pro-  
9 gram, including—

10                                   “(I) college and career readiness,  
11 academic, and social support services  
12 for students; and

13                                   “(II) professional development  
14 for secondary school teachers, faculty,  
15 and principals, and faculty from the  
16 institution of higher education, includ-  
17 ing—

18   “(aa) joint professional de-  
19 velopment activities; and

20   “(bb) activities to assist  
21 such teachers, faculty, and prin-  
22 cipals in using effective parent  
23 and community engagement  
24 strategies and to help ensure the  
25 success of students academically

1 at risk of not enrolling in or com-  
2 pleting postsecondary education,  
3 first-generation college students,  
4 and students described in section  
5 1111(b)(2)(B)(xi) of the Elemen-  
6 tary and Secondary Education  
7 Act of 1965 (20 U.S.C.  
8 6311(b)(2)(B)(xi));

9 “(iii) to carry out liaison activities  
10 among the partners that comprise the eli-  
11 gible entity pursuant to an agreement or  
12 memorandum of understanding docu-  
13 menting commitments, resources, roles,  
14 and responsibilities of the partners con-  
15 sistent with the design of the program;

16 “(iv) for outreach programs to ensure  
17 that secondary school students and their  
18 families, including students academically at  
19 risk of not enrolling in or completing post-  
20 secondary education, first-generation col-  
21 lege students, and students described in  
22 section 1111(b)(2)(B)(xi) of the Elemen-  
23 tary and Secondary Education Act of 1965  
24 (20 U.S.C. 6311(b)(2)(B)(xi)), are—

1                   “(I) aware of, and recruited into,  
2                   the early college high school or dual  
3                   or concurrent enrollment program;  
4                   and

5                   “(II) assisted with the process of  
6                   enrolling and succeeding in the early  
7                   college high school or dual or concur-  
8                   rent enrollment program, which may  
9                   include providing academic support;

10                   “(v) to collect, share, and use data (in  
11                   compliance with section 444 of the General  
12                   Education Provisions Act (20 U.S.C.  
13                   1232g)) for program improvement and  
14                   program evaluation; and

15                   “(vi) to review and strengthen its pro-  
16                   gram to maximize the potential that stu-  
17                   dents participating in the program will  
18                   eventually complete a recognized postsec-  
19                   ondary credential, including by opti-  
20                   mizing—

21                   “(I) the curriculum of the pro-  
22                   gram;

23                   “(II) the use of high-quality as-  
24                   sessments of student learning, such as  
25                   performance-based, project-based, or

1 portfolio assessments that measure  
2 higher-order thinking skills;

3 “(III) the sequence of courses of-  
4 fered by the program; and

5 “(IV) the alignment of academic  
6 calendars between the secondary  
7 schools and the institution of higher  
8 education participating in the pro-  
9 gram.

10 “(B) NEW PROGRAMS.—In the case of an  
11 eligible entity that uses a grant under this sec-  
12 tion to establish an early college high school or  
13 dual or concurrent enrollment program, the en-  
14 tity shall use such funds during the first year  
15 of the grant period—

16 “(i) to design the curriculum and se-  
17 quence of courses in collaboration with, at  
18 a minimum—

19 “(I) faculty from the institution  
20 of higher education;

21 “(II) teachers and faculty from  
22 the local educational agency; and

23 “(III) in the case of a career and  
24 technical education program, employ-  
25 ers or workforce development entities

1 to ensure that the program is aligned  
2 with labor market demand;

3 “(ii) to develop and implement an ar-  
4 ticulation agreement between the institu-  
5 tion of higher education and the local edu-  
6 cational agency that governs how sec-  
7 ondary and postsecondary credits will be  
8 awarded under the program; and

9 “(iii) to carry out the activities de-  
10 scribed in subparagraph (A).

11 “(2) ALLOWABLE ACTIVITIES.—An eligible enti-  
12 ty may use grant funds received under this section  
13 to support the activities described in its application  
14 under subsection (i), including by—

15 “(A) purchasing textbooks and equipment  
16 that support the program’s curriculum;

17 “(B) pursuant to the assurance provided  
18 by the eligible entity under subsection (i)(3)(A),  
19 paying tuition and fees for postsecondary  
20 courses taken by students under the program;

21 “(C) incorporating work-based learning op-  
22 portunities (other than by paying wages of stu-  
23 dents) into the program (which may include  
24 partnering with entities that provide such op-  
25 portunities), including—

1 “(i) internships;

2 “(ii) career-based capstone projects;

3 “(iii) pre-apprenticeships and reg-  
4 istered apprenticeships provided by eligible  
5 providers of apprenticeship programs de-  
6 scribed in section 122(a)(2)(B) of the  
7 Workforce Innovation and Opportunity Act  
8 (29 U.S.C. 3152(a)(2)(B)); and

9 “(iv) work-based learning opportuni-  
10 ties provided under chapters 1 and 2 of  
11 subpart 2 of part A of title IV of the High-  
12 er Education Act of 1965 (20 U.S.C.  
13 1070a–11 et seq.);

14 “(D) providing students with transpor-  
15 tation to and from the program;

16 “(E) paying costs for—

17 “(i) high school teachers to obtain the  
18 skills, credentials, or industry certifications  
19 necessary to teach for the institution of  
20 higher education participating in the pro-  
21 gram; or

22 “(ii) postsecondary faculty to become  
23 certified to teach high school; or

24 “(F) providing time during which sec-  
25 ondary school teachers and faculty and faculty

1 from an institution of higher education can col-  
2 laborate, which may include professional devel-  
3 opment, the planning of team activities for such  
4 teachers and faculty and curricular design and  
5 student assessment

6 “(i) APPLICATION.—

7 “(1) IN GENERAL.—To be eligible to receive a  
8 grant under this section, an eligible entity shall sub-  
9 mit to the Secretary an application at such time, in  
10 such manner, and containing such information as  
11 the Secretary may require.

12 “(2) CONTENTS OF APPLICATION.—The appli-  
13 cation under paragraph (1) shall include, at min-  
14 imum, a description of—

15 “(A) the partnership that comprises the el-  
16 igible entity, including documentation of part-  
17 ner commitments, resources and budget, roles,  
18 and responsibilities;

19 “(B) how the partners that comprise the  
20 eligible entity will coordinate to carry out the  
21 mandatory activities described in subsection  
22 (h)(1);

23 “(C) the number of students intended to  
24 be served by the program and demographic in-  
25 formation relating to such students;



1           “(D) how the eligible entity’s curriculum  
2           and sequence of courses form a program of  
3           study leading to a recognized postsecondary cre-  
4           dential;

5           “(E) how postsecondary credits earned will  
6           be transferable to institutions of higher edu-  
7           cation within the State, including any applicable  
8           statewide transfer agreements and any provi-  
9           sions of such agreements that are specific to  
10          dual or concurrent enrollment programs;

11          “(F) how the eligible entity will conduct  
12          outreach to students;

13          “(G) 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          “(H) 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, pro-  
16 fessional development, and peer learning  
17 opportunities for school leaders, instruc-  
18 tors, and counselors or advisors;

19 “(E) identify and implement policies that  
20 will improve the effectiveness and ensure the  
21 quality of early college high schools and dual or  
22 concurrent enrollment programs, such as eligi-  
23 bility and access, funding, data and quality as-  
24 surance, governance, accountability, and align-  
25 ment policies;

1           “(F) update the State’s requirements for a  
2 student to receive a regular high school diploma  
3 to align with the challenging State academic  
4 standards and entrance requirements for credit-  
5 bearing coursework as described in subpara-  
6 graphs (A) and (D) of section 1111(b)(1) of the  
7 Elementary and Secondary Education Act of  
8 1965 (20 U.S.C. 6311(b)(1));

9           “(G) incorporate indicators regarding stu-  
10 dent access to and completion of early college  
11 high schools and dual or concurrent enrollment  
12 programs into the school quality and student  
13 success indicators included in the State system  
14 of annual meaningful differentiation as de-  
15 scribed under section 1111(c)(4)(B)(v)(I) of the  
16 Elementary and Secondary Education Act of  
17 1965 (20 U.S.C. 6311(c)(4)(B)(v)(I));

18           “(H) disseminate best practices for early  
19 college high schools and dual or concurrent en-  
20 rollment programs, which may include best  
21 practices from programs in the State or other  
22 States;

23           “(I) facilitate statewide secondary and  
24 postsecondary data collection, research and

1 evaluation, and reporting to policymakers and  
2 other stakeholders; and

3 “(J) conduct outreach programs to ensure  
4 that secondary school students, their families,  
5 and community members are aware of early col-  
6 lege high schools and dual or concurrent enroll-  
7 ment programs in the State.

8 “(2) ALLOWABLE ACTIVITIES.—A State may  
9 use grant funds received under this section to—

10 “(A) establish a mechanism to offset the  
11 costs of tuition, fees, standardized testing and  
12 performance assessment costs, and support  
13 services for low-income students, and students  
14 from underrepresented populations enrolled in  
15 early college and high schools or dual or concur-  
16 rent enrollment;

17 “(B) establish formal transfer systems  
18 within and across State higher education sys-  
19 tems, including two-year and four-year public  
20 and private institutions, to maximize the trans-  
21 ferability of college courses;

22 “(C) provide incentives to school districts  
23 that—

24 “(i) assist high school teachers in get-  
25 ting the credentials needed to participate

1 in early college high school programs and  
2 dual or concurrent enrollment; and

3 “(ii) encourage the use of college in-  
4 structors to teach college courses in high  
5 schools;

6 “(D) support initiatives to improve the  
7 quality of early college high school and dual or  
8 concurrent enrollment programs at partici-  
9 pating institutions, including by assisting such  
10 institutions in aligning programs with the qual-  
11 ity standards described in section 419Q(f)(3);  
12 and

13 “(E) reimburse low-income students to  
14 cover part or all of the costs of an Advanced  
15 Placement or International Baccalaureate ex-  
16 amination.

17 “(g) STATE APPLICATIONS.—

18 “(1) APPLICATION.—To be eligible to receive a  
19 grant under this section, a State shall submit to the  
20 Secretary an application at such time, in such man-  
21 ner, and containing such information as the Sec-  
22 retary may require.

23 “(2) CONTENTS OF APPLICATION.—The appli-  
24 cation under paragraph (1) shall include, at min-  
25 imum, a description of—

1           “(A) how the State will carry out the man-  
2           datory State activities described in subsection  
3           (f)(1);

4           “(B) how the State will ensure that any  
5           programs funded with a grant under this sec-  
6           tion are coordinated with programs under—

7                   “(i) the Carl D. Perkins Career and  
8                   Technical Education Act of 2006 (20  
9                   U.S.C. 2301 et seq.);

10                   “(ii) the Workforce Innovation and  
11                   Opportunity Act (29 U.S.C. 3101 et seq.);

12                   “(iii) the Elementary and Secondary  
13                   Education Act of 1965 (20 U.S.C. 6301 et  
14                   seq.); and

15                   “(iv) the Individuals with Disabilities  
16                   Education Act (20 U.S.C. 1400 et seq.);

17           “(C) how the State intends to use grant  
18           funds to address achievement gaps for each cat-  
19           egory of students described in section  
20           1111(b)(2)(B)(xi) of the Elementary and Sec-  
21           ondary Education Act of 1965 (20 U.S.C.  
22           6311(b)(2)(B)(xi));

23           “(D) how the State will access and lever-  
24           age additional resources necessary to sustain



1 early college high schools or other dual or con-  
2 current enrollment programs;

3 “(E) how the State will identify and elimi-  
4 nate barriers to implementing effective early  
5 college high schools and dual or concurrent en-  
6 rollment programs after the grant expires, in-  
7 cluding by engaging businesses and nonprofit  
8 organizations; and

9 “(F) such other information as the Sec-  
10 retary determines to be appropriate.

11 **“SEC. 419S. REPORTING AND OVERSIGHT.**

12 “(a) IN GENERAL.—Not less frequently than once  
13 annually, each State and eligible entity that receives a  
14 grant under this subpart shall submit to the Secretary a  
15 report on the progress of the State or eligible entity in  
16 carrying out the programs supported by such grant.

17 “(b) FORM OF REPORT.—The report under sub-  
18 section (a) shall be submitted to the Secretary at such  
19 time, in such manner, and containing such information as  
20 the Secretary may require. The Secretary shall issue uni-  
21 form guidelines describing the information that shall be  
22 reported by grantees under such subsection.

23 “(c) CONTENTS OF REPORT.—

24 “(1) IN GENERAL.—The report under sub-  
25 section (a) shall include, at minimum, the following:

1           “(A) The number of students enrolled in  
2           the early college high school or dual or concu-  
3           rent enrollment program.

4           “(B) The number and percentage of stu-  
5           dents reimbursed by the State for part or all of  
6           the costs of an Advanced Placement or Inter-  
7           national Baccalaureate examination and the  
8           student test scores.

9           “(C) The number and percentage of stu-  
10          dents enrolled in the early college high school or  
11          dual or concurrent enrollment program who  
12          earn a recognized postsecondary credential con-  
13          currently with a high school diploma.

14          “(D) The number of postsecondary credits  
15          earned by eligible students while enrolled in the  
16          early college high school or dual or concurrent  
17          enrollment program that may be applied toward  
18          a recognized postsecondary credential.

19          “(E) The number and percentage of stu-  
20          dents who earn a high school diploma.

21          “(F) The number and percentage of grad-  
22          uates who enroll in postsecondary education.

23          “(2) CATEGORIES OF STUDENTS.—The infor-  
24          mation described in each of subparagraphs (A)  
25          through (G) of paragraph (1) shall be set forth sepa-

1       rately for each category of students described in sec-  
2       tion 1111(b)(2)(B)(xi) of the Elementary and Sec-  
3       ondary Education Act of 1965 (20 U.S.C.  
4       6311(b)(2)(B)(xi)).

5       **“SEC. 419T. NATIONAL ACTIVITIES.**

6       “(a) REPORTING BY SECRETARY.—Not less fre-  
7       quently than once annually, the Secretary shall submit to  
8       Congress a report that includes—

9               “(1) an analysis of the information received  
10       from States and eligible entities under section 419S;

11               “(2) an identification of best practices for car-  
12       rying out programs supported by grants under this  
13       subpart; and

14               “(3) the results of the evaluation under sub-  
15       section (b).

16       “(b) NATIONAL EVALUATION.—Not later than 6  
17       months after the date of the enactment of the College Af-  
18       fordability Act, the Secretary shall seek to enter into a  
19       contract with an independent entity to perform an evalua-  
20       tion of the grants awarded under this subtitle. Such eval-  
21       uation shall apply rigorous procedures to obtain valid and  
22       reliable data concerning student outcomes by social and  
23       academic characteristics and monitor the progress of stu-  
24       dents from secondary school to and through postsecondary  
25       education.

1           “(c) **TECHNICAL ASSISTANCE.**—The Secretary shall  
2 provide technical assistance to States and eligible entities  
3 concerning best practices and quality improvement pro-  
4 grams in early college high schools and dual or concurrent  
5 enrollment programs and shall disseminate such best prac-  
6 tices among eligible entities, States, and local educational  
7 agencies.

8           “(d) **ADMINISTRATIVE COSTS.**—From amounts re-  
9 served to carry out this section under section 419P(b)(3),  
10 the Secretary may reserve such sums as may be necessary  
11 for the direct administrative costs of carrying out the Sec-  
12 retary’s responsibilities under this subtitle.

13 **“SEC. 419U. RULES OF CONSTRUCTION.**

14           “(a) **EMPLOYEES.**—Nothing in this subpart shall be  
15 construed to alter or otherwise affect the rights, remedies,  
16 and procedures afforded to the employees of local edu-  
17 cational agencies (including schools) or institutions of  
18 higher education under Federal, State, or local laws (in-  
19 cluding applicable regulations or court orders) or under  
20 the terms of collective bargaining agreements, memoranda  
21 of understanding, or other agreements between such em-  
22 ployees and their employers.

23           “(b) **GRADUATION RATE.**—A student who graduates  
24 from an early college high school supported by a grant  
25 under section 419Q within 100 percent of the normal time

1 for completion described in the eligible entity’s application  
2 under such section shall be counted in the four-year ad-  
3 justed cohort graduation rate for such high school.”.

4 **Subpart 7—TEACH Grants**

5 **SEC. 4081. REVISED DEFINITIONS OF TEACH GRANTS.**

6 Section 420L of the Higher Education Act of 1965  
7 (20 U.S.C. 1070g) is amended by adding at the end the  
8 following:

9 “(4) **TEACHER PREPARATION PROGRAM.**—The  
10 term ‘teacher preparation program’ means a State-  
11 approved course of study provided by an institution  
12 of higher education, the completion of which sig-  
13 nifies that an enrollee has met all the State’s edu-  
14 cational or training requirements for initial certifi-  
15 cation or licensure to teach in the State’s elementary  
16 schools or secondary schools.”.

17 **SEC. 4082. REVISIONS TO ESTABLISHING TEACH GRANT**  
18 **PROGRAM.**

19 Section 420M of the Higher Education Act of 1965  
20 (20 U.S.C. 1070g–1) is amended—

21 (1) in subsection (a)(1)—

22 (A) by striking “an application” and in-  
23 serting “a Free Application for Federal Student  
24 Aid authorized under section 483(a)”; and

1 (B) by striking “in the amount of” and all  
2 that follows through the period at the end and  
3 inserting the following: “except as provided in  
4 subsection (d)(4), in the amount of—

5 “(A) \$8,000, to be available to a teacher  
6 candidate who is enrolled as an undergraduate  
7 junior at the eligible institution;

8 “(B) \$8,000, to be available to a teacher  
9 candidate who is enrolled as an undergraduate  
10 senior at the eligible institution; and

11 “(C) \$4,000, to be available to a teacher  
12 candidate who is enrolled at the eligible institu-  
13 tion for any year not described in subparagraph  
14 (A) or (B) or a teacher candidate who is en-  
15 rolled in the second year of an associate’s de-  
16 gree program and intends to teach in an early  
17 childhood education program; and”;

18 (2) in subsection (d)—

19 (A) in paragraph (1), by striking “under-  
20 graduate” and inserting “associate, under-  
21 graduate,”; and

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

23 “(4) ASSOCIATE DEGREE STUDENTS.—

24 “(A) MAXIMUM AMOUNT FOR ASSOCIATE  
25 DEGREE STUDY.—The period during which an

1           associate degree student intending to teach in  
2           an early childhood education program may re-  
3           ceive grants under this subpart shall be the pe-  
4           riod required for the completion of an associ-  
5           ate's degree course of study pursued by the  
6           teacher candidate at the eligible institution at  
7           which the teacher candidate is in attendance,  
8           except that the total amount that a teacher  
9           candidate may receive under this subpart for an  
10          associate's degree course of study shall not ex-  
11          ceed \$8,000.

12                   “(B) EFFECT ON FURTHER UNDER-  
13                   GRADUATE OR POST-BACCALAUREATE STUDY.—  
14                   In the case of a teacher candidate intending to  
15                   teach in an early childhood education program  
16                   who receives a grant under this subpart for an  
17                   associate's degree course of study and who  
18                   seeks to receive a grant described in subpara-  
19                   graph (A) or (B) of subsection (a)(1), the  
20                   amount of such grant shall be equal to—

21                           “(i) one half of the amount that is  
22                           equal to \$16,000, minus the amount the  
23                           teacher candidate received under this sub-  
24                           part for the associate's degree course of  
25                           study of such candidate, to be available to

1 a teacher candidate who is enrolled as an  
2 undergraduate junior at the eligible insti-  
3 tution; and

4 “(ii) one half of the amount that is  
5 equal to \$16,000, minus the amount the  
6 teacher candidate received under this sub-  
7 part for the associate’s degree course of  
8 study of such candidate, to be available to  
9 a teacher candidate who is enrolled as an  
10 undergraduate senior at the eligible insti-  
11 tution.”.

12 **SEC. 4083. REVISIONS TO TEACH GRANT AGREEMENTS TO**  
13 **SERVE AND ELIGIBILITY.**

14 Section 420N of the Higher Education Act of 1965  
15 (20 U.S.C. 1070g–2) is amended—

16 (1) in subsection (a)—

17 (A) in the heading of paragraph (2), by  
18 striking “DEMONSTRATION OF TEACH” and in-  
19 sert “TEACH”;

20 (B) in paragraph (2)(A)(ii)(II), by striking  
21 “batteries in an undergraduate, post-bacca-  
22 laurate, or graduate school admissions test”  
23 and inserting “assessments used for admission  
24 to an undergraduate, post-baccalaureate, or  
25 graduate school program”;



1 (C) in paragraphs (2)(B)(i), by striking  
2 “or another high-need” and inserting “early  
3 childhood education, or another high-need”; and

4 (D) in paragraph (2)(B)(ii), by striking “,  
5 such as Teach for America,”;

6 (2) in subsection (b)—

7 (A) in paragraph (1)—

8 (i) in subparagraph (B), by inserting  
9 before the semicolon at the end the fol-  
10 lowing: “or in a high-need early childhood  
11 education program (as defined in section  
12 200(15));”;

13 (ii) in subparagraph (C)—

14 (I) by striking “or” at the end of  
15 clause (vi);

16 (II) by redesignating clause (vii)  
17 as clause (viii);

18 (III) by inserting after clause  
19 (vi), as so amended, the following:

20 “(vii) early childhood education; or”;

21 and

22 (IV) in clause (viii), as so redesi-  
23 gnated, by adding “and” at the end;

24 (iii) in subparagraph (D)—

1 (I) by inserting “or early child-  
2 hood education program” after  
3 “school”; and

4 (II) by striking “and” at the end;  
5 and

6 (iv) by striking subparagraph (E);

7 (B) by striking “and” at the end of para-  
8 graph (2);

9 (C) by striking the period at the end of  
10 paragraph (3) and inserting “; and”; and

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

12 “(4) the Secretary will—

13 “(A) notify, or ensure that the applicable  
14 loan servicer will notify, the applicant of—

15 “(i) the date on which submission of  
16 the certification under paragraph (1)(D) is  
17 required; and

18 “(ii) any failure to submit such cer-  
19 tification; and

20 “(B) allow employers and borrowers to use  
21 electronic signatures to certify such employ-  
22 ment.”;

23 (3) in subsection (c)—

24 (A) by striking “In the event” and insert-  
25 ing the following:

1           “(1) IN GENERAL.—Subject to paragraph (2),  
2           in the event”; and

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

4           “(2) CLARIFICATION.—

5           “(A) APPLICATION.—Paragraph (1) may  
6           only apply with respect to a recipient of a grant  
7           under this subpart if—

8           “(i) after completing the course of  
9           study for which the recipient received the  
10          grant, such recipient does not serve as a  
11          full-time teacher as required under sub-  
12          section (b)(1) for at least—

13           “(I) 1 year, as certified under  
14           subsection (b)(1)(D) on a date that is  
15           not later than 5 years after the date  
16           such course of study was completed;

17           “(II) 2 years, as certified under  
18           subsection (b)(1)(D) on a date that is  
19           not later than 6 years after the date  
20           such course of study was completed;

21           “(III) 3 years, as certified under  
22           subsection (b)(1)(D) on a date that is  
23           not later than 7 years after the date  
24           such course of study was completed;

25           or

1                   “(IV) 4 years, as certified under  
2                   subsection (b)(1)(D) on a date that is  
3                   not later than 8 years after the date  
4                   such course of study was completed;  
5                   or

6                   “(ii) the recipient elects to have such  
7                   grant treated as a loan in accordance with  
8                   such paragraph (1).

9                   “(B) APPEAL.—A recipient of a grant may  
10                  appeal a decision to convert a loan under para-  
11                  graph (1).”; and

12                  (4) in subsection (d)—

13                  (A) by redesignating paragraph (2) as  
14                  paragraph (5);

15                  (B) in paragraph (1), by striking “sub-  
16                  section (b)(1)(C)(vii)” and inserting “sub-  
17                  section (b)(1)(C)(viii)”;

18                  (C) by inserting after paragraph (1), the  
19                  following:

20                  “(2) CHANGE OF SCHOOL DESCRIPTION OR  
21                  PROGRAM DEFINITION.—If a recipient of an initial  
22                  grant under this subpart teaches in a school or an  
23                  early childhood education program for an academic  
24                  year during which the school is identified as a school  
25                  described in section 465(a)(2)(A) or a program that

1 meets the definition of section 200(15), but the  
2 school or program no longer meets such description  
3 or definition during a subsequent academic year, the  
4 grant recipient may fulfill the service obligation de-  
5 scribed in subsection (b)(1) by continuing to teach  
6 at that school or program.

7 “(3) CHANGE OF TEACHER DUTIES OR ASSIGN-  
8 MENT.—If a recipient of an initial grant under this  
9 subpart teaches as a full-time teacher described in  
10 subsection (b)(1)(A), but the recipient no longer  
11 meets such description during a subsequent aca-  
12 demic year due to switching academic roles to that  
13 of a full-time co-teacher, teacher leader, instruc-  
14 tional or academic coach, department chairperson,  
15 special education case manager, guidance counselor,  
16 or school administrator within a school or program,  
17 the grant recipient may fulfill the service obligation  
18 described in subsection (b)(1) by continuing to work  
19 in any such academic role on a full-time basis at  
20 that school or program

21 “(4) CHANGE IN HIGH-NEED FIELD STATUS.—  
22 If a recipient of an initial grant under this subpart  
23 teaches in a field at a school or an early childhood  
24 education program for an academic year during  
25 which the field is designated under subsection

1 (b)(1)(C)(viii), but the field no longer is so des-  
2 ignated during a subsequent academic year, the  
3 grant recipient may fulfill the service obligation de-  
4 scribed in subsection (b)(1) by continuing to teach  
5 in such field at such school or early childhood edu-  
6 cation program.”.

7 **SEC. 4084. REVISIONS TO TEACH GRANT DATA COLLECTION**  
8 **AND REPORTING.**

9 Section 420P of the Higher Education Act of 1965  
10 (20 U.S.C. 1070g–4) is amended to read as follows:

11 **“SEC. 420P. DATA COLLECTION AND REPORTING.**

12 “(a) DATA COLLECTION.—

13 “(1) AGGREGATE STUDENT DATA.—On an an-  
14 nual basis, using the postsecondary student data  
15 system established under section 132(l) or a suc-  
16 cessor system (whichever includes the most recent  
17 data) to streamline reporting requirements and mini-  
18 mize reporting burdens, and in coordination with the  
19 National Center for Education Statistics, the Sec-  
20 retary shall determine, disaggregate in accordance  
21 with paragraph (2), and make available to the public  
22 in accordance with paragraph (3), with respect to  
23 each institution (and each category of institution  
24 listed in section 132(d)) that received a payment

1 under this subpart in the previous academic year,  
2 the following information:

3 “(A) The number and mean dollar amount  
4 of TEACH Grants awarded to students at the  
5 institution.

6 “(B) The number and proportion of  
7 TEACH Grant recipients who exit their pro-  
8 gram of study before completing the program.

9 “(C) The number and proportion of  
10 TEACH Grant recipients who complete their  
11 program of study and begin employment as a  
12 teacher in the first academic year following the  
13 year of such completion.

14 “(D) The number and proportion of indi-  
15 viduals employed as teachers who received a  
16 TEACH Grant and whose TEACH Grants are  
17 converted into loans during the 8-year period  
18 following the year in which the recipient com-  
19 pleted the recipient’s program of study, set  
20 forth separately for each year in such period.

21 “(E) The number and proportion of  
22 TEACH Grant recipients who fulfill the terms  
23 of their agreement to serve under section  
24 420N(b) during the 8-year period following the  
25 year in which the recipient completed the recipi-

1           ent’s program of study, set forth separately for  
2           each year in such period.

3           “(2) DISAGGREGATION.—The information de-  
4           termined under paragraph (1)—

5                   “(A) except in cases in which such  
6           disaggregation would reveal personally identifi-  
7           able information about an individual student,  
8           shall be disaggregated by—

9                           “(i) race;

10                           “(ii) ethnicity;

11                           “(iii) gender;

12                           “(iv) socioeconomic status;

13                           “(v) Federal Pell Grant eligibility sta-  
14           tus;

15                           “(vi) status as a first-generation col-  
16           lege student (as defined in section  
17           402A(h));

18                           “(vii) military or veteran status;

19                           “(viii) disability status;

20                           “(ix) level of study (associate, under-  
21           graduate, postbaccalaureate, or graduate,  
22           as applicable); and

23                           “(x) each teacher preparation pro-  
24           gram offered by an institution; and



1           “(B) may be disaggregated by any com-  
2           bination of subgroups or descriptions described  
3           in subparagraph (A).

4           “(3) AVAILABILITY OF DATA.—The information  
5           determined under paragraph (1) shall—

6           “(A) remain available to the public for a  
7           period of not less than 10 years after its initial  
8           release by the Secretary; and

9           “(B) be updated as necessary to reflect the  
10          most accurate and up-to-date information for  
11          each institution for each year of data collection.

12          “(b) INFORMATION FROM INSTITUTIONS.—Each in-  
13          stitution that receives a payment under this subpart shall  
14          provide to the Secretary, on an annual basis, such infor-  
15          mation as may be necessary for the Secretary to carry out  
16          subsection (a).

17          “(c) REPORTS AND DISSEMINATION.—

18          “(1) INITIAL AND INTERIM REPORTS.—Not  
19          later than 3 years after the date on which the first  
20          TEACH Grant is awarded under this subpart after  
21          the date of enactment of the College Affordability  
22          Act, and at least once every 3 years thereafter, the  
23          Secretary shall submit to the authorizing committees  
24          a report that includes the information required  
25          under paragraph (2).

1           “(2) ELEMENTS.—Each report under this sub-  
2           section shall include, based on information deter-  
3           mined under subsection (a), the following:

4                   “(A) A review of the utilization of TEACH  
5           Grants at teacher preparation programs at in-  
6           stitutions that received a payment under this  
7           subpart.

8                   “(B) A review of TEACH Grant practices  
9           that correlate with higher rates of completion of  
10          agreements under section 420N(b).

11                   “(C) Guidance and recommendations on  
12          how effective utilization of TEACH Grants can  
13          be replicated.

14           “(3) AVAILABILITY.—Each report under this  
15          subsection shall be made available to the public in  
16          an accessible format—

17                   “(A) on a website of the Department of  
18          Education; and

19                   “(B) in any other format determined to be  
20          appropriate by the Secretary.”.

1    **Subpart 8—Northern Mariana Islands and American**  
2                                   **Samoa College Access**

3    **SEC. 4091. NORTHERN MARIANA ISLANDS AND AMERICAN**  
4                                   **SAMOA COLLEGE ACCESS.**

5           Subpart 10 of part A of title IV (20 U.S.C. 1070(h))  
6 is amended to read as follows:

7           **“Subpart 10—Northern Mariana Islands and**  
8                                   **American Samoa College Access**

9    **“SEC. 420R. PUBLIC SCHOOL GRANTS.**

10           “(a) PURPOSE.—It is the purpose of this subpart to  
11 establish a program that enables college-bound residents  
12 of the Northern Mariana Islands and American Samoa to  
13 have greater choices among institutions of higher edu-  
14 cation.

15           “(b) GRANTS.—

16                   “(1) IN GENERAL.—From amounts appro-  
17 priated under subsection (j), the Secretary shall pro-  
18 vide—

19                                   “(A) 50 percent of such amount to the  
20 Northern Mariana Islands for the Governor to  
21 award grants to eligible institutions that enroll  
22 eligible students to pay the difference between  
23 the tuition and fees charged for in-State stu-  
24 dents and the tuition and fees charged for out-  
25 of-State students on behalf of each eligible stu-  
26 dent enrolled in the eligible institution; and

1           “(B) 50 percent of such amount to the  
2           American Samoa for the Governor to award  
3           grants to eligible institutions that enroll eligible  
4           students to pay the difference between the tui-  
5           tion and fees charged for in-State students and  
6           the tuition and fees charged for out-of-State  
7           students on behalf of each eligible student en-  
8           rolled in the eligible institution.

9           “(2) MAXIMUM STUDENT AMOUNTS.—The  
10          amount paid on behalf of an eligible student under  
11          this section shall be—

12                 “(A) not more than \$15,000 for any one  
13                 award year (as defined in section 481); and

14                 “(B) not more than \$45,000 in the aggre-  
15                 gate.

16           “(3) PRORATION.—The Governor shall prorate  
17          payments under this section for students who attend  
18          an eligible institution on less than a full-time basis.

19           “(c) REDUCTION FOR INSUFFICIENT APPROPRIA-  
20          TIONS.—

21                 “(1) IN GENERAL.—If the funds appropriated  
22                 pursuant to subsection (j) for any fiscal year are in-  
23                 sufficient to award a grant in the amount deter-  
24                 mined under subsection (a) on behalf of each eligible  
25                 student enrolled in an eligible institution, then the

1 Governor, in consultation with the Secretary of Edu-  
2 cation, shall—

3 “(A) first, ratably reduce the amount of  
4 the tuition and fee payment made on behalf of  
5 each eligible student who has not received funds  
6 under this section for a preceding year; and

7 “(B) after making reductions under sub-  
8 paragraph (A), ratably reduce the amount of  
9 the tuition and fee payments made on behalf of  
10 all other eligible students.

11 “(2) ADJUSTMENTS.—The Governor, in con-  
12 sultation with the Secretary of Education, may ad-  
13 just the amount of tuition and fee payments made  
14 under paragraph (1) based on—

15 “(A) the financial need of the eligible stu-  
16 dents to avoid undue hardship to the eligible  
17 students; or

18 “(B) undue administrative burdens on the  
19 Governor.

20 “(3) FURTHER ADJUSTMENTS.—Notwith-  
21 standing paragraphs (1) and (2), the Governor may  
22 prioritize the making or amount of tuition and fee  
23 payments under this subsection based on the income  
24 and financial need of eligible students.

25 “(d) DEFINITIONS.—In this subpart:

1           “(1) ELIGIBLE INSTITUTION.—The term ‘eligi-  
2           ble institution’ means an institution that—

3                   “(A) is a public four-year institution of  
4                   higher education located in one of the several  
5                   States, the District of Columbia, Puerto Rico,  
6                   the United States Virgin Islands, or Guam;

7                   “(B) is eligible to participate in the stu-  
8                   dent financial assistance programs under title  
9                   IV; and

10                  “(C) enters into an agreement with the  
11                  Governors of the Northern Mariana Islands and  
12                  American Samoa containing such conditions as  
13                  each Governor may specify, including a require-  
14                  ment that the institution use the funds made  
15                  available under this section to supplement and  
16                  not supplant assistance that otherwise would be  
17                  provided to eligible students from the Northern  
18                  Mariana Islands and American Samoa.

19           “(2) ELIGIBLE STUDENT.—The term ‘eligible  
20           student’ means an individual who—

21                   “(A) graduated from a public institution of  
22                   higher education located in the Northern Mar-  
23                   iana Islands or American Samoa;

24                   “(B) begins the individual’s course of  
25                   study within the 3 calendar years (excluding

1 any period of service on active duty in the  
2 Armed Forces or service under the Peace Corps  
3 Act (22 U.S.C. 2501 et seq.) or subtitle D of  
4 title I of the National and Community Service  
5 Act of 1990 (42 U.S.C. 12571 et seq.) of grad-  
6 uation from a public institution of higher edu-  
7 cation located in the Northern Mariana Islands  
8 or American Samoa;

9 “(C) is enrolled or accepted for enrollment,  
10 on at least a half-time basis, in a baccalaureate  
11 degree or other program (including a program  
12 of study abroad approved for credit by the insti-  
13 tution at which such student is enrolled) lead-  
14 ing to a recognized educational credential at an  
15 eligible institution;

16 “(D) if enrolled in an eligible institution, is  
17 maintaining satisfactory progress in the course  
18 of study the student is pursuing in accordance  
19 with section 484(c); and

20 “(E) has not completed the individual’s  
21 first undergraduate baccalaureate course of  
22 study.

23 “(3) INSTITUTION OF HIGHER EDUCATION.—  
24 The term ‘institution of higher education’ has the  
25 meaning given the term in section 101.

1           “(4) GOVERNOR.—The term ‘Governor’ means  
2           the Governor of the Commonwealth of the Northern  
3           Mariana Islands or American Samoa.

4           “(e) CONSTRUCTION.—Nothing in this subpart shall  
5           be construed to require an institution of higher education  
6           to alter the institution’s admissions policies or standards  
7           in any manner to enable an eligible student to enroll in  
8           the institution.

9           “(f) APPLICATIONS.—Each student desiring a tuition  
10          payment under this section shall submit an application to  
11          the eligible institution at such time, in such manner, and  
12          accompanied by such information as the eligible institution  
13          may require.

14          “(g) ADMINISTRATION OF PROGRAM.—

15                 “(1) IN GENERAL.—Each Governor shall carry  
16                 out the program under this section in consultation  
17                 with the Secretary. Each Governor may enter into a  
18                 grant, contract, or cooperative agreement with an-  
19                 other public or private entity to administer the pro-  
20                 gram under this section if the Governor determines  
21                 that doing so is a more efficient way of carrying out  
22                 the program.

23                 “(2) POLICIES AND PROCEDURES.—Each Gov-  
24                 ernor, in consultation with institutions of higher  
25                 education eligible for participation in the program



1 authorized under this section, shall develop policies  
2 and procedures for the administration of the pro-  
3 gram.

4 “(3) MEMORANDUM OF AGREEMENT.—Each  
5 Governor and the Secretary shall enter into a Memo-  
6 randum of Agreement that describes—

7 “(A) the manner in which the Governor  
8 shall consult with the Secretary with respect to  
9 administering the program under this section;  
10 and

11 “(B) any technical or other assistance to  
12 be provided to the Governor by the Secretary  
13 for purposes of administering the program  
14 under this section (which may include access to  
15 the information in the common financial report-  
16 ing form developed under section 483).

17 “(h) GOVERNOR’S REPORT.—Each Governor shall re-  
18 port to the Secretary and the authorizing committees an-  
19 nually regarding—

20 “(1) the number of eligible students attending  
21 each eligible institution and the amount of the grant  
22 awards paid to those institutions on behalf of the eli-  
23 gible students;

1           “(2) the extent, if any, to which a ratable re-  
2           duction was made in the amount of tuition and fee  
3           payments made on behalf of eligible students; and

4           “(3) the progress in obtaining recognized aca-  
5           demic credentials of the cohort of eligible students  
6           for each year.

7           “(i) GAO REPORT.—Not later than 24 months of the  
8           date of the enactment of this College Affordability Act,  
9           the Comptroller General of the United States shall report  
10          on the effect of the program assisted under this section  
11          on educational opportunities for eligible students. The  
12          Comptroller General shall analyze whether eligible stu-  
13          dents had difficulty gaining admission to eligible institu-  
14          tions because of any preference afforded to in-State resi-  
15          dents by eligible institutions, and shall expeditiously report  
16          any findings regarding such difficulty to Congress. In ad-  
17          dition the Comptroller General shall—

18                 “(1) analyze and identify any challenges eligible  
19                 students face in gaining admission to eligible institu-  
20                 tions, including admission aided by assistance pro-  
21                 vided under this subpart, due to—

22                         “(A) caps on the number of out-of-State  
23                         students the institution will enroll;

24                         “(B) significant barriers imposed by aca-  
25                         demic entrance requirements (such as grade

1 point average and standardized scholastic ad-  
2 missions tests); and

3 “(C) absence of admission programs bene-  
4 fitting minority students; and

5 “(2) report the findings of the analysis de-  
6 scribed in paragraph (1) and the assessment de-  
7 scribed in paragraph (2) to Congress and the Gov-  
8 ernor.

9 “(j) **AUTHORIZATION OF APPROPRIATIONS.**—There  
10 are authorized to be appropriated to the Commonwealth  
11 of the Northern Mariana Islands and American Samoa to  
12 carry out this subpart \$5,000,000, to be available until  
13 expended, for fiscal year 2021 and each of the 5 suc-  
14 ceeding fiscal years.

15 “(k) **EFFECTIVE DATE.**—This subpart shall take ef-  
16 fect with respect to payments for periods of instruction  
17 that begin on or after January 1, 2021.

18 **“SEC. 420S. GENERAL REQUIREMENTS.**

19 “(a) **PERSONNEL.**—The Secretary shall arrange for  
20 the assignment of an individual, pursuant to subchapter  
21 VI of chapter 33 of title 5, United States Code, to serve  
22 as an adviser to each Governor with respect to the pro-  
23 grams assisted under this subpart.

24 “(b) **ADMINISTRATIVE EXPENSES.**—Each Governor  
25 may use not more than 5 percent of the funds made avail-

1 able for a program under section 420R for a fiscal year  
2 to pay the administrative expenses of a program under  
3 section 420R for the fiscal year.

4 “(c) INSPECTOR GENERAL REVIEW.—Each of the  
5 programs assisted under this subpart shall be subject to  
6 audit and other review by the Inspector General of the  
7 Department of Education in the same manner as pro-  
8 grams are audited and reviewed under the Inspector Gen-  
9 eral Act of 1978 (5 U.S.C. App.).

10 “(d) GIFTS.—The Governor may accept, use, and dis-  
11 pose of donations of services or property for purposes of  
12 carrying out this subpart.

13 “(e) MAXIMUM STUDENT AMOUNT ADJUSTMENTS.—  
14 Each Governor shall establish rules to adjust the max-  
15 imum student amounts described in section 440S(b)(2) for  
16 eligible students described in section 440S(d)(2) who  
17 transfer between the eligible institutions described in sec-  
18 tion 440S(d)(1).”.

19 **Subpart 9—Community College Student Success**  
20 **SEC. 4092. COMMUNITY COLLEGE STUDENT SUCCESS**  
21 **GRANT PROGRAM AUTHORIZED.**

22 Part A of title IV (20 U.S.C. 1070 et seq.) is further  
23 amended by adding at the end the following:

1     **“Subpart 11—Community College Student Success**

2     **“SEC. 420T. COMMUNITY COLLEGE STUDENT SUCCESS**  
3                     **GRANT PROGRAM AUTHORIZED.**

4             “From the amounts appropriated under 420BB, the  
5 Secretary of Education shall establish and carry out the  
6 community college student success grant program to  
7 award grants under sections 420U and 420V, on a com-  
8 petitive basis, to eligible institutions to plan and imple-  
9 ment community college student success programs de-  
10 signed to increase—

11             “(1) the rate at which program participants  
12 graduate from a program of study at such eligible  
13 institution within 150 percent of the normal time for  
14 graduation; and

15             “(2) transfer rates of program participants.

16     **“SEC. 420U. GRANTS TO PLAN COMMUNITY COLLEGE STU-**  
17                     **DENT SUCCESS PROGRAMS.**

18             “(a) PLANNING GRANTS AUTHORIZED.—From the  
19 amounts appropriated to carry out this section under sec-  
20 tion 420BB for a fiscal year, the Secretary shall award  
21 planning grants for such fiscal year, on a competitive  
22 basis, to eligible institutions to develop plans for commu-  
23 nity college student success programs.

24             “(b) DURATION.—A grant awarded under this sec-  
25 tion shall be for a 1-year period.

1           “(c) PEER REVIEW PROCESS; PRIORITY.—In award-  
2 ing grants under this section for a fiscal year, the Sec-  
3 retary shall—

4                   “(1) carry out a peer review process that—

5                           “(A) requires that each application sub-  
6 mitted under subsection (d) be peer reviewed by  
7 a panel of readers composed of individuals se-  
8 lected by the Secretary, which shall include—

9                                   “(i) not less than 50 percent of read-  
10 ers—

11   “(I) who are not employees of the  
12 Federal Government; and

13   “(II) who have relevant research  
14 or practical experience with respect to  
15 student support programs designed to  
16 increase graduation rates and transfer  
17 rates at public 2-year institutions of  
18 higher education; and

19   “(ii) to the maximum extent prac-  
20 ticable, individuals who are members of  
21 groups underrepresented in higher edu-  
22 cation, including African Americans, His-  
23 panics, Native Americans, Alaska Natives,  
24 Asian Americans, Native American Pacific

1 Islanders (including Native Hawaiians),  
2 and individuals with disabilities; and

3 “(B) ensures that no individual assigned  
4 under subparagraph (A) to review an applica-  
5 tion has any conflict of interest with regard to  
6 that application that may make the individual  
7 unable to impartially conduct such review; and

8 “(2) give priority to eligible institutions that  
9 are eligible to receive funding under title III or V.

10 “(d) APPLICATION.—An eligible institution desiring  
11 a grant under this section shall submit an application to  
12 the Secretary at such time, in such manner, and con-  
13 taining such information as the Secretary may require,  
14 which shall include—

15 “(1) the graduation rate and transfer rate for  
16 the most recent academic year for which data are  
17 available for eligible students and all students, re-  
18 spectively;

19 “(2) an analysis of how implementing a commu-  
20 nity college student success program may improve  
21 the graduation rate or transfer rate for eligible stu-  
22 dents; and

23 “(3) a description of the methods the eligible  
24 institution has previously used to improve the grad-

1           uation rate or transfer rate with respect to eligible  
2           students and all students, respectively.

3           “(e) USE OF FUNDS.—An eligible institution that re-  
4           ceives a grant under this section shall use the grant to  
5           develop a plan to implement a community college student  
6           success program at the eligible institution.

7           “(f) REPORT.—Not later than 1 year after the date  
8           on which an eligible institution receives a grant under this  
9           section, such eligible institution shall submit to the Sec-  
10          retary a report that includes—

11                 “(1) a plan for implementing a community col-  
12          lege student success program at the eligible institu-  
13          tion, including—

14                         “(A) the sufficiently ambitious outcome  
15                         goals for achieving significant improvements in  
16                         graduation rates and transfer rates for program  
17                         participants, as such rates are defined by the  
18                         eligible institution, in consultation with the Sec-  
19                         retary, before the end of the grant period;

20                         “(B) the number of such eligible students  
21                         who will participate in such program, including  
22                         how such eligible students will be identified, re-  
23                         ferred, and selected, in cases where the interest  
24                         in the program is larger than the budget for the  
25                         program;



1           “(C) based on the most recent academic  
2           year for which data are available, disaggregated  
3           by full-time students and all students—

4                   “(i) graduation rates; and

5                   “(ii) transfer rates;

6           “(D) an analysis of the financial needs of  
7           the full-time students;

8           “(E) a description of how the eligible insti-  
9           tution will effectively staff a community college  
10          student success program; and

11          “(F) a timeline for the implementation of  
12          such program;

13          “(2) a budgetary analysis that includes—

14                  “(A) a description of how the eligible insti-  
15          tution will provide non-Federal funds for such  
16          program under subsection (d) of section 420V;  
17          and

18                  “(B) a description of how the eligible insti-  
19          tution will continue to fund such program after  
20          the end of the grant period for the grant  
21          awarded to the institution under section 420V;  
22          and

23          “(3) such other information as the Secretary  
24          may require.

1 **“SEC. 420V. GRANTS TO IMPLEMENT COMMUNITY COLLEGE**  
2 **STUDENT SUCCESS PROGRAMS.**

3 “(a) IMPLEMENTATION GRANTS AUTHORIZED.—

4 “(1) IN GENERAL.—From the amounts appro-  
5 priated to carry out this section under section  
6 420BB for a fiscal year, the Secretary shall award  
7 grants for such fiscal year, on a competitive basis,  
8 to eligible institutions awarded a grant under section  
9 420U to implement community college student suc-  
10 cess programs.

11 “(2) CONSULTATION.—In awarding grants  
12 under this section for a fiscal year, the Secretary  
13 shall consult with the independent evaluator before  
14 finalizing which eligible institutions will receive such  
15 a grant for such fiscal year.

16 “(b) REQUIREMENTS FOR SELECTION.—To be eligi-  
17 ble to receive a grant under this section, an eligible institu-  
18 tion shall meet the following requirements:

19 “(1) The eligible institution was awarded a  
20 grant under section 420U at least 1 year before  
21 such eligible institution submits an application under  
22 subsection (e).

23 “(2) The eligible institution submits an applica-  
24 tion under subsection (e).

25 “(3) The eligible institution demonstrates, on  
26 the date of the application described in subsection

1 (e), the availability of non-Federal funding for the  
2 matching funds required under subparagraphs (A),  
3 (B), and (C) of subsection (d)(1).

4 “(c) DURATION.—A grant awarded under this section  
5 shall be for a 5-year period.

6 “(d) NON-FEDERAL CONTRIBUTION.—

7 “(1) IN GENERAL.—Except as provided in para-  
8 graph (2), an eligible institution awarded a grant  
9 under this section shall contribute in cash from non-  
10 Federal sources, the following:

11 “(A) For the second year of the grant pe-  
12 riod, an amount equal to 20 percent of the cost  
13 of carrying out the community college student  
14 success program at the institution for such  
15 year.

16 “(B) For the third year of the grant pe-  
17 riod, an amount equal to 30 percent of the cost  
18 of carrying out such program for such year.

19 “(C) For the fourth year of the grant pe-  
20 riod, an amount equal to 40 percent of the cost  
21 of carrying out such program for such year.

22 “(D) For the fifth year of the grant pe-  
23 riod, an amount equal to 50 percent of the cost  
24 of carrying out such program for such year.

25 “(2) EXCEPTION.—

1           “(A) IN GENERAL.—Notwithstanding para-  
2 graph (1), with respect to an exempt institution  
3 awarded a grant under this section, for each  
4 year of the grant period beginning with the sec-  
5 ond year through the fifth year, the Secretary  
6 shall not require the institution to make a cash  
7 contribution from non-Federal sources in an  
8 amount that is greater than the amount equal  
9 to 5 percent of the cost of carrying out the  
10 community college student success program at  
11 the institution for such year.

12           “(B) DEFINITIONS.—For purposes of this  
13 paragraph:

14           “(i) EXEMPT INSTITUTION.—The  
15 term ‘exempt institution’ means an eligible  
16 institution that is a—

17                   “(I) Tribal college or university;  
18                   or

19                   “(II) an institution located in the  
20 Commonwealth of Puerto Rico, Guam,  
21 American Samoa, the United States  
22 Virgin Islands, the Commonwealth of  
23 the Northern Mariana Islands, the  
24 Republic of the Marshall Islands, the

1 Federated States of Micronesia, or the  
2 Republic of Palau.

3 “(ii) TRIBAL COLLEGE OR UNIVER-  
4 SITY.—The term ‘Tribal college or univer-  
5 sity’ has the meaning given the term in  
6 section 316 of the Higher Education Act  
7 of 1965 (20 U.S.C. 1059c).

8 “(e) APPLICATION.—An eligible institution desiring a  
9 grant under this section shall submit an application to the  
10 Secretary at such time, in such manner, and containing  
11 such information as the Secretary may require, which shall  
12 include a copy of the report described in 420U(e).

13 “(f) REQUIRED USE OF FUNDS.—An eligible institu-  
14 tion that receives a grant under this section shall use the  
15 grant funds to—

16 “(1) implement a community college student  
17 success program; and

18 “(2) regularly review—

19 “(A) data to monitor the academic  
20 progress of eligible students participating in  
21 such program; and

22 “(B) the meeting and program participa-  
23 tion requirements described in section  
24 420AA(1).

1           “(g) PERMISSIBLE USE OF FUNDS.—An eligible in-  
2 stitution that receives a grant under this section may use  
3 the grant to—

4           “(1) establish or expand a data tracking system  
5 that includes early alerts to complete the regular re-  
6 views required under subsection (f)(2);

7           “(2) provide eligible students participating in  
8 the community college student success program for  
9 which the grant is awarded with financial assistance  
10 to cover the costs described in paragraph (2), (3), or  
11 (8) of section 472;

12           “(3) establish or expand career development  
13 services for such students, such as career workshops  
14 or career counseling;

15           “(4) establish or expand tutoring services for  
16 such students;

17           “(5) cover the employment of administrators  
18 for the program whose sole job shall be to admin-  
19 ister the program, without regard to whether the  
20 employment is full-time or less than full-time; and

21           “(6) provide financial support for eligible stu-  
22 dents participating in such program to enroll in  
23 courses offered during enrollment periods that are  
24 outside the fall and spring semesters (or equivalent  
25 terms).

1       “(h) REPORTS.—Using the postsecondary student  
2 data system established under section 132(l) or a suc-  
3 cessor system (whichever includes the most recent data)  
4 to streamline reporting requirements and minimize report-  
5 ing burdens, and in coordination with the National Center  
6 for Education Statistics, the Secretary shall, on at least  
7 an annual basis, collect data with respect to each commu-  
8 nity college student success program, including the fol-  
9 lowing:

10           “(1) Each eligible institution that receives a  
11 grant under this subpart shall, on an annual basis,  
12 provide to the Secretary such information as may be  
13 necessary for the Secretary to collect such data, in-  
14 cluding—

15           “(A) the demographic characteristics of  
16 the students participating in the community  
17 college student success program;

18           “(B) the average number of credits at-  
19 tempted and average number of credits earned,  
20 rate of retention, rate of degree completion, and  
21 rates of transfer of such eligible students;

22           “(C) the graduation rate of such eligible  
23 students.

24           “(2) Each such eligible institution shall, not  
25 less than once for each year of the grant period,

1 submit to the Secretary an annual performance re-  
2 port for such year of the grant period that in-  
3 cludes—

4 “(A) an analysis of the implementation  
5 and progress of such program based on the suf-  
6 ficiently ambitious outcome goals described in  
7 the report submitted by the institution under  
8 section 420U(e)(1)(A), including challenges to  
9 and changes made to such program; and

10 “(B) if according to the analysis under  
11 subparagraph (A), the program is not on track  
12 to meet such sufficiently ambitious outcome  
13 goals, a description of the plans to adjust the  
14 program to improve the performance of the pro-  
15 gram;

16 “(C) the participation of such eligible stu-  
17 dents in tutoring, career services (which can in-  
18 clude benefit counseling), and meetings with  
19 program advisors; and

20 “(D) when data is available, which shall  
21 compare the data collected for such year under  
22 this paragraph with such data collected for each  
23 of the 2 years preceding the date on which the  
24 grant was awarded.



1           “(3) Not later than 6 years after the date on  
2           which the eligible institution received such grant,  
3           submit a final report to the Secretary that includes  
4           an analysis of—

5                   “(A) the factors that contributed to the  
6                   success or failure of the community college stu-  
7                   dent success program in meeting the ambitious  
8                   outcome goals described in the report submitted  
9                   by the institution under section 3(e)(1)(A);

10                   “(B) the challenges faced in attempting to  
11                   implement such program;

12                   “(C) information on how to improve such  
13                   program;

14                   “(D) whether the program has created an  
15                   institution-wide reform with respect to gradua-  
16                   tion rates and transfer rates for all students,  
17                   and if so, how such reform was created; and

18                   “(E) how the eligible institution will con-  
19                   tinue to fund such program after the end of the  
20                   grant period.

21   **“SEC. 420W. EVALUATIONS.**

22           “(a) INDEPENDENT EVALUATIONS.—Before final-  
23           izing which eligible institutions will receive grants under  
24           section 420V for a fiscal year, the Secretary, acting  
25           through the Director of the Institute of Education

1 Sciences, shall enter into a contract with an independent  
2 evaluator—

3 “(1) to consult with the Secretary on which eli-  
4 gible institutions should receive the grants; and

5 “(2) to use the What Works Clearinghouse  
6 Standards (without reservations) to evaluate,  
7 throughout the duration of the grant period of such  
8 grants—

9 “(A) each community college student suc-  
10 cess program for which such grant is awarded,  
11 including whether the program met its ambi-  
12 tious outcome goals described in the report sub-  
13 mitted by the institution under section  
14 420U(e)(1)(A);

15 “(B) the average impact of community col-  
16 lege student success programs on graduation  
17 rates and transfer rates for eligible students;

18 “(C) the variation in program impact  
19 across eligible institutions with respect to such  
20 rates; and

21 “(D) whether such programs lead to higher  
22 graduation rates and transfer rates of eligible  
23 students per dollar spent for such students by  
24 such institutions compared with such rates at  
25 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 or  
6 under an alternate schedule, as determined  
7 by the institution, with a tutor, except that  
8 in the case of an eligible student who is  
9 academically struggling, but who is not re-  
10 ferred to remedial courses or on academic  
11 probation, the student may meet with a  
12 tutor as often as the program advisor for  
13 such student requires or under an alter-  
14 nate schedule, as determined by the insti-  
15 tution;

16 “(iii) meet with a program advisor—

17 “(I) twice each month during the  
18 first semester (or equivalent term) of  
19 participation in such program; and

20 “(II) as directed by the program  
21 advisor in subsequent semesters (or  
22 equivalent terms) under subparagraph  
23 (C)(ii); and

24 “(iv) meet with an on-campus career  
25 advisor or participate in a career services

1 event once each semester (or equivalent  
2 term) or under an alternate schedule, as  
3 determined by the institution.

4 “(C) Provides a program advisor to each  
5 eligible student participating in such program  
6 who—

7 “(i) provides comprehensive academic  
8 and personal advising to the eligible stu-  
9 dent, including—

10 “(I) the creation and implemen-  
11 tation of an academic plan for the  
12 student to graduate from a program  
13 of study at the eligible institution  
14 within 150 percent of the normal time  
15 for graduation from such program;

16 “(II) if an eligible student is re-  
17 ferred to remedial courses, encour-  
18 aging such student to complete such  
19 courses as quickly as possible; and

20 “(III) assisting the eligible stu-  
21 dent with developing and achieving  
22 academic goals, including creating  
23 strong transfer pathways that dem-  
24 onstrate programmatic transfer for  
25 students interested in transferring to

1 a 4-year institution of higher edu-  
2 cation;

3 “(ii) after the eligible student partici-  
4 pating in such program completes a semes-  
5 ter (or equivalent term), creates for the eli-  
6 gible student a needs-based advising sched-  
7 ule that indicates, based on the eligible  
8 student’s academic performance, the fre-  
9 quency with which such eligible student  
10 shall be required to meet with a program  
11 advisor for each subsequent semester (or  
12 equivalent term) of program participation;

13 “(iii) has a caseload of not more than  
14 150 eligible students;

15 “(iv) tracks the attendance of the eli-  
16 gible student at the meetings described in  
17 clauses (ii), (iii), and (iv) of subparagraph  
18 (B);

19 “(v) monitors the academic progress  
20 of the eligible student; and

21 “(vi) provides each eligible student  
22 who meets the requirements of subpara-  
23 graph (B), on at least a monthly basis,  
24 with financial incentives, such as a trans-  
25 portation pass or a gas card.



1           “(D) Provides free tutoring and career  
2 services (which can include benefit counseling)  
3 to eligible students participating in such pro-  
4 gram, and may reserve places in select courses  
5 for such eligible students in order to create a  
6 community within cohorts of eligible students.

7           “(E) Provides information to eligible stu-  
8 dents participating in such program about the  
9 eligibility of such students for assistance under  
10 the supplemental nutrition assistance program  
11 under the Food and Nutrition Act of 2008 (7  
12 U.S.C. 2011 et seq.) and the program of block  
13 grants for States for temporary assistance for  
14 needy families established under part A of title  
15 IV of the Social Security Act (42 U.S.C. 601 et  
16 seq.).

17           “(2) ELIGIBLE INSTITUTION.—The term ‘eligi-  
18 ble institution’ means a public 2-year institution of  
19 higher education.

20           “(3) ELIGIBLE STUDENT.—The term ‘eligible  
21 student’ means a student enrolled at an eligible in-  
22 stitution who—

23           “(A) on the date such eligible student  
24 would begin participation in a community col-

1           lege student success program at such eligible  
2           institution—

3                   “(i) is enrolled in a program of study  
4                   leading to an associate degree;

5                   “(ii) is enrolled at such institution  
6                   and carrying a full-time academic workload  
7                   during each fall and spring semester (or  
8                   equivalent terms) during which the student  
9                   participates in such program;

10                   “(iii) is—

11                           “(I) a first-time undergraduate  
12                           student; or

13                           “(II) a continuing or transfer  
14                           student with not more than 15 credits  
15                           and a minimum grade point average  
16                           of 2.0 (or its equivalent); and

17                           “(iv) is considered by the eligible in-  
18                           stitution to need no more than two reme-  
19                           dial courses; and

20                           “(B) if the student is eligible for financial  
21                           aid under title IV, has completed the Free Ap-  
22                           plication for Federal Student Aid or other com-  
23                           mon financial reporting form under section  
24                           483(a); and

1           “(C) meets any other requirements estab-  
2           lished by the institution.

3           “(4) FULL-TIME ACADEMIC WORKLOAD.—The  
4           term ‘full-time academic workload’, when used with  
5           respect to a semester or equivalent term, means at  
6           least 12 credits (or the equivalent).

7           “(5) INSTITUTION OF HIGHER EDUCATION.—  
8           The term ‘institution of higher education’ has the  
9           meaning given the term under section 101.

10          “(6) TRANSFER RATE.—The term ‘transfer  
11          rate’, when used with respect to students enrolled in  
12          a program of study at an eligible institution, means  
13          the rate at which such students transfer to a 4-year  
14          institution of higher education.

15   **“SEC. 420BB. AUTHORIZATION OF APPROPRIATIONS.**

16          “‘There are authorized to be appropriated to carry out  
17          this subpart \$1,000,000,000, to be available until ex-  
18          pended for fiscal year 2021 and each of the 5 succeeding  
19          fiscal years.’”.

20   **SEC. 4093. FEDERAL PELL BONUS PROGRAM.**

21          Part A of title IV of the Higher Education Act of  
22          1965 (20 U.S.C. 1070 et seq.) is amended by adding at  
23          the end the following:

1       **“Subpart 12—Federal Pell Grant Bonus Program**

2       **“SEC. 420CC. FEDERAL PELL GRANT BONUS PROGRAM.**

3           “(a) IN GENERAL.—The Secretary shall allot funds  
4 in an amount determined under subsection (b) to each eli-  
5 gible institution to support the attainment of bachelor’s  
6 degrees among low-income students, which may include  
7 providing financial aid and student support services to  
8 such students.

9           “(b) ALLOTMENT FORMULA.—For each fiscal year,  
10 each eligible institution shall be allotted an amount under  
11 subsection (a) that bears the same proportion to the  
12 amount appropriated under subsection (c) for such fiscal  
13 year as the number of bachelor’s degrees awarded by the  
14 institution for the award year ending prior to the begin-  
15 ning of the preceding fiscal year to students who, during  
16 such award year, received a Federal Pell Grant and grad-  
17 uated from the program in which such students were en-  
18 rolled in the normal time for completion of such program  
19 (within the meaning of section 132(i)(1)(J)(i)) bears to  
20 the total number of bachelor’s degrees awarded to such  
21 students by all eligible institutions for such award year.

22           “(c) DATA.—In determining the allotments under  
23 subsection (b), the Secretary may request from eligible in-  
24 stitutions any data that may be necessary.

25           “(d) AUTHORIZATION OF APPROPRIATIONS.—There  
26 are authorized to be appropriated, and there are appro-

1 priated, to carry out this section \$500,000,000 for fiscal  
2 year 2021 and each succeeding fiscal year. Any amounts  
3 appropriated under this subsection shall be available until  
4 expended.

5 “(e) DEFINITIONS.—In this section:

6 “(1) ELIGIBLE INSTITUTION.—The term ‘eligi-  
7 ble institution’ means an institution of higher edu-  
8 cation (as defined in section 101)—

9 “(A) in which, for the 3 most recent award  
10 years, the average percentage of undergraduate  
11 students enrolled at the institution who received  
12 Federal Pell Grants is not less than 25 percent  
13 of the total number of undergraduate students  
14 enrolled at such institution; and

15 “(B) that has not opted out of receiving an  
16 allotment under this section.

17 “(2) LOW-INCOME STUDENT.—The term ‘low-  
18 income student’ has the meaning given such term in  
19 section 499R(3).”.

1     **PART B—FEDERAL FAMILY EDUCATION LOAN**

2                                     **PROGRAM**

3     **SEC. 4101. TERMINATION OF CERTAIN REPAYMENT PLAN**

4                                     **OPTIONS AND OPPORTUNITY TO CHANGE RE-**

5                                     **PAYMENT PLANS.**

6             (a) SELECTION OF REPAYMENT PLANS.—Section  
7 428(b) of the Higher Education Act of 1965 (20 U.S.C.  
8 1078(b)) is amended—

9                     (1) in paragraph (1)—

10                             (A) in subparagraph (D)—

11                                     (i) in clause (ii), by striking “may an-  
12 nually change the selection of a repayment  
13 plan under this part,” and inserting “may  
14 at any time after July 1, 2021, change the  
15 selection of a repayment plan under this  
16 part to one of the 2 repayment plans de-  
17 scribed in paragraph (9)(C),”; and

18                                     (ii) in clause (iii), by striking “be sub-  
19 ject to income contingent repayment in ac-  
20 cordance with subsection (m);” and insert-  
21 ing “be subject to income-based repayment  
22 in accordance with section 493C(f);”; and

23                             (B) in subparagraph (E)(i), by striking  
24 “the option of repaying the loan in accordance  
25 with a standard, graduated, income-sensitive, or  
26 extended repayment schedule (as described in

1 paragraph (9)) established by the lender in ac-  
2 cordance with regulations of the Secretary;  
3 and” and inserting “the option of repaying the  
4 loan in accordance with a repayment plan de-  
5 scribed in paragraph (9)(C) established by the  
6 lender in accordance with regulations of the  
7 Secretary; and”; and

8 (2) in paragraph (9), by adding at the end the  
9 following:

10 “(C) SELECTION OF REPAYMENT PLANS  
11 ON AND AFTER JULY 1, 2021.—

12 “(i) OPPORTUNITY TO CHANGE RE-  
13 PAYMENT PLANS.—Notwithstanding any  
14 other provision of this paragraph, or any  
15 other provision of law, and in accordance  
16 with regulations, beginning on July 1,  
17 2021, the lender shall offer a borrower of  
18 a loan made, insured, or guaranteed under  
19 this part the opportunity to change repay-  
20 ment plans, and to enroll in one of the fol-  
21 lowing repayment plans:

22 “(I) A fixed repayment plan de-  
23 scribed in section 493E.

24 “(II) The income-based repay-  
25 ment plan under section 493C(f).”.

1 (b) ASSIGNMENT BY THE SECRETARY.—Section  
2 428(m) of the Higher Education Act of 1965 (20 U.S.C.  
3 1078(m)) is amended—

4 (1) in the subsection heading, by striking “In-  
5 come-contingent and”;

6 (2) by amending paragraph (1) to read as fol-  
7 lows:

8 “(1) AUTHORITY OF SECRETARY TO RE-  
9 QUIRE.—The Secretary may require borrowers who  
10 have defaulted on loans made under this part that  
11 are assigned to the Secretary under subsection  
12 (c)(8) to repay those loans under the income-based  
13 repayment plan under section 493C(f).”; and

14 (3) in the heading for paragraph (2), by strik-  
15 ing “income contingent or”.

16 **SEC. 4102. TERMINATION OF INTEREST CAPITALIZATION**  
17 **FOR SUBSIDIZED LOANS AFTER CERTAIN PE-**  
18 **RIODS.**

19 Section 428(c)(3)(C) of the Higher Education Act of  
20 1965 (20 U.S.C. 1078(c)(3)(C)) is amended—

21 (1) in clause (iii), by inserting before the semi-  
22 colon the following: “, and with respect to a forbear-  
23 ance granted to a borrower on or after the date of  
24 enactment of the College Affordability Act on a loan  
25 made, insured or guaranteed under this section or



1 on a Federal Direct Stafford Loan, provide informa-  
2 tion to the borrower to assist the borrower in under-  
3 standing that interest shall accrue on the loan but  
4 not be capitalized at the expiration of such period of  
5 forbearance”; and

6 (2) in clause (iv)—

7 (A) in subclause (III), by inserting before  
8 the semicolon at the end the following: “, except  
9 that this subclause shall not apply with respect  
10 to any period of forbearance beginning on or  
11 after the date of enactment of the College Af-  
12 fordability Act”; and

13 (B) in subclause (IV), by inserting before  
14 the semicolon at the end the following: “except  
15 that this subclause shall not apply with respect  
16 to any period of forbearance beginning on or  
17 after the date of enactment of the College Af-  
18 fordability Act”.

19 **SEC. 4103. TERMINATION OF INTEREST CAPITALIZATION**  
20 **FOR PLUS LOANS AFTER CERTAIN PERIODS.**

21 Section 428B(d)(2) of the Higher Education Act of  
22 1965 (20 U.S.C. 1078–2(d)(2)) is amended—

23 (1) in subparagraph (A), by striking “Interest  
24 on” and inserting “Subject to subparagraph (C), in-  
25 terest on”; and

1 (2) by adding at the end the following:

2 “(C) INTEREST CAPITALIZATION.—With  
3 respect to a deferment during any period de-  
4 scribed in clause (i)(II), (ii), (ii), or (iv) of sec-  
5 tion 427(a)(2)(C) or clause (i)(II), (ii), (iii),  
6 (iv), or (v) of section 428(b)(1)(M), or any pe-  
7 riod of forbearance, beginning on or after the  
8 date of enactment of the College Affordability  
9 Act on a loan made under this section, interest  
10 shall not be added to the principal amount of  
11 the loan at the expiration of such deferment or  
12 forbearance period.”.

13 **SEC. 4104. SUBSEQUENT CONSOLIDATION LOANS.**

14 Section 428C(a)(3)(B)(i)(V) of the Higher Education  
15 Act of 1965 (20 U.S.C. 1078–3(a)(3)(B)(i)(V)) is amend-  
16 ed—

17 (1) by striking “or” at the end of item (bb);

18 (2) by striking the period at the end of item  
19 (cc); and

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

21 “(dd) for the purpose of sep-  
22 arating a joint consolidation loan  
23 into 2 separate Federal Direct  
24 Consolidation Loans under sec-  
25 tion 455(g)(2); or

1                                   “(ee) for the purpose of sec-  
2                                   tion                                   455(m)(9)(A)(ii),  
3                                   493C(f)(2)(G), or 493E(c).”.

4 **SEC. 4105. DEFAULT REDUCTION PROGRAM.**

5           Section 428F(a)(1)(C) of the Higher Education Act  
6 of 1965 (20 U.S.C. 1078–6(a)(1)(C)) is amended by strik-  
7 ing “to remove the record of the default from the bor-  
8 rower’s credit history” and inserting “to remove any ad-  
9 verse item of information relating to such loan from the  
10 borrower’s credit history”.

11 **SEC. 4106. TERMINATION OF INTEREST CAPITALIZATION**  
12                                   **FOR UNSUBSIDIZED LOANS AFTER CERTAIN**  
13                                   **PERIODS.**

14           Section 428H(e)(2)(A)(ii)(III) of the Higher Edu-  
15 cation Act of 1965 (20 U.S.C. 1078–8(e)(2)(A)(ii)(III))  
16 is amended by inserting before the semicolon the following:  
17 “, except that with respect to a deferment during any pe-  
18 riod described in clause (i)(II), (ii), (iii), or (iv) of section  
19 427(a)(2)(C) or clause (i)(II), (ii), (iii), (iv), or (v) of sec-  
20 tion 428(b)(1)(M), or any period of forbearance, beginning  
21 on or after the date of enactment of the College Afford-  
22 ability Act on a loan made, insured, or guaranteed under  
23 this section or on a Federal Direct Unsubsidized Stafford  
24 Loan, interest shall not be added to the principal amount

1 of the loan at the expiration of such deferment or forbear-  
2 ance period”.

3 **SEC. 4107. DISBURSEMENT OF STUDENT LOANS.**

4 Section 428G of the Higher Education Act of 1965  
5 (20 U.S.C. 1078–7(a)) is amended—

6 (1) in subsection (a) by adding at the end the  
7 following:

8 “(5) ADJUSTED COHORT DEFAULT RATE.—Be-  
9 ginning on the date on which the final adjusted co-  
10 hort default rates are published by the Secretary for  
11 not less than 3 fiscal years under section 435(m), an  
12 institution whose adjusted cohort default rate (as de-  
13 termined under section 435(m)) for each of the 3  
14 most recent fiscal years for which data are available  
15 is less than 5 percent may disburse any loan made,  
16 insured, or guaranteed under this part in a single in-  
17 stallment for any period of enrollment that is not  
18 more than 1 semester, 1 trimester, 1 quarter, or 4  
19 months.”; and

20 (2) in subsection (e), by inserting before the pe-  
21 riod the following: “, or beginning on the date on  
22 which the final adjusted cohort default rates are  
23 published by the Secretary for fiscal year 2018  
24 under section 435(m), an adjusted cohort default

1 rate (as determined under section 435(m)) of less  
2 than 2 percent”.

3 **SEC. 4108. STUDENT LOAN CONTRACT AND LOAN DISCLO-**  
4 **SURES.**

5 (a) STUDENT LOAN CONTRACT.—Section  
6 432(m)(1)(D) of the Higher Education Act of 1965 (20  
7 U.S.C. 1082(m)(1)(D)) is amended by adding at the end  
8 the following:

9 “(iv) STUDENT LOAN CONTRACT.—

10 “(I) IN GENERAL.—Any master  
11 promissory note form described in this  
12 subparagraph that is developed or  
13 used for loans made under part D for  
14 periods of enrollment beginning on or  
15 after the date of enactment of the  
16 College Affordability Act shall be re-  
17 ferred to as a ‘student loan contract’.

18 “(II) CLARIFICATION ON USE.—  
19 Notwithstanding clause (i), each stu-  
20 dent loan contract for a part D loan  
21 made for periods of enrollment begin-  
22 ning on or after the date of enactment  
23 of the College Affordability Act  
24 shall—

1           “(aa) not be entered into by  
2           a student unless the student has  
3           completed all required counseling  
4           related to such loan, including  
5           counseling required under section  
6           485(l);

7           “(bb) be signed by the stu-  
8           dent entering such student loan  
9           contract after completion of such  
10          counseling; and

11          “(cc) be used only for the  
12          academic year for which the ini-  
13          tial loans are made under the  
14          contract, and shall not be valid  
15          for additional loans for the same  
16          or subsequent periods of enroll-  
17          ment.”.

18          (b) LOAN DISCLOSURES.—Section 432(m)(1)(D) of  
19          the Higher Education Act of 1965 (20 U.S.C.  
20          1082(m)(1)(D)) is further amended by adding after clause  
21          (iv) (as amended) the following:

22                 “(v) LOAN DISCLOSURES.—For loans  
23                 made for periods of enrollment beginning  
24                 on or after the date of enactment of the  
25                 College Affordability Act, the Secretary

1 shall take such steps as are necessary to  
2 streamline the student loan disclosure re-  
3 quirements under this Act. The Secretary  
4 shall ensure that information required to  
5 be disclosed to a student who is applying  
6 for, receiving, or preparing to repay a loan  
7 under part D of this Act shall be stream-  
8 lined in a manner that—

9 “(I) based upon consumer test-  
10 ing, reduces and simplifies the paper-  
11 work students are required to com-  
12 plete; and

13 “(II) limits the number of times  
14 students are presented with disclo-  
15 sures by incorporating the streamlined  
16 disclosures into required student loan  
17 counseling under section 485(l), the  
18 student loan contract under this sub-  
19 paragraph, or both.”.

20 **SEC. 4109. BORROWER ADVOCATE CONFORMING AMEND-**  
21 **MENTS.**

22 Section 433 of the Higher Education Act of 1965 (20  
23 U.S.C. 1083) is amended—

1 (1) in subsection (b)(13), by striking “Student  
2 Loan Ombudsman” and inserting “Borrower Advoca-  
3 cate”; and

4 (2) in subsection (e)(3)(E), by striking “Stu-  
5 dent Loan Ombudsman” and inserting “Borrower  
6 Advocate”.

7 **SEC. 4110. COHORT DEFAULT RATES.**

8 (a) INELIGIBILITY BASED ON HIGH DEFAULT  
9 RATES.—

10 (1) IN GENERAL.—Section 435(a) of the High-  
11 er Education Act of 1965 (20 U.S.C. 1085(a)) is  
12 amended—

13 (A) in paragraph (7)(A), by adding at the  
14 end the following:

15 “(iii) DEFAULT MANAGEMENT  
16 PLAN.—The default management plan re-  
17 quired under clause (i) may not include  
18 placing students in forbearance as a means  
19 of reducing the cohort default rate or the  
20 adjusted cohort default rate of the institu-  
21 tion.”; and

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

23 “(9) INELIGIBILITY BASED ON HIGH ADJUSTED  
24 COHORT DEFAULT RATES.—



1           “(A) IN GENERAL.—Except as provided in  
2           subparagraphs (B) and (D), beginning on the  
3           date that is one year after the date on which  
4           the final adjusted cohort default rates are pub-  
5           lished by the Secretary for not less than 3 fiscal  
6           years, in a case in which one of the following  
7           determinations is made with respect to an insti-  
8           tution, such institution shall be ineligible to  
9           participate in a program under this title for the  
10          fiscal year for which the determination is made  
11          and for the two succeeding fiscal years:

12                   “(i) The institution’s adjusted cohort  
13                   default rate is greater than 20 percent for  
14                   each of the 3 most recent fiscal years for  
15                   which the final adjusted cohort default  
16                   rates are published.

17                   “(ii) With respect to the 6 most re-  
18                   cent fiscal years for which the final ad-  
19                   justed cohort default rates are published—

20                           “(I) the institution’s adjusted co-  
21                           hort default rate is greater than 15  
22                           percent for each such fiscal year; and

23                           “(II) the Secretary determines  
24                           that, during such 6-year period, the  
25                           institution has not made adequate

1 progress in meeting standards for stu-  
2 dent achievement established by the  
3 relevant accrediting agency or associa-  
4 tion pursuant to section 496(a)(5)(A).

5 “(iii) With respect to the 8 most re-  
6 cent fiscal years for which the final ad-  
7 justed cohort default rates are published—

8 “(I) the institution’s adjusted co-  
9 hort default rate is greater than 10  
10 percent for each such fiscal year; and

11 “(II) the Secretary determines  
12 that, during such 8-year period, the  
13 institution has not made adequate  
14 progress in meeting standards for stu-  
15 dent achievement established by the  
16 relevant accrediting agency or associa-  
17 tion pursuant to section 496(a)(5)(A).

18 “(B) EXCEPTIONS FOR CERTAIN CAT-  
19 EGORIES OF EDUCATIONAL PROGRAMS.—With  
20 respect to an institution that loses eligibility to  
21 participate in a program under this title in ac-  
22 cordance with subparagraph (A)(ii), such insti-  
23 tution may request and be granted an exception  
24 to such loss of eligibility for a category of edu-  
25 cational programs at such institution by dem-

1           onstrating to the Secretary that the adjusted  
2           cohort default rate for the category of edu-  
3           cational programs is 15 percent or less for each  
4           fiscal year of the 6-year period on which such  
5           loss of eligibility for the institution is based.

6                   “(C) DETERMINATION OF THE ADJUSTED  
7           COHORT RATE FOR A CATEGORY OF EDU-  
8           CATIONAL PROGRAMS.—In determining the ad-  
9           justed cohort default rate for a category of edu-  
10          cational programs for purposes of this para-  
11          graph—

12                   “(i) subsection (m) shall be applied—

13                           “(I) in paragraph (1)—

14                                   “(aa) in subparagraph (A),  
15                                   by substituting ‘received for en-  
16                                   rollment in the category of edu-  
17                                   cational programs for which such  
18                                   rate is being determined’ for ‘re-  
19                                   ceived for attendance at the insti-  
20                                   tution’; and

21                                   “(bb)     in     subparagraph  
22                                   (E)(i)(II), by substituting, ‘per-  
23                                   centage of students enrolled in  
24                                   the category of educational pro-  
25                                   grams for which such rate is

1 being determined' for 'percentage  
2 of students enrolled at the insti-  
3 tution'; and

4 “(II) as if the following were  
5 added at the end of paragraph (2):

6 ““(E) In the case of a student who has re-  
7 ceived a loan for enrollment in more than one  
8 category of educational programs, the student  
9 (and such student’s subsequent repayment or  
10 default) is attributed to the last category of  
11 educational programs in which such student  
12 was enrolled.’.

13 “(D) TRANSITION EXCEPTION.—

14 “(i) IN GENERAL.—A covered institu-  
15 tion with an adjusted cohort default rate  
16 that is greater than 20 percent for the  
17 first fiscal year for which such rates are  
18 published by the Secretary may request  
19 that any determination of such institu-  
20 tion’s ineligibility under paragraph (9)(A)  
21 not be based on the adjusted cohort default  
22 rate of such institution for any or all of  
23 the first 3 fiscal years for which such rates  
24 are published by the Secretary.

1           “(ii) REQUIREMENT.—To be granted  
2           a request under clause (i), an institution  
3           shall submit to the Secretary a default  
4           management plan as specified in para-  
5           graph (7).

6           “(iii) DEFINITION OF COVERED INSTI-  
7           TUTION.—In this subparagraph, the term  
8           ‘covered institution’ means—

9                   “(I) a public institution of higher  
10                  education;

11                  “(II) a part B institution (as de-  
12                  fined in section 322); or

13                  “(III) a private, nonprofit insti-  
14                  tution of higher education at which  
15                  not less than 45 percent of the total  
16                  student enrollment consists of low-in-  
17                  come students (as such term is de-  
18                  fined in section 419N(b)(7)).

19           “(E) CATEGORY OF EDUCATIONAL PRO-  
20           GRAMS DEFINED.—The term ‘category of edu-  
21           cational programs’, when used with respect to  
22           an institution, means one of the following:

23                   “(i) The educational programs at the  
24                   institution leading to an undergraduate,  
25                   non-degree credential.

1                   “(ii) The educational programs at the  
2                   institution leading to an associate’s degree.

3                   “(iii) The educational programs at the  
4                   institution leading to a bachelor’s degree.

5                   “(iv) The educational programs at the  
6                   institution leading to a graduate, non-de-  
7                   gree credential.

8                   “(v) The educational program at the  
9                   institution leading to a graduate degree.

10                  “(10) APPLICATION OF ADJUSTED COHORT DE-  
11                  FAULT RATE.—Beginning on the date on which the  
12                  final adjusted cohort default rates are published by  
13                  the Secretary for not less than 3 fiscal years—

14                         “(A) paragraph (1) shall be applied by  
15                         substituting ‘paragraph (9)’ for ‘paragraph (2)’.

16                         “(B) paragraph (3) shall be applied by  
17                         substituting ‘adjusted cohort default rate, cal-  
18                         culated in accordance with subsection  
19                         (m)(1)(D), is greater than 20 percent for any  
20                         3 consecutive fiscal years’ for ‘cohort default  
21                         rate, calculated in accordance with subsection  
22                         (m), is equal to or greater than the threshold  
23                         percentage specified in paragraph (2)(B)(iv) for  
24                         any two consecutive fiscal years’;

25                         “(C) paragraph (4) shall be applied—

1           “(i) in subparagraph (C), by sub-  
2           stituting ‘adjusted cohort default rate is  
3           greater than 15 percent’ for ‘cohort default  
4           rate equals or exceeds 20 percent’; and

5           “(ii) in the matter following subpara-  
6           graph (C), by substituting ‘adjusted cohort  
7           default rate to reflect the percentage of de-  
8           faulted loans in the representative sample  
9           that are required to be excluded pursuant  
10          to subsection (m)(1)(B)’ for ‘cohort default  
11          rate to reflect the percentage of defaulted  
12          loans in the representative sample that are  
13          required to be excluded pursuant to sub-  
14          section (m)(1)(B)’;

15          “(D) paragraph (5)(A) shall be applied by  
16          substituting ‘paragraph (9)’ for ‘paragraph (2)’;  
17          and

18          “(E) paragraph (7) shall be applied—

19                 “(i) in subparagraph (A)(i)—

20                         “(I) in the matter preceding sub-  
21                         clause (I), by substituting ‘adjusted  
22                         cohort default rate is greater than 20  
23                         percent’ for ‘cohort default rate is  
24                         equal to or greater than the threshold

1 percentage specified in paragraph  
2 (2)(B)(iv)'; and

3 “(II) in subclauses (I) and (II),  
4 by substituting ‘adjusted cohort de-  
5 fault rate’ for ‘cohort default rate’;  
6 and

7 “(ii) in subparagraph (B)(i), by sub-  
8 stituting ‘adjusted cohort default rate is  
9 greater than 20 percent’ for ‘cohort default  
10 rate is equal to or greater than the thresh-  
11 old percentage specified in paragraph  
12 (2)(B)(iv)’.”.

13 (2) CONFORMING AMENDMENTS.—Section  
14 435(a)(2) of the Higher Education Act of 1965 (20  
15 U.S.C. 1085(a)) is amended—

16 (A) in the paragraph heading, by adding at  
17 the end the following: “BEFORE FISCAL YEAR  
18 2018”; and

19 (B) in subparagraph (B)(iv), by striking  
20 “and any succeeding fiscal year” and inserting  
21 “through fiscal year 2017”.

22 (b) ADJUSTED COHORT DEFAULT RATE DEFINED.—  
23 Section 435(m)(1) of the Higher Education Act of 1965  
24 (20 U.S.C. 1085(m)(1)) is amended by adding at the end  
25 the following:



1           “(D)(i) With respect to a cohort default  
2           rate calculated for an institution under this  
3           paragraph for fiscal year 2018 and for each  
4           succeeding fiscal year, such cohort default rate  
5           shall be adjusted as follows:

6           “(I) In determining the number of  
7           current and former students at an institu-  
8           tion who enter repayment for such fiscal  
9           year—

10           “(aa) any such student who is in  
11           nonmandatory forbearance for such  
12           fiscal year for a period of greater than  
13           18 months but less than 36 months  
14           shall not be counted as entering re-  
15           payment for such fiscal year;

16           “(bb) such a student shall be  
17           counted as entering repayment for the  
18           first fiscal year for which the student  
19           ceases to be in a period of forbearance  
20           and otherwise meets the requirements  
21           for being in repayment; and

22           “(cc) any such student who is in  
23           a period of forbearance for 3 or more  
24           years shall be counted as in default

1 and included in the institution's total  
2 number of students in default.

3 “(II) Such rate shall be multiplied by  
4 the percentage of students enrolled at the  
5 institution for such fiscal year who are  
6 borrowing a loan under part D of this title.

7 “(ii) The result obtained under this sub-  
8 paragraph for an institution shall be referred to  
9 in this Act as the ‘adjusted cohort default  
10 rate’.”.

11 (c) PUBLICATION OF ADJUSTED COHORT DEFAULT  
12 RATE.—Section 435(m) of the Higher Education Act of  
13 1965 (20 U.S.C. 1085(m)) is amended by adding at the  
14 end the following:

15 “(5) Beginning on the date on which the final  
16 adjusted cohort default rates for fiscal year 2018 are  
17 made available for publication by the Secretary,  
18 paragraph (4) shall be applied by substituting ‘ad-  
19 justed cohort default’ for ‘cohort default’ each place  
20 it appears.”.

1 **SEC. 4111. AUTOMATIC INCOME MONITORING PROCEDURES**  
2 **AFTER A TOTAL AND PERMANENT DIS-**  
3 **ABILITY DISCHARGE.**

4 Section 437(a) of the Higher Education Act of 1965  
5 (20 U.S.C. 1087(a)) is amended by adding at the end the  
6 following:

7 “(3) AUTOMATIC INCOME MONITORING.—

8 “(A) IN GENERAL.—Not later than 2 years  
9 after the date of enactment of the College Af-  
10 fordability Act, the Secretary shall establish  
11 and implement, with respect to any borrower  
12 described in subparagraph (B), procedures to—

13 “(i) obtain (for each year of the in-  
14 come-monitoring period described in sub-  
15 paragraph (B) and without further action  
16 by the borrower) such information as is  
17 reasonably necessary regarding the income  
18 of such borrower for the purpose of deter-  
19 mining the borrower’s continued eligibility  
20 for the loan discharge described in sub-  
21 paragraph (B) for such year, and any  
22 other information necessary to determine  
23 such continued eligibility of the borrower  
24 for such year, except that in the case of a  
25 borrower whose returns and return infor-  
26 mation indicate that the borrower has no

1           earned income for any year of such in-  
2           come-monitoring period, such borrower  
3           shall be treated as not having earned in-  
4           come in excess of the poverty line for such  
5           year subject to clause (ii);

6           “(ii) allow the borrower, at any time,  
7           to opt out of clause (i) and prevent the  
8           Secretary from obtaining information  
9           under such clause without further action  
10          by the borrower; and

11          “(iii) provide the borrower with an op-  
12          portunity to update the information ob-  
13          tained under clause (i) before the deter-  
14          mination of the borrower’s continued eligi-  
15          bility for such loan discharge for such  
16          year.

17          “(B) APPLICABILITY.—Subparagraph (A)  
18          shall apply—

19          “(i) to each borrower of a covered  
20          loan (defined in section 455(d)(10)) that is  
21          discharged under this subsection or section  
22          464(c)(1)(F) due to the permanent and  
23          total disability of the borrower; and

1           “(ii) during the income-monitoring pe-  
2           riod under this subsection, defined in this  
3           paragraph as the period—

4                   “(I) beginning on the date on  
5                   which such loan is so discharged; and

6                   “(II) during which the Secretary  
7                   determines whether a reinstatement of  
8                   the obligation of, and resumption of  
9                   collection on, such loan may be nec-  
10                  essary.”.

11 **SEC. 4112. REPAYMENT OF PARENT LOANS DUE TO STU-**  
12 **DENT DISABILITY.**

13           Section 437(d) of the Higher Education Act of 1965  
14 (20 U.S.C. 1087(d)) is amended—

15           (1) by striking “If a student” and inserting the  
16           following:

17                   “(1) DEATH.—If a student”; and

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

19                   “(2) DISABILITY.—

20                           “(A) IN GENERAL.—The Secretary shall  
21                           discharge a parent’s liability on a loan de-  
22                           scribed in section 428B by repaying the amount  
23                           owed on the loan if the student on whose behalf  
24                           the parent has received the loan—

1           “(i) becomes permanently and totally  
2           disabled (as determined in accordance with  
3           regulations of the Secretary); or

4           “(ii) is unable to engage in any sub-  
5           stantial gainful activity by reason of any  
6           medically determinable physical or mental  
7           impairment that can be expected to result  
8           in death, has lasted for a continuous pe-  
9           riod of not less than 60 months, or can be  
10          expected to last for a continuous period of  
11          not less than 60 months.

12          “(B) DISABILITY DETERMINATIONS.—Sub-  
13          section (a)(2) shall apply to a disability deter-  
14          mination under this paragraph in the same  
15          manner as such subsection applies to a deter-  
16          mination under subsection (a)(1).

17          “(C) SAFEGUARDS.—The safeguards to  
18          prevent fraud and abuse developed under sub-  
19          section (a)(1) shall apply under this paragraph.

20          “(D) REINSTATEMENT OF LOANS.—The  
21          Secretary may promulgate regulations to rein-  
22          state the obligation of, and resume collection  
23          on, loans discharged under this paragraph in  
24          cases in which the Secretary determines that  
25          the reinstatement and resumption is necessary

1 and appropriate based upon the regulations de-  
2 veloped under subsection (a)(1).”.

3 **PART C—FEDERAL WORK-STUDY PROGRAMS**

4 **SEC. 4201. PURPOSE; AUTHORIZATION OF APPROPRIA-**  
5 **TIONS.**

6 Section 441 of the Higher Education Act of 1965 (20  
7 U.S.C. 1087–51) is amended—

8 (1) in subsection (b), by striking “part, such  
9 sums as may be necessary for fiscal year 2009 and  
10 each of the five succeeding fiscal years.” and insert-  
11 ing “part—

12 “(1) \$1,500,000,000 for fiscal year 2021;

13 “(2) \$1,750,000,000 for fiscal year 2022;

14 “(3) \$2,000,000,000 for fiscal year 2023;

15 “(4) \$2,250,000,000 for fiscal year 2024; and

16 “(5) \$2,500,000,000 for fiscal year 2025 and  
17 each succeeding fiscal year.”;

18 (2) in subsection (c)—

19 (A) in paragraph (1), by inserting “child  
20 development and early learning (including Head  
21 Start and Early Head Start programs carried  
22 out under the Head Start Act (42 U.S.C. 9831  
23 et seq.)),”, before “literacy training.”;

24 (B) in paragraph (3), by striking “and”;

1 (C) in paragraph (4)(C), by striking the  
2 period at the end and inserting “; and”; and

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

4 “(5) work-based learning designed to give stu-  
5 dents experience in any activity described in para-  
6 graph (1), (2), (3), or (4), without regard to whether  
7 credit is awarded.”; and

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

9 “(d) WORK-BASED LEARNING DEFINED.—For pur-  
10 poses of this part, the term ‘work-based learning’ means  
11 sustained interactions with industry, community, or aca-  
12 demic professionals in real workplace settings that shall—

13 “(1) include on campus opportunities;

14 “(2) foster in-depth, first-hand engagement  
15 with the tasks required of a given career field that  
16 are aligned to a student’s field of study; and

17 “(3) may include internships, fellowships, re-  
18 search assistant positions, teacher residencies, and  
19 apprenticeships registered under the Act of August  
20 16, 1937 (commonly known as the “National Ap-  
21 prenticeship Act”; 50 Stat. 664, chapter 663; 29  
22 U.S.C. 50 et seq.).”.

23 **SEC. 4202. 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 **“SEC. 4202. ALLOCATION OF FUNDS.**

2 “(a) RESERVATIONS.—

3 “(1) RESERVATION FOR IMPROVED INSTITU-  
4 TIONS.—

5 “(A) AMOUNT OF RESERVATION FOR IM-  
6 PROVED INSTITUTIONS.—Beginning with the  
7 first fiscal year that is 2 years after the date  
8 of the enactment of the College Affordability  
9 Act, for a fiscal year in which the amount ap-  
10 propriated under section 441(b) exceeds  
11 \$700,000,000, the Secretary shall—

12 “(i) reserve the lesser of—

13 “(I) an amount equal to 20 per-  
14 cent of the amount by which the  
15 amount appropriated under section  
16 441(b) exceeds \$700,000,000; or

17 “(II) \$150,000,000; and

18 “(ii) allocate the amount reserved  
19 under clause (i) to each improved institu-  
20 tion in an amount equal to the greater of  
21 the following:

22 “(I) The amount that bears the  
23 same proportion to the amount re-  
24 served under clause (i) as the total  
25 amount of all Federal Pell Grant  
26 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) par-  
15                      ticipating under this part;

16                      “(ii) is with respect to—

17                               “(I) the completion rate or grad-  
18                               uation rate of Federal Pell Grant re-  
19                               cipients at the institution, in the top  
20                               75 percent of all institutions partici-  
21                               pating under this part for the pre-  
22                               ceding fiscal year;

23                               “(II) the percentage of Federal  
24                               Pell Grant recipients at the institu-  
25                               tion, in the top 50 percent of the in-

1                   stitutions described in subclause (I);  
2                   and

3                   “(III) the annual increase in the  
4                   completion rate or graduation rate of  
5                   Federal Pell Grant recipients at the  
6                   institution, in the top 50 percent of  
7                   the institutions described in sub-  
8                   clauses (I) and (II).

9                   “(C) COMPLETION RATE OR GRADUATION  
10                  RATE.—For purposes of determining the com-  
11                  pletion rate or graduation rate under this sec-  
12                  tion, a Federal Pell Grant recipient who is ei-  
13                  ther a full-time student or a part-time student  
14                  shall be counted as a completer or graduate if,  
15                  within 150 percent of the normal time for com-  
16                  pletion of or graduation from the program, the  
17                  student has completed or graduated from the  
18                  program, or enrolled in any program of an in-  
19                  stitution participating in any program under  
20                  this title for which the prior program provides  
21                  substantial preparation.

22                  “(2) RESERVATION FOR GRANT PROGRAM.—  
23                  From the amount appropriated under section 441(b)  
24                  for a fiscal year and remaining after the Secretary  
25                  reserves funds under subparagraph (A), the Sec-

1       retary shall reserve \$30,000,000 to carry out grants  
2       under section 449.

3               “(3) REALLOCATION OF AMOUNT RETURNED BY  
4       IMPROVED INSTITUTIONS.—If an institution returns  
5       to the Secretary any portion of the sums allocated  
6       to such institution under this subsection for any fis-  
7       cal year, the Secretary shall reallocate such excess to  
8       improved institutions on the same basis as under  
9       paragraph (1)(A).

10              “(4) PUBLICATION.—Beginning 1 year after  
11       the first allocations are made to improved institu-  
12       tions under paragraph (1)(A) and annually there-  
13       after, the Secretary shall make publicly available—

14                      “(A) a list of the improved institutions  
15                      that received funding under such paragraph in  
16                      the prior fiscal year;

17                      “(B) the percentage of students at each  
18                      such improved institution that are Federal Pell  
19                      Grant recipients;

20                      “(C) the completion rate or graduation  
21                      rate for the students described in subparagraph  
22                      (B) with respect to each such improved institu-  
23                      tion; and

24                      “(D) a comparison between the informa-  
25                      tion described in subparagraphs (A), (B), and

1 (C) for the prior fiscal year for such improved  
2 institution, and such information for the year  
3 prior to such year.

4 “(c) ALLOCATION FORMULA FOR FISCAL YEARS  
5 2021 THROUGH 2025.—

6 “(1) IN GENERAL.—From the amount appro-  
7 priated under section 441(b) for a fiscal year and re-  
8 maining after the Secretary reserves funds under  
9 subsection (a), the Secretary shall allocate to each  
10 institution—

11 “(A) for fiscal year 2021, an amount equal  
12 to the greater of—

13 “(i) 90 percent of the amount the in-  
14 stitution received under this subsection  
15 and subsection (a) for fiscal year 2020, as  
16 such subsections were in effect with re-  
17 spect to such fiscal year (in this subpara-  
18 graph referred to as ‘the 2020 amount for  
19 the institution’); or

20 “(ii) the fair share amount for the in-  
21 stitution determined under subsection (d);

22 “(B) for fiscal year 2022, an amount equal  
23 to the greater of—

24 “(i) 80 percent of the 2020 amount  
25 for the institution; or

1                   “(ii) the fair share amount for the in-  
2                   stitution determined under subsection (d);

3                   “(C) for fiscal year 2023, an amount equal  
4                   to the greater of—

5                   “(i) 60 percent of the 2020 amount  
6                   for the institution; or

7                   “(ii) the fair share amount for the in-  
8                   stitution determined under subsection (d);

9                   “(D) for fiscal year 2024, an amount equal  
10                  to the greater of—

11                  “(i) 40 percent of the 2020 amount  
12                  for the institution; or

13                  “(ii) the fair share amount for the in-  
14                  stitution determined under subsection (d);

15                  and

16                  “(E) for fiscal year 2025, an amount equal  
17                  to the greater of—

18                  “(i) 20 percent of the 2020 amount  
19                  for the institution; or

20                  “(ii) the fair share amount for the in-  
21                  stitution determined under subsection (d).

22                  “(2) RATABLE REDUCTION.—

23                  “(A) IN GENERAL.—If the amount appro-  
24                  priated under section 441(b) for a fiscal year  
25                  and remaining after the Secretary reserves

1 funds under subsection (a) is less than the  
2 amount required to be allocated to the institu-  
3 tions under this subsection, then the amount of  
4 the allocation to each institution shall be rat-  
5 ably reduced.

6 “(B) ADDITIONAL APPROPRIATIONS.—If  
7 the amounts allocated to each institution are  
8 ratably reduced under subparagraph (A) for a  
9 fiscal year and additional amounts are appro-  
10 priated for such fiscal year, the amount allo-  
11 cated to each institution from the additional  
12 amounts shall be increased on the same basis as  
13 the amounts under subparagraph (A) were re-  
14 duced (until each institution receives the  
15 amount required to be allocated under this sub-  
16 section).

17 “(d) ALLOCATION FORMULA FOR FISCAL YEAR 2026  
18 AND EACH SUCCEEDING FISCAL YEAR.—Except as pro-  
19 vided in subsection (d)(5), from the amount appropriated  
20 under section 441(b) for fiscal year 2026 and each suc-  
21 ceeding fiscal year and remaining after the Secretary re-  
22 serves funds under subsection (a), the Secretary shall allo-  
23 cate to each institution the fair share amount for the insti-  
24 tution determined under subsection (d).

25 “(e) DETERMINATION OF FAIR SHARE AMOUNT.—

1           “(1) IN GENERAL.—Subject to paragraph (2),  
2           the fair share amount for an institution for a fiscal  
3           year shall be equal to the sum of—

4                   “(A) 100 percent of the institution’s un-  
5                   dergraduate student need described in para-  
6                   graph (2) for the preceding fiscal year; and

7                   “(B) 25 percent of the institution’s grad-  
8                   uate student need described in paragraph (3)  
9                   for the preceding fiscal year.

10           “(2) INSTITUTIONAL UNDERGRADUATE STU-  
11           DENT NEED CALCULATION.—The undergraduate  
12           student need for an institution for a fiscal year shall  
13           be equal to the sum of the following:

14                   “(A) An amount equal to 50 percent of the  
15                   amount that bears the same proportion to the  
16                   available appropriated amount for such fiscal  
17                   year as the total amount of Federal Pell Grant  
18                   funds awarded at the institution for the pre-  
19                   ceding fiscal year bears to the total amount of  
20                   Federal Pell Grant funds awarded at all institu-  
21                   tions participating under this part for the pre-  
22                   ceding fiscal year.

23                   “(B) An amount equal to 50 percent of the  
24                   amount that bears the same proportion to the  
25                   available appropriated amount for such fiscal



1           year as the total amount of the undergraduate  
2           student need at the institution for the preceding  
3           fiscal year bears to the total amount of under-  
4           graduate student need at all institutions partici-  
5           pating under this part for the preceding fiscal  
6           year.

7           “(3) INSTITUTIONAL GRADUATE STUDENT  
8           NEED CALCULATION.—The graduate student need  
9           for an institution for a fiscal year shall be equal to  
10          the amount that bears the same proportion to the  
11          available appropriated amount for such fiscal year as  
12          the total amount of the graduate student need at the  
13          institution for the preceding fiscal year bears to the  
14          total amount of graduate student need at all institu-  
15          tions participating under this part for the preceding  
16          fiscal year.

17          “(4) ELIGIBILITY FOR FAIR SHARE AMOUNT.—  
18          The Secretary may not allocate funds under this  
19          part to any institution that, for two or more fiscal  
20          years during any three fiscal year period beginning  
21          not earlier than the first day of the first fiscal year  
22          that is 2 years after the date of the enactment of  
23          this paragraph, has—

1           “(A) a student population with less than 7  
2           percent of undergraduate students who are re-  
3           cipients of Federal Pell Grants; or

4           “(B) if the institution only enrolls grad-  
5           uate students, a student population with less  
6           than 5 percent of students that have an ex-  
7           pected family contribution of zero.

8           “(5) DEFINITIONS.—In this subsection:

9           “(A)       AVAILABLE       APPROPRIATED  
10          AMOUNT.—In this section, the term ‘available  
11          appropriated amount’ means—

12               “(i) the amount appropriated under  
13               section 441(b) for a fiscal year, minus

14               “(ii) the amounts reserved under sub-  
15               section (a) for such fiscal year.

16           “(B) AVERAGE COST OF ATTENDANCE.—  
17          The term ‘average cost of attendance’ means,  
18          with respect to an institution, the average of  
19          the attendance costs for a fiscal year for stu-  
20          dents which shall include—

21               “(i) tuition and fees, computed on the  
22               basis of information reported by the insti-  
23               tution to the Secretary, which shall in-  
24               clude—

1                   “(I) total revenue received by the  
2                   institution from undergraduate and  
3                   graduate tuition and fees for the sec-  
4                   ond year preceding the year for which  
5                   it is applying for an allocation; and

6                   “(II) the institution’s enrollment  
7                   for such second preceding year;

8                   “(ii) standard living expenses equal to  
9                   150 percent of the difference between the  
10                  income protection allowance for a family of  
11                  five with one in college and the income  
12                  protection allowance for a family of six  
13                  with one in college for a single independent  
14                  student; and

15                  “(iii) books and supplies, in an  
16                  amount not exceeding \$1,000.

17                  “(C) GRADUATE STUDENT NEED.—The  
18                  term ‘graduate student need’ means, with re-  
19                  spect to a graduate student for a fiscal year,  
20                  the lesser of the following:

21                  “(i) The amount equal to (except the  
22                  amount computed by this clause shall not  
23                  be less than zero)—

1                   “(I) the average cost of attend-  
2                   ance for the preceding fiscal year,  
3                   minus

4                   “(II) such graduate student’s ex-  
5                   pected family contribution (computed  
6                   in accordance with part F of this  
7                   title) for the preceding fiscal year.

8                   “(ii) The total annual loan limit for a  
9                   Federal Direct Unsubsidized Stafford  
10                  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) such undergraduate stu-  
21                  dent’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 annual loan limit for a  
2                   Federal Direct Unsubsidized Stafford  
3                   Loan and a Federal Direct Loan.

4                   “(f) 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, to max-  
19                  imum extent practicable, be used to compensate stu-  
20                  dents employed in work-based learning 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 “(g) 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. 4203. 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) to read as  
18 follows:

19 “(2) provide that funds granted an institution  
20 of higher education, pursuant to this section may  
21 only be used to make payments to students partici-  
22 pating in work-study programs except that an insti-  
23 tution—

24 “(A) shall, beginning fiscal year 2023—

1           “(i) use at least 3 percent of the total  
2           amount of funds granted to such institu-  
3           tion under this section for such fiscal year  
4           to compensate students who have excep-  
5           tional need (as defined in section  
6           413C(c)(2)) and are employed in a work-  
7           based learning position during a qualified  
8           period of nonenrollment, as defined in sub-  
9           section (f), except that the Secretary may  
10          waive this clause if the Secretary deter-  
11          mines that enforcing this clause would  
12          cause hardship for students at the institu-  
13          tion; and

14           “(ii) use at least 7 percent of the total  
15          amount of funds granted to such institu-  
16          tion under this section for such fiscal year  
17          to compensate students employed in work-  
18          based learning positions, except that the  
19          Secretary may waive this clause if the Sec-  
20          retary determines that enforcing this  
21          clause would cause hardship for students  
22          at the institution;  
23          “(B) may—

1           “(i) use a portion of the sums granted  
2 to it to compensate students employed in  
3 community service;

4           “(ii) use a portion of the sums grant-  
5 ed to it to meet administrative expenses in  
6 accordance with section 489;

7           “(iii) use a portion of the sums grant-  
8 ed to it to meet the cost of a job location  
9 and development program in accordance  
10 with section 446 of this part; and

11           “(iv) transfer funds in accordance  
12 with the provisions of section 488;”;

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)—

19           (i) in subparagraph (A)(ii), by strik-  
20 ing “and” at the end;

21           (ii) in subparagraph (B), by inserting  
22 “and” after the semicolon; and

23           (iii) by adding at the end the fol-  
24 lowing:



1           “(C) the Federal share shall equal 100  
2           percent if the institution is eligible for assist-  
3           ance under title III or title V;”.

4           (D) in paragraph (6)—

5                 (i) by inserting “who demonstrate ex-  
6                 ceptional need (as defined in section  
7                 413C(c)(2))” after “students”; and

8                 (ii) by inserting “and prioritize em-  
9                 ployment for students who are currently  
10                homeless individuals described in section  
11                725 of the McKinney-Vento Homeless As-  
12                sistance Act (42 U.S.C. 11434a) or foster  
13                care youth” after “institution”;

14           (E) in paragraph (7), by striking “voca-  
15           tional” and inserting “career”;

16           (F) in paragraph (8)(A)(i), by striking “or  
17           vocational goals” and inserting “career goals”;

18           (G) in paragraph (10), by striking “; and”  
19           and inserting a semicolon;

20           (H) in paragraph (11), by striking the pe-  
21           riod at the end and inserting a semicolon; and

22           (I) by adding at the end the following:

23                 “(12) provide assurances that compensation of  
24                 students employed in the work-study program in ac-  
25                 cordance with the agreement shall include reim-

1 bursement for reasonable travel (not including the  
2 purchase of a vehicle) directly related to such work-  
3 study program;

4 “(13) provide assurances that the institution  
5 will administer and use feedback from the surveys  
6 required under section 450, to improve the experi-  
7 ences of students employed in the work-study pro-  
8 gram in accordance with the agreement;

9 “(14) provide assurances that the institution  
10 will collect data from students and employers such  
11 that the employment made available from funds  
12 under this part will, to the maximum extent prac-  
13 ticable, complement and reinforce the educational  
14 goals or career goals of each student receiving as-  
15 sistance under this part; and

16 “(15) provide assurances that if the institution  
17 receives funds under section 442(a)(1)(A), such in-  
18 stitution shall—

19 “(A) use such funds to compensate stu-  
20 dents employed in the work-study program in  
21 accordance with the agreement; and

22 “(B) prioritize the awarding of such funds  
23 (and increasing the amount of each award) to  
24 students—

1 “(i) who demonstrate exceptional need  
2 (as defined in section 413C(c)(2)); and

3 “(ii) who are employed in work-based  
4 learning opportunities through the work  
5 study program in accordance with the  
6 agreement.”;

7 (2) in subsection (c)—

8 (A) by amending paragraph (2) to read as  
9 follows:

10 “(2) provide that—

11 “(A) in the case of an institution that has  
12 not received a waiver from the Secretary, such  
13 institution will not use more than 25 percent of  
14 the funds made available to such institution  
15 under this part for any fiscal year for the oper-  
16 ation of the program described in paragraph  
17 (1); and

18 “(B) in the case of an institution that has  
19 received a waiver from the Secretary, such in-  
20 stitution will not use more than 50 percent of  
21 the funds made available to such institution  
22 under this part for any fiscal year for the oper-  
23 ation of the program described in paragraph  
24 (1);”.

25 (B) in paragraph (4)—

1 (i) by inserting “and complement and  
2 reinforce the educational goals or career  
3 goals of each student receiving assistance  
4 under this part” after “academically rel-  
5 evant”; and

6 (ii) by striking “and” at the end;

7 (C) in paragraph (5), by striking the pe-  
8 riod at the end and inserting “; and”; and

9 (D) by adding at the end the following:

10 “(6) provide assurances that compensation of  
11 students employed in the work-study program in ac-  
12 cordance with the agreement shall include reim-  
13 bursement for reasonable travel (not including the  
14 purchase of a vehicle) directly related to such work-  
15 study program.”;

16 (3) in subsection (d)(1)—

17 (A) by striking “In any academic year to  
18 which subsection (b)(2)(A) applies, an institu-  
19 tion shall ensure that” and inserting “An insti-  
20 tution may use the”; and

21 (B) by striking “travel” and inserting  
22 “reasonable travel (not including the purchase  
23 of a vehicle)”; and

24 (4) by adding at the end the following:

25 “(f) QUALIFIED PERIOD OF NONENROLLMENT.—

1           “(1) IN GENERAL.—A student may be awarded  
2 work-study employment during a qualified period of  
3 nonenrollment if—

4           “(A) the student demonstrates exceptional  
5 need (as defined in section 413C(e)(2)) in the  
6 award year prior to the qualified period of non-  
7 enrollment;

8           “(B) the student is employed in a work-  
9 based learning position; and

10          “(C) the employment—

11           “(i) involves less than 25 percent ad-  
12 ministrative work; and

13           “(ii) is for at least 20 hours per week,  
14 unless the institution waives such require-  
15 ment—

16           “(I) at the request of the stu-  
17 dent; or

18           “(II) based on a finding by the  
19 institution that such requirement pre-  
20 sents a hardship in finding a work-  
21 based learning position for the stu-  
22 dent.

23          “(2) FUNDS EARNED.—

24           “(A) IN GENERAL.—Any funds earned by  
25 a student (beyond standard living expenses (as

1 such term is described in section  
2 413D(c)(3)(C))) during the qualified period of  
3 nonenrollment less than or equal to \$2,500 may  
4 not be applied to such student's cost of attend-  
5 ance for the next period in which the student  
6 is enrolled.

7 “(B) EXCESS FUNDS.—Any funds earned  
8 by a student (beyond standard living expenses  
9 (as such term is described in section  
10 413D(c)(3)(C))) during the qualified period of  
11 nonenrollment in excess of \$2,500 shall be ap-  
12 plied to such student's cost of attendance for  
13 the next period in which the student is enrolled.

14 “(3) DEFINITION OF QUALIFIED PERIOD OF  
15 NONENROLLMENT.—In this subsection, the term  
16 ‘qualified period of nonenrollment’ means, with re-  
17 spect to a student, a period of nonenrollment that—

18 “(A) occurs between a period of enrollment  
19 and a period of anticipated enrollment; and

20 “(B) the duration of which is no longer  
21 than 6 months.”.

22 **SEC. 4204. FLEXIBLE USE OF FUNDS.**

23 Section 445 of the Higher Education Act of 1965 (20  
24 U.S.C. 1087–55) is amended—

1 (1) in subsection (a), by adding at the end the  
2 following:

3 “(3) In addition to the carry-over sums author-  
4 ized under paragraph (1) of this section, an institu-  
5 tion may permit a student who completed the pre-  
6 vious award period to continue to earn unearned  
7 portions of the student’s work-study award from  
8 that previous period if—

9 “(A) any reduction in the student’s need  
10 upon which the award was based is accounted  
11 for in the remaining portion; and

12 “(B) the student is currently employed in  
13 a work-based learning position.”; and

14 (2) by striking “10 percent” both places it ap-  
15 pears and inserting “20 percent”.

16 **SEC. 4205. JOB LOCATION AND DEVELOPMENT PROGRAMS.**

17 (a) AMENDMENTS.—Section 446 of the Higher Edu-  
18 cation Act of 1965 (20 U.S.C. 1087–56) is amended—

19 (1) in subsection (a)—

20 (A) in paragraph (1), by striking “10 per-  
21 cent or \$75,000” and inserting “20 percent or  
22 \$150,000”; and

23 (B) in paragraph (2), by striking “voca-  
24 tional” and inserting “career”; and

25 (2) in subsection (b)—

1 (A) by striking paragraphs (1) and (2);

2 and

3 (B) by inserting before paragraph (3) the

4 following:

5 “(1) provide satisfactory assurance that the in-

6 stitution will prioritize placing students with excep-

7 tional need (as defined in section 413C(c)(2)) and

8 Federal work-study recipients in jobs located and de-

9 veloped under this section; and

10 “(2) provide satisfactory assurances that the

11 funds available under this section will be used to lo-

12 cate and develop work-based learning positions;”;

13 and

14 (C) in paragraph (6), by striking the pe-

15 riod and inserting “, including—

16 “(A) the number of students employed in

17 work-based learning positions through such pro-

18 gram;

19 “(B) the number of students dem-

20 onstrating exceptional need (as defined in sec-

21 tion 413C(c)(2)) and Federal work-study recipi-

22 ents employed through such program; and

23 “(C) the number of students dem-

24 onstrating exceptional need (as defined in sec-

25 tion 413C(c)(2)) and Federal work-study recipi-



1           ents employed in work-based learning positions  
2           through such program.”.

3           (b) **CLARIFICATION ON CARRY-OVER AUTHORITY.**—  
4   Of the sums granted to an eligible institution under part  
5   C of title IV of the Higher Education Act (20 U.S.C.  
6   1087–51) for any fiscal year, 10 percent may, at the dis-  
7   cretion of the institution, remain available for expenditure  
8   during the succeeding fiscal year to carry out programs  
9   under such part, including the job location and develop-  
10  ment programs under section 446 of such Act (20 U.S.C.  
11  1087–56).

12 **SEC. 4206. COMMUNITY SERVICE.**

13           Section 447 of the Higher Education Act of 1965 (20  
14  U.S.C. 1087–57) is amended to read as follows:

15 **“SEC. 447. ADDITIONAL FUNDS TO CONDUCT COMMUNITY**  
16 **SERVICE WORK STUDY PROGRAMS.**

17           “Each institution participating under this part may  
18  use up to 10 percent of the funds made available under  
19  section 489(a) and attributable to the amount of the insti-  
20  tution’s expenditures under this part to conduct that insti-  
21  tution’s program of community service-learning, includ-  
22  ing—

23                   “(1) development of mechanisms to assure the  
24           academic quality of the student experience;

1           “(2) assuring student access to educational re-  
2           sources, expertise, and supervision necessary to  
3           achieve community service objectives;

4           “(3) assuring, to the maximum extent prac-  
5           ticable, that the community service-learning program  
6           will support the educational goals or career goals of  
7           students participating in such program;

8           “(4) collaboration with public and private non-  
9           profit agencies, and programs assisted under the  
10          National and Community Service Act of 1990 in the  
11          planning, development, and administration of such  
12          programs; and

13          “(5) to recruit and compensate students for  
14          community service-learning (including compensation  
15          for time spent in training and for reasonable travel  
16          (not including the purchase of a vehicle) directly re-  
17          lated to such community service).”.

18   **SEC. 4207. PILOT GRANT PROGRAM.**

19          Part C of title IV of the Higher Education Act (20  
20   U.S.C. 1087–51 et seq.) is amended by adding at the end  
21   the following:

22   **“SEC. 449. WORK-BASED LEARNING OPPORTUNITIES PILOT**  
23                           **GRANT PROGRAM.**

24          “(a) ESTABLISHMENT.—

1           “(1) IN GENERAL.—The Secretary shall estab-  
2           lish a program to provide grants to eligible institu-  
3           tions participating under this part to establish or ex-  
4           pand a program to develop work-based learning posi-  
5           tions.

6           “(2) LIMITATIONS.—

7                   “(A) DURATION.—A grant awarded under  
8                   this section shall be for a period of not more  
9                   than 4 years, but may be renewed by the Sec-  
10                  retary for a period of 2 years.

11                   “(B) AMOUNT.—A grant under this sec-  
12                   tion may not be in an amount greater than  
13                   \$1,000,000.

14           “(b) APPLICATION.—To be selected to receive a grant  
15           under this section an eligible institution participating  
16           under this part shall submit an application to the Sec-  
17           retary at such time, in such manner, and containing such  
18           information as the Secretary may require, including a plan  
19           that describes how the eligible institution will establish or  
20           expand a program to develop work-based learning posi-  
21           tions that will—

22                   “(1) benefit students who demonstrate excep-  
23                   tional need (as defined in section 413C(e)(2));

24                   “(2) identify high-demand occupations (as de-  
25                   termined by the Bureau of Labor and Statistics,

1 State departments of labor, and local workforce in-  
2 vestment boards) and develop partnerships with  
3 high-demand employers (including nonprofit organi-  
4 zations, for-profit firms, or public agencies);

5 “(3) involve participating employers in evalu-  
6 ating and improving such program;

7 “(4) track and report academic and employ-  
8 ment outcomes for participating students; and

9 “(5) be able to continue after the end of the  
10 grant term.

11 “(c) USE OF FUNDS.—Grant funds awarded under  
12 this program shall be used to pay wages for students par-  
13 ticipating under this program and develop work-based  
14 learning positions that—

15 “(1) are for a period of at least 12 weeks;

16 “(2) serve students who demonstrate excep-  
17 tional need (as defined in section 413C(c)(2));

18 “(3) limit administrative work to no more than  
19 25 percent of such position;

20 “(4) provide a minimum of 15 hours of work  
21 per week during periods of enrollment and 30 hours  
22 per week during periods of nonenrollment, except  
23 such requirement may be waived by the institution  
24 in consultation with a student;

1           “(5) include career coaching from participating  
2 employers (including mock interviews, resume writ-  
3 ing assistance, and counseling on applying for and  
4 attaining employment); and

5           “(6) provide participating students with oppor-  
6 tunities to meet with employers in fields or indus-  
7 tries related to those of participating employers.

8           “(d) REPORT.—On a date that is before the date on  
9 which the period of the grant received by an eligible insti-  
10 tution under this section terminates, such institution shall  
11 submit a report to the Secretary including—

12           “(1) the graduation rate or completion rate (as  
13 described under section 442(a)(1)(C)) with respect  
14 to students participating in work-based learning po-  
15 sitions under the pilot program; and

16           “(2) the results of the work-based learning op-  
17 portunities program for which such institution re-  
18 ceived such grant, including—

19           “(A) participating students’ satisfaction  
20 with the program as reported in surveys under  
21 section 450, as amended by section 4208 of the  
22 College Affordability Act;

23           “(B) the types of jobs in which partici-  
24 pating students were employed and the types of  
25 duties performed in such jobs;

1           “(C) the academic programs of the partici-  
2           pating students;

3           “(D) the share of participating students  
4           who worked at another job, in addition to the  
5           one under the pilot program;

6           “(E) the percentage of participating stu-  
7           dents who, during the second quarter after  
8           completing their academic program, are in edu-  
9           cation or training activities or unsubsidized em-  
10          ployment;

11          “(F) the percentage of participating stu-  
12          dents employed in high-demand occupations  
13          within 2 quarters of completing their academic  
14          programs; and

15          “(G) other items as deemed relevant by the  
16          Secretary.

17          “(e) RESERVATION OF FUNDING FOR SUCH PRO-  
18          GRAM.—From the amount appropriated under section  
19          441(b) for a fiscal year and remaining after the Secretary  
20          reserves funds under section 442(a)(1), the Secretary shall  
21          reserve \$30,000,000 to carry out grants under this sec-  
22          tion.”.

23          **SEC. 4208. DEPARTMENT ACTIVITIES.**

24          Part C of title IV of the Higher Education Act of  
25          1965 (20 U.S.C. 1087–51 et seq.), as amended by section

1 4207, is further amended by adding at the end the fol-  
2 lowing:

3 **“SEC. 450. DEPARTMENT ACTIVITIES.**

4 “(a) SURVEYS.—Not later than 1 year after the date  
5 of the enactment of this section, the Secretary shall de-  
6 velop, in consultation with work-study administrators from  
7 institutions of higher education, participating employers,  
8 and participating students—

9 “(1) a consumer-tested electronic survey for  
10 students awarded work-study employment under the  
11 Federal work-study program under this part that—

12 “(A) measures each such student’s satis-  
13 faction with the Federal work-study program,  
14 including—

15 “(i) any complaints the student has  
16 with respect to the program;

17 “(ii) the amount and quality of the  
18 on-the-job training the student received;

19 “(iii) the amount and quality of on-  
20 the-job supervision and employer feedback  
21 the student received;

22 “(iv) the amount and quality of infor-  
23 mation provided by the institution about  
24 the work-study program and job opportuni-

1 ties and the availability of work-study staff  
2 at the institution;

3 “(v) the quality of the assistance pro-  
4 vided by the institution to the student in  
5 finding a work-study job and the avail-  
6 ability of types of jobs; and

7 “(vi) the student’s overall satisfaction  
8 with the work-study program;

9 “(B) measures the applicability of work-  
10 study employment to the educational goals and  
11 career goals of each such student;

12 “(C) elicits an assessment by each such  
13 student of the capacity to manage time between  
14 work-study employment and coursework;

15 “(D) measures, with respect to the pro-  
16 gram—

17 “(i) the award amounts under the  
18 program;

19 “(ii) the average number of hours stu-  
20 dents worked per week, and the wages re-  
21 ceived for such work;

22 “(iii) the number of on campus jobs  
23 and off campus jobs;

24 “(iv) how students located work-study  
25 positions;



1 “(v) the work performed at each job;

2 “(vi) whether students worked addi-  
3 tional jobs while employed in a work-study  
4 job (and the reason for such additional  
5 job);

6 “(vii) whether the work-study employ-  
7 ment had an impact on the student’s aca-  
8 demic performance; and

9 “(viii) the voluntarily disclosed demo-  
10 graphics of students awarded work-study  
11 employment; and

12 “(E) includes such information as the Sec-  
13 retary may require; and

14 “(2) a consumer-tested electronic survey for  
15 employers of students described in paragraph (1)  
16 that—

17 “(A) measures each such employer’s satis-  
18 faction with the Federal work-study program,  
19 including—

20 “(i) the extent to which the employer  
21 is satisfied with its ability to accommodate  
22 students’ schedules;

23 “(ii) the extent to which student-em-  
24 ployees are prepared for the duties adver-  
25 tised for the job; and

1                   “(iii) the extent to which the employer  
2                   is satisfied with opportunities to make rec-  
3                   ommendations for improving institutions’  
4                   academic programs;

5                   “(B) elicits an assessment by each such  
6                   employer of—

7                   “(i) any complaints the employer had  
8                   with respect to the program;

9                   “(ii) any skills or knowledge necessary  
10                  for the job that student-employees are  
11                  lacking; and

12                  “(iii) the extent of outreach from in-  
13                  stitutions to the employer; and

14                  “(C) includes such information as the Sec-  
15                  retary may require; and

16                  “(3) a consumer-tested electronic survey that,  
17                  not less than once every 4 years, with respect to  
18                  each institution of higher education participating in  
19                  the Federal work-study program, measures—

20                  “(A) methods used to recruit on-campus  
21                  and off-campus employers;

22                  “(B) if an institution operates a job loca-  
23                  tion development program—

24                  “(i) the share of jobs filled on-campus  
25                  and off-campus;

- 1 “(ii) the share of jobs filled by—  
2 “(I) work-study recipients; and  
3 “(II) students who demonstrate  
4 exceptional need (as defined in section  
5 413C(c)(2));  
6 “(iii) the primary factors considered  
7 in matching work-study students and jobs;  
8 “(iv) the share of students employed  
9 in work-based learning opportunities; and  
10 “(v) the share of students employed  
11 during qualified periods of nonenrollment,  
12 including the share of students with excep-  
13 tional need (as defined in section  
14 413C(c)(2)) employed during qualified pe-  
15 riods of nonenrollment;  
16 “(C) the institution’s Federal and non-  
17 Federal contributions toward work-study wages;  
18 “(D) the primary factors considered in  
19 awarding students work-study and in deter-  
20 mining the amount of the award;  
21 “(E) the acceptance rate among students  
22 who were offered work-study aid; and  
23 “(F) other information the Secretary may  
24 require.

1       “(b) RESULTS.—The Secretary shall develop an on-  
2 line portal—

3               “(1) for students, employers, and institutions of  
4 higher education to access the surveys required  
5 under subsection (a); and

6               “(2) to compile the results of such surveys.

7       “(c) REPORT.—Not less than once every 4 years after  
8 the date of the enactment of this subsection, the Secretary  
9 shall submit a report to Congress that includes—

10               “(1) the data collected under this section (re-  
11 dacted for personal information);

12               “(2) with respect to students employed in work-  
13 study through the Federal work-study program—

14                       “(A) the types of jobs such students par-  
15 ticipated in;

16                       “(B) the average hours worked per week;

17                       “(C) the average award amount;

18                       “(D) the average wage rates;

19                       “(E) the extent to which students enter  
20 employment with skills and knowledge gained  
21 from work-study participation that have pre-  
22 pared them for the job; and

23                       “(F) the students’ satisfaction with the  
24 program and primary complaints;

1           “(3) the extent to which institutions conduct  
2 outreach to employers and engage them in discus-  
3 sions on improving academic programs;

4           “(4) the extent to which institutions conduct  
5 outreach to students and make jobs readily avail-  
6 able;

7           “(5) the extent to which the work-study employ-  
8 ment aligns with students’ academic programs or ca-  
9 reer goals;

10           “(6) the employers’ satisfaction with the pro-  
11 gram and primary complaints; and

12           “(7) recommendations for improving the pro-  
13 gram.

14           “(d) CONSULTATION.—

15           “(1) IN GENERAL.—In consulting with the enti-  
16 ties described in subsection (a) to create the elec-  
17 tronic surveys required under such subsection, the  
18 Secretary shall engage with—

19           “(A) a representative sample of institu-  
20 tions of higher education participating in the  
21 Federal work-study program;

22           “(B) a representative sample of employers  
23 participating in the Federal work-study pro-  
24 gram; and

1           “(C) a representative sample of students  
2 participating in the Federal work-study pro-  
3 gram.

4           “(2) RESPONSE RATE.—The Secretary shall—

5           “(A) consult with a survey consultant to  
6 develop a target response rate with respect to  
7 the electronic surveys required under subsection  
8 (a); and

9           “(B) provide guidance to institution with  
10 respect to such developed target response rate.

11          “(e) TECHNICAL ASSISTANCE.—The Secretary  
12 shall—

13           “(1) provide technical assistance to institutions  
14 participating under the Federal work-study program  
15 under this part to—

16           “(A) comply with the amendments made  
17 by part C of title IV of the College Affordability  
18 Act and the regulations issued pursuant to such  
19 part;

20           “(B) administer the surveys described in  
21 subsection (a) to students and employers par-  
22 ticipating in the Federal work-study program;  
23 and

24           “(C) ensure that Federal work-study posi-  
25 tions align with students’ educational goals or

1 career goals to the maximum extent practicable;  
2 and

3 “(2) issue guidance and provide technical as-  
4 sistance to institutions to support improved partner-  
5 ships and coordination among financial aid, career  
6 services, and academic advisors to administer the  
7 Federal work-study program.

8 “(f) AUTHORIZATION OF APPROPRIATIONS.—There  
9 is authorized to be appropriated \$2,000,000 to carry out  
10 subsection (a).”.

11 **SEC. 4209. STUDY AND REPORT.**

12 (a) STUDY.—The Comptroller General of the United  
13 States shall, not later than a reasonable amount of time  
14 after the date of the enactment of this Act, conduct a  
15 study on best practices for assisting students participating  
16 in the Federal work-study program under part C of title  
17 IV of the Higher Education Act (42 U.S.C. 1087–51 et  
18 seq.) with—

19 (1) connecting to off-campus employers;

20 (2) procuring work-based learning opportunities  
21 through such program;

22 (3) procuring employment that aligns with stu-  
23 dents’ educational goals or career goals;

24 (4) locating employment through job location  
25 and development programs;

1 (5) procuring employment in high-demand occu-  
2 pations;

3 (6) balancing employment with academic pro-  
4 grams to improve graduation and completion rates;  
5 and

6 (7) with respect to students with exceptional  
7 need (as defined in section 413C(e)(2) of the Higher  
8 Education Act of 1965 (20 U.S.C. 1070b-  
9 2(c)(2)))—

10 (A) locating and coordinating work-study  
11 employment during qualified periods of non-  
12 enrollment;

13 (B) increasing participation of such stu-  
14 dents in such work-study program; and

15 (C) limiting the need for additional em-  
16 ployment outside the work-study program.

17 (b) REPORT.—Not later than one year after the date  
18 on which the study required under subsection (a) is com-  
19 pleted, the Comptroller General of the United States shall  
20 submit to Congress a report summarizing the findings of  
21 such study.

22 (c) PUBLISH REPORT.—The Comptroller General of  
23 the United States shall make the report required under  
24 subsection (b) available to the public on the website of the  
25 Government Accountability Office.



1       **PART D—FEDERAL DIRECT LOAN PROGRAM**

2       **SEC. 4301. PROGRAM AUTHORITY.**

3           Section 451(a) of the Higher Education Act of 1965  
4 (20 U.S.C. 1087a(a)) is amended—

5           (1) by striking “and (2)” and inserting “(2)”;  
6           and

7           (2) by inserting “; and (3) to make loans under  
8           section 460A and section 460B” after “section  
9           459A”.

10       **SEC. 4302. AMENDMENTS TO TERMS AND CONDITIONS OF**  
11                                   **LOANS AND REPAYMENT PLANS.**

12           (a) **REPEAL OF ORIGINATION FEES.**—Subsection (c)  
13 of section 455 of the Higher Education Act of 1965 (20  
14 U.S.C. 1087e(c)) is repealed.

15           (b) **RULEMAKING REGARDING TERMINATION OF**  
16 **CERTAIN REPAYMENT PLANS.**—Beginning on the date of  
17 enactment of this Act, the Secretary of Education shall  
18 carry out a plan to end all eligibility for repayment plans  
19 other than a fixed repayment plan described in section  
20 493E and an income-based repayment plan described  
21 under section 493C(f) for loans made under part B or D  
22 of title IV of the Higher Education Act of 1965, unless  
23 the borrower is enrolled in another repayment plan before  
24 such effective date, in accordance with the amendments  
25 made by this Act.

1           (c) REPAYMENT PLANS.—Section 455(d) of the  
2 Higher Education Act of 1965 (20 U.S.C. 1087e(d)) is  
3 amended—

4           (1) by redesignating paragraphs (2) through  
5 (5) as paragraphs (3) through (6), respectively;

6           (2) by inserting after paragraph (1), the fol-  
7 lowing:

8           “(2) DESIGN AND SELECTION ON AND AFTER  
9 JULY 1, 2021.—

10           “(A) IN GENERAL.—Notwithstanding para-  
11 graph (1), for the borrower of a loan made on  
12 or after July 1, 2021, and for other borrowers  
13 subject to paragraph (7), the Secretary shall  
14 offer a borrower of a loan made under this part  
15 2 plans for repayment of such loan, including  
16 principal and interest on the loan. The borrower  
17 shall be entitled to accelerate, without penalty,  
18 repayment on the borrower’s loans under this  
19 part. The borrower may choose—

20           “(i) a fixed repayment plan described  
21 in section 493E; or

22           “(ii) the income-based repayment plan  
23 under section 493C(f).

24           “(B) SELECTION BY THE SECRETARY.—If  
25 a borrower of a loan made under this part on

1 or after July 1, 2021, does not select a repay-  
2 ment plan described in subparagraph (A), the  
3 Secretary may provide the borrower with a  
4 fixed repayment plan described in section 493E.

5 “(C) CHANGES IN SELECTIONS.—Begin-  
6 ning on July 1, 2021, a borrower of a loan  
7 made under this part may change the bor-  
8 rower’s selection of a repayment plan in accord-  
9 ance with paragraph (7) and under such terms  
10 and conditions as may be established by the  
11 Secretary.”;

12 (3) in paragraph (6)(B), as redesignated, by  
13 striking “an income contingent repayment plan.”  
14 and inserting “the income-based repayment plan  
15 under section 493C(f).”; and

16 (4) by adding at the end the following:

17 “(7) BORROWERS OF LOANS MADE BEFORE  
18 JULY 1, 2021.—A borrower who is in repayment on  
19 a loan made under part B or part D before July 1,  
20 2021—

21 “(A) may choose to retain the repayment  
22 plan that the borrower was enrolled in on the  
23 day before such date;

24 “(B) may elect to—

1 “(i) enter the income-based repayment  
2 plan under section 493C(f); or

3 “(ii) enter a fixed repayment plan de-  
4 scribed in section 493E; and

5 “(C) after electing to leave a repayment  
6 plan other than an income-based repayment  
7 plan described under section 493C(f) or a fixed  
8 repayment plan described in section 493E, shall  
9 not be permitted to re-elect a repayment plan  
10 that is not an income-based repayment plan  
11 under section 493C(f) or a fixed repayment  
12 plan described in section 493E.

13 “(8) NOTIFICATION AND AUTOMATIC ENROLL-  
14 MENT PROCEDURES FOR BORROWERS WHO ARE DE-  
15 LINQUENT ON LOANS.—

16 “(A) AUTHORITY TO OBTAIN INCOME IN-  
17 FORMATION.—In the case of any borrower who  
18 is at least 60 days delinquent on a covered loan,  
19 the Secretary may obtain such information as is  
20 reasonably necessary regarding the income and  
21 family size of the borrower (and the borrower’s  
22 spouse, if applicable).

23 “(B) BORROWER NOTIFICATION.—With re-  
24 spect to each borrower of a covered loan who is  
25 at least 60 days delinquent on such loan and

1           who has not been subject to the procedures  
2           under this paragraph for such loan in the pre-  
3           ceding 120 days, the Secretary shall, as soon as  
4           practicable after such 60-day delinquency, pro-  
5           vide to the borrower the following:

6                   “(i) Notification that the borrower is  
7                   at least 60 days delinquent on at least 1  
8                   covered loan, and a description of all delin-  
9                   quent covered loans, nondelinquent covered  
10                  loans, and noncovered loans of the bor-  
11                  rower.

12                  “(ii) A brief description of the repay-  
13                  ment plans for which the borrower is eligi-  
14                  ble and the covered loans and noncovered  
15                  loans of the borrower that may be eligible  
16                  for such plans, based on information avail-  
17                  able to the Secretary.

18                  “(iii) The amount of monthly pay-  
19                  ments for the covered and noncovered  
20                  loans under the income-based repayment  
21                  plan under section 493C(f) and the fixed  
22                  repayment plan described in section 493E,  
23                  based on information available to the Sec-  
24                  retary, including, if the income information

1 of the borrower is available to the Sec-  
2 retary under subparagraph (A)—

3 “(I) the amount of the monthly  
4 payment under the income-based re-  
5 payment plan under section 493C(f)  
6 and the fixed repayment plan de-  
7 scribed in section 493E for which the  
8 borrower is eligible for the borrower’s  
9 covered and noncovered loans, based  
10 on such income information; and

11 “(II) the income, family size, tax  
12 filing status, and tax year information  
13 on which each monthly payment is  
14 based.

15 “(iv) Clear and simple instructions on  
16 how to select the repayment plans.

17 “(v) An explanation that, in the case  
18 of a borrower for whom adjusted gross in-  
19 come is unavailable—

20 “(I) if the borrower selects to  
21 repay the covered loans of such bor-  
22 rower pursuant to the income-based  
23 repayment plan under section 493C(f)  
24 that defines discretionary income in  
25 such a manner that an individual not

1 required under section 6012(a)(1) of  
2 the Internal Revenue Code of 1986 to  
3 file a return with respect to income  
4 taxes imposed by subtitle A of such  
5 Code may have a calculated monthly  
6 payment greater than \$0, the bor-  
7 rower will be required to provide the  
8 Secretary with other documentation of  
9 income satisfactory to the Secretary,  
10 which documentation the Secretary  
11 may use to determine an appropriate  
12 repayment schedule; and

13 “(II) if the borrower selects to  
14 repay such loans pursuant to an in-  
15 come-driven repayment plan that is  
16 not described in subclause (I), the  
17 borrower will not be required to pro-  
18 vide the Secretary with such other  
19 documentation of income, and the bor-  
20 rower will have a calculated monthly  
21 payment of \$0.

22 “(vi) An explanation that the Sec-  
23 retary shall take the actions under sub-  
24 paragraph (C) with respect to such bor-  
25 rower, if—

1                   “(I) the borrower is 120 days de-  
2                   linquent on 1 or more covered loans  
3                   and has not selected a new repayment  
4                   plan for the covered loans of the bor-  
5                   rower; and

6                   “(II) in the case of such a bor-  
7                   rower whose repayment plan for the  
8                   covered loans of the borrower is not  
9                   an income-driven repayment plan de-  
10                  scribed in subparagraph (D) or (E) of  
11                  paragraph (1), the monthly payments  
12                  under such repayment plan are higher  
13                  than such monthly payments would be  
14                  under the income-based repayment  
15                  plan under section 493C(f).

16                  “(vii) Instructions on updating the in-  
17                  formation of the borrower obtained under  
18                  subparagraph (A).

19                  “(C) SECRETARY’S INITIAL SELECTION OF  
20                  A PLAN.—With respect to each borrower de-  
21                  scribed in subparagraph (B) who has a repay-  
22                  ment plan for the covered loans of the borrower  
23                  that meets the requirements of clause (vi)(II) of  
24                  subparagraph (B) and has not selected a new  
25                  repayment plan for such loans in accordance



1 with the notice received under such subpara-  
2 graph, and who is at least 120 days delinquent  
3 on such a loan, the Secretary shall, as soon as  
4 practicable—

5 “(i) provide the borrower with the in-  
6 come-based repayment plan under section  
7 493C(f); and

8 “(ii) authorize the borrower to change  
9 the Secretary’s selection of a plan under  
10 this clause to the fixed repayment plan de-  
11 scribed in section 493E.

12 “(D) OPT-OUT.—A borrower of a covered  
13 loan shall have the right to opt out of the pro-  
14 cedures under this paragraph.

15 “(E) PROCEDURES.—The Secretary shall  
16 establish procedures as are necessary to effec-  
17 tively implement this paragraph.

18 “(9) NOTIFICATION AND AUTOMATIC ENROLL-  
19 MENT PROCEDURES FOR BORROWERS WHO ARE RE-  
20 HABILITATING DEFAULTED LOANS.—

21 “(A) AUTHORITY TO OBTAIN INCOME IN-  
22 FORMATION.—In the case of any borrower who  
23 is rehabilitating a covered loan pursuant to sec-  
24 tion 428F(a), the Secretary may obtain such in-  
25 formation as is reasonably necessary regarding

1 the income and family size of the borrower (and  
2 the borrower's spouse, if applicable).

3 “(B) BORROWER NOTIFICATION.—Not  
4 later than 30 days after a borrower makes the  
5 6th payment required for the loan rehabilitation  
6 described in subparagraph (A), the Secretary  
7 shall notify the borrower of the process under  
8 subparagraph (C) with respect to such loan.

9 “(C) SECRETARY'S SELECTION OF PLAN.—  
10 With respect to each borrower who has made  
11 the 9th payment required for the loan rehabili-  
12 tation described in subparagraph (A), the Sec-  
13 retary shall, as soon as practicable after such  
14 payment, provide the borrower with the income-  
15 based repayment plan under section 493C(f),  
16 without regard to whether the loan has been so  
17 rehabilitated.

18 “(D) OPT-OUT.—A borrower of a covered  
19 loan shall have the right to opt out of the pro-  
20 cedures under this paragraph.

21 “(E) PROCEDURES.—The Secretary shall  
22 establish procedures as are necessary to effec-  
23 tively implement this paragraph.

24 “(10) DEFINITIONS.—In this subsection:

1           “(A) COVERED LOAN.—The term ‘covered  
2           loan’ means—

3                   “(i) a loan made under this part;

4                   “(ii) a loan purchased under section  
5                   459A; or

6                   “(iii) a loan that has been assigned to  
7                   the Secretary under section 428(c)(8) or  
8                   part E.

9           “(B) NONCOVERED LOAN.—The term  
10           ‘noncovered loan’ means a loan made, insured,  
11           or guaranteed under this title that is not a cov-  
12           ered loan.

13           “(11) APPLICATION OF PREPAYMENT  
14           AMOUNTS.—

15                   “(A) REQUIREMENT.—Notwithstanding  
16                   any other provision of this subsection or any  
17                   other provision of law—

18                           “(i) with respect to loans made to an  
19                           eligible borrower under this part or part B,  
20                           which are held by the same holder and  
21                           which have different applicable rates of in-  
22                           terest, the holder of such loans shall, un-  
23                           less otherwise requested by the borrower in  
24                           writing, apply the borrower’s prepayment  
25                           amount (within the meaning of section

1           682.209(b) of title 34, Code of Federal  
2           Regulations, or a successor regulation) for  
3           one or more of such loans, first toward the  
4           outstanding balance of principal due on the  
5           loan with the highest applicable rate of in-  
6           terest among such loans; and

7           “(ii) except as provided in clause (i),  
8           with respect to loans made to an eligible  
9           borrower under this part or part B, which  
10          are held by the same holder and which  
11          have the same applicable rates of interest,  
12          the holder of such loans shall, unless other-  
13          wise requested by the borrower in writing,  
14          apply the borrower’s prepayment amount  
15          (within the meaning of section 682.209(b)  
16          of title 34, Code of Federal Regulations, or  
17          a successor regulation) for one or more of  
18          such loans, first toward the outstanding  
19          balance of principal due on the loan with  
20          the highest principal balance among such  
21          loans.

22          “(B) ELIGIBLE BORROWER.—

23                 “(i) IN GENERAL.—For purposes of  
24                 this paragraph, the term ‘eligible borrower’  
25                 means a borrower with no outstanding bal-

1           ance of fees, including collection costs and  
2           authorized late charges, due on any loan  
3           made under this part or part B.

4                   “(ii) PREPAYMENT AMOUNTS.—A pre-  
5           payment amount (as described in subpara-  
6           graph (A)) made by a borrower who is not  
7           an eligible borrower to a holder shall be  
8           applied first toward the borrower’s out-  
9           standing balance of fees, including collec-  
10          tion costs and authorized late charges, due  
11          on any loan made under this part or part  
12          B held by such holder.”.

13          (d) APPLICATION.—The amendments made by sub-  
14          section (c)(4) shall—

15                  (1) take effect as soon as the Secretary of Edu-  
16          cation determines practicable after the Secretary fi-  
17          nalizes the procedures under section 9004, but not  
18          later than 2 years after the date of enactment of  
19          this Act; and

20                  (2) apply to all borrowers of covered loans (as  
21          defined in section 455(d)(10) of the Higher Edu-  
22          cation Act of 1965, as added by subsection (c)(4)).

23          (e) MAXIMUM REPAYMENT PERIOD FOR INCOME-  
24          CONTINGENT REPAYMENT.—Section 455(e) of the Higher

1 Education Act of 1965 (20 U.S.C. 1087e(e)) is further  
2 amended—

3 (1) in paragraph (7)(B)—

4 (A) by striking “or” at the end of clause  
5 (iv);

6 (B) by striking the period at the end of  
7 clause (v) and inserting a semicolon; and

8 (C) by adding at the end the following:

9 “(vi) makes payments under the in-  
10 come-based repayment plan under section  
11 493C(f); or

12 “(vii) makes payments under the fixed  
13 repayment plan described in section  
14 493E.”; and

15 “(8) ADDITIONAL QUALIFYING REPAYMENT  
16 PLANS.—A borrower repaying a loan pursuant to in-  
17 come-contingent repayment under this subsection  
18 may elect at any time to terminate repayment under  
19 such repayment plan and repay such loan under the  
20 income-based repayment plan under section 493C(f)  
21 or the fixed repayment plan described in section  
22 493E.”.

23 (f) AUTOMATIC RECERTIFICATION OF INCOME FOR  
24 INCOME-DRIVEN REPAYMENT PLANS.—Section 455(e) of

1 the Higher Education Act of 1965 (20 U.S.C. 1087e(e))  
2 is amended—

3 (1) in paragraph (3)—

4 (A) by striking “does not reasonably re-  
5 flect the borrower’s current income” and insert-  
6 ing “whose income has decreased relative to the  
7 adjusted gross income available to the Sec-  
8 retary”; and

9 (B) by inserting “, consistent with the pro-  
10 cedures established under paragraph  
11 (9)(B)(iv)” before the period at the end; and

12 (2) by adding at the end the following:

13 “(9) AUTOMATIC RECERTIFICATION.—

14 “(A) DEFINITION.—In this paragraph, the  
15 term ‘covered loan’ has the meaning given the  
16 term in subsection (d)(10).

17 “(B) IN GENERAL.—Beginning as soon as  
18 the Secretary determines practicable after the  
19 Secretary finalizes the procedures under section  
20 9004 of the College Affordability Act, but not  
21 later than 2 years after the date of enactment  
22 of such Act, the Secretary shall establish and  
23 implement, with respect to any borrower de-  
24 scribed in subparagraph (C), procedures to—

1           “(i) obtain (for each year of repay-  
2           ment and without further action by the  
3           borrower) such information as is reason-  
4           ably necessary regarding the income of  
5           such borrower (and the borrower’s spouse,  
6           if applicable), for the purpose of deter-  
7           mining the repayment obligation of the  
8           borrower for such year, including informa-  
9           tion with respect to the borrower’s family  
10          size in accordance with the procedures  
11          under section 9004 of the College Afford-  
12          ability Act, subject to clause (ii);

13           “(ii) allow the borrower, at any time,  
14          to opt out of clause (i) and prevent the  
15          Secretary from obtaining information  
16          under such clause without further action  
17          by the borrower;

18           “(iii) provide the borrower with an op-  
19          portunity to update the information ob-  
20          tained under clause (i) before the deter-  
21          mination of the annual repayment obliga-  
22          tion of the borrower; and

23           “(iv) in the case of a borrower for  
24          whom adjusted gross income is unavail-  
25          able—



1           “(I) if the borrower has selected  
2           to repay the covered loans of such  
3           borrower pursuant to an income con-  
4           tingent repayment plan that defines  
5           discretionary income in such a man-  
6           ner that an individual not required  
7           under section 6012(a)(1) of the Inter-  
8           nal Revenue Code of 1986 to file a re-  
9           turn with respect to income taxes im-  
10          posed by subtitle A of such Code may  
11          have a calculated monthly payment  
12          greater than \$0, the borrower will be  
13          required to provide the Secretary with  
14          other documentation of income satis-  
15          factory to the Secretary, which docu-  
16          mentation the Secretary may use to  
17          determine an appropriate repayment  
18          schedule; or

19          “(II) if the borrower has selected  
20          to repay such loans pursuant to an in-  
21          come contingent repayment that is not  
22          described in subclause (I), the bor-  
23          rower will not be required to provide  
24          the Secretary with such other docu-  
25          mentation of income, and the bor-

1                   rower will have a calculated monthly  
2                   payment of \$0.

3                   “(C) APPLICABILITY.—Subparagraph (B)  
4                   shall apply to each borrower of a covered loan  
5                   who, on or after the date on which the Sec-  
6                   retary establishes procedures under such sub-  
7                   paragraph, recertifies income and family size  
8                   under such plan.

9                   “(D) OTHER REQUIREMENTS.—The proce-  
10                  dures established by the Secretary under this  
11                  paragraph shall be consistent with the require-  
12                  ments of paragraphs (1) through (7), except as  
13                  otherwise provided in this paragraph.”.

14                  (g) DEFERMENT.—Subparagraph (B) of section  
15                  455(f)(1) of the Higher Education Act of 1965 (20 U.S.C.  
16                  1087e(f)(1)) is amended to read as follows:

17                         “(B) in the case of a Federal Direct PLUS  
18                         Loan, a Federal Direct Unsubsidized Stafford  
19                         Loan, or a Federal Direct Consolidation Loan  
20                         not described in subparagraph (A)(ii), begin-  
21                         ning on or after the date of enactment of the  
22                         College Affordability Act—

23                                 “(i) for a deferment during a period  
24                                 described in paragraph (2)(A)(i), shall ac-

1                   crue and be capitalized or paid by the bor-  
2                   rower; and

3                   “(ii) for a deferment during a period  
4                   described in subparagraphs (B) through  
5                   (D) of paragraph (2), shall accrue but not  
6                   be capitalized.”.

7           (h) SEPARATING JOINT CONSOLIDATION LOANS.—  
8 Section 455(g) of the Higher Education Act of 1965 (20  
9 U.S.C. 1087e(g)) is amended—

10           (1) by striking “A borrower” and inserting the  
11           following:

12           “(1) IN GENERAL.—A borrower”; and

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

14           “(2) SEPARATING JOINT CONSOLIDATION  
15           LOANS.—

16           “(A) IN GENERAL.—A married couple, or  
17           2 individuals who were previously a married  
18           couple, and who received a joint consolidation  
19           loan as such married couple under subpara-  
20           graph (C) of section 428C(a)(3) (as such sub-  
21           paragraph was in effect on or before June 30,  
22           2006), may apply to the Secretary for each in-  
23           dividual borrower in the married couple (or pre-  
24           viously married couple) to receive a separate

1 Federal Direct Consolidation Loan under this  
2 part—

3 “(i) that shall—

4 “(I) unless the Secretary receives  
5 notice of an agreement described in  
6 subclause (II)(aa), be equal to the  
7 sum of—

8 “(aa) the unpaid principal  
9 and accrued unpaid interest of  
10 the percentage of the joint con-  
11 solidation loan that, as of the day  
12 before such joint consolidation  
13 loan was made, was attributable  
14 to the loans of the individual bor-  
15 rower for whom such separate  
16 consolidation loan is being made;  
17 and

18 “(bb) any other loans de-  
19 scribed in section 428C(a)(4)  
20 that such individual borrower se-  
21 lects for consolidation under this  
22 part; or

23 “(II) be equal to the sum of—

24 “(aa) the unpaid principal  
25 and accrued unpaid interest of

1 the percentage of the joint con-  
2 solidation loan that, as of the  
3 date of application under this  
4 paragraph, the married couple  
5 (or previously married couple)  
6 agrees shall be considered attrib-  
7 utable to the loans of the indi-  
8 vidual borrower for whom such  
9 separate consolidation loan is  
10 being made; and

11 “(bb) any other loans de-  
12 scribed in section 428C(a)(4)  
13 that such individual borrower se-  
14 lects for consolidation under this  
15 part;

16 “(ii) the proceeds of which shall be  
17 paid by the Secretary to the holder or  
18 holders—

19 “(I) of the joint consolidation  
20 loan for the purpose of discharging  
21 the liability on the percentage of such  
22 joint consolidation loan described in  
23 subclause (I)(aa) or (II)(aa) of clause  
24 (i); and

1                   “(II) of the loans selected for  
2                   consolidation under subclause (I)(bb)  
3                   or subclause (II)(bb) of clause (i) for  
4                   the purpose of discharging the liability  
5                   on such loans;

6                   “(iii) except as otherwise provided in  
7                   this paragraph, that has the same terms  
8                   and conditions, and rate of interest as the  
9                   joint consolidation loan;

10                  “(iv) for which any payment made  
11                  under section 455(m)(1)(A) on the joint  
12                  consolidation loan during a period in which  
13                  the individual borrower for whom such sep-  
14                  arate consolidation loan is being made was  
15                  employed in a public service job described  
16                  in section 455(m)(1)(B) shall be treated as  
17                  if such payment were made on the portion  
18                  of the separate consolidation loan described  
19                  in clause (i)(I)(aa); and

20                  “(v) for which any payment made  
21                  under any repayment plan described in  
22                  section 455(d)(1) on the joint consolidation  
23                  loan shall be treated as if such payment  
24                  were made on such portion of such sepa-  
25                  rate consolidation loan.

1                   “(B) APPLICATION FOR SEPARATE DIRECT  
2 CONSOLIDATION LOAN.—

3                   “(i) JOINT APPLICATION.—Except as  
4 provided in clause (ii), to receive separate  
5 consolidation loans under subparagraph  
6 (A), both individual borrowers in a married  
7 couple (or previously married couple) shall  
8 jointly apply under subparagraph (A).

9                   “(ii) SEPARATE APPLICATION.—An  
10 individual borrower in a married couple (or  
11 previously married couple) may apply for a  
12 separate consolidation loan under subpara-  
13 graph (A) separately and without regard to  
14 whether or when the other individual bor-  
15 rower in the married couple (or previously  
16 married couple) applies under subpara-  
17 graph (A), in a case in which—

18                   “(I) the individual borrower has  
19 experienced from the other individual  
20 borrower—

21                   “(aa) domestic violence (as  
22 defined in section 40002(a) of  
23 the Violence Against Women Act  
24 of 1994 (34 U.S.C. 12291(a));  
25 or

1                   “(bb) economic abuse (in-  
2                   cluding behaviors that control  
3                   such borrower’s ability to ac-  
4                   quire, use, and maintain access  
5                   to money, credit, or the joint fi-  
6                   nancial obligations of both bor-  
7                   rowers);

8                   “(II) the individual borrower cer-  
9                   tifies, on a form approved by the Sec-  
10                  retary, that such borrower is unable  
11                  to reasonably reach or access the loan  
12                  information of the other individual  
13                  borrower; or

14                  “(III) the Secretary determines  
15                  that authorizing each individual bor-  
16                  rower to apply separately under sub-  
17                  paragraph (A) would be in the best  
18                  fiscal interests of the Federal Govern-  
19                  ment.

20                  “(C) BORROWER ELIGIBILITY.—Notwith-  
21                  standing section 428C(a)(3)(A), the Secretary  
22                  shall award a consolidation loan under this part  
23                  to each borrower who—

24                               “(i) applies for such loan under sub-  
25                               paragraph (A); and



1                   “(ii) meets the requirements of sub-  
2                   paragraphs (A) and (B).

3                   “(3) CONSUMER REPORTING AGENCIES.—Upon  
4                   obtaining a Federal Direct Consolidation Loan that  
5                   discharges the liability on a defaulted loan made, in-  
6                   sured, or guaranteed under this title, the Secretary,  
7                   guaranty agency, or other holder of the loan shall  
8                   request any consumer reporting agency to which the  
9                   Secretary, guaranty agency or holder, as applicable,  
10                  reported the default of the loan, to remove any ad-  
11                  verse item of information relating to a delinquent or  
12                  defaulted loan made, insured, or guaranteed under  
13                  this title from the borrower’s credit history.”.

14                  (i) REPEAL OF SUBSIDIZED LOAN USAGE LIMITA-  
15                  TION.—Subsection (q) of section 455 of the Higher Edu-  
16                  cation Act of 1965 (20 U.S.C. 1087e) is repealed.

17                  **SEC. 4303. AMENDMENTS TO TERMS AND CONDITIONS OF**  
18                  **PUBLIC SERVICE LOAN FORGIVENESS.**

19                  Section 455(m) of the Higher Education Act of 1965  
20                  (20 U.S.C. 1087e(m)) is amended—

21                         (1) in paragraph (1)—

22                                 (A) in subparagraph (A)—

23   (i) by striking “or” at the end of  
24   clause (iii);

1 (ii) in clause (iv), by striking “and”;

2 and

3 (iii) by adding at the end the fol-  
4 lowing:

5 “(v) payments under the income-based  
6 repayment plan under section 493C(f); or

7 “(vi) payments under the fixed repay-  
8 ment plan described in section 493E;  
9 and”; and

10 (B) in subparagraph (B), by striking “(i)  
11 is employed” and all that follows through “has  
12 been” and inserting “has been”;

13 (2) in paragraph (2), by adding at the end the  
14 following: “In the case of a borrower who meets the  
15 requirements under paragraph (1) for such cancella-  
16 tion, such cancellation shall occur without further  
17 action by the borrower.”;

18 (3) by redesignating paragraphs (3) and (4) as  
19 paragraphs (9) and (10), respectively; and

20 (4) by inserting after paragraph (2) the fol-  
21 lowing:

22 “(3) TREATMENT OF LOAN REFINANCED  
23 UNDER SECTIONS 460A OR 460B.—In the case of an  
24 eligible Federal Direct Loan refinanced under sec-  
25 tion 460A or 460B, any monthly payment pursuant

1 to any repayment plan listed in paragraph (1)(A)  
2 made on a loan, for which the liability has been dis-  
3 charged by such refinanced loan and without regard  
4 to whether such loan is an eligible Federal Direct  
5 Loan, shall be treated as a monthly payment under  
6 paragraph (1)(A) on the portion of such refinanced  
7 loan that is attributable to such discharged loan.

8 “(4) ON-LINE PORTAL.—

9 “(A) BORROWERS.—The Secretary shall  
10 ensure that borrowers have access to an on-line  
11 portal that provides each borrower who signs on  
12 to such portal with the following:

13 “(i) Instructions on how to access the  
14 database under paragraph (5) so that the  
15 borrower can determine whether the bor-  
16 rower is employed in a public service job.

17 “(ii) An identification of the loans of  
18 the borrower that are eligible Federal Di-  
19 rect Loans.

20 “(iii) With respect to each such eligi-  
21 ble Federal Direct Loan, the number of  
22 monthly payments on such loan that qual-  
23 ify as a monthly payment under paragraph  
24 (1)(A), and the estimated number of  
25 monthly payments under paragraph (1)(A)

1 remaining on such loan before the bor-  
2 rower may be eligible for loan cancellation  
3 under this subsection.

4 “(iv) With respect to each loan of the  
5 borrower that is not eligible for loan can-  
6 cellation under this subsection, an expla-  
7 nation of why the loan is not so eligible  
8 and instructions on how what, if anything,  
9 the borrower may do to make the loan so  
10 eligible.

11 “(v) Instructions for the submission of  
12 any forms associated with such loan can-  
13 cellation, and an ability for the borrower to  
14 use the portal to electronically sign and  
15 submit such forms.

16 “(vi) In the case of a borrower who  
17 disputes a determination of the Secretary  
18 relating to the entitlement of the borrower  
19 to loan cancellation under paragraph (2)—

20 “(I) an ability for the borrower  
21 to file a claim with the Secretary to  
22 dispute such determination through  
23 the portal; and

24 “(II) in the case of such a claim  
25 that has been filed, the status of such

1 claim, for which updates shall be pro-  
2 vided not fewer than once every 90  
3 days.

4 “(B) EMPLOYERS.—The Secretary shall  
5 ensure that an employer of a borrower has the  
6 ability to electronically sign and submit any  
7 forms associated with loan cancellation under  
8 this subsection.

9 “(C) INFORMATION.—The Secretary shall  
10 ensure that any information provided through  
11 the on-line portal described in this paragraph is  
12 up-to-date information.

13 “(5) DATABASE OF PUBLIC SERVICE JOBS.—

14 “(A) IN GENERAL.—The Secretary, in con-  
15 sultation with the Commissioner of the Internal  
16 Revenue Service, shall establish and regularly  
17 update a database that lists public service jobs.

18 “(B) PUBLIC AVAILABILITY.—The data-  
19 base established under subparagraph (A) shall  
20 be made available on a publicly accessible  
21 website of the Department in an easily search-  
22 able format.”;

23 (5) in paragraph (9), as so redesignated—

24 (A) in subparagraph (A)—

1 (i) by inserting before the period at  
2 the end the following: “(including any Fed-  
3 eral Direct Stafford Loan, Federal Direct  
4 PLUS Loan, Federal Direct Unsubsidized  
5 Stafford Loan, or Federal Direct Consoli-  
6 dation Loan refinanced under section  
7 460A)”;

8 (ii) by striking “The term” and in-  
9 serting the following:

10 “(i) IN GENERAL.—The term”; and

11 (iii) by adding at the end the fol-  
12 lowing:

13 “(ii) TREATMENT OF CERTAIN CON-  
14 SOLIDATION LOAN PAYMENTS.—In the  
15 case of an eligible Federal Direct Loan  
16 that is a Federal Direct Consolidation  
17 Loan made on or after the date of enact-  
18 ment of the College Affordability Act, any  
19 monthly payment pursuant to any repay-  
20 ment plan listed in paragraph (1)(A) made  
21 on a loan, for which the liability has been  
22 discharged by the proceeds of such Federal  
23 Direct Consolidation Loan and without re-  
24 gard to whether the loan is an eligible Fed-  
25 eral Direct Loan, shall be treated as a

1 monthly payment under paragraph (1)(A)  
2 on the portion of such Federal Direct Con-  
3 solidation Loan that is attributable to such  
4 discharged loan, except that in the case of  
5 a subsequent consolidation loan, for pur-  
6 poses of this clause—

7 “(I) any monthly payment made  
8 on the first consolidation loan or any  
9 other loan for which the liability has  
10 been discharged by such subsequent  
11 consolidation loan shall be applicable;  
12 and

13 “(II) any monthly payment made  
14 on a loan for which the liability has  
15 been discharged by such first consoli-  
16 dation loan shall not be applicable.”;

17 (B) in subparagraph (B)—

18 (i) in clause (i), by striking “or” at  
19 the end;

20 (ii) in clause (ii), by striking the pe-  
21 riod at the end and inserting a semicolon;  
22 and

23 (iii) by adding at the end the fol-  
24 lowing:

1           “(iii) a full-time job as an employee or  
2           manager of a farm or ranch that, with re-  
3           spect to a fiscal year, has earnings of gross  
4           revenue during such year from the sale of  
5           agricultural products equal to or greater  
6           than—

7                       “(I) in the case of 2019,  
8                       \$35,000; or

9                       “(II) in the case of any suc-  
10           ceeding year, the amount applicable  
11           under this subparagraph for the pre-  
12           vious year, increased by the estimated  
13           percentage change in the Consumer  
14           Price Index for the most recent year  
15           preceding such year; or

16                      “(iv) a full-time job with a veterans or  
17           military service organization as described  
18           in paragraph (19) or (23) of section 501(c)  
19           of the Internal Revenue Code, that does  
20           not engage in partisan political campaign  
21           activity.”; and

22                      (C) by adding at the end the following:

23                      “(C) FULL-TIME JOB AS HEALTH CARE  
24           PRACTITIONER.—The term ‘full-time profes-



1           sionals engaged in health care practitioner occu-  
2           pations' includes an individual who—

3                   “(i) has a full-time job as a health  
4           care practitioner;

5                   “(ii) provides medical services in such  
6           full-time job at a nonprofit or public hos-  
7           pital or other nonprofit or public health  
8           care facility; and

9                   “(iii) is prohibited from being em-  
10          ployed directly by such hospital or other  
11          health care facility by State law.”; and

12          (6) in paragraph (10), as so redesignated, by  
13          striking “section 428J, 428K, 428L, or 460” and  
14          inserting “section 428K or 428L”.

15 **SEC. 4304. FEDERAL DIRECT PERKINS LOANS TERMS AND**  
16 **CONDITIONS.**

17          Part D of title IV of the Higher Education Act of  
18          1965 (20 U.S.C. 1087a et seq.) is amended by inserting  
19          after section 455 the following new section:

20 **“SEC. 455A. FEDERAL DIRECT PERKINS LOANS.**

21           “(a) DESIGNATION OF LOANS.—Loans made to bor-  
22          rowers under this section shall be known as ‘Federal Di-  
23          rect Perkins Loans’.

24           “(b) IN GENERAL.—It is the purpose of this section  
25          to authorize loans to be awarded by institutions of higher

1 education through agreements established under section  
2 463(f). Unless otherwise specified in this section, all terms  
3 and conditions and other requirements applicable to Fed-  
4 eral Direct Unsubsidized Stafford loans established under  
5 section 455(a)(2)(D) shall apply to loans made pursuant  
6 to this section.

7       “(c) ELIGIBLE BORROWERS.—Any student meeting  
8 the requirements for student eligibility under section  
9 464(b) (including graduate and professional students as  
10 defined in regulations promulgated by the Secretary) shall  
11 be eligible to borrow a Federal Direct Perkins Loan, pro-  
12 vided the student attends an eligible institution with an  
13 agreement with the Secretary under section 463(f), and  
14 the institution uses its authority under that agreement to  
15 award the student a loan.

16       “(d) LOAN LIMITS.—The annual and aggregate lim-  
17 its for loans under this section shall be the same as those  
18 established under section 464, and aggregate limits shall  
19 include loans made by institutions under agreements  
20 under section 463(a).

21       “(e) APPLICABLE RATES OF INTEREST.—Loans  
22 made pursuant to this section shall bear interest, on the  
23 unpaid principal balance of the loan, at the rate of 5 per-  
24 cent per year.”.

1 **SEC. 4305. COMMON MANUAL FOR LOAN SERVICERS.**

2 Section 456(a)(2) of the Higher Education Act of  
3 1965 (20 U.S.C. 1087f(a)(2)) is amended in the first sen-  
4 tence by inserting before the period at the end the fol-  
5 lowing: “, including the applicable procedures and policies  
6 described in the manual developed under section 493F”.

7 **SEC. 4306. REFINANCING FFEL AND FEDERAL DIRECT**  
8 **LOANS.**

9 Part D of title IV of the Higher Education Act of  
10 1965 (20 U.S.C. 1087a et seq.) is amended by adding at  
11 the end the following:

12 **“SEC. 460A. REFINANCING FFEL AND FEDERAL DIRECT**  
13 **LOANS.—**

14 “(a) IN GENERAL.—The Secretary shall establish a  
15 program under which the Secretary, upon the receipt of  
16 an application from a qualified borrower, makes a loan  
17 under this part, in accordance with the provisions of this  
18 section, in order to permit the borrower to obtain the in-  
19 terest rate provided under subsection (c).

20 “(b) REFINANCING DIRECT LOANS.—

21 “(1) FEDERAL DIRECT LOANS.—Upon applica-  
22 tion of a qualified borrower, the Secretary shall  
23 repay a Federal Direct Stafford Loan, a Federal Di-  
24 rect Unsubsidized Stafford Loan, a Federal Direct  
25 PLUS Loan, or a Federal Direct Consolidation  
26 Loan of the qualified borrower, for which the first

1 disbursement was made, or the application for the  
2 consolidation loan was received, before July 1, 2020,  
3 with the proceeds of a refinanced Federal Direct  
4 Stafford Loan, a Federal Direct Unsubsidized Staf-  
5 ford Loan, a Federal Direct PLUS Loan, or a Fed-  
6 eral Direct Consolidation Loan, respectively, issued  
7 to the borrower in an amount equal to the sum of  
8 the unpaid principal, accrued unpaid interest, and  
9 late charges of the original loan.

10 “(2) REFINANCING FFEL PROGRAM LOANS AS  
11 REFINANCED FEDERAL DIRECT LOANS.—Upon ap-  
12 plication of a qualified borrower for any loan that  
13 was made, insured, or guaranteed under part B and  
14 for which the first disbursement was made, or the  
15 application for the consolidation loan was received,  
16 before July 1, 2010, the Secretary shall make a loan  
17 under this part, in an amount equal to the sum of  
18 the unpaid principal, accrued unpaid interest, and  
19 late charges of the original loan to the borrower in  
20 accordance with the following:

21 “(A) The Secretary shall pay the proceeds  
22 of such loan to the eligible lender of the loan  
23 made, insured, or guaranteed under part B, in  
24 order to discharge the borrower from any re-

1           maintaining obligation to the lender with respect to  
2           the original loan.

3           “(B) A loan made under this section that  
4           was originally—

5                   “(i) a loan originally made, insured,  
6                   or guaranteed under section 428 shall be a  
7                   Federal Direct Stafford Loan;

8                   “(ii) a loan originally made, insured,  
9                   or guaranteed under section 428B shall be  
10                  a Federal Direct PLUS Loan;

11                  “(iii) a loan originally made, insured,  
12                  or guaranteed under section 428H shall be  
13                  a Federal Direct Unsubsidized Stafford  
14                  Loan; and

15                  “(iv) a loan originally made, insured,  
16                  or guaranteed under section 428C shall be  
17                  a Federal Direct Consolidation Loan.

18           “(C) The interest rate for each loan made  
19           by the Secretary under this paragraph shall be  
20           the rate provided under subsection (e).

21           “(e) INTEREST RATES.—

22                   “(1) IN GENERAL.—The interest rate for the  
23                   refinanced Federal Direct Stafford Loans, Federal  
24                   Direct Unsubsidized Stafford Loans, Federal Direct

1 PLUS Loans, and Federal Direct Consolidation  
2 Loans, shall be a rate equal to—

3 “(A) 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 an undergraduate student, a rate equal to the  
8 rate for Federal Direct Stafford Loans and  
9 Federal Direct Unsubsidized Stafford Loans  
10 issued to undergraduate students for the 12-  
11 month period beginning on July 1, 2019, and  
12 ending on June 30, 2020;

13 “(B) in any case where the original loan  
14 was a loan under section 428 or 428H, a Fed-  
15 eral Direct Stafford Loan, or a Federal Direct  
16 Unsubsidized Stafford Loan, that was issued to  
17 a graduate or professional student, a rate equal  
18 to the rate for Federal Direct Unsubsidized  
19 Stafford Loans issued to graduate or profes-  
20 sional students for the 12-month period begin-  
21 ning on July 1, 2019, and ending on June 30,  
22 2020;

23 “(C) in any case where the original loan  
24 was a loan under section 428B or a Federal Di-  
25 rect PLUS Loan, a rate equal to the rate for

1 Federal Direct PLUS Loans for the 12-month  
2 period beginning on July 1, 2019, and ending  
3 on June 30, 2020; and

4 “(D) in any case where the original loan  
5 was a loan under section 428C or a Federal Di-  
6 rect Consolidation Loan, a rate calculated in ac-  
7 cordance with paragraph (2).

8 “(2) INTEREST RATES FOR CONSOLIDATION  
9 LOANS.—

10 “(A) METHOD OF CALCULATION.—In  
11 order to determine the interest rate for any re-  
12 financed Federal Direct Consolidation Loan  
13 under paragraph (1)(D), the Secretary shall—

14 “(i) determine each of the component  
15 loans that were originally consolidated in  
16 the loan under section 428C or the Federal  
17 Direct Consolidation Loan, and calculate  
18 the proportion of the unpaid principal bal-  
19 ance of the loan under section 428C or the  
20 Federal Direct Consolidation Loan that  
21 each component loan represents;

22 “(ii) use the proportions determined  
23 in accordance with clause (i) and the inter-  
24 est rate applicable for each component  
25 loan, as determined under subparagraph

1 (B), to calculate the weighted average of  
2 the interest rates on the loans consolidated  
3 into the loan under section 428C or the  
4 Federal Direct Consolidation Loan; and

5 “(iii) apply the weighted average cal-  
6 culated under clause (ii) as the interest  
7 rate for the refinanced Federal Direct Con-  
8 solidation Loan.

9 “(B) INTEREST RATES FOR COMPONENT  
10 LOANS.—The interest rates for the component  
11 loans of a loan made under section 428C or a  
12 Federal Direct Consolidation Loan shall be the  
13 following:

14 “(i) The interest rate for any loan  
15 under section 428 or 428H, Federal Direct  
16 Stafford Loan, or Federal Direct Unsub-  
17 subsidized Stafford Loan issued to an under-  
18 graduate student shall be a rate equal to  
19 the lesser of—

20 “(I) the rate for Federal Direct  
21 Stafford Loans and Federal Direct  
22 Unsubsidized Stafford Loans issued  
23 to undergraduate students for the 12-  
24 month period beginning on July 1,



1 2019, and ending on June 30, 2020;

2 or

3 “(II) the original interest rate of  
4 the component loan.

5 “(ii) The interest rate for any loan  
6 under section 428 or 428H, Federal Direct  
7 Stafford Loan, or Federal Direct Unsub-  
8 sidized Stafford Loan issued to a graduate  
9 or professional student shall be a rate  
10 equal to the lesser of—

11 “(I) the rate for Federal Direct  
12 Unsubsidized Stafford Loans issued  
13 to graduate or professional students  
14 for the 12-month period beginning on  
15 July 1, 2019, and ending on June 30,  
16 2020; or

17 “(II) the original interest rate of  
18 the component loan.

19 “(iii) The interest rate for any loan  
20 under section 428B or Federal Direct  
21 PLUS Loan shall be a rate equal to the  
22 lesser of—

23 “(I) the rate for Federal Direct  
24 PLUS Loans for the 12-month period

1 beginning on July 1, 2019, and end-  
2 ing on June 30, 2020; or

3 “(II) the original interest rate of  
4 the component loan.

5 “(iv) The interest rate for any compo-  
6 nent loan that is a loan under section  
7 428C or a Federal Direct Consolidation  
8 Loan shall be the weighted average of the  
9 interest rates that would apply under this  
10 subparagraph for each loan comprising the  
11 component consolidation loan.

12 “(v) The interest rate for any eligible  
13 loan that is a component of a loan made  
14 under section 428C or a Federal Direct  
15 Consolidation Loan and is not described in  
16 clauses (i) through (iv) shall be the inter-  
17 est rate on the original component loan.

18 “(3) FIXED RATE.—The applicable rate of in-  
19 terest determined under paragraph (1) for a refi-  
20 nanced loan under this section shall be fixed for the  
21 period of the loan.

22 “(d) TERMS AND CONDITIONS OF LOANS.—

23 “(1) IN GENERAL.—A loan that is refinanced  
24 under this section shall have the same terms and

1 conditions as the original loan, except as otherwise  
2 provided in this section.

3 “(2) NO AUTOMATIC EXTENSION OF REPAY-  
4 MENT PERIOD.—Refinancing a loan under this sec-  
5 tion shall not result in the extension of the duration  
6 of the repayment period of the loan, and the bor-  
7 rower shall retain the same repayment term that  
8 was in effect on the original loan. Nothing in this  
9 paragraph shall be construed to prevent a borrower  
10 from electing a different repayment plan at any time  
11 in accordance with section 455(d)(4).

12 “(e) DEFINITION OF QUALIFIED BORROWER.—

13 “(1) IN GENERAL.—For purposes of this sec-  
14 tion, the term ‘qualified borrower’ means a bor-  
15 rower—

16 “(A) of a loan under this part or part B  
17 for which the first disbursement was made, or  
18 the application for a consolidation loan was re-  
19 ceived, before July 1, 2020; and

20 “(B) who meets the eligibility requirements  
21 based on income or debt-to-income ratio estab-  
22 lished by the Secretary.

23 “(2) INCOME REQUIREMENTS.—The Secretary  
24 shall establish eligibility requirements based on in-  
25 come or debt-to-income ratio that take into consider-

1           ation providing access to refinancing under this sec-  
2           tion for borrowers with the greatest financial need.

3           “(f) NOTIFICATION TO BORROWERS.—The Secretary,  
4 in coordination with the Director of the Bureau of Con-  
5 sumer Financial Protection, shall undertake a campaign  
6 to alert borrowers of loans that are eligible for refinancing  
7 under this section that the borrowers are eligible to apply  
8 for such refinancing. The campaign shall include the fol-  
9 lowing activities:

10                   “(1) Developing consumer information mate-  
11                   rials about the availability of Federal student loan  
12                   refinancing.

13                   “(2) Requiring servicers of loans under this  
14                   part or part B to provide such consumer information  
15                   to borrowers in a manner determined appropriate by  
16                   the Secretary, in consultation with the Director of  
17                   the Bureau of Consumer Financial Protection.”.

18 **SEC. 4307. REFINANCING PRIVATE STUDENT LOANS.**

19           Part D of title IV of the Higher Education Act of  
20 1965 (20 U.S.C. 1087a et seq.) is amended by adding at  
21 the end the following:

22 **“SEC. 460B. FEDERAL DIRECT REFINANCED PRIVATE LOAN**  
23 **PROGRAM.**

24           “(a) DEFINITIONS.—In this section:

1           “(1) ELIGIBLE PRIVATE EDUCATION LOAN.—  
2           The term ‘eligible private education loan’ means a  
3           private education loan, as defined in section 140(a)  
4           of the Truth in Lending Act (15 U.S.C. 1650(a)),  
5           that—

6                   “(A) was disbursed to the borrower before  
7                   July 1, 2020; and

8                   “(B) was for the borrower’s own postsec-  
9                   ondary educational expenses for an eligible pro-  
10                  gram at an institution of higher education par-  
11                  ticipating in the loan program under this part,  
12                  as of the date that the loan was disbursed.

13           “(2) FEDERAL DIRECT REFINANCED PRIVATE  
14           LOAN.—The term ‘Federal Direct Refinanced Pri-  
15           vate Loan’ means a loan issued under subsection  
16           (b)(1).

17           “(3) PRIVATE EDUCATIONAL LENDER.—The  
18           term ‘private educational lender’ has the meaning  
19           given the term in section 140(a) of the Truth in  
20           Lending Act (15 U.S.C. 1650(a)).

21           “(4) QUALIFIED BORROWER.—The term ‘quali-  
22           fied borrower’ means an individual who—

23                   “(A) has an eligible private education loan;

24                   “(B) has been current on payments on the  
25                  eligible private education loan for the 6 months

1 prior to the date of the qualified borrower's ap-  
2 plication for refinancing under this section, and  
3 is in good standing on the loan at the time of  
4 such application;

5 “(C) is not in default on the eligible pri-  
6 vate education loan or on any loan made, in-  
7 sured, or guaranteed under this part or part B  
8 or E; and

9 “(D) meets the eligibility requirements de-  
10 scribed in subsection (b)(2).

11 “(b) PROGRAM AUTHORIZED.—

12 “(1) IN GENERAL.—The Secretary, in consulta-  
13 tion with the Secretary of the Treasury, shall carry  
14 out a program under which the Secretary, upon ap-  
15 plication by a qualified borrower who has an eligible  
16 private education loan, shall issue such borrower a  
17 loan under this part in accordance with the fol-  
18 lowing:

19 “(A) The loan issued under this program  
20 shall be in an amount equal to the sum of the  
21 unpaid principal, accrued unpaid interest, and  
22 late charges of the private education loan.

23 “(B) The Secretary shall pay the proceeds  
24 of the loan issued under this program to the  
25 private educational lender of the private edu-

1 cation loan, in order to discharge the qualified  
2 borrower from any remaining obligation to the  
3 lender with respect to the original loan.

4 “(C) The Secretary shall require that the  
5 qualified borrower undergo loan counseling that  
6 provides all of the information and counseling  
7 required under clause (i) and clauses (iv)  
8 through (xiv) of section 485(b)(1)(A) (as  
9 amended by the College Affordability Act) be-  
10 fore the loan is refinanced in accordance with  
11 this section, and before the proceeds of such  
12 loan are paid to the private educational lender.

13 “(D) The Secretary shall issue the loan as  
14 a Federal Direct Refinanced Private Loan,  
15 which shall have the same terms, conditions,  
16 and benefits as a Federal Direct Unsubsidized  
17 Stafford Loan, except as otherwise provided in  
18 this section.

19 “(2) BORROWER ELIGIBILITY.—The Secretary,  
20 in consultation with the Secretary of the Treasury  
21 and the Director of the Bureau of Consumer Finan-  
22 cial Protection, shall establish eligibility require-  
23 ments—

24 “(A) based on income or debt-to-income  
25 ratio that take into consideration providing ac-

1           cess to refinancing under this section for bor-  
2           rowers with the greatest financial need;

3           “(B) to ensure eligibility only for bor-  
4           rowers in good standing;

5           “(C) to minimize inequities between Fed-  
6           eral Direct Refinanced Private Loans and other  
7           Federal student loans;

8           “(D) to preclude windfall profits for pri-  
9           vate educational lenders; and

10          “(E) to ensure full access to the program  
11          authorized in this subsection for borrowers with  
12          private loans who otherwise meet the criteria  
13          established in accordance with subparagraphs  
14          (A) and (B).

15          “(c) INTEREST RATE.—

16          “(1) IN GENERAL.—The interest rate for a  
17          Federal Direct Refinanced Private Loan is—

18          “(A) in the case of a Federal Direct Refi-  
19          nanced Private Loan for a private education  
20          loan originally issued for undergraduate post-  
21          secondary educational expenses, a rate equal to  
22          the 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, 2019, and  
2 ending on June 30, 2020; and

3 “(B) in the case of a Federal Direct Refi-  
4 nanced Private Loan for a private education  
5 loan originally issued for graduate or profes-  
6 sional degree postsecondary educational ex-  
7 penses, a rate equal to the rate for Federal Di-  
8 rect Unsubsidized Stafford Loans issued to  
9 graduate or professional students for the 12-  
10 month period beginning on July 1, 2019, and  
11 ending on June 30, 2020.

12 “(2) COMBINED UNDERGRADUATE AND GRAD-  
13 UATE STUDY LOANS.—If a Federal Direct Refi-  
14 nanced Private Loan is for a private education loan  
15 originally issued for both undergraduate and grad-  
16 uate or professional postsecondary educational ex-  
17 penses, the interest rate shall be a rate equal to the  
18 rate for Federal Direct PLUS Loans for the 12-  
19 month period beginning on July 1, 2019, and ending  
20 on June 30, 2020.

21 “(3) FIXED RATE.—The applicable rate of in-  
22 terest determined under this subsection for a Fed-  
23 eral Direct Refinanced Private Loan shall be fixed  
24 for the period of the loan.

1           “(d) NO INCLUSION IN AGGREGATE LIMITS.—The  
2 amount of a Federal Direct Refinanced Private Loan, or  
3 a Federal Direct Consolidated Loan to the extent such  
4 loan was used to repay a Federal Direct Refinanced Pri-  
5 vate Loan, shall not be included in calculating a bor-  
6 rower’s annual or aggregate loan limits under section 428  
7 or 428H.

8           “(e) NO ELIGIBILITY FOR SERVICE-RELATED RE-  
9 PAYMENT.—A Federal Direct Refinanced Private Loan, or  
10 any Federal Direct Consolidation Loan to the extent such  
11 loan was used to repay a Federal Direct Refinanced Pri-  
12 vate Loan, shall not be eligible for any loan repayment  
13 or loan forgiveness program under section 428K, 428L,  
14 or 460 or for the repayment plan for public service em-  
15 ployees under section 455(m).

16           “(f) PRIVATE EDUCATIONAL LENDER REPORTING  
17 REQUIREMENT.—

18                   “(1) REPORTING REQUIRED.—The Secretary,  
19 in consultation with the Secretary of the Treasury  
20 and the Director of the Bureau of Consumer Finan-  
21 cial Protection, shall establish a requirement that  
22 private educational lenders report the data described  
23 in paragraph (2) to the Secretary, to Congress, to  
24 the Secretary of the Treasury, and to the Director  
25 of the Bureau of Consumer Financial Protection, in

1 order to allow for an assessment of the private edu-  
2 cation loan market.

3 “(2) CONTENTS OF REPORTING.—The data  
4 that private educational lenders shall report in ac-  
5 cordance with paragraph (1) shall include each of  
6 the following about private education loans (as de-  
7 fined in section 140(a) of the Truth in Lending Act  
8 (15 U.S.C. 1650(a))):

9 “(A) The total amount of private education  
10 loan debt the lender holds.

11 “(B) The total number of private edu-  
12 cation loan borrowers the lender serves.

13 “(C) The average interest rate on the out-  
14 standing private education loan debt held by the  
15 lender.

16 “(D) The proportion of private education  
17 loan borrowers who are in default on a loan  
18 held by the lender.

19 “(E) The proportion of the outstanding  
20 private education loan volume held by the lend-  
21 er that is in default.

22 “(F) The proportions of outstanding pri-  
23 vate education loan borrowers who are 30, 60,  
24 and 90 days delinquent.

1           “(G) The proportions of outstanding pri-  
2           vate education loan volume that is 30, 60, and  
3           90 days delinquent.

4           “(g) NOTIFICATION TO BORROWERS.—The Sec-  
5           retary, in coordination with the Secretary of the Treasury  
6           and the Director of the Bureau of Consumer Financial  
7           Protection, shall undertake a campaign to alert borrowers  
8           about the availability of private student loan refinancing  
9           under this section.”.

## 10           **PART E—FEDERAL PERKINS LOANS**

### 11           **SEC. 4401. AUTHORIZATION OF APPROPRIATIONS FOR PER-** 12           **KINS LOAN.**

13           Section 461(b) of the Higher Education Act of 1965  
14           (20 U.S.C. 1087aa(b)) is amended—

- 15           (1) by striking “(1) IN GENERAL.—”;
- 16           (2) by striking paragraphs (2) and (3); and
- 17           (3) by redesignating subparagraphs (A), (B),  
18           and (C) as paragraphs (1), (2), and (3), respectively.

### 19           **SEC. 4402. ALLOCATION OF FUNDS FOR PERKINS LOAN.**

20           Section 462 of the Higher Education Act of 1965 (20  
21           U.S.C. 1087bb) is amended—

- 22           (1) in subsection (a)(1), by striking “From”  
23           and inserting “For any fiscal year before fiscal year  
24           2021, from”; and

1           (2) in subsection (i)(1), by striking “for any fis-  
2           cal year,” and inserting “for any fiscal year before  
3           fiscal year 2021,”.

4 **SEC. 4403. 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)(1);  
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           subparagraph (B) of subsection (b)(1) to enable  
22           each such institution to make Federal Direct Per-  
23           kins Loans to eligible students at the institution.

24           “(b) AVAILABLE DIRECT PERKINS ANNUAL LOAN  
25 AUTHORITY.—

1           “(1) AVAILABILITY AND ALLOCATIONS.—

2                   “(A) IN GENERAL.—There are hereby  
3           made available, from funds made available for  
4           loans made under part D, not to exceed  
5           \$2,400,000,000 of annual loan authority for  
6           award year 2021–2022 and each succeeding  
7           award year, to be allocated as provided in sub-  
8           paragraph (B).

9                   “(B) ALLOCATION FORMULA.—Except as  
10          provided in paragraphs (3), (4), and (5), for  
11          each award year, the Secretary shall allocate an  
12          amount to each participating institution that is  
13          equal to—

14                   “(i) 100 percent of the institutional  
15          undergraduate student need (as deter-  
16          mined under subparagraph (C)) for the  
17          preceding award year; and

18                   “(ii) 25 percent of the institutional  
19          graduate student need (as determined  
20          under subparagraph (D)) for the preceding  
21          award year.

22                   “(C) INSTITUTIONAL UNDERGRADUATE  
23          STUDENT NEED CALCULATION.—The institu-  
24          tional undergraduate student need for a partici-

1           participating institution for an award year shall be  
2           equal to the sum of the following:

3                   “(i) An amount equal to 50 percent of  
4                   the amount that bears the same proportion  
5                   to the amount made available under sub-  
6                   paragraph (A) for such award year as the  
7                   total amount of Federal Pell Grant funds  
8                   awarded at the participating institution for  
9                   the preceding award year bears to the total  
10                  amount of Federal Pell Grant funds  
11                  awarded at all participating institutions for  
12                  the preceding award year.

13                   “(ii) An amount equal to 50 percent  
14                   of the amount that bears the same propor-  
15                   tion to the amount made available under  
16                   subparagraph (A) for such award year as  
17                   the total amount of the undergraduate stu-  
18                   dent need at the participating institution  
19                   for the preceding award year bears to the  
20                   total amount of undergraduate student  
21                   need at all participating institutions for  
22                   the preceding award year.

23                   “(D) INSTITUTIONAL GRADUATE STUDENT  
24                   NEED CALCULATION.—The institutional grad-  
25                   uate student need for a participating institution

1           for an award year shall be equal to the amount  
2           that bears the same proportion to the amount  
3           made available under subparagraph (A) for  
4           such award year as the total amount of the  
5           graduate student need at the participating in-  
6           stitution for the preceding award year bears to  
7           the total amount of graduate student need at  
8           all participating institutions for the preceding  
9           award year.

10           “(2) NO FUNDS TO NON-PARTICIPATING INSTI-  
11           TUTIONS.—The Secretary shall not make funds  
12           available under this subsection to any eligible insti-  
13           tution that is not a participating institution.

14           “(3) REQUIRED MINIMUM AMOUNT.—In no case  
15           shall the sum of a participating institution’s alloca-  
16           tion of loan authority computed under paragraph  
17           (1)(B) be less than the average of the institution’s  
18           total principal amount of loans made under this part  
19           for each of the academic years 2012–2013 through  
20           2016–2017.

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 para-  
24           graph (1)(B) is below the minimum amount required  
25           under paragraph (3), the Secretary shall—



1           “(A) for each participating institution for  
2           which the minimum amount under paragraph  
3           (3) is not satisfied, increase the amount of such  
4           sum to the amount of the required minimum  
5           under such paragraph; and

6           “(B) ratably reduce the amount of the sum  
7           of such loan authority of all participating insti-  
8           tutions not described in subparagraph (A).

9           “(5) ESTIMATING THE YEAR PRECEDING THE  
10          FIRST YEAR OF ALLOCATIONS.—For award year  
11          2021–2022, in calculating an institution’s under-  
12          graduate student need under paragraph (1)(C) and  
13          an institution’s graduate student need under para-  
14          graph (1)(D), the Secretary may estimate the data  
15          with respect to the preceding award year required to  
16          make such calculations.

17          “(c) DEFINITIONS.—In this section:

18                 “(1) ANNUAL LOAN AUTHORITY.—The term  
19                 ‘annual loan authority’ means the total original prin-  
20                 cipal amount of loans that may be allocated and  
21                 made available for an award year to make Federal  
22                 Direct Perkins Loans under section 455A.

23                 “(2) AVERAGE COST OF ATTENDANCE.—The  
24                 term ‘average cost of attendance’ has the meaning  
25                 given the term in section 4202(e)(5)(B).

1           “(3) GRADUATE STUDENT NEED.—The term  
2           ‘graduate student need’ means, with respect to a  
3           graduate student for an award year, the lesser of the  
4           following:

5                   “(A) The amount equal to (except the  
6                   amount computed by this subparagraph shall  
7                   not be less than zero)—

8                           “(i) the average cost of attendance for  
9                           the preceding award year, minus

10                           “(ii) such graduate student’s expected  
11                           family contribution (computed in accord-  
12                           ance with part F of this title) for the pre-  
13                           ceding award year.

14                   “(B) The total annual loan limit for a  
15                   Federal Direct Unsubsidized Stafford Loan.

16           “(4) UNDERGRADUATE STUDENT NEED.—The  
17           term ‘undergraduate student need’ means, with re-  
18           spect to an undergraduate student for an award  
19           year, the lesser of the following:

20                   “(A) The total of the amount equal to (ex-  
21                   cept the amount computed by this clause shall  
22                   not be less than zero)—

23                           “(i) the average cost of attendance for  
24                           the award year, minus

1           “(ii) such undergraduate student’s ex-  
2           pected family contribution (computed in  
3           accordance with part F of this title) for  
4           the preceding award year.

5           “(B) The total loan annual limit for a  
6           Federal Direct Unsubsidized Stafford Loan and  
7           a Federal Direct Loan.

8           “(5) ELIGIBLE INSTITUTION.—The term ‘eligi-  
9           ble institution’ means an institution of higher edu-  
10          cation that participates in the Federal Direct Staf-  
11          ford Loan Program.

12          “(6) PARTICIPATING INSTITUTION.—The term  
13          ‘participating institution’ means an institution of  
14          higher education that has an agreement under sec-  
15          tion 463(f).”.

16 **SEC. 4404. AGREEMENTS WITH INSTITUTIONS OF HIGHER**  
17 **EDUCATION FOR PURPOSES OF THE PERKINS**  
18 **LOAN PROGRAM.**

19          (a) AMENDMENTS.—Section 463 of the Higher Edu-  
20          cation Act (20 U.S.C. 1087cc) is amended—

21                  (1) in subsection (a)—

22                          (A) in the heading, by inserting “FOR  
23                          LOANS MADE BEFORE JULY 1, 2021” after  
24                          “AGREEMENTS”;

1 (B) in paragraph (3)(A), by inserting “be-  
2 fore July 1, 2021” after “students”;

3 (C) in paragraph (4), by striking “there-  
4 on—” and all that follows and inserting “there-  
5 on, if the institution has failed to maintain an  
6 acceptable collection record with respect to such  
7 loan, as determined by the Secretary in accord-  
8 ance with criteria established by regulation, the  
9 Secretary may require the institution to assign  
10 such note or agreement to the Secretary, with-  
11 out recompense;”; and

12 (D) in paragraph (5), by striking “and the  
13 Secretary shall apportion” and all that follows  
14 through “in accordance with section 462” and  
15 inserting “and the Secretary shall return a por-  
16 tion of funds from loan repayments to the insti-  
17 tution as specified in section 466(b)”;

18 (2) by amending subsection (b) to read as fol-  
19 lows:

20 “(b) ADMINISTRATIVE EXPENSES.—An institution  
21 that has entered into an agreement under subsection (a)  
22 shall be entitled, for each fiscal year during which it serv-  
23 ices student loans from a student loan fund established  
24 under such agreement, to a payment in lieu of reimburse-  
25 ment for its expenses in servicing student loans made be-

1 fore July 1, 2021. Such payment shall be equal to 0.50  
2 percent of the outstanding principal and interest balance  
3 of such loans being serviced by the institution as of Sep-  
4 tember 30 of each fiscal year.”; and

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

6 “(f) CONTENTS OF AGREEMENTS FOR LOANS MADE  
7 ON OR AFTER JULY 1, 2021.—An agreement with any  
8 institution of higher education that elects to participate  
9 in the Federal Direct Perkins Loan program under section  
10 455A shall provide—

11 “(1) for the establishment and maintenance of  
12 a Direct Perkins Loan program at the institution  
13 under which the institution shall use loan authority  
14 allocated under section 462A to make loans to eligi-  
15 ble students attending the institution;

16 “(2) that the institution, unless otherwise speci-  
17 fied in this subsection, shall operate the program  
18 consistent with the requirements of agreements es-  
19 tablished under section 454; and

20 “(3) that if the institution ceases to be eligible  
21 to receive Federal loans under this title based on  
22 loss of eligibility under section 435(a), as amended,  
23 due to a high adjusted cohort default rate, the Sec-  
24 retary shall suspend or terminate the institution’s  
25 eligibility to make Federal Direct Perkins Loans

1 under section 455A unless and until the institution  
2 would qualify for a resumption of eligible institution  
3 status under such section.”.

4 (b) EFFECTIVE DATE.—The amendments made by  
5 paragraph (2) of subsection (a) shall take effect on Octo-  
6 ber 1, 2021.

7 **SEC. 4405. STUDENT LOAN INFORMATION BY ELIGIBLE IN-**  
8 **STITUTIONS FOR PURPOSES OF THE PERKINS**  
9 **LOAN PROGRAM.**

10 Section 463A of the Higher Education Act of 1965  
11 (20 U.S.C. 1087cc–1) is amended—

12 (1) in subsection (a), by striking “Each institu-  
13 tion” and inserting “For loans made before July 1,  
14 2021, each institution”; and

15 (2) in subsection (b), by striking “Each institu-  
16 tion” and inserting “For loans made before July 1,  
17 2021, each institution”.

18 **SEC. 4406. TERMS OF LOANS FOR PURPOSES OF THE PER-**  
19 **KINS LOAN PROGRAM.**

20 Section 464 of the Higher Education Act of 1965 (20  
21 U.S.C. 1087dd) is amended—

22 (1) in subsection (a)(1), by striking “section  
23 463” and inserting “section 463(a)”;

24 (2) in subsection (b)(1), by inserting “made be-  
25 fore July 1, 2021,” after “A loan”;

1 (3) in subsection (c)—

2 (A) in paragraph (1), by inserting “made  
3 before July 1, 2021,” after “a loan”;

4 (B) in paragraph (2)—

5 (i) in subparagraph (A), by inserting  
6 “made before July 1, 2021,” after “any  
7 loan”; and

8 (ii) in subparagraph (B), by inserting  
9 “made before July 1, 2021,” after “any  
10 loan”;

11 (C) in paragraph (3)(B), by inserting “for  
12 a loan made before July 1, 2021,” after “Sec-  
13 retary, the repayment period”;

14 (D) in paragraph (4), by inserting “before  
15 July 1, 2021,” after “for a loan made”;

16 (E) in paragraph (5), by striking “The in-  
17 stitution” and inserting “For loans made before  
18 July 1, 2021, the institution”; and

19 (F) in paragraph (6), by inserting “made  
20 before July 1, 2021,” after “of loans”;

21 (4) in subsection (d), by inserting “made before  
22 July 1, 2021,” before “from the student loan fund”;

23 (5) in subsection (e), by inserting “with respect  
24 to loans made before July 1, 2021, and” before “as  
25 documented in accordance with paragraph (2),”;

1 (6) in subsection (g)(1), by inserting “and be-  
2 fore July 1, 2021,” after “January 1, 1986,”;

3 (7) in subsection (h)—

4 (A) in paragraph (1)(A) by inserting “be-  
5 fore July 1, 2021,” after “made under this  
6 part”; and

7 (B) in paragraph (2), by inserting “before  
8 July 1, 2021,” after “under this part”; and

9 (8) in subsection (j)(1), by inserting “before  
10 July 1, 2021,” after “under this part”.

11 **SEC. 4407. REIMBURSEMENT FOR CANCELLATION OF PER-**  
12 **KINS LOANS FOR CERTAIN PUBLIC SERVICE.**

13 Section 465 of the Higher Education Act of 1965 (20  
14 U.S.C. 1087ee) is amended—

15 (1) in subsection (a), by inserting “and before  
16 July 1, 2021,” after “June 30, 1972,”; and

17 (2) by amending subsection (b) to read as fol-  
18 lows:

19 “(b) REIMBURSEMENT FOR CANCELLATIONS.—

20 “(1) ASSIGNED LOANS.—In the case of loans  
21 made under this part before July 1, 2021, and that  
22 are assigned to the Secretary, the Secretary shall,  
23 from amounts repaid each quarter on assigned Per-  
24 kins Loans made before July 1, 2021, pay to each  
25 institution for each quarter an amount equal to—



1           “(A) the aggregate of the amounts of loans  
2           from its student loan fund that are canceled  
3           pursuant to this section for such quarter, minus

4           “(B) an amount equal to the aggregate of  
5           the amounts of any such loans so canceled that  
6           were made from Federal capital contributions  
7           to its student loan fund.

8           “(2) **RETAINED LOANS.**—In the case of loans  
9           made under this part before July 1, 2021, and that  
10          are retained by the institution for servicing, the in-  
11          stitution shall deduct from loan repayments owed to  
12          the Secretary under section 466, an amount equal  
13          to—

14          “(A) the aggregate of the amounts of loans  
15          from its student loan fund that are canceled  
16          pursuant to this section for such quarter, minus

17          “(B) an amount equal to the aggregate of  
18          the amounts of any such loans so canceled that  
19          were made from Federal capital contributions  
20          to its student loan fund.”.

21 **SEC. 4408. DISTRIBUTION OF ASSETS FROM STUDENT LOAN**  
22 **FUNDS FOR PURPOSES OF THE PERKINS**  
23 **LOAN PROGRAM.**

24          Section 466 of the Higher Education Act of 1965 (20  
25 U.S.C. 1087ff) is amended to read as follows:

1 **“SEC. 466. DISTRIBUTION OF ASSETS FROM STUDENT LOAN**  
2 **FUNDS.**

3 “(a) CAPITAL DISTRIBUTION.—Beginning July 1,  
4 2021, there shall be a capital distribution of the balance  
5 of the student loan fund established under this part by  
6 each institution of higher education as follows:

7 “(1) For the quarter beginning July 1, 2021,  
8 the Secretary shall first be paid, no later than Sep-  
9 tember 30, 2021, an amount that bears the same  
10 ratio to the cash balance in such fund at the close  
11 of June 30, 2021, as the total amount of the Fed-  
12 eral capital contributions to such fund by the Sec-  
13 retary under this part bears to—

14 “(A) the sum of such Federal contribu-  
15 tions and the institution’s capital contributions  
16 to such fund, less

17 “(B) an amount equal to—

18 “(i) the institution’s outstanding ad-  
19 ministrative costs as calculated under sec-  
20 tion 463(b);

21 “(ii) outstanding charges assessed  
22 under section 464(c)(1)(H); and

23 “(iii) outstanding loan cancellation  
24 costs incurred under section 465.

25 “(2) At the end of each quarter subsequent to  
26 the quarter ending September 30, 2021, the Sec-

1       retary shall first be paid an amount that bears the  
2       same ratio to the cash balance in such fund at the  
3       close of the preceding quarter, as the total amount  
4       of the Federal capital contributions to such fund by  
5       the Secretary under this part bears to—

6               “(A) the sum of such Federal contribu-  
7               tions and the institution’s capital contributions  
8               to such fund, less

9               “(B) an amount equal to—

10               “(i) the institution’s administrative  
11               costs incurred for that quarter as cal-  
12               culated under section 463(b);

13               “(ii) charges assessed for that quarter  
14               under section 464(c)(1)(H); and

15               “(iii) loan cancellation costs incurred  
16               for that quarter under section 465.

17               “(3)(A) The Secretary shall calculate the  
18               amounts due to the Secretary under paragraph (1)  
19               (adjusted in accordance with subparagraph (B), as  
20               appropriate) and paragraph (2) and shall promptly  
21               inform the institution of such calculated amounts.

22               “(B) In the event that, prior to the date of en-  
23               actment of the College Affordability Act, an institu-  
24               tion made a short-term, interest-free loan to the in-  
25               stitution’s student loan fund established under this

1 part in anticipation of collections or receipt of Fed-  
2 eral capital contributions, and the institution dem-  
3 onstrates to the Secretary, on or before June 30,  
4 2021, that such loan will still be outstanding after  
5 June 30, 2021, the Secretary shall subtract the  
6 amount of such outstanding loan from the cash bal-  
7 ance of the institution's student loan fund that is  
8 used to calculate the amount due to the Secretary  
9 under paragraph (1). An adjustment of an amount  
10 due to the Secretary under this subparagraph shall  
11 be made by the Secretary on a case-by-case basis.

12 “(4) Any remaining balance at the end of a  
13 quarter after a payment under paragraph (1) or (2)  
14 shall be retained by the institution for use at its dis-  
15 cretion. Any balance so retained shall be withdrawn  
16 from the student loan fund and shall not be counted  
17 in calculating amounts owed to the Secretary for  
18 subsequent quarters.

19 “(5) Each institution shall make the quarterly  
20 payments to the Secretary described in paragraph  
21 (2) until all outstanding Federal Perkins Loans at  
22 that institution have been assigned to the Secretary  
23 and there are no funds remaining in the institution's  
24 student loan fund.

1           “(6) In the event that the institution’s adminis-  
2           trative costs, charges, and cancellation costs de-  
3           scribed in paragraph (2) for a quarter exceed the  
4           amount owed to the Secretary under paragraphs (1)  
5           and (2) for that quarter, no payment shall be due  
6           to the Secretary from the institution for that quarter  
7           and the Secretary shall pay the institution, from  
8           funds realized from the collection of assigned Fed-  
9           eral Perkins Loans made before July 1, 2021, an  
10          amount that, when combined with the amount re-  
11          tained by the institution under paragraphs (1) and  
12          (2), equals the full amount of such administrative  
13          costs, charges, and cancellation costs.

14          “(b) ASSIGNMENT OF OUTSTANDING LOANS.—Be-  
15          ginning July 1, 2021, an institution of higher education  
16          may assign all outstanding loans made under this part be-  
17          fore July 1, 2021, to the Secretary, consistent with the  
18          requirements of section 463(a)(5). In collecting loans so  
19          assigned, the Secretary shall pay an institution an amount  
20          that constitutes the same fraction of such collections as  
21          the fraction of the cash balance that the institution retains  
22          under subsection (a)(2), but determining such fraction  
23          without regard to subparagraph (B)(i) of such sub-  
24          section.”.

1                                   **PART F—NEED ANALYSIS**

2   **SEC. 4501. CONFORMING AMENDMENT TO FAMILY CON-**  
3                                   **TRIBUTION.**

4           Section 473(b) of the Higher Education Act of 1965  
5 (20 U.S.C. 1087mm) is amended—

6                   (1) in paragraph (1), by striking “academic  
7           year” and inserting “award year”; and

8                   (2) in paragraph (2)—

9                           (A) by striking “academic year” each place  
10                           it appears and inserting “award year”; and

11                           (B) by striking “academic years” and in-  
12                           serting “award years”.

13   **SEC. 4502. AMENDMENTS TO DATA ELEMENTS WHEN DE-**  
14                                   **TERMINING THE EXPECTED FAMILY CON-**  
15                                   **TRIBUTION.**

16           Section 474(b) of the Higher Education Act of 1965  
17 (20 U.S.C. 1087nn(b)) is amended in paragraph (4), by  
18 inserting before “the net” the following: “only in the case  
19 of a pathway three applicant,”.

20   **SEC. 4503. AMENDMENTS TO FAMILY CONTRIBUTION FOR**  
21                                   **DEPENDENT STUDENTS.**

22           (a) **DEPENDENT STUDENTS.**—Section 475 of the  
23 Higher Education Act of 1965 (20 U.S.C. 1087oo) is  
24 amended—

1 (1) in subsection (a)(3), by inserting before  
2 “the student” the following: “only in the case of a  
3 pathway three applicant,”;

4 (2) in subsection (b)(1)(B), by inserting before  
5 “the parents” the following: “only in the case of a  
6 pathway three applicant,”; and

7 (3) in subsection (b)(3), by striking “award pe-  
8 riod” and inserting “award year”.

9 (b) INCREASING SUPPORT FOR WORKING DEPEND-  
10 ENT STUDENTS.—Section 475(g)(2)(D) of the Higher  
11 Education Act of 1965 (20 U.S.C. 1087oo(g)(2)(D)) is  
12 amended to read as follows:

13 “(D) an income protection allowance (or a  
14 successor amount prescribed by the Secretary  
15 under section 478) of \$9,230 for award year  
16 2021–2022;”.

17 **SEC. 4504. AMENDMENTS TO FAMILY CONTRIBUTION FOR**  
18 **INDEPENDENT STUDENTS WITHOUT DEPEND-**  
19 **ENTS OTHER THAN A SPOUSE.**

20 (a) INDEPENDENT STUDENTS WITHOUT DEPEND-  
21 ENTS OTHER THAN A SPOUSE.—Section 476(a)(1)(B) of  
22 the Higher Education Act of 1965 (20 U.S.C.  
23 1087pp(a)(1)(B)) is amended by inserting before “the  
24 family’s contribution” the following: “only in the case of  
25 a pathway three applicant,”.

1 (b) INCREASING SUPPORT FOR WORKING INDE-  
2 PENDENT STUDENTS WITHOUT DEPENDENTS OTHER  
3 THAN A SPOUSE.—Section 476 of the Higher Education  
4 Act of 1965 (20 U.S.C. 1087pp) is further amended—

5 (1) in subsection (a)(2), by striking “award pe-  
6 riod” and inserting “award year”; and

7 (2) by amending subsection (b)(1)(A)(iv) to  
8 read as follows:

9 “(iv) an income protection allowance  
10 (or a successor amount prescribed by the  
11 Secretary under section 478)—

12 “(I) for single or separated stu-  
13 dents, or married students where both  
14 are enrolled pursuant to subsection  
15 (a)(2), of \$14,360 for award year  
16 2021–2022; and

17 “(II) for married students where  
18 1 is enrolled pursuant to subsection  
19 (a)(2), of \$23,030 for award year  
20 2021–2022;”.

21 **SEC. 4505. AMENDMENTS TO FAMILY CONTRIBUTION FOR**  
22 **INDEPENDENT STUDENTS WITH DEPEND-**  
23 **ENTS OTHER THAN A SPOUSE.**

24 (a) INDEPENDENT STUDENTS WITH DEPENDENTS  
25 OTHER THAN A SPOUSE.—Section 477(a)(1)(B) of the



1 Higher Education Act of 1965 (20 U.S.C.  
 2 1087qq(a)(1)(B)) is amended by inserting before “the  
 3 family’s contribution” the following: “only in the case of  
 4 a pathway three applicant,”.

5 (b) INCREASING SUPPORT FOR WORKING INDE-  
 6 PENDENT STUDENTS WITH DEPENDENTS OTHER THAN  
 7 A SPOUSE.—Section 477 of the Higher Education Act of  
 8 1965 (20 U.S.C. 1087qq) is amended—

9 (1) in subsection (a)(3), by striking “award pe-  
 10 riod” and inserting “award year”; and

11 (2) by amending subsection (b)(4) to read as  
 12 follows:

13 “(4) INCOME PROTECTION ALLOWANCE.—The  
 14 income protection allowance is determined by the fol-  
 15 lowing table (or a successor table prescribed by the  
 16 Secretary under section 478), for award year 2021–  
 17 2022:

Family Size  (including student)	Number in College					For each additional subtract:
	1	2	3	4	5	
2	\$36,370	\$30,160				\$6,180
3	45,290	39,100	\$32,890			
4	55,920	49,720	43,540	\$37,300		
5	65,990	59,750	53,570	47,360	\$41,180	
6	77,170	70,960	64,790	58,540	52,350	
For each additional add:	8,710					”.

1 **SEC. 4506. INSTITUTIONAL CALCULATIONS FOR OFF-CAM-**  
2 **PUS ROOM AND BOARD.**

3 (a) AUTHORITY TO PRESCRIBE REGULATIONS.—Sec-  
4 tion 478(a) of the Higher Education Act of 1965 (20  
5 U.S.C. 1087rr(a)) is amended—

6 (1) in paragraph (1)—

7 (A) by striking “or” at the end of subpara-  
8 graph (A);

9 (B) by striking the period at the end of  
10 subparagraph (B) and inserting “; or”; and

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

12 “(C) to prescribe—

13 “(i) one methodology that institutions  
14 of higher education (other than institutions  
15 that receive a waiver under clause (ii))  
16 shall use, or a selection of two or more  
17 methodologies from which such institutions  
18 shall select and use a methodology, to de-  
19 termine the allowance for room and board  
20 costs incurred by students described in  
21 subparagraph (A) of section 472(3) and by  
22 students described in subparagraph (D) of  
23 such section, which shall—

24 “(I) ensure that each such allow-  
25 ance determination is sufficient to  
26 cover reasonable room and board costs

1 incurred by the students for whom  
2 such allowance is being determined;  
3 and

4 “(II) include the sources of infor-  
5 mation that institutions shall use in  
6 making each such allowance deter-  
7 mination; and

8 “(ii) a process for granting institu-  
9 tions of higher education a waiver from the  
10 requirements of clause (i), including—

11 “(I) a requirement that each in-  
12 stitution of higher education seeking  
13 such a waiver submit to the Sec-  
14 retary—

15 “(aa) a description of the  
16 methodology that the institution  
17 will use for each allowance deter-  
18 mination described in clause (i);

19 “(bb) an assurance that  
20 each such allowance determina-  
21 tion meets the requirements of  
22 clause (i)(I); and

23 “(cc) a demonstration that  
24 the institution will use reliable  
25 sources of information for each

1 such allowance determination;  
2 and

3 “(II) a requirement that each in-  
4 stitution of higher education that re-  
5 ceives such a waiver publicly disclose  
6 on the website of the institution the  
7 methodology and sources of informa-  
8 tion used by the institution for each  
9 allowance determination described in  
10 clause (i).”; and

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

12 “(3) Any regulation proposed by the Secretary  
13 under paragraph (1)(C) of this subsection shall not  
14 be subject to the requirements of paragraph (2).”.

15 (b) REQUIREMENT TO PRESCRIBE REGULATIONS.—  
16 Not later than 18 months after the date of enactment of  
17 this Act, the Secretary of Education shall issue regulations  
18 that meet the requirements of subparagraph (C) of section  
19 478(a)(1) of the Higher Education Act of 1965 (20 U.S.C.  
20 1087rr(a)(1)), as added by subsection (a).

21 **SEC. 4507. UPDATED TABLES AND AMOUNTS TO NEED**  
22 **ANALYSIS.**

23 Section 478 of the Higher Education Act of 1965 (20  
24 U.S.C. 1087rr) is further amended—

25 (1) in subsection (b)—

1 (A) in paragraph (1), by striking subpara-  
2 graphs (A) and (B) and inserting the following:

3 “(A) IN GENERAL.—For each award year  
4 after award year 2021–2022, the Secretary  
5 shall publish in the Federal Register a revised  
6 table of income protection allowances for the  
7 purpose of sections 475(c)(4) and 477(b)(4),  
8 subject to subparagraphs (B) and (C).

9 “(B) TABLE FOR INDEPENDENT STU-  
10 DENTS.—For each award year after award year  
11 2021–2022, the Secretary shall develop the re-  
12 vised table of income protection allowances by  
13 increasing each of the dollar amounts contained  
14 in the table of income protection allowances  
15 under section 477(b)(4) by a percentage equal  
16 to the estimated percentage increase in the  
17 Consumer Price Index (as determined by the  
18 Secretary for the most recent calendar year  
19 ending prior to the beginning of the award year  
20 for which the determination is being made), and  
21 rounding the result to the nearest \$10.”; and

22 (B) in paragraph (2)—

23 (i) in the first sentence, by striking  
24 “academic year after academic year 2007–

1           2008” and inserting “award year after  
2           award year 2021–2022”; and

3                   (ii) in the second sentence, by striking  
4           “shall be developed” and all that follows  
5           through the period at the end and insert-  
6           ing “shall be developed for each award  
7           year after award year 2021–2022, by in-  
8           creasing each of the dollar amounts con-  
9           tained in such section for award year  
10          2021–2022 by a percentage equal to the  
11          estimated percentage increase in the Con-  
12          sumer Price Index (as determined by the  
13          Secretary for the most recent calendar  
14          year ending prior to the beginning of the  
15          award year for which the determination is  
16          being made), and rounding the result to  
17          the nearest \$10.”; and

18                   (2) in subsection (e)(1), by striking “academic  
19          year” and inserting “award year”.

20   **SEC. 4508. ZERO EXPECTED FAMILY CONTRIBUTION.**

21          Section 479 of the Higher Education Act of 1965 (20  
22   U.S.C. 1087ss) is amended to read as follows:

1 **“SEC. 479. ZERO EXPECTED FAMILY CONTRIBUTION.**

2 “(a) IN GENERAL.—The Secretary shall consider an  
3 applicant to have an expected family contribution equal  
4 to zero if—

5 “(1) in the case of a dependent student—

6 “(A)(i) the student’s parents are not re-  
7 quired to file—

8 “(I) a Federal income tax return; or

9 “(II) with respect to Internal Revenue  
10 Service Form 1040, any of the following  
11 forms: Schedule A, Schedule B, Schedule  
12 C, Schedule C–EZ, Schedule D, Schedule  
13 E, Schedule F, Schedule H, Schedule J,  
14 and Schedule SE; and

15 “(ii) the sum of the adjusted gross income  
16 of the parents is less than or equal to \$34,000;  
17 or

18 “(B) the student’s parents, or the student,  
19 received a benefit at some time during the pre-  
20 vious 24-month period under a means-tested  
21 Federal benefit program;

22 “(2) in the case of an independent student  
23 without regard to whether the student has depend-  
24 ents other than a spouse—

1           “(A)(i) the student (and the student’s  
2 spouse, if any) certifies that the student (and  
3 the student’s spouse, if any)—

4           “(I) is not required to file a Federal  
5 income tax return; or

6           “(II) with respect to Internal Revenue  
7 Service Form 1040, any of the following  
8 forms: Schedule A, Schedule B, Schedule  
9 C, Schedule C–EZ, Schedule D, Schedule  
10 E, Schedule F, Schedule H, Schedule J,  
11 and Schedule SE; and

12           “(ii) the sum of the adjusted gross income  
13 of the student and spouse (if appropriate) is  
14 less than or equal to \$34,000; or

15           “(B) the student received a benefit at some  
16 time during the previous 24-month period  
17 under a means-tested Federal benefit program;  
18 or

19           “(3) the applicant is a pathway one applicant  
20 under section 483(a)(13).

21           “(b) EARNED INCOME CREDIT.—An individual is not  
22 required to qualify or file for the earned income credit in  
23 order to be eligible under this section.

24           “(c) ADJUSTMENTS.—The Secretary shall annually  
25 adjust the income level necessary to qualify an applicant



1 for the zero expected family contribution. The income level  
2 shall be annually increased by the estimated percentage  
3 change in the Consumer Price Index, as defined in section  
4 478(f), for the most recent calendar year ending prior to  
5 the beginning of an award year, and rounded to the near-  
6 est \$1,000.

7 “(d) MEANS-TESTED FEDERAL BENEFIT PROGRAM  
8 DEFINED.—For purposes of this title, a ‘means-tested  
9 Federal benefit program’ means a mandatory spending  
10 program of the Federal Government, other than a pro-  
11 gram under this title, in which eligibility for the program’s  
12 benefits, or the amount of such benefits, are determined  
13 on the basis of income or resources of the individual or  
14 family seeking the benefit, and may include such programs  
15 as—

16 “(1) the supplemental security income program  
17 under title XVI of the Social Security Act (42  
18 U.S.C. 1381 et seq.);

19 “(2) the supplemental nutrition assistance pro-  
20 gram under the Food and Nutrition Act of 2008 (7  
21 U.S.C. 2011 et seq.), a nutrition assistance program  
22 carried out under section 19 of such Act (7 U.S.C.  
23 2028), and a supplemental nutrition assistance pro-  
24 gram carried out under section 1841(c) of title 48  
25 of the United States Code;

1           “(3) the program of block grants for States for  
2           temporary assistance for needy families established  
3           under part A of title IV of the Social Security Act  
4           (42 U.S.C. 601 et seq.);

5           “(4) the special supplemental nutrition program  
6           for women, infants, and children established by sec-  
7           tion 17 of the Child Nutrition Act of 1966 (42  
8           U.S.C. 1786);

9           “(5) the State Medicaid program under title  
10          XIX of the Social Security Act (42 U.S.C. 1396 et  
11          seq.); and

12          “(6) any other program identified by the Sec-  
13          retary.”.

14   **SEC. 4509. AMENDMENTS TO DEFINITIONS IN NEED ANAL-**  
15                           **YSIS.**

16          (a) USING DATA FROM THE SECOND PRECEDING  
17          YEAR.—Section 480(a)(1)(B) of the Higher Education  
18          Act of 1965 (20 U.S.C. 1087vv(a)(1)(B)) is amended by  
19          striking “may” in both places it appears and inserting  
20          “shall”.

21          (b) CHANGES TO UNTAXED INCOME AND BENE-  
22          FITS.—Section 480(b) of the Higher Education Act of  
23          1965 (20 U.S.C. 1087vv(b)) is amended—

24                  (1) in paragraph (1), to read as follows:

1           “(1) The term ‘untaxed income and benefits’  
2           means—

3                   “(A) child support received;

4                   “(B) untaxed portion of pensions;

5                   “(C) payments to individual retirement ac-  
6           counts and Keogh accounts excluded from in-  
7           come for Federal income tax purposes; and

8                   “(D) cash support or any money paid on  
9           the student’s behalf, except, for dependent stu-  
10          dents, funds provided by the student’s par-  
11          ents.”; and

12          (2) in paragraph (2)—

13                   (A) by striking “or” at the end of subpara-  
14          graph (E);

15                   (B) by striking the period at the end of  
16          subparagraph (F) and inserting a semicolon;  
17          and

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

19                   “(G) worker’s compensation;

20                   “(H) veteran’s benefits such as death pen-  
21          sion, dependency, or indemnity compensation,  
22          or veterans’ education benefits as defined in  
23          subsection (c);

24                   “(I) interest on tax-free bonds;

1           “(J) housing, food, or other allowances (in-  
2           cluding rent subsidies for low-income housing)  
3           for military, clergy, and others (including cash  
4           payments and cash value of benefits), or the  
5           value of on-base military housing or the value  
6           of basic allowance for housing determined under  
7           section 403(b) of title 37, United States Code,  
8           received by the parents, in the case of a de-  
9           pendent student, or the student or student’s  
10          spouse, in the case of an independent student;  
11          or

12          “(K) any other untaxed income and bene-  
13          fits, such as Black Lung Benefits, Refugee As-  
14          sistance, or railroad retirement benefits, or ben-  
15          efits received through participation in employ-  
16          ment and training activities under title I of the  
17          Workforce Innovation and Opportunity Act (29  
18          U.S.C. 3111 et seq.).”.

19          (c) AMENDMENT TO THE DEFINITION OF INDE-  
20          PENDENT STUDENT AS IT RELATES TO FOSTER AND  
21          HOMELESS YOUTH.—Section 480(d)(1)(H) of the Higher  
22          Education Act of 1965 (20 U.S.C. 1087vv(d)(1)(H)) is  
23          amended—

24                 (1) in the matter preceding clause (i)—

1 (A) by striking “during the school year in  
2 which the application is submitted”;

3 (B) by inserting “age 23 or younger” after  
4 “unaccompanied youth”; and

5 (C) by striking “terms are” and inserting  
6 “term is”;

7 (2) in clause (i), by inserting “, or a designee  
8 of the liaison” after “Act”;

9 (3) in clause (ii), by striking “a program fund-  
10 ed under the Runaway and Homeless Youth Act”  
11 and inserting “an emergency or transitional shelter,  
12 street outreach program, homeless youths drop-in  
13 center, or other program serving homeless youths,”;  
14 and

15 (4) in clause (iii), by striking “program funded  
16 under subtitle B of title IV of the McKinney-Vento  
17 Homeless Assistance Act (relating to emergency  
18 shelter grants)” and inserting “Federal TRIO pro-  
19 gram or a Gaining Early Awareness and Readiness  
20 for Undergraduate program under chapter 1 or 2 of  
21 subpart 2 of part A,”.

22 (d) STREAMLINING THE DETERMINATION AND  
23 VERIFICATION PROCESS FOR FOSTER AND HOMELESS  
24 YOUTH.—Section 480(d) of the Higher Education Act of

1 1965 (20 U.S.C. 1087vv(d)) is further amended by adding  
2 at the end the following:

3 “(3) SIMPLIFYING THE DETERMINATION PROC-  
4 ESS FOR UNACCOMPANIED YOUTH.—

5 “(A) VERIFICATION.—A financial aid ad-  
6 ministrator shall accept a determination of  
7 independence made by any individual author-  
8 ized to make such determinations under clause  
9 (i), (ii), or (iii) of paragraph (1)(H) in the ab-  
10 sence of conflicting information. A documented  
11 phone call with, or a written statement from,  
12 one of the authorized individuals is sufficient  
13 verification when needed. For purposes of this  
14 paragraph, a financial aid administrator’s dis-  
15 agreement with the determination made by an  
16 authorized individual shall not be considered  
17 conflicting information.

18 “(B) DETERMINATION OF INDEPEND-  
19 ENCE.—A financial aid administrator shall  
20 make a determination of independence under  
21 paragraph (1)(H) if a student does not have,  
22 and cannot obtain, documentation from any of  
23 the other designated authorities described in  
24 such paragraph. Such a determination shall  
25 be—

1 “(i) based on the definitions outlined  
2 in paragraph (1)(H);

3 “(ii) distinct from a determination of  
4 independence under paragraph (1)(I);

5 “(iii) based on a documented inter-  
6 view with the student; and

7 “(iv) limited to whether the student  
8 meets the definitions in paragraph (1)(H)  
9 and not about the reasons for the student’s  
10 homelessness.

11 “(C) ADDITIONAL STREAMLINING PER-  
12 MITTED.—Nothing in this paragraph prohibits  
13 an institution from implementing polices that—

14 “(i) streamline the determination of  
15 independence under paragraph (1)(H); and

16 “(ii) improve a student’s access to fi-  
17 nancial aid because that student is an un-  
18 accompanied youth.

19 “(4) SIMPLIFYING THE VERIFICATION PROCESS  
20 FOR FOSTER CARE YOUTH.—

21 “(A) VERIFICATION OF INDEPENDENCE.—  
22 If an institution requires documentation to  
23 verify that a student is independent based on a  
24 status described in paragraph (1)(B), a finan-

1           cial aid administrator shall consider any of the  
2           following as adequate verification:

3                   “(i) Submission of a court order or of-  
4                   ficial State documentation that the student  
5                   received Federal or State support in foster  
6                   care.

7                   “(ii) A documented phone call with, a  
8                   written statement from, or verifiable data  
9                   match with—

10                           “(I) a child welfare agency au-  
11                           thorized by a State or county;

12                           “(II) a Tribal child welfare au-  
13                           thority;

14                           “(III) an Independent Living  
15                           case worker;

16                           “(IV) a public or private foster  
17                           care placing agency or foster care fa-  
18                           cility or placement;

19                           “(V) another program serving or-  
20                           phans, foster care youth, or wards of  
21                           the court; or

22                           “(VI) a probation officer.

23                   “(iii) A documented phone call with,  
24                   or a written statement from, an attorney,  
25                   a guardian ad litem, or a Court Appointed



1 Special Advocate, documenting that per-  
2 son's relationship to the student.

3 “(iv) A documented phone call with,  
4 or a written statement from, a representa-  
5 tive of a Federal TRIO program or a  
6 Gaining Early Awareness and Readiness  
7 for Undergraduate program under chapter  
8 1 or 2 of subpart 2 of part A.

9 “(v) Verification of the student's eligi-  
10 bility for an education and training vouch-  
11 er under the John H. Chafee Foster Care  
12 Independence Program (42 U.S.C. 677).

13 “(vi) Documentation of foster care  
14 provided pursuant to section 475(5)(I) of  
15 the Social Security Act (45 U.S.C.  
16 675(5)(I)).

17 “(vii) Submission of a copy of the stu-  
18 dent's biological or adoptive parents' or  
19 legal guardians'—

20 “(I) Certificates of Death; or

21 “(II) verifiable obituaries.

22 “(viii) An attestation from the stu-  
23 dent, which includes a description of why  
24 the student may qualify for a status de-  
25 scribed in paragraph (1)(B), including the

1            approximate dates that the student was in  
2            foster care, dependent, or a ward of the  
3            court, to the best of the student's knowl-  
4            edge after making reasonable efforts to  
5            provide any requested documentation.

6            “(B) ADDITIONAL STREAMLINING PER-  
7            MITTED.—Nothing in this paragraph prohibits  
8            an institution from implementing policies that  
9            streamline the determination of independent  
10           status and improve a student's access to finan-  
11           cial aid because that student is an orphan, in  
12           foster care, or a ward of the court, or was an  
13           orphan, in foster care, or a ward of the court  
14           at any time since such student was 13 years of  
15           age or older.

16           “(5) TIMING; USE OF EARLIER DETERMINA-  
17           TION.—

18           “(A) TIMING.—A determination under  
19           subparagraph (B) or (H) of paragraph (1) for  
20           a student—

21           “(i) shall be made as quickly as prac-  
22           ticable;

23           “(ii) may be made as early as the year  
24           before the award year for which the stu-  
25           dent initially submits an application; and

1                   “(iii) shall be made no later than dur-  
2                   ing the award year for which the student  
3                   initially submits an application.

4                   “(B) USE OF EARLIER DETERMINATION.—  
5                   Any student who is determined to be inde-  
6                   pendent under subparagraph (B) or (H) of  
7                   paragraph (1) for a preceding award year at an  
8                   institution shall be presumed to be independent  
9                   for each subsequent award year at the same in-  
10                  stitution unless—

11                  “(i) the student informs the institu-  
12                  tion that circumstances have changed; or

13                  “(ii) the institution has specific con-  
14                  flicting information about the student’s  
15                  independence, and has informed the stu-  
16                  dent of this information and the oppor-  
17                  tunity to challenge such information  
18                  through a documented interview or an im-  
19                  partial review by the Borrower Advocate  
20                  pursuant to section 141(f)(6)(C).

21                  “(6) RETENTION OF DOCUMENTS.—A financial  
22                  aid administrator shall retain all documents related  
23                  to the determination of independence under subpara-  
24                  graph (B) or (H) of paragraph (1), including docu-  
25                  mented interviews, for the duration of the student’s

1 enrollment at the institution and for a minimum of  
2 1 year after the student is no longer enrolled at the  
3 institution.”.

4 (e) EXCLUDABLE INCOME.—Section 480(e) of the  
5 Higher Education Act of 1965 (20 U.S.C. 1087vv(e)) is  
6 amended by striking paragraph (5) and inserting the fol-  
7 lowing:

8 “(5) payments made and services provided  
9 under part E of title IV of the Social Security Act  
10 to or on behalf of any child or youth over whom the  
11 State agency has responsibility for placement, care,  
12 or supervision, including the value of vouchers for  
13 education and training and amounts expended for  
14 room and board for youth who are not in foster care  
15 but are receiving services under section 477 of such  
16 Act; and”.

17 **PART G—GENERAL PROVISIONS RELATING TO**  
18 **STUDENT ASSISTANCE PROGRAMS**

19 **SEC. 4601. DEFINITION OF ELIGIBLE PROGRAM.**

20 (a) ELIGIBLE PROGRAM.—Section 481(b) of the  
21 Higher Education Act of 1965 (20 U.S.C. 1088(b))—

22 (1) in paragraph (1)(A)(i), by striking “profes-  
23 sion” and inserting “occupation”;

24 (2) in paragraph (2)—

25 (A) in subparagraph (A)—

1 (i) by redesignating clause (iii) as  
2 clause (vi); and

3 (ii) by inserting after clause (ii) the  
4 following:

5 “(iii) has a verified annual earnings rate  
6 among individuals who completed the program,  
7 as determined under subparagraph (D), that is  
8 not less than the average or median annual  
9 earnings rate of individuals with only a high  
10 school diploma (or the equivalent) based on the  
11 most recently available data from the Bureau of  
12 Labor Statistics or the Bureau of the Census  
13 with respect to—

14 “(I) such average or median earnings  
15 rate in the United States; or

16 “(II) subject to subparagraph (E),  
17 such average or median earnings rate in  
18 the State or local area in which the institu-  
19 tion offering the program is located;

20 “(iv) prepares students for gainful employ-  
21 ment in a recognized occupation;

22 “(v) has been in operation for not less  
23 than two consecutive years; and”; and

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

1           “(C)(i) For each subsequent year for which a  
2           program seeks eligibility under this paragraph, the  
3           Secretary shall reevaluate whether the program con-  
4           tinues to meet the requirements of clauses (i), (iii),  
5           (iv), and (vi) of subparagraph (A). A program that  
6           does not meet such requirements for two consecutive  
7           award years (or, in the case of a program that does  
8           not meet the requirements under subparagraph  
9           (A)(iv), for a period of time determined by the Sec-  
10          retary) shall be ineligible to participate in programs  
11          under this title—

12                   “(I) for the period of two award years fol-  
13                   lowing the last award year for which the pro-  
14                   gram was eligible to participate in such pro-  
15                   grams; and

16                   “(II) for any subsequent award year, un-  
17                   less the program reapplies for eligibility in ac-  
18                   cordance with clause (iii) and the Secretary de-  
19                   termines that the program meets the require-  
20                   ments of such clauses.

21           “(ii) Not later than 60 days after receiving no-  
22           tification from the Secretary of the loss of eligibility  
23           under clause (i), a program may appeal a loss of eli-  
24           gibility to the Secretary. The Secretary may restore  
25           the eligibility of a program under this paragraph if

1 the program demonstrates to the Secretary that ex-  
2 tenuating circumstances led to the loss of eligibility.

3 “(iii) The Secretary shall issue a decision on  
4 any appeal submitted by a program under clause (ii)  
5 not later than 45 days after its submission.

6 “(iv) After the expiration of the two-year period  
7 described in clause (i)(I), a program that lost eligi-  
8 bility under clause (i) may reapply to the Secretary  
9 for a determination of eligibility under this para-  
10 graph.

11 “(D)(i) In this subsection, the term ‘verified an-  
12 nual earnings rate’ means the mean or median an-  
13 nual earnings rate (whichever is higher) of individ-  
14 uals who completed a program calculated as of the  
15 date that is approximately one year after the date on  
16 which such individuals completed the program.

17 “(ii) For the first year for which a program  
18 seeks eligibility under this paragraph, the institution  
19 that offers such program shall—

20 “(I) determine the verified annual earnings  
21 rate using data obtained on individuals who  
22 completed the program;

23 “(II) obtain an audit of such determination  
24 from an independent auditor;

1           “(III) together with the auditor described  
2           in subclause (II), certify the accuracy of the  
3           verified annual earnings rate to the Secretary;  
4           and

5           “(IV) determine the completion rate for  
6           the program, as described in subparagraph  
7           (A)(i), and certify to the Secretary the accuracy  
8           of such determination.

9           “(iii) For each subsequent year for which a pro-  
10          gram seeks eligibility under this paragraph, the Sec-  
11          retary shall determine the verified annual earnings  
12          rate and completion rate for the program using data  
13          made available to the Secretary through the postsec-  
14          ondary student data system established under sec-  
15          tion 132(l) or a successor system (whichever in-  
16          cludes the most recent data).

17          “(E)(i) Except as provided in clause (ii), for  
18          purposes of calculating the average annual earnings  
19          rate of individuals with only a high school diploma  
20          (or the equivalent) under subparagraph (A)(ii) the  
21          Secretary shall apply the national average or median  
22          earnings rate in the United States.

23          “(ii) The Secretary may apply the average or  
24          median earnings rate in the State or local area in  
25          which the institution offering a program is located,



1 in lieu of the national average earnings rate, if the  
2 institution provides sufficient justification to the  
3 Secretary.

4 “(F) Using the postsecondary student data sys-  
5 tem established under section 132(l) or a successor  
6 system to streamline reporting requirements and  
7 minimize reporting burdens, and in coordination  
8 with the National Center for Education Statistics  
9 and each institution of higher education offering an  
10 eligible program under this paragraph, the Secretary  
11 shall, on at least an annual basis, collect data with  
12 respect to each such eligible program, including the  
13 following:

14 “(i) The number and demographics of stu-  
15 dents who enroll in the program.

16 “(ii) The number of credits attempted and  
17 accumulated annually by students enrolled in  
18 the program.

19 “(iii) The share of such students who cease  
20 enrollment on or before the completion of 60  
21 percent of the payment period or period of en-  
22 rollment.

23 “(iv) The verified completion rate for the  
24 program, as described in subparagraph (A)(i).

1           “(v) The mean and median annual earn-  
2           ings of graduates and the verified annual earn-  
3           ings rate for the program, as described in sub-  
4           paragraph (A)(ii).

5           “(vi) The number and demographics of  
6           students who complete the program.

7           “(vii) The outcomes of the students who  
8           complete the program, including—

9                   “(I) the share of such students who  
10                  continue enrollment at the institution of  
11                  higher education offering the program;

12                  “(II) the share of such students who  
13                  transfer to another institution of higher  
14                  education;

15                  “(III) the share of such students who  
16                  complete a subsequent certificate or degree  
17                  program;

18                  “(IV) the share of such students who  
19                  secure employment 6 months and 1 year,  
20                  respectively—

21                          “(aa) after completion of such  
22                          program; or

23                          “(bb) in the case of a program  
24                          that prepares students for a profes-  
25                          sional license or certification exam,

1 after acquiring such license or certifi-  
2 cation; and

3 “(V) in the case of a program that  
4 prepares students for a professional license  
5 or certification exam, the share of such  
6 students who pass such exam.”; and

7 (3) in paragraph (4), by inserting “or in addi-  
8 tion to” after “in lieu of”.

9 (b) REPORT.—Not later than 3 years after the date  
10 of enactment of this Act, the Secretary of Education  
11 shall—

12 (1) submit to the Committee on Education and  
13 Labor of the House of Representatives and the Com-  
14 mittee on Health, Education, Labor, and Pensions  
15 of the Senate a report on the impact of eligible pro-  
16 grams described in section 481(b)(2) of the Higher  
17 Education Act of 1965 (20 U.S.C. 1088(b)(2)), as  
18 amended by this Act, based on the most recent data  
19 collected under subparagraph (F) of such section;  
20 and

21 (2) make the report described in paragraph (1)  
22 publicly available on the website of the Department  
23 of Education.

1 **SEC. 4602. DEFINITION OF THIRD PARTY SERVICER.**

2 Section 481(c) of the Higher Education Act of 1965  
3 (20 U.S.C. 1088(c)) is amended—

4 (1) in paragraph (1), by striking “or” at the  
5 end;

6 (2) by redesignating paragraph (2) as para-  
7 graph (3); and

8 (3) by inserting after paragraph (1) the fol-  
9 lowing:

10 “(2) any eligible institution of higher education  
11 to recruit students; or”.

12 **SEC. 4603. FAFSA SIMPLIFICATION.**

13 Section 483 of the Higher Education Act of 1965 (20  
14 U.S.C. 1090) is amended—

15 (1) in subsection (a)—

16 (A) in paragraph (2)—

17 (i) in subparagraph (A), by striking  
18 “process” and all that follows through the  
19 end of clause (ii) and inserting “process a  
20 paper version of the forms described in  
21 this subsection, in accordance with sub-  
22 paragraph (B).”;

23 (ii) by striking subparagraph (B);

24 (iii) by redesignating subparagraph  
25 (C) as subparagraph (B); and

1 (iv) in subparagraph (B), as so rededesignated,  
2 ignated, by striking “subparagraphs (A)  
3 and (B)” and inserting “subparagraph  
4 (A)”;

5 (B) in paragraph (3)—

6 (i) in subparagraph (A), by striking  
7 the end sentence;

8 (ii) by striking subparagraph (B), and  
9 redesignating subparagraphs (C) through  
10 (H) as subparagraphs (B) through (G), re-  
11 spectively;

12 (iii) in subparagraph (D), as so rededesignated—

13 (I) by striking “The Secretary”  
14 and inserting the following:

15 “(i) IN GENERAL.—The Secretary”;

16 and

17 (II) by adding at the end the fol-  
18 lowing:

19 “(ii) SCHOLARSHIP GRANTING ORGA-  
20 NIZATIONS.—

21 “(I) AUTHORIZATION.—An insti-  
22 tution of higher education may, with  
23 explicit written consent of an appli-  
24 cant who has completed a form devel-  
25

1           oped under this section, provide such  
2           information collected from such form  
3           as is necessary to an organization de-  
4           scribed in subclause (II) that is des-  
5           ignated by the applicant to assist the  
6           applicant in applying for and receiving  
7           financial assistance for any component  
8           of the applicant’s cost of attendance  
9           at that institution.

10                   “(II) DEFINITION OF ORGANIZA-  
11                   TION.—An organization described in  
12                   this subclause—

13                           “(aa) means a scholarship  
14                           granting organization, including  
15                           a tribal organization (defined in  
16                           section 4 of the Indian Self-De-  
17                           termination and Education As-  
18                           sistance Act (25 U.S.C. 5304))  
19                           or an organization assisting an  
20                           applicant in applying for and re-  
21                           ceiving Federal, State, local, or  
22                           tribal assistance; and

23                           “(bb) shall be subject to the  
24                           requirements of clause (i).”; and

1 (iv) in subparagraph (E), as so reded-  
2 ignated, by striking “subparagraph (G)”  
3 and inserting “subparagraph (F)”;

4 (C) in paragraph (4)—

5 (i) by striking “academic year” each  
6 place it appears and inserting “award  
7 year”;

8 (ii) in subparagraph (A), by striking  
9 clause (iv); and

10 (iii) by adding at the end the fol-  
11 lowing:

12 “(C) SINGLE QUESTION REGARDING  
13 HOMELESS STATUS.—The Secretary shall en-  
14 sure that, on each form developed under this  
15 section for which the information is applicable,  
16 there is a single, easily understood screening  
17 question to identify an applicant for aid who  
18 is—

19 “(i) an unaccompanied homeless child  
20 or youth (as such term is defined in sec-  
21 tion 725 of the McKinney-Vento Homeless  
22 Assistance Act); or

23 “(ii) an unaccompanied youth who is  
24 self-supporting and at risk of homeless-  
25 ness.

1 “(D) INCARCERATED INDIVIDUALS.—

2 “(i) IN GENERAL.—The Secretary  
3 shall streamline the forms and processes  
4 for an incarcerated individual (as defined  
5 in section 401(n)(4)) to apply for a Fed-  
6 eral Pell Grant under section 401, which—

7 “(I) shall be used to determine  
8 the expected family contribution for  
9 such individual as of the date of en-  
10 rollment in the course for which the  
11 individual is applying for such Federal  
12 Pell Grant; and

13 “(II) may include—

14 “(aa) flexibility in the sub-  
15 mission of any required docu-  
16 mentation required to verify eligi-  
17 bility for a Federal Pell Grant;  
18 and

19 “(bb) assistance in rehabili-  
20 tating loans under section 428F.

21 “(ii) REPORT.—Not later than 1 year  
22 after the date of enactment of the College  
23 Affordability Act, the Secretary shall sub-  
24 mit to the Committee on Education and  
25 Labor of the House of Representatives and



1 the Committee on Health, Education,  
2 Labor, and Pensions of the Senate, and  
3 make publicly available on the website of  
4 the Department, a report on how the  
5 forms and processes are being streamlined  
6 under clause (i).”;

7 (D) in paragraph (5)—

8 (i) in subparagraph (A), by striking  
9 “paragraphs (2)(B)(iii), (3)(B), and  
10 (4)(A)(ii)” and inserting “paragraph  
11 (4)(A)(ii)”;

12 (ii) in subparagraph (B)—

13 (I) by striking “determine” and  
14 all that follows through “which” and  
15 inserting “determine which”; and

16 (II) by striking clause (ii);

17 (iii) in subparagraph (C), by striking  
18 “Beginning” and all that follows through  
19 “of the State-specific” and inserting “The  
20 Secretary shall publish on an annual basis  
21 a notice in the Federal Register requiring  
22 State agencies to inform the Secretary of  
23 the State-specific”; and

1 (iv) by striking subparagraphs (D)  
2 through (F), and redesignating subpara-  
3 graph (G) as subparagraph (D); and  
4 (E) by adding at the end the following:

5 “(13) FAFSA PATHWAYS.—

6 “(A) MEMORANDUM OF UNDER-  
7 STANDING.—Not later than the effective date of  
8 the College Affordability Act, the Secretary  
9 shall seek to enter into a Memorandum of Un-  
10 derstanding with the Secretary of Health and  
11 Human Services, the Secretary of Agriculture,  
12 and the Secretary of the Treasury, under which  
13 any information exchanged under an income  
14 and eligibility verification system established  
15 pursuant to section 1137 of the Social Security  
16 Act by State agencies administering a program  
17 listed in paragraph (1), (4), or (5) of subsection  
18 (b) of such section which may be of use in es-  
19 tablishing or verifying eligibility or benefit  
20 amounts under such program shall be made  
21 available to the Secretary of Education to assist  
22 in determining whether the applicant (or, in the  
23 case of a dependent applicant, whether the ap-  
24 plicant or the applicant’s parents) received a  
25 benefit at some time during the previous 24-

1 month period under a means-tested Federal  
2 benefit program, but subject to the require-  
3 ments of Federal law.

4 “(B) REQUIREMENT FOR ALL APPLICANTS  
5 AND THE SECRETARY.—For any award year for  
6 which an applicant applies for financial assist-  
7 ance under this title (except for any award year  
8 for which, pursuant to paragraph (14), the ap-  
9 plicant is not required to submit a FAFSA)—

10 “(i) the applicant shall provide on the  
11 form described in this subsection whether  
12 the applicant received (or, in the case of a  
13 dependent applicant, whether the applicant  
14 or the parents of the applicant received) a  
15 benefit at some time during the previous  
16 24-month period under a means-tested  
17 Federal benefit program; and

18 “(ii) the Secretary, to the extent prac-  
19 ticable and pursuant to the Memorandum  
20 of Understanding entered into under sub-  
21 paragraph (A), and without any further  
22 action by the applicant, shall verify the ap-  
23 plicant’s (or, in the case of a dependent  
24 applicant, the applicant’s or the applicant’s  
25 parents’) receipt of such benefit.

1 “(C) PATHWAY ONE APPLICANTS.—

2 “(i) IN GENERAL.—With respect to an  
3 applicant who received (or, in the case of  
4 a dependent applicant, an applicant who  
5 received or whose parents received) a ben-  
6 efit at some time during the previous 24-  
7 month period under a means-tested Fed-  
8 eral benefit program, the applicant shall  
9 not be required to provide any further in-  
10 come or asset information on the form  
11 under this subsection.

12 “(ii) DESIGNATION.—For purposes of  
13 this section and part F, an applicant de-  
14 scribed in clause (i) shall be referred to as  
15 a ‘pathway one applicant’.

16 “(D) PATHWAY TWO APPLICANTS.—

17 “(i) IN GENERAL.—With respect to an  
18 applicant who is not a pathway one appli-  
19 cant and who is described in clause (ii),  
20 the Secretary, to the extent practicable,  
21 shall use the data retrieval tool under sec-  
22 tion 484(p) to obtain any information for  
23 the applicant beyond the information de-  
24 scribed in subparagraph (A) for purposes  
25 of the form under this subsection.

1                   “(ii) REQUIREMENTS.—An applicant  
2 described in this clause is an applicant who  
3 certifies that—

4                   “(I) the applicant is not required  
5 to file or, in the case of a dependent  
6 applicant, no parent of the applicant  
7 is required to file—

8                   “(aa) a Federal income tax  
9 return; or

10                   “(bb) with respect to Inter-  
11 nal Revenue Service Form 1040,  
12 any of the following forms:  
13 Schedule A, Schedule B, Sched-  
14 ular C, Schedule C–EZ, Schedule  
15 D, Schedule E, Schedule F,  
16 Schedule H, Schedule J, and  
17 Schedule SE; and

18                   “(II) the sum of the adjusted  
19 gross income of the applicant or, in  
20 the case of a dependent applicant, the  
21 parents of the applicant, is less than  
22 or equal to \$60,000.

23                   “(iii) DESIGNATION.—For purposes of  
24 this section and part F, an applicant de-

1 scribed in clause (i) shall be referred to as  
2 a ‘pathway two applicant’.

3 “(E) PATHWAY THREE APPLICANTS.—

4 “(i) IN GENERAL.—With respect to an  
5 applicant who is not a pathway one appli-  
6 cant or a pathway two applicant, the Sec-  
7 retary, to the extent practicable, shall use  
8 the data retrieval tool under section 484(p)  
9 to obtain any information for the applicant  
10 beyond the information described in sub-  
11 paragraph (A) for purposes of the form  
12 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 three applicant’.

17 “(F) MEANS-TESTED FEDERAL BENEFIT  
18 PROGRAM DEFINED.—For purposes of this  
19 paragraph, the term ‘means-tested Federal ben-  
20 efit program’ has the meaning given the term  
21 in section 479(d).

22 “(14) ONE-TIME FAFSA FILING.—

23 “(A) IN GENERAL.—Notwithstanding any  
24 other provision of this section and subject to  
25 subparagraphs (B) and (C), an applicant who

1 submits a FAFSA for the first time for an  
2 award year for the period required for the com-  
3 pletion of the first undergraduate baccalaureate  
4 course of study being pursued by such applicant  
5 and is eligible to receive a Federal Pell Grant  
6 for such award year, for any succeeding award  
7 year—

8 “(i) for which the applicant does not  
9 submit a FAFSA and for which the appli-  
10 cant submits a certification form described  
11 in subparagraph (D) that does not indicate  
12 a change in the dependency status of such  
13 applicant, such applicant—

14 “(I) shall not be required to sub-  
15 mit a FAFSA to receive financial as-  
16 sistance under this title; and

17 “(II) shall have an expected fam-  
18 ily contribution for such year that is  
19 equal to the expected family contribu-  
20 tion of the applicant determined for  
21 the award year for which the appli-  
22 cant submitted a FAFSA for such pe-  
23 riod, except that an adjustment may  
24 be made under section 479A that re-

1                   sults in a change in such expected  
2                   family contribution;

3                   “(ii) for which the applicant submits a  
4                   certification form described in subpara-  
5                   graph (D) that indicates a change in the  
6                   dependency status of the applicant, such  
7                   applicant—

8                   “(I) shall be required to submit a  
9                   FAFSA with respect to such award  
10                  year to receive financial assistance  
11                  under this title; and

12                  “(II) shall have an expected fam-  
13                  ily contribution for such year that is  
14                  determined based on such FAFSA;

15                  “(iii) for which the applicant submits  
16                  a FAFSA, such applicant—

17                  “(I) shall have an expected fam-  
18                  ily contribution for such year that is  
19                  determined based on such FAFSA;  
20                  and

21                  “(II) shall be required to submit  
22                  a FAFSA for any other award year  
23                  for which the applicant seeks financial  
24                  assistance under this title; and



1           “(iv) for which the applicant does not  
2           submit a certification form described in  
3           subparagraph (D), such applicant shall  
4           submit a FAFSA for such succeeding  
5           award year and any other award year for  
6           which the applicant seeks financial assist-  
7           ance under this title.

8           “(B) ADJUSTMENT OF EXPECTED FAMILY  
9           CONTRIBUTION.—With respect to an applicant  
10          described in subparagraph (A)(i) who receives  
11          an adjustment under section 479A that results  
12          in a change to the expected family contribution  
13          of the applicant, for any succeeding award year  
14          after the award year for which the adjustment  
15          was made, subclause (II) of such subparagraph  
16          shall be applied to such applicant by sub-  
17          stituting ‘expected family contribution of the  
18          applicant as most recently changed as a result  
19          of an adjustment under section 479A for such  
20          applicant’ for the ‘expected family contribution  
21          of the applicant determined for the award year  
22          for which the applicant submitted a FAFSA for  
23          such period’.

24          “(C) RULE FOR CERTAIN STUDENTS.—  
25          With respect to an applicant who submits a

1 FAFSA for award year 2021–2022 and enrolls  
2 in an institution of higher education for such  
3 year, subparagraph (A) shall be applied—

4 “(i) in the matter preceding clause (i),  
5 by substituting ‘award year 2021–2022’  
6 for ‘the first time for an award year’; and

7 “(ii) in clause (i)(II), by substituting  
8 ‘award year 2021–2022’ for ‘the award  
9 year for which the applicant submitted a  
10 FAFSA for such period’.

11 “(D) STUDENT CERTIFICATION FORM.—

12 The Secretary, in cooperation with representa-  
13 tives of agencies and organizations involved in  
14 student financial assistance, shall use behav-  
15 ioral science insights to produce, distribute, and  
16 process free of charge a short and simple con-  
17 sumer-tested certification form that uses skip  
18 logic to bypass fields that are inapplicable to an  
19 applicant. Such form shall not require an appli-  
20 cant to provide data that the Secretary may  
21 otherwise obtain with respect to the applicant  
22 (such as age or active duty military status), and  
23 may only contain the data elements required for  
24 purposes of subparagraph (A)(i)—

1 “(i) to confirm whether the applicant  
2 is—

3 “(I) a dependent student;

4 “(II) a single independent stu-  
5 dent or a married independent stu-  
6 dent without dependents (other than a  
7 spouse); or

8 “(III) an independent student  
9 with dependents other than a spouse;

10 “(ii) to allow the applicant to update  
11 the contact information of such applicant  
12 or the Federal School Code of the institu-  
13 tion of higher education in which the appli-  
14 cant is, or will be enrolled, for the award  
15 year for which the applicant submits such  
16 form; and

17 “(iii) to ask whether the applicant’s  
18 need and eligibility for financial assistance  
19 under this title has not changed substan-  
20 tially since the most recent of the fol-  
21 lowing:

22 “(I) The applicant submitted a  
23 FAFSA.

24 “(II) The applicant received an  
25 adjustment under section 479A that

1 results in a change to the expected  
2 family contribution of the applicant.

3 “(E) DEFINITIONS.—In this paragraph:

4 “(i) DEPENDENCY STATUS.—The  
5 term ‘dependency status’ means the status  
6 of an applicant as—

7 “(I) a dependent student;

8 “(II) a single independent stu-  
9 dent or a married independent stu-  
10 dent without dependents (other than a  
11 spouse); or

12 “(III) an independent student  
13 with dependents other than a spouse.

14 “(ii) SUCCEEDING AWARD YEAR.—

15 The term ‘succeeding award year’—

16 “(I) when used with respect to  
17 an applicant who submits a FAFSA  
18 for the first time for an award year  
19 for the period required for the comple-  
20 tion of the first undergraduate baccalaureate course of study being pursued by such applicant, means any  
21 award year for such period that fol-  
22 lows the award year for which the ap-  
23 plicant submits such FAFSA; and  
24  
25

1                   “(II) when used with respect to  
2                   an applicant described in subpara-  
3                   graph (C), means any award year  
4                   after award year 2021–2022 for the  
5                   period required for the completion of  
6                   the first undergraduate baccalaureate  
7                   course of study being pursued by such  
8                   applicant.

9                   “(15) FAFSA IN VARIOUS LANGUAGES.—The  
10                  Secretary shall—

11                   “(A) translate the form developed under  
12                   this subsection into not fewer than 11 foreign  
13                   languages based on the languages most often  
14                   spoken by English learner students and their  
15                   parents, and make the translated form available  
16                   and accessible to applicants in paper and elec-  
17                   tronic formats; and

18                   “(B) ensure that the form developed under  
19                   this subsection is available in formats accessible  
20                   to individuals with disabilities.”;

21                   (2) in subsection (c), by striking the last sen-  
22                  tence;

23                   (3) in subsection (d)(3)—

24                   (A) in subparagraph (A), by striking “and  
25                  EZ FAFSA”; and

1 (B) in subparagraph (B), by striking “and  
2 EZ FAFSA”;

3 (4) in subsection (e)—

4 (A) in paragraph (3) by striking “or, as  
5 appropriate, an EZ FAFSA”; and

6 (B) in paragraph (5)(D), by striking “or,  
7 as appropriate, an EZ FAFSA,”;

8 (5) by amending subsection (f) to read as fol-  
9 lows:

10 “(f) USE OF INTERNAL REVENUE SERVICE DATA  
11 RETRIEVAL TOOL TO POPULATE FAFSA.—

12 “(1) SIMPLIFICATION EFFORTS.—The Sec-  
13 retary shall—

14 “(A) make every effort to allow applicants  
15 to utilize the data retrieval tool to transfer data  
16 available from the Internal Revenue Service to  
17 reduce the amount of original data entry by ap-  
18 plicants and strengthen the reliability of data  
19 used to calculate expected family contributions,  
20 including through the use of technology to—

21 “(i) allow an applicant to automati-  
22 cally populate the electronic version of the  
23 forms under this paragraph with data  
24 available from the Internal Revenue Serv-  
25 ice; and

1                   “(ii) direct an applicant to appro-  
2                   priate questions on such forms based on  
3                   the applicant’s answers to previous ques-  
4                   tions; and

5                   “(B) allow taxpayers, regardless of filing  
6                   status, to utilize the data retrieval tool to its  
7                   full capacity.

8                   “(2) USE OF TAX RETURN IN APPLICATION  
9                   PROCESS.—The Secretary shall continue to examine  
10                  whether data provided by the Internal Revenue Serv-  
11                  ice can be used to generate an expected family con-  
12                  tribution without additional action on the part of the  
13                  student and taxpayer.

14                  “(3) REPORTS ON FAFSA SIMPLIFICATION EF-  
15                  FORTS.—Not less than once every other year, the  
16                  Secretary shall report to the authorizing committees  
17                  and the Committees on Appropriations of the House  
18                  of Representatives and the Senate on the progress of  
19                  the simplification efforts under this subsection.”;

20                  (6) by repealing subsection (g);

21                  (7) redesignating subsection (h) as subsection  
22                  (g); and

23                  (8) by adding at the end the following:

24                  “(h) DATA TRANSPARENCY ON THE NUMBER OF AP-  
25                  PLICANTS.—

1           “(1) IN GENERAL.—The Secretary shall annu-  
2 ally publish data on the number of individuals who  
3 apply for Federal student aid pursuant to this sec-  
4 tion who are homeless individuals described in sec-  
5 tion 725 of the McKinney-Vento Homeless Assist-  
6 ance Act (42 U.S.C. 11434a), including unaccom-  
7 panied youth and foster care youth.

8           “(2) CONTENTS.—The data described in para-  
9 graph (1) with respect to homeless individuals shall  
10 include, at a minimum, for each application cycle—

11           “(A) the total number of all applicants  
12 who were determined to be (or to be at risk of  
13 becoming) unaccompanied homeless youth  
14 under section 480(d)(1)(H);

15           “(B) the number of applicants described in  
16 subparagraph (A), disaggregated—

17           “(i) by State; and

18           “(ii) by the sources of determination  
19 as described in clauses (i) through (iv) of  
20 section 480(d)(1)(H); and

21           “(C) the number of undetermined requests  
22 for homelessness consideration, including  
23 statuses that remain unknown because no de-  
24 termination had been made in response to the  
25 applicant’s request for the institution to con-



1           sider the applicant’s special circumstance of  
2           being homeless.

3           “(i) PROHIBITION ON QUESTIONS RELATING TO  
4 DRUG OFFENSES.—The Secretary may not include on the  
5 forms developed under this subsection any data items re-  
6 lating to whether an applicant has a conviction of any of-  
7 fense under any Federal or State law involving the posses-  
8 sion or sale of a controlled substance (as defined in section  
9 102(6) of the Controlled Substances Act (21 U.S.C.  
10 802(6)).

11          “(j) FAFSA VERIFICATION.—

12           “(1) IN GENERAL.—With respect to applicants  
13 who submit a FAFSA for an award year and were  
14 determined using data provided in such FAFSA to  
15 be eligible to receive a Federal Pell Grant for such  
16 award year, the Secretary shall submit to the au-  
17 thorizing committees, and make publicly available, a  
18 report for such award year on—

19           “(A) the number and share of such appli-  
20 cants who received a Federal Pell Grant for  
21 such award year;

22           “(B) the number and share of such appli-  
23 cants who did not receive a Federal Pell Grant  
24 for such year;

1           “(C) the number and share of such appli-  
2           cants who were selected by the Secretary for  
3           verification of the data provided in the FAFSA;

4           “(D) to the extent practicable, the number  
5           and share of applicants described in subpara-  
6           graph (C) who enrolled in an institution of  
7           higher education in a year after such selection;

8           “(E) the number and share of applicants  
9           described in subparagraph (C) who completed  
10          the verification process;

11          “(F) of the applicants described in sub-  
12          paragraph (E)—

13                 “(i) the average of the expected family  
14                 contribution for all such applicants as de-  
15                 termined using data provided in the  
16                 FAFSA;

17                 “(ii) the average of the expected fam-  
18                 ily contribution difference for all such ap-  
19                 plicants;

20                 “(iii) the average of the expected fam-  
21                 ily contribution difference for all such ap-  
22                 plicants whose expected family contribution  
23                 as determined using data provided in the  
24                 verification process was greater than the

1 expected family contribution as determined  
2 using data provided in the FAFSA; and

3 “(iv) the average of the expected fam-  
4 ily contribution difference for all such ap-  
5 plicants whose expected family contribution  
6 as determined using data provided in the  
7 FAFSA was greater than the expected  
8 family contribution as determined using  
9 data provided in the verification process;

10 “(G) of the applicants described in sub-  
11 paragraph (E)—

12 “(i) the average Federal Pell Grant  
13 amount for all such applicants as deter-  
14 mined using data provided in the FAFSA;

15 “(ii) the average of the Federal Pell  
16 Grant difference for all such applicants;

17 “(iii) the average of the Federal Pell  
18 Grant difference for all such applicants  
19 whose Federal Pell Grant amount as deter-  
20 mined using data provided in the  
21 verification process was greater than the  
22 Federal Pell Grant amount as determined  
23 using data provided in the FAFSA;

24 “(iv) the average of the Federal Pell  
25 Grant difference for all such applicants

1           whose Federal Pell Grant amount as deter-  
2           mined using data provided in the FAFSA  
3           was greater than the Federal Pell Grant  
4           amount as determined using data provided  
5           in the verification process; and

6                   “(v) the number and share of such  
7           applicants who were determined using the  
8           data provided in the verification process to  
9           be ineligible for a Federal Pell Grant;

10                   “(H) the number and share of applicants  
11           described in subparagraph (C) who received a  
12           Federal Pell Grant for such award year; and

13                   “(I) the number and share of applicants  
14           described in subparagraph (C) who did not re-  
15           ceive a Federal Pell Grant for such award year.

16                   “(2) DISAGGREGATION.—The data provided in  
17           a report under paragraph (1) shall be  
18           disaggregated—

19                   “(A) by applicants who were pathway one  
20           applicants for such year;

21                   “(B) by applicants who were pathway two  
22           applicants for such year;

23                   “(C) by applicants who were pathway three  
24           applicants for such year; and

1           “(D) with respect to applicants described  
2           in subparagraphs (C) and (E), the verification  
3           tracking groups of such applicants.

4           “(3) DEFINITIONS.—In this subsection:

5           “(A) EXPECTED FAMILY CONTRIBUTION  
6           DIFFERENCE.—The term ‘expected family con-  
7           tribution difference’ means, with respect to an  
8           applicant who completed a verification process  
9           with respect to the FAFSA, the difference be-  
10          tween—

11           “(i) the expected family contribution  
12           of such applicant as determined using data  
13           provided in the FAFSA; and

14           “(ii) the expected family contribution  
15           of such applicant as determined using data  
16           provided in the verification process.

17           “(B) FEDERAL PELL GRANT DIF-  
18           FERENCE.—The term ‘Federal Pell Grant dif-  
19           ference’ means, with respect to an applicant  
20           who completed a verification process with re-  
21           spect to the FAFSA, the difference between—

22           “(i) the amount of the Federal Pell  
23           Grant of such applicant as determined  
24           using data provided in the FAFSA; and

1                   “(ii) the amount of the Federal Pell  
2                   Grant of such applicant as determined  
3                   using data provided in the verification  
4                   process.

5           “(k) FINANCIAL AID OFFERS.—

6                   “(1) REQUIREMENTS FOR OFFERS.—

7                           “(A) SECRETARIAL REQUIREMENTS.—Not  
8                   later than 18 months after the date of enact-  
9                   ment of the College Affordability Act, the Sec-  
10                  retary shall, based on the consumer testing con-  
11                  ducted under subparagraph (E), publish re-  
12                  quirements for financial aid offers that shall—

13                               “(i) include a requirement that finan-  
14                               cial aid offers shall serve as the primary  
15                               source for Federal, State, and institutional  
16                               financial aid information provided by an  
17                               institution of higher education partici-  
18                               pating in any program under this title to  
19                               each prospective student accepted for ad-  
20                               mission and each enrolled student at such  
21                               institution;

22                               “(ii) include a requirement that such  
23                               offers include a standardized quick ref-  
24                               erence box described in subparagraph (D);

1           “(iii) establish standardized terms and  
2           definitions, including for the elements list-  
3           ed in subparagraph (C), that shall be in-  
4           cluded in each such offer;

5           “(iv) establish formatting require-  
6           ments with respect to the organization of  
7           the elements listed in subparagraph (C)),  
8           which shall include a requirement that pro-  
9           hibits such offers from displaying loans in  
10          a manner that indicates or implies that  
11          such loans reduce the amount owed to the  
12          institution or reduce the net price; and

13          “(v) specify the simple, plain-lan-  
14          guage, and consumer-friendly information  
15          to be included in each such offer with re-  
16          spect to the financial aid being offered to  
17          a student, which shall include—

18                 “(I) an explanation of differences  
19                 among each such type of financial aid,  
20                 including clear explanations that—

21                         “(aa) grants and scholar-  
22                         ships do not have to be repaid;

23                         “(bb) loans (including loans  
24                         made under part D and private  
25                         education loans (as defined in

1 section 140 of the Truth in  
2 Lending Act)) must be repaid  
3 with interest; and

4 “(cc) payments under Fed-  
5 eral-work study programs under  
6 part C are contingent on finding  
7 qualified employment and are  
8 typically disbursed incrementally  
9 in paychecks;

10 “(II) information encouraging  
11 students to consider loans made under  
12 part D before such private education  
13 loans;

14 “(III) information clarifying that  
15 students may—

16 “(aa) decline to accept a  
17 loan made under part D; or

18 “(bb) accept an amount of  
19 such loan that is less than the  
20 amount of such loan included in  
21 the financial aid offer; and

22 “(IV) in a case in which the in-  
23 stitution offers a student such a loan  
24 in an amount that is less than the  
25 maximum amount for which the stu-



1                   dent is eligible, an explanation that  
2                   the student is eligible for additional  
3                   loans under part D.

4                   “(B) INSTITUTIONAL REQUIREMENTS.—  
5                   Beginning with the award year that begins not  
6                   less than 1 year after the Secretary publishes  
7                   requirements under subparagraph (A), each in-  
8                   stitution of higher education described in sub-  
9                   paragraph (A)(i) shall provide a financial aid  
10                  offer to each student described in such subpara-  
11                  graph prior to each academic year that—

12                   “(i) shall comply with the require-  
13                  ments published by the Secretary under  
14                  subparagraph (A); and

15                   “(ii) may be supplemented by the in-  
16                  stitution with additional, non-contradictory  
17                  information related to financial aid as long  
18                  as such supplementary information uses  
19                  the standardized terms and definitions de-  
20                  scribed in subparagraph (A)(iii).

21                   “(C) ELEMENTS.—A financial aid offer  
22                  provided by an institution of higher education  
23                  shall include the following elements with respect  
24                  to the academic year for which the offer is  
25                  being provided:

1           “(i) The cost of attendance, which  
2           shall include separately calculated sub-  
3           totals of—

4                   “(I) an itemized list of estimated  
5                   direct costs owed to the institution;  
6                   and

7                   “(II) an itemized list of antici-  
8                   pated student expenses not covered  
9                   under subclause (I).

10           “(ii) Federal, State, and institutional  
11           financial aid available to the student,  
12           which shall include separately calculated  
13           subtotals of—

14                   “(I) grants and scholarships;

15                   “(II) loans made under part D  
16                   (excluding Federal Direct Parent  
17                   PLUS Loans) and part E; and

18                   “(III) Federal-work study pro-  
19                   grams under part C and other on-  
20                   campus employment.

21           “(iii) Other options that may be avail-  
22           able to students to cover the cost of at-  
23           tendance (including Federal Direct Parent  
24           PLUS Loans, tuition payment plans, sav-

1                   ings, and earnings from other employ-  
2                   ment).

3                   “(iv) The net price, which shall be de-  
4                   termined by calculating the difference be-  
5                   tween—

6                   “(I) the cost of attendance de-  
7                   scribed in clause (i); and

8                   “(II) the grants and scholarships  
9                   described in clause (ii)(I).

10                  “(v) Next step instructions, includ-  
11                  ing—

12                  “(I) the process and deadlines for  
13                  accepting the financial aid; and

14                  “(II) information about where to  
15                  find additional information on the fi-  
16                  nancial aid offered.

17                  “(vi) Any other information deter-  
18                  mined necessary by the Secretary based on  
19                  the consumer testing conducted under sub-  
20                  paragraph (E), which may include the fol-  
21                  lowing:

22                  “(I) An estimate of the net direct  
23                  cost, which shall be determined by cal-  
24                  culating the difference between—

1                   “(aa) the direct costs owed  
2                   to the institution described in  
3                   clause (i)(I); and

4                   “(bb) the grants and schol-  
5                   arships described in clause (ii)(I).

6                   “(II) Information on average stu-  
7                   dent debt, loan repayment and default  
8                   rates, loan repayment options, and  
9                   graduation rates.

10                  “(III) In the case of a prospec-  
11                  tive student, the process and deadlines  
12                  for enrolling at the institution.

13                  “(IV) Information regarding the  
14                  enrollment period covered by the aid  
15                  offer, and whether the cost and aid  
16                  estimates are based on full-time or  
17                  part-time enrollment.

18                  “(D) STANDARDIZED QUICK REFERENCE  
19                  BOX.—A financial aid offer provided by an in-  
20                  stitution of higher education shall include a  
21                  standardized quick reference box to enable stu-  
22                  dents to quickly and easily compare key infor-  
23                  mation on college costs and financial aid—

24                  “(i) that shall be included in an iden-  
25                  tical fashion for each student receiving a

1 financial aid offer from the institution on  
2 the first page of such offer;

3 “(ii) the contents and structure of  
4 which shall be developed through consumer  
5 testing conducted under paragraph (E);  
6 and

7 “(iii) that shall include not more than  
8 8 elements, which, at a minimum, shall in-  
9 clude—

10 “(I) the cost of attendance;

11 “(II) grants and scholarships;

12 and

13 “(III) net price (as calculated  
14 under subparagraph (C)(iv)).

15 “(E) CONSUMER TESTING.—The Secretary  
16 shall—

17 “(i) conduct consumer testing that  
18 shall serve as the basis in determining the  
19 requirements for financial aid offers pub-  
20 lished under subparagraph (A), which shall  
21 include students (including low-income stu-  
22 dents, English learners, first generation  
23 college students, veteran students, grad-  
24 uate students, and undergraduate students  
25 (including prospective students and return-

1           ing students)), students’ families (includ-  
2           ing low-income families, families of English  
3           learners, and families with first generation  
4           college students), institutions of higher  
5           education (including representatives from  
6           two- and four-year institutions, public and  
7           private institutions, and minority-serving  
8           institutions), secondary school and postsec-  
9           ondary counselors, financial aid adminis-  
10          trators, nonprofit college access organiza-  
11          tions, and nonprofit consumer groups; and

12                   “(ii) not later than 60 days after the  
13           publication of the requirements under sub-  
14           paragraph (A)—

15                           “(I) issue a report on the find-  
16                           ings of the consumer testing under  
17                           this subparagraph; and

18                           “(II) specify ways in which the  
19                           findings are reflected in such require-  
20                           ments.

21           “(2) DEFINITIONS.—In this subsection—

22                   “(A) the term ‘English learner’ has the  
23           meaning given the term in section 8101(20) of  
24           the Elementary and Secondary Education Act  
25           of 1965 (20 U.S.C. 7801(20)), except that such

1 term does not include individuals described in  
2 subparagraph (B) of such section;

3 “(B) the term ‘first generation college stu-  
4 dent’ has the meaning given the term in section  
5 402A(h);

6 “(C) the term ‘low-income student’ has the  
7 meaning given the term in section 419N(b)(7);  
8 and

9 “(D) the term ‘minority-serving institution’  
10 means an institution of higher education de-  
11 scribed in section 371(a).”.

12 **SEC. 4604. STUDENT ELIGIBILITY.**

13 (a) IN GENERAL.—Section 484(a) of the Higher  
14 Education Act of 1965 (20 U.S.C. 1091(a)) is amended  
15 to read as follows:

16 “(a) IN GENERAL.—

17 “(1) GRANTS; LOANS; WORK ASSISTANCE.—In  
18 order to receive any grant, loan, or work assistance  
19 under this title, a student must—

20 “(A) be enrolled or accepted for enrollment  
21 in a degree, certificate, or other program (in-  
22 cluding a program of study abroad approved for  
23 credit by the eligible institution at which such  
24 student is enrolled) leading to a recognized edu-  
25 cational credential at an institution of higher

1 education that is an eligible institution in ac-  
2 cordance with the provisions of section 487, ex-  
3 cept as provided in subsections (b)(3) and  
4 (b)(4), and not be enrolled in an elementary or  
5 secondary school;

6 “(B) if the student is presently enrolled at  
7 an institution, be maintaining satisfactory  
8 progress in the course of study the student is  
9 pursuing in accordance with the provisions of  
10 subsection (c);

11 “(C) not owe a refund on grants previously  
12 received at any institution under this title, or be  
13 in default on any loan from a student loan fund  
14 at any institution provided for in part E, or a  
15 loan made, insured, or guaranteed by the Sec-  
16 retary under this title for attendance at any in-  
17 stitution;

18 “(D) file with the Secretary, as part of the  
19 original financial aid application process, a cer-  
20 tification, which need not be notarized, but  
21 which shall include—

22 “(i) a statement of educational pur-  
23 pose stating that the money attributable to  
24 such grant, loan, or loan guarantee will be  
25 used solely for expenses related to attend-



1                   ance or continued attendance at such insti-  
2                   tution; and

3                   “(ii) such student’s social security  
4                   number; and

5                   “(E) if the student has been convicted of,  
6                   or has pled nolo contendere or guilty to, a crime  
7                   involving fraud in obtaining funds under this  
8                   title, have completed the repayment of such  
9                   funds to the Secretary, or to the holder in the  
10                  case of a loan under this title obtained by  
11                  fraud.

12                  “(2) GRANTS; LOANS; WORK ASSISTANCE; SERV-  
13                  ICES.—

14                  “(A) IN GENERAL.—In order to receive  
15                  any grant, loan, or work assistance under this  
16                  title, or any service provided pursuant to a pro-  
17                  gram or project funded under this title, a stu-  
18                  dent must—

19                         “(i) be a citizen, national, or perma-  
20                         nent resident of the United States;

21                         “(ii) be able to provide evidence from  
22                         the Department of Homeland Security that  
23                         he or she is in the United States for other  
24                         than a temporary purpose with the inten-

1                   tion of becoming a citizen or permanent  
2                   resident;

3                   “(iii) have temporary protected status  
4                   under section 244 of the Immigration and  
5                   Nationality Act (8 U.S.C. 1254a); or

6                   “(iv) be a Dreamer student, as de-  
7                   fined in subsection (q).

8                   “(B) EXCEPTIONS.—Subparagraph (A)  
9                   shall not be construed to affect eligibility for  
10                  participation in projects funded under chapter 2  
11                  of subpart 2 of part A or section 418A(b).”.

12               (b) EXCEPTION TO REQUIRED REGISTRATION WITH  
13               SELECTIVE SERVICE SYSTEM.—Section 484 of the Higher  
14               Education Act of 1965 (20 U.S.C. 1091) is further  
15               amended—

16                   (1) by repealing subsection (n); and

17                   (2) by redesignating subsections (o) through (q)  
18               as subsections (n) through (p), respectively.

19               (c) DEFINITION OF DREAMER STUDENT.—Section  
20               484 of the Higher Education Act of 1965 (20 U.S.C.  
21               1091), as amended by subsection (b), is further amended  
22               by adding at the end the following:

23                   “(q) DREAMER STUDENT.—

24                   “(1) IN GENERAL.—In this section, the term  
25               ‘Dreamer student’ means an alien (as defined in sec-

1       tion 101(a)(3) of the Immigration and Nationality  
2       Act (8 U.S.C. 1101(a)(3))) who—

3               “(A) was younger than 16 years of age on  
4       the date on which the alien initially entered the  
5       United States and—

6               “(i) has earned a high school diploma,  
7       the recognized equivalent of such diploma  
8       from a secondary school, or a high school  
9       equivalency diploma in the United States,  
10       or is scheduled to complete the require-  
11       ments for such a diploma or equivalent be-  
12       fore the next academic year begins;

13               “(ii) is enrolled in an institution of  
14       higher education pursuant to subsection  
15       (d); or

16               “(iii) has served in the uniformed  
17       services, as defined in section 101 of title  
18       10, United States Code, for not less than  
19       4 years and, if discharged, received an  
20       honorable discharge; or

21               “(B) would have been eligible, if the  
22       memorandum were fully in effect since the date  
23       issued, for a grant of deferred action pursuant  
24       to the directive in the November 20, 2014,  
25       memorandum from the Secretary of Homeland

1 Security entitled ‘Exercising Prosecutorial Dis-  
2 cretion with Respect to Individuals Who Came  
3 to the United States as Children and with Re-  
4 spect to Certain Individuals Who Are the Par-  
5 ents of U.S. Citizens or Permanent Residents’  
6 to establish a process for exercising prosecu-  
7 torial discretion through the use of deferred ac-  
8 tion for individuals who, among other qualifica-  
9 tions, had a son or daughter who was a United  
10 States citizen or lawful permanent resident on  
11 such date.

12 “(2) **HARDSHIP EXCEPTION.**—The Secretary  
13 shall issue regulations that direct when the Depart-  
14 ment shall waive the age requirement of paragraph  
15 (1)(A) for an individual to qualify as a Dreamer stu-  
16 dent under such paragraph, if the individual dem-  
17 onstrates, through documentation presented to the  
18 Secretary of substantial economic or personal hard-  
19 ship, that deprivation of the requested benefit under  
20 this title would represent a substantial hardship.”.

21 (d) **REPEAL OF SUSPENSION OF FINANCIAL AID ELI-**  
22 **GIBILITY FOR DRUG-RELATED OFFENSES.**—Subsection  
23 (r) of section 484 of the Higher Education Act of 1965  
24 (20 U.S.C. 1091(r)) is repealed.

1 (e) CONFORMING AMENDMENTS.—The Higher Edu-  
2 cation Act of 1965 (20 U.S.C. 1001 et seq.) is amended—

3 (1) in section 102(a)(2)(A)(i)(I), by striking  
4 “484(a)(5)” and inserting “484(a)(2)”;

5 (2) in section 419N(b)(7)(B)(ii), by striking  
6 “484(a)(5)” and inserting “484(a)(2)”;

7 (3) in section 484(c), by striking “subsection  
8 (a)(2)” each place it appears and inserting “sub-  
9 section (a)(1)(B)”;

10 (4) in section 484(g)—

11 (A) by striking “subsection (a)(5)” and in-  
12 serting “subsection (a)(2)”;

13 (B) by striking “Immigration and Natu-  
14 ralization Service” each place it appears in  
15 paragraph (4)(B)(i) and inserting “Department  
16 of Homeland Security”;

17 (5) in section 484(h), by striking “Immigration  
18 and Naturalization Service” each place it appears  
19 and inserting “Department of Homeland Security”;

20 (6) in section 484(o), as so redesignated, by  
21 striking “subsection (a)(4)” and inserting “sub-  
22 section (a)(1)(D)”;

23 (7) in section 485(a)(1)(K), by striking  
24 “484(a)(2)” and inserting “484(a)(1)(B)”.

1 **SEC. 4606. 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. 4607. STUDENT ELIGIBILITY INFORMATION FOR NU-**  
2 **TRITION ASSISTANCE PROGRAMS.**

3 (a) INFORMATION DISSEMINATION ACTIVITIES.—

4 Section 485(a)(1) of the Higher Education Act of 1965  
5 (20 U.S.C. 1092(a)(1)) is amended—

6 (1) in subparagraph (U), by striking the “and”  
7 at the end;

8 (2) in subparagraph (V), by striking the period  
9 at the end and inserting a semicolon; and

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

11 “(W) the most recent relevant student eli-  
12 gibility guidance with respect to the nutrition  
13 assistance programs established under—

14 “(i) the supplemental nutrition assist-  
15 ance program under the Food and Nutri-  
16 tion Act of 2008 (7 U.S.C. 2011 et seq.);  
17 and

18 “(ii) the special supplemental nutri-  
19 tion program for women, infants, and chil-  
20 dren established by section 17 of the Child  
21 Nutrition Act of 1966 (42 U.S.C. 1786);

22 “(X) the contact information for the State  
23 agencies responsible for administration of the  
24 programs specified in clauses (i) and (ii) of sub-  
25 paragraph (W); and



1           “(Y) the food pantries and other food as-  
2           sistance facilities and services available to stu-  
3           dents enrolled in such institution.”.

4           (b) COLLEGE NAVIGATOR WEBSITE.—Not later than  
5 30 days after the date of the enactment of this Act, the  
6 Secretary of Education shall make available and annually  
7 update on the College Navigator Website the most recent  
8 relevant student eligibility guidance with respect to the nu-  
9 trition assistance programs established under—

10           (1) the supplemental nutrition assistance pro-  
11           gram under the Food and Nutrition Act of 2008 (7  
12           U.S.C. 2011 et seq.); and

13           (2) the special supplemental nutrition program  
14           for women, infants, and children established by sec-  
15           tion 17 of the Child Nutrition Act of 1966 (42  
16           U.S.C. 1786).

17 **SEC. 4608. EXIT COUNSELING.**

18           (a) AMENDMENTS TO EXIT COUNSELING FOR BOR-  
19           ROWERS.—Section 485(b) of the Higher Education Act of  
20 1965 (20 U.S.C. 1092(b)) is amended—

21           (1) in paragraph (1)(A)—

22                   (A) in the matter preceding clause (i),  
23                   striking “through financial aid offices or other-  
24                   wise” and inserting “through the use of an  
25                   interactive program, during an exit counseling

1 session that is in-person or online, or through  
2 the use of the online counseling tool described  
3 in subsection (n)(1)(A)”;

4 (B) by redesignating clauses (i) through  
5 (ix) as clauses (iv) through (xii), respectively;

6 (C) by inserting before clause (iv), as so  
7 redesignated, the following:

8 “(i) a summary of the outstanding  
9 balance of principal and interest due on  
10 the loans made to the borrower under part  
11 B, D, or E;

12 “(ii) an explanation of the grace pe-  
13 riod preceding repayment and the expected  
14 date that the borrower will enter repay-  
15 ment;

16 “(iii) an explanation that the borrower  
17 has the option to pay any interest that has  
18 accrued while the borrower was in school  
19 or that may accrue during the grace period  
20 preceding repayment or during an author-  
21 ized period of deferment or forbearance,  
22 prior to the capitalization of the interest;”;  
23 (D) in clause (iv), as so redesignated—

24 (i) by striking “sample information  
25 showing the average” and inserting “infor-

1                   mation, based on the borrower’s out-  
2                   standing balance described in clause (i),  
3                   showing the borrower’s”; and

4                   (ii) by striking “of each plan” and in-  
5                   serting “of at least the fixed repayment  
6                   plan described in section 493E, the in-  
7                   come-based repayment plan under section  
8                   493C(f), and any other repayment plan for  
9                   which each loan may be eligible”;

10                  (E) in clause (ix), as so redesignated—

11                   (i) by inserting “decreased credit  
12                   score,” after “credit reports,”; and

13                   (ii) by inserting “reduced ability to  
14                   rent or purchase a home or car, potential  
15                   difficulty in securing employment,” after  
16                   “Federal law,”;

17                  (F) in clause (x), as so redesignated, by  
18                  striking “consolidation loan under section 428C  
19                  or a”;

20                  (G) in clauses (xi) and (xii), as so redesign-  
21                  ated, by striking “and” at the end; and

22                  (H) by adding at the end the following:

23                   “(xiii) for each of the borrower’s loans  
24                   made under part B, D, or E for which the  
25                   borrower is receiving counseling under this

1 subsection, the contact information for the  
2 loan servicer of the loan and a link to such  
3 servicer’s website; and

4 “(xiv) an explanation that an indi-  
5 vidual has a right to annually request a  
6 disclosure of information collected by a  
7 consumer reporting agency pursuant to  
8 section 612(a) of the Fair Credit Report-  
9 ing Act (15 U.S.C. 1681j(a)).”;

10 (2) in paragraph (1)(B)—

11 (A) by inserting “online or” before “in  
12 writing”; and

13 (B) by adding before the period at the end  
14 the following: “, except that in the case of an  
15 institution using the online counseling tool de-  
16 scribed in subsection (n)(1)(A), the Secretary  
17 shall attempt to provide such information to the  
18 student in the manner described in subsection  
19 (n)(3)(C)”; and

20 (3) in paragraph (2)(C), by inserting “, such as  
21 the online counseling tool described in subsection  
22 (n)(1)(A),” after “electronic means”.

23 (b) CONFORMING AMENDMENT.—Section 485(d)(1)  
24 of the Higher Education Act of 1965 (20 U.S.C.  
25 1092(d)(1)) is amended by striking “including income-

1 sensitive” and all that follows through “part D” and in-  
2 serting “including, beginning on July 1, 2021, the income-  
3 based repayment plan under section 493C(f) and the fixed  
4 repayment plan described in section 493E”.

5 **SEC. 4609. CLERY ACT AMENDMENTS.**

6 (a) DISCLOSURE OF CAMPUS SECURITY POLICY AND  
7 CAMPUS CRIME STATISTICS.—Section 485(f) of the High-  
8 er Education Act of 1965 (20 U.S.C. 1092(f)) is amend-  
9 ed—

10 (1) in paragraph (1)—

11 (A) in the matter preceding subparagraph  
12 (A), by inserting “(including on a prominent lo-  
13 cation on the institution’s website)” after “pub-  
14 lish”; and

15 (B) in subparagraph (F)—

16 (i) in clause (i), by striking “and” at  
17 the end;

18 (ii) in clause (ii), by striking “and” at  
19 the end;

20 (iii) in clause (iii), by striking the pe-  
21 riod at the end and inserting “;”; and

22 (iv) by adding at the end the fol-  
23 lowing:

1           “(iv) of harassment incidents that  
2           were reported to campus security authori-  
3           ties or local police agencies; and

4           “(v) of hazing incidents that were re-  
5           ported to campus security authorities or  
6           local police agencies.”; and

7           (C) by adding at the end the following:

8           “(K)(i) Each finding by the institution  
9           that, during the most recent calendar year, and  
10          during the 2 preceding calendar years for which  
11          data are available, a student organization com-  
12          mitted a violation of the institution’s standards  
13          of conduct, or of Federal, State, or local law,  
14          relating to hazing, which—

15                   “(I) shall include—

16                           “(aa) the name of the stu-  
17                           dent organization that committed  
18                           the violation;

19                           “(bb) a general description  
20                           of the activities that led to the  
21                           violation, the charges, such find-  
22                           ings by the institution, and the  
23                           sanctions placed on the organiza-  
24                           tion; and

25                           “(cc) the dates on which—

1                   “(AA) the violation was  
2                   alleged to have occurred;

3                   “(BB) the student or-  
4                   ganization was charged with  
5                   misconduct;

6                   “(CC) the investigation  
7                   was initiated; and

8                   “(DD) the investigation  
9                   ended with a finding that a  
10                  violation occurred; and

11                 “(II) may not include—

12                   “(aa) any information re-  
13                   lated to allegations or investiga-  
14                   tions of hazing that do not result  
15                   in a formal finding of a violation  
16                   of the standards of conduct of  
17                   the institution or of Federal,  
18                   State or local law; or

19                   “(bb) any personally identi-  
20                   fiable information on any indi-  
21                   vidual student or member of a  
22                   student organization.

23                   “(ii) The anti-hazing policies (includ-  
24                   ing the standards of conduct with respect  
25                   to hazing) of the institution, and the

1 changes, if any, that have been made in  
2 the preceding calendar year with respect to  
3 such policies, and the justification for such  
4 changes.

5 “(iii) In the case of an allegation that  
6 a multi-institution student organization  
7 was involved in a hazing incident, each in-  
8 stitution at which the students involved in  
9 such allegation are enrolled (or were for-  
10 merly enrolled), including any student who  
11 was a victim in the alleged incident, shall  
12 comply with the requirements of this sub-  
13 paragraph.”;

14 (2) in paragraph (6)(A), by adding at the end  
15 the following:

16 “(vi) For purposes of reporting under this  
17 section, the term ‘harassment’—

18 “(I) means unwelcome conduct, of a  
19 hostile, intimidating, or offensive nature,  
20 based on a student’s actual or perceived  
21 race, color, religion, sex (including sexual  
22 orientation, gender identity, pregnancy,  
23 childbirth, a medical condition related to  
24 pregnancy or childbirth, and sex stereo-  
25 type), disability, or national origin, that



1           unreasonably interferes with a student's  
2           ability to participate in a program or activ-  
3           ity at an institution of higher education,  
4           including by creating an intimidating, hos-  
5           tile, or offensive environment;

6           “(II) is not limited to physical acts,  
7           and includes conduct that is verbal or non-  
8           verbal, direct or indirect, undertaken in  
9           whole or in part through the use of elec-  
10          tronic messaging services, commercial mo-  
11          bile services, electronic communications, or  
12          other technology, or the placement or dis-  
13          play of hostile or offensive images or ob-  
14          jects based on a protected trait; and

15          “(III) includes sexual harassment,  
16          which is unwelcome conduct of a sexual  
17          nature, including—

18                  “(aa) a sexual advance;

19                  “(bb) a request for sexual favors;

20                  “(cc) a sexual act, where such  
21                  submission is made either explicitly or  
22                  implicitly a term or condition of a  
23                  program or activity at an institution  
24                  of higher education, regardless of a

1 student's submission to or rejection of  
2 such sexual act;

3 “(dd) a sexual act, where such  
4 submission or rejection is used as the  
5 basis for a decision affecting a term  
6 or condition of a program or activity  
7 at an institution of higher education,  
8 regardless of a student's submission  
9 to or rejection of such sexual act; or

10 “(ee) other conduct of a sexual  
11 nature.

12 “(vii) The term ‘hazing’ means any inten-  
13 tional, knowing, or reckless act committed by a  
14 student, or a former student, of an institution  
15 of higher education, whether individually or in  
16 concert with other persons, against another stu-  
17 dent, that—

18 “(I) was committed in connection with  
19 an initiation into, an affiliation with, or  
20 the maintenance of membership in, any  
21 student organization; and

22 “(II) causes, or contributes to a sub-  
23 stantial risk of, physical injury, mental  
24 harm, or personal degradation.

1           “(viii) The term ‘commercial mobile serv-  
2           ice’ has the meaning given the term in section  
3           332(d) of the Communications Act of 1934 (47  
4           U.S.C. 332(d)).

5           “(ix) The term ‘electronic communication’  
6           means any transfer of signs, signals, writing,  
7           images, sounds, or data of any nature trans-  
8           mitted in whole or in part by a wire, radio, elec-  
9           tromagnetic, photoelectronic, or photooptical  
10          system.

11          “(x) The term ‘electronic messaging serv-  
12          ices’ has the meaning given the term in section  
13          102 of the Communications Assistance for Law  
14          Enforcement Act (47 U.S.C. 1001).

15          “(xi) The term ‘multi-institution student  
16          organization’ means a student organization that  
17          includes students from more than one institu-  
18          tion of higher education, including city-wide, re-  
19          gional, State, and national chapters of student  
20          organizations.

21          “(xii) The term ‘student organization’  
22          means an organization that is officially recog-  
23          nized by or otherwise affiliated with an institu-  
24          tion of higher education and that has a mem-

1           bership that is made up primarily of students  
2           enrolled at such institution.”;

3           (3) in paragraph (7), by inserting after the sec-  
4           ond sentence the following: “For harassment inci-  
5           dents, such statistics shall be compiled in accordance  
6           with the definition of that term in paragraph  
7           (6)(A)(vi). For hazing incidents, such statistics shall  
8           be compiled in accordance with the definition of that  
9           term in paragraph (6)(A)(vii).”; and

10          (4) in paragraph (8)—

11                (A) by adding “sexual harassment,” after  
12                “sexual assault,” each place it appears;

13                (B) in subparagraph (B) in subclause  
14                (iv)(I)(bb) by striking “an investigation” and  
15                inserting “a trauma-informed investigation”;  
16                and

17                (C) by adding at the end the following:

18                       “(viii) Written notification of victims  
19                        about institutional policies regarding the  
20                        reimbursement of lost tuition and costs as-  
21                        sociated with student loan interest accrual  
22                        related to domestic violence, dating vio-  
23                        lence, sexual assault, sexual harassment, or  
24                        stalking incidents.”.

1 (b) STATEMENT OF POLICY REGARDING HARASS-  
2 MENT.—Section 485(f) of the Higher Education Act of  
3 1965 (20 U.S.C. 1092(f)) is further amended—

4 (1) by redesignating paragraphs (9) through  
5 (18) as paragraphs (10) through (19), respectively;  
6 and

7 (2) by inserting after paragraph (8) the fol-  
8 lowing:

9 “(9)(A) Each institution of higher education  
10 participating in any program under this title, other  
11 than a foreign institution of higher education, shall,  
12 as part of the report described in paragraph (1)—

13 “(i) develop and distribute a state-  
14 ment of policy regarding harassment,  
15 which shall include—

16 “(I) a prohibition of harass-  
17 ment—

18 “(aa) on campus;

19 “(bb) in or on a noncampus  
20 building or property;

21 “(cc) on public property;

22 “(dd) in dormitories or other  
23 residential facilities for students  
24 on campus;

1           “(ee) through the use of  
2 electronic mail addresses issued  
3 by the institution of higher edu-  
4 cation;

5           “(ff) through the use of  
6 computers and communication  
7 networks, including any tele-  
8 communications service, owned,  
9 operated, or contracted for use  
10 by the institution of higher edu-  
11 cation or its agents; and

12           “(gg) during an activity  
13 sponsored by the institution of  
14 higher education or carried out  
15 with the use of resources pro-  
16 vided by the institution of higher  
17 education;

18           “(II) a description of the institu-  
19 tion’s programs to combat harass-  
20 ment, which shall be aimed at the pre-  
21 vention of harassment;

22           “(III) a description of the proce-  
23 dures that a student should follow if  
24 an incident of harassment occurs; and

1           “(IV) a description of the proce-  
2           dures that the institution will follow  
3           once an incident of harassment has  
4           been reported, including a statement  
5           of the standard of evidence that will  
6           be used during any institutional con-  
7           duct proceeding arising from such a  
8           report; and

9           “(ii) provide, on a prominent location  
10          on the institution’s website, a link to the  
11          webpage that contains the information re-  
12          quired under paragraph (1)(K), including  
13          statement notifying the public—

14                 “(I) of the availability of such in-  
15                 formation, including findings, sanc-  
16                 tions, and the implementation of sanc-  
17                 tions, except information protected  
18                 under section 444 of the General  
19                 Education Provisions Act (commonly  
20                 known as the ‘Family Education  
21                 Rights and Privacy Act of 1974’);

22                 “(II) a description of how a  
23                 member of the public may obtain such  
24                 information; and

1                   “(III) a statement that the insti-  
2                   tution is required to provide such in-  
3                   formation pursuant to paragraph  
4                   (1)(K).

5                   “(B) The statement of policy described in  
6                   subparagraph (A)(i) shall address the following  
7                   areas:

8                   “(i) Procedures for timely institu-  
9                   tional action in cases of alleged harass-  
10                  ment, which shall include a clear statement  
11                  that the accuser and the accused shall be  
12                  informed of the outcome of any discipli-  
13                  nary proceedings in response to an allega-  
14                  tion of harassment.

15                  “(ii) Possible sanctions to be imposed  
16                  following the final determination of an in-  
17                  stitutional disciplinary procedure regarding  
18                  harassment.

19                  “(iii) Notification of existing coun-  
20                  seling, mental health, or student services  
21                  for victims or perpetrators of harassment,  
22                  both on campus and in the community.

23                  “(iv) Identification of a designated  
24                  employee or office at the institution that



1                   will be responsible for receiving and track-  
2                   ing each report of harassment.”.

3           (c) CIVIL PENALTIES.—Section 485(f) of the Higher  
4 Education Act of 1965 (20 U.S.C. 1092(f)) is further  
5 amended—

6           (1) in paragraph (14), as redesignated by sub-  
7 section (b)—

8                   (A) by striking “in the same amount and”;  
9                   and

10                   (B) by inserting before the period at the  
11 end the following: “, expect that such section  
12 shall be applied by substituting \$100,000 for  
13 \$25,000”.

14           (2) in paragraph (17), as redesignated by sub-  
15 section (b), by adding “sexual harassment,” after  
16 “sexual assault,”.

17 **SEC. 4610. ONLINE SURVEY TOOL FOR CAMPUS SAFETY.**

18           Section 485(f) of the Higher Education Act of 1965  
19 (20 U.S.C. 1092) is further amended—

20           (1) by redesignating paragraphs (19) and (20)  
21 as so redesignated as paragraphs (20) and (21), re-  
22 spectively; and

23           (2) by inserting after paragraph (17) the fol-  
24 lowing:

1           “(18) ONLINE SURVEY TOOL FOR CAMPUS  
2 SAFETY.—

3           “(A) IN GENERAL.—The Secretary shall,  
4 in consultation with the Attorney General, Di-  
5 rector of the Centers for Disease Control, and  
6 the Secretary of the Department of Health and  
7 Human Services and experts in domestic vio-  
8 lence, dating violence, sexual assault, sexual  
9 harassment, and stalking, develop, design, and  
10 make available through a secure and accessible  
11 online portal, a standardized online survey tool  
12 regarding student experiences with domestic vi-  
13 olence, dating violence, sexual assault, sexual  
14 harassment, and stalking.

15           “(B) DEVELOPMENT OF SURVEY TOOL.—  
16 In developing the survey tool required under  
17 subparagraph (A), the Secretary shall—

18           “(i) use best practices from peer-re-  
19 viewed research measuring domestic vio-  
20 lence, dating violence, sexual assault, sex-  
21 ual harassment, and stalking;

22           “(ii) consult with the higher education  
23 community, experts in survey research re-  
24 lated to domestic violence, dating violence,  
25 sexual assault, sexual harassment, and

1 stalking, and organizations engaged in the  
2 prevention of and response to, and advo-  
3 cacy on behalf of victims of, domestic vio-  
4 lence, dating violence, sexual assault, sex-  
5 ual harassment, and stalking regarding the  
6 development and design of such survey tool  
7 and the methodology for administration of  
8 such survey tool; and

9 “(iii) ensure that the survey tool is  
10 readily accessible to and usable by individ-  
11 uals with disabilities.

12 “(C) ELEMENTS.—

13 “(i) IN GENERAL.—The survey tool  
14 developed pursuant to this paragraph shall  
15 be fair and unbiased, scientifically valid  
16 and reliable, and meet the highest stand-  
17 ards of survey research.

18 “(ii) SURVEY QUESTIONS.—Survey  
19 questions included in the survey tool devel-  
20 oped pursuant to this paragraph shall—

21 “(I) be designed to gather infor-  
22 mation on student experiences with  
23 domestic violence, dating violence, sex-  
24 ual assault, sexual harassment, and

1 stalking, including the experiences of  
2 victims of such incidents;

3 “(II) use trauma-informed lan-  
4 guage to prevent retraumatization;  
5 and

6 “(III) include the following:

7 “(aa) Questions designed to  
8 determine the incidence and prev-  
9 alence of domestic violence, dat-  
10 ing violence, sexual assault, sex-  
11 ual harassment, and stalking.

12 “(bb) Questions regarding  
13 whether students know about in-  
14 stitutional policies and proce-  
15 dures related to domestic vio-  
16 lence, dating violence, sexual as-  
17 sault, sexual harassment, and  
18 stalking.

19 “(cc) Questions designed to  
20 determine, if victims reported do-  
21 mestic violence, dating violence,  
22 sexual assault, sexual harass-  
23 ment, or stalking—

24 “(AA) to whom the in-  
25 cident was reported and

1                   what response the victim  
2                   may have received;

3                   “(BB) whether the vic-  
4                   tim was informed of, or re-  
5                   ferred to, national, State,  
6                   local, or on-campus re-  
7                   sources; and

8                   “(CC) whether the enti-  
9                   ty to whom the victim re-  
10                  ported the incident con-  
11                  ducted an investigation and  
12                  the duration and final reso-  
13                  lution of such an investiga-  
14                  tion.

15                  “(dd) Questions regarding  
16                  contextual factors, such as  
17                  whether force, incapacitation, or  
18                  coercion was involved.

19                  “(ee) Questions to determine  
20                  whether an accused individual  
21                  was a student at the institution.

22                  “(ff) Questions to determine  
23                  whether a victim reported an in-  
24                  cident to State, local, or campus  
25                  law enforcement.

1                   “(gg) Questions to deter-  
2                   mine why the victim chose to re-  
3                   port or not report an incident to  
4                   the institution or State, local, or  
5                   campus law enforcement.

6                   “(hh) Questions to deter-  
7                   mine the impact of domestic vio-  
8                   lence, dating violence, sexual as-  
9                   sault, sexual harassment, and  
10                  stalking on the victim’s edu-  
11                  cation, including diminished  
12                  grades, dropped classes, leaves of  
13                  absence, and negative financial  
14                  consequences (such as costs asso-  
15                  ciated with loss in paid tuition  
16                  due to leaves of absence, loss in  
17                  scholarship awards due to dimin-  
18                  ished grades, and cost associated  
19                  with counseling, medical services,  
20                  or housing changes).

21                  “(ii) Questions to determine  
22                  the impact and effectiveness of  
23                  prevention and awareness pro-  
24                  grams and complaints processes.

1                   “(jj) Questions to determine  
2 attitudes toward sexual violence  
3 and harassment, including the  
4 willingness of individuals to inter-  
5 vene as a bystander of sex-based  
6 (including sexual orientation-  
7 based and gender identity-based),  
8 race-based, national origin-based,  
9 and disability-based discrimina-  
10 tion, harassment, assault, domes-  
11 tic violence, dating violence, sex-  
12 ual assault, sexual harassment,  
13 and stalking.

14                   “(kk) Other questions, as  
15 determined by the Secretary.

16                   “(iii) ADDITIONAL ELEMENTS.—In  
17 addition to the standardized questions de-  
18 veloped by the Secretary under clause (ii),  
19 an institution may request additional infor-  
20 mation from students that would increase  
21 the understanding of the institution of  
22 school climate factors unique to their cam-  
23 puses.

1                   “(iv) RESPONSES.—The responses to  
2                   the survey questions described in clause  
3                   (ii) shall—

4                               “(I) be submitted confidentially;

5                               “(II) not be included in crime  
6                   statistics; and

7                               “(III) in the case of such re-  
8                   sponses being included in a report,  
9                   shall not include personally identifi-  
10                  able information.

11                   “(D) ADMINISTRATION OF SURVEY.—

12                               “(i) FEDERAL ADMINISTRATION.—

13                   The Secretary, in consultation with the At-  
14                   torney General, Director of the Centers for  
15                   Disease Control, and Secretary of the De-  
16                   partment of Health and Human Services,  
17                   shall develop a mechanism by which insti-  
18                   tutions of higher education may, with re-  
19                   spect to the survey tool developed pursuant  
20                   to this paragraph—

21                               “(I) administer such survey tool;

22                               and

23                               “(II) modify such survey tool to  
24                   include additional elements or require-



1                   ments, as determined by the institu-  
2                   tion.

3                   “(ii) COSTS.—The Secretary may not  
4                   require an institution of higher education  
5                   to pay to modify the survey tool in accord-  
6                   ance with clause (ii)(II).

7                   “(iii) ACCESSIBILITY.—The Secretary  
8                   shall ensure that the survey tool is admin-  
9                   istered in such a way as to be readily ac-  
10                  cessible to and usable by individuals with  
11                  disabilities.

12                  “(iv) INSTITUTIONAL ADMINISTRA-  
13                  TION.—Beginning not later than one year  
14                  after the date on which the Secretary  
15                  makes available to institutions the mecha-  
16                  nism described in clause (i), and every 2  
17                  years thereafter, each institution shall ad-  
18                  minister the survey tool developed pursu-  
19                  ant to this paragraph.

20                  “(E) COMPLETED SURVEYS.—The Sec-  
21                  retary shall require each institution partici-  
22                  pating in any program under this title to en-  
23                  sure, to the maximum extent practicable, that  
24                  an adequate, random, and representative sam-  
25                  ple size of students (as determined by the Sec-

1           retary) enrolled at the institution complete the  
2           survey tool developed pursuant to this para-  
3           graph.

4           “(F) REPORT.—Beginning not later than  
5           2 years after the date of enactment of the Col-  
6           lege Affordability Act, the Secretary shall pre-  
7           pare a biennial report on the information  
8           gained from the standardized elements of the  
9           survey under this paragraph and publish such  
10          report in an accessible format on the website of  
11          the Department and submit such report to Con-  
12          gress. The report shall include campus-level  
13          data for each school and attributed by name of  
14          each campus in a manner that permits compari-  
15          sons across schools and campuses.

16          “(G) PUBLICATION.—Each institution  
17          shall publish, in a manner that is readily acces-  
18          sible and usable by individuals, including indi-  
19          viduals with disabilities—

20                  “(i) the campus-level results of the  
21                  standardized elements of the survey under  
22                  this paragraph on the website of the insti-  
23                  tution and in the annual security report re-  
24                  quired under paragraph 1 for the cam-  
25                  puses affiliated with the institution; and

1           “(ii) the campus-level results of the  
2           additional elements modifying the survey  
3           by the institution, if any, on the website of  
4           the institution.

5           “(H) VIOLATION.—Upon a determination  
6           pursuant to section 487(c)(3)(B) that an insti-  
7           tution of higher education has violated or failed  
8           to carry out any provision under this sub-  
9           section, the Secretary shall impose a civil pen-  
10          alty upon the institution in the same amount  
11          and pursuant to the same procedures as a civil  
12          penalty is imposed under section  
13          487(c)(3)(B).”.

14 **SEC. 4611. TRANSFER OF CREDIT POLICIES.**

15          Section 485(h)(1) of the Higher Education Act of  
16          1965 (20 U.S.C. 1092(h)(1)) is amended—

17               (1) in the matter preceding subparagraph (A)—

18                       (A) by inserting “on the website of the in-  
19                       stitution and in at least one other relevant pub-  
20                       lication (such as a course catalogue)” after  
21                       “publicly disclose”; and

22                       (B) by inserting “, easy to find,” after  
23                       “readable”; and

24               (2) in subparagraph (B), by striking the period  
25          at the end and inserting the following: “, including

1 a link to the website of each institution of higher  
2 education on such list and a link to or an expla-  
3 nation of the provisions of each such articulation  
4 agreement; and”;

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

6 “(C) a list of transfer-related resources  
7 and information not otherwise provided under  
8 subparagraphs (A) and (B) that the institution  
9 provides (such as deadlines, financial aid infor-  
10 mation, and relevant staff contact informa-  
11 tion).”.

12 **SEC. 4612. AMENDMENTS TO INSTITUTIONAL AND FINAN-**  
13 **CIAL ASSISTANCE.**

14 (a) NOTICE TO STUDENTS CONCERNING DRUG VIO-  
15 LATIONS.—Subsection (k) of section 485 (20 U.S.C.  
16 1092) is repealed.

17 (b) LIAISON FOR HOMELESS INDIVIDUALS AND FOS-  
18 TER CARE YOUTH.—Section 485 of the Higher Education  
19 Act of 1965 (20 U.S.C. 1092) is amended by inserting  
20 after subsection (j) the following:

21 “(k) Each institution of higher education partici-  
22 pating in any program under this title shall—

23 “(1) have designated an appropriate staff per-  
24 son as a liaison to assist homeless individuals de-  
25 scribed in section 725 of the McKinney-Vento

1 Homeless Assistance Act (42 U.S.C. 11434a) and  
2 foster care youth in accessing and completing post-  
3 secondary education, including by ensuring that such  
4 homeless individuals and foster care youth are con-  
5 nected to applicable and available student support  
6 services, programs, and community resources in  
7 areas such as financial aid, academic advising, hous-  
8 ing, food, public benefits, health care, health insur-  
9 ance, mental health, child care, transportation bene-  
10 fits, and mentoring;

11 “(2) post public notice about student financial  
12 assistance and other assistance available to such  
13 homeless individuals and foster care youth, including  
14 their eligibility as independent students under sub-  
15 paragraphs (B) and (H) of sections 480(d)(1);

16 “(3) give priority for any institutionally owned  
17 or operated housing facilities, including student  
18 housing facilities that remain open for occupation  
19 during school breaks or on a year-round basis, to—

20 “(A) homeless individuals described in sec-  
21 tion 725 of the McKinney-Vento Homeless As-  
22 sistance Act (42 U.S.C. 11434a);

23 “(B) youth who are unaccompanied, at  
24 risk of homelessness, and self-supporting; and

25 “(C) foster care youth;

1           “(4) have developed a plan for how such home-  
2           less individuals, youth who are unaccompanied, at  
3           risk of homelessness, and self-supporting, and foster  
4           care youth can access housing resources during and  
5           between academic terms, through means that may  
6           include access to institutionally owned or operated  
7           housing during breaks and a list of housing re-  
8           sources in the community that provide short-term  
9           housing; and

10           “(5) include, in its application for admission,  
11           questions (to be answered voluntarily) regarding the  
12           applicant’s status as a homeless individual or foster  
13           care youth, that—

14                   “(A) can be answered by the applicant vol-  
15                   untarily for the limited purpose of being pro-  
16                   vided information about financial aid or any  
17                   other available assistance;

18                   “(B) explain the key terms in the question  
19                   in a manner children and youth can understand  
20                   in order to self-identify and declare eligibility as  
21                   a homeless individual or foster care youth; and

22                   “(C) with consent of the applicant, may be  
23                   shared with the liaison after admission but  
24                   prior to the beginning of the next academic  
25                   term.”.

1           (c) ANNUAL FINANCIAL AID COUNSELING.—Section  
2 485(l) of the Higher Education Act of 1965 (20 U.S.C.  
3 1092(l)) is amended to read as follows:

4           “(l) ANNUAL FINANCIAL AID COUNSELING.—

5                   “(1) ANNUAL DISCLOSURE REQUIRED.—

6                           “(A) IN GENERAL.—Each eligible institu-  
7 tion shall ensure that each individual who re-  
8 ceives a loan made under part D (other than a  
9 Federal Direct Consolidation Loan or a loan  
10 made under section 460A and 460B) receives  
11 comprehensive information on the terms and  
12 conditions of such loan and the responsibilities  
13 the individual has with respect to such loan.  
14 Such information shall be provided, for each  
15 award year for which the individual receives  
16 such loan, in a simple and understandable man-  
17 ner—

18                                   “(i) during a counseling session con-  
19 ducted in person;

20                                   “(ii) online, with the individual ac-  
21 knowledging receipt of the information; or

22                                   “(iii) through the use of the online  
23 counseling tool described in subsection  
24 (n)(1)(B).

1           “(B) USE OF INTERACTIVE PROGRAMS.—

2           In the case of institutions not using the online  
3           counseling tool described in subsection  
4           (n)(1)(B), the Secretary shall require such in-  
5           stitutions to carry out the requirements of sub-  
6           paragraph (A) through the use of interactive  
7           programs, during an annual counseling session  
8           that is in-person or online, that tests the indi-  
9           vidual’s understanding of the terms and condi-  
10          tions of the loan awarded to the individual,  
11          using simple and understandable language and  
12          clear formatting.

13          “(2) ALL INDIVIDUALS.—The information to be  
14          provided under paragraph (1)(A) to each individual  
15          receiving counseling under this subsection shall in-  
16          clude the following:

17                 “(A) An explanation of how the individual  
18                 may budget for typical educational expenses  
19                 and a sample budget based on the cost of at-  
20                 tendance for the institution.

21                 “(B) An explanation that an individual has  
22                 a right to annually request a disclosure of infor-  
23                 mation collected by a consumer reporting agen-  
24                 cy pursuant to section 612(a) of the Fair Credit  
25                 Reporting Act (15 U.S.C. 1681j(a)).



1           “(C) An introduction to the financial man-  
2           agement resources provided by the Consumer  
3           Financial Protection Bureau.

4           “(3) BORROWERS RECEIVING LOANS MADE  
5           UNDER PART D (OTHER THAN PARENT PLUS  
6           LOANS).—The information to be provided under  
7           paragraph (1)(A) to a borrower of a loan made  
8           under part D (other than a Federal Direct PLUS  
9           Loan made on behalf of a dependent student) shall  
10          include the following:

11           “(A) A notification that some students  
12           may qualify for other financial aid and an ex-  
13           planation that the borrower should consider ac-  
14           cepting any grant, scholarship, or State or Fed-  
15           eral work-study jobs for which the borrower is  
16           eligible prior to accepting student loans.

17           “(B) To the extent practicable, the effect  
18           of accepting the loan to be disbursed on the eli-  
19           gibility of the borrower for other forms of stu-  
20           dent financial assistance.

21           “(C) An explanation of the use of the stu-  
22           dent loan contract referred to in section  
23           432(m)(1)(D).

1           “(D) An explanation that the borrower is  
2 not required to accept the full amount of the  
3 loan offered to the borrower.

4           “(E) An explanation of the approved edu-  
5 cational expenses for which the borrower may  
6 use a loan made under part D.

7           “(F) A recommendation to the borrower to  
8 exhaust the borrower’s Federal student loan op-  
9 tions prior to taking out private education  
10 loans, an explanation that Federal student  
11 loans typically offer better terms and conditions  
12 than private education loans, an explanation  
13 that Federal student loans offer consumer pro-  
14 tections typically not available in the private  
15 education loan market, an explanation of treat-  
16 ment of loans made under part D and private  
17 education loans in bankruptcy, and an expla-  
18 nation that if a borrower decides to take out a  
19 private education loan—

20                   “(i) the borrower has the ability to se-  
21 lect a private educational lender of the bor-  
22 rower’s choice;

23                   “(ii) the proposed private education  
24 loan may impact the borrower’s potential  
25 eligibility for other financial assistance, in-

1 cluding Federal financial assistance under  
2 this title; and

3 “(iii) the borrower has a right—

4 “(I) to accept the terms of the  
5 private education loan within 30 cal-  
6 endar days following the date on  
7 which the application for such loan is  
8 approved and the borrower receives  
9 the required disclosure documents,  
10 pursuant to section 128(e) of the  
11 Truth in Lending Act (15 U.S.C.  
12 1638(e)); and

13 “(II) to cancel such loan within 3  
14 business days of the date on which the  
15 loan is consummated, pursuant to sec-  
16 tion 128(e)(7) of such Act (15 U.S.C.  
17 1638(e)(7)).

18 “(G) The interest rate for the loan, as of  
19 the date of the counseling.

20 “(H) Information on how interest accrues  
21 and is capitalized during periods when the in-  
22 terest is not paid by either the borrower or the  
23 Secretary.

24 “(I) In the case of a Federal Direct PLUS  
25 Loan or a Federal Direct Unsubsidized Staf-

1           ford Loan, the option of the borrower to pay  
2           the interest while the borrower is in school.

3           “(J) The definition of half-time enrollment  
4           at the institution, during regular terms and  
5           summer school, if applicable, and the con-  
6           sequences of not maintaining at least half-time  
7           enrollment.

8           “(K) An explanation of the importance of  
9           contacting the appropriate offices at the institu-  
10          tion of higher education if the borrower with-  
11          draws prior to completing the borrower’s pro-  
12          gram of study so that the institution can pro-  
13          vide exit counseling, including information re-  
14          garding the borrower’s repayment options and  
15          loan consolidation.

16          “(L) The obligation of the borrower to  
17          repay the full amount of the loan, regardless of  
18          whether the borrower completes or does not  
19          complete the program in which the borrower is  
20          enrolled within the regular time for program  
21          completion.

22          “(M) The likely consequences of default on  
23          the loan, including adverse credit reports, delin-  
24          quent debt collection procedures under Federal  
25          law, and litigation.

1           “(N) Notice of the institution’s most re-  
2           cent adjusted cohort default rate (calculated in  
3           accordance with section 435(m)(1)(D)), an ex-  
4           planation of the adjusted cohort default rate,  
5           the most recent national average adjusted co-  
6           hort default rate, and the most recent national  
7           average adjusted cohort default rate for the cat-  
8           egory of institution described in section  
9           435(m)(4) to which the institution belongs.

10           “(O) Information on the National Student  
11           Loan Data System and how the borrower can  
12           access the borrower’s records.

13           “(P) The contact information for the insti-  
14           tution’s financial aid office or other appropriate  
15           office at the institution the borrower may con-  
16           tact if the borrower has any questions about the  
17           borrower’s rights and responsibilities or the  
18           terms and conditions of the loan.

19           “(Q) For a first-time borrower, in addition  
20           to all the information described in subpara-  
21           graphs (A) through (P)—

22                   “(i) a statement of the anticipated  
23                   balance on the loan for which the borrower  
24                   is receiving counseling under this sub-  
25                   section;

1           “(ii) based on such anticipated bal-  
2           ance, the anticipated monthly payment  
3           amount under, at minimum—

4                   “(I) the fixed repayment plan de-  
5                   scribed in section 493E; and

6                   “(II) the income-based repay-  
7                   ment plan under section 493C(f), as  
8                   determined using regionally available  
9                   data from the Bureau of Labor Sta-  
10                  tistics of the average starting salary  
11                  for the occupation in which the bor-  
12                  rower has an interest in or intends to  
13                  be employed;

14                  “(iii) an estimate of the projected  
15                  monthly payment amount under each re-  
16                  payment plan described in clause (ii),  
17                  based on the average cumulative indebted-  
18                  ness at graduation for borrowers of loans  
19                  made under part D who are in the same  
20                  program of study as the borrower and the  
21                  expected increase in the cost of attendance  
22                  of such program; and

23                  “(iv) information on the annual and  
24                  aggregate loan limits for Federal Direct  
25                  Stafford Loans and Federal Direct Unsub-

1           sidized Stafford Loans as it pertains to the  
2           loan for which the borrower is receiving  
3           counseling, and a statement that such ag-  
4           gregate borrowing limit may change based  
5           on the borrower’s student status (whether  
6           undergraduate or graduate) or if there is a  
7           change in the borrower’s dependency sta-  
8           tus.

9           “(R) For a borrower with an outstanding  
10          balance of principal or interest due on a loan  
11          made under this title, in addition to all the in-  
12          formation described in subparagraphs (A)  
13          through (P)—

14               “(i) information on each student loan  
15               that the institution is aware that the stu-  
16               dent has borrowed, including Federal  
17               loans, private loans, and loans from the in-  
18               stitution;

19               “(ii) the total amount of the out-  
20               standing balance and interest accrued from  
21               the Federal student loans described in  
22               clause (i);

23               “(iii) for each Federal loan described  
24               in clause (i), the interest rate for the loan,  
25               as of the date of the counseling, and a

1 statement that the interest rate on student  
2 loans may vary based on when the loan  
3 was borrowed and other factors;

4 “(iv) based on such outstanding bal-  
5 ance for the Federal student loans, the an-  
6 ticipated monthly payment amount under  
7 the fixed repayment plan described in sec-  
8 tion 493E, the income-based repayment  
9 plan under section 493C(f), and any other  
10 repayment plan for which each loan may  
11 be eligible, calculated using regionally  
12 available data from the Bureau of Labor  
13 Statistics of the average starting salary for  
14 the occupation the borrower intends to be  
15 employed;

16 “(v) an estimate of the projected  
17 monthly payment amount under each re-  
18 payment plan described in clause (iv),  
19 based on—

20 “(I) the outstanding balance de-  
21 scribed in clause (ii);

22 “(II) the anticipated outstanding  
23 balance on the loan for which the stu-  
24 dent is receiving counseling under this  
25 subsection; and



1                   “(III) a projection for any other  
2                   loans made under part D that the  
3                   borrower is reasonably expected to ac-  
4                   cept during the borrower’s program of  
5                   study based on at least the average  
6                   cumulative indebtedness at graduation  
7                   for borrowers of loans made under  
8                   part D who are in the same program  
9                   of study as the borrower and the ex-  
10                  pected increase in the cost of attend-  
11                  ance of such program;

12                  “(vi) a statement that the outstanding  
13                  balance described in clause (ii), the interest  
14                  rate described in clause (iii), and the  
15                  monthly amount described in clause (iv)  
16                  and clause (v) does not include any  
17                  amounts that the student may be required  
18                  to repay for private or institutional loans;  
19                  and

20                  “(vii) the percentage of the total ag-  
21                  gregate borrowing limit that the student  
22                  has reached, as of the date of the coun-  
23                  seling, for Federal Direct Stafford Loans  
24                  and Federal Direct Unsubsidized Stafford  
25                  Loans, and a statement that such aggre-

1           gate borrowing limit may change based on  
2           the borrower’s student status (whether un-  
3           dergraduate or graduate) or if there is a  
4           change in the borrower’s dependency sta-  
5           tus.

6           “(4) BORROWERS RECEIVING PARENT PLUS  
7           LOANS FOR DEPENDENT STUDENTS.—The informa-  
8           tion to be provided under paragraph (1)(A) to a bor-  
9           rower of a Federal Direct PLUS Loan made on be-  
10          half of a dependent student shall include the fol-  
11          lowing:

12                 “(A) A notification that some students  
13                 may qualify for other financial aid and an ex-  
14                 planation that the student for whom the bor-  
15                 rower is taking out the loan should consider ac-  
16                 cepting any grant, scholarship, or State or Fed-  
17                 eral work-study jobs for which the borrower is  
18                 eligible prior to borrowing Parent PLUS Loans.

19                 “(B) The information described in sub-  
20                 paragraphs (B) through (D) and (L) through  
21                 (O) of paragraph (3).

22                 “(C) The interest rate for the loan, as of  
23                 the date of the counseling.

1           “(D) The option of the borrower to pay the  
2 interest on the loan while the loan is in  
3 deferment.

4           “(E) Debt management strategies that are  
5 designed to facilitate the repayment of such in-  
6 debtedness.

7           “(F) An explanation that the borrower has  
8 the options to prepay each loan, pay each loan  
9 on a shorter schedule, and change repayment  
10 plans.

11           “(G) For each Federal Direct PLUS Loan  
12 made on behalf of a dependent student for  
13 which the borrower is receiving counseling  
14 under this subsection, the contact information  
15 for the loan servicer of the loan and a link to  
16 such servicer’s Website.

17           “(H) For a first-time borrower of such  
18 loan—

19                   “(i) a statement of the anticipated  
20 balance on the loan for which the borrower  
21 is receiving counseling under this sub-  
22 section;

23                   “(ii) based on such anticipated bal-  
24 ance, the anticipated monthly payment  
25 amount under the fixed repayment plan

1 described in section 493E, the income-  
2 based repayment plan under section  
3 493C(f), and any other repayment plan for  
4 which each loan may be eligible; and

5 “(iii) an estimate of the projected  
6 monthly payment amount under the fixed  
7 repayment plan described in section 493E,  
8 the income-based repayment plan under  
9 section 493C(f), and any other repayment  
10 plan for which each loan may be eligible,  
11 based on the average cumulative indebted-  
12 ness of other borrowers of Federal Direct  
13 PLUS Loans made on behalf of dependent  
14 students who are in the same program of  
15 study as the student on whose behalf the  
16 borrower borrowed the loan and the ex-  
17 pected increase in the cost of attendance of  
18 such program.

19 “(I) For a borrower with an outstanding  
20 balance of principal or interest due on such  
21 loan—

22 “(i) a statement of the amount of  
23 such outstanding balance;

24 “(ii) based on such outstanding bal-  
25 ance, the anticipated monthly payment

1 amount under the fixed repayment plan  
2 described in section 493E, the income-  
3 based repayment plan under section  
4 493C(f), and any other repayment plan for  
5 which each loan may be eligible; and

6 “(iii) an estimate of the projected  
7 monthly payment amount under the fixed  
8 and income-based repayment plans, based  
9 on—

10 “(I) the anticipated outstanding  
11 balance on the loan for which the bor-  
12 rower is receiving counseling under  
13 this subsection; and

14 “(II) a projection for any other  
15 Federal Direct PLUS Loan made on  
16 behalf of the dependent student that  
17 the borrower is reasonably expected to  
18 accept during the program of study of  
19 such student based on at least the av-  
20 erage cumulative indebtedness of  
21 other borrowers of Federal Direct  
22 PLUS Loans made on behalf of de-  
23 pendent students who are in the same  
24 program of study as the student on  
25 whose behalf the borrower borrowed

1                   the loan and the expected increase in  
2                   the cost of attendance of such pro-  
3                   gram.

4                   “(5) ANNUAL LOAN ACCEPTANCE.—Prior to  
5                   making the first disbursement of a loan made under  
6                   part D (other than a Federal Direct Consolidation  
7                   Loan or a loan made under section 460A and 460B)  
8                   to a borrower for an award year, an eligible institu-  
9                   tion, shall, as part of carrying out the counseling re-  
10                  quirements of this subsection for the loan, ensure  
11                  that after receiving the applicable counseling under  
12                  paragraphs (2), (3), and (4) for the loan the bor-  
13                  rower accepts the loan for such award year by—

14                  “(A) signing and returning to the institu-  
15                  tion the student loan contract for the loan re-  
16                  ferred to in section 432(m)(1)(D) that affirma-  
17                  tively states that the borrower accepts the loan;  
18                  or

19                  “(B) electronically signing an electronic  
20                  version of the student loan contract described in  
21                  subparagraph (A).”.

22                  (d) ONLINE COUNSELING TOOLS.—Section 485 of  
23                  the Higher Education Act of 1965 (20 U.S.C. 1092), as  
24                  amended by this section, is further amended by adding  
25                  at the end the following:

1 “(n) ONLINE COUNSELING TOOLS.—

2 “(1) IN GENERAL.—Beginning not later than  
3 18 months after the date of enactment of the Col-  
4 lege Affordability Act, the Secretary shall main-  
5 tain—

6 “(A) an online counseling tool that pro-  
7 vides the exit counseling required under sub-  
8 section (b) and meets the applicable require-  
9 ments of this subsection; and

10 “(B) an online counseling tool that pro-  
11 vides the annual counseling required under sub-  
12 section (l) and meets the applicable require-  
13 ments of this subsection.

14 “(2) REQUIREMENTS OF TOOLS.—In developing  
15 and maintaining the online counseling tools de-  
16 scribed in paragraph (1), the Secretary shall ensure  
17 that each such tool is—

18 “(A) consumer tested, in consultation with  
19 other relevant Federal agencies and including  
20 students (low-income students and student vet-  
21 erans, and students’ families) and borrowers,  
22 institutions of higher education, secondary  
23 school and postsecondary counselors, and non-  
24 profit consumer groups, to ensure that the tool  
25 is effective in helping individuals understand

1           their options, rights, and obligations with re-  
2           spect to borrowing a loan made under part D;  
3           and

4                   “(B) freely available to all eligible institu-  
5           tions.

6           “(3) RECORD OF COUNSELING COMPLETION.—

7           The Secretary shall—

8                   “(A) use each online counseling tool de-  
9           scribed in paragraph (1) to keep a record of  
10          which individuals have received counseling using  
11          the tool, and notify the applicable institutions  
12          of the individual’s completion of such coun-  
13          seling;

14                   “(B) in the case of a borrower who re-  
15          ceives annual counseling for a loan made under  
16          part D using the tool described in paragraph  
17          (1)(B), notify the borrower by when the bor-  
18          rower should accept, in a manner described in  
19          subsection (1)(5), the loan for which the bor-  
20          rower has received such counseling; and

21                   “(C) in the case of a borrower described in  
22          subsection (b)(1)(B) at an institution that uses  
23          the online counseling tool described in para-  
24          graph (1)(A) of this subsection, the Secretary  
25          shall attempt to provide the information de-



1           scribed in subsection (b)(1)(A) to the borrower  
2           through such tool.”.

3           (e) DISCLOSURE OF RELIGIOUS EXEMPTIONS TO  
4 TITLE IX OF THE EDUCATION AMENDMENTS OF 1972.—  
5 Section 485 of the Higher Education Act of 1965 (20  
6 U.S.C. 1092), as amended by this section, is further  
7 amended by adding at the end the following:

8           “(o) DISCLOSURE OF RELIGIOUS EXEMPTIONS TO  
9 TITLE IX OF THE EDUCATION AMENDMENTS OF 1972.—  
10 Each institution of higher education participating in any  
11 program under this title that requests, receives, or exer-  
12 cises or intends to exercise a religious exemption to the  
13 requirements of title IX of the Education Amendments of  
14 1972 (20 U.S.C. 1681 et seq.) shall submit in writing to  
15 the Assistant Secretary for Civil Rights a statement by  
16 the highest ranking official of the institution, identifying  
17 the provisions of part 106 of title 34 of the Code of Fed-  
18 eral Regulations that conflict with a specific tenet of the  
19 religious organization and shall publish on its website, in  
20 a prominent location, the following:

21           “(1) REQUEST LETTER.—Each letter submitted  
22           by the educational institution to the Department to  
23           request such an exemption.

1           “(2) EXEMPTION LETTER.—Each letter from  
2           the Department to the educational institution that  
3           grants or denies such an exemption.

4           “(3) NOTICE OF REQUEST.—Notice that the  
5           educational institution has requested an exemption  
6           under section 901(a)(3) of the Education Amend-  
7           ments of 1972 (20 U.S.C. 1681(a)(3)).

8           “(4) NOTICE OF EXEMPTION.—If applicable,  
9           notice that the educational institution has received  
10          an exemption under section 901(a)(3) of the Edu-  
11          cation Amendments of 1972 (20 U.S.C. 1681(a)(3)).

12          “(5) COVERED PERSONAL CHARACTERISTICS OR  
13          BEHAVIORS.—A list of the personal characteristics  
14          or behaviors to which each requested or granted ex-  
15          emption applies.

16          “(6) COVERED ACTIVITIES OR PROGRAMS.—A  
17          list of the activities or programs to which each ex-  
18          emption applies.

19          “(7) STATEMENT OF RIGHTS.—The statement  
20          ‘Students continue to have rights under title IX of  
21          the Education Amendments of 1972. Any student  
22          who experiences discrimination may contact the Of-  
23          fice for Civil Rights at the United States Depart-  
24          ment of Education at \_\_\_\_\_ or \_\_\_\_\_.’,  
25          with the first blank space being filled with a link to

1 the website of the Office for Civil Rights and the  
2 second blank space being filled with the telephone  
3 number of the Office for Civil Rights.”.

4 (f) EXPECTANT AND PARENTING STUDENTS POLI-  
5 CIES.—Section 485 of the Higher Education Act of 1965  
6 (20 18 U.S.C. 1092), as amended by this section, is fur-  
7 ther amended by adding at the end the following:

8 “(p) EXPECTANT AND PARENTING STUDENTS POLI-  
9 CIES.—Each institution of higher education participating  
10 in any program under this title shall develop and make  
11 available, including on the institution’s website, a state-  
12 ment of policy concerning expectant and parenting stu-  
13 dents, which shall include, at a minimum—

14 “(1) the institution’s policy regarding leaves of  
15 absence related to pregnancy (and related medical  
16 conditions), and the birth or adoption of a child,  
17 which shall include—

18 “(A) any policies related to the availability  
19 of parental leave;

20 “(B) options, including time requirements,  
21 for making up missed work for students who  
22 take a leave of absence; and

23 “(2) information regarding lactation accom-  
24 modations available to students;

1           “(3) a description of the process for requesting  
2 accommodations, and the type of accommodations  
3 available to expectant and parenting students, in-  
4 cluding—

5           “(A) information on accommodations for  
6 pregnancy-related medical conditions; and

7           “(B) information on accommodations for  
8 students who have parental responsibilities;

9           “(4) information regarding financial aid eligi-  
10 bility for expectant and parenting students, includ-  
11 ing—

12           “(A) the availability of dependent care al-  
13 lowances for a parenting student for the pur-  
14 poses of determining the student’s cost of at-  
15 tendance;

16           “(B) the ability to change dependency sta-  
17 tus, including during an award year, following  
18 the birth of a child; and

19           “(C) an explanation of the effect that a  
20 leave of absence may have on a student’s dem-  
21 onstration of satisfactory academic progress, in-  
22 cluding for the purposes of eligibility to partici-  
23 pate in financial aid programs under this title;

24           “(5) information on available student support  
25 services, programs, and community resources, such

1 as academic advising, child care (including child care  
2 subsidy and assistance programs), housing (includ-  
3 ing housing subsidies and utility assistance pro-  
4 grams), food (including food assistance programs),  
5 public benefits, health care, health insurance, mental  
6 health, transportation benefits, mentoring, and other  
7 services available for expectant and parenting stu-  
8 dents, both on-campus and in the community, and  
9 under local, State, and Federal law;

10 “(6) information regarding the availability of  
11 on-campus housing that permits students to live  
12 with dependents;

13 “(7) information on the rights and protections  
14 that are guaranteed to expectant and parenting stu-  
15 dents under applicable Federal and State laws;

16 “(8) the institution’s procedures for addressing  
17 complaints under title IX of the Education Amend-  
18 ments of 1972 (20 U.S.C. 1681 et seq.), including  
19 procedures for reporting complaints under such title;

20 “(9) the institution’s procedures for addressing  
21 complaints alleging discrimination based on a preg-  
22 nancy-related disability under section 504 of the Re-  
23 habilitation Act of 1973 (29 U.S.C. 701 et seq.) or  
24 the Americans with Disabilities Act of 1990 (42

1 U.S.C. 12101 et seq.), including procedures for re-  
2 reporting complaints under such laws; and

3 “(10) the contact information for the institu-  
4 tion’s Office of Accessibility, the institution’s Title  
5 IX coordinator, and any other relevant staff mem-  
6 bers who serve as a point of contact for, or offer  
7 services available to, expectant and parenting stu-  
8 dents.”.

9 **SEC. 4613. INFORMATION WITH RESPECT TO CRIME STATIS-**  
10 **TICS FOR PROGRAMS OF STUDY ABROAD.**

11 Part G of title IV of the Higher Education Act of  
12 1965 (20 U.S.C. 1088 et seq.), as amended by the pre-  
13 ceding sections, is further amended by inserting after sec-  
14 tion 485E (20 U.S.C. 1092f) the following:

15 **“SEC. 485F. INFORMATION WITH RESPECT TO CRIME STA-**  
16 **TISTICS FOR PROGRAMS OF STUDY ABROAD.**

17 “(a) IN GENERAL.—Each institution participating in  
18 any program under this title, other than a foreign institu-  
19 tion of higher education, shall develop and distribute a  
20 statement of policy with respect to students participating  
21 in a program of study abroad approved for credit by the  
22 institution concerning crime and harm that may occur  
23 while participating in such program of study abroad that,  
24 at a minimum, includes a biennial review by the institution

1 of the programs of study abroad approved for credit by  
2 the institution to determine—

3 “(1) the effectiveness of the programs at pro-  
4 tecting students from crime and harm, and whether  
5 changes to the programs are needed (based on the  
6 most recent guidance or other assistance from the  
7 Secretary) and will be implemented;

8 “(2) for the 5 years preceding the date of the  
9 report, the number (in the aggregate for all pro-  
10 grams of study abroad approved for credit by the in-  
11 stitution) of—

12 “(A) deaths of program participants occur-  
13 ring during program participation or during  
14 any other activities during the study abroad pe-  
15 riod;

16 “(B) sexual assaults against program par-  
17 ticipants occurring during program participa-  
18 tion and reported to the institution;

19 “(C) accidents and illnesses occurring dur-  
20 ing program participation that resulted in hos-  
21 pitalization and were reported to the institution;  
22 and

23 “(D) incidents involving program partici-  
24 pants during the program participation that re-

1           sulted in police involvement or a police report  
2           and were reported to the institution; and

3           “(3) with respect to the incidents described in  
4           subparagraphs (A) and (B) of paragraph (2), wheth-  
5           er the incidents occurred—

6                   “(A) on campus;

7                   “(B) in or on noncampus buildings or  
8           property;

9                   “(C) on public property;

10                  “(D) in dormitories or other residential fa-  
11           cilities for students on campus; or

12                  “(E) at a location not described in items  
13           (A) through (D) of this clause, without regard  
14           to whether the institution owns or controls a  
15           building or property at the location.

16           “(b) OTHER DUTIES.—An institution of higher edu-  
17           cation described in subsection (a) shall—

18                  “(1) provide each student who is interested in  
19           participating in a program of study abroad approved  
20           for credit by the institution, with an orientation ses-  
21           sion and advising that includes—

22                   “(A) a list of countries in which such pro-  
23           grams of study abroad are located;

24                   “(B) all current travel information, includ-  
25           ing all travel warnings and travel alerts, issued



1 by the Bureau of Consular Affairs of the De-  
2 partment of State for such countries; and

3 “(C) the information described in para-  
4 graph (a), provided specifically for each pro-  
5 gram of study abroad approved for credit by  
6 the institution in which the student is consid-  
7 ering participation; and

8 “(2) provide each student who returns from  
9 such a program of study abroad with a post-trip de-  
10 briefing session, including an exit interview that as-  
11 sists the institution in carrying out subsection (a).

12 “(c) LIMITATIONS.—An institution of higher edu-  
13 cation shall not disaggregate or otherwise distinguish in-  
14 formation for purposes of subsection (a) or (b) in a case  
15 in which the number of students in a category is insuffi-  
16 cient to yield statistically reliable information or the re-  
17 sults would reveal personally identifiable information  
18 about an individual student.

19 “(d) REVIEW.—The Secretary shall periodically re-  
20 view a representative sample of the policies described in  
21 subsection (a) that have been adopted by institutions of  
22 higher education.

23 “(e) DEFINITION.—For the purpose of this section,  
24 the definitions for ‘campus’, ‘noncampus building or prop-

1 erty’, and ‘public property’ shall have the same meaning  
2 as in section 485(f)(6).”.

3 **SEC. 4614. REMEDIAL EDUCATION GRANTS.**

4 Part G of title IV of the Higher Education Act of  
5 1965 (20 U.S.C. 1088 et seq.), as amended by the pre-  
6 ceding sections, is further amended by inserting after sec-  
7 tion 486A (20 U.S.C. 1093a) the following:

8 **“SEC. 486B. REMEDIAL EDUCATION GRANTS.**

9 “(a) GRANTS AUTHORIZED.—

10 “(1) IN GENERAL.—From the funds appro-  
11 priated under subsection (k) (and not reserved under  
12 subsection (c)(4)), the Secretary, in consultation  
13 with the Director of the Institute of Education  
14 Sciences, shall award grants, on a competitive basis,  
15 to eligible entities to improve remedial education in  
16 higher education.

17 “(2) DURATION.—A grant under this section  
18 shall be awarded for a period of 5 years.

19 “(3) MINIMUM AWARDS.—The total amount of  
20 funds provided under each grant awarded under this  
21 section shall not be less than \$500,000.

22 “(b) APPLICATION.—An eligible entity that desires to  
23 receive a grant under this section shall submit an applica-  
24 tion to the Secretary at such time, in such manner, and

1 accompanied by such information as the Secretary may  
2 require, which shall include the following:

3           “(1) A description of how the eligible entity will  
4 use the grant funds to develop or improve a remedial  
5 education program that includes evidence-based, ef-  
6 fective strategies for providing instruction to ensure  
7 that students are prepared for courses at the post-  
8 secondary level.

9           “(2) An assurance that the eligible entity will  
10 use more than two measures (such as a student’s  
11 college entrance examination score, grade point aver-  
12 age, high school course list, or a placement examina-  
13 tion) to identify students in need of remedial edu-  
14 cation who may be eligible to participate in the re-  
15 medial education program developed or improved  
16 under the grant.

17           “(3) A description of how the eligible entity, in  
18 developing or improving such a program, will consult  
19 with stakeholders, including individuals with exper-  
20 tise in remedial education, students enrolled in reme-  
21 dial education, and faculty instructors for remedial  
22 education.

23           “(4) The eligible entity’s plan for sustaining the  
24 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 (h) to continually update and improve the  
5           program.

6           “(c) CONSULTATION AND INDEPENDENT EVALUA-  
7           TION.—

8           “(1) IN GENERAL.—Before selecting eligible en-  
9           tities to receive grants under this section for a fiscal  
10          year, the Secretary shall—

11           “(A) ensure that the consultation required  
12           under paragraph (3) is carried out; and

13           “(B) consider the results of the consulta-  
14           tion in selecting eligible entities to receive such  
15           grants.

16          “(2) CONTRACT AUTHORITY.—The Secretary,  
17          acting through the Director, shall seek to enter into  
18          a contract with an independent evaluator under  
19          which the evaluator will provide the consultation and  
20          evaluation required under paragraph (3).

21          “(3) CONSULTATION AND INDEPENDENT EVAL-  
22          UATION REQUIRED.—The independent evaluator  
23          shall carry out the following activities:

24           “(A) CONSULTATION.—For each fiscal  
25           year of the grant program under this section,

1 the independent evaluator shall consult with,  
2 and provide advice to, the Secretary regarding  
3 which eligible entities should receive grants  
4 under this section for such fiscal year.

5 “(B) EVALUATION.—Throughout the dura-  
6 tion of the grant program under this section,  
7 the independent evaluator shall independently  
8 evaluate the impact of the remedial education  
9 programs funded with the grants, which shall  
10 include evaluation of—

11 “(i) the effectiveness of the remedial  
12 education programs in increasing course  
13 and degree completion at the postsec-  
14 ondary level; and

15 “(ii) the outcomes of the remedial  
16 education programs within and among  
17 models of remedial education described in  
18 subsection (d).

19 “(4) RESERVATION.—The Secretary may re-  
20 serve not more than 15 percent of the funds appro-  
21 priated under subsection (k) for a fiscal year to  
22 carry out this subsection for such fiscal year.

23 “(d) USE OF FUNDS.—An eligible entity that receives  
24 a grant under this section shall use the grant to develop

1 or improve a remedial education program through one or  
2 more of the following models:

3 “(1) ALIGNING COURSE WORK.—Working with  
4 a local educational agency or State educational agen-  
5 cy that is part of the eligible entity to develop or im-  
6 prove programs that provide alignment between high  
7 school coursework and postsecondary education, and  
8 that may include—

9 “(A) assessments in high school to meas-  
10 ure student readiness for courses at the post-  
11 secondary level; or

12 “(B) interventions in high school that im-  
13 prove student competencies for courses at the  
14 postsecondary level.

15 “(2) ACCELERATED COURSE WORK.—Rede-  
16 signing or improving remedial education that—

17 “(A) allows students to enroll in more than  
18 one sequential remedial education course or  
19 training in a semester, or the equivalent;

20 “(B) condenses the time of the remedial  
21 education; or

22 “(C) provides shortened, intensive courses  
23 or training to improve competencies of students  
24 for courses at the postsecondary level.

1           “(3) MODULAR INSTRUCTIONAL METHODS.—

2           Developing or improving remedial education that—

3                   “(A) specifically targets the skills that stu-

4                   dents need to move forward in courses at the

5                   postsecondary level; and

6                   “(B) may be used to develop new assess-

7                   ments, redesign courses to provide targeted skill

8                   instruction, or provide faculty professional de-

9                   velopment.

10           “(4) CO-REQUISITE MODEL.—Developing or im-

11           proving remedial education programs that allow a

12           student to enroll in remedial education (which may

13           be provided through a modular instructional meth-

14           od) while also enrolled in a course at the postsec-

15           ondary level.

16           “(5) SYSTEMIC REFORM TO IMPLEMENT COM-

17           PREHENSIVE, INTEGRATED SUPPORT PROGRAMS.—

18           Implementing and improving comprehensive, inte-

19           grated, evidence-based support programs that—

20                   “(A) enable students enrolled in remedial

21                   education to complete a course of study leading

22                   to a recognized educational credential within

23                   150 percent of the normal time for completion;

24                   and

1           “(B) may include financial supports, aca-  
2           demic tutoring or support, and advising that  
3           enable students to find success in remedial edu-  
4           cation and courses at the postsecondary level.

5           “(e) CONSIDERATIONS.—In awarding grants under  
6 this section, the Secretary, in consultation with the Direc-  
7 tor, shall—

8           “(1) ensure—

9           “(A) a minimum of 30 eligible entities are  
10          awarded grants for each 5-year grant period;

11          “(B) an equitable geographic distribution  
12          of such grants, including an equitable distribu-  
13          tion between urban and rural areas; and

14          “(C) that grants are used to develop or im-  
15          prove remedial education programs—

16                  “(i) under each model described in  
17                  subsection (d) to enable, to the extent  
18                  practicable, statistical comparisons of the  
19                  relative effectiveness of the models and the  
20                  programs within each model; and

21                  “(ii) for a range of types and sizes of  
22                  institutions of higher education; and

23          “(2) give preference to eligible entities that pri-  
24          marily serve low-income students.

25          “(f) FISCAL REQUIREMENTS.—



1           “(1) SUPPLEMENT NOT SUPPLANT.—A grant  
2           awarded under this section shall be used to supple-  
3           ment, not supplant, funds that would otherwise be  
4           used to carry out the activities described in this sec-  
5           tion.

6           “(2) MATCHING FUNDS.—

7                   “(A) IN GENERAL.—Subject to subpara-  
8                   graph (B), an eligible entity that receives a  
9                   grant under this section shall provide, from  
10                  non-Federal sources, an amount equal to 10  
11                  percent of the amount of the grant for the cost  
12                  of activities assisted under the grant.

13                  “(B) EXCEPTIONS.—The requirements of  
14                  subparagraph (A) shall not apply to—

15                          “(i) Tribal Colleges or Universities; or

16                          “(ii) institutions of higher education  
17                          located in the Commonwealth of Puerto  
18                          Rico, Guam, American Samoa, the United  
19                          States Virgin Islands, the Commonwealth  
20                          of the Northern Mariana Islands, the Re-  
21                          public of the Marshall Islands, the Fed-  
22                          erated States of Micronesia, or the Repub-  
23                          lic of Palau.

24                  “(g) EXPERIMENTAL AUTHORITY.—Notwithstanding  
25                  any other provision of this title, a student may be eligible

1 to receive loans or grants under this title for up to 2 aca-  
2 demic years for enrollment in a remedial education pro-  
3 gram under this section.

4 “(h) DATA COLLECTION, REPORTS, EVALUATIONS,  
5 AND DISSEMINATION.—

6 “(1) INFORMATION.—

7 “(A) STUDENT-LEVEL DATA.—Each eligi-  
8 ble entity that receives a grant under this sec-  
9 tion shall provide to the Director and the Sec-  
10 retary, on an annual basis for each year of the  
11 grant period and for 5 years after such grant  
12 period, the student-level data with respect to  
13 the students who are or were enrolled in a re-  
14 medial education program funded with the  
15 grant. The Director and the Secretary shall  
16 share such data with the independent evaluator  
17 to enable the evaluator, for each such year, to  
18 determine the information described in subpara-  
19 graph (B) with respect to each such remedial  
20 education program.

21 “(B) AGGREGATE STUDENT DATA.—The  
22 independent evaluator shall determine, with re-  
23 spect to each remedial education program for  
24 which an eligible entity provides student-level

1 data under subparagraph (A), the following in-  
2 formation:

3 “(i) The number of students who are  
4 or were enrolled in such remedial education  
5 program.

6 “(ii) The cost of such remedial edu-  
7 cation program.

8 “(iii) The amount of grant or loan  
9 funds under this title awarded to students  
10 for enrollment in such remedial education  
11 program.

12 “(iv) The type of remedial education  
13 offered under the program.

14 “(v) The length of time students  
15 spend in such remedial education program,  
16 as measured by semester, trimester, or  
17 clock hours.

18 “(vi) The number of students who  
19 complete such remedial education program.

20 “(vii) Of the students who complete  
21 such remedial education program—

22 “(I) the number and percentage  
23 of such students who later enroll in  
24 postsecondary-level courses at an in-  
25 stitution of higher education;

1                   “(II) the number and percentage  
2                   of such students who receive a recog-  
3                   nized educational credential from an  
4                   institution of higher education;

5                   “(III) the average length of time  
6                   required for a student described in  
7                   subclause (II) to complete the course  
8                   of study leading to such credential;  
9                   and

10                  “(IV) the number and percentage  
11                  of students described in subclause (II)  
12                  who complete the course of study  
13                  leading to such credential within 150  
14                  percent of the normal time for com-  
15                  pletion.

16                  “(C) DISAGGREGATION.—The information  
17                  determined under subparagraph (B) shall be  
18                  disaggregated by race, gender, socioeconomic  
19                  status, Federal Pell Grant eligibility status, sta-  
20                  tus as a first generation college student, vet-  
21                  eran or active duty status, and disability status.

22                  “(2) EVALUATION RESULTS.—Not later than  
23                  six years after the first grant is awarded under this  
24                  section, the Director, in consultation with the Sec-  
25                  retary and using the information determined under

1 paragraph (1), shall submit to the authorizing com-  
2 mittees and make available on a publicly accessible  
3 website, a report on the results of the multiyear, rig-  
4 orous, and independent evaluation of the impact of  
5 the remedial education programs carried out by the  
6 independent evaluator. The report shall include the  
7 results of such evaluation with respect to—

8 “(A) the effectiveness of the remedial edu-  
9 cation programs in increasing course and de-  
10 gree completion at the postsecondary level; and

11 “(B) the outcomes of the remedial edu-  
12 cation programs within and among models of  
13 remedial education described in subsection (d).

14 “(3) REPORTS AND DISSEMINATION.—

15 “(A) INITIAL REPORT.—Not later than one  
16 year after the first grant is awarded under this  
17 section, the Secretary, in consultation with the  
18 independent evaluator, shall prepare and submit  
19 to the authorizing committees a report on each  
20 remedial education program funded under this  
21 section.

22 “(B) SUBSEQUENT REPORT.—Not later  
23 than five years after the last grant is awarded  
24 under this section, the Secretary, in consulta-  
25 tion with the independent evaluator, shall pre-

1           pare and submit to the authorizing committees  
2           a report that includes—

3                   “(i) a review of the activities and pro-  
4                   gram performance of each remedial edu-  
5                   cation program funded under this section;  
6                   and

7                   “(ii) guidance and recommendations  
8                   on how successful remedial education pro-  
9                   grams (as determined, at a minimum, by  
10                  the number and percentage of remedial  
11                  education students who later complete a  
12                  course of study at an institution of higher  
13                  education within 150 percent of the normal  
14                  time for completion) can be replicated.

15                  “(C) PUBLIC AVAILABILITY.—The reports  
16                  submitted under subparagraphs (A) and (B)  
17                  shall be made available on a publicly accessible  
18                  website of the Department of Education.

19                  “(i) DATA PRIVACY.—

20                   “(1) IN GENERAL.—It shall be unlawful for any  
21                   person who obtains or has access to personally iden-  
22                   tifiable information pursuant to this section to  
23                   knowingly disclose to any person (except as author-  
24                   ized in this section or any Federal law) such person-  
25                   ally identifiable information.

1           “(2) PENALTY.—Any person who violates para-  
2           graph (1) shall be fined under title 18, United  
3           States Code.

4           “(3) OFFICER OR EMPLOYEE OF THE UNITED  
5           STATES.—If any officer or employee of the United  
6           States violates paragraph (1), the officer or em-  
7           ployee shall be dismissed from office or discharged  
8           from employment upon conviction for the violation.

9           “(4) LAW ENFORCEMENT.—Personally identifi-  
10          able information collected under this section shall  
11          not be used for any law enforcement activity or any  
12          other activity that would result in adverse action  
13          against any student, including debt collection activ-  
14          ity or enforcement of the immigration laws.

15          “(j) DEFINITIONS.—In this section:

16                 “(1) DIRECTOR.—The term ‘Director’ means  
17                 the Director of the Institute of Education Sciences.

18                 “(2) ELIGIBLE ENTITY.—The term ‘eligible en-  
19                 tity’ means—

20                         “(A) an institution of higher education; or

21                         “(B) a partnership between an institution  
22                         of higher education and at least 1 of the fol-  
23                         lowing:

24                                 “(i) A local educational agency.

25                                 “(ii) A State educational agency.

1           “(3) FIRST GENERATION COLLEGE STUDENT.—

2           The term ‘first generation college student’ has the  
3           meaning given that term in section 402A(h).

4           “(4) INDEPENDENT EVALUATOR.—The term  
5           ‘independent evaluator’ means the independent eval-  
6           uator with which the Secretary enters into a con-  
7           tract under subsection (c)(2).

8           “(5) INSTITUTION OF HIGHER EDUCATION.—  
9           The term ‘institution of higher education’ has the  
10          meaning given that term in section 101.

11          “(6) REMEDIAL EDUCATION.—The term ‘reme-  
12          dial education’—

13                 “(A) means education (such as courses or  
14                 training) offered at an institution of higher  
15                 education that—

16                         “(i) is below the postsecondary level;  
17                         and

18                         “(ii) is determined by the institution  
19                         to be necessary to help students be pre-  
20                         pared for the pursuit of a first under-  
21                         graduate baccalaureate degree, associate’s  
22                         degree, or certificate or, in the case of  
23                         courses in English language instruction, to  
24                         be necessary to enable the student to uti-





1 “(b) APPLICATION.—

2 “(1) IN GENERAL.—Each eligible entity desir-  
3 ing to carry out a demonstration project under this  
4 section shall submit an application to the Secretary,  
5 at such time and in such manner as the Secretary  
6 may require.

7 “(2) OUTREACH.—

8 “(A) IN GENERAL.—The Secretary shall,  
9 prior to any deadline to submit applications  
10 under paragraph (1), conduct outreach to insti-  
11 tutions, including those described in subpara-  
12 graph (B), to provide those institutions with in-  
13 formation on the opportunity to apply to carry  
14 out a demonstration project under this section.

15 “(B) INSTITUTIONS.—The institutions de-  
16 scribed in this subparagraph are the following:

17 “(i) Part B institutions (as defined in  
18 section 322).

19 “(ii) Hispanic-serving institutions (as  
20 defined in section 502).

21 “(iii) Tribal Colleges or Universities  
22 (as defined in section 316).

23 “(iv) Alaska Native-serving institu-  
24 tions (as defined in section 317(b)).

1                   “(v) Native Hawaiian-serving institu-  
2                   tions (as defined in section 317(b)).

3                   “(vi) Predominantly Black Institu-  
4                   tions (as defined in section 318).

5                   “(vii) Asian American and Native  
6                   American Pacific Islander-serving institu-  
7                   tions (as defined in section 320(b)).

8                   “(viii) Native American-serving, non-  
9                   tribal institutions (as defined in section  
10                  319).

11                  “(ix) Institutions predominately serv-  
12                  ing adult learners.

13                  “(x) Institutions serving students with  
14                  special needs.

15                  “(xi) Institutions located in rural  
16                  areas.

17                  “(3) AMENDMENTS.—

18                  “(A) IN GENERAL.—An eligible entity that  
19                  has been selected to carry out a demonstration  
20                  project under this section may submit to the  
21                  Secretary amendments to the eligible entity’s  
22                  approved application under paragraph (1), at  
23                  such time and in such manner as the Secretary  
24                  may require, which the Secretary shall approve  
25                  or deny within 30 days of receipt.

1           “(B) EXPANDING ENROLLMENT.—Not-  
2 withstanding the assurance required with re-  
3 spect to maximum enrollment under paragraph  
4 (4)(N)—

5           “(i) an eligible entity whose dem-  
6 onstration project has been evaluated  
7 under subsection (g)(2) not less than  
8 twice, may submit to the Secretary an  
9 amendment to the eligible entity’s applica-  
10 tion under paragraph (1) to increase en-  
11 rollment in the project to more than 3,000  
12 students, but not more than 5,000 stu-  
13 dents, and which shall specify—

14           “(I) the proposed maximum en-  
15 rollment and annual enrollment  
16 growth for the project;

17           “(II) how the eligible entity will  
18 successfully carry out the project with  
19 such maximum enrollment and enroll-  
20 ment growth; and

21           “(III) any other amendments to  
22 the eligible entity’s application under  
23 paragraph (1) that are related to such  
24 maximum enrollment or enrollment  
25 growth; and

1                   “(ii) the Secretary shall determine  
2                   whether to approve or deny an amendment  
3                   submitted under clause (i) for a dem-  
4                   onstration project based on the project’s  
5                   evaluations under subsection (g)(2).

6                   “(4) CONTENTS.—Each application under para-  
7                   graph (1) shall include—

8                   “(A) a description of each competency-  
9                   based education program to be offered by the  
10                  eligible entity under the demonstration project;

11                  “(B) a description of the alignment of the  
12                  proposed competency-based education program  
13                  to the institution’s mission, and evidence of in-  
14                  stitutional commitment to such program;

15                  “(C) a description of how each program  
16                  will work with employers and local industry to  
17                  assess and incorporate competencies that are  
18                  relevant in the labor market and how the pro-  
19                  gram aligns with employer needs;

20                  “(D) a description of the proposed aca-  
21                  demic design, academic and support services,  
22                  delivery, business, and financial models for the  
23                  demonstration project, including explanations  
24                  and supporting documents, including financial  
25                  statements, and, any revenue-sharing agree-

1           ments with third-party servicers or online pro-  
2           gram managers, of how each competency-based  
3           education program offered under the dem-  
4           onstration project will—

5                   “(i) result in the achievement of com-  
6                   petencies;

7                   “(ii) differ from standard credit hour  
8                   approaches, in whole or in part;

9                   “(iii) result in lower costs of a certifi-  
10                  cate or degree; and

11                  “(iv) result in shortened time to com-  
12                  pletion of a certificate or degree;

13                  “(E) a description of how each com-  
14                  petency-based education program offered under  
15                  the demonstration project will award academic  
16                  credit to advance the progress of a student to-  
17                  ward completion of a certificate or degree that  
18                  is portable and used by in-demand employers  
19                  for making employment decisions;

20                  “(F) a description of how each credit-bear-  
21                  ing competency-based education program of-  
22                  fered under the demonstration project is aligned  
23                  with a career pathway;

24                  “(G) a description of the meaningful role  
25                  of the appropriate instructors of the eligible en-

1           tity in the development, design, implementation,  
2           delivery, and evaluation of each such com-  
3           petency-based education program;

4           “(H) a description of how each such com-  
5           petency-based education program will provide  
6           strong post-enrollment job placement, earnings,  
7           and loan repayment outcomes;

8           “(I) a description of how the eligible entity  
9           will facilitate transfer, postsecondary study, and  
10          employer understanding by articulating a com-  
11          petency-based transcript from a competency-  
12          based education program offered under the  
13          demonstration project to a credit hour tran-  
14          script at another program at the eligible entity  
15          and to other institutions of higher education;

16          “(J) a description of the statutory and reg-  
17          ulatory requirements described in subsection (e)  
18          for which the eligible entity is seeking a waiver  
19          or other flexibility, and why such waiver or  
20          flexibility is necessary to carry out the dem-  
21          onstration project;

22          “(K) a description of indicators of a pro-  
23          gram’s effectiveness to inform how a third  
24          party will reliably assess student learning for

1 each competency-based education program of-  
2 fered under the demonstration project;

3 “(L) a description of how the eligible enti-  
4 ty will develop and evaluate the competencies  
5 and assessments of student knowledge adminis-  
6 tered as part of the demonstration project, in-  
7 cluding whether there is a relationship between  
8 the competency unit and a traditional credit or  
9 clock hour, the average time it takes to earn a  
10 competency, how such competencies and assess-  
11 ments are aligned with workforce needs and any  
12 other considerations the institution made when  
13 it developed its unit of competency;

14 “(M) a description of the proposal for de-  
15 termining a student’s Federal student aid eligi-  
16 bility under this title for participating in the  
17 demonstration project, the award and distribu-  
18 tion of such aid, and the safeguards to ensure  
19 that students are making satisfactory progress  
20 that warrants the disbursement of such aid;

21 “(N) an assurance that the demonstration  
22 project at each eligible entity—

23 “(i) will enroll a minimum of 25 stu-  
24 dents and a maximum of 3,000 students  
25 or, in the case of an eligible entity with an



1 application amendment approved under  
2 paragraph (3)(B), the maximum enroll-  
3 ment approved under such paragraph;

4 “(ii) will identify and disseminate best  
5 practices with respect to the demonstration  
6 project to the Secretary and to other eligi-  
7 ble entities carrying out a demonstration  
8 project under this section;

9 “(iii) operates under an agreement  
10 with the accrediting agency or association  
11 of the eligible entity to establish the stand-  
12 ards described in subsection (c); and

13 “(iv) uses available funds solely for  
14 purposes of awarding academic credit to el-  
15 igible students based on the achievement of  
16 competencies and for the related costs or  
17 fees of demonstrating the achievement of  
18 competencies;

19 “(O) a description of the population of stu-  
20 dents to whom competency-based education  
21 under the demonstration project will be offered,  
22 including demographic information and prior  
23 educational experience, disaggregated (as prac-  
24 ticable) by students who are Federal Pell Grant  
25 recipients, students of color, Native students,

1 students with disabilities, students who are vet-  
2 erans or members of the Armed Forces, adult  
3 learners, and first generation college students,  
4 and how such eligible entity will, when appro-  
5 priate, address the specific needs of each such  
6 population of students when carrying out the  
7 demonstration project;

8 “(P) a description of outreach and commu-  
9 nication activities to students who may benefit  
10 under the demonstration project, including  
11 those described in subparagraph (O);

12 “(Q) a description of how the institution is  
13 ensuring that students participating in the dem-  
14 onstration project will not, on average, be eligi-  
15 ble for more or less Federal assistance under  
16 this title than such students would have been  
17 eligible for under a program measured in credit  
18 or clock hours;

19 “(R) the cost of attendance for each com-  
20 petency-based education program offered under  
21 the demonstration project, disaggregated by  
22 each of the applicable costs or allowances de-  
23 scribed in paragraphs (1) through (13) of sec-  
24 tion 472, and the estimated amount of the cost  
25 of attendance of each such program to be cov-

1           ered by need-based grant aid and merit-based  
2           grant aid from Federal, State, institutional, and  
3           private sources;

4           “(S) a description of other competency-  
5           based education programs the eligible entity of-  
6           fers or plans to offer outside of the demonstra-  
7           tion project;

8           “(T) a description of how the eligible enti-  
9           ty will use data to—

10           “(i) ensure that each competency-  
11           based education program under the dem-  
12           onstration project meets the benchmarks  
13           established in accordance with subsection  
14           (c)(2)(E);

15           “(ii) confirm relevancy of com-  
16           petencies in the labor market; and

17           “(iii) improve each such program; and

18           “(U) other such elements as the Secretary  
19           may require.

20           “(c) RECOGNITION BY ACCREDITING AGENCY OR AS-  
21           SOCIATION.—Unless a program has already been recog-  
22           nized as a direct assessment program by the accrediting  
23           agency or association of the eligible entity, in order to  
24           carry out a competency-based education program under  
25           a demonstration project under this section, an eligible en-

1 tity shall include in its application under subsection (b),  
2 a letter from the accrediting agency or association of the  
3 eligible entity that describes how it will establish and en-  
4 force the following standards with respect to such com-  
5 petency-based education program:

6           “(1) Standards for determining whether the eli-  
7 gible entity or the program requires students to  
8 demonstrate competencies that are—

9                   “(A) capable of being validly and reliably  
10 assessed; and

11                   “(B) appropriate in scope and rigor for the  
12 award of the relevant certificate or degree.

13           “(2) Standards for determining whether the eli-  
14 gible entity or the program demonstrate—

15                   “(A) the administrative capacity and ex-  
16 pertise that will ensure—

17                           “(i) the validity and reliability of as-  
18 sessments of competencies; and

19                           “(ii) good practices in assessment and  
20 measurement;

21                   “(B) sufficient educational content, activi-  
22 ties, and resources (including faculty sup-  
23 port)—

1                   “(i) to enable students to learn or de-  
2                   velop what is required to demonstrate or  
3                   attain mastery of competencies; and

4                   “(ii) that are consistent with the  
5                   qualifications of graduates of traditional  
6                   programs;

7                   “(C) that the quality of demonstration of  
8                   competence is judged at mastery for each com-  
9                   petency that is assessed for the award of a cer-  
10                  tificate or degree;

11                  “(D) a standard for the amount of learn-  
12                  ing that is included in a unit of competency;

13                  “(E) reasonable, clear, and actionable  
14                  benchmarks for graduation rates and the em-  
15                  ployment and earnings of graduates, including  
16                  job placements in a field for which the program  
17                  prepares students, debt-to-earnings ratios, loan  
18                  repayment rates, and student satisfaction;

19                  “(F) regular evaluation of whether the pro-  
20                  gram meets the benchmarks under subpara-  
21                  graph (E), and address what may be the cause  
22                  with identified interventions; and

23                  “(G) that students may not receive a sub-  
24                  sequent disbursement until they have completed

1           the anticipated number of credits for the pay-  
2           ment period.

3           “(3) Standards for determining when to deny,  
4           withdraw, suspend, or terminate the accreditation of  
5           the program if the benchmarks under paragraph  
6           (2)(E) are not achieved after 4 consecutive title IV  
7           payment periods, including standards for providing  
8           sufficient opportunity—

9                   “(A) for the eligible entity or program to  
10                  provide a written response regarding the failure  
11                  to achieve such benchmarks be considered by  
12                  the agency or association in the manner de-  
13                  scribed in section 496(a)(6)(B); and

14                   “(B) for the eligible entity or program to  
15                  appeal any adverse action under this subpara-  
16                  graph before an appeals panel that meets the  
17                  requirements of section 496(a)(6)(C).

18           “(d) SELECTION.—

19                   “(1) IN GENERAL.—Not later than 12 months  
20                  after the date of enactment of the College Afford-  
21                  ability Act, the Secretary shall select not more than  
22                  100 eligible entities to carry out a demonstration  
23                  project under this section under which at least 1  
24                  competency-based education program is offered at  
25                  each eligible entity.

1           “(2) CONSIDERATIONS.—In selecting eligible  
2 entities under paragraph (1), the Secretary shall—

3           “(A) consider the number and quality of  
4 applications received;

5           “(B) consider an eligible entity’s—

6           “(i) ability to successfully execute the  
7 demonstration project as described in the  
8 eligible entity’s application under sub-  
9 section (b);

10           “(ii) commitment and ability to effec-  
11 tively finance the demonstration project;

12           “(iii) ability to provide administrative  
13 capability and the expertise to evaluate  
14 student progress based on measures other  
15 than credit hours or clock hours;

16           “(iv) history of compliance with the  
17 requirements of this Act;

18           “(v) commitment to work with the Di-  
19 rector and the Secretary to evaluate the  
20 demonstration project and the impact of  
21 the demonstration project under subsection  
22 (g)(2);

23           “(vi) commitment and ability to as-  
24 sess student learning through a third  
25 party;

1           “(vii) commitment of the accrediting  
2           agency or association of the eligible entity  
3           to establish and enforce the standards de-  
4           scribed in subsection (c); and

5           “(viii) commitment to collaboration  
6           with an employer advisory group or spe-  
7           cific employers to determine how the dem-  
8           onstration project will meet employer  
9           needs;

10          “(C) ensure the selection of a diverse  
11          group of eligible entities with respect to size,  
12          mission, student population, and geographic  
13          distribution;

14          “(D) not limit the types of programs of  
15          study or courses of study approved for partici-  
16          pation in a demonstration project; and

17          “(E) not select an eligible entity—

18                  “(i) that, for 1 of the preceding 2 fis-  
19                  cal years—

20                          “(I) had an adjusted cohort de-  
21                          fault rate (defined in section 435(m))  
22                          that is 20 percent or greater;

23                          “(II) failed to meet the require-  
24                          ment under section 487(a)(24); or

25                          “(III) was—



1                   “(aa) under probation or an  
2                   equivalent status from the ac-  
3                   crediting agency or association of  
4                   the eligible entity;

5                   “(bb) under sanction from  
6                   the authorization agency of the  
7                   State in which the eligible entity  
8                   is located; or

9                   “(cc) under public investiga-  
10                  tion or facing a pending lawsuit  
11                  from a State or Federal agency;

12                  “(ii) if the Department has concerns  
13                  with the entity’s compliance based on pro-  
14                  gram reviews or audits; or

15                  “(iii) if the eligible entity fails to meet  
16                  the financial responsibility standards pre-  
17                  scribed by the Secretary in accordance  
18                  with section 498(c) or is placed on a reim-  
19                  bursement payment method by the Sec-  
20                  retary.

21                  “(e) WAIVERS AND OTHER FLEXIBILITY.—

22                   “(1) IN GENERAL.—With respect to any eligible  
23                   entity selected to carry out a demonstration project  
24                   under this section, the Secretary may—

1           “(A) waive any requirements of the provi-  
2           sions of law (including any regulations promul-  
3           gated under such provisions) listed in para-  
4           graph (2) for which the eligible entity has pro-  
5           vided a reason for waiving under subsection  
6           (b)(4)(J); or

7           “(B) provide other flexibility, but not  
8           waive, any requirements of the provisions of law  
9           (including any regulations promulgated under  
10          such provisions) listed in paragraph (3) for  
11          which the eligible entity has provided a reason  
12          with which the Secretary agrees for such flexi-  
13          bility under subsection (b)(4)(J).

14          “(2) PROVISIONS ELIGIBLE FOR WAIVERS.—  
15          The Secretary may waive the following under para-  
16          graph (1)(A):

17                 “(A) Subparagraphs (A) and (B) of section  
18                 102(a)(3).

19                 “(B) Section 484(l)(1).

20          “(3) PROVISIONS ELIGIBLE FOR FLEXI-  
21          BILITY.—The Secretary may provide the flexibility  
22          described in paragraph (1)(B) with respect to the re-  
23          quirements under provisions in title I, part F of this  
24          title, or this part, that inhibit the operation of a

1 competency-based education program, relating to the  
2 following:

3 “(A) Documenting attendance.

4 “(B) Weekly academic activity.

5 “(C) Minimum weeks of instructional time.

6 “(D) Requirements for credit hour or clock  
7 hour equivalencies if an institution proposes a  
8 measure clearly defined in its application that  
9 accounts for the academic intensity of study.

10 “(E) Requirements for regular and sub-  
11 stantive interaction with the instructor.

12 “(F) Definitions of the terms ‘academic  
13 year’, ‘full-time student’, ‘part-time student’,  
14 ‘term’ (including ‘standard term’, ‘non-term’,  
15 and ‘non-standard term’), ‘satisfactory aca-  
16 demic progress’, ‘educational activity’, ‘program  
17 of study’, and ‘payment period’.

18 “(G) Methods of disbursing student finan-  
19 cial aid by institutions of higher education se-  
20 lected, as of the date of enactment of the Col-  
21 lege Affordability Act, as experimental sites  
22 under section 487A to carry out competency-  
23 based education programs.

1           “(H) Restrictions regarding concurrent  
2           student enrollment in Direct Assessment and  
3           non-Direct Assessment programs.

4           “(4) MEASUREMENT OF ACTIVITY OR ACADEMIC  
5           WORK.—An institution granted flexibility under  
6           paragraph (3) related to requirements for credit  
7           hour or clock hour equivalencies shall include a  
8           measurement of activity or academic ‘work’ by stu-  
9           dents as considered comparable to the standard  
10          practice for measuring credit or clock hours for  
11          these areas.

12          “(f) NOTIFICATION.—Not later than 9 months after  
13          the date of enactment of the College Affordability Act, the  
14          Secretary shall make available to the authorizing commit-  
15          tees and the public a list of eligible entities selected to  
16          carry out a demonstration project under this section,  
17          which shall include for each such eligible entity—

18                 “(1) the specific waiver or other flexibility from  
19                 statutory or regulatory requirements offered under  
20                 subsection (e); and

21                 “(2) a description of the competency-based edu-  
22                 cation programs, and its associated accreditation  
23                 standards, to be offered under the project.

24          “(g) INFORMATION AND EVALUATION.—

25                 “(1) INFORMATION.—

1           “(A) STUDENT-LEVEL DATA.—Each eligi-  
2           ble entity that carries out a demonstration  
3           project under this section shall provide to the  
4           Director the student-level data for the students  
5           enrolled in a program described in subpara-  
6           graph (C)(i)(I), the student-level data for the  
7           students enrolled in a program described in  
8           subparagraph (C)(i)(II), and the student-level  
9           data for students enrolled in a program de-  
10          scribed in subparagraph (C)(i)(III) to enable  
11          the Director—

12                   “(i) to determine the aggregate infor-  
13                   mation described in subparagraph (B) with  
14                   respect to each such program; and

15                   “(ii) to the extent practicable, to com-  
16                   pare the programs using a rigorous evalua-  
17                   tion, such as propensity score matching.

18          “(B) AGGREGATE INFORMATION.—For  
19          purposes of the evaluation under paragraph (2),  
20          the Director shall use the student-level data  
21          provided under subparagraph (A) by an eligible  
22          entity to determine the following information  
23          with respect to each program described in sub-  
24          paragraph (C)(i) offered at such eligible entity:

1           “(i) The average number of credit  
2           hours students earned prior to enrollment  
3           in the program, if applicable.

4           “(ii) The number and percentage of  
5           students enrolled in a competency-based  
6           education program that are also enrolled in  
7           programs of study or courses of study of-  
8           fered in credit hours or clock hours,  
9           disaggregated by student status as a first-  
10          year, second-year, third-year, fourth-year,  
11          or other student.

12          “(iii) The average period of time be-  
13          tween the enrollment of a student in the  
14          program and the first assessment of stu-  
15          dent knowledge of such student.

16          “(iv) The average time to 25 percent,  
17          50 percent, 75 percent, 100 percent, 150  
18          percent, and 200 percent completion of a  
19          certificate or degree.

20          “(v) The number and percentage of  
21          students who begin in a certain cohort and  
22          complete a certificate or degree.

23          “(vi) The number and percentage of  
24          students who begin in a certain cohort and

1 withdraw without completing a certificate  
2 or degree.

3 “(vii) The number and percentage of  
4 students who begin in a certain cohort who  
5 reach 25 percent, 50 percent, 75 percent,  
6 and 100 percent completion of a certificate  
7 or degree.

8 “(viii) The number and percentage of  
9 students who begin in a certain cohort who  
10 re-enroll in a second period.

11 “(ix) The median number of com-  
12 petencies completed per period.

13 “(x) The average number of attempts  
14 it takes students to pass all assessments of  
15 student knowledge during the period of en-  
16 rollment in the program.

17 “(xi) The percentage of summative as-  
18 sessments of student competence that stu-  
19 dents passed on the first attempt during  
20 the period of enrollment in the program.

21 “(xii) The percentage of summative  
22 assessments of student competence that  
23 students passed on the second attempt and  
24 the average period of time between the

1 first and second attempts during the pe-  
2 riod of enrollment in the program.

3 “(xiii) The average number of com-  
4 petencies a student acquired and dem-  
5 onstrated while enrolled in a program and  
6 the period of time during which the stu-  
7 dent acquired such competencies.

8 “(xiv) The number and percentage of  
9 students completing the program who find  
10 employment that lasts not less than 6  
11 months within 6 months of graduation,  
12 disaggregated by number and percentage  
13 of such students finding employment in a  
14 field related to the program.

15 “(xv) Student job placement rates 1,  
16 2, and 3 years after graduating from the  
17 program, if available.

18 “(xvi) The median student earnings 1,  
19 2, and 3 years after graduating from the  
20 program, if available.

21 “(xvii) The number and percentage of  
22 students completing the program who con-  
23 tinue their education.

24 “(xviii) Such other information as the  
25 Director may reasonably require.



1           “(C) DISAGGREGATION.—The information  
2           determined under subparagraph (B) shall be  
3           disaggregated as follows, provided that the  
4           disaggregation of the information does not iden-  
5           tify any individual student:

6                   “(i) For each eligible entity that car-  
7                   ries out a demonstration project under this  
8                   section, disaggregation by—

9                           “(I) the students enrolled in each  
10                           competency-based education program  
11                           under the project;

12                           “(II) the students enrolled in  
13                           each competency-based education pro-  
14                           gram not being carried out under the  
15                           project, if the eligible entity has a  
16                           competency-based education program  
17                           not being carried out under the  
18                           project; and

19                           “(III) the students enrolled in a  
20                           program not described in subclause  
21                           (I) or (II).

22                           “(ii) For each group of students de-  
23                           scribed in clause (i), disaggregation by  
24                           prior postsecondary experience, age group,  
25                           race, gender, disability status, students

1           who are Veterans or servicemembers, first  
2           generation college students, full-time and  
3           part-time enrollment, and status as a re-  
4           cipient of a Federal Pell Grant.

5           “(D) COUNCIL.—The Director shall pro-  
6           vide to the Competency-Based Education Coun-  
7           cil any information described in subparagraph  
8           (A) or (B) (other than personally identifiable  
9           information) that may be necessary for the  
10          Council to carry out its duties under section  
11          4615(e) of the College Affordability Act.

12          “(2) EVALUATION.—

13                 “(A) IN GENERAL.—The Director, in con-  
14                 sultation with the Secretary and using the in-  
15                 formation determined under paragraph (1),  
16                 shall annually evaluate each eligible entity car-  
17                 rying out a demonstration project under this  
18                 section. Each evaluation shall be disaggregated  
19                 in accordance with subparagraph (B) and in-  
20                 clude—

21                         “(i) the extent to which the eligible  
22                         entity has met the elements of its applica-  
23                         tion under subsection (b)(4);

24                         “(ii) whether the demonstration  
25                         project led to reduced cost, including as re-

1           flected by median debt levels, or time to  
2           completion of a certificate or degree, and  
3           the amount of cost or time reduced for  
4           such completion;

5           “(iii) obstacles related to student fi-  
6           nancial assistance for competency-based  
7           education;

8           “(iv) the extent to which statutory or  
9           regulatory requirements not waived or for  
10          which flexibility is not provided under sub-  
11          section (e) presented difficulties or unin-  
12          tended consequences for students or eligi-  
13          ble entities;

14          “(v) a description of the waivers or  
15          flexibility provided under subsection (e)  
16          that were most beneficial to students or el-  
17          igible entities, and an explanation of such  
18          benefits;

19          “(vi) the percentage of students who  
20          received each of the following—

21                  “(I) a grant under this title;

22                  “(II) a loan under this title;

23                  “(III) a State grant;

24                  “(IV) a State loan;

25                  “(V) an institutional grant;

- 1                   “(VI) an institutional loan;
- 2                   “(VII) a private loan; and
- 3                   “(VIII) an employer grant or
- 4                   subsidy;
- 5                   “(vii) median annual total cost and
- 6                   net cost to the student of the program;
- 7                   “(viii) median total cost and net cost
- 8                   of the credential and associated examina-
- 9                   tion or licensure calculated upon comple-
- 10                   tion;
- 11                   “(ix) median outstanding balance of
- 12                   principal and interest on loans made under
- 13                   this title that students have upon gradua-
- 14                   tion;
- 15                   “(x) the median 3-year adjusted co-
- 16                   hort default rate as defined under section
- 17                   435(m);
- 18                   “(xi) the median 1-year and 3-year re-
- 19                   payment rate of loans made under this
- 20                   title;
- 21                   “(xii) the median student earnings 1,
- 22                   3, and 4 years after graduation;
- 23                   “(xiii) a description of the curricular
- 24                   infrastructure, including assessments of

1 student knowledge and the corresponding  
2 competencies;

3 “(xiv) a description of the role of fac-  
4 ulty and faculty involvement; and

5 “(xv) outcomes of the assessments of  
6 student competency.

7 “(B) DISAGGREGATION.—The data col-  
8 lected under clauses (vi) through (xii) shall be  
9 disaggregated by each group of students de-  
10 scribed in paragraph (1)(C).

11 “(3) ANNUAL REPORT.—The Director, in con-  
12 sultation with the Secretary, shall annually provide  
13 to the authorizing committees a report on—

14 “(A) the evaluations required under para-  
15 graph (2);

16 “(B) the number and types of students re-  
17 ceiving assistance under this title for com-  
18 petency-based education programs offered  
19 under projects under this section;

20 “(C) any proposed statutory or regulatory  
21 changes designed to support and enhance the  
22 expansion of competency-based education pro-  
23 grams, which may be independent of or com-  
24 bined with traditional credit hour or clock hour  
25 projects;

1           “(D) the most effective means of delivering  
2           competency-based education programs through  
3           projects under this section; and

4           “(E) the appropriate level and distribution  
5           methodology of Federal assistance under this  
6           title for students enrolled in a competency-  
7           based education program.

8           “(h) COORDINATION.—An eligible entity or the Di-  
9           rector shall consult with the Secretary of Education or the  
10          Secretary of the Treasury to obtain the employment, earn-  
11          ings, and loan information that may be necessary for pur-  
12          poses of subsection (c)(2)(F) or subsection (g), respec-  
13          tively.

14          “(i) OVERSIGHT.—In carrying out this section, the  
15          Secretary shall, at least twice annually—

16                 “(1) assure compliance of eligible entities with  
17                 the requirements of this title (other than the provi-  
18                 sions of law and regulations that are waived under  
19                 subsection (e));

20                 “(2) provide technical assistance;

21                 “(3) monitor fluctuations in the student popu-  
22                 lation enrolled in the eligible entities carrying out  
23                 the demonstration projects under this section;

24                 “(4) consult with appropriate accrediting agen-  
25                 cies or associations and appropriate State regulatory

1 authorities for additional ways of improving the de-  
2 livery of competency-based education programs; and

3 “(5) collect and disseminate to eligible entities  
4 carrying out a demonstration project under this sec-  
5 tion, best practices with respect to such projects.

6 “(j) DATA PRIVACY.—

7 “(1) IN GENERAL.—It shall be unlawful for any  
8 person who obtains or has access to personally iden-  
9 tifiable information pursuant to this section to  
10 knowingly disclose to any person (except as author-  
11 ized in this section or any Federal law) such person-  
12 ally identifiable information.

13 “(2) PENALTY.—Any person who violates para-  
14 graph (1) shall be fined under title 18, United  
15 States Code.

16 “(3) OFFICER OR EMPLOYEE OF THE UNITED  
17 STATES.—If any officer or employee of the United  
18 States violates paragraph (1), the officer or em-  
19 ployee shall be dismissed from office or discharged  
20 from employment upon conviction for the violation.

21 “(4) LAW ENFORCEMENT.—Personally identifi-  
22 able information collected under this section shall  
23 not be used for any law enforcement activity or any  
24 other activity that would result in adverse action

1       against any student, including debt collection activ-  
2       ity or enforcement of the immigration laws.

3       “(k) AUTHORIZATION OF APPROPRIATIONS.—There  
4       are authorized to be appropriated \$5,000,000 to the De-  
5       partment to carry out the project under this section.

6       “(l) DEFINITIONS.—For the purpose of this section:

7               “(1) CAREER PATHWAY.—The term ‘career  
8       pathway’ has the meaning given the term in section  
9       3 of the Workforce Innovation and Opportunity Act  
10       (29 U.S.C. 3102).

11              “(2) COMPETENCY.—The term ‘competency’  
12       means the knowledge, skill, and abilities dem-  
13       onstrated for a particular program of study.

14              “(3) COMPETENCY-BASED EDUCATION PRO-  
15       GRAM.—The term ‘competency-based education pro-  
16       gram’ means a postsecondary program that provides  
17       competency-based education for which the accred-  
18       iting agency or association of the institution of high-  
19       er education offering such program has established  
20       or will establish the standards described in sub-  
21       section (c) and, in accordance with such standards—

22                      “(A) measures academic progress and cre-  
23       dential attainment by the assessment of student  
24       learning in lieu of, or in addition to, credit or  
25       clock hours;



1           “(B) measures and assesses such academic  
2 progress and attainment in terms of a student’s  
3 mastery of competencies by identifying what  
4 students know and the skills mastered through  
5 rigorous assessment;

6           “(C) determines and reports to the Sec-  
7 retary the number of credit or clock hours that  
8 would be needed for the attainment of a similar  
9 level of knowledge, skills, and characteristics in  
10 a standard credit or clock hour program;

11           “(D) provides the educational content, ac-  
12 tivities, support, and resources necessary to en-  
13 able students to develop and attain the com-  
14 petencies that are required to demonstrate mas-  
15 tery of such competencies, including a system  
16 for monitoring a student’s engagement and  
17 progress in each competency, in which faculty  
18 are responsible for providing proactive academic  
19 assistance, when needed, on the basis of such  
20 monitoring;

21           “(E) upon a student’s demonstration or  
22 mastery of a set of competencies identified and  
23 required by the institution, leads to or results  
24 in the awarding of a certificate or degree;

1           “(F) ensures that funds received under  
2           this title may be used only for learning that re-  
3           sults from instruction provided or overseen by  
4           the institution and not for the portion of the  
5           program of which the student has demonstrated  
6           mastery prior to enrollment in the program or  
7           tests of learning that are not associated with  
8           educational activities overseen by the institu-  
9           tion;

10           “(G) is organized in a manner that an in-  
11           stitution can determine, based on the method of  
12           measurement selected by the institution, and  
13           approved by the accreditor as described in sub-  
14           section (c), what constitutes a full-time, three-  
15           quarter time, half-time, and less than half-time  
16           workload for the purposes of awarding and ad-  
17           ministering assistance under this title, or assist-  
18           ance provided under another provision of Fed-  
19           eral law to attend an institution of higher edu-  
20           cation; and

21           “(H) may use a disaggregated faculty  
22           model in which the educational responsibilities  
23           for an academic course are divided among a  
24           number of individuals, each performing specific  
25           tasks essential to instruction, including cur-

1           riculum design, content delivery, and student  
2           assessment.

3           “(4) DIRECTOR.—The term ‘Director’ means  
4           the Director of the Institute of Education Sciences.

5           “(5) DUAL OR CONCURRENT ENROLLMENT  
6           PROGRAM.—The term ‘dual or concurrent enrollment  
7           program’ has the meaning given the term in section  
8           8101 of the Elementary and Secondary Education  
9           Act of 1965 (20 U.S.C. 7801).

10          “(6) ELIGIBLE ENTITY.—The term ‘eligible en-  
11          tity’ means an institution of higher education, which  
12          may be an institution of higher education that offers  
13          a dual or concurrent enrollment program.

14          “(7) FIRST GENERATION COLLEGE STUDENT.—  
15          The term ‘first generation college student’ has the  
16          meaning given the term in section 402A(h)(3).

17          “(8) INSTITUTION OF HIGHER EDUCATION.—  
18          The term ‘institution of higher education’ has the  
19          meaning given the term in section 102, except that  
20          such term does not include institutions described in  
21          section 102(a)(1)(C).”.

22          (b) RULE OF CONSTRUCTION.—Nothing in this sec-  
23          tion or the amendments made by this section shall be con-  
24          strued to alter the authority of the Secretary of Education

1 to establish experimental sites under any other provision  
2 of law.

3 **SEC. 4616. COMPETENCY-BASED EDUCATION COUNCIL.**

4 (a) ESTABLISHMENT OF A COMMITTEE ON COM-  
5 PETENCY-BASED EDUCATION.—Not later than 6 months  
6 after the date of enactment of this Act, there shall be es-  
7 tablished the Competency-Based Education Council (re-  
8 ferred to in this section as the “Council”).

9 (b) MEMBERSHIP.—

10 (1) COMPOSITION.—The Council shall be com-  
11 posed of—

12 (A) 3 individuals appointed by the Sec-  
13 retary of Education;

14 (B) 2 individuals appointed by the Director  
15 of the Bureau of Consumer Financial Protec-  
16 tion;

17 (C) not less than 8 and not more than 13  
18 individuals appointed by the Comptroller Gen-  
19 eral of the United States, representing—

20 (i) experts in competency-based edu-  
21 cation;

22 (ii) faculty members in competency-  
23 based education programs;

24 (iii) faculty members in non-com-  
25 petency based education programs;

1 (iv) administrators at institutions that  
2 offer competency-based education pro-  
3 grams;

4 (v) individuals currently enrolled in or  
5 graduated from a competency-based edu-  
6 cation program;

7 (vi) accrediting agencies or associa-  
8 tions that recognize competency-based edu-  
9 cation programs;

10 (vii) experts from State educational  
11 agencies; and

12 (viii) business and industry represent-  
13 atives; and

14 (D) 4 members appointed by—

15 (i) the Majority Leader of the Senate;

16 (ii) the Minority Leader of the Senate;

17 (iii) the Speaker of the House of Rep-  
18 resentatives; and

19 (iv) the Minority Leader of the House  
20 of Representatives.

21 (2) CHAIRPERSON.—The Council shall select a  
22 Chairperson from among its members.

23 (3) VACANCIES.—Any vacancy in the Council  
24 shall not affect the powers of the Council and shall

1 be filled in the same manner as an initial appoint-  
2 ment.

3 (c) MEETINGS.—The Council shall hold, at the call  
4 of the Chairperson, not less than 6 meetings before com-  
5 pleting the study required under subsection (e) and the  
6 report required under subsection (f).

7 (d) PERSONNEL MATTERS.—

8 (1) COMPENSATION OF MEMBERS.—Each mem-  
9 ber of the Council shall serve without compensation  
10 in addition to any such compensation received for  
11 the member's service as an officer or employee of the  
12 United States, if applicable.

13 (2) TRAVEL EXPENSES.—The members of the  
14 Council shall be allowed travel expenses, including  
15 per diem in lieu of subsistence, at rates authorized  
16 for employees of agencies under subchapter 1 of  
17 chapter 57 of title 5, United States Code, while  
18 away from their homes or regular places of business  
19 in the performance of services for the Council.

20 (e) DUTIES OF THE COUNCIL.—

21 (1) STUDY.—The Council shall conduct a study  
22 on the ongoing innovation and development of com-  
23 petency-based education programs.

24 (2) RECOMMENDATIONS.—Based on the find-  
25 ings of the study under paragraph (1), and the an-

1 nual evaluations of the demonstration projects under  
2 section 486C of the Higher Education Act of 1965,  
3 as added by section 4613 of this Act, the Council  
4 shall develop recommendations for the authorization  
5 of competency-based education under the Higher  
6 Education Act of 1965, including recommendations  
7 that—

8 (A) provide or update standard definitions,  
9 if needed, for relevant terms, including—

10 (i) competency-based education;

11 (ii) competency-based education pro-  
12 gram including quality indicators, that in-  
13 clude appropriate student outcome metrics,  
14 for such programs; and

15 (iii) any other relevant definitions  
16 agreed upon; and

17 (B) address—

18 (i) the amount of learning in a com-  
19 petency unit;

20 (ii) the transfer of competency-based  
21 education credits to other institutions or  
22 programs;

23 (iii) the minimum amount of time in  
24 an academic year for competency-based

1 education programs, for financial aid pur-  
2 poses;

3 (iv) considerations for accreditation  
4 agencies before recognizing competency-  
5 based education programs;

6 (v) address the role of faculty and fac-  
7 ulty involvement in competency-based edu-  
8 cation programs;

9 (vi) additional resources that may be  
10 needed for adequate oversight of com-  
11 petency-based education programs; and

12 (vii) the responsiveness of com-  
13 petencies to the labor market and employ-  
14 ers.

15 (f) REPORTS.—

16 (1) INTERIM REPORTS.—Not later than 2 years  
17 after the date of enactment of this Act, and bienni-  
18 ally thereafter until the final report is submitted  
19 under paragraph (2), the Council shall prepare and  
20 submit to the Secretary of Education and Congress,  
21 and make available to the public, a report that pro-  
22 vides ongoing feedback to the annual evaluations of  
23 the demonstration projects under section 486C(g)(2)  
24 of the Higher Education Act of 1965, as added by  
25 section 4613 of this Act, including a discussion of



1 implementation challenges programs face, and the  
2 items listed in subsection (e)(2)(B).

3 (2) FINAL REPORT.—Not later than 6 years  
4 after the date of enactment of this Act, the Council  
5 shall prepare and submit to the Secretary of Edu-  
6 cation and Congress, and make available to the pub-  
7 lic, a report containing the findings of the study  
8 under subsection (e)(1) and the recommendations  
9 developed under subsection (e)(2).

10 **SEC. 4617. WRITTEN ARRANGEMENTS TO PROVIDE EDU-**  
11 **CATIONAL PROGRAMS.**

12 Part G of title IV of the Higher Education Act of  
13 1965 (20 U.S.C. 1088 et seq.) is amended by inserting  
14 after section 486C (as added by section 4614 of this Act)  
15 the following:

16 **“SEC. 486D. WRITTEN ARRANGEMENTS TO PROVIDE EDU-**  
17 **CATIONAL PROGRAMS.**

18 “(a) WRITTEN ARRANGEMENTS BETWEEN ELIGIBLE  
19 INSTITUTIONS.—

20 “(1) IN GENERAL.—Except as provided in para-  
21 graph (2), if an eligible institution enters into a  
22 written arrangement with another eligible institu-  
23 tion, or with a consortium of eligible institutions,  
24 under which the other eligible institution or consor-  
25 tium provides part of the educational program to

1 students enrolled in the first institution, the Sec-  
2 retary shall consider that educational program to be  
3 an eligible program if the educational program of-  
4 fered by the institution that grants the degree or  
5 certificate otherwise satisfies the requirements for  
6 eligibility under this title.

7 “(2) COMMON OWNERSHIP OR CONTROL.—If  
8 the written arrangement described in paragraph (1)  
9 is between two or more eligible institutions that are  
10 owned or controlled by the same individual, partner-  
11 ship, or corporation, the Secretary shall consider the  
12 educational program to be an eligible program if—

13 “(A) the educational program offered by  
14 the institution that grants the degree or certifi-  
15 cate otherwise satisfies the requirements for eli-  
16 gibility under this title; and

17 “(B) the institution that grants the degree  
18 or certificate provides more than 50 percent of  
19 the educational program.

20 “(b) WRITTEN ARRANGEMENTS FOR STUDY-  
21 ABROAD.—Under a study abroad program, if an eligible  
22 institution enters into a written arrangement under which  
23 an institution in another country, or an organization act-  
24 ing on behalf of an institution in another country, provides  
25 part of the educational program of students enrolled in

1 the eligible institution, the Secretary considers that edu-  
2 cational program to be an eligible program if it otherwise  
3 satisfies the requirements of paragraphs (1) through (3)  
4 of subsection (c).

5       “(c) WRITTEN ARRANGEMENTS BETWEEN AN ELIGI-  
6 BLE INSTITUTION AND AN INELIGIBLE INSTITUTION OR  
7 ORGANIZATION.—If an eligible institution enters into a  
8 written arrangement with an institution or organization  
9 that is not an eligible institution under which the ineligible  
10 institution or organization provides part of the educational  
11 program of students enrolled in the eligible institution, the  
12 Secretary shall consider that educational program to be  
13 an eligible program if—

14               “(1) the ineligible institution or organization  
15       has not—

16                       “(A) had its eligibility to participate in the  
17                       programs under this title terminated by the  
18                       Secretary;

19                       “(B) voluntarily withdrawn from participa-  
20                       tion programs under this title under a termi-  
21                       nation, show-cause, suspension, or similar type  
22                       proceeding initiated by the institution’s State li-  
23                       censing agency, accrediting agency, guarantor,  
24                       or by the Secretary;

1           “(C) had its certification to participate in  
2           programs under this title revoked by the Sec-  
3           retary;

4           “(D) had its application for re-certification  
5           to participate in programs under this title de-  
6           nied by the Secretary; or

7           “(E) had its application for certification to  
8           participate in programs under this title denied  
9           by the Secretary;

10          “(2) the ineligible institution or organization  
11          does not have any role in the admission of students  
12          into the educational program;

13          “(3) the educational program offered by the in-  
14          stitution that grants the degree or certificate other-  
15          wise satisfies the requirements for eligibility under  
16          this title; and

17          “(4)(A) the ineligible institution or organization  
18          provides 25 percent or less of the educational pro-  
19          gram; or

20          “(B)(i) the ineligible institution or organization  
21          provides more than 25 percent but less than 50 per-  
22          cent of the educational program;

23          “(ii) the eligible institution and the ineligible in-  
24          stitution or organization are not owned or controlled  
25          by the same individual, partnership, or corporation;

1           “(iii) the eligible institution’s accrediting agen-  
2           cy, or if the institution is a public postsecondary vo-  
3           cational educational institution, the State agency de-  
4           termined by the Secretary to be a reliable authority  
5           as to the quality of public postsecondary vocational  
6           education pursuant to section 487(c)(4), has specifi-  
7           cally determined that the institution’s arrangement  
8           meets the agency’s standards for the contracting out  
9           of educational services; and

10           “(iv) the eligible institution provides to the Sec-  
11           retary the institution’s expenditures on instruction,  
12           student services, marketing, recruitment, adver-  
13           tising, and lobbying made available under section  
14           132(i)(1)(AA) with respect to the portion of the edu-  
15           cational program covered by the written arrange-  
16           ment.

17           “(d) ADMINISTRATION OF TITLE IV PROGRAMS.—

18           “(1) IN GENERAL.—If an institution enters into  
19           a written arrangement as described in subsection  
20           (a), subsection (b), or subsection (c), except as pro-  
21           vided in paragraph (2), the institution at which the  
22           student is enrolled as a regular student shall deter-  
23           mine the student’s eligibility for funds under this  
24           title, and shall calculate and disburse those funds to  
25           that student.

1           “(2) SPECIAL RULE FOR ARRANGEMENTS BE-  
2           TWEEN ELIGIBLE INSTITUTIONS.—In the case of a  
3           written arrangement between eligible institutions,  
4           the institutions may agree in writing to have any eli-  
5           gible institution in the written arrangement calculate  
6           and disburse funds under this title to the student  
7           and the Secretary shall not consider that institution  
8           to be a third party servicer for that arrangement.

9           “(3) CALCULATION AND DISBURSEMENT.—The  
10          institution that calculates and disburses a student’s  
11          funds under paragraph (1) or paragraph (2) must—

12                 “(A) take into account all the hours in  
13                 which the student enrolls at each institution  
14                 that apply to the student’s degree or certificate  
15                 when determining the student’s enrollment sta-  
16                 tus and cost of attendance; and

17                 “(B) maintain all records regarding the  
18                 student’s eligibility for and receipt of funds  
19                 under this title.

20          “(e) INFORMATION MADE AVAILABLE TO STU-  
21          DENTS.—If an institution enters into a written arrange-  
22          ment described in subsection (a), subsection (b), or sub-  
23          section (c), the institution shall provide directly to enrolled  
24          and prospective students, and make available on a publicly  
25          accessible website of the institution, a description of writ-

1 ten arrangements the institution has entered into in ac-  
2 cordance with this section, including information on—

3 “(1) the portion of the educational program  
4 that the institution that grants the degree or certifi-  
5 cate is not providing;

6 “(2) the name and location of the other institu-  
7 tions or organizations that are providing the portion  
8 of the educational program that the institution that  
9 grants the degree or certificate is not providing;

10 “(3) the method of delivery of the portion of  
11 the educational program that the institution that  
12 grants the degree or certificate is not providing; and

13 “(4) estimated additional costs students may  
14 incur as the result of enrolling in an educational  
15 program that is provided, in part, under the written  
16 arrangement.”.

17 **SEC. 4618. IMPROVEMENTS TO PROGRAM PARTICIPATION**  
18 **AGREEMENTS.**

19 (a) ALCOHOL AND SUBSTANCE MISUSE PREVEN-  
20 TION.—Section 487(a)(10) of the Higher Education Act  
21 of 1965 (20 U.S.C. 1094(a)(10)) is amended by striking  
22 “a drug abuse prevention program” and inserting “an al-  
23 cohol and substance misuse prevention program in accord-  
24 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 2018 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.—

23 Section 487(a)(23)(A) of the Higher Education  
24 Act of 1965 (20 U.S.C. 1094(a)(23)(A)) is amended  
25 by striking “, if located in a state to which section

1 (4)(b) of the National Voter Registration Act of  
2 1993 (42 U.S.C. 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 (g) WRITTEN ARRANGEMENTS WITH OTHER INSTI-  
12 TUTIONS.—Section 487(a) of the Higher Education Act  
13 of 1965 (20 U.S.C. 1094(a)) is amended by adding at the  
14 end the following:

15 “(30) In the case of an institution that enters  
16 into a written arrangement with an organization or  
17 another institution to provide part of an educational  
18 program, the institution will comply with the appli-  
19 cable requirements of section 486D.”.

20 **SEC. 4619. COMPLIANCE WITH THE CIVIL RIGHTS ACT OF**  
21 **1964.**

22 Section 487(a) of the Higher Education Act of 1965  
23 (20 U.S.C. 1094(a)), as amended by the preceding sec-  
24 tions, is further amended by adding at the end the fol-  
25 lowing:

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. 4620. SUBMISSION OF DATA WITH RESPECT TO STU-**  
4 **DENTS WITH DISABILITIES.**

5           Section 487(a) of the Higher Education Act of 1965  
6 (20 U.S.C. 1094(a)), as amended by the preceding sec-  
7 tions, is further amended by adding at the end the fol-  
8 lowing:

9                   “(32) The institution will submit, for inclusion  
10           in the postsecondary student data system established  
11           under section 132(l), the Integrated Postsecondary  
12           Education Data System of the Department, or any  
13           other Federal postsecondary institution data collec-  
14           tion effort, key data related to undergraduate and  
15           graduate students enrolled at the institution who are  
16           formally registered as students with disabilities with  
17           the institution’s office of accessibility, including the  
18           total number of students with disabilities enrolled,  
19           the number of students accessing or receiving ac-  
20           commodation, the percentage of students with dis-  
21           abilities of all undergraduate students, and the total  
22           number of undergraduate certificates or degrees  
23           awarded to students with disabilities. An institution  
24           shall not be required to submit the information de-  
25           scribed in the preceding sentence if the number of

1 such students would reveal personally identifiable in-  
2 formation about an individual student.”.

3 **SEC. 4621. EDUCATION PROGRAM ON HAZING.**

4 (a) EDUCATIONAL PROGRAM ON HAZING.—Section  
5 487(a) of the Higher Education Act of 1965 (20 U.S.C.  
6 1094(a)), as amended by the preceding sections, is further  
7 amended by adding at the end the following:

8 “(33) The institution will provide students with  
9 an educational program on hazing (as that term is  
10 defined in section 485(f)(6)(A)(vii)), which shall in-  
11 clude information on hazing awareness, hazing pre-  
12 vention, and the institution’s policies on hazing.”.

13 **SEC. 4622. CHANGES TO PROGRAM PARTICIPATION AGREE-**  
14 **MENTS TO STRENGTHEN CONSUMER PRO-**  
15 **TECTIONS.**

16 (a) PROHIBITION ON LOSS OF ACCESS TO TRAN-  
17 SCRIPTS FOR LOAN DEFAULT.—Section 487(a) of the  
18 Higher Education Act of 1965 (20 U.S.C. 1094(a)) is fur-  
19 ther amended by adding at the end the following:

20 “(34)(A) The institution will not prohibit a stu-  
21 dent from accessing the student’s transcripts, degree  
22 scrolls, or other certifications of coursework or edu-  
23 cational attainments at the institution because the  
24 student is in default on the repayment of a loan  
25 made, insured, or guaranteed under this title.

1           “(B) For purposes of this paragraph, the term  
2           ‘student’ includes former students.”.

3           (b) PROHIBITION ON LIMITATIONS ON ABILITY OF  
4 STUDENTS TO PURSUE CLAIMS AGAINST CERTAIN INSTI-  
5 TUTIONS OF HIGHER EDUCATION.—Section 487(a) of the  
6 Higher Education Act of 1965 (20 U.S.C. 1094(a)) is fur-  
7 ther amended by adding at the end the following:

8           “(35) No agreement between the institution  
9           and any student will contain any limitation or re-  
10          striction (including a limitation or restriction on any  
11          available choice of applicable law, a jury trial, or  
12          venue) on the ability of the student to pursue a  
13          claim, individually or with others, against an institu-  
14          tion in court.”.

15 **SEC. 4623. MISREPRESENTATION AND SUBSTANTIAL MIS-**  
16 **REPRESENTATION DEFINED.**

17          Section 487(c)(3) of the Higher Education Act of  
18 1965 (20 U.S.C. 1094(c)(3)) is amended—

19           (1) in subparagraph (B)(i)(II), by striking  
20           “\$25,000” and inserting “\$60,000”; and

21           (2) by adding at the end the following:

22           “(C) In this paragraph:

23                   “(i) The term ‘misleading’ means having  
24                   the likelihood or tendency to mislead under the  
25                   circumstances.

1 “(ii) The term ‘misrepresentation’—

2 “(I) means any false, erroneous, or  
3 misleading statement an institution, one of  
4 its representatives, or a third-party  
5 servicer (as defined in section 481(e))  
6 makes directly or indirectly to a student,  
7 prospective student or any member of the  
8 public, or an accrediting agency, a State  
9 agency, or to the Secretary; and

10 “(II) includes any statement that  
11 omits information in such a way as to  
12 make the statement false, erroneous, or  
13 misleading.

14 “(iii) The term ‘statement’ means any  
15 communication made in writing, visually, orally,  
16 or through other means.

17 “(iv) The term ‘substantial misrepresenta-  
18 tion’ means any misrepresentation on which the  
19 person to whom such misrepresentation was  
20 made could reasonably be expected to rely, or  
21 has reasonably relied, to that person’s det-  
22 riment.”.

1 **SEC. 4624. TEACH-OUT PLANS.**

2 Section 487(f)(2) of the Higher Education Act of  
3 1965 (20 U.S.C. 1094(f)(2)) is amended to read as fol-  
4 lows:

5 “(2) **TEACH-OUT PLAN DEFINED.**—In this sub-  
6 section, the term ‘teach-out plan’ means a written  
7 plan that provides for the equitable treatment of stu-  
8 dents if an institution of higher education ceases to  
9 operate before all students have completed their pro-  
10 gram of study that—

11 “(A) shall include—

12 “(i) a process to maintain a complete  
13 list of such students and the estimated  
14 date of completion of each such student’s  
15 program of study; and

16 “(ii) a record retention plan that in-  
17 cludes—

18 “(I) a plan to provide each stu-  
19 dent with the transcript of such stu-  
20 dent, at no cost to such student; and

21 “(II) the policies and procedures  
22 required under subparagraphs (B)  
23 and (C) of section 495(a)(6).

24 “(B) may include—

25 “(i) if required by the institution’s ac-  
26 crediting agency or association, an agree-



1                   ment between institutions for such a teach-  
2                   out plan; and

3                   “(ii) such other information as the  
4                   Secretary may require.”.

5 **SEC. 4625. EXPERIMENTAL PROGRAMS.**

6           Section 487A of the Higher Education Act of 1965  
7 (20 U.S.C. 1094a) is amended to read as follows:

8 **“SEC. 487A. EXPERIMENTATION WITH STATUTORY AND**  
9 **REGULATORY FLEXIBILITY.**

10           “(a) **EXPERIMENTAL SITES.**—The Secretary is au-  
11 thorized to periodically select a limited number of institu-  
12 tions for voluntary participation as experimental sites to  
13 test the effectiveness of approaches to statutory and regu-  
14 latory flexibility that—

15                   “(1) to the extent appropriate, may lead to a  
16                   reduction of regulatory burden on institutions of  
17                   higher education or the Department of Education,  
18                   except that the Secretary shall not waive any re-  
19                   quirement of this title for any institution partici-  
20                   pating as an experimental site that would reduce the  
21                   protections or the information provided to a student  
22                   under this Act; and

23                   “(2) aim to increase student success, as deter-  
24                   mined in accordance with subsection (g).

1           “(b) CONTINUING AND DISCONTINUING EXPERI-  
2 MENTS AND EXPERIMENTAL SITES.—The Secretary may  
3 continue any experiment or the voluntary participation of  
4 any experimental site in existence as of the date of enact-  
5 ment of the College Affordability Act, unless the Secretary  
6 determines that such experiment or site has not been suc-  
7 cessful in increasing student success as determined in ac-  
8 cordance with subsection (g). Any experiment or experi-  
9 mental site approved by the Secretary prior to the date  
10 of enactment of the College Affordability Act that has not  
11 been successful in increasing student success shall be dis-  
12 continued before the first day of the first ward year begin-  
13 ning after such date.

14           “(c) WAIVERS.—The Secretary is authorized to  
15 waive, for any institution participating as an experimental  
16 site under subsection (a), any requirements in this title,  
17 including requirements related to the award process and  
18 disbursement of student financial aid (such as innovative  
19 delivery systems for modular or compressed courses, or  
20 other innovative systems), verification of student financial  
21 aid application data, entrance and exit interviews, or other  
22 management procedures or processes as determined in the  
23 negotiated rulemaking process under section 492, or regu-  
24 lations prescribed under this title, that will bias the results  
25 of the experiment, except that the Secretary shall not

1 waive any provisions with respect to award rules (other  
2 than an award rule related to an experiment in modular  
3 or compressed schedules), grant and loan maximum award  
4 amounts, and need analysis requirements unless the waiv-  
5 er of such provisions is authorized by another provision  
6 under this title.

7       “(d) EVALUATION PLAN REQUIRED.—Before noti-  
8 fying institutions of the intent of the Secretary to carry  
9 out an experiment under this section, the Secretary, in  
10 consultation with the Director of the Institute of Edu-  
11 cation Sciences, shall develop an evaluation plan for the  
12 experiment. The evaluation plan shall include the fol-  
13 lowing:

14           “(1) Identification of the methodology to be  
15 used for collecting data on the experiment which  
16 shall include, to the extent practicable, a method-  
17 ology that allows for the disaggregation of data by  
18 age, race, gender, disability status, status as a vet-  
19 eran or member of the Armed Forces, status as a  
20 first generation college student, and status as a re-  
21 cipient of a Federal Pell Grant under section 401.

22           “(2) Identification of the rigorous evaluation  
23 methods to be used for determining the impact of  
24 the experiment, which shall include, to the extent  
25 practicable—

1                   “(A) a randomized controlled design; and

2                   “(B) an assessment of whether the experi-  
3                   ment has a differential impact on any group de-  
4                   scribed in paragraph (1).

5                   “(3) A schedule for conducting the experiment  
6                   in accordance with the duration limit specified in  
7                   subsection (f).

8                   “(4) An estimate of the cost of conducting the  
9                   experiment, to the extent practicable.

10                  “(5) An estimate of the size of the study sam-  
11                  ple (such as the number of participating students or  
12                  institutions) needed to determine if the experiment  
13                  has statistically significant effects.

14                  “(e) LIMITATION PENDING NOTICE TO CONGRESS.—

15                  “(1) LIMITATION.—The Secretary may not  
16                  carry out an experiment at an experimental site  
17                  under this section until a period of 60 days has  
18                  elapsed following the date on which the Secretary  
19                  submits to the authorizing committees the notice de-  
20                  scribed in paragraph (2).

21                  “(2) NOTICE TO CONGRESS.—The notice de-  
22                  scribed in this paragraph is a written notice that in-  
23                  cludes—

1           “(A) a description of the experiment pro-  
2           posed to be carried out by the Secretary, includ-  
3           ing the rationale for the proposed experiment;

4           “(B) the policy-relevant questions the Sec-  
5           retary intends to evaluate through the experi-  
6           ment and an explanation of how the design of  
7           the experiment will allow the Secretary to best  
8           answer those questions;

9           “(C) a list of the specific statutory and  
10          regulatory requirements that the Secretary in-  
11          tends to waive with respect to an institution  
12          participating as an experimental site and the  
13          legal authority for such waivers;

14          “(D) an explanation of how the statutory  
15          and regulatory flexibility provided to an institu-  
16          tion participating as an experimental site is ex-  
17          pected to increase student success, as required  
18          under subsection (a); and

19          “(E) a copy of the evaluation plan devel-  
20          oped under subsection (d).

21          “(f) DURATION.—

22          “(1) IN GENERAL.—Except as provided in para-  
23          graph (2), the duration of an experiment under this  
24          section shall not exceed a period of four years begin-  
25          ning with the first award year for which Federal fi-

1       nancial aid is disbursed to students participating in  
2       the experiment.

3           “(2) EXTENSION.—The Secretary may extend  
4       an experiment for up to two years beyond the four-  
5       year period specified in paragraph (1) on a case-by-  
6       case basis.

7           “(g) DETERMINATION OF SUCCESS.—For the pur-  
8       poses of subsection (a), the Secretary shall make a deter-  
9       mination of success regarding an institution’s participa-  
10      tion as an experimental site based on—

11           “(1) whether, and to what extent, student out-  
12      comes improve as a direct result of the experiment;

13           “(2) whether the experimental site improves the  
14      delivery of services to, or otherwise benefitted, stu-  
15      dents; and

16           “(3) the extent to which the experiment reduces  
17      administrative burdens on institutions participating  
18      as experimental sites, as documented in the Sec-  
19      retary’s annual report under subsection (h)(3), with-  
20      out harming students.

21           “(h) OUTCOMES REPORTING.—

22           “(1) DATA SUBMISSION.—Each institution par-  
23      ticipating as an experimental site shall submit to the  
24      Secretary, on a periodic basis to be determined by

1 the Secretary, data on outcomes relating to the ex-  
2 periment carried out at the site.

3 “(2) REVIEW AND EVALUATION.—

4 “(A) IN GENERAL.—Subject to subpara-  
5 graph (B), the Secretary shall review and rigor-  
6 ously evaluate the activities of each institution  
7 participating as an experimental site.

8 “(B) EVALUATION METHODOLOGY.—To  
9 the extent practicable, the evaluation under  
10 subparagraph (A) shall be based on data col-  
11 lected in accordance with the data collection  
12 methodology specified in the evaluation plan for  
13 the experiment under subsection (d)(1).

14 “(3) ANNUAL REPORT.—On an annual basis,  
15 the Secretary shall submit to the authorizing com-  
16 mittees a report based on the review and evaluation  
17 carried out under paragraph (2). Each report shall  
18 include, with respect to each experiment carried out  
19 by the Secretary during the period covered by the  
20 report, the following:

21 “(A) A summary of the status of the ex-  
22 periment.

23 “(B) A list identifying each institution par-  
24 ticipating as an experimental site.

1           “(C) The specific statutory or regulatory  
2           waivers granted to each institution participating  
3           as an experimental site.

4           “(D) In a case in which data on the exper-  
5           iment is not collected in accordance with the  
6           methodology specified in the evaluation plan  
7           under subsection (d)(1)—

8                   “(i) the reasons that such method-  
9                   ology was not used to collect data on the  
10                  experiment; and

11                   “(ii) a description of the alternative  
12                  data collection methodology used for the  
13                  experiment.

14           “(E) An evaluation of the quality of data  
15           yielded by the experiment.

16           “(F) A summary and analysis of the find-  
17           ings, to date, of the experiment.

18           “(G) An assessment of whether the experi-  
19           ment has had a differential impact on any  
20           group listed in subsection (d)(1).

21           “(H) An explanation of any current or  
22           foreseen barriers to conducting the experiment.

23           “(I) In the case of an experiment for which  
24           the Secretary determines there is sufficient  
25           value in continuing the experiment past the du-



1           ration limit specified in subsection (f)(1), ade-  
2           quate documentation to justify such continu-  
3           ation.

4           “(4) FINAL REPORT.—Not later than 180 days  
5           after the conclusion of each experiment, the Sec-  
6           retary shall submit to the authorizing committees a  
7           report that includes the following:

8                   “(A) A summary of the data yielded by the  
9                   experiment, including, to the extent practicable,  
10                  data on the results of the experiment  
11                  disaggregated by age, race, gender, disability  
12                  status, status as a veteran or member of the  
13                  Armed Forces, status as a first generation col-  
14                  lege student, and status as a recipient of a Fed-  
15                  eral Pell Grant under section 401.

16                  “(B) The conclusions reached regarding  
17                  each experiment conducted.

18                  “(C) Recommendations, based on the re-  
19                  sults of the experiment—

20                          “(i) to improve and streamline rel-  
21                          evant statutes, including this Act; and

22                          “(ii) for improvements to relevant reg-  
23                          ulations.

1           “(D) An explanation of any changes to  
2           regulations that the Secretary intends to make  
3           as a result of the experiment.

4           “(5) PUBLIC AVAILABILITY.—Each report sub-  
5           mitted under paragraphs (3) and (4) shall be made  
6           available on a publicly accessible website of the De-  
7           partment of Education.

8           “(i) FAST-TRACK PROCESS TO COMPLY WITH INFOR-  
9           MATION COLLECTION REQUIREMENTS.—The require-  
10          ments of section 3507 of title 44, United States Code,  
11          shall not apply to the collection of information by the De-  
12          partment of Education on experiments carried out in ac-  
13          cordance with this section.”.

14       **SEC. 4626. ADMINISTRATIVE EXPENSES.**

15          Section 489(a) of the Higher Education Act of 1965  
16       (20 U.S.C. 1096(a)) is amended—

17           (1) in the second sentence, by striking “or  
18           under part E of this title”; and

19           (2) in the third sentence—

20                (A) by inserting “and” after “subpart 3 of  
21                part A,”; and

22                (B) by striking “compensation of stu-  
23                dents,” and all that follows through the period  
24                and inserting “compensation of students.”.

1 **SEC. 4627. REGIONAL MEETINGS AND NEGOTIATED RULE-**  
2 **MAKING.**

3 Section 492 of the Higher Education Act (20 U.S.C.  
4 1098a) is amended—

5 (1) in subsection (a)(1), by striking “students,  
6 institutions of higher education, State student grant  
7 agencies, guaranty agencies, lenders, secondary mar-  
8 kets, loan servicers, guaranty agency servicers, and  
9 collection agencies” and inserting “students and bor-  
10 rowers, consumer representatives, institutions of  
11 higher education, and contractors responsible for  
12 carrying out student financial assistance programs  
13 under this title”; and

14 (2) in subsection (b)—

15 (A) in paragraph (1), by striking “both  
16 representatives of such groups from Wash-  
17 ington, D.C., and industry participants” and in-  
18 serting “representatives that are broadly rep-  
19 resentative of constituencies in different sectors  
20 and geographic locations”; and

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

22 “(3) NEGOTIATED RULEMAKING PROCESS.—In  
23 carrying out a negotiated rulemaking process re-  
24 quired under this section, the Secretary shall—

1           “(A) to the extent practicable, comply with  
2 requests from the participants in such nego-  
3 tiated rulemaking process for data;

4           “(B) make publicly available issue papers  
5 and the proposed regulations described in para-  
6 graph (1) in a timely manner that allows for  
7 public review;

8           “(C) make video recordings of each nego-  
9 tiated rulemaking session publicly available  
10 through simultaneous transmission;

11           “(D) archive the video recordings described  
12 in subparagraph (C) in a publicly available  
13 manner; and

14           “(E) make publicly available the tran-  
15 scriptions of each such negotiated rulemaking ses-  
16 sion.”.

17 **SEC. 4628. INCOME-BASED REPAYMENT PLAN.**

18           (a) OPTIONS TO ENTER INTO THE NEW FIXED RE-  
19 PAYMENT PLAN AND INCOME-BASED REPAYMENT  
20 PLAN.—Section 493C(b) of the Higher Education Act of  
21 1965 (20 U.S.C. 1098e) is amended—

22           (1) in paragraph (7)(B)—

23           (A) by striking “or” at the end of clause  
24 (iv); and

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

1           “(vi) has made payments under the  
2           income-based repayment plan under sec-  
3           tion 493C(f); or

4           “(vii) has made payments under the  
5           fixed repayment plan described in section  
6           493E;”;

7           (2) by amending paragraph (8) to read as fol-  
8           lows:

9           “(8) a borrower who is repaying a loan made  
10          under part B or D pursuant to income-based repay-  
11          ment may elect, at any time, to terminate repayment  
12          pursuant to income-based repayment and repay such  
13          loan under the income-based repayment plan under  
14          section 493C(f) or the fixed repayment plan de-  
15          scribed in section 493E;”;

16          (3) in paragraph (9), by striking the period at  
17          the end and inserting “; and”; and

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

19          “(10) a borrower who is repaying a loan made,  
20          insured, or guaranteed under part B or D pursuant  
21          to this section may repay such loan in full at any  
22          time without penalty.”.

23          (b) AUTOMATIC RECERTIFICATION OF INCOME FOR  
24          INCOME-DRIVEN REPAYMENT PLANS.—Section 493C(c)

1 of the Higher Education Act of 1965 (20 U.S.C. 1098e(e))  
2 is amended—

3 (1) by striking “The Secretary shall establish”  
4 and inserting the following:

5 “(1) IN GENERAL.—The Secretary shall estab-  
6 lish”;

7 (2) by striking “The Secretary shall consider”  
8 and inserting the following:

9 “(2) PROCEDURES FOR ELIGIBILITY.—The Sec-  
10 retary shall—

11 “(A) consider”; and

12 (3) by striking “428C(b)(1)(E).” and inserting  
13 the following: “428C(b)(1)(E); and

14 “(B) beginning as soon as the Secretary  
15 determines practicable after the Secretary final-  
16 izes the procedures required under section 9004  
17 of the College Affordability Act, but not later  
18 than 2 years after the date of enactment of  
19 such Act, carry out, with respect to borrowers  
20 of any covered loan (as defined in section  
21 455(d)(10)), including such borrowers who se-  
22 lect, or for whom the Secretary selects under  
23 paragraph (8)(C) or (9)(C) of subsection (d), or  
24 section 428(m)(1), the income-based repayment  
25 plan under subsection (f), procedures for in-

1           come-based repayment plans under this section  
2           that are equivalent to the procedures carried  
3           out under section 455(e)(9) with respect to in-  
4           come contingent repayment plans.”.

5           (c) INCOME-BASED REPAYMENT.—Section 493C of  
6 the Higher Education Act of 1965 (20 U.S.C. 1098e) is  
7 amended by adding at the end the following:

8           “(f) INCOME-BASED REPAYMENT FOR NEW LOANS  
9 ON AND AFTER JULY 1, 2021, AND FOR BORROWERS  
10 WHO ENTER INCOME-BASED REPAYMENT AFTER JUNE  
11 30, 2021.—

12           “(1) IN GENERAL.—The income-based repay-  
13 ment plan under this subsection shall be carried out  
14 in accordance with this section, except as otherwise  
15 specified in this subsection—

16           “(A) with respect to any loan made under  
17 part D on or after July 1, 2021, if such bor-  
18 rower elects such income-based repayment plan  
19 for the loan; and

20           “(B) with respect to any loan made, in-  
21 sured, or guaranteed under part B or D on or  
22 before June 30, 2021, if such borrower elects to  
23 repay the loan under such income-based repay-  
24 ment plan on or after July 1, 2021.

1           “(2) SPECIAL TERMS.—Notwithstanding any  
2 other provision of this section, with respect to a loan  
3 described under paragraph (1), the following terms  
4 shall apply to the income-based repayment plan  
5 under this subsection:

6           “(A)(i) Notwithstanding subsection  
7 (a)(3)(B), the repayment amount under this  
8 subsection shall be an amount equal to 10 per-  
9 cent of the result obtained by calculating, on at  
10 least an annual basis, the amount by which the  
11 adjusted gross income of the borrower (subject  
12 to clause (ii)) exceeds the applicable percentage  
13 of the poverty line in accordance with clause  
14 (iii).

15           “(ii)(I) Subject to subclause (II), in the  
16 case of a married borrower (regardless of tax  
17 filing status), clause (i) shall be applied by sub-  
18 stituting ‘the adjusted gross income of the bor-  
19 rower and the borrower’s spouse’ for ‘the ad-  
20 justed gross income of the borrower’.

21           “(II) Subclause (I) shall not be applicable  
22 to any borrower who is married and who cer-  
23 tifies to the Secretary through a form approved  
24 by the Secretary that the borrower is—



1           “(aa) separated from the spouse of  
2           the borrower; or

3           “(bb) unable to reasonably access the  
4           income information the spouse of such bor-  
5           rower.

6           “(iii) For purposes of clause (i), the term  
7           ‘applicable percentage’ means 250 percent of  
8           the poverty line applicable to the borrower’s  
9           family size (as determined under section 673(2)  
10          of the Community Services Block Grant Act  
11          (42 U.S.C. 9902(2)))—

12          “(I) reduced by 10 percentage points  
13          for each \$1,000 by which the borrower’s  
14          adjusted gross income (in the case of a sin-  
15          gle borrower) exceeds \$80,000; and

16          “(II) reduced by 10 percentage points  
17          for each \$2,000 by which the borrower’s  
18          adjusted gross income (in the case of a  
19          married borrower (regardless of filing sta-  
20          tus)), exceeds \$160,000.

21          “(B) Subsection (b)(7)(B) shall apply by  
22          substituting ‘20 years’ for ‘25 years’.

23          “(C) A borrower of such a loan may elect,  
24          and remain enrolled in, the income-based repay-  
25          ment plan under this subsection regardless of—

1                   “(i) whether such borrower has a par-  
2                   tial financial hardship; and

3                   “(ii) the income level of the borrower.

4                   “(D) Notwithstanding subparagraph (A) of  
5                   subsection (b)(6), a borrower’s monthly pay-  
6                   ment—

7                   “(i) shall be equal to the repayment  
8                   amount determined under subparagraph  
9                   (A) divided by 12; and

10                  “(ii) may exceed the monthly repay-  
11                  ment amount under a standard 10-year re-  
12                  payment plan or a fixed repayment plan  
13                  described in section 493E.

14                  “(E) Subparagraph (B) of subsection  
15                  (b)(3) shall not apply.

16                  “(F) Subsection (d) shall not apply.

17                  “(G) In the case of a Federal Direct Con-  
18                  solidation Loan made on or after the date of  
19                  enactment of the College Affordability Act that  
20                  is being repaid under this subsection, any  
21                  monthly payment made pursuant to any repay-  
22                  ment plan listed in subsection (b)(7)(B) on a  
23                  loan for which the liability has been discharged  
24                  by the proceeds of such consolidation loan shall  
25                  be treated as a monthly payment under this

1 subsection on the portion of such consolidation  
2 loan that is attributable to such discharged  
3 loan, except that in the case of a subsequent  
4 consolidation loan, for purposes of this clause—

5 “(i) any monthly payment made on  
6 the first consolidation loan or any other  
7 loan for which the liability has been dis-  
8 charged by such subsequent consolidation  
9 loan shall be applicable; and

10 “(ii) any monthly payment made on a  
11 loan for which the liability has been dis-  
12 charged by such first consolidation loan  
13 shall not be applicable.

14 “(3) ADDITIONAL SPECIAL TERMS FOR CER-  
15 TAIN BORROWERS.—A borrower described in para-  
16 graph (1)(B)—

17 “(A) may—

18 “(i) choose to continue repayment  
19 pursuant to the repayment plan in which  
20 the borrower is enrolled on June 30, 2021;  
21 or

22 “(ii) make a one-time election to—

23 “(I) terminate repayment pursu-  
24 ant to the repayment plan described  
25 in clause (i) and enter the income-

1 based repayment plan under this sub-  
2 section; or

3 “(II) terminate repayment pursu-  
4 ant to the repayment plan described  
5 in clause (i) and enter a fixed repay-  
6 ment plan described in section 493E;  
7 and

8 “(B) who makes an election under sub-  
9 paragraph (A)(ii), shall not repay a loan de-  
10 scribed in paragraph (1)(B) under a repayment  
11 plan that is not an income-based repayment  
12 plan under this subsection or a fixed repayment  
13 plan described in section 493E.

14 “(4) WRITTEN, ELECTRONIC, OR VERBAL EN-  
15 ROLLMENT IN INCOME-BASED REPAYMENT.—

16 “(A) IN GENERAL.—The Secretary shall  
17 develop and implement a process that is con-  
18 sistent with any procedures (including  
19 verification procedures) established under sub-  
20 section (c), which enables a covered borrower of  
21 a loan made under part D who desires to elect  
22 to repay such loan under income-based repay-  
23 ment under this subsection to make such elec-  
24 tion through written, electronic, or verbal notice  
25 to the Secretary.

1           “(B) COVERED BORROWER DEFINED.—In  
2           this paragraph, the term ‘covered borrower’  
3           means a borrower of a loan made under part D  
4           who—

5                   “(i) is enrolled in the fixed repayment  
6                   plan under section 493E; or

7                   “(ii) has not yet selected a repayment  
8                   plan.

9           “(g) SPECIAL RULE FOR REFINANCED LOANS.—

10           “(1) REFINANCED FEDERAL DIRECT AND FFEL  
11           LOANS.—In calculating the period of time during  
12           which a borrower of a loan that is refinanced under  
13           section 460A has made monthly payments for pur-  
14           poses of subsection (b)(7), the Secretary shall in-  
15           clude each month in which a monthly payment was  
16           made for the original loan or the refinanced loan, if  
17           such monthly payment otherwise meet the require-  
18           ments of this section.

19           “(2) FEDERAL DIRECT REFINANCED PRIVATE  
20           LOANS.—In calculating the period of time during  
21           which a borrower of a Federal Direct Refinanced  
22           Private Loan under section 460B has made monthly  
23           payments for purposes of subsection (b)(7), the Sec-  
24           retary shall include only payments—

1           “(A) that are made after the date of the  
2           issuance of the Federal Direct Refinanced Pri-  
3           vate Loan; and

4           “(B) that otherwise meet the requirements  
5           of this section.”.

6   **SEC. 4629. FIXED REPAYMENT PLAN.**

7           Part G of title IV of the Higher Education Act of  
8   1965 (20 U.S.C. 1088 et seq.) is further amended by add-  
9   ing at the end the following:

10   **“SEC. 493E. FIXED REPAYMENT PLAN.**

11           “(a) IN GENERAL.—A borrower of a loan made under  
12   this part on or after July 1, 2021, and a borrower who  
13   is in repayment on a loan made, insured, or guaranteed  
14   under part B or part D before July 1, 2021, may elect  
15   to repay such loan under the fixed repayment plan de-  
16   scribed in this section.

17           “(b) FIXED REPAYMENT PLAN.—Under the fixed re-  
18   payment plan, a borrower whose total outstanding amount  
19   of principal and interest on such a loan (as of the day  
20   before entering repayment on such loan)—

21           “(1) is equal to or less than \$20,000, shall  
22   repay such loan with a fixed monthly repayment  
23   amount paid over a period of 10 years;

1           “(2) is more than \$20,000 and less than  
2           \$30,000, shall repay such loan with a fixed monthly  
3           repayment amount paid over a period of—

4                   “(A) 15 years; or

5                   “(B) the period described in paragraph  
6           (1), if the borrower elects such period;

7           “(3) is equal to or greater than \$30,000, and  
8           less than \$40,000, shall repay such loan with a fixed  
9           monthly repayment amount paid over a period of—

10                   “(A) 20 years; or

11                   “(B) the period described in paragraph (1)  
12           or (2), if the borrower elects such period; and

13           “(4) is equal to or greater than \$40,000, shall  
14           repay such loan with a fixed monthly repayment  
15           amount paid over a period of—

16                   “(A) 25 years; or

17                   “(B) the period described in any of para-  
18           graphs (1) through (3), if the borrower elects  
19           such period.

20           “(c) TREATMENT OF CERTAIN CONSOLIDATION  
21 LOANS.—In the case of a Federal Direct Consolidation  
22 Loan made on or after the date of enactment of the Col-  
23 lege Affordability Act that is being repaid under this sec-  
24 tion, any monthly payment made pursuant to any repay-  
25 ment plan listed in section 493C(b)(7)(B) on a loan for

1 which the liability has been discharged by the proceeds  
2 of such consolidation loan shall be treated as a monthly  
3 payment under this section on the portion of such consoli-  
4 dation loan that is attributable to such discharged loan,  
5 except that in the case of a subsequent consolidation loan,  
6 for purposes of this subsection—

7           “(1) any monthly payment made on the first  
8 consolidation loan or any other loan for which the li-  
9 ability has been discharged by such subsequent con-  
10 solidation loan shall be applicable; and

11           “(2) any monthly payment made on a loan for  
12 which the liability has been discharged by such first  
13 consolidation loan shall not be applicable.”.

14 **SEC. 4630. REQUIRING A COMMON MANUAL FOR LOAN**  
15 **SERVICERS.**

16 Part G of title IV of the Higher Education Act of  
17 1965 (20 U.S.C. 1088 et seq.), as amended by this part,  
18 is further amended by adding at the end the following:

19 **“SEC. 493F. REQUIRING A COMMON MANUAL FOR LOAN**  
20 **SERVICERS.**

21           “(a) IN GENERAL.—Not later than 1 year after the  
22 date of enactment of the College Affordability Act, the  
23 Secretary shall develop a manual of common procedures  
24 and policies for entities with which the Secretary enters  
25 into contracts for the origination, servicing, and collection



1 of covered loans, to standardize procedures to ensure con-  
2 sistency of quality and practice across such entities, and  
3 a minimum standard of quality and practice, to ensure  
4 that borrowers, including individuals pursuing public serv-  
5 ice loan forgiveness under section 455(m) and teachers,  
6 are well served.

7 “(b) UPDATES.—The Secretary shall update the  
8 manual under subsection (a) as frequently as may be nec-  
9 essary, but not less frequently than once every 5 years.

10 “(c) COVERED LOANS DEFINED.—The term ‘covered  
11 loans’ means—

12 “(1) loans sold or assigned to the Secretary  
13 under part B;

14 “(2) loans made or purchased under part D;  
15 and

16 “(3) loans referred, transferred, or assigned to  
17 the Secretary under part E.”.

18 **SEC. 4631. REMOVAL OF RECORD OF DEFAULT.**

19 Part G of title IV of the Higher Education Act of  
20 1965 (20 U.S.C. 1088 et seq.), as amended by the pre-  
21 ceding sections, is further amended by adding at the end  
22 the following:

23 **“SEC. 493G. REMOVAL OF RECORD OF DEFAULT.**

24 “Upon repaying in full the amount due on a defaulted  
25 loan made, insured, or guaranteed under this title, the

1 Secretary, guaranty agency, or other holder of the loan  
2 shall request any consumer reporting agency to which the  
3 Secretary, guaranty agency or holder, as applicable, re-  
4 ported the default of the loan, to remove any adverse item  
5 of information relating to a delinquent or defaulted loan  
6 made, insured, or guaranteed under this title from the bor-  
7 rower's credit history.”.

8 **SEC. 4632. AMENDMENTS TO TERMS AND CONDITIONS OF**  
9 **BORROWER DEFENSES.**

10 (a) IN GENERAL.—Part G of title IV of the Higher  
11 Education Act of 1965 (20 U.S.C. 1088 et seq.), as  
12 amended by the preceding sections, is further amended by  
13 adding at the end the following:

14 **“SEC. 493H. BORROWER DEFENSES.**

15 “(a) IN GENERAL.—Notwithstanding any other pro-  
16 vision of State or Federal law, a defense to repayment of  
17 a loan under this title includes—

18 “(1) a substantial misrepresentation;

19 “(2) an act or omission that would give rise to  
20 a cause of action against an institution of higher  
21 education under applicable State law, to the extent  
22 that such act or omission relates to—

23 “(A) a loan received by a borrower under  
24 this title; or

1                   “(B) educational services for which such a  
2                   loan was received; or

3                   “(3) such further acts or omissions that the  
4                   Secretary determines to be appropriate in accord-  
5                   ance with subsection (b).

6                   “(b) REGULATIONS.—The Secretary shall specify in  
7                   regulations which further acts or omissions of an institu-  
8                   tion of higher education a borrower may assert as a de-  
9                   fense to repayment of a loan made under this title.

10                  “(c) SECRETARIAL DETERMINATION.—

11                   “(1) IN GENERAL.—The Secretary shall deter-  
12                   mine whether a borrower is entitled to relief under  
13                   this section based on all evidence available to the  
14                   Secretary.

15                   “(2) EVIDENTIARY STANDARD.—A borrower  
16                   shall be entitled to relief under this section if a pre-  
17                   ponderance of the evidence available to the Secretary  
18                   demonstrates that the borrower is entitled to such  
19                   relief.

20                   “(3) INDEPENDENT DETERMINATION.—A de-  
21                   termination under paragraph (1) shall be inde-  
22                   pendent of any action that the Secretary may take  
23                   to recoup funds from the institution of higher edu-  
24                   cation implicated by the borrower defense claim.

1       “(d) PROCEDURES FOR REVIEW AND RESOLUTION  
2 OF CLAIMS.—

3           “(1) PROCEDURES REQUIRED.—The Secretary  
4 shall establish procedures for the fair and expedi-  
5 tious review and resolution of borrower defense  
6 claims brought under this section. In establishing  
7 such procedures, the Secretary shall—

8           “(A) provide a fair process for the review  
9 and resolution of borrower defense claims,  
10 which shall include procedures for the consider-  
11 ation of borrower defense claims on behalf of  
12 groups of similarly situated borrowers without  
13 requiring each borrower in the group to submit  
14 a separate claim;

15           “(B) review a borrower defense claim at  
16 any time without regard to the repayment sta-  
17 tus of any loan subject to such claim;

18           “(C) allow a legal representative to bring  
19 a borrower defense claim—

20           “(i) on behalf of an individual bor-  
21 rower; or

22           “(ii) on behalf of a group of similarly  
23 situated borrowers; and

24           “(D) specify a fixed timeframe for the res-  
25 olution of borrower defense claims.

1           “(2) DEFERMENT DURING PENDENCY OF  
2 CLAIMS.—

3           “(A) IN GENERAL.—Subject to subpara-  
4 graph (B), a loan made under this title that is  
5 subject to a pending borrower defense claim  
6 shall be placed in deferment status, during  
7 which periodic installments of principal need  
8 not be paid and interest shall not accrue (or  
9 shall be paid by the Secretary), without regard  
10 to whether such loan is in default.

11           “(B) OPT OUT.—The borrower of a loan  
12 subject to deferment under subparagraph (A)  
13 may opt out of such deferment at any time dur-  
14 ing the pendency of the borrower defense claim.

15           “(C) SUSPENSION OF CREDIT REPORTING  
16 AND COLLECTION.—The Secretary shall sus-  
17 pend all adverse credit reporting and collection  
18 activity, including offsets and garnishments,  
19 with respect to any loan in default that is sub-  
20 ject to a deferment under subparagraph (A).

21           “(f) TERMS OF RELIEF.—

22           “(1) IN GENERAL.—If the Secretary determines  
23 under subsection (c) that a borrower is entitled to  
24 relief, the Secretary shall, subject to paragraph  
25 (2)—

1           “(A) cancel or repay all or a portion of the  
2 balance of interest and principal due on any  
3 loan subject to the claim for relief; and

4           “(B) return to the borrower an amount not  
5 in excess of the total amount of payments made  
6 on the loan by the borrower.

7           “(2) CANCELLATION OF DEBT AND RETURN OF  
8 PAYMENTS.—

9           “(A) SUBSTANTIAL MISREPRESENTATION  
10 CLAIMS.—If the Secretary determines that a  
11 borrower is entitled to relief based on a claim  
12 of substantial misrepresentation, the Secretary  
13 shall—

14           “(i) cancel or repay the full balance of  
15 interest and principal due on any loan sub-  
16 ject to the claim; and

17           “(ii) return to the borrower an  
18 amount equal to the total amount of pay-  
19 ments made on the loan by the borrower.

20           “(B) OTHER CLAIMS.—If the Secretary de-  
21 termines that a borrower is entitled to relief  
22 based on a claim other than substantial mis-  
23 representation, there shall be a presumption  
24 that the Secretary will cancel or repay the full  
25 balance of principal and interest due on the

1 loan and return the full amount of payments  
2 made by the borrower as described in subpara-  
3 graph (A). If the Secretary determines that full  
4 cancellation or repayment of the debt and re-  
5 turn of all funds paid on the loan is not appro-  
6 priate in a particular case, the Secretary shall  
7 provide the borrower with a written explanation  
8 as to why partial cancellation or repayment, or  
9 the partial return of funds is appropriate.

10 “(g) APPEALS.—Upon a determination by the Sec-  
11 retary to deny a borrower defense claim under this section,  
12 the borrower may file an appeal with the Department. The  
13 Secretary shall develop and implement a standardized  
14 process for the treatment of appeals under this subsection.

15 “(h) REFILEING OF CLAIMS.—A borrower whose claim  
16 was denied under this section may refile the claim for good  
17 cause, which may include—

18 “(1) the availability of substantial evidence that  
19 was not available to the Secretary at the time the  
20 initial claim was denied;

21 “(2) the emergence of facts or circumstances  
22 that may have substantially altered the Secretary’s  
23 original treatment of the initial claim; and

24 “(3) such other factors as may be determined  
25 by the Secretary.

1           “(i) DESIGNATION OF PERSONNEL.—The Secretary  
2 shall designate qualified personnel within the Department  
3 whose principal responsibility shall be the processing of  
4 borrower defense claims submitted under his section.

5           “(j) AVAILABILITY OF INFORMATION TO BOR-  
6 ROWERS.—

7           “(1) BORROWER REQUESTS FOR INFORMA-  
8 TION.—At the request of a borrower, the Secretary  
9 shall identify and provide to the borrower or the  
10 legal representative of the borrower any records the  
11 Secretary is considering as part of the borrower’s  
12 claim.

13           “(2) STATUS OF CLAIM.—The Secretary shall  
14 establish a process under which each borrower with  
15 a claim pending under this section shall be notified  
16 of the status of the pending claim not fewer than  
17 once every 90 days.

18           “(3) INFORMATION FROM INSTITUTIONS.—The  
19 Secretary may request documents and other infor-  
20 mation relating to a borrower defense claim from an  
21 institution of higher education. An institution that  
22 receives a request for information from the Sec-  
23 retary under this subsection shall provide the infor-  
24 mation to the Secretary at such time, in such form,  
25 and in such manner as the Secretary may direct.



1 “(k) QUARTERLY REPORTS.—

2 “(1) IN GENERAL.—Not less than once every  
3 fiscal quarter, the Secretary shall submit to the au-  
4 thorizing committees a report that includes the fol-  
5 lowing:

6 “(A) The total number of claims submitted  
7 to the Secretary pursuant to this subsection in  
8 the fiscal quarter covered by the report and in  
9 all previous fiscal quarters.

10 “(B) Of the claims described in subpara-  
11 graph (A)—

12 “(i) the number of claims that remain  
13 pending;

14 “(ii) the number of claims that were  
15 denied by the Secretary, and the total dol-  
16 lar amount of such claims; and

17 “(iii) the number of claims that were  
18 approved by the Secretary, and the total  
19 dollar amount of such claims.

20 “(2) DISAGGREGATION.—The information de-  
21 scribed in subparagraphs (A) and (B) of paragraph  
22 (1) shall be disaggregated by State and institution  
23 of higher education (except that such disaggregation  
24 shall not be required in a case in which the results

1 would reveal personally identifiable information  
2 about an individual borrower).

3 “(3) PUBLIC AVAILABILITY.—The information  
4 included in each report submitted under paragraph  
5 (A) shall be made available on a publicly accessible  
6 website of the Department.

7 “(1) DEFINITIONS.—In this section:

8 “(1) The term ‘legal representative’ means a li-  
9 censed attorney working on behalf of a borrower or  
10 a group of borrowers, including—

11 “(A) a State attorney general; and

12 “(B) an attorney employed by a State  
13 agency, a Federal agency, or a nonprofit orga-  
14 nization that is qualified to provide legal rep-  
15 resentation to borrowers.

16 “(2) The term ‘substantial misrepresentation’  
17 has the meaning given that term in section  
18 487(c)(3)(C).”.

19 (b) CONFORMING AMENDMENT.—Subsection (h) of  
20 section 455 of the Higher Education Act of 1965 (20  
21 U.S.C. 1087e) is repealed.

22 **SEC. 4633. ON-TIME REPAYMENT RATES.**

23 Part G of title IV of the Higher Education Act of  
24 1965 (20 U.S.C. 1088 et seq.), as amended by the pre-

1 ceding sections, is further amended by adding at the end  
2 the following:

3 **“SEC. 493I. ON-TIME REPAYMENT RATES.**

4 “(a) CALCULATION OF ON-TIME REPAYMENT  
5 RATES.—

6 “(1) ON-TIME REPAYMENT RATE DEFINED.—

7 “(A) IN GENERAL.—The term ‘on-time re-  
8 payment rate’ means for any fiscal year in  
9 which 30 or more current and former students  
10 at an institution have been in repayment for 3  
11 years on any covered loan received for attend-  
12 ance at the institution, the percentage of such  
13 current and former students who have paid at  
14 least 90 percent of the monthly payments on  
15 such loan during such 3-year repayment period.

16 “(B) SMALL COHORTS.—For any fiscal  
17 year in which fewer than 30 of an institution’s  
18 current and former students have been in re-  
19 payment for 3 years, the term ‘on-time repay-  
20 ment rate’ means the percentage of such cur-  
21 rent and former students who entered their 3rd  
22 year of repayment on any covered loan received  
23 for attendance at the institution in any of the  
24 3 most recent fiscal years and who have paid at

1           least 90 percent of the monthly payments on  
2           such loan during such 3-year repayment period.

3           “(2) ADDITIONAL REQUIREMENTS FOR RATE  
4           DETERMINATION.—

5                   “(A) MULTIPLE INSTITUTIONS.—In the  
6           case of a student who has attended and bor-  
7           rowed a covered loan for attendance at more  
8           than one institution, the student (and such stu-  
9           dent’s subsequent repayment or monthly pay-  
10          ment on such loan) is attributed to each institu-  
11          tion for attendance at which the student re-  
12          ceived such loan for which the student entered  
13          the 3rd year of repayment in the fiscal year for  
14          which the on-time repayment rate is being de-  
15          termined.

16                   “(B) TREATMENT OF CONSOLIDATION  
17          LOANS.—For purposes of determining whether  
18          a student is in repayment (or has paid a  
19          monthly payment) on a loan under section  
20          428C or a Federal Direct Consolidation Loan,  
21          only the portion of such loan that is used to  
22          repay a covered loan received for attendance at  
23          the institution whose on-time repayment rate is  
24          being determined shall be considered for pur-  
25          poses of such rate.

1           “(3) DETERMINATION OF WHEN MONTHLY PAY-  
2           MENT IS PAID.—For purposes of determining the  
3           on-time repayment rate of an institution, a student  
4           shall be considered to have paid a monthly payment  
5           on a covered loan if one of the following applies:

6                   “(A) The amount of such monthly pay-  
7                   ment has been paid not later than 30 days after  
8                   the date on which such monthly payment is  
9                   due, except that a monthly payment by the in-  
10                  stitution, such institution’s owner, agent, con-  
11                  tractor, employee, or any other entity or indi-  
12                  vidual affiliated with such institution made on  
13                  behalf of a student who is not employed by the  
14                  institution shall not be considered a paid  
15                  monthly payment on such loan.

16                   “(B) The monthly payment amount due on  
17                  such loan is equal to zero.

18                   “(C) The full amount due on the loan has  
19                  been repaid or the liability on the loan has been  
20                  otherwise discharged under this Act.

21                   “(D) The student is in a period of  
22                  deferment, other than—

23                           “(i) a deferment due to an economic  
24                           hardship                   described                   section

1 427(a)(2)(C)(iii), 428(b)(1)(M)(iv), or  
2 455(f)(2)(D); or

3 “(ii) a deferment due to unemploy-  
4 ment described in section 427(a)(2)(C)(ii),  
5 428(b)(1)(M)(ii), or 455(f)(2)(B)).

6 “(E) The student is in one of the following  
7 periods of forbearance (as applicable to loans  
8 made, insured, or guaranteed under part B or  
9 this title):

10 “(i) Medical or dental internship or  
11 residency forbearance under subclause (I)  
12 of section 428(c)(3)(A)(i).

13 “(ii) National service forbearance  
14 under subclause (III) of section  
15 428(c)(3)(A)(i).

16 “(iii) Forbearance for active duty  
17 service in the Armed Forces under sub-  
18 clause (IV) of section 428(c)(3)(A)(i).

19 “(iv) Forbearance for National Guard  
20 Duty under section 428(c)(3)(B).

21 “(v) Forbearance due to military mo-  
22 bilization or other local or national emer-  
23 gency as authorized by the Secretary under  
24 section 685.205(b)(8) of title 34, Code of  
25 Federal Regulations (as in effect on the

1 date of enactment of the College Afford-  
2 ability Act).

3 “(vi) Teacher loan forgiveness for-  
4 bearance under section 682.213(e) or  
5 685.205(a)(5) of title 34, Code of Federal  
6 Regulations (as in effect on the date of en-  
7 actment of the College Affordability Act).

8 “(4) PARTICIPATION RATE.—

9 “(A) IN GENERAL.—An institution that  
10 demonstrates to the Secretary that the institu-  
11 tion’s participation rate is equal to or less than  
12 20 percent for any of the 3 most recent fiscal  
13 years for which data is available shall not be  
14 subject to subsection (b).

15 “(B) DETERMINATION.—For purposes of  
16 this paragraph, the term ‘participation rate’  
17 means the percentage of the institution’s reg-  
18 ular students, enrolled on at least a half-time  
19 basis, who received a covered loan for a 12-  
20 month period ending during the 6 months im-  
21 mediately preceding the fiscal year for which  
22 the cohort of borrowers used to calculate the in-  
23 stitution’s on-time loan repayment rate is deter-  
24 mined.

1           “(C) DATA.—An institution shall provide  
2           the Secretary with sufficient data to determine  
3           the institution’s participation rate within 30  
4           days after receiving an initial notification of the  
5           institution’s draft on-time repayment rate.

6           “(D) NOTIFICATION.—Prior to publication  
7           of a final on-time repayment rate for an institu-  
8           tion that provides the data described in sub-  
9           paragraph (C), the Secretary shall notify the in-  
10          stitution of the institution’s compliance or non-  
11          compliance with subparagraph (A).

12          “(b) DETERMINATION OF ELIGIBILITY BASED ON  
13          REPAYMENT RATES AND INSTRUCTIONAL SPENDING  
14          AMOUNTS.—

15                 “(1) INELIGIBILITY.—

16                         “(A) IN GENERAL.—Except as provided in  
17                         subparagraphs (C) and (D), beginning on the  
18                         date that is one year after the date on which  
19                         the final on-time repayment rates are published  
20                         by the Secretary for not less than 3 fiscal years,  
21                         an institution shall not be eligible to participate  
22                         in a program under this title for the fiscal year  
23                         for which the determination under this subpara-  
24                         graph is made and for the two succeeding fiscal



1 years, if the Secretary determines the following  
2 with respect to such institution—

3 “(i) the on-time repayment rate of  
4 such institution is less than any threshold  
5 on-time repayment rate specified under  
6 subparagraph (B) for period determined  
7 appropriate by the Secretary for such  
8 threshold rate; and

9 “(ii) with respect to any of the 3 most  
10 recent institutional fiscal years for which  
11 the institution submits to the Secretary  
12 disclosures on the expenditures of the in-  
13 stitution on instruction for purposes of sec-  
14 tion 132(i)(1)(AA), the amount expended  
15 by such institution on instruction for such  
16 fiscal year is less than 1/3 of the institu-  
17 tion’s revenues derived from tuition and  
18 fees.

19 “(B) THRESHOLD RATES.—For purposes  
20 of determinations under subparagraph (A)(i),  
21 the Secretary shall specify 1 or more threshold  
22 on-time repayment rates, which rates—

23 “(i) shall require that a significant  
24 percentage of students who have been in  
25 repayment for 3 years on a covered loan

1 received for attendance at an institution of  
2 higher education have paid at least 90 per-  
3 cent of the monthly payments on such cov-  
4 ered loan during such 3-year repayment  
5 period; and

6 “(ii) may be applicable with respect to  
7 a period of 1 or more fiscal years, as deter-  
8 mined appropriate for such a rate.

9 “(C) EXCEPTIONS FOR CERTAIN CAT-  
10 EGORIES OF EDUCATIONAL PROGRAMS.—

11 “(i) EXCEPTIONS FOR CERTAIN CAT-  
12 EGORIES OF EDUCATIONAL PROGRAMS.—

13 With respect to an institution that loses  
14 eligibility to participate in a program  
15 under this title in accordance with para-  
16 graph (1), such institution may request  
17 and be granted an exception to such loss of  
18 eligibility for a category of educational pro-  
19 grams at such institution by demonstrating  
20 to the Secretary that the on-time loan re-  
21 payment rate for such category of edu-  
22 cational programs is greater than the  
23 threshold percentage specified under para-  
24 graph (1)(B) for each fiscal year of the pe-

1                   riod on which such loss of eligibility for the  
2                   institution is based.

3                   “(ii) DETERMINATIONS.—In deter-  
4                   mining the on-time loan repayment rate  
5                   for a category of educational programs,  
6                   subsection (a)(1) shall be applied—

7                   “(I) in subparagraph (A), by  
8                   substituting ‘received for enrollment  
9                   in the category of educational pro-  
10                  grams for which such rate is being de-  
11                  termined’ for ‘received for attendance  
12                  at the institution’; and

13                  “(II) as if the following were  
14                  added at the end of such paragraph:

15                  “(C) MULTIPLE CATEGORIES OF EDU-  
16                  CATIONAL PROGRAMS.—In the case of a student  
17                  who has received a covered loan for enrollment  
18                  in more than one category of educational pro-  
19                  grams, the student (and such student’s subse-  
20                  quent repayment or monthly payment on such  
21                  covered loan) is attributed to the last category  
22                  of educational programs in which such student  
23                  was enrolled.’.

24                  “(D) APPEALS.—Not later than 60 days of  
25                  receiving notification from the Secretary of the

1           loss of eligibility under subparagraph (A), the  
2           institution may appeal the loss of its eligibility  
3           under subsection (c).

4           “(2) REPAYMENT MANAGEMENT PLAN RE-  
5           QUIREMENT FOR CERTAIN INSTITUTIONS.—

6                   “(A) IN GENERAL.—Beginning on the date  
7           that is one year after the date on which the  
8           final on-time repayment rates are published by  
9           the Secretary for not less than 3 fiscal years,  
10          an institution shall be subject to the require-  
11          ments of subparagraph (B), if the Secretary de-  
12          termines the following with respect to such in-  
13          stitution—

14                   “(i) the on-time repayment rate of  
15           such institution is less than any threshold  
16           on-time repayment rate specified under  
17           paragraph (1)(B) for period determined  
18           appropriate by the Secretary for such  
19           threshold rate; and

20                   “(ii) for each of the 3 most recent in-  
21           stitutional fiscal years for which the insti-  
22           tution submits to the Secretary disclosures  
23           on the expenditures of the institution on  
24           instruction for purposes of section  
25           132(i)(1)(AA), the amount expended by

1 the institution for instructional spending is  
2 greater than or equal to an amount equal  
3 to 1/3 of the amount of revenue derived  
4 from tuition and fees.

5 “(B) REPAYMENT MANAGEMENT PLAN.—  
6 An institution subject to the requirements of  
7 this subparagraph, shall—

8 “(i) not later than 6 months after the  
9 determination under subparagraph (A),  
10 submit to the Secretary a repayment man-  
11 agement plan which the Secretary, in the  
12 Secretary’s discretion, after consideration  
13 of the institution’s history, resources, ex-  
14 penditures, and targets for improving on-  
15 time repayment, determines—

16 “(I) is acceptable and is in the  
17 best interests of students; and

18 “(II) provides reasonable assur-  
19 ance that the institution will have an  
20 on-time repayment rate that exceeds  
21 the on-time threshold referred to in  
22 subparagraph (A)(i) after a reason-  
23 able period;

24 “(ii) engage an independent third-  
25 party to provide technical assistance in im-

1           plementing such repayment management  
2           plan; and

3                   “(iii) provide to the Secretary, on an  
4           annual basis or at such other intervals as  
5           the Secretary may require, evidence of on-  
6           time repayment rate improvement and suc-  
7           cessful implementation of such repayment  
8           management plan.

9           “(c) APPEALS.—

10                   “(1) SECRETARIAL REQUIREMENTS.—The Sec-  
11           retary shall issue a decision on any appeal submitted  
12           by an institution under subsection (b)(1)(D) not  
13           later than 45 days after its submission. Such deci-  
14           sion may permit the institution to continue to par-  
15           ticipate in a program under this title if—

16                   “(A) the institution demonstrates to the  
17           satisfaction of the Secretary that the Sec-  
18           retary’s calculation of its on-time repayment  
19           rate is not accurate, and that recalculation  
20           would increase its on-time repayment rate above  
21           the applicable threshold percentage specified in  
22           subsection (b)(1)(B) for the period on which  
23           the determination of the institution’s ineligi-  
24           bility under subsection (b)(1)(A) was based;

1           “(B) the institution demonstrates to the  
2           satisfaction of the Secretary that there has been  
3           improper loan servicing, which, if remedied,  
4           would increase its on-time repayment rate above  
5           the applicable threshold percentage specified in  
6           subsection (b)(1)(B) for the period on which  
7           the determination of the institution’s ineligi-  
8           bility under subsection (b)(1)(A) was based;

9           “(C) there are, in the judgment of the Sec-  
10          retary, exceptional mitigating circumstances  
11          that would make the application of this section  
12          inequitable;

13          “(D) for each of the 3 most recent fiscal  
14          years for which the institution submits to the  
15          Secretary disclosures on expenditures for pur-  
16          poses of section 132(i)(1)(AA), the sum of the  
17          expenditures on instruction and student services  
18          of the institution is equal to an amount greater  
19          than or equal to 50 percent of the institution’s  
20          revenues derived from tuition and fees, and the  
21          institution complies with the requirements of  
22          subsection (b)(2)(B).

23          “(2) INSTITUTIONAL REQUIREMENTS.—If an  
24          institution continues to participate in a program  
25          under this title, and the institution’s appeal of the

1       loss of eligibility is unsuccessful, the institution shall  
2       be required to pay to the Secretary an amount equal  
3       to the amount of interest, special allowance, reinsur-  
4       ance, and any related payments made by the Sec-  
5       retary (or which the Secretary is obligated to make)  
6       with respect to covered loans to students attending,  
7       or planning to attend, that institution during the  
8       pendency of such appeal. During such appeal, the  
9       Secretary may permit the institution to continue to  
10      participate in a program under this title.

11      “(d) REGULATIONS.—The Secretary shall prescribe  
12      regulations designed to prevent an institution from evad-  
13      ing the application to that institution of a on-time repay-  
14      ment rate determination under this section through the  
15      use of such measures as branching, consolidation, change  
16      of ownership or control, or any similar device.

17      “(e) PUBLICATION.—The Secretary shall publish not  
18      less often than once every fiscal year (by September 30  
19      of each year) a report—

20              “(1) for each category of institution, and for  
21              each institution for which an on-time repayment rate  
22              is determined under this section—

23                      “(A) with respect to the preceding fiscal  
24                      year—



1           “(i) the on-time repayment rate for  
2           such institution;

3           “(ii) the on-time repayment rate for  
4           each category of educational programs;  
5           and

6           “(iii) the number of students on which  
7           the rates described in clauses (i) and (ii)  
8           are based; and

9           “(B) for each of the 3 most recent fiscal  
10          years for which the institution submits to the  
11          Secretary disclosures on expenditures for pur-  
12          poses of section 132(i)(1)(AA)—

13           “(i) the amount of the institution’s  
14           expenditures on instruction;

15           “(ii) the amount of revenue derived  
16           from tuition and fees by the institution;  
17           and

18           “(iii) the quotient of the amount de-  
19           scribed in clause (i) divided by the amount  
20           described in clause (ii), expressed as a per-  
21           centage; and

22          “(2) each on-time repayment rate used for cal-  
23          culating each of the threshold rates under subsection  
24          (b)(1)(B) for the period determined appropriate by

1 the Secretary for such threshold rate under such  
2 subsection.

3 “(f) DEFINITIONS.—In this section:

4 “(1) CATEGORY OF EDUCATIONAL PRO-  
5 GRAMS.—The term ‘category of educational pro-  
6 grams’ has the meaning given the term in section  
7 435(a)(9)(E).

8 “(2) CATEGORY OF INSTITUTION.—The term  
9 ‘category of institution’ includes—

10 “(A) four-year public institutions;

11 “(B) four-year private nonprofit institu-  
12 tions;

13 “(C) four-year proprietary institutions;

14 “(D) two-year public institutions;

15 “(E) two-year private nonprofit institu-  
16 tions;

17 “(F) two-year proprietary institutions;

18 “(G) less-than-two year public institutions;

19 “(H) less-than-two year private nonprofit  
20 institutions; and

21 “(I) less-than-two year proprietary institu-  
22 tions.

23 “(3) COVERED LOAN.—

24 “(A) IN GENERAL.—The term ‘covered  
25 loan’ means a loan made, insured, or guaran-

1           teed under part B or D (other than an excepted  
2           PLUS Loan or an excepted consolidation  
3           Loan).

4           “(B) EXCEPTED PLUS LOAN; EXCEPTED  
5           CONSOLIDATION LOAN.—The terms ‘excepted  
6           PLUS Loan’ and ‘excepted consolidation Loan’  
7           have the meanings given such terms in section  
8           493C(a).

9           “(4) STUDENT SERVICES.—The term ‘student  
10          services’ has the meaning given the term in section  
11          498E(a)(2).”.

## 12                           **PART H—PROGRAM INTEGRITY**

### 13                                   **Subpart 1—State Role**

#### 14   **SEC. 4701. STATE RESPONSIBILITIES.**

15          Section 495(a) of the Higher Education Act of 1965  
16   (20 U.S.C. 1099a(a)) is amended—

17           (1) in paragraph (2)—

18                   (A) by inserting “and the accrediting agen-  
19                   cy or association involved” after “Secretary”;

20                   (B) by striking “revokes a license” and in-  
21                   serting “takes a negative action, or revokes a li-  
22                   cense,”; and

23                   (C) by striking “and” at the end;

24           (2) in paragraph (3), by striking the period at  
25          the end and inserting a semicolon; and

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

2           “(4) evaluate each institution of higher edu-  
3           cation located in the State or seeking authorization  
4           to operate in the State to determine if such institu-  
5           tion of higher education meets the applicable stand-  
6           ards of the State relating to—

7                   “(A) facilities, equipment, and supplies;  
8                   and

9                   “(B) measures of program length and  
10                  other factors relevant for a student or graduate  
11                  to receive a professional license from the State;

12           “(5) certify to the Secretary that the State  
13           shall—

14                   “(A) accept student complaints from—

15                           “(i) all students attending an institu-  
16                           tion of higher education located in the  
17                           State; and

18                           “(ii) all students who are residents of  
19                           the State and attend an institution of  
20                           higher education not located in the State  
21                           through correspondence or distance edu-  
22                           cation; and

23                   “(B) report to the Secretary and accred-  
24                   iting bodies—

1                   “(i) relevant student complaints re-  
2                   ceived by the State, including multiple stu-  
3                   dent complaints that present consistent al-  
4                   legations with respect to an institution of  
5                   higher education in the State; and

6                   “(ii) such other complaints the Sec-  
7                   retary determines necessary; and

8                   “(6) establish policies and procedures to antici-  
9                   pate and respond to the closure of an institution of  
10                  higher education, which shall include—

11                  “(A) the maintenance of sufficient cash re-  
12                  serves (or an equivalent alternative) in accord-  
13                  ance with regulations issued pursuant to section  
14                  498(c)(6)(A) to ensure repayment of any re-  
15                  quired refunds;

16                  “(B) a plan to address ensuring custodial  
17                  record-keeping of institutional records and stu-  
18                  dent transcripts in the case of such a closure;

19                  “(C) the maintenance of contact informa-  
20                  tion adequate to ensure communication directly  
21                  between the State and each student in the case  
22                  of such a closure; and

23                  “(D) in the case of an institution of higher  
24                  education located in the State, to develop a

1 process to identify when a campus of such insti-  
2 tution of higher education closes in any State.”.

3 **Subpart A—Accrediting Agency Recognition**

4 **SEC. 4711. ACCREDITING AGENCY RECOGNITION OF ELIGI-**  
5 **BLE JOB TRAINING PROGRAMS.**

6 Section 496(a)(4) of the Higher Education Act of  
7 1965 (20 U.S.C. 1099b(a)(4)) is amended—

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

10 (2) in subparagraph (B)(ii), by inserting “and”  
11 after the semicolon; and

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

13 “(C) if such agency or association has or  
14 seeks to include within its scope of recognition  
15 the evaluation of the quality of institutions of  
16 higher education participating in the job train-  
17 ing Federal Pell Grant program under section  
18 401(k), such agency or association shall, in ad-  
19 dition to meeting the other requirements of this  
20 subpart, demonstrate to the Secretary that,  
21 with respect to such eligible job training pro-  
22 gram—

23 “(i) the agency or association’s stand-  
24 ards include a process for determining if  
25 the institution has the capability to effec-

1                   tively provide an eligible job training pro-  
2                   gram; and

3                   “(ii) the agency or association re-  
4                   quires a demonstration that the program—

5                   “(I) has identified each recog-  
6                   nized postsecondary credential offered  
7                   and the corresponding industry or sec-  
8                   tor partnership that actively recog-  
9                   nizes each credential in the State or  
10                  local area in which the job training  
11                  program is provided; and

12                  “(II) provides the academic con-  
13                  tent and amount of instructional time  
14                  that is sufficient to—

15                  “(aa) meet the hiring re-  
16                  quirements of potential employ-  
17                  ers; and

18                  “(bb) satisfy any applicable  
19                  educational prerequisite require-  
20                  ment for professional license or  
21                  certification, so that a student  
22                  who completes the program and  
23                  seeks employment is qualified to  
24                  take any licensure or certification  
25                  examination needed to practice or

1 find employment in such sectors  
2 or occupations.”.

3 **SEC. 4712. ACCREDITING AGENCY RECOGNITION OF INSTI-**  
4 **TUTIONS ENROLLING INCARCERATED INDI-**  
5 **VIDUALS.**

6 Section 496(a)(4) of the Higher Education Act of  
7 1965 (20 U.S.C. 1099b(a)(4)) is further amended by add-  
8 ing at the end the following:

9 “(D) if such agency or association accred-  
10 its or seeks to accredit institutions of higher  
11 education that seek to award Federal Pell  
12 Grants under section 401(n) to incarcerated in-  
13 dividuals for a course of study at such institu-  
14 tion, such agency or association shall, in addi-  
15 tion to meeting the other requirements of this  
16 subpart, demonstrate to the Secretary that—

17 “(i) the agency or association’s stand-  
18 ards include a process for determining if  
19 the institution has the capability to effec-  
20 tively offer such a course of study to incar-  
21 cerated individuals; and

22 “(ii) the agency or association re-  
23 quires a demonstration that—

24 “(I) such course of study is  
25 taught by faculty with experience and



1 credentials comparable to the experi-  
2 ence and credentials of faculty who  
3 teach courses of study available to  
4 non-incarcerated students enrolled at  
5 the institution;

6 “(II) academic credits earned by  
7 incarcerated individuals for comple-  
8 tion of a course of study are treated  
9 by the institution as the equivalent to  
10 credits earned by non-incarcerated  
11 students for an equivalent course;

12 “(III) the institution provides  
13 sufficient educational content and re-  
14 sources to students enrolled in such a  
15 course of study that are, to the extent  
16 practicable, consistent with the edu-  
17 cational content and resources avail-  
18 able to non-incarcerated students; and

19 “(IV) the institution has the ca-  
20 pacity, staffing, and expertise to pro-  
21 vide incarcerated individuals with the  
22 support and advising services nec-  
23 essary to select and successfully par-  
24 ticipate in such a course of study and,  
25 to the extent practicable, with support

1                   upon reentry (including career and  
2                   academic advising);”.

3 **SEC. 4713. REQUIREMENTS FOR ACCREDITING AGENCY**  
4                   **RECOGNITION.**

5           (a) TECHNICAL REVIEW PANEL; RULEMAKING.—

6                   (1) TECHNICAL REVIEW PANEL.—

7                           (A) IN GENERAL.—Not later than 1 year  
8                   after the date of enactment of the Act, the Sec-  
9                   retary of Education shall establish a technical  
10                   review panel comprised of individuals specified  
11                   in subparagraph (B), to establish a list of  
12                   measures (and a definition for each such meas-  
13                   ure)—

14                           (i) that, for purposes of section  
15                   496(a)(5)(A) of the Higher Education Act  
16                   of 1965 (20 U.S.C. 1099b(a)(5)(A))—

17                                   (I) accrediting agencies or asso-  
18                   ciations shall use to assess each of the  
19                   outcomes described in subparagraph  
20                   (C); and

21                                   (II) provides accrediting agencies  
22                   or associations with enough flexibility  
23                   for adequate assessment of such out-  
24                   comes;

1 (ii) that may include measures (and  
2 definitions for such measures) set forth  
3 under the Integrated Postsecondary Edu-  
4 cation Data Survey, the postsecondary  
5 data system established under section  
6 132(l), or a successor system;

7 (iii) to which future technical review  
8 panels which meet the requirements of this  
9 paragraph may add additional measures;  
10 and

11 (iv) that the Secretary of Education  
12 shall not have the authority to approve.

13 (B) COMPOSITION.—The technical review  
14 panel established under subparagraph (A) shall  
15 be of sufficient size to ensure that a full range  
16 of relevant accrediting agencies and institutions  
17 are represented on the panel and shall include,  
18 at a minimum, the following members:

19 (i) Representatives of national, re-  
20 gional, and specialized accrediting agencies  
21 and associations that shall be nominated  
22 for inclusion on the panel by such rep-  
23 resentatives.

24 (ii) Representatives of diverse postsec-  
25 ondary institutions, which shall include

1 representation between 2-year and 4-year  
2 institutions of higher education, and from  
3 public, nonprofit, and proprietary institu-  
4 tions of higher education, including minor-  
5 ity-serving institutions.

6 (iii) The Commissioner of the Na-  
7 tional Center for Education Statistics or  
8 the Commissioner's representative.

9 (iv) Student advocate representatives  
10 familiar with the accreditation process.

11 (C) OUTCOMES.—The outcomes described  
12 in this subparagraph are as follows:

13 (i) Completion (which may include  
14 measures such as graduation rates and  
15 rates of transfer).

16 (ii) Progress toward completion  
17 (which may include measures such as re-  
18 tention rates and credit accumulation).

19 (iii) Workforce participation (which  
20 may include measures such as rates of li-  
21 censure and job placement).

22 (2) RULEMAKING.—Not later than 1 year after  
23 the date of enactment of this Act, the Secretary of  
24 Education shall initiate a negotiated rule-making—

1 (A) to develop procedures for identifying  
2 the representative member institutions an ac-  
3 crediting agency or association shall use to  
4 demonstrate to the Secretary, for purposes of  
5 the Secretary's review and evaluation of the  
6 performance of such agency or association  
7 under section 496(n)(1) of the Higher Edu-  
8 cation Act of 1965 (20 U.S.C. 1099b(n)(1)), as  
9 amended by this section, that such accrediting  
10 agency or association—

11 (i) consistently applies and enforces  
12 standards; and

13 (ii) effectively evaluates the quality of  
14 education or training offered by the insti-  
15 tutions of higher education accredited by  
16 such agency or association; and

17 (B) for purposes of section 496 of the  
18 Higher Education Act of 1965 (20 U.S.C.  
19 1099b), as amended by this section, to—

20 (i) establish definitions for the terms  
21 related to sanctions, adverse actions, and  
22 any other action that an accrediting agen-  
23 cy or association may take with respect to  
24 an institution of higher education under  
25 such section (including monitoring, notice,

1 warning, probation, show cause, denial,  
2 withdrawal, suspension, revocation, accred-  
3 itation, and preaccreditation); and

4 (ii) in a case in which any action de-  
5 fined in clause (i) is taken by an accred-  
6 iting agency or association with respect to  
7 an institution of higher education, estab-  
8 lish notice and disclosure requirements for  
9 such agency or association and institution  
10 of higher education with respect to the  
11 public (including students), as long as such  
12 requirements are consistent with the re-  
13 quirements of subsections (a)(7) and (c)(7)  
14 of section 496 of the Higher Education  
15 Act of 1965 (20 U.S.C. 1099b).

16 (b) AMENDMENTS.—Section 496 of the Higher Edu-  
17 cation Act of 1965 (20 U.S.C. 1099b) is further amend-  
18 ed—

19 (1) in subsection (a)—

20 (A) in paragraph (3)(A), by inserting be-  
21 fore the semicolon at the end the following: “,  
22 and any institution described in clauses (i)  
23 through (v) of subsection (b)(1)(B)”;

1 (B) in paragraph (5), by striking subpara-  
2 graphs (A) through (J) and inserting the fol-  
3 lowing:

4 “(A) success with respect to student  
5 achievement in relation to the institution’s mis-  
6 sion (except that the agencies and associations  
7 described in paragraph (2)(A)(ii) shall not be  
8 subject to this subparagraph), which—

9 “(i) shall be assessed using at least 1  
10 measure selected by the agency or associa-  
11 tion from the list of measures established  
12 and defined under section 4713(a)(1) of  
13 the College Affordability Act for each of  
14 the following outcomes—

15 “(I) completion;

16 “(II) progress toward completion;

17 and

18 “(III) workforce participation;

19 “(ii) may be assessed using different  
20 measures selected under clause (i) for dif-  
21 ferent institutions;

22 “(iii) for each measure selected under  
23 clause (i), shall be assessed using a single  
24 performance benchmark established by the  
25 agency or association, except that an ac-

1 crediting agency or association may estab-  
2 lish a different performance benchmark for  
3 such a measure for each category of edu-  
4 cational programs (as defined in section  
5 435(a)(9)(E)); and

6 “(iv) in the case of an institution de-  
7 fined in section 101(a), may include con-  
8 sideration of—

9 “(I) the historical significance of  
10 the institution; and

11 “(II) whether the institution is  
12 one of the only physical locations at  
13 which postsecondary education is pro-  
14 vided in the geographic area;

15 “(B) student achievement outcomes,  
16 disaggregated by the elements required in the  
17 postsecondary student data system under sub-  
18 clauses (I) through (XV) of section  
19 132(l)(2)(C)(ii) to facilitate institutional im-  
20 provement and yield statistically reliable infor-  
21 mation that does not reveal personally identifi-  
22 able information about an individual student;

23 “(C) credentials, including consideration of  
24 the non-monetary value accruing to students  
25 pursuing such credentials;



1 “(D) curricula, including—

2 “(i) other than for the agencies and  
3 associations described in paragraph  
4 (2)(A)(ii), program length;

5 “(ii) course sequencing; and

6 “(iii) objectives related to  
7 credentialing;

8 “(E) faculty;

9 “(F) student support services;

10 “(G) recruiting and admissions practices,  
11 academic calendars, catalogues, publications,  
12 and grading; and

13 “(H) fiscal and administrative capacity  
14 (which shall include the institution’s govern-  
15 ance) as appropriate to the specified scale of  
16 operations;”;

17 (C) by redesignating paragraphs (6)  
18 through (8) as paragraphs (7) through (9), re-  
19 spectively; and

20 (D) by inserting after paragraph (5) the  
21 following:

22 “(6) such agency or association shall make  
23 available on a publicly accessible website, up-to-date  
24 information on—

1           “(A) the institutions that are subject to  
2 the jurisdiction of such agency or association;

3           “(B) the performance benchmark estab-  
4 lished for each measure selected by the agency  
5 or association under paragraph (5)(A), the ra-  
6 tionale for the establishment of such perform-  
7 ance benchmark, and how such benchmarks are  
8 factored into the accreditation process;

9           “(C) the process such agency or associa-  
10 tion follows when an institution subject to the  
11 jurisdiction of such agency or association does  
12 not meet an accreditation standard under sec-  
13 tion 496(a)(5);

14           “(D) any sanction or adverse action taken  
15 with respect to an institution and the reason for  
16 such sanction or adverse action; and”;

17           (E) in paragraph (8), as so redesignated,  
18 by striking “30 days” and inserting “10 days”;

19           (F) amend paragraph (9), as so redesign-  
20 ated, to read as follows:

21           “(9) such agency or association shall—

22           “(A) make available on its public website,  
23 and to the Secretary, and the State licensing or  
24 authorizing agency, a summary (including the  
25 decision and rationale for such decision) of any

1 review resulting in a final accrediting decision  
2 involving denial, termination, or suspension of  
3 accreditation, together with the comments of  
4 the affected institution; and

5 “(B) ensure that each institution that is  
6 the subject of a final accrediting decision de-  
7 scribed in subparagraph (A) makes available on  
8 its public website the summary described in  
9 subparagraph (A) (including the decision and  
10 rationale for such decision) with respect to such  
11 institution and the institution’s comments;  
12 and”.

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

14 “(10) such agency or association shall—

15 “(A) ensure that any substantive change to  
16 the educational mission or a program of an in-  
17 stitution after the agency or association has ac-  
18 credited or preaccredited the institution does  
19 not adversely affect the capacity of the institu-  
20 tion to continue to meet the standards of such  
21 agency or association;

22 “(B) require such an institution to obtain  
23 the approval of such agency or association with  
24 respect to such substantive change before the  
25 agency or association includes the change in the

1 scope of accreditation or preaccreditation pre-  
2 viously granted to the institution by such agen-  
3 cy or association; and

4 “(C) make public and report to the Sec-  
5 retary any decision made under subparagraph  
6 (B) and the rationale of such decision.”;

7 (2) by striking subsection (b) and inserting the  
8 following:

9 “(b) SEPARATE AND INDEPENDENT DEFINED.—For  
10 the purpose of subsection (a)(3), the term ‘separate and  
11 independent’ means that—

12 “(1) the members of the postsecondary edu-  
13 cation governing body and any other decision-mak-  
14 ing body of the accrediting agency or association are  
15 not—

16 “(A) elected or selected by the board or  
17 chief executive officer of any related, associated,  
18 or affiliated trade association or membership  
19 organization; or

20 “(B) individuals (such as executives and  
21 owners of an institution) who exercise substan-  
22 tial control over an institution—

23 “(i) that is required to provide the  
24 Secretary with satisfactory evidence of its  
25 financial responsibility in accordance with

1 paragraph (3)(A) of section 498(c) because  
2 the institution fails to meet criteria under  
3 paragraphs (1) and (2) of such section, ex-  
4 cept that this clause shall not be applicable  
5 to an institution until the Secretary has  
6 completed the rulemaking required under  
7 section 4721(b) of the College Affordability  
8 Act;

9 “(ii) that is on a reimbursement pay-  
10 ment method pursuant to section  
11 487(e)(1)(B);

12 “(iii) against which the Secretary is  
13 initiating or carrying out an emergency ac-  
14 tion in accordance with section  
15 487(e)(1)(G);

16 “(iv) against which the Secretary is  
17 limiting, suspending, or terminating the in-  
18 stitution’s participation in any program  
19 under this title in accordance with section  
20 487(e)(1)(F); or

21 “(v) that is on probation or show  
22 cause, or that is not accredited by an ac-  
23 crediting agency or association;

24 “(2) among the membership of the board of the  
25 accrediting agency or association there shall be 1

1 public member for each 4 members of the board,  
2 with a minimum of 1 such public member, and  
3 guidelines are established for such members to avoid  
4 conflicts of interest, including guidelines ensuring  
5 that each such public member—

6 “(A) is selected to serve on such board in  
7 the same manner that other board members are  
8 selected for such service;

9 “(B) has not served on such board as a  
10 non-public member in the preceding 10 years;

11 “(C) is not (or has not been in the pre-  
12 ceding 5-year period) a full-time employee of, or  
13 a member of the governing board, an owner, or  
14 shareholder of, or consultant to, an institution  
15 or program that—

16 “(i) is accredited or preaccredited by  
17 the agency or association; or

18 “(ii) has applied for accreditation or  
19 preaccreditation from such agency or asso-  
20 ciation;

21 “(D) is not a member of any trade associa-  
22 tion or membership organization related to, af-  
23 filiated with, or associated with the agency or  
24 association or an institution that is accredited  
25 by such agency or association; and

1           “(E) is not a spouse, parent, child, or sib-  
2           ling of an individual identified in subparagraph  
3           (C) or (D);

4           “(3) dues to the accrediting agency or associa-  
5           tion are paid separately from any dues paid to any  
6           related, associated, or affiliated trade association or  
7           membership organization; and

8           “(4) the budget of the accrediting agency or as-  
9           sociation is developed and determined by the accred-  
10          iting agency or association without review or resort  
11          to consultation with any other entity or organiza-  
12          tion.”;

13          (3) in subsection (c)—

14                 (A) in paragraph (1), strike “those regard-  
15                 ing distance education” and inserting “regard-  
16                 ing distance education and the history and mis-  
17                 sion of the institutions reviewed”;

18                 (B) in paragraph (2)—

19                         (i) by inserting “and decline” after  
20                         “the growth”; and

21                         (ii) by inserting before the semicolon  
22                         at the end the following: “or decline”; and

23                 (C) by amending paragraph (3) to read as  
24                 follows:

1           “(3) requires an institution to submit for ap-  
2           proval to the accrediting agency or association a  
3           teach-out plan (as defined in section 487(f)(2)) and  
4           which shall meet the requirements of such agency or  
5           association) upon the occurrence of any of the fol-  
6           lowing events:

7                   “(A) the Secretary notifies the agency or  
8                   association that the Secretary has determined  
9                   under section 498(c) that the institution does  
10                  not have the financial responsibility required by  
11                  this title, except that this subparagraph shall  
12                  not be applicable to an institution until the Sec-  
13                  retary has completed the rulemaking required  
14                  under section 4721(b) of the College Afford-  
15                  ability Act;

16                   “(B) the Secretary notifies the agency of a  
17                   determination by the institution’s independent  
18                   auditor expressing doubt with the institution’s  
19                   ability to operate as a going concern or indi-  
20                   cating an adverse opinion or finding of material  
21                   weakness related to financial stability, except  
22                   that this subparagraph shall not apply with re-  
23                   spect to a public institution;



1           “(C) the agency or association acts to  
2           place an institution on probation, show cause,  
3           or equivalent status; or

4           “(D) the Secretary notifies the agency that  
5           the institution is participating in title IV under  
6           a provisional program participation agree-  
7           ment;”;

8           (D) by amending paragraph (6) to read as  
9           follows:

10          “(6) requires that teach-out agreements among  
11          institutions are subject to approval by the accred-  
12          iting agency or association consistent with standards  
13          promulgated by such agency or association, and that  
14          such an agreement shall be required and subject to  
15          such approval upon the occurrence of any of the fol-  
16          lowing events:

17                 “(A) the Secretary notifies the agency or  
18                 association that—

19                         “(i) the Secretary has placed the in-  
20                         stitution on the reimbursement payment  
21                         method pursuant to section 487(c)(1)(B);  
22                         and

23                         “(ii) the institution fails to meet cri-  
24                         teria prescribed by the Secretary regarding

1 ratios that demonstrate financial responsi-  
2 bility as described in section 498(c)(2);

3 “(B) the Secretary notifies the accrediting  
4 agency or association that the Secretary has  
5 initiated—

6 “(i) an emergency action against the  
7 institution pursuant to section  
8 487(c)(1)(G); or

9 “(ii) an action under section  
10 487(c)(1)(F) to limit, suspend, or termi-  
11 nate the participation of the institution in  
12 any program under this title;

13 “(C) the accrediting agency or association  
14 acts to withdraw, terminate, or suspend the ac-  
15 creditation of the institution;

16 “(D) the institution notifies the accrediting  
17 agency or association that the institution in-  
18 tends to cease operations;

19 “(E) the institution notifies the accrediting  
20 agency or association that the institution in-  
21 tends to close a location that provides one hun-  
22 dred percent of at least one program; or

23 “(F) pursuant to section 495, the State  
24 notifies the accrediting agency or association  
25 that an institution’s license or legal authoriza-

1           tion to operate within the State has been or will  
2           be revoked;”;

3           (E) in paragraph (7), by inserting “not  
4           later than 10 days after taking an action de-  
5           scribed in this paragraph,” before “makes avail-  
6           able”;

7           (F) in paragraph (9), by striking the pe-  
8           riod at the end and inserting “; and”; and

9           (G) by adding at the end the following:

10          “(10) responds to complaints received with re-  
11          spect to an institution during the period which the  
12          accrediting agency or association accredits such in-  
13          stitution not later than 30 days after receiving the  
14          complaint (including complaints shared with the  
15          agency or association by the Secretary or a State  
16          agency under section 495), monitors and assesses an  
17          institution’s record of student complaints during  
18          such period, and submits the complaints relevant to  
19          the Secretary and to the State agency involved.”;

20          (4) in subsection (m), by adding at the end the  
21          following: “Nothing in this section shall prohibit the  
22          Secretary from implementing a process of recogni-  
23          tion under this section which differs for the accred-  
24          iting agencies or associations described in subsection  
25          (a)(2)(A)(ii) for the purposes of participation in pro-

1       grams (other than the programs under this Act) ad-  
2       ministered by the Department or other Federal  
3       agencies if such differentiation would be beneficial to  
4       taxpayers and the performance of such agencies or  
5       associations.”; and

6               (5) in subsection (n)—

7                       (A) in paragraph (1)—

8                               (i) in the second sentence of the mat-  
9                               ter preceding subparagraph (A), by insert-  
10                              ing before the period the following: “,  
11                              which shall include information on at least  
12                              one institution of higher education rep-  
13                              resenting each of the sectors (including  
14                              public, nonprofit, and proprietary) of the  
15                              representative member institutions”; and

16                             (ii) in subparagraph (A), by inserting  
17                             before the semicolon the following: “, and  
18                             for purposes of facilitating such third-party  
19                             information, the Secretary shall make pub-  
20                             licly available the application of the accred-  
21                             iting agency or association seeking recogni-  
22                             tion by the Secretary upon publishing in  
23                             the Federal Register the solicitation for  
24                             such third-party information”; and

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

1           “(5) In the case in which an official of the De-  
2           partment (other than the Secretary) makes a deci-  
3           sion on the recognition of an accrediting agency or  
4           association that differs from the recommendation  
5           made by the National Advisory Committee on Insti-  
6           tutional Quality and Integrity on such recognition,  
7           without regard to whether any appeals process with  
8           respect to such decision has been concluded, the offi-  
9           cial shall submit to the authorizing committees the  
10          rationale and evidence for such decision.

11          “(6) During the first 90-day period of each fis-  
12          cal year, the Secretary shall submit to the author-  
13          izing committees the following information with re-  
14          spect to the preceding fiscal year—

15                 “(A) information about each accrediting  
16                 agency that the Secretary reviews and evaluates  
17                 under this subsection;

18                 “(B) the recommendation of the National  
19                 Advisory Committee on Institutional Quality  
20                 and Integrity about whether to recognize such  
21                 accrediting agency or association and the ra-  
22                 tionale for such recommendation;

23                 “(C) in the case in which an official of the  
24                 Department (other than the Secretary) makes a  
25                 decision on the recognition of such accrediting

1 agency or association (without regard to wheth-  
2 er any appeals process with respect to such de-  
3 cision has been concluded), such decision and  
4 the rationale for such decision; and

5 “(D) the final decision of the Secretary on  
6 the recognition of such accrediting agency or  
7 association and the rationale for such final deci-  
8 sion.”; and

9 (6) by adding at the end the following:

10 “(r) EVALUATION OF QUALITY AND ACHIEVEMENT  
11 MEASURES.—

12 “(1) IN GENERAL.—The Secretary shall direct  
13 the National Advisory Committee on Institutional  
14 Quality and Integrity to—

15 “(A) regularly evaluate the effectiveness of  
16 the measures selected and the performance  
17 benchmarks established by accrediting agencies  
18 and associations under subsection (a)(5)(A);  
19 and

20 “(B) compare similarly situated accrediting  
21 agencies or associations, whose similarity may  
22 not be determined solely by the educational sec-  
23 tor to which the institutions being evaluated be-  
24 long, based on the measures and performance

1 benchmarks used in subsection (a)(5)(A) by  
2 such agencies and associations.

3 “(2) REVISING PERFORMANCE BENCHMARKS.—

4 The Secretary may require an accrediting agency or  
5 association to review and revise a performance  
6 benchmark established by such agency or association  
7 if the Secretary determines that such performance  
8 benchmark is too low for the measure for which such  
9 benchmark is established.

10 “(s) REPORT ON RECOGNIZED INSTITUTIONAL

11 ACCREDITORS REQUIRED.—Not later than 180 days after

12 the date of the enactment of the College Affordability Act,

13 and annually thereafter, the Secretary shall publish a re-

14 port that includes with respect to each accrediting agency

15 or association recognized under this section by the Sec-

16 retary, the following:

17 “(1) The number of institutions of higher edu-

18 cation evaluated by such accrediting agency or asso-

19 ciation in each educational sector.

20 “(2) The number of locations of such institu-

21 tions of higher education.

22 “(3) The number of students enrolled at such

23 institutions of higher education.

1           “(4) The number of students receiving a Fed-  
2           eral Pell Grant at such institutions of higher edu-  
3           cation in the preceding year.

4           “(5) The total amount of Federal student aid  
5           received by students enrolled at such institutions of  
6           higher education in the preceding year.

7           “(6) The graduation rates of such institutions  
8           of higher education.

9           “(7) The median earnings of students 10 years  
10          after enrollment.

11          “(8) The number of institutions placed on a re-  
12          imbursement payment method pursuant to section  
13          487(c)(1)(B).”.

14                   **Subpart B—Program Review and Data**

15   **SEC. 4721. ELIGIBILITY AND CERTIFICATION PROCEDURES.**

16          (a) FINANCIAL RESPONSIBILITY STANDARDS.—Sec-  
17          tion 498 of the Higher Education Act of 1965 (20 U.S.C.  
18          1099c) is amended—

19                  (1) in subsection (b)—

20                          (A) in paragraph (4), by striking “and” at  
21                          the end;

22                          (B) in paragraph (5), by striking the pe-  
23                          riod at the end and inserting “; and”; and

24                          (C) by adding at the end the following:



1           “(6) includes an addendum under which an in-  
2           stitution of higher education shall report a change in  
3           circumstances described in subparagraph (A)(ii) or  
4           clauses (ii) or (iii) of subparagraph (B) of subsection  
5           (c)(8), not later than 30 days after the date on  
6           which such change in circumstance occurs.”;

7           (2) in subsection (c)—

8           (A) in paragraph (1)—

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

11           (ii) in subparagraph (C), by striking  
12           the period at the end and inserting “; and”  
13           ; and

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

16           “(D) the institution is not an institution  
17           described in paragraph (7)(B).”; and

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

19           “(7) PROHIBITED FINANCIAL RESPONSIBILITY DE-  
20           TERMINATIONS.—

21           “(A) IN GENERAL.—The Secretary may not de-  
22           termine that an institution has the financial respon-  
23           sibility required by this title if such institution is an  
24           institution described in subparagraph (B).

1           “(B) SPECIFIED INSTITUTION.—An institution  
2 described in this subparagraph is—

3           “(i) a private non-profit institution of  
4 higher education or a proprietary institution of  
5 higher education (as defined in section 102(b))  
6 that—

7           “(I) is required by the accrediting  
8 agency of such institution to submit a  
9 teach-out plan under section 487(f);

10           “(II) with respect to the preceding 2  
11 fiscal years, has an adjusted cohort default  
12 rate (as determined under section 435(m))  
13 of 20 percent or greater, unless the institu-  
14 tion files a challenge, request for adjust-  
15 ment, or appeal under section 435(a) with  
16 respect to such rates for one or both of  
17 such fiscal years;

18           “(III) is subject to a number of pend-  
19 ing or approved borrower relief claims  
20 under section 493H from borrowers that  
21 equals or exceeds, with respect to the prior  
22 academic year, half of the enrollment of  
23 full-time equivalent students at such insti-  
24 tution;

1           “(ii) a proprietary institution of higher  
2 education (as defined in section 102(b)) that—

3                   “(I) is publicly traded; and

4                   “(II)(aa) is sanctioned by the Securi-  
5 ties and Exchange Commission;

6                   “(bb) fails to file a required an-  
7 nual or quarterly report with the Se-  
8 curities and Exchange Commission; or

9                   “(cc) the stock of which is  
10 delisted; or

11           “(iii) a proprietary institution of higher  
12 education (as defined in section 102(b))—

13                   “(I) that derived, in the most recent  
14 award year, more than 85 percent of the  
15 revenue of the institution from Federal  
16 education assistance funds; or

17                   “(II) from which shareholder equity is  
18 reduced by over 10 percent of the value of  
19 the title IV revenues received by such pro-  
20 prietary institution of higher education in  
21 the prior academic year.

22           “(8) CHANGE IN CIRCUMSTANCES.—

23                   “(A) REQUIRED REDETERMINATION.—

24                   “(i) IN GENERAL.—In the case of a private  
25 non-profit institution of higher education or a

1           proprietary institution of higher education (as  
2           defined in section 102(b)) that submits an ad-  
3           dendum described in clause (ii) or (iii) to the  
4           Secretary, the Secretary shall, not later than 30  
5           days after such addendum is submitted, rede-  
6           termine whether such institution meets the re-  
7           quirements of this subsection.

8           “(ii) SPECIFIED CIRCUMSTANCES.—An in-  
9           stitution of higher education shall submit an  
10          addendum under subsection (b)(6) if, with re-  
11          spect to such institution of higher education,  
12          one of the following occurs:

13               “(I) The institution is required to pay  
14               any material debt, as determined by the  
15               Secretary, or incur any material liability,  
16               as determined by the Secretary, arising  
17               from a final judgment in a judicial pro-  
18               ceeding, an administrative proceeding or  
19               determination, or settlement.

20               “(II) The institution is involved in a  
21               lawsuit that is brought on or after the date  
22               of the enactment of College Affordability  
23               Act by a Federal or State authority for fi-  
24               nancial relief on claims related to the mak-  
25               ing of loans under part D of title IV.

1                   “(III) Such other circumstance the  
2                   Secretary determines necessary.

3                   “(iii) GAINFUL EMPLOYMENT DETERMINA-  
4                   TION BY SECRETARY.—An institution of higher  
5                   education shall submit an addendum under sub-  
6                   section (b)(6) if the Secretary makes a deter-  
7                   mination that such institution has programs  
8                   that could become ineligible under gainful em-  
9                   ployment (as defined in section 104) in the next  
10                  award year.

11                  “(B) PERMISSIBLE REDETERMINATION.—

12                  “(i) REDETERMINATION.—In the case of  
13                  an institution that submits an addendum under  
14                  clause (ii), the Secretary may, not later than 30  
15                  days after such addendum is submitted, rede-  
16                  termine whether such institution meets the re-  
17                  quirements of this subsection.

18                  “(ii) SPECIFIED CIRCUMSTANCES.—The  
19                  Secretary shall require an institution to submit  
20                  an addendum under subsection (b)(6) if the  
21                  Secretary makes a determination—

22                  “(I) that the Secretary will likely re-  
23                  ceive a significant number of borrower re-  
24                  lief claims under section 493H as the re-

1                   sult of a lawsuit, settlement, or judgement  
2                   against the institution; or

3                   “(II) that the institution experienced  
4                   one of the following:

5                   “(aa) A significant fluctuation in  
6                   enrollments between consecutive  
7                   award years or a period of award  
8                   years.

9                   “(bb) A citation by a State li-  
10                  censing or authorizing agency for fail-  
11                  ing State or agency requirements.

12                  “(cc) High annual drop out  
13                  rates.

14                  “(dd) Pending borrower relief  
15                  claims under section 493H.

16                  “(C) FINANCIAL CIRCUMSTANCES MATE-  
17                  RIALS.—If the institution’s financial circumstances  
18                  materially change after the institution submits an  
19                  addendum under subsection (b)(6), such institution  
20                  shall submit to the Secretary such certified financial  
21                  statements and other information as the Secretary  
22                  may require.

23                  “(9) TRANSPARENCY.—Beginning not later than 90  
24                  days after the date of the enactment of this paragraph,  
25                  and not less than once every 120 days thereafter, the Sec-

1   retary shall make publicly available on the website of the  
2   Department the following:

3           “(A) The ratios used to demonstrate financial  
4           responsibility under this section.

5           “(B) Each reports made to the Secretary under  
6           this section.

7           “(C) Each audited financial statement sub-  
8           mitted to the Secretary by an institution of higher  
9           education under this section.

10          “(D) Each certified financial statement sub-  
11          mitted to the Secretary under paragraph (8)(C).”;  
12          and

13           (3) in subsection (i)(2)—

14           (A) in subparagraph (E), by striking “or”  
15           at the end;

16           (B) in subparagraph (F), by striking the  
17           period at the end and inserting “; or”; and

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

19           “(G) the transfer of ownership as a result of a  
20           court-ordered receivership.”.

21          (b) RULEMAKING.—Not 1 year after the date of the  
22          enactment of this Act, the Secretary of Education shall  
23          carry out a negotiated rulemaking to update the criteria  
24          used under section 498(c)(2) of the Higher Education Act  
25          of 1965 (20 U.S.C. 1099c) to make a determination of

1 the ability of an institution of higher education to meet  
2 the standards under such section in accordance with the  
3 amendments made by this section.

4 **SEC. 4722. PROGRAM REVIEW AND DATA.**

5 Section 498A of the Higher Education Act of 1965  
6 (20 U.S.C. 1099c-1) is amended—

7 (1) in subsection (a)(2), by striking subpara-  
8 graph (A) and inserting the following:

9 “(A) institutions with an adjusted cohort  
10 default rate for loans under part D in excess of  
11 18 percent or which places such institutions in  
12 the highest 25 percent of such institutions;”;

13 (2) by redesignating subsections (e) through (e)  
14 as subsections (d) through (f), respectively; and

15 (3) by inserting after subsection (b) the fol-  
16 lowing:

17 “(c) UNDERCOVER OPERATIONS.—In carrying out  
18 paragraphs (1) and (2) of subsection (a) and any other  
19 relevant provisions of this subpart, the Secretary—

20 “(1) shall conduct undercover and secret shop-  
21 per operations for the purpose of encouraging the  
22 ethical treatment of students and prospective stu-  
23 dents and detecting fraud and abuse in the Federal  
24 student aid programs, including—



1           “(A) violations described in section  
2           487(c)(3);

3           “(B) violations of section 487(a)(20); and

4           “(C) violations by any entity with which  
5           the institution has contracted for student re-  
6           cruitment or admission activity;

7           “(2) shall develop written guidelines for the  
8           conduct of activities under paragraph (1) in accord-  
9           ance with commonly-accepted Federal practices for  
10          undercover operations and in consultation with other  
11          relevant agencies, including the Department of Jus-  
12          tice, Federal Trade Commission, Consumer Finan-  
13          cial Protection Bureau, and the Department of Edu-  
14          cation’s Office of Inspector General; and

15          “(3) shall provide an annual report on the re-  
16          sults of activities under paragraph (1) to the author-  
17          izing committees, and thereafter shall make the re-  
18          port available to the public.”.

19          **Subpart C—Strengthening Institutional Quality**

20          **SEC. 4731. STRENGTHENING INSTITUTIONAL QUALITY.**

21          Part H of title IV of the Higher Education Act of  
22          1965 (20 U.S.C. 1099a et seq.) is amended by adding at  
23          the end the following:



1           eration extenuating circumstances that may  
2           have contributed to the poor performance of the  
3           institution in the first year of the review period.

4           “(2) DEADLINE FOR COMPLIANCE.—An institu-  
5           tion that does not achieve an adjusted cohort default  
6           rate of less than 10 percent after receiving support  
7           under this section for three consecutive years shall  
8           be ineligible to receive further support under this  
9           section.

10          “(3) PROHIBITION.—An institution shall be in-  
11          eligible to receive further support under this section  
12          if, while the institution was receiving such support,  
13          the total enrollment of low-income students (as such  
14          term is defined in section 419N(b)(7)) at the institu-  
15          tion decreased by 10 percent or more.

16          “(e) COVERED PROGRESS PERIOD INSTITUTION.—In  
17          this section, the term ‘covered progress period institution’  
18          means—

19                 “(1) a public institution of higher education  
20                 that is determined to be in progress period status;

21                 “(2) a part B institution (as defined in section  
22                 322) that is determined to be in progress period sta-  
23                 tus; or

24                 “(3) a private, nonprofit institution of higher  
25                 education—

1           “(A) that is determined to be in progress  
2           period status; and

3           “(B) at which not less than 45 percent of  
4           the total student enrollment consists of low-in-  
5           come students (as such term is defined in sec-  
6           tion 419N(b)(7)).

7           “(f) FUNDING.—

8           “(1) IN GENERAL.—There are authorized to be  
9           appropriated, and there are appropriated, such  
10          funds as the Secretary, using the formula described  
11          in paragraph (2), determines necessary to meet the  
12          needs of all eligible institutions under this sub-  
13          section, except that such funds shall not exceed  
14          \$100,000,000 for fiscal year 2021 and each suc-  
15          ceeding fiscal year. Such funds shall be available  
16          until expended.

17          “(2) FORMULA.—Not later than 1 year after  
18          the date of the enactment of this section, the Sec-  
19          retary shall establish through negotiated rulemaking  
20          a formula to determine the—

21                  “(A) proportional amount of institutional  
22                  need under this section; and

23                  “(B) total amount of institutional need  
24                  under this section.

1           “(3) SPECIAL RULE.—Such formula must at  
2           minimum take into consideration the severity of the  
3           problem, size of the institution, institutional re-  
4           sources, historical underfunding, and the number of  
5           low-income students (as such term is defined in sec-  
6           tion 419N(b)(7)) being served.

7   **“SEC. 498D. RESTRICTIONS ON CERTAIN EXPENDITURES.**

8           “(a) ESTABLISHING DEFINITIONS.—

9           “(1) IN GENERAL.—For purposes of each sur-  
10          vey conducted under the Integrated Postsecondary  
11          Education Data System after the date of enactment  
12          of the College Affordability Act and this Act, the  
13          Secretary shall define the following terms:

14                 “(A) Marketing.

15                 “(B) Recruitment.

16                 “(C) Advertising.

17                 “(D) Lobbying.

18                 “(E) Student services.

19           “(2) EXCLUSION OF CERTAIN ACTIVITIES.—In  
20          defining the term ‘student services’ under paragraph  
21          (1)(E), the Secretary shall ensure that such term  
22          does not include marketing, recruitment, advertising,  
23          or lobbying.

24           “(b) LIMITATION ON EXPENDITURES.—In a case in  
25          which the Secretary determines with respect to an institu-

1 tion of higher education participating in any program  
2 under this title that, for any of the 3 most recent institu-  
3 tional fiscal years after the promulgation of regulations  
4 by the Secretary defining the terms in subsection (a)(1)  
5 for which the institution submits to the Secretary disclo-  
6 sures on the expenditures of the institution on instruction  
7 for purposes of section 132(i)(1)(AA), the amount ex-  
8 pended by such institution on instruction for such fiscal  
9 year is less than an amount equal to  $\frac{1}{3}$  of institution's  
10 revenues derived from tuition and fees—

11           “(1) for any institutional fiscal year after such  
12 determination is made, the sum of the amount ex-  
13 pended by the institution on marketing, recruitment,  
14 advertising, and lobbying may not exceed the  
15 amount of the institution's revenues derived from  
16 sources other than Federal education assistance  
17 funds; and

18           “(2) in a case in which the institution fails to  
19 meet the requirements of paragraph (1) for 2 con-  
20 secutive institutional fiscal years, the institution  
21 shall be ineligible to participate in the programs au-  
22 thorized by this title for a period of not less than  
23 two institutional fiscal years.

24           “(c) PUBLICATION ON WEBSITE.—The Secretary  
25 shall, on an annual basis, publicly disclose on the Depart-

1 ment’s website, information with respect to any institution  
2 of higher education that is subject to the requirements of  
3 subsection (b)(1), including—

4 “(1) the quotient of the amount that the insti-  
5 tution expends on instruction divided by the institu-  
6 tion’s revenues derived from tuition and fees, ex-  
7 pressed as a percentage;

8 “(2) the sum of such institution’s expenditures  
9 on advertising, recruiting, marketing, and lobbying;

10 “(3) the amount of such institution’s revenues  
11 received from sources outside of Federal education  
12 assistance funds; and

13 “(4) the difference between paragraphs (2) and  
14 (3).

15 **“SEC. 498E. INSTITUTIONAL DISCLOSURE SYSTEM.**

16 “(a) DEPARTMENTAL DISCLOSURE.—The Secretary  
17 shall make available, on a publicly accessible website of  
18 the Department of Education, a list of institutions of high-  
19 er education that—

20 “(1) have failed to meet the requirements for  
21 accreditation by an agency or association recognized  
22 by the Secretary pursuant to section 496(a); or

23 “(2) have failed to meet the requirements for  
24 participation in programs under this title.

25 “(b) INSTITUTIONAL DISCLOSURE.—

1           “(1) IN GENERAL.—To be eligible to participate  
2           in programs under this title, an institution of higher  
3           education shall, using the template developed by the  
4           Secretary under subsection (c), disclose the accredi-  
5           tation status of the institution on a publicly acces-  
6           sible website of the institution. Any failure of the in-  
7           stitution to meet an accreditation standard shall be  
8           specifically identified by the institution as part of  
9           the disclosure under this paragraph.

10           “(2) UPDATES.—Any change in the accredita-  
11           tion status of an institution of higher education shall  
12           be disclosed in accordance with paragraph (1) not  
13           later than 30 days after such change occurs.

14           “(c) TEMPLATE.—The Secretary shall develop a tem-  
15           plate that shall be used by institutions of higher education  
16           to make the disclosures required under subsection (b). The  
17           Secretary shall ensure that the template—

18           “(1) clearly identifies the information to be dis-  
19           closed; and

20           “(2) is in a format that is easily understood by  
21           consumers.”.



1           **PART I—AMERICA’S COLLEGE PROMISE**

2                   **FEDERAL-STATE PARTNERSHIP**

3   **SEC. 4801. PROGRAM AUTHORIZED.**

4           Title IV of the Higher Education Act of 1965 (20  
5 U.S.C. 1070 et seq.) is amended by adding at the end  
6 the following:

7           **“PART I—AMERICA’S COLLEGE PROMISE**

8                   **FEDERAL-STATE PARTNERSHIP**

9           **“Subpart 1—State and Indian Tribe Grants for**  
10                           **Community Colleges**

11   **“SEC. 499A. IN GENERAL.**

12           “From amounts appropriated under section 499G for  
13 any fiscal year, the Secretary shall award grants to eligible  
14 States and Indian tribes to pay the Federal share of ex-  
15 penditures needed to carry out the activities and services  
16 described in section 499E.

17   **“SEC. 499B. FEDERAL SHARE; NON-FEDERAL SHARE.**

18           “(a) FEDERAL SHARE.—

19                   “(1) FORMULA.—Subject to paragraph (2), the  
20 Federal share of a grant under this subpart shall be  
21 based on a formula, determined by the Secretary,  
22 that—

23                           “(A) accounts for the State or Indian  
24 tribe’s share of eligible students;

25                           “(B) accounts for the ratio between a  
26 State or Indian tribe’s funding per full-time

1 equivalent (FTE) student at public colleges and  
2 universities and the average net price at State  
3 public four-year colleges and universities, in  
4 such a way as to reward States that keep net  
5 prices for students low while maintaining their  
6 investment in higher education; and

7 “(C) provides, for each eligible student in  
8 the State or Indian tribe, a per-student amount  
9 that is at least 75 percent of—

10 “(i) for the 2021–2022 award year,  
11 the average resident community college tui-  
12 tion and fees per student in all States for  
13 the most recent year for which data are  
14 available; and

15 “(ii) for each subsequent award year,  
16 the amount determined under this sub-  
17 paragraph for the preceding award year,  
18 increased by the lesser of—

19 “(I) a percentage equal to the es-  
20 timated percentage increase in the  
21 Consumer Price Index (as determined  
22 by the Secretary) since the date of  
23 such determination; or

24 “(II) 3 percent.

1           “(2) EXCEPTION FOR CERTAIN INDIAN  
2 TRIBES.—In any case in which not less than 75 per-  
3 cent of the students at the community colleges oper-  
4 ated or controlled by an Indian tribe are low-income  
5 students, the amount of the Federal share for such  
6 Indian tribe shall be not less than 95 percent of the  
7 total amount needed to waive tuition and fees for all  
8 eligible students enrolled in such community col-  
9 leges.

10           “(b) STATE OR TRIBAL SHARE.—

11           “(1) FORMULA.—

12           “(A) IN GENERAL.—The State or tribal  
13 share of a grant under this subpart for each fis-  
14 cal year shall be the amount needed to pay 25  
15 percent of the average community college resi-  
16 dent tuition and fees per student in all States  
17 in the 2021–2022 award year for all eligible  
18 students in the State or Indian tribe, respec-  
19 tively, for such fiscal year, except as provided in  
20 subparagraph (B).

21           “(B) EXCEPTION FOR CERTAIN INDIAN  
22 TRIBES.—In the case of an Indian tribe de-  
23 scribed in subsection (a)(2), the amount of such  
24 Indian tribe’s tribal share shall not exceed 5  
25 percent of the total amount needed to waive tui-

1           tion and fees for all eligible students enrolled in  
2           such community colleges.

3           “(2) NEED-BASED AID.—A State or Indian  
4           tribe may include, as part of the State or tribal  
5           share, any need-based financial aid that—

6                   “(A) is provided from State or tribal funds  
7                   to an eligible student; and

8                   “(B) may be used by such student to pay  
9                   costs of attendance other than tuition and fees.

10           “(3) NO IN-KIND CONTRIBUTIONS.—A State or  
11           Indian tribe shall not include in-kind contributions  
12           for purposes of the State or tribal share described  
13           in paragraph (1).

14           “(c) DETERMINING NUMBER OF ELIGIBLE STU-  
15           DENTS.—

16                   “(1) IN GENERAL.—The Secretary of Education  
17                   shall develop and implement a process for accurately  
18                   estimating the number of eligible students in a State  
19                   or Indian tribe for purposes of subsection (a) and  
20                   (b).

21                   “(2) INITIAL DETERMINATION.—For the first  
22                   year for which grants are awarded under this sub-  
23                   part, the number of eligible students in a State or  
24                   Indian tribe shall be considered to be equal to the

1 number of eligible students that were in the State or  
2 tribe for the preceding school year.

3 “(d) ADJUSTMENT OF GRANT AMOUNT.—Not later  
4 than 180 days after the date on which a State or Indian  
5 tribe receives a grant under this subpart, the Secretary  
6 shall—

7 “(1) in consultation with the State or tribe con-  
8 cerned, determine whether the actual number of eli-  
9 gible students in the State or Tribe for the year cov-  
10 ered by the grant is greater than the estimated num-  
11 ber of such students that was used to determine the  
12 amount of the grant; and

13 “(2) if it is determined under paragraph (1)  
14 that the actual number of eligible students in the  
15 State or Tribe is higher than such estimate, issue a  
16 supplementary grant payment to the State or tribe  
17 in an amount that ensures that the total amount of  
18 the grant funds received by the State or tribe under  
19 this subpart for the year covered by the grant accu-  
20 rately reflects the higher number of eligible students.

21 **“SEC. 499C. APPLICATIONS.**

22 “(a) SUBMISSION.—In order to receive a grant under  
23 this subpart, a State or tribe shall submit an application  
24 to the Secretary at such time, in such manner, and con-  
25 taining such information as the Secretary may require.

1           “(b) CONTENTS.—Each application under subsection  
2 (a) 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;

8           “(2) an assurance that all community colleges  
9 in the State or under the jurisdiction of the Indian  
10 tribe, respectively, will waive resident tuition and  
11 fees for eligible students in accordance with section  
12 499D(a);

13           “(3) a description of the promising and evi-  
14 dence-based institutional reforms and innovative  
15 practices to improve student outcomes, including  
16 transfer and completion rates, that have been or will  
17 be adopted by the participating community colleges,  
18 such as—

19           “(A) providing comprehensive academic  
20 and student support services, including men-  
21 toring and advising, especially for low-income,  
22 first-generation, and adult students, and other  
23 students belonging to racial and other groups  
24 that are underrepresented in higher education;

1           “(B) the provision of direct support serv-  
2           ices such as—

3                   “(i) childcare, transportation, emer-  
4                   gency financial assistance, and mental  
5                   health and substance use disorder treat-  
6                   ment;

7                   “(ii) assistance in obtaining health in-  
8                   surance coverage;

9                   “(iii) assistance securing affordable  
10                  housing;

11                  “(iv) efforts to address food insecurity  
12                  and campus hunger; and

13                  “(v) efforts to facilitate student par-  
14                  ticipation in means-tested Federal benefit  
15                  programs (as defined in section 479(d));

16                  “(C) providing accelerated learning oppor-  
17                  tunities, such as dual or concurrent enrollment  
18                  programs, including early college high school  
19                  programs;

20                  “(D) strengthening and reforming remedial  
21                  and developmental education, especially for low-  
22                  income, first-generation, and adult students,  
23                  and other students belonging to racial and  
24                  other groups that are underrepresented in high-  
25                  er education, including through the use of mul-

1           tiple measures (such as a student’s college en-  
2           trance examination score, grade point average,  
3           high school course list, or a placement examina-  
4           tion) to identify students in need of remedial  
5           education; or

6                   “(E) utilizing career pathways or degree  
7           pathways;

8                   “(4) 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                   “(5) 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;

19                   “(6) an assurance that the State or Indian tribe  
20          will, to the extent practicable, assist eligible students  
21          in obtaining information about and accessing means-  
22          tested Federal benefit programs (as defined in sec-  
23          tion 479(d)) for which such students may be eligible;

24                   “(7) an assurance that, for each year of the  
25          grant, the State or Indian tribe will notify each eligi-



1 ble student of the student's remaining eligibility for  
2 assistance under this subpart; and

3 “(8) if the application is submitted by a  
4 State—

5 “(A) an assurance that the State will, to  
6 the extent practicable, consider changes to  
7 State law that will enable more community col-  
8 lege students to be eligible for means-tested  
9 Federal benefit programs (as defined in section  
10 479(d));

11 “(B) an assurance that the State will meet  
12 the requirements of section 499D(b)(1) relating  
13 to the alignment of secondary and postsec-  
14 ondary education; and

15 “(C) an assurance that the State will meet  
16 the requirements of section 499D(b)(2) relating  
17 to the improvement of transfer pathways be-  
18 tween institutions of higher education.

19 **“SEC. 499D. PROGRAM REQUIREMENTS.**

20 “(a) GENERAL REQUIREMENTS FOR STATES AND IN-  
21 DIAN TRIBES.—As a condition of receiving a grant under  
22 this subpart a State or Indian tribe shall meet the fol-  
23 lowing requirements:

24 “(1) For each year of the grant the total  
25 amount of community college resident tuition and

1 fees charged to an eligible student in the State or  
2 Indian tribe shall be \$0.

3 “(2) For each year of the grant no amount of  
4 financial assistance for which an eligible student  
5 qualifies may be applied to such tuition or fees.

6 “(b) STATE REQUIREMENTS.—As a condition of re-  
7 ceiving a grant under this subpart a State shall meet the  
8 following requirements:

9 “(1) ALIGNMENT OF K–12 AND HIGHER EDU-  
10 CATION.—

11 “(A) IN GENERAL.—The State shall—

12 “(i) submit a plan to align the re-  
13 quirements for receiving a regular high  
14 school diploma from a public high school  
15 with the requirements for entering credit-  
16 bearing coursework at a participating com-  
17 munity college; and

18 “(ii) not later than three years after  
19 the date on which the State first receives  
20 a grant under this subpart, certify to the  
21 Secretary that such alignment has been  
22 achieved.

23 “(B) FAILURE TO CERTIFY.— If a State  
24 does not provide the certification required  
25 under subparagraph (A) by the date specified in

1 such subparagraph, the State shall submit to  
2 the Secretary, at such time and in such manner  
3 as the Secretary may require—

4 “(i) a written explanation for the  
5 delay in making the certification; and

6 “(ii) a plan that will enable the State  
7 to make the certification by not later than  
8 5 years after the date on which the State  
9 first received a grant under this subpart.

10 “(2) TRANSFER PATHWAYS.—

11 “(A) IN GENERAL.—The State shall—

12 “(i) submit a plan, developed in col-  
13 laboration with faculty from institutions of  
14 higher education in the State, to improve  
15 transfer pathways between institutions of  
16 higher education in the State, including by  
17 ensuring that associate degrees awarded by  
18 public institutions in the State are fully  
19 transferable to, and credited as, the first 2  
20 years of related baccalaureate programs at  
21 public institutions of higher education in  
22 such State; and

23 “(ii) not later than 3 years after the  
24 date on which the State first receives a  
25 grant under this subpart, certify to the

1 Secretary that an associate degree in an  
2 academic major in the arts or sciences that  
3 is awarded by a public institution of higher  
4 education in the State on or after the date  
5 that is not later than 3 years after the  
6 date on which the State first receives a  
7 grant under this subpart shall be fully  
8 transferrable to, and credited as, the first  
9 2 years of a related baccalaureate program  
10 at a public institution of higher education  
11 in such State.

12 “(B) FAILURE TO CERTIFY.— If a State  
13 does not provide the certification required  
14 under subparagraph (A) by the date specified in  
15 such subparagraph, the State shall submit to  
16 the Secretary, at such time and in such manner  
17 as the Secretary may require—

18 “(i) a written explanation for the  
19 delay in making the certification; and

20 “(ii) a plan that will enable the State  
21 to make the certification by not later than  
22 5 years after the date on which the State  
23 first received a grant under this subpart.

1           “(3) APPLICABILITY.—The Secretary may not  
2           apply the requirements under this subsection to an  
3           Indian tribe.

4   **“SEC. 499E. ALLOWABLE USES OF FUNDS.**

5           “(a) IN GENERAL.—Except as provided in subsection  
6 (b), a State or Indian tribe shall use a grant under this  
7 subpart only to provide funds to participating community  
8 colleges to enable such community colleges to waive resi-  
9 dent tuition and fees for eligible students as required  
10 under section 499D(a).

11          “(b) ADDITIONAL USES.—If a State or Indian tribe  
12 demonstrates to the Secretary that it has grant funds re-  
13 maining after meeting the demand for activities described  
14 in subsection (a), the State or Indian tribe may use those  
15 funds to carry out one or more of the following:

16           “(1) Enhancing the quality of public higher  
17 education to improve student outcomes, including  
18 transfer and completion rates.

19           “(2) Expanding the scope and capacity of high-  
20 quality academic and occupational skills training  
21 programs at community colleges.

22           “(3) Improving postsecondary education readi-  
23 ness in the State or Indian tribe, including through  
24 outreach and early intervention.

1           “(4) Expanding access to dual or concurrent  
2 enrollment programs, including early college high  
3 school programs.

4           “(5) Improving affordability at 4-year public in-  
5 stitutions of higher education.

6           “(c) USE OF FUNDS FOR ADMINISTRATIVE PUR-  
7 POSES.—A State or Indian tribe that receives a grant  
8 under this subpart may not use any funds provided under  
9 this subpart for administrative purposes relating to the  
10 grant under this subpart.

11          “(d) MAINTENANCE OF EFFORT.—A State or Indian  
12 tribe receiving a grant under this subpart is entitled to  
13 receive its full allotment of funds under this subpart for  
14 a fiscal year only if, for each year of the grant, the State  
15 or Indian tribe provides—

16           “(1) financial support for public higher edu-  
17 cation at a level equal to or exceeding the average  
18 amount provided per full-time equivalent student for  
19 public institutions of higher education for the three  
20 consecutive preceding fiscal years. In making the  
21 calculation under this subsection, the State or In-  
22 dian tribe shall—

23           “(A) exclude capital expenses and research  
24 and development costs; and

1           “(B) include need-based financial aid for  
2           students who attend public institutions of high-  
3           er education;

4           “(2) financial support for operational expenses  
5           for public, four-year colleges and universities at a  
6           level equal to or exceeding the average amount pro-  
7           vided for the three consecutive preceding State or  
8           Indian tribe fiscal years; and

9           “(3) financial support for need-based financial  
10          aid at a level equal to or exceeding the average  
11          amount provided for the three consecutive preceding  
12          State or Indian tribe fiscal years.

13          “(e) ANNUAL REPORT.—A State or Indian tribe re-  
14          ceiving a grant under this subpart shall submit an annual  
15          report to the Secretary describing the uses of grant funds  
16          under this subpart, the progress made in fulfilling the re-  
17          quirements of the grant, and rates of transfer, graduation,  
18          and attainment of recognized postsecondary credentials at  
19          participating community colleges, including such rates  
20          disaggregated by race, income, and age, and including any  
21          other information as the Secretary may require.

22          “(f) REPORTING BY SECRETARY.—The Secretary an-  
23          nually shall—

24                 “(1) compile and analyze the information de-  
25                 scribed in subsection (e); and

1           “(2) prepare and submit a report to the Com-  
2           mittee on Health, Education, Labor, and Pensions  
3           of the Senate and the Committee on Education and  
4           Labor of the House of Representatives containing  
5           the analysis described in paragraph (1) and an iden-  
6           tification of State and Indian tribe best practices for  
7           achieving the purpose of this subpart.

8           “(g) TECHNICAL ASSISTANCE.—The Secretary shall  
9           provide technical assistance to eligible States and Indian  
10          tribes concerning best practices regarding the promising  
11          and evidence-based institutional reforms and innovative  
12          practices to improve student outcomes and shall dissemi-  
13          nate such best practices among the States and Indian  
14          tribes.

15          “(h) CONTINUATION OF FUNDING.—

16                 “(1) IN GENERAL.—A State or Indian tribe re-  
17                 ceiving a grant under this subpart for a fiscal year  
18                 may continue to receive funding under this subpart  
19                 for future fiscal years conditioned on the availability  
20                 of budget authority and on meeting the require-  
21                 ments of the grant, as determined by the Secretary.

22                 “(2) DISCONTINUATION.—The Secretary may  
23                 discontinue funding of the Federal share of a grant  
24                 under this subpart if the State or Indian tribe has  
25                 violated the terms of the grant or is not making ade-



1       quate progress in implementing the reforms de-  
2       scribed in the application submitted under section  
3       499C.

4       “(i) SUPPLEMENT, NOT SUPPLANT.—Funds made  
5       available under this subpart shall be used to supplement,  
6       and not supplant, other Federal, State, and local funds  
7       that would otherwise be expended to carry out activities  
8       under this section.

9       **“SEC. 499F. DEFINITIONS.**

10       “In this subpart:

11               “(1) CAREER PATHWAY.—The term ‘career  
12       pathway’ has the meaning given the term in section  
13       3 of the Workforce Innovation and Opportunity Act  
14       (29 U.S.C. 3102).

15               “(2) COMMUNITY COLLEGE.—The term ‘com-  
16       munity college’ means a public institution of higher  
17       education at which the highest degree that is pre-  
18       dominantly awarded to students is an associate’s de-  
19       gree, including 2-year tribally controlled colleges  
20       under section 316 and public 2-year State institu-  
21       tions of higher education.

22               “(3) DUAL OR CONCURRENT ENROLLMENT  
23       PROGRAM.—The term ‘dual or concurrent enrollment  
24       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           “(4) EARLY COLLEGE HIGH SCHOOL.—The  
4       term ‘early college high school’ has the meaning  
5       given the term in section 8101 of the Elementary  
6       and Secondary Education Act of 1965 (20 U.S.C.  
7       7801).

8           “(5) ELIGIBLE STUDENT.—

9           “(A) DEFINITION.—The term ‘eligible stu-  
10       dent’ means a student who—

11           “(i) attends the community college on  
12       not less than a half-time basis;

13           “(ii) is maintaining satisfactory  
14       progress (as defined in section 484(e)) in  
15       the student’s course of study;

16           “(iii) is enrolled in an eligible pro-  
17       gram (as defined in section 481(b)); and

18           “(iv) either—

19           “(I) qualifies for in-State resi-  
20       dent community college tuition, as de-  
21       termined by the State or Indian tribe;  
22       or

23           “(II) would qualify for such in-  
24       State resident community college tui-

1                   tion, but for the immigration status of  
2                   such student.

3                   “(B) SPECIAL RULE.—An otherwise eligi-  
4                   ble student shall lose eligibility 3 calendar years  
5                   after first receiving benefits under this subpart.

6                   “(6) INDIAN TRIBE.—The term ‘Indian tribe’  
7                   has the meaning given the term in section 102 of the  
8                   Federally Recognized Indian Tribe List Act of 1994  
9                   (25 U.S.C. 479a).

10                  “(7) INSTITUTION OF HIGHER EDUCATION.—  
11                  The term ‘institution of higher education’ has the  
12                  meaning given the term in section 101.

13                  “(8) RECOGNIZED POSTSECONDARY CREDEN-  
14                  TIAL.—The term ‘recognized postsecondary creden-  
15                  tial’ has the meaning as described in section 3 of the  
16                  Workforce Innovation and Opportunity Act (29  
17                  U.S.C. 3102).

18                  “(9) STATE.—The term ‘State’ has the mean-  
19                  ing given the term in section 103.

20                  **“SEC. 499G. APPROPRIATIONS.**

21                  “(a) AUTHORIZATION AND APPROPRIATIONS.—For  
22                  the purpose of making grants under this subpart there are  
23                  authorized to be appropriated, and there are appro-  
24                  priated—

25                  “(1) \$1,569,700,000 for fiscal year 2021;

1           “(2) \$3,472,880,000 for fiscal year 2022;  
2           “(3) \$4,431,950,000 for fiscal year 2023;  
3           “(4) \$6,204,030,000 for fiscal year 2024;  
4           “(5) \$8,119,870,000 for fiscal year 2025;  
5           “(6) \$9,297,430,000 for fiscal year 2026;  
6           “(7) \$11,708,890,000 for fiscal year 2027;  
7           “(8) \$14,971,330,000 for fiscal year 2028;  
8           “(9) \$15,619,910,000 for fiscal year 2029; and  
9           “(10) \$16,296,080,000 for fiscal year 2030 and  
10          each succeeding fiscal year.

11          “(b) AVAILABILITY.—Funds appropriated under sub-  
12 section (a) shall remain available to the Secretary until  
13 expended.

14          “(c) INSUFFICIENT FUNDS.—If the amount appro-  
15 priated under subsection (a) for a fiscal year is not suffi-  
16 cient to award each participating State and Indian tribe  
17 a grant under this subpart that is equal to the minimum  
18 amount of the Federal share described in section 499B,  
19 the Secretary may ratably reduce the amount of each such  
20 grant or take other actions necessary to ensure an equi-  
21 table distribution of such amount.”.

22 **SEC. 4802. STUDENT SUCCESS FUND.**

23          Part I of title IV of the Higher Education Act of  
24 1965 (20 U.S.C. 1070 et seq.), as added by section 4801,  
25 is further amended by adding at the end the following:

1                   **“Subpart 2—Student Success Fund**

2   **“SEC. 499H. IN GENERAL.**

3           “From amounts appropriated under section 499N for  
4 any fiscal year, the Secretary shall carry out a grant pro-  
5 gram (to be known as the Student Success Fund) to make  
6 grants to eligible entities to carry out the activities and  
7 services described in section 499L.

8   **“SEC. 499I. ALLOCATION.**

9           “(a) FEDERAL SHARE ALLOCATION.—The Federal  
10 share of a grant under this subpart shall be determined  
11 using the formula determined under section 499B(1).

12          “(b) MATCHING FUNDS.—

13               “(1) IN GENERAL.—Except as provided in para-  
14 graph (2), an eligible entity participating in the pro-  
15 gram under this subpart shall provide, from non-  
16 Federal sources, in cash or in-kind—

17                   “(A) in each of the first, second, third, and  
18 fourth year of participation in the program, an  
19 amount equal to 25 percent of the amount such  
20 entity received under subsection (a) with re-  
21 spect to such year;

22                   “(B) in each of the fifth and sixth year of  
23 participation in the program, an amount equal  
24 to 50 percent of the amount such entity re-  
25 ceived under subsection (a) with respect to such  
26 year;

1           “(C) in each of the seventh and eighth  
2           year of participation in the program, an amount  
3           equal to 75 percent of the amount such entity  
4           received under subsection (a) with respect to  
5           such year; and

6           “(D) in each ninth year and each subse-  
7           quent year thereafter of participation in the  
8           program, an amount equal to 100 percent of  
9           the amount such entity received under sub-  
10          section (a) with respect to such year.

11          “(2) EXCEPTION FOR CERTAIN INDIAN  
12          TRIBES.—The Secretary may waive the matching  
13          fund requirements under paragraph (1) in the case  
14          of an eligible entity that is an Indian tribe if at least  
15          75 percent of the students at the institutions of  
16          higher education operated or controlled by such In-  
17          dian tribe are low-income students.

18          “(3) REALLOTMENT.—If an eligible entity re-  
19          turns to the Secretary any portion of the sums allo-  
20          cated to such eligible entity under this section for  
21          any fiscal year, the Secretary shall reallocate such ex-  
22          cess as part of the available appropriated amount for  
23          the succeeding fiscal year.

24          “(c) SUPPLEMENT, NOT SUPPLANT.—Grant funds  
25          awarded under this subpart shall be used to supplement,

1 and not supplant, other Federal, State, and local funds  
2 that would otherwise be expended to carry out activities  
3 assisted under this subpart.

4 “(d) **LIMITATION.**—An eligible entity may only par-  
5 ticipate in the program under this subpart in a year in  
6 which such entity receives a grant under subpart 1.

7 **“SEC. 499J. APPLICATIONS.**

8 “(a) **IN GENERAL.**—To be eligible to participate in  
9 the program under this subpart, an eligible entity shall  
10 submit an application to the Secretary at such time, in  
11 such manner, and containing such information as the Sec-  
12 retary may require, including—

13 “(1) a plan that includes—

14 “(A) the amount of funds requested by the  
15 eligible entity under this subpart and the in-  
16 tended use of such funds;

17 “(B) how the eligibility entity will use the  
18 requested funds to implement the promising  
19 and evidence-based institutional reforms and in-  
20 novative practices to improve student outcomes  
21 identified by such entity under section  
22 499C(b)(3), including annual implementation  
23 benchmarks that the entity will use to track  
24 progress in implementing such reforms and  
25 practices;

1           “(C) how the eligible entity will meet its  
2           matching fund requirements under section  
3           499I(b);

4           “(D) if the eligible entity is a State, how  
5           such eligible entity will prioritize spending on  
6           the public institutions of higher education speci-  
7           fied in paragraph (2)(B); and

8           “(E) the improvements the eligible entity  
9           anticipates in student outcomes, including im-  
10          provements in transfer rates or completion  
11          rates, or both.

12          “(2) if the eligible entity is a State, an analysis  
13          that includes—

14               “(A) with respect to each public institution  
15               of higher education of the eligible entity—

16                       “(i) the total per-student funding;

17                       “(ii) the amount of per-student fund-  
18                       ing from State-appropriated funds;

19                       “(iii) the student demographics (in-  
20                       cluding, data on race, income, disability  
21                       status, and remediation); and

22                       “(iv) transfer and completion rates,  
23                       including such rates among low-income  
24                       students, students of color, students with



1 disabilities, and students in need of reme-  
2 diation; and

3 “(B) an analysis of whether, of the public  
4 institutions of higher education of the eligible  
5 entity, the public institutions of higher edu-  
6 cation that received less funding on a per-stu-  
7 dent basis described in clause (i) or (ii), or  
8 both, of subparagraph (A), are serving dis-  
9 proportionately high shares of low-income stu-  
10 dents, students of color, students with disabil-  
11 ities, or students in need of remediation.

12 “(b) APPROVAL.—

13 “(1) IN GENERAL.—Not later than 180 days  
14 after receiving a plan under subsection (a), the Sec-  
15 retary shall—

16 “(A) approve the plan; or

17 “(B) require revisions to such plan.

18 “(2) REVISIONS REQUIRED.—An eligible entity  
19 shall make such revisions as required by the Sec-  
20 retary under paragraph (1)(B).

21 “(c) PUBLICATION.—The Secretary shall make each  
22 plan approved under subsection (b)(1)(A) and each plan  
23 revised under subsection (b)(2) available to the public on  
24 the website of the Department.

1 **“SEC. 499K. PROGRAM REQUIREMENTS.**

2 “(a) GENERAL REQUIREMENTS.—

3 “(1) REPORT ON DEMONSTRATED PROGRESS.—

4 For the third year in which an eligible entity partici-  
5 pates in the program under this subpart, and every  
6 2 years thereafter, the eligible entity shall submit a  
7 report to the Secretary, in such manner and con-  
8 taining such information as the Secretary may re-  
9 quire, that includes—

10 “(A) the progress in meeting the annual  
11 implementation benchmarks included in the ap-  
12 plication of such eligible entity under section  
13 499J(a)(1)(B);

14 “(B) the progress in improving the student  
15 outcomes identified by the entity under section  
16 499(J)(a)(1)(E); and

17 “(C) with respect to the 2 years after such  
18 report is submitted—

19 “(i) a plan for the use of funds under  
20 this subpart; and

21 “(ii) the amount of funds requested  
22 by the eligible entity under this subpart .

23 “(2) APPROVAL.—Not later than 180 days  
24 after receiving a plan under paragraph (1)(C)(i), the  
25 Secretary shall—

26 “(A) approve the plan; or

1 “(B) require revisions to such plan.

2 “(3) REVISIONS REQUIRED.—An eligible entity  
3 shall make such revisions as required by the Sec-  
4 retary under paragraph (2)(B).

5 “(b) FAILURE TO MEET REQUIREMENTS.— If an eli-  
6 gible entity does not meet the annual implementation  
7 benchmarks included in the application of such eligible en-  
8 tity under section 499J(a)(1)(B), as required to be re-  
9 ported under subsection (a)(1)(A), such eligible entity  
10 shall submit to the Secretary, at such time and in such  
11 manner as the Secretary may require—

12 “(1) a written explanation for the delay in  
13 meeting such requirements; and

14 “(2) a plan that will enable such eligible entity  
15 to meet such requirements not later than 1 year  
16 after the date on which the eligible entity submitted  
17 the written explanation under paragraph (1).

18 “(c) PUBLICATION.—The Secretary shall make each  
19 plan approved under subsection (a)(2)(A), each plan re-  
20 vised under subsection (a)(3), and each plan submitted  
21 under subsection (b)(2) available to the public on the  
22 website of the Department.

23 **“SEC. 499L. ALLOWABLE USES OF FUNDS.**

24 “(a) IN GENERAL.—Except as provided in subsection  
25 (b), an eligible entity shall use a grant under this subpart

1 only to allocate funds in accordance with the plan sub-  
2 mitted for such year under section 499J(a)(1).

3 “(b) USE OF FUNDS FOR ADMINISTRATIVE PUR-  
4 POSES.—An eligible entity that receives a grant under this  
5 subpart may use not more than 10 percent of such grant  
6 for administrative purposes relating to the grant under  
7 this subpart.

8 **“SEC. 499M. ELIGIBLE ENTITY DEFINED.**

9 “In this subpart, the term ‘eligible entity’ means a  
10 State or Indian tribe that received a grant under subpart  
11 1 for the fiscal year in which such State or Indian tribe  
12 receives a grant under this subpart.

13 **“SEC. 499N. APPROPRIATIONS.**

14 “(a) AUTHORIZATION AND APPROPRIATIONS.—For  
15 the purpose of making grants under this subpart there are  
16 authorized to be appropriated and there are appropriated  
17 \$500,000,000 for fiscal year 2021 and each succeeding  
18 fiscal year.

19 “(b) AVAILABILITY.—Funds appropriated under sub-  
20 section (a) shall remain available to the Secretary until  
21 expended.”.

1 **SEC. 4803. PATHWAYS TO STUDENT SUCCESS FOR HISTORI-**  
2 **CALLY BLACK COLLEGES AND UNIVERSITIES,**  
3 **TRIBAL COLLEGES AND UNIVERSITIES, AND**  
4 **MINORITY-SERVING INSTITUTIONS.**

5 Part I of title IV of the Higher Education Act of  
6 1965 (20 U.S.C. 1070 et seq.), as added by section 4801,  
7 is further amended by adding at the end the following:

8 **“Subpart 3—Grants to Historically Black Colleges**  
9 **and Universities, Tribal Colleges and Univer-**  
10 **sities, and Minority-Serving Institutions**

11 **“SEC. 4990. PATHWAYS TO STUDENT SUCCESS FOR HIS-**  
12 **TORICALLY BLACK COLLEGES AND UNIVER-**  
13 **SITIES.**

14 “(a) IN GENERAL.—From amounts appropriated  
15 under section 499S(a) for any fiscal year, the Secretary  
16 shall award grants to participating 4-year historically  
17 black colleges or universities that meet the requirements  
18 of subsection (b) to—

19 “(1) encourage students to enroll and success-  
20 fully complete a bachelor’s degree at participating  
21 institutions;

22 “(2) provide incentives to community college  
23 students to transfer to participating institutions  
24 through strong transfer pathways to complete a  
25 bachelor’s degree program; and

1           “(3) support participating institutions to better  
2           serve new and existing students by engaging in re-  
3           forms and innovations designed to improve comple-  
4           tion rates and other student outcomes.

5           “(b) ELIGIBILITY.—To be eligible to receive a grant  
6           under the program under this section, an institution shall  
7           be a historically black college or university that—

8           “(1) has a student body of which not less than  
9           35 percent are low-income students;

10           “(2) commits to maintaining or adopting and  
11           implementing promising and evidence-based institu-  
12           tional reforms and innovative practices to improve  
13           the completion rates and other student outcomes,  
14           such as—

15           “(A) providing comprehensive academic  
16           and student support services, including men-  
17           toring and advising, especially for low-income,  
18           first-generation, and adult students, and other  
19           students belonging to racial and other groups  
20           that are underrepresented in higher education;

21           “(B) providing direct support services such  
22           as—

23           “(i) childcare, transportation, emer-  
24           gency financial assistance, and mental

1 health and substance use disorder treat-  
2 ment;

3 “(ii) assistance in obtaining health in-  
4 surance coverage;

5 “(iii) assistance securing affordable  
6 housing;

7 “(iv) efforts to address food insecurity  
8 and campus hunger; and

9 “(v) efforts to facilitate student par-  
10 ticipation in means-tested Federal benefit  
11 programs (as defined in section 479(d));

12 “(C) providing accelerated learning oppor-  
13 tunities and degree pathways, such as dual en-  
14 rollment and pathways to graduate and profes-  
15 sional degree programs;

16 “(D) partnering with employers, industry,  
17 not-for-profit associations, and other groups to  
18 provide opportunities to advance learning out-  
19 side the classroom, including work-based learn-  
20 ing opportunities such as internships or appren-  
21 ticeships or programs designed to improve  
22 inter-cultural development and personal growth,  
23 such as foreign exchange and study abroad pro-  
24 grams; or

1           “(E) strengthening remedial education, es-  
2           pecially for low-income, first-generation, and  
3           adult students, and other students belonging to  
4           racial and other groups that are underrep-  
5           resented in higher education, including through  
6           the use of multiple measures (such as a stu-  
7           dent’s college entrance examination score, grade  
8           point average, high school course list, or a  
9           placement examination) to identify students in  
10          need of remedial education;

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 level 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 eligible institution shall receive a grant in  
23                 an amount based on the product 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 for an eligible institution increase by more  
14          than 3 percent as compared to the amount of such  
15          rebate for the preceding year.

16          “(3) LIMITATIONS.—

17                 “(A) MAXIMUM PER-STUDENT REBATE.—  
18                 No eligible institution participating in the grant  
19                 program under this section shall receive a per-  
20                 student rebate amount for any year that is  
21                 greater than the national average of annual tui-  
22                 tion and fees at public 4-year institutions of  
23                 higher education for such year, as determined  
24                 by the Secretary.

1                   “(B) FIRST-YEAR TUITION AND FEES.—  
2                   During the first year of participation in the  
3                   grant program under this section, no eligible in-  
4                   stitution may increase tuition and fees at a rate  
5                   greater than any annual increase at the eligible  
6                   institution in the previous 5 years.

7                   “(d) APPLICATION.—An eligible institution that de-  
8                   sires a grant under this section shall submit an application  
9                   to the Secretary at such time, in such manner, and con-  
10                  taining such information as the Secretary may require.

11                  “(e) USE OF FUNDS.—Funds awarded under this  
12                  section to a participating eligible institution shall be used  
13                  to waive or significantly reduce tuition and fees for eligible  
14                  students in an amount of not more than up to the annual  
15                  per-student rebate amount for each student, for not more  
16                  than the first 60 credits an eligible student enrolls in the  
17                  participating eligible institution.

18                  “(f) SUPPLEMENT, NOT SUPPLANT.—Funds made  
19                  available under section 499S to carry out this section shall  
20                  be used to supplement, and not supplant, other Federal,  
21                  State, and local funds that would otherwise be expended  
22                  to carry out activities under this section.

1 **“SEC. 499P. PATHWAYS TO STUDENT SUCCESS FOR TRIBAL**  
2 **COLLEGES AND UNIVERSITIES.**

3 “(a) IN GENERAL.—From amounts appropriated  
4 under section 499S(a) for any fiscal year, the Secretary  
5 shall award grants to participating 4-year Tribal Colleges  
6 or Universities that meet the requirements of subsection  
7 (b) to—

8 “(1) encourage students to enroll and success-  
9 fully complete a bachelor’s degree at participating  
10 institutions;

11 “(2) provide incentives to community college  
12 students to transfer to participating institutions  
13 through strong transfer pathways to complete a  
14 bachelor’s degree program; and

15 “(3) support participating institutions to better  
16 serve new and existing students by engaging in re-  
17 forms and innovations designed to improve comple-  
18 tion rates and other student outcomes.

19 “(b) ELIGIBILITY.—To be eligible to receive a grant  
20 under the program under this section, an institution shall  
21 be a Tribal College or University that—

22 “(1) has a student body of which not less than  
23 35 percent are low-income students;

24 “(2) commits to maintaining or adopting and  
25 implementing promising and evidence-based institu-  
26 tional reforms and innovative practices to improve

1 the completion rates and other student outcomes,  
2 such as—

3 “(A) providing comprehensive academic  
4 and student support services, including men-  
5 toring and advising, especially for low-income,  
6 first-generation, and adult students, and other  
7 students belonging to racial and other groups  
8 that are underrepresented in higher education;

9 “(B) providing direct support services such  
10 as—

11 “(i) childcare, transportation, emer-  
12 gency financial assistance, and mental  
13 health and substance use disorder treat-  
14 ment;

15 “(ii) assistance in obtaining health in-  
16 surance coverage;

17 “(iii) assistance securing affordable  
18 housing;

19 “(iv) efforts to address food insecurity  
20 and campus hunger; and

21 “(v) efforts to facilitate student par-  
22 ticipation in means-tested Federal benefit  
23 programs (as defined in section 479(d));

24 “(C) providing accelerated learning oppor-  
25 tunities and degree pathways, such as dual en-

1 rollment and pathways to graduate and profes-  
2 sional degree programs;

3 “(D) partnering with employers, industry,  
4 not-for-profit associations, and other groups to  
5 provide opportunities to advance learning out-  
6 side the classroom, including work-based learn-  
7 ing opportunities such as internships or appren-  
8 ticeships or programs designed to improve  
9 inter-cultural development and personal growth,  
10 such as foreign exchange and study abroad pro-  
11 grams; or

12 “(E) strengthening remedial education, es-  
13 pecially for low-income, first-generation, and  
14 adult students, and other students belonging to  
15 racial and other groups that are underrep-  
16 resented in higher education, including through  
17 the use of multiple measures (such as a stu-  
18 dent’s college entrance examination score, grade  
19 point average, high school course list, or a  
20 placement examination) to identify students in  
21 need of remedial education;

22 “(3) sets performance goals for improving stu-  
23 dent outcomes for the duration of the grant; and

24 “(4) if receiving a grant for transfer students,  
25 has articulation agreements with community colleges

1 at the national, State, or local level to ensure that  
2 community college credits can fully transfer to the  
3 participating institution.

4 “(c) GRANT AMOUNT.—

5 “(1) INITIAL AMOUNT.—For the first year that  
6 an eligible institution participates in the grant pro-  
7 gram under this section and subject to paragraph  
8 (3), such eligible institution shall receive a grant in  
9 an amount based on the product of—

10 “(A) the actual cost of tuition and fees at  
11 the eligible institution in such year (referred to  
12 in this section as the per-student rebate); and

13 “(B) the number of eligible students en-  
14 rolled in the eligible institution for the pre-  
15 ceding year.

16 “(2) SUBSEQUENT INCREASES.—For each suc-  
17 ceeding year after the first year of the grant pro-  
18 gram under this section, each participating eligible  
19 institution shall receive a grant in the amount deter-  
20 mined under paragraph (1) for such year, except  
21 that in no case shall the amount of the per-student  
22 rebate for an eligible institution increase by more  
23 than 3 percent as compared to the amount of such  
24 rebate for the preceding year.

25 “(3) LIMITATIONS.—

1           “(A) MAXIMUM PER-STUDENT REBATE.—

2           No eligible institution participating in the grant  
3           program under this section shall receive a per-  
4           student rebate amount for any year that is  
5           greater than the national average of annual tui-  
6           tion and fees at public 4-year institutions of  
7           higher education for such year, as determined  
8           by the Secretary.

9           “(B) FIRST-YEAR TUITION AND FEES.—

10          During the first year of participation in the  
11          grant program under this section, no eligible in-  
12          stitution may increase tuition and fees at a rate  
13          greater than any annual increase at the eligible  
14          institution in the previous 5 years.

15          “(d) APPLICATION.—An eligible institution that de-  
16          sires a grant under this section shall submit an application  
17          to the Secretary at such time, in such manner, and con-  
18          taining such information as the Secretary may require.

19          “(e) USE OF FUNDS.—Funds awarded under this  
20          section to a participating eligible institution shall be used  
21          to waive or significantly reduce tuition and fees for eligible  
22          students in an amount of not more than up to the annual  
23          per-student rebate amount for each student, for not more  
24          than the first 60 credits an eligible student enrolls in the  
25          participating eligible institution.

1       “(f) SUPPLEMENT, NOT SUPPLANT.—Funds made  
2 available under section 499S to carry out this section shall  
3 be used to supplement, and not supplant, other Federal,  
4 State, and local funds that would otherwise be expended  
5 to carry out activities under this section.

6       **“SEC. 499Q. PATHWAYS TO STUDENT SUCCESS FOR HIS-**  
7                   **PANIC-SERVING INSTITUTIONS, ASIAN AMER-**  
8                   **ICAN AND NATIVE AMERICAN PACIFIC IS-**  
9                   **LANDER-SERVING INSTITUTIONS, ALASKA NA-**  
10                  **TIVE-SERVING INSTITUTIONS, NATIVE HAWAI-**  
11                  **IAN-SERVING INSTITUTIONS, PREDOMI-**  
12                  **NANTLY BLACK INSTITUTIONS, AND NATIVE**  
13                  **AMERICAN-SERVING NONTRIBAL INSTITU-**  
14                  **TIONS.**

15       “(a) IN GENERAL.—From amounts appropriated  
16 under section 499S(a) for any fiscal year, the Secretary  
17 shall award grants to participating 4-year minority-serving  
18 institutions to—

19               “(1) encourage students to enroll and success-  
20 fully complete a bachelor’s degree at participating  
21 institutions;

22               “(2) provide incentives to community college  
23 students to transfer to participating institutions  
24 through strong transfer pathways to complete a  
25 bachelor’s degree program; and



1           “(3) support participating institutions to better  
2           serve new and existing students by engaging in re-  
3           forms and innovations designed to improve comple-  
4           tion rates and other student outcomes.

5           “(b) INSTITUTIONAL ELIGIBILITY.—To be eligible to  
6           participate and receive a grant under this section, an insti-  
7           tution shall be a minority-serving institution that—

8           “(1) has a student body of which not less than  
9           35 percent are low-income students;

10           “(2) commits to maintaining or adopting and  
11           implementing promising and evidence-based institu-  
12           tional reforms and innovative practices to improve  
13           the completion rates and other student outcomes,  
14           such as—

15           “(A) providing comprehensive academic  
16           and student support services, including men-  
17           toring and advising, especially for low-income,  
18           first-generation, and adult students, and other  
19           students belonging to racial and other groups  
20           that are historically underrepresented in higher  
21           education;

22           “(B) providing direct support services such  
23           as—

24           “(i) childcare, transportation, emer-  
25           gency financial assistance, and mental

1 health and substance use disorder treat-  
2 ment;

3 “(ii) assistance in obtaining health in-  
4 surance coverage;

5 “(iii) assistance securing affordable  
6 housing;

7 “(iv) efforts to address food insecurity  
8 and campus hunger; and

9 “(v) efforts to facilitate student par-  
10 ticipation in means-tested Federal benefit  
11 programs (as defined in section 479(d));

12 “(C) providing accelerated learning oppor-  
13 tunities and degree pathways, such as dual en-  
14 rollment and pathways to graduate and profes-  
15 sional degree programs;

16 “(D) partnering with employers, industry,  
17 not-for-profit associations, and other groups to  
18 provide opportunities to advance learning out-  
19 side the classroom, including work-based learn-  
20 ing opportunities such as internships or appren-  
21 ticeships or programs designed to improve  
22 inter-cultural development and personal growth,  
23 such as foreign exchange and study abroad pro-  
24 grams; or

1           “(E) strengthening remedial education, es-  
2           pecially for low-income, first-generation, and  
3           adult students, and other students belonging to  
4           racial and other groups that are underrep-  
5           resented in higher education, including through  
6           the use of multiple measures (such as a stu-  
7           dent’s college entrance examination score, grade  
8           point average, high school course list, or a  
9           placement examination) to identify students in  
10          need of remedial education;

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          “(f) SUPPLEMENT, NOT SUPPLANT.—Funds made  
16          available under section 499S to carry out this section shall  
17          be used to supplement, and not supplant, other Federal,  
18          State, and local funds that would otherwise be expended  
19          to carry out activities under this section.

20          **“SEC. 499R. DEFINITIONS.**

21          “In this subpart:

22                  “(1) ELIGIBLE STUDENT.—

23                          “(A) DEFINITION.—The term ‘eligible stu-  
24                          dent’ means a student, regardless of age, who—

1           “(i)(I) enrolls in a historically black  
2 college or university, Tribal College or Uni-  
3 versity, or minority-serving institution; or

4           “(II) transfers from a community col-  
5 lege into a historically black college or uni-  
6 versity, Tribal College or University, or mi-  
7 nority-serving institution;

8           “(ii) attends the historically black col-  
9 lege or university, Tribal College or Uni-  
10 versity, or minority-serving institution, on  
11 at least a half-time basis;

12           “(iii) maintains satisfactory academic  
13 progress; and

14           “(iv) is a low-income student.

15           “(B) SPECIAL RULES.—

16           “(i) FIRST 3 YEARS.—An otherwise el-  
17 igible student shall lose eligibility 3 cal-  
18 endar years after first receiving benefits  
19 under this title.

20           “(ii) SPECIAL RULE FOR CERTAIN  
21 STUDENTS.—Notwithstanding subpara-  
22 graph (A)(i), an otherwise eligible student  
23 whose parent or guardian was denied a  
24 Federal Direct PLUS loan under part D  
25 after November 1, 2011, and before March

1           29, 2015, and who subsequently withdrew  
2           from a historically black college or univer-  
3           sity, Tribal College or University, or mi-  
4           nority-serving institution, and has not yet  
5           completed a program of study at such his-  
6           torically black college or university or mi-  
7           nority-serving institution, shall be eligible  
8           to participate under sections 499O, 499P,  
9           or 499Q in order to complete such pro-  
10          gram of study, subject to all other require-  
11          ments of sections 499O, 499P, or 499Q  
12          (as the case may be).

13           “(2) HISTORICALLY BLACK COLLEGE OR UNI-  
14          VERSITY.—The term ‘historically black college or  
15          university’ means a part B institution described in  
16          section 322(2).

17           “(3) LOW-INCOME STUDENT.—The term ‘low-  
18          income student’—

19           “(A) shall include any student eligible for  
20          a Federal Pell Grant under section 401; and

21           “(B) may include a student ineligible for a  
22          Federal Pell Grant under section 401 who is  
23          determined by the institution to be a low-in-  
24          come student based on an analysis of the stu-

1           dent’s ability to afford the cost of attendance at  
2           the institution.

3           “(4) MINORITY-SERVING INSTITUTION.—The  
4           term ‘minority-serving institution’ means any public  
5           or not-for-profit institution of higher education—

6                   “(A) described in paragraph (2) and para-  
7                   graphs (4) through (7) of section 371(a); and

8                   “(B) designated as a minority-serving in-  
9                   stitution by the Secretary.

10           “(5) TRIBAL COLLEGE OR UNIVERSITY.—The  
11           term ‘Tribal College or University’ has the meaning  
12           given the term in section 316.

13   **“SEC. 499S. APPROPRIATIONS.**

14           “(a) AUTHORIZATION AND APPROPRIATIONS FOR  
15           HBCU, TCU, AND MSI GRANTS.—For the purpose of  
16           carrying out sections 499O, 499P, and 499Q there are  
17           authorized to be appropriated, and there are appro-  
18           priated—

19                   “(1) \$63,250,000 for fiscal year 2021;

20                   “(2) \$206,990,000 for fiscal year 2022;

21                   “(3) \$1,232,760,000 for fiscal year 2023;

22                   “(4) \$1,282,210,000 for fiscal year 2024;

23                   “(5) \$1,333,950,000 for fiscal year 2025;

24                   “(6) \$1,386,850,000 for fiscal year 2026;

25                   “(7) \$1,408,700,000 for fiscal year 2027;



1 “(8) \$1,501,850,000 for fiscal year 2028;

2 “(9) \$1,562,800,000 for fiscal year 2029; and

3 “(10) \$1,626,040,000 for fiscal year 2030 and

4 each succeeding fiscal year.

5 “(b) AVAILABILITY.—Funds appropriated under sub-  
6 section (a) are to remain available to the Secretary until  
7 expended.

8 “(c) INSUFFICIENT FUNDS.—If the amount appro-  
9 priated under subsection (a) for a fiscal year is not suffi-  
10 cient to award each participating institution in the grant  
11 programs under sections 499O, 499P, and 499Q a grant  
12 under this part equal to 100 percent of the grant amount  
13 determined under section 499O(c), 499P(c), or 499Q(c),  
14 as appropriate, the Secretary may ratably reduce the  
15 amount of each such grant or take other actions necessary  
16 to ensure an equitable distribution of such amount.”.

17 **SEC. 4804. UNMET NEED FOR FEDERAL PELL GRANT RE-**  
18 **CIPIENTS.**

19 Part I of title IV of the Higher Education Act of  
20 1965 (20 U.S.C. 1070 et seq.), as added by section 4801,  
21 is further amended by adding at the end the following:

22 **“Subpart 4—Additional College Affordability Grants**

23 **“SEC. 499T. UNMET NEED FOR FEDERAL PELL GRANT RE-**  
24 **CIPIENTS.**

25 “(a) IN GENERAL.—

1           “(1) GRANT PROGRAM.—Subject to paragraph  
2           (2), from amounts appropriated under subsection (f)  
3           for any fiscal year, the Secretary may award grants  
4           to eligible States and Indian tribes described in  
5           paragraph (3) to pay the Federal share of expendi-  
6           tures needed to carry out the activities and services  
7           described in subsection (d).

8           “(2) LIMITATION.—The Secretary may not  
9           make grants under paragraph (1) in fiscal year un-  
10          less all grants eligible to be made under subpart 1  
11          have been made for such fiscal year.

12          “(3) ELIGIBILITY.—A State or Indian tribe  
13          may only be eligible for a grant under this section  
14          in a fiscal year if such State or Indian tribe received  
15          a grant under subpart 1 for such fiscal year.

16          “(b) FEDERAL SHARE; NON-FEDERAL SHARE.—

17                 “(1) FEDERAL SHARE.—

18                         “(A) FORMULA.—Subject to paragraph  
19                         (2), the Federal share of a grant under this  
20                         section shall be based on a formula, determined  
21                         by the Secretary, that—

22                                 “(i) accounts for the State or Indian  
23                                 tribe’s share of Pell Grant recipients;

24                                 “(ii) provides, for each Pell Grant re-  
25                                 cipient in the State or Indian tribe, a per-

1 student amount that is at least 75 percent  
2 of—

3 “(I) for the first award year for  
4 which grants are made under this sec-  
5 tion, the average unmet need of Pell  
6 Grant recipients in all States for the  
7 most recent year for which data are  
8 available; and

9 “(II) for each subsequent award  
10 year, the amount determined under  
11 this subparagraph for the preceding  
12 award year, increased by the lesser  
13 of—

14 “(aa) a percentage equal to  
15 the estimated percentage increase  
16 in the Consumer Price Index (as  
17 determined by the Secretary)  
18 since the date of such determina-  
19 tion; or

20 “(bb) 3 percent.

21 “(B) EXCEPTION FOR CERTAIN INDIAN  
22 TRIBES.—In any case in which not less than 75  
23 percent of the students at the institutions of  
24 higher education operated or controlled by an  
25 Indian tribe are low-income students, the

1 amount of the Federal share for such Indian  
2 tribe shall be not less than 95 percent of the  
3 total amount needed to waive tuition and fees  
4 for all Pell Grant recipients enrolled in such in-  
5 stitutions of higher education.

6 “(2) STATE OR TRIBAL SHARE.—

7 “(A) FORMULA.—

8 “(i) IN GENERAL.—The State or trib-  
9 al share of a grant under this section for  
10 each fiscal year shall be the amount needed  
11 to pay 25 percent of the average unmet  
12 need of Pell Grant recipients in all States  
13 in the first award year for which grants  
14 are made under this section for all Pell  
15 Grant recipients in the State or Indian  
16 tribe, respectively, for such fiscal year, ex-  
17 cept as provided in clause (ii).

18 “(ii) EXCEPTION FOR CERTAIN IN-  
19 DIAN TRIBES.—In the case of an Indian  
20 tribe described in paragraph (1)(B), the  
21 amount of such Indian tribe’s tribal share  
22 shall not exceed 5 percent of the total  
23 amount needed to pay the average unmet  
24 need for all Pell Grant recipients enrolled

1           in the institutions of higher education de-  
2           scribed in such paragraph.

3           “(B) NEED-BASED AID.—A State or In-  
4           dian tribe may include, as part of the State or  
5           tribal share, any need-based financial aid  
6           that—

7                   “(i) is provided from State or tribal  
8                   funds to a Pell Grant recipient; and

9                   “(ii) may be used by such student to  
10                  pay costs of attendance other than tuition  
11                  and fees.

12           “(3) DETERMINING NUMBER OF PELL GRANT  
13           RECIPIENTS.—

14                   “(A) IN GENERAL.—The Secretary shall  
15                  develop and implement a process for accurately  
16                  estimating the number of Pell Grant recipients  
17                  in a State or Indian tribe for purposes of para-  
18                  graphs (1) and (2).

19                   “(B) INITIAL DETERMINATION.—For the  
20                  first year for which grants are awarded under  
21                  this section, the number of Pell Grant recipi-  
22                  ents in a State or Indian tribe shall be consid-  
23                  ered to be equal to the number of Pell Grant  
24                  recipients that were in the State or tribe for the  
25                  preceding school year.

1           “(4) ADJUSTMENT OF GRANT AMOUNT.—Not  
2 later than 180 days after the date on which a State  
3 or Indian tribe receives a grant under this section,  
4 the Secretary shall—

5           “(A) in consultation with the State or tribe  
6 concerned, determine whether the actual num-  
7 ber of Pell Grant recipients in the State or  
8 Tribe for the year covered by the grant is great-  
9 er than the estimated number of such students  
10 that was used to determine the amount of the  
11 grant; and

12           “(B) if it is determined under paragraph  
13 (1) that the actual number of Pell Grant recipi-  
14 ents in the State or Tribe is higher than such  
15 estimate, issue a supplementary grant payment  
16 to the State or tribe in an amount that ensures  
17 that the total amount of the grant funds re-  
18 ceived by the State or tribe under this section  
19 for the year covered by the grant accurately re-  
20 flects the higher number of Pell Grant recipi-  
21 ents.

22           “(c) APPLICATIONS.—In order to receive a grant  
23 under this section, a State or tribe shall submit an appli-  
24 cation to the Secretary at such time, in such manner, and  
25 containing such information as the Secretary may require.

1 “(d) ALLOWABLE USES OF FUNDS.—

2 “(1) IN GENERAL.—A State or Indian tribe  
3 shall use a grant under this section only to provide  
4 to each Pell Grant recipient a grant that equals the  
5 unmet need of such recipient.

6 “(2) ANNUAL REPORT.—A State or Indian  
7 tribe receiving a grant under this section shall sub-  
8 mit an annual report to the Secretary describing the  
9 uses of grant funds under this section, the progress  
10 made in fulfilling the requirements of the grant, and  
11 rates of transfer, graduation, and attainment of rec-  
12 ognized postsecondary credentials at institutions of  
13 higher education in the State or Indian tribe, includ-  
14 ing such rates disaggregated by race, income, and  
15 age, and including any other information as the Sec-  
16 retary may require.

17 “(3) REPORTING BY THE SECRETARY.—The  
18 Secretary annually shall—

19 “(A) compile and analyze the information  
20 described in paragraph (2); and

21 “(B) prepare and submit a report to the  
22 Committee on Health, Education, Labor, and  
23 Pensions of the Senate and the Committee on  
24 Education and Labor of the House of Rep-  
25 resentatives containing the analysis described in

1           subparagraph (A) and an identification of State  
2           and Indian tribe best practices for achieving the  
3           purpose of this section.

4           “(4) TECHNICAL ASSISTANCE.—The Secretary  
5           shall provide technical assistance to eligible States  
6           and Indian tribes concerning best practices regard-  
7           ing the promising and evidence-based institutional  
8           reforms and innovative practices to improve student  
9           outcomes and shall disseminate such best practices  
10          among the States and Indian tribes.

11          “(5) CONTINUATION OF FUNDING.—

12           “(A) IN GENERAL.—A State or Indian  
13           tribe receiving a grant under this section for a  
14           fiscal year may continue to receive funding  
15           under this section for future fiscal years condi-  
16           tioned on the availability of budget authority  
17           and on meeting the requirements of the grant,  
18           as determined by the Secretary.

19           “(B) DISCONTINUATION.—The Secretary  
20           may discontinue funding of the Federal share of  
21           a grant under this section if the State or Indian  
22           tribe has violated the terms of the grant.

23          “(6) SUPPLEMENT, NOT SUPPLANT.—Funds  
24          made available under this section shall be used to  
25          supplement, and not supplant, other Federal, State,



1 and local funds that would otherwise be expended to  
2 carry out activities under this section.

3 “(e) DEFINITIONS.—In this section:

4 “(1) INDIAN TRIBE.—The term ‘Indian tribe’  
5 has the meaning given the term in section 102 of the  
6 Federally Recognized Indian Tribe List Act of 1994  
7 (25 U.S.C. 479a).

8 “(2) INSTITUTION OF HIGHER EDUCATION.—  
9 The term ‘institution of higher education’ has the  
10 meaning given the term in section 101.

11 “(3) PELL GRANT RECIPIENT.—

12 “(A) DEFINITION.—The term ‘Pell Grant  
13 recipient’ means a student who—

14 “(i) attends a public institution of  
15 higher education on not less than a half-  
16 time basis;

17 “(ii) is a recipient of a Federal Pell  
18 Grant under subpart 1 of part A of title  
19 IV of this Act;

20 “(iii) is maintaining satisfactory  
21 progress (as defined in section 484(c)) in  
22 the student’s course of study;

23 “(iv) is enrolled in an eligible program  
24 (as defined in section 481(b)); and

25 “(v) either—

1                   “(I) qualifies for in-State resi-  
2                   dent institution of higher education  
3                   tuition, as determined by the State or  
4                   Indian tribe; or

5                   “(II) would qualify for such in-  
6                   State tuition, but for the immigration  
7                   status of such student.

8                   “(B) SPECIAL RULE.—An otherwise Pell  
9                   Grant recipient shall lose eligibility under this  
10                  section—

11                  “(i) after 3 years of receiving benefits  
12                  under this section for enrollment at a com-  
13                  munity college (as defined in section  
14                  499F); and

15                  “(ii) after 6 years of receiving benefits  
16                  under this section for enrollment in a 4-  
17                  year institution of higher education.

18                  “(4) RECOGNIZED POSTSECONDARY CREDEN-  
19                  TIAL.—The term ‘recognized postsecondary creden-  
20                  tial’ has the meaning as described in section 3 of the  
21                  Workforce Innovation and Opportunity Act (29  
22                  U.S.C. 3102).

23                  “(5) STATE.—The term ‘State’ has the mean-  
24                  ing given the term in section 103.

1           “(6) UNMET NEED.—The term ‘unmet need’  
2 means, with respect to a Pell Grant recipient, the  
3 amount determined by calculating the difference be-  
4 tween—

5           “(A) the institution’s cost of attendance  
6 (as defined in section 472) for the year for  
7 which the determination is made; and

8           “(B) the sum of—

9           “(i) the total amount of need-based  
10 grant aid and merit-based grant aid, from  
11 Federal, State, and institutional sources,  
12 provided to such Pell Grant recipient for  
13 the year for which the determination is  
14 made; and

15           “(ii) the expected family contribution  
16 for such Pell Grant recipient for the year  
17 for which the determination is made.

18           “(f) APPROPRIATIONS.—

19           “(1) AUTHORIZATION AND APPROPRIATIONS.—  
20 For the purpose of making grants under this section  
21 there are authorized to be appropriated such sums  
22 as may be necessary to carry out this section for fis-  
23 cal year 2021 and each succeeding fiscal year.

1           “(2) AVAILABILITY.—Funds appropriated  
2 under paragraph (1) shall remain available to the  
3 Secretary until expended.

4           “(3) INSUFFICIENT FUNDS.—If the amount ap-  
5 propriated under paragraph (1) for a fiscal year is  
6 not sufficient to award each participating State and  
7 Indian tribe a grant under this section that is equal  
8 to the minimum amount of the Federal share de-  
9 scribed in subsection (b), the Secretary may ratably  
10 reduce the amount of each such grant or take other  
11 actions necessary to ensure an equitable distribution  
12 of such amount.

13           “(4) TRANSFER AVAILABILITY.—The Secretary  
14 is authorized, subject to the availability of appro-  
15 priations, to transfer amounts authorized to be ap-  
16 propriated to carry out subpart 1 for a fiscal year  
17 to make grants under this section if all grants eligi-  
18 ble to be made under such subpart have been made  
19 for such fiscal year.”.

20 **SEC. 4805. UNMET NEED FOR STUDENTS.**

21           Subpart 4 of part I of title IV of the Higher Edu-  
22 cation Act of 1965 (20 U.S.C. 1070 et seq.), as added  
23 by section 4804, is further amended by adding at the end  
24 the following:

1 **“SEC. 499U. UNMET NEED FOR STUDENTS.**

2 “(a) IN GENERAL.—

3 “(1) GRANT PROGRAM.—Subject to paragraph  
4 (2), from amounts appropriated under subsection (f)  
5 for any fiscal year, the Secretary may award grants  
6 to eligible States and Indian tribes described in  
7 paragraph (3) to pay the Federal share of expendi-  
8 tures needed to carry out the activities and services  
9 described in subsection (d).

10 “(2) LIMITATION.—The Secretary may not  
11 make grants under paragraph (1) in fiscal year un-  
12 less—

13 “(A) all grants eligible to be made under  
14 subpart 1 have been made for such fiscal year;  
15 and

16 “(B) all grants eligible to be made under  
17 section 499T have been made for such fiscal  
18 year.

19 “(3) ELIGIBILITY.—A State or Indian tribe  
20 may only be eligible for a grant under this section  
21 in a fiscal year if such State or Indian tribe re-  
22 ceived—

23 “(A) a grant under subpart 1 for such fis-  
24 cal year; and

25 “(B) a grant under 499T for such fiscal  
26 year.

1 “(b) FEDERAL SHARE; NON-FEDERAL SHARE.—

2 “(1) FEDERAL SHARE.—

3 “(A) FORMULA.—Subject to paragraph  
4 (2), the Federal share of a grant under this  
5 section shall be based on a formula, determined  
6 by the Secretary, that—

7 “(i) accounts for the State or Indian  
8 tribe’s share of eligible students;

9 “(ii) provides, for each eligible student  
10 in the State or Indian tribe, a per-student  
11 amount that is at least 75 percent of—

12 “(I) for the first award year for  
13 which grants are made under this sec-  
14 tion, the average unmet need of eligi-  
15 ble students in all States for the most  
16 recent year for which data are avail-  
17 able; and

18 “(II) for each subsequent award  
19 year, the amount determined under  
20 this subparagraph for the preceding  
21 award year, increased by the lesser  
22 of—

23 “(aa) a percentage equal to  
24 the estimated percentage increase  
25 in the Consumer Price Index (as

1 determined by the Secretary)  
2 since the date of such determina-  
3 tion; or

4 “(bb) 3 percent.

5 “(B) EXCEPTION FOR CERTAIN INDIAN  
6 TRIBES.—In any case in which not less than 75  
7 percent of the students at the institutions of  
8 higher education operated or controlled by an  
9 Indian tribe are low-income students, the  
10 amount of the Federal share for such Indian  
11 tribe shall be not less than 95 percent of the  
12 total amount needed to waive tuition and fees  
13 for all eligible students enrolled in such institu-  
14 tions of higher education.

15 “(2) STATE OR TRIBAL SHARE.—

16 “(A) FORMULA.—

17 “(i) IN GENERAL.—The State or trib-  
18 al share of a grant under this section for  
19 each fiscal year shall be the amount needed  
20 to pay 25 percent of the average unmet  
21 need of eligible students in all States in  
22 the first award year for which grants are  
23 made under this section for all eligible stu-  
24 dents in the State or Indian tribe, respec-

1                   tively, for such fiscal year, except as pro-  
2                   vided in clause (ii).

3                   “(ii) EXCEPTION FOR CERTAIN IN-  
4                   DIAN TRIBES.—In the case of an Indian  
5                   tribe described in paragraph (1)(B), the  
6                   amount of such Indian tribe’s tribal share  
7                   shall not exceed 5 percent of the total  
8                   amount needed to pay the average unmet  
9                   need for all eligible students enrolled in the  
10                  institutions of higher education described  
11                  in such subparagraph.

12                  “(B) NEED-BASED AID.—A State or In-  
13                  dian tribe may include, as part of the State or  
14                  tribal share, any need-based financial aid  
15                  that—

16                         “(i) is provided from State or tribal  
17                         funds to an eligible student; and

18                         “(ii) may be used by such student to  
19                         pay costs of attendance other than tuition  
20                         and fees.

21                  “(3) DETERMINING NUMBER OF ELIGIBLE STU-  
22                  DENTS.—

23                         “(A) IN GENERAL.—The Secretary shall  
24                         develop and implement a process for accurately  
25                         estimating the number of eligible students in a



1 State or Indian tribe for purposes of para-  
2 graphs (1) and (2).

3 “(B) INITIAL DETERMINATION.—For the  
4 first year for which grants are awarded under  
5 this section, the number of eligible students in  
6 a State or Indian tribe shall be considered to be  
7 equal to the number of eligible students that  
8 were in the State or tribe for the preceding  
9 school year.

10 “(4) ADJUSTMENT OF GRANT AMOUNT.—Not  
11 later than 180 days after the date on which a State  
12 or Indian tribe receives a grant under this section,  
13 the Secretary shall—

14 “(A) in consultation with the State or tribe  
15 concerned, determine whether the actual num-  
16 ber of eligible students in the State or Tribe for  
17 the year covered by the grant is greater than  
18 the estimated number of such students that was  
19 used to determine the amount of the grant; and

20 “(B) if it is determined under paragraph  
21 (1) that the actual number of eligible students  
22 in the State or Tribe is higher than such esti-  
23 mate, issue a supplementary grant payment to  
24 the State or tribe in an amount that ensures  
25 that the total amount of the grant funds re-

1           ceived by the State or tribe under this section  
2           for the year covered by the grant accurately re-  
3           flects the higher number of eligible students.

4           “(c) APPLICATIONS.—In order to receive a grant  
5 under this section, a State or tribe shall submit an appli-  
6 cation to the Secretary at such time, in such manner, and  
7 containing such information as the Secretary may require.

8           “(d) ALLOWABLE USES OF FUNDS.—

9           “(1) IN GENERAL.—A State or Indian tribe  
10 shall use a grant under this section only to provide  
11 to each eligible student a grant that equals the  
12 unmet need of such recipient.

13           “(2) ANNUAL REPORT.—A State or Indian  
14 tribe receiving a grant under this section shall sub-  
15 mit an annual report to the Secretary describing the  
16 uses of grant funds under this section, the progress  
17 made in fulfilling the requirements of the grant, and  
18 rates of transfer, graduation, and attainment of rec-  
19 ognized postsecondary credentials at institutions of  
20 higher education in the State or Indian tribe, includ-  
21 ing such rates disaggregated by race, income, and  
22 age, and including any other information as the Sec-  
23 retary may require.

24           “(3) REPORTING BY THE SECRETARY.—The  
25 Secretary annually shall—

1           “(A) compile and analyze the information  
2 described in paragraph (2); and

3           “(B) prepare and submit a report to the  
4 Committee on Health, Education, Labor, and  
5 Pensions of the Senate and the Committee on  
6 Education and Labor of the House of Rep-  
7 resentatives containing the analysis described in  
8 subparagraph (A) and an identification of State  
9 and Indian tribe best practices for achieving the  
10 purpose of this section.

11           “(4) TECHNICAL ASSISTANCE.—The Secretary  
12 shall provide technical assistance to eligible States  
13 and Indian tribes concerning best practices regard-  
14 ing the promising and evidence-based institutional  
15 reforms and innovative practices to improve student  
16 outcomes and shall disseminate such best practices  
17 among the States and Indian tribes.

18           “(5) CONTINUATION OF FUNDING.—

19           “(A) IN GENERAL.—A State or Indian  
20 tribe receiving a grant under this section for a  
21 fiscal year may continue to receive funding  
22 under this section for future fiscal years condi-  
23 tioned on the availability of budget authority  
24 and on meeting the requirements of the grant,  
25 as determined by the Secretary.

1           “(B) DISCONTINUATION.—The Secretary  
2           may discontinue funding of the Federal share of  
3           a grant under this section if the State or Indian  
4           tribe has violated the terms of the grant.

5           “(6) SUPPLEMENT, NOT SUPPLANT.—Funds  
6           made available under this section shall be used to  
7           supplement, and not supplant, other Federal, State,  
8           and local funds that would otherwise be expended to  
9           carry out activities under this section.

10          “(e) DEFINITIONS.—In this section:

11           “(1) ELIGIBLE STUDENT.—

12           “(A) DEFINITION.—The term ‘eligible stu-  
13           dent’ means a student who—

14           “(i) attends a public institution of  
15           higher education on not less than a half-  
16           time basis;

17           “(ii) is not a recipient of a Federal  
18           Pell Grant under subpart 1 of part A of  
19           title IV of this Act;

20           “(iii) is maintaining satisfactory  
21           progress (as defined in section 484(c)) in  
22           the student’s course of study;

23           “(iv) is enrolled in an eligible program  
24           (as defined in section 481(b)); and

25           “(v) either—

1                   “(I) qualifies for in-State resi-  
2                   dent institution of higher education  
3                   tuition, as determined by the State or  
4                   Indian tribe; or

5                   “(II) would qualify for such in-  
6                   State tuition, but for the immigration  
7                   status of such student.

8                   “(B) SPECIAL RULE.—An otherwise eligi-  
9                   ble student shall lose eligibility under this sec-  
10                  tion—

11                  “(i) after 3 years of receiving benefits  
12                  under this section for enrollment at a com-  
13                  munity college (as defined in section  
14                  499F); and

15                  “(ii) after 6 years of receiving benefits  
16                  under this section for enrollment in a 4-  
17                  year institution of higher education.

18                  “(2) INDIAN TRIBE.—The term ‘Indian tribe’  
19                  has the meaning given the term in section 102 of the  
20                  Federally Recognized Indian Tribe List Act of 1994  
21                  (25 U.S.C. 479a).

22                  “(3) INSTITUTION OF HIGHER EDUCATION.—  
23                  The term ‘institution of higher education’ has the  
24                  meaning given the term in section 101.

1           “(4) RECOGNIZED POSTSECONDARY CREDEN-  
2           TIAL.—The term ‘recognized postsecondary creden-  
3           tial’ has the meaning as described in section 3 of the  
4           Workforce Innovation and Opportunity Act (29  
5           U.S.C. 3102).

6           “(5) STATE.—The term ‘State’ has the mean-  
7           ing given the term in section 103.

8           “(6) UNMET NEED.—The term ‘unmet need’  
9           means, with respect to an eligible student, the  
10          amount determined by calculating the difference be-  
11          tween—

12                 “(A) the institution’s cost of attendance  
13                 (as defined in section 472) for the year for  
14                 which the determination is made; and

15                 “(B) the sum of—

16                         “(i) the total amount of need-based  
17                         grant aid and merit-based grant aid, from  
18                         Federal, State, and institutional sources,  
19                         provided to such eligible student for the  
20                         year for which the determination is made;  
21                         and

22                         “(ii) the expected family contribution  
23                         for such eligible student for the year for  
24                         which the determination is made.

25           “(f) APPROPRIATIONS.—

1           “(1) AUTHORIZATION AND APPROPRIATIONS.—

2           For the purpose of making grants under this section  
3           there are authorized to be appropriated such sums  
4           as may be necessary to carry out this section for fis-  
5           cal year 2021 and each succeeding fiscal year.

6           “(2) AVAILABILITY.—Funds appropriated  
7           under paragraph (1) shall remain available to the  
8           Secretary until expended.

9           “(3) INSUFFICIENT FUNDS.—If the amount ap-  
10          propriated under paragraph (1) for a fiscal year is  
11          not sufficient to award each participating State and  
12          Indian tribe a grant under this section that is equal  
13          to the minimum amount of the Federal share de-  
14          scribed in subsection (b), the Secretary may ratably  
15          reduce the amount of each such grant or take other  
16          actions necessary to ensure an equitable distribution  
17          of such amount.

18          “(4) TRANSFER AVAILABILITY.—The Secretary  
19          is authorized, subject to the availability of appro-  
20          priations, to transfer amounts authorized to be ap-  
21          propriated to carry out subpart 1 or to carry out  
22          section 499T for a fiscal year to make grants under  
23          this section if—

1           “(A) all grants eligible to be made under  
2           such subpart have been made for such fiscal  
3           year; and

4           “(B) all grants eligible to be made under  
5           such section have been made for such fiscal  
6           year.”.

7   **SEC. 4806. TUITION WAIVERS.**

8           Subpart 4 of part I of title IV of the Higher Edu-  
9   cation Act of 1965 (20 U.S.C. 1070 et seq.), as added  
10  by section 4804, is further amended by adding at the end  
11  the following:

12  **“SEC. 499V. TUITION WAIVERS.**

13           “(a) IN GENERAL.—

14           “(1) GRANT PROGRAM.—Subject to paragraph  
15           (2), from amounts appropriated under subsection (g)  
16           for any fiscal year, the Secretary may award grants  
17           to eligible States and Indian tribes to pay the Fed-  
18           eral share of expenditures needed to carry out the  
19           activities and services described in subsection (d).

20           “(2) LIMITATION.—The Secretary may not  
21           make grants under paragraph (1) in fiscal year un-  
22           less—

23           “(A) all grants eligible to be made under  
24           subpart 1 have been made for such fiscal year;



1           “(B) all grants eligible to be made under  
2           499T have been made for such fiscal year; and

3           “(C) all grants eligible to be made under  
4           499U have been made for such fiscal year.

5           “(3) ELIGIBILITY.—A State or Indian tribe  
6           may only be eligible for a grant under this section  
7           in a fiscal year if such State or Indian tribe re-  
8           ceived—

9           “(A) a grant under subpart 1 for such fis-  
10          cal year;

11          “(B) a grant under section 499T for such  
12          fiscal year; and

13          “(C) a grant under 499U for such fiscal  
14          year.

15          “(b) FEDERAL SHARE; NON-FEDERAL SHARE.—

16          “(1) FEDERAL SHARE.—

17          “(A) FORMULA.—Subject to paragraph  
18          (2), the Federal share of a grant under this  
19          section shall be based on a formula, determined  
20          by the Secretary, that—

21                 “(i) accounts for the State or Indian  
22                 tribe’s share of eligible students;

23                 “(ii) provides, for each eligible student  
24                 in the State or Indian tribe, a per-student  
25                 amount that is at least 75 percent of—

1                   “(I) for the first award year for  
2                   which grants are made under this sec-  
3                   tion, the average resident public 4-  
4                   year institutions of higher education  
5                   tuition and fees per student in all  
6                   States for the most recent year for  
7                   which data are available; and

8                   “(II) for each subsequent award  
9                   year, the amount determined under  
10                  this subparagraph for the preceding  
11                  award year, increased by the lesser  
12                  of—

13                   “(aa) a percentage equal to  
14                   the estimated percentage increase  
15                   in the Consumer Price Index (as  
16                   determined by the Secretary)  
17                   since the date of such determina-  
18                   tion; or

19                   “(bb) 3 percent.

20                  “(B) EXCEPTION FOR CERTAIN INDIAN  
21                  TRIBES.—In any case in which not less than 75  
22                  percent of the students at the institutions of  
23                  higher education operated or controlled by an  
24                  Indian tribe are low-income students, the  
25                  amount of the Federal share for such Indian

1           tribe shall be not less than 95 percent of the  
2           total amount needed to waive tuition and fees  
3           for all eligible students enrolled in such institu-  
4           tions of higher education.

5           “(2) STATE OR TRIBAL SHARE.—

6                 “(A) FORMULA.—

7                         “(i) IN GENERAL.—The State or trib-  
8                         al share of a grant under this section for  
9                         each fiscal year shall be the amount needed  
10                        to pay 25 percent of the average resident  
11                        public 4-year institutions of higher edu-  
12                        cation tuition and fees for eligible students  
13                        in all States in first award year for which  
14                        grants are made under this section for all  
15                        eligible students in the State or Indian  
16                        tribe, respectively, for such fiscal year, ex-  
17                        cept as provided in clause (ii).

18                       “(ii) EXCEPTION FOR CERTAIN IN-  
19                        DIAN TRIBES.—In the case of an Indian  
20                        tribe described in paragraph (1)(B), the  
21                        amount of such Indian tribe’s tribal share  
22                        shall not exceed 5 percent of the total  
23                        amount needed to waive tuition and fees  
24                        for all eligible students enrolled in the in-

1                   stitutions of higher education described in  
2                   such paragraph.

3                   “(B) NEED-BASED AID.—A State or In-  
4                   dian tribe may include, as part of the State or  
5                   tribal share, any need-based financial aid  
6                   that—

7                   “(i) is provided from State or tribal  
8                   funds to an eligible student; and

9                   “(ii) may be used by such student to  
10                  pay costs of attendance other than tuition  
11                  and fees.

12                  “(3) DETERMINING NUMBER OF ELIGIBLE STU-  
13                  DENTS.—

14                  “(A) IN GENERAL.—The Secretary shall  
15                  develop and implement a process for accurately  
16                  estimating the number of eligible students in a  
17                  State or Indian tribe for purposes of para-  
18                  graphs (1) and (2).

19                  “(B) INITIAL DETERMINATION.—For the  
20                  first year for which grants are awarded under  
21                  this section, the number of eligible students in  
22                  a State or Indian tribe shall be considered to be  
23                  equal to the number of eligible students that  
24                  were in the State or tribe for the preceding  
25                  school year.

1           “(4) ADJUSTMENT OF GRANT AMOUNT.—Not  
2 later than 180 days after the date on which a State  
3 or Indian tribe receives a grant under this section,  
4 the Secretary shall—

5           “(A) in consultation with the State or tribe  
6 concerned, determine whether the actual num-  
7 ber of eligible students in the State or Tribe for  
8 the year covered by the grant is greater than  
9 the estimated number of such students that was  
10 used to determine the amount of the grant; and

11           “(B) if it is determined under paragraph  
12 (1) that the actual number of eligible students  
13 in the State or Tribe is higher than such esti-  
14 mate, issue a supplementary grant payment to  
15 the State or tribe in an amount that ensures  
16 that the total amount of the grant funds re-  
17 ceived by the State or tribe under this section  
18 for the year covered by the grant accurately re-  
19 flects the higher number of eligible students.

20           “(c) APPLICATIONS.—In order to receive a grant  
21 under this section, a State or tribe shall submit an appli-  
22 cation to the Secretary at such time, in such manner, and  
23 containing such information as the Secretary may require.

1       “(d) GENERAL REQUIREMENTS.—As a condition of  
2 receiving a grant under this subpart a State or Indian  
3 tribe shall meet the following requirements:

4           “(1) For each year of the grant the total  
5 amount of public 4-year institution of higher edu-  
6 cation resident tuition and fees charged to an eligi-  
7 ble student in the State or Indian tribe shall be \$0.

8           “(2) For each year of the grant no amount of  
9 financial assistance for which an eligible student  
10 qualifies may be applied to such tuition or fees.

11       “(e) ALLOWABLE USES OF FUNDS.—

12           “(1) IN GENERAL.—A State or Indian tribe  
13 shall use a grant under this section only to provide  
14 funds to participating public 4-year institutions to  
15 enable such public 4-year institutions to waive resi-  
16 dent tuition and fees for eligible students as required  
17 under subsection (d).

18           “(2) ANNUAL REPORT.—A State or Indian  
19 tribe receiving a grant under this section shall sub-  
20 mit an annual report to the Secretary describing the  
21 uses of grant funds under this section, the progress  
22 made in fulfilling the requirements of the grant, and  
23 rates of transfer, graduation, and attainment of rec-  
24 ognized postsecondary credentials at institutions of  
25 higher education in the State or Indian tribe, includ-

1       ing such rates disaggregated by race, income, and  
2       age, and including any other information as the Sec-  
3       retary may require.

4           “(3) REPORTING BY THE SECRETARY.—The  
5       Secretary annually shall—

6           “(A) compile and analyze the information  
7       described in paragraph (2); and

8           “(B) prepare and submit a report to the  
9       Committee on Health, Education, Labor, and  
10       Pensions of the Senate and the Committee on  
11       Education and Labor of the House of Rep-  
12       resentatives containing the analysis described in  
13       subparagraph (A) and an identification of State  
14       and Indian tribe best practices for achieving the  
15       purpose of this section.

16          “(4) TECHNICAL ASSISTANCE.—The Secretary  
17       shall provide technical assistance to eligible States  
18       and Indian tribes concerning best practices regard-  
19       ing the promising and evidence-based institutional  
20       reforms and innovative practices to improve student  
21       outcomes and shall disseminate such best practices  
22       among the States and Indian tribes.

23          “(5) CONTINUATION OF FUNDING.—

24           “(A) IN GENERAL.—A State or Indian  
25       tribe receiving a grant under this section for a

1           fiscal year may continue to receive funding  
2           under this section for future fiscal years condi-  
3           tioned on the availability of budget authority  
4           and on meeting the requirements of the grant,  
5           as determined by the Secretary.

6           “(B) DISCONTINUATION.—The Secretary  
7           may discontinue funding of the Federal share of  
8           a grant under this section if the State or Indian  
9           tribe has violated the terms of the grant.

10          “(6) SUPPLEMENT, NOT SUPPLANT.—Funds  
11          made available under this section shall be used to  
12          supplement, and not supplant, other Federal, State,  
13          and local funds that would otherwise be expended to  
14          carry out activities under this section.

15          “(f) DEFINITIONS.—In this section:

16                 “(1) ELIGIBLE STUDENT.—

17                         “(A) DEFINITION.—The term ‘eligible stu-  
18                         dent’ means a student who—

19                                 “(i) attends a public institution of  
20                                 higher education on not less than a half-  
21                                 time basis;

22                                 “(ii) is maintaining satisfactory  
23                                 progress (as defined in section 484(e)) in  
24                                 the student’s course of study;



1 “(iii) is enrolled in an eligible pro-  
2 gram (as defined in section 481(b)); and

3 “(iv) either—

4 “(I) qualifies for in-State resi-  
5 dent institution of higher education  
6 tuition, as determined by the State or  
7 Indian tribe; or

8 “(II) would qualify for such in-  
9 State tuition, but for the immigration  
10 status of such student.

11 “(B) SPECIAL RULE.—An otherwise eligi-  
12 ble student shall lose eligibility under this sec-  
13 tion after 6 years of receiving benefits under  
14 this section.

15 “(2) INDIAN TRIBE.—The term ‘Indian tribe’  
16 has the meaning given the term in section 102 of the  
17 Federally Recognized Indian Tribe List Act of 1994  
18 (25 U.S.C. 479a).

19 “(3) INSTITUTION OF HIGHER EDUCATION.—  
20 The term ‘institution of higher education’ has the  
21 meaning given the term in section 101.

22 “(4) RECOGNIZED POSTSECONDARY CREDEN-  
23 TIAL.—The term ‘recognized postsecondary creden-  
24 tial’ has the meaning as described in section 3 of the

1 Workforce Innovation and Opportunity Act (29  
2 U.S.C. 3102).

3 “(5) STATE.—The term ‘State’ has the mean-  
4 ing given the term in section 103.

5 “(g) APPROPRIATIONS.—

6 “(1) AUTHORIZATION AND APPROPRIATIONS.—  
7 For the purpose of making grants under this section  
8 there are authorized to be appropriated such sums  
9 as may be necessary to carry out this section for fis-  
10 cal year 2021 and each succeeding fiscal year.

11 “(2) AVAILABILITY.—Funds appropriated  
12 under paragraph (1) shall remain available to the  
13 Secretary until expended.

14 “(3) INSUFFICIENT FUNDS.—If the amount ap-  
15 propriated under paragraph (1) for a fiscal year is  
16 not sufficient to award each participating State and  
17 Indian tribe a grant under this section that is equal  
18 to the minimum amount of the Federal share de-  
19 scribed in subsection (b), the Secretary may ratably  
20 reduce the amount of each such grant or take other  
21 actions necessary to ensure an equitable distribution  
22 of such amount.

23 “(4) TRANSFER AVAILABILITY.—The Secretary  
24 is authorized, subject to the availability of appro-  
25 priations, to transfer amounts authorized to be ap-

1       appropriated to carry out subpart 1, to carry out  
2       499T, and to carry out 499U for a fiscal year to  
3       make grants under this section if—

4               “(A) all grants eligible to be made under  
5               such subpart have been made for such fiscal  
6               year;

7               “(B) all grants eligible to be made under  
8               499T have been made for such year; and

9               “(C) all grants eligible to be made under  
10              499U have been made for such fiscal year.”.

11 **SEC. 4807. EXPANSION FOR PRIVATE INSTITUTIONS.**

12       Subpart 4 of part I of title IV of the Higher Edu-  
13 cation Act of 1965 (20 U.S.C. 1070 et seq.), as added  
14 by section 4804, is further amended by adding at the end  
15 the following:

16 **“SEC. 499W. EXPANSION FOR PRIVATE INSTITUTIONS.**

17       “(a) **AUTHORITY.**—The Secretary may establish a  
18 program under which—

19               “(1) a State that participates in section 499T  
20 may elect to carry out the grant programs under  
21 such section to students who—

22               “(A) meet the requirements under clauses  
23 (i) through (iv) of subparagraph (A) and sub-  
24 paragraph (B) of subsection (e)(3) of such sec-  
25 tion; and

1           “(B) are enrolled in nonprofit private insti-  
2           tution of higher education in such State; and

3           “(2) a State that participates in section 499U  
4           may elect to carry out the grant programs under  
5           such section to students who—

6           “(A) meet the requirements under clauses  
7           (i) through (iv) of subparagraph (A) and sub-  
8           paragraph (B) of subsection (e)(1) of such sec-  
9           tion; and

10           “(B) and are enrolled in nonprofit private  
11           institution of higher education in such States.

12           “(b) PROGRAM REQUIREMENTS.—The Secretary  
13           shall set eligibility standards for nonprofit private institu-  
14           tions of higher education which shall, at a minimum, in-  
15           clude—

16           “(1) benchmarks for the enrollment of low-in-  
17           come students;

18           “(2) a requirement that any nonprofit private  
19           institution of higher education that participates in a  
20           grant program pursuant to this section may not re-  
21           duce the funding for institutional need-based aid; or

22           “(3) a requirement that grant amounts for stu-  
23           dents at such institutions of higher education shall  
24           not exceed grants for students with similar levels of

1 financial need (as measured by expected family con-  
2 tribution) at public institutions of higher education.

3 “(c) AUTHORIZATION OF APPROPRIATIONS.—For the  
4 purpose of making grants under this section there are au-  
5 thorized to be appropriated such sums as may be nec-  
6 essary to carry out this section for fiscal year 2021 and  
7 each succeeding fiscal year.”.

## 8 **TITLE V—DEVELOPING** 9 **INSTITUTIONS**

### 10 **SEC. 5001. HISPANIC-SERVING INSTITUTIONS.**

11 (a) AUTHORIZED ACTIVITIES.—Section 503(b) of the  
12 Higher Education Act of 1965 (20 U.S.C. 1101b(b)) is  
13 amended—

14 (1) by redesignating paragraph (16) as para-  
15 graph (17); and

16 (2) by inserting after paragraph (15) the fol-  
17 lowing:

18 “(16) Promoting opportunities for international  
19 education, including through the development of  
20 partnerships with institutions of higher education  
21 outside the United States.”.

22 (b) ENDOWMENT FUNDING LIMITATIONS.—Section  
23 503(c) of the Higher Education Act of 1965 (20 U.S.C.  
24 1101b(c)) is amended—

25 (1) in paragraph (2)—

1 (A) by striking “non-Federal funds” and  
2 inserting “non-Federal funds (which may in-  
3 clude gifts to the endowment fund restricted for  
4 a specific purpose)”; and

5 (B) by striking “equal to or greater than”  
6 and inserting “equal to 50 percent of”; and

7 (2) by inserting after paragraph (3) the fol-  
8 lowing:

9 “(4) SCHOLARSHIPS.—An eligible institution  
10 that uses grant funds provided under this title to es-  
11 tablish or increase an endowment fund may use the  
12 interest proceeds from such endowment to provide  
13 scholarships to students for the purposes of attend-  
14 ing such institution.”.

15 **SEC. 5002. PROMOTING POSTBACCALAUREATE OPPORTUNI-**  
16 **TIES FOR HISPANIC AMERICANS.**

17 (a) PROGRAM AUTHORITY.—Section 512 of the  
18 Higher Education Act of 1965 (20 U.S.C. 1102a) is  
19 amended by adding at the end the following:

20 “(c) MINIMUM GRANTS AWARDED.—Of the funds ap-  
21 propriated to carry out this part for a fiscal year, the Sec-  
22 retary—

23 “(1) shall—

1           “(A) use not less than one-third of such  
2 funds to award grants to carry out the activities  
3 described in section 513(b); and

4           “(B) use not less than one-third of such  
5 funds to award grants to carry out the activities  
6 described in section 513(c); and

7           “(2) may use any funds remaining (after using  
8 the funds in accordance with paragraph (1)) to  
9 award grants to carry out activities described in sub-  
10 section (b) or (c) of section 513.”.

11       (b) **AUTHORIZED ACTIVITIES.**—Section 513 of the  
12 Higher Education Act of 1965 (20 U.S.C. 1102b) is  
13 amended to read as follows:

14       **“SEC. 513. AUTHORIZED ACTIVITIES.**

15       “(a) **REQUIREMENTS.**—

16           “(1) **IN GENERAL.**—Grants awarded under this  
17 part shall be used for—

18           “(A) one or more of the activities described  
19 in subsection (b); or

20           “(B) one or more of the activities de-  
21 scribed in subsection (c).

22           “(2) **PROHIBITION.**—A grant awarded under  
23 this part may not be used for activities under both  
24 subsections (b) and (c).

1           “(b) PROMOTING POSTBACCALAUREATE OPPORTUNI-  
2 TIES FOR HISPANIC AMERICANS ACTIVITIES.—Grants  
3 awarded under this part may be used for one or more of  
4 the following activities promoting postbaccalaureate op-  
5 portunities for Hispanic Americans:

6           “(1) Purchase, rental, or lease of scientific or  
7 laboratory equipment for educational purposes, in-  
8 cluding instructional and research purposes.

9           “(2) Construction, maintenance, renovation,  
10 and improvement of classrooms, libraries, labora-  
11 tories, and other instructional facilities, including  
12 purchase or rental of telecommunications technology  
13 equipment or services.

14           “(3) Purchase of library books, periodicals,  
15 technical and other scientific journals, microfilm,  
16 microfiche, and other educational materials, includ-  
17 ing telecommunications program materials.

18           “(4) Support for low-income postbaccalaureate  
19 students including outreach, academic support serv-  
20 ices, mentoring, scholarships, fellowships, and other  
21 financial assistance to permit the enrollment of such  
22 students in postbaccalaureate certificate and  
23 postbaccalaureate degree granting programs.

24           “(5) Creating or improving facilities for Inter-  
25 net or other distance education technologies, includ-



1       ing purchase or rental of telecommunications tech-  
2       nology equipment or services.

3           “(6) Collaboration with other institutions of  
4       higher education to expand postbaccalaureate certifi-  
5       cate and postbaccalaureate degree offerings.

6           “(7) Other activities proposed in the application  
7       submitted pursuant to section 514 that—

8           “(A) contribute to carrying out the pur-  
9       poses of this part; and

10          “(B) are approved by the Secretary as part  
11       of the review and acceptance of such applica-  
12       tion.

13          “(c) FACULTY DEVELOPMENT ACTIVITIES.—Grants  
14       awarded under this part may be used for one or more of  
15       the following activities for faculty development:

16          “(1) Support of faculty exchanges, faculty de-  
17       velopment, faculty research, curriculum development,  
18       and academic instruction.

19          “(2) Financial support to graduate students  
20       planning to pursue academic careers who desire to  
21       become faculty at Hispanic-serving institutions.

22          “(3) Career services in preparing for an aca-  
23       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 “\$350,000,000”;

18           (2) in paragraph (2), by striking  
19           “\$100,000,000” and inserting “\$115,000,000”;

20           (3) by striking “2009” each place it appears  
21           and inserting “2021”; and

22           (4) by adding at the end the following:

23           “(3) RESERVATION FOR TECHNICAL ASSIST-  
24           ANCE.—From the amounts appropriated under para-  
25           graph (1) to carry out part A for a fiscal year, the

1 Secretary shall reserve 0.75 percent to carry out  
2 technical assistance and administrative training for  
3 staff and faculty at Hispanic-serving institutions  
4 under such part.”.

5 **TITLE VI—INTERNATIONAL**  
6 **EDUCATION PROGRAMS**

7 **SEC. 6001. INTERNATIONAL EDUCATION.**

8 (a) GRADUATE AND UNDERGRADUATE LANGUAGE  
9 AND AREA CENTERS AND PROGRAMS.—Section  
10 602(b)(2)(B)(ii) of the Higher Education Act of 1965 (20  
11 U.S.C. 1122(b)(2)(B)(ii)) is amended—

12 (1) in subclause (III), by striking “or”;

13 (2) in subclause (IV), by striking the period at  
14 the end and inserting “; or”; and

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

16 “(V) the beginning, intermediate, or  
17 advanced study of a foreign language re-  
18 lated to the area of specialization.”.

19 (b) INTERNATIONAL RESEARCH AND INNOVATION.—  
20 Section 605 of the Higher Education Act of 1965 (20  
21 U.S.C. 1125) is amended to read as follows:

22 **“SEC. 605. INTERNATIONAL RESEARCH AND INNOVATION.**

23 “(a) PURPOSE.—It is the purpose of this section to  
24 support essential international and foreign language edu-  
25 cation research and innovation projects with the goal of

1 assessing and strengthening international education ca-  
2 pacity, coordination, delivery, and outcomes to meet na-  
3 tional needs.

4 “(b) AUTHORITY.—

5 “(1) IN GENERAL.—From the amount provided  
6 to carry out this section, the Secretary shall carry  
7 out the following activities:

8 “(A) Conduct research and studies that  
9 contribute to the purpose described in sub-  
10 section (a), which shall include research to pro-  
11 vide a systematic understanding of the United  
12 States’ international and foreign language edu-  
13 cation capacity, structures, and effectiveness in  
14 meeting growing demands by education, govern-  
15 ment, and the private sector (including business  
16 and other professions).

17 “(B) Create innovative paradigms or en-  
18 hance or scale up proven strategies and prac-  
19 tices that address systemic challenges to devel-  
20 oping and delivering international and foreign  
21 language education resources and expertise  
22 across educational disciplines, institutions, em-  
23 ployers, and other stakeholders.

24 “(C) Develop and manage a national  
25 standardized database that—

1                   “(i) includes the strengths, gaps, and  
2                   trends in the United States’ international  
3                   and foreign language education capacity;  
4                   and

5                   “(ii) documents the outcomes of pro-  
6                   grams funded under this title for every  
7                   grant cycle.

8                   “(2) GRANTS OR CONTRACTS.—The Secretary  
9                   shall carry out activities to achieve the outcomes de-  
10                  scribed in paragraph (1)—

11                  “(A) directly; or

12                  “(B) through grants awarded under sub-  
13                  section (d) or (e).

14                  “(c) ELIGIBLE ENTITY DEFINED.—In this section,  
15                  the term ‘eligible entity’ means—

16                  “(1) an institution of higher education;

17                  “(2) a public or private nonprofit library;

18                  “(3) a nonprofit educational organization;

19                  “(4) an entity that—

20                         “(A) received a grant under this title for  
21                         a preceding fiscal year; or

22                         “(B) is receiving a grant under this title as  
23                         of the date of application for a grant under this  
24                         section; or

1           “(5) a partnership of two or more entities de-  
2           scribed in paragraphs (1) through (4).

3           “(d) RESEARCH GRANTS.—

4           “(1) PROGRAM AUTHORIZED.—For any fiscal  
5           year for which the Secretary carries out activities  
6           under subsection (b)(1) through research grants  
7           under this subsection, the Secretary shall award  
8           such grants, on a competitive basis, to eligible enti-  
9           ties.

10           “(2) REQUIRED ACTIVITIES.—An eligible entity  
11           that receives a grant under this subsection shall use  
12           the grant funds for the systematic development, col-  
13           lection, analysis, publication, and dissemination of  
14           data, and other information resources in a manner  
15           that is easily understandable, made publicly avail-  
16           able, and that contributes to achieving the purposes  
17           of subsection (a) and carries out at least one activity  
18           under subsection (b)(1).

19           “(3) DISCRETIONARY ACTIVITIES.—An eligible  
20           entity that receives a grant under this subsection  
21           may use the grant to carry out the following activi-  
22           ties:

23                   “(A) Assess and document international  
24                   and foreign language education capacity and  
25                   supply through studies or surveys that—

1           “(i) determine the number of foreign  
2           language courses, programs, and enroll-  
3           ments at all levels of education and in all  
4           languages, including a determination of  
5           gaps in those deemed critical to the na-  
6           tional interest;

7           “(ii) measure the number and types of  
8           degrees or certificates awarded in area  
9           studies, global studies, foreign language  
10          studies, and international business and  
11          professional studies, including identifica-  
12          tion of gaps in those deemed critical to the  
13          national interest;

14          “(iii) measure the number of foreign  
15          language, area or international studies fac-  
16          ulty, including international business fac-  
17          ulty, and elementary school and secondary  
18          school foreign language teachers by lan-  
19          guage, degree, and world area; or

20          “(iv) measure the number of under-  
21          graduate and graduate students engaging  
22          in long- or short-term education or intern-  
23          ship abroad programs as part of their cur-  
24          riculum, including countries of destination.

1           “(B) Assess the demands for, and out-  
2 comes of, international and foreign language  
3 education and their alignment, through studies,  
4 surveys, and conferences to—

5           “(i) determine demands for increased  
6 or improved instruction in foreign lan-  
7 guage, area or global studies, or other  
8 international fields, and the demand for  
9 employees with such skills and knowledge  
10 in the education, government, and private  
11 sectors (including business and other pro-  
12 fessions);

13           “(ii) assess the employment or utiliza-  
14 tion of graduates of programs supported  
15 under this title by educational, govern-  
16 mental, and private sector organizations  
17 (including business and other professions);  
18 or

19           “(iii) assess standardized outcomes  
20 and effectiveness and benchmarking of  
21 programs supported under this title.

22           “(C) Develop and publish specialized mate-  
23 rials for use in foreign language, area, global,  
24 or other international studies, including in



1 international business or other professional edu-  
2 cation or technical training, as appropriate.

3 “(D) Conduct studies or surveys that iden-  
4 tify and document systemic challenges and  
5 changes needed in higher education and elemen-  
6 tary school and secondary school systems to  
7 make international and foreign language edu-  
8 cation available to all students as part of the  
9 basic curriculum, including challenges in cur-  
10 rent evaluation standards, entrance and gradua-  
11 tion requirements, program accreditation, stu-  
12 dent degree requirements, or teacher and fac-  
13 ulty legal workplace barriers to education and  
14 research abroad.

15 “(E) With respect to underrepresented in-  
16 stitutions of higher education (including minor-  
17 ity-serving institutions or community colleges),  
18 carry out studies or surveys that identify and  
19 document—

20 “(i) current systemic challenges and  
21 changes incentives, and partnerships need-  
22 ed to comprehensively and sustainably  
23 internationalize educational programming;  
24 or

1                   “(ii) short- and long-term outcomes of  
2                   successful internationalization strategies  
3                   and funding models.

4                   “(F) Evaluate the extent to which pro-  
5                   grams assisted under this title—

6                   “(i) reflect diverse perspectives and a  
7                   wide range of views; and

8                   “(ii) generate debate on world regions  
9                   and international affairs

10                  “(e) INNOVATION GRANTS.—

11                  “(1) PROGRAM AUTHORIZED.—For any fiscal  
12                  year for which the Secretary carries out activities to  
13                  achieve the outcomes described in subsection (b)(1)  
14                  through innovation grants under this subsection, the  
15                  Secretary shall award such grants, on a competitive  
16                  basis, to eligible entities.

17                  “(2) USES OF FUNDS.—An eligible entity that  
18                  receives an innovation grant under this subsection  
19                  shall use the grant funds to fund projects consistent  
20                  with this section, which may include one or more of  
21                  the following:

22                  “(A) Innovative paradigms to improve  
23                  communication, sharing, and delivery of re-  
24                  sources that further the purposes described in  
25                  subsection (a) including the following:

1           “(i) Networking structures and sys-  
2           tems to more effectively match graduates  
3           possessing international and foreign lan-  
4           guage education skills with employment  
5           needs.

6           “(ii) Sharing international specialist  
7           expertise across institutions of higher edu-  
8           cation or in the workforce to pursue spe-  
9           cialization or learning opportunities not  
10          available at any single institution of higher  
11          education, such as shared courses for  
12          studying less commonly taught languages,  
13          world areas or regions, international busi-  
14          ness or other professional areas, or special-  
15          ized research topics of national strategic  
16          interest.

17          “(iii) Producing, collecting, orga-  
18          nizing, preserving, and widely dissemi-  
19          nating international and foreign language  
20          education expertise, resources, courses, and  
21          other information through the use of elec-  
22          tronic technologies and other techniques.

23          “(iv) Collaborative initiatives to iden-  
24          tify, capture, and provide consistent access  
25          to, and creation of, digital global library

1 resources that are beyond the capacity of  
2 any single eligible entity receiving a grant  
3 under this section or any single institution  
4 of higher education, including the profes-  
5 sional development of library staff.

6 “(v) Utilization of technology to cre-  
7 ate open-source resources in international,  
8 area, global, and foreign language studies  
9 that are adaptable to multiple educational  
10 settings and promote interdisciplinary  
11 partnerships between technologists, cur-  
12 riculum designers, international and for-  
13 eign language education experts, language  
14 teachers, and librarians.

15 “(B) Innovative curriculum, teaching, and  
16 learning strategies, including the following:

17 “(i) New initiatives for collaborations  
18 of disciplinary programs with foreign lan-  
19 guage, area, global, and international stud-  
20 ies, and education abroad programs that  
21 address the internationalization of such  
22 disciplinary studies with the purpose of  
23 producing globally competent graduates.

24 “(ii) Innovative collaborations between  
25 established centers of international and

1 foreign language education excellence and  
2 underrepresented institutions and popu-  
3 lations seeking to further their goals for  
4 strengthening international, area, global,  
5 and foreign language studies, including at  
6 minority-serving institutions or community  
7 colleges.

8 “(iii) Teaching and learning collabora-  
9 tions among foreign language, area, global,  
10 or other international studies with diaspora  
11 communities, including heritage students.

12 “(iv) New approaches and methods to  
13 teaching emerging global issues, cross-re-  
14 gional interactions, and underrepresented  
15 regions or countries, such as project- and  
16 team-based learning.

17 “(C) Innovative assessment and outcome  
18 tools and techniques that further the purposes  
19 described in subsection (a), including the fol-  
20 lowing:

21 “(i) International and foreign lan-  
22 guage education assessment techniques  
23 that are coupled with outcome-focused  
24 training modules, such as certificates or

1 badges, immersion learning, or e-portfolio  
2 systems.

3 “(ii) Effective and easily accessible  
4 methods of assessing professionally useful  
5 levels of proficiency in foreign languages or  
6 competencies in area, culture, and global  
7 knowledge or other international fields in  
8 programs under this title, which may in-  
9 clude use of open access online and other  
10 cost-effective tools for students and edu-  
11 cators at all educational levels and in the  
12 workplace.

13 “(f) APPLICATION.—Each eligible entity desiring a  
14 grant under this section shall submit to the Secretary an  
15 application at such time, in such manner, and containing  
16 such information as the Secretary shall require, includ-  
17 ing—

18 “(1) a description of each proposed project the  
19 eligible entity plans to carry out under this section  
20 and how such project meets the purposes described  
21 in subsection (a);

22 “(2) if applicable, a demonstration of why the  
23 entity needs a waiver or reduction of the matching  
24 requirement under subsection (g); and

1           “(3) an assurance that each such proposed  
2 project will be self-sustainable after the grant term  
3 is completed.

4           “(g) MATCHING REQUIREMENT.—

5           “(1) IN GENERAL.—The Federal share of the  
6 total cost for carrying out a project supported by a  
7 grant under this section shall be no more than 66.66  
8 percent of the cost of the project.

9           “(2) NON-FEDERAL SHARE CONTRIBUTIONS.—

10          The non-Federal share of such cost may be provided  
11 either in-kind or in cash, from institutional and non-  
12 institutional funds, including contributions from  
13 State or private sector corporations, nonprofits, or  
14 foundations.

15           “(3) SPECIAL RULE.—The Secretary may waive  
16 or reduce the share required under paragraph (1)  
17 for eligible entities that—

18           “(A) are minority-serving institutions or  
19 are community colleges; or

20           “(B) demonstrate need in an application  
21 for such a waiver or reduction under subsection  
22 (f)(2).

23           “(h) DATABASE AND REPORTING.—The Secretary  
24 shall directly, or through grants or contracts with an eligi-  
25 ble grant recipient—





1 (A) by amending paragraph (1) to read as  
2 follows:

3 “(1) the future welfare of the United States will  
4 depend substantially on increasing international and  
5 global skills in business, educational, and other pro-  
6 fessional communities and creating an awareness  
7 among the American public of the internationaliza-  
8 tion of our economy and numerous other profes-  
9 sional areas important to the national interest;”;

10 (B) by amending paragraph (2) to read as  
11 follows:

12 “(2) concerted efforts are necessary to engage  
13 business and other professional education and tech-  
14 nical training programs, language, area, and global  
15 study programs, professional international affairs  
16 education programs, public and private sector orga-  
17 nizations, and United States’ business community in  
18 a mutually productive relationship which benefits the  
19 Nation’s future economic and security interests;”;

20 (C) in paragraph (3), by striking “and the  
21 international” and inserting “and other profes-  
22 sional fields and the international and global”;  
23 and

24 (D) in paragraph (4)—

1 (i) by inserting “, as well as other  
2 professional organizations” after “depart-  
3 ments of commerce”; and

4 (ii) by inserting “or other professions”  
5 after “business”; and

6 (2) in subsection (b)—

7 (A) in paragraph (1)—

8 (i) by striking “and economic enter-  
9 prise” and inserting “, economic enter-  
10 prise, and security”; and

11 (ii) by inserting “and other profes-  
12 sional” before “personnel”; and

13 (B) in paragraph (2), by striking “to pros-  
14 per in an international” and inserting “and  
15 other professional fields to prosper in a global”.

16 (b) PROFESSIONAL AND TECHNICAL EDUCATION FOR  
17 GLOBAL COMPETITIVENESS.—Section 613 of the Higher  
18 Education Act of 1965 (20 U.S.C. 1130a) is amended to  
19 read as follows:

20 **“SEC. 613. PROFESSIONAL AND TECHNICAL EDUCATION**  
21 **FOR GLOBAL COMPETITIVENESS.**

22 “(a) PURPOSE.—The purpose of this section is to  
23 support innovative strategies that provide undergraduate  
24 and graduate students with the global professional com-  
25 petencies, perspectives, and skills needed to strengthen

1 and enrich global engagement and competitiveness in a  
2 wide variety of professional and technical fields important  
3 to the national interest.

4 “(b) PROGRAM AUTHORIZED.—The Secretary shall  
5 make grants to, or enter into contracts with eligible enti-  
6 ties to pay the Federal share of the cost of programs de-  
7 signed to—

8 “(1) establish an interdisciplinary global focus  
9 in the undergraduate and graduate curricula of busi-  
10 ness, science, technology, engineering, and other pro-  
11 fessional education and technical training programs  
12 to be determined by the Secretary based on national  
13 needs;

14 “(2) produce graduates with proficiencies in  
15 both the global aspects of their professional edu-  
16 cation or technical training fields and international,  
17 cross-cultural, and foreign language skills; and

18 “(3) provide appropriate services to or partner-  
19 ships with the corporate, government, and nonprofit  
20 communities in order to expand knowledge and ca-  
21 pacity for global engagement and competitiveness  
22 and provide internship or employment opportunities  
23 for students and graduates with international skills.

1       “(c) MANDATORY ACTIVITIES.—An eligible entity  
2 that receives a grant under this section shall use the grant  
3 to carry out the following:

4           “(1) With respect to undergraduate or graduate  
5 professional education and technical training cur-  
6 ricula, incorporating—

7           “(A) foreign language programs that lead  
8 to proficiency, including immersion opportuni-  
9 ties;

10           “(B) international, area, or global studies  
11 programs;

12           “(C) education, internships, or other inno-  
13 vative or technological linkages abroad; and

14           “(D) global business, economic, and trade  
15 studies, where appropriate.

16           “(2) Innovating and improving international,  
17 global, and foreign language education curricula to  
18 serve the needs of business and other professional  
19 and nonprofit communities, including development of  
20 new programs for nontraditional, mid-career, or  
21 part-time students.

22           “(3) Establishing education or internship  
23 abroad programs, domestic globally focused intern-  
24 ships, or other innovative approaches to enable un-  
25 dergraduate or graduate students in professional

1 education or technical training to develop foreign  
2 language skills and knowledge of foreign cultures,  
3 societies, and global dimensions of their professional  
4 fields.

5 “(4) Developing collaborations between institu-  
6 tions of higher education and corporations or non-  
7 profit organizations in order to strengthen engage-  
8 ment and competitiveness in global business, trade,  
9 or other global professional activities.

10 “(d) DISCRETIONARY ACTIVITIES.—An eligible entity  
11 that receives a grant under this section may use the grant  
12 to carry out the following:

13 “(1) Developing specialized teaching materials  
14 and courses, including foreign language and area or  
15 global studies materials, and innovative technological  
16 delivery systems appropriate for professionally ori-  
17 ented students.

18 “(2) Establishing student fellowships or other  
19 innovative support opportunities, including for  
20 underrepresented populations, first generation col-  
21 lege students (defined in section 402A(h)), and her-  
22 itage learners, for education and training in global  
23 professional development activities.

24 “(3) Developing opportunities or fellowships for  
25 faculty or junior faculty of professional education or

1 technical training (including the faculty of minority-  
2 serving institutions or community colleges) to ac-  
3 quire or strengthen international and global skills  
4 and perspectives.

5 “(4) Creating institutes that take place over  
6 academic breaks, like the summer, including through  
7 technological means, and cover foreign language,  
8 world area, global, or other international studies in  
9 learning areas of global business, science, tech-  
10 nology, engineering, or other professional education  
11 and training fields.

12 “(5) Internationalizing curricula at minority-  
13 serving institutions or community colleges to further  
14 the purposes of this section.

15 “(6) Establishing international linkages or part-  
16 nerships with institutions of higher education, cor-  
17 porations, or organizations that contribute to the ob-  
18 jectives of this section.

19 “(7) Developing programs to inform the public  
20 of increasing global interdependence in professional  
21 education and technical training fields.

22 “(8) Establishing trade education programs  
23 through agreements with regional, national, global,  
24 bilateral, or multilateral trade centers, councils, or  
25 associations.

1       “(e) APPLICATION.—Each eligible entity desiring a  
2 grant under this section shall submit an application to the  
3 Secretary at such time, in such manner, and including  
4 such information as the Secretary may reasonably require,  
5 including assurances that—

6           “(1) each proposed project will be self-sustain-  
7 able after the grant term is completed;

8           “(2) the institution of higher education will use  
9 the assistance provided under this section to supple-  
10 ment and not supplant activities conducted by insti-  
11 tutions of higher education described in (c);

12           “(3) in the case of eligible entities that are con-  
13 sortia of institutions of higher education, or partner-  
14 ship described in subsection (g)(1)(C), a copy of  
15 their partnership agreement that demonstrates com-  
16 pliance with subsection (c) will be provided to the  
17 Secretary;

18           “(4) the activities funded by the grant will re-  
19 flect diverse perspectives and a wide range of views  
20 of world regions and international affairs where ap-  
21 plicable; and

22           “(5) if applicable, a demonstration of why the  
23 eligible entity needs a waiver or reduction of the  
24 matching requirement under subsection (f).

25       “(f) MATCHING REQUIREMENT.—

1           “(1) IN GENERAL.—The Federal share of the  
2 total cost for carrying out a program supported by  
3 a grant under this section shall be not more than 50  
4 percent of the total cost of the project.

5           “(2) NON-FEDERAL SHARE CONTRIBUTIONS.—  
6 The non-Federal share of such cost may be provided  
7 either in-kind or in cash, from institutional and non-  
8 institutional funds, including contributions from  
9 State and private sector corporations, nonprofits, or  
10 foundations.

11           “(3) SPECIAL RULE.—The Secretary may waive  
12 or reduce the share required under paragraph (1)  
13 for eligible entities that—

14           “(A) are minority-serving institutions or  
15 are community colleges; or

16           “(B) have submitted a grant application as  
17 required by subsection (e) that demonstrates a  
18 need for such a waiver or reduction.

19           “(g) DEFINITIONS.—In this section:

20           “(1) ELIGIBLE ENTITY.—The term ‘eligible en-  
21 tity’ means—

22           “(A) an institution of higher education;

23           “(B) a consortia of such institutions; or

24           “(C) a partnership between—



1                   “(i) an institution of higher education  
2                   or a consortia of such institutions; and

3                   “(ii) at least one corporate or non-  
4                   profit entity.

5                   “(2) PROFESSIONAL EDUCATION AND TECH-  
6                   NICAL TRAINING.—The term ‘professional education  
7                   and technical training’ means a program at an insti-  
8                   tution of higher education that offers undergraduate,  
9                   graduate, or postgraduate level education in a pro-  
10                  fessional or technical field that is determined by the  
11                  Secretary as meeting a national need for global or  
12                  international competency (which may include busi-  
13                  ness, science, technology, engineering, law, health,  
14                  energy, environment, agriculture, transportation, or  
15                  education).

16                  “(h) FUNDING RULE.—Notwithstanding any other  
17                  provision of this title, funds made available to the Sec-  
18                  retary for a fiscal year may not be obligated or expended  
19                  to carry out this section unless the funds appropriated for  
20                  such fiscal year to carry out this title exceeds  
21                  \$65,103,000.”.

22                  “(c) DISCONTINUATION OF CERTAIN AUTHORIZA-  
23                  TIONS OF APPROPRIATIONS.—Part B of the Higher Edu-  
24                  cation Act of 1965 (20 U.S.C. 1130 et seq.) is further  
25                  amended by striking section 614.

1 **SEC. 6003. REPEAL OF ASSISTANCE PROGRAM FOR INSTI-**  
2 **TUTE FOR INTERNATIONAL PUBLIC POLICY.**

3 Part C of title VI of the Higher Education Act of  
4 1965 (20 U.S.C. 1131 et seq.) is repealed.

5 **SEC. 6004. GENERAL PROVISIONS.**

6 (a) DEFINITIONS.—Section 631(a) of the Higher  
7 Education Act of 1965 (20 U.S.C. 1132(a)) is amended—

8 (1) in paragraph (9), by striking “and” at the  
9 end;

10 (2) in paragraph (10), by striking the period at  
11 the end and inserting a semicolon; and

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

13 “(11) the term ‘community college’ has the  
14 meaning given the term ‘junior or community col-  
15 lege’ in section 312(f);

16 “(12) the term ‘heritage student’ means a post-  
17 secondary student who—

18 “(A) was born in the United States to im-  
19 migrant parents or immigrated to the United  
20 States at an early age;

21 “(B) is proficient in English, but raised in  
22 a family primarily speaking 1 or more lan-  
23 guages of the country of origin; and

24 “(C) maintains a close affinity with the  
25 family’s culture and language of origin; and

1           “(13) the term ‘minority-serving institution’  
2           means an institution of higher education that is eli-  
3           gible to receive a grant under part A or B of title  
4           III or title V.”.

5           (b) **MINORITY-SERVING INSTITUTIONS.**—Part D of  
6 title VI of the Higher Education Act of 1965 (20 U.S.C.  
7 1132 et seq.) is amended—

8           (1) by striking section 637;

9           (2) by redesignating section 638 as section 637;

10          and

11           (3) by inserting after section 637, as so redesign-  
12          nated, the following:

13          **“SEC. 638. PRIORITY TO MINORITY-SERVING INSTITUTIONS.**

14           “(a) **PRIORITY.**—In seeking applications and award-  
15          ing grants under this title, the Secretary, may give priority  
16          to—

17           “(1) minority-serving institutions; or

18           “(2) institutions of higher education that apply  
19          for such grants that propose significant and sus-  
20          tained collaborative activities with one or more mi-  
21          nority-serving institutions.

22           “(b) **TECHNICAL ASSISTANCE.**—The Secretary shall  
23          provide technical assistance to minority-serving institu-  
24          tions to ensure maximum distribution of grants to eligible

1 minority-serving institutions and among each category of  
2 such institutions.”.

3 (c) AUTHORIZATION OF APPROPRIATIONS.—Part D  
4 of title VI of the Higher Education Act of 1965 (20 U.S.C.  
5 1132 et seq.) is further amended by adding at the end  
6 the following new section:

7 **“SEC. 639. AUTHORIZATION OF APPROPRIATIONS.**

8 “(a) IN GENERAL.—Subject to subsection (b), there  
9 are authorized to be appropriated to carry out this title  
10 \$125,000,000 for fiscal year 2021 and each of the 5 suc-  
11 ceeding fiscal years.

12 “(b) ADJUSTMENT FOR INFLATION.—

13 “(1) IN GENERAL.—The amount authorized to  
14 be appropriated under subsection (a) for fiscal year  
15 2022 and each of the 4 succeeding fiscal years shall  
16 be deemed increased by a percentage equal to the  
17 annual adjustment percentage.

18 “(2) DEFINITION.—In this subsection, the term  
19 ‘annual adjustment percentage’ as applied to a fiscal  
20 year, means the estimated percentage change in the  
21 Consumer Price Index (as determined by the Sec-  
22 retary, using the definition in section 478(f)) for the  
23 most recent calendar year ending prior to the begin-  
24 ning of that fiscal year.”.

1 **TITLE VII—GRADUATE AND**  
2 **POSTSECONDARY IMPROVE-**  
3 **MENT PROGRAMS**

4 **SEC. 7001. GRADUATE EDUCATION PROGRAMS.**

5 (a) HBCU.—Section 723 of the Higher Education  
6 Act of 1965 (20 U.S.C. 1136a) is amended—

7 (1) in subsection (b)(1), by adding at the end  
8 the following:

9 “(S) Each institution not listed under sub-  
10 paragraphs (A) through (R) that is eligible to  
11 receive funds under part B of title III and that  
12 offers a qualified masters degree program.”;

13 (2) in subsection (e), by striking “or 724” and  
14 inserting “or 724, or subpart 5 or 6 of this part”;  
15 and

16 (3) in subsection (f)(3)—

17 (A) by striking “any amount in excess of  
18 \$9,000,000” and inserting “after the applica-  
19 tion of paragraph (2), the remaining amount”;  
20 and

21 (B) by striking “(R)” and inserting “(S)”.

22 (b) PREDOMINANTLY BLACK INSTITUTIONS.—Sec-  
23 tion 724 of the Higher Education Act of 1965 (20 U.S.C.  
24 1136b) is amended—

1 (1) in subsection (b)(1), by adding at the end  
2 the following:

3 “(F) Each institution not listed in sub-  
4 paragraph (A) through (E) that is eligible to  
5 receive funds under section 318 and that offers  
6 a qualified masters degree program.”;

7 (2) in subsection (e), by striking “or 723” and  
8 inserting “or 723, or subpart 5 or 6”; and

9 (3) in subsection (f)(3)—

10 (A) by striking “any amount in excess of  
11 \$2,500,000” and inserting “after the applica-  
12 tion of paragraph (2), any remaining amount”;  
13 and

14 (B) by striking “(E)” and inserting “(F)”.

15 (c) ENHANCING SUPPORT FOR ASIAN AMERICAN AND  
16 NATIVE AMERICAN PACIFIC ISLANDER-SERVING INSTITU-  
17 TIONS AND TRIBAL COLLEGES AND UNIVERSITIES.—Part  
18 A of title VII of the Higher Education Act of 1965 (20  
19 U.S.C. 1134 et seq.) is amended—

20 (1) in section 731—

21 (A) by striking “1 through 4” each place  
22 it appears and inserting “1 through 6”; and

23 (B) by striking “subpart 1, 2, 3, or 4” and  
24 inserting “subparts 1 through 6”;

25 (2) by redesignating subpart 5 as subpart 7;

1 (3) by redesignating section 731 as section 735;

2 and

3 (4) by inserting after subpart 4 the following:

4 **“Subpart 5—Graduate Opportunities at Asian Amer-**  
5 **ican and Native American Pacific Islander Serv-**  
6 **ing Institutions**

7 **“SEC. 726. GRANT PROGRAM ESTABLISHED.**

8 “(a) IN GENERAL.—Subject to the availability of  
9 funds appropriated to carry out this subpart, the Sec-  
10 retary shall award grants, on a competitive basis, to eligi-  
11 ble institutions to enable the eligible institutions to carry  
12 out the activities described in section 727.

13 “(b) AWARD OF GRANT FUNDS.—Of the funds ap-  
14 propriated to carry out this subpart for a fiscal year, the  
15 Secretary—

16 “(1) shall reserve—

17 “(A) not less than one-third of such funds  
18 to award grants to carry out the activities de-  
19 scribed in section 727(b); and

20 “(B) not less than one-third of such funds  
21 to award grants to carry out the activities de-  
22 scribed in section 727(c); and

23 “(2) may use the amount of funds remaining  
24 after the reservation required under paragraph (1)

1 to award grants to carry out the activities described  
2 in subsections (b) and (c) of section 727.

3 “(c) DURATION.—Grants under this subpart shall be  
4 awarded for a period not to exceed five years.

5 “(d) LIMITATION ON NUMBER OF AWARDS.—The  
6 Secretary may not award more than one grant under this  
7 subpart in any fiscal year to any Asian American and Na-  
8 tive American Pacific Islander-serving institutions.

9 “(e) APPLICATION.—Any eligible institution may  
10 apply for a grant under this subpart by submitting an ap-  
11 plication to the Secretary at such time and in such manner  
12 as the Secretary may require. Such application shall dem-  
13 onstrate how the grant funds will be used to improve  
14 postbaccalaureate education opportunities for Asian  
15 American and Native American Pacific Islander and low-  
16 income students.

17 “(f) INTERACTION WITH OTHER GRANT PRO-  
18 GRAMS.—No institution that is eligible for and receives an  
19 award under section 326, 512, 723, or 724, or subpart  
20 6 of this part for a fiscal year shall be eligible to apply  
21 for a grant, or receive grant funds, under this subpart for  
22 the same fiscal year.

23 “(g) ELIGIBLE INSTITUTION DEFINED.—For the  
24 purposes of this subpart, an ‘eligible institution’ means an  
25 institution of higher education that—



1           “(1) is an Asian-American and Native Amer-  
2           ican Pacific Islander-serving institution (as defined  
3           in section 320); and

4           “(2) offers a postbaccalaureate certificate or  
5           postbaccalaureate degree granting program.

6   **“SEC. 727. USE OF FUNDS.**

7           “(a) IN GENERAL.—

8           “(1) ACTIVITIES.—An eligible institution that  
9           receives a grant under this subpart shall use such  
10          funds to carry out—

11           “(A) one or more of the activities described  
12          in subsection (b); or

13           “(B) one or more of the activities de-  
14          scribed in subsection (c).

15          “(2) REQUIREMENT.—An eligible institution  
16          that receives a grant under this subpart may not use  
17          such funds for activities under both subsections (b)  
18          and (c).

19          “(b) GRADUATE PROGRAM ACTIVITIES.—Grants  
20          awarded under this subpart may be used for one or more  
21          of the following activities promoting postbaccalaureate  
22          opportunities for Asian American and Native American  
23          Pacific Islander students:

1           “(1) Purchase, rental, or lease of scientific or  
2           laboratory equipment for educational purposes, in-  
3           cluding instructional and research purposes.

4           “(2) Construction, maintenance, renovation,  
5           and improvement of classrooms, libraries, labora-  
6           tories, and other instructional facilities, including  
7           purchase or rental of telecommunications technology  
8           equipment or services.

9           “(3) Purchase of library books, periodicals,  
10          technical and other scientific journals, microfilm,  
11          microfiche, and other educational materials, includ-  
12          ing telecommunications program materials.

13          “(4) Support for low-income postbaccalaureate  
14          students including outreach, academic support serv-  
15          ices and mentoring, scholarships, fellowships, and  
16          other financial assistance to permit the enrollment of  
17          such students in postbaccalaureate certificate and  
18          postbaccalaureate degree granting programs.

19          “(5) Creating or improving facilities for Inter-  
20          net or other distance education technologies, includ-  
21          ing purchase or rental of telecommunications tech-  
22          nology equipment or services.

23          “(6) Collaboration with other institutions of  
24          higher education to expand postbaccalaureate certifi-  
25          cate and postbaccalaureate degree offerings.

1           “(7) Other activities proposed in the application  
2 submitted pursuant to section 726 that—

3           “(A) contribute to carrying out the pur-  
4 poses of this subpart; and

5           “(B) are approved by the Secretary as part  
6 of the review and acceptance of such applica-  
7 tion.

8           “(c) FACULTY DEVELOPMENT ACTIVITIES.—Grants  
9 awarded under this subpart may be used for one or more  
10 of the following activities for faculty development:

11           “(1) Support of faculty exchanges, faculty de-  
12 velopment, faculty research, curriculum development,  
13 and academic instruction.

14           “(2) Financial support to graduate students  
15 planning to pursue academic careers who desire to  
16 become faculty at Asian American and Native Amer-  
17 ican Pacific Islander-serving institutions.

18           “(3) Career services in preparing for an aca-  
19 demic career and identifying opportunities.

20           “(4) Developing partnerships between Asian  
21 American and Native American Pacific Islander-  
22 serving institutions to facilitate connections between  
23 graduate students and hiring institutions.

24           “(5) Faculty recruitment efforts with an em-  
25 phasis on graduates from Asian American and Na-

1       tive American Pacific Islander-serving institutions  
2       and other minority-serving institutions.

3           “(6) Recruitment and retention incentives to  
4       allow Asian American and Native American Pacific  
5       Islander-serving institutions to make competitive of-  
6       fers to potential faculty, including use of funds for  
7       student loan repayment.

8           “(7) Research support for early career faculty.

9           “(8) Other activities proposed in the application  
10       submitted pursuant to section 726 that—

11           “(A) contribute to carrying out the pur-  
12       poses of this subpart; and

13           “(B) are approved by the Secretary as part  
14       of the review and acceptance of such applica-  
15       tion.

16       **“SEC. 728. AUTHORIZATION OF APPROPRIATIONS.**

17       “There is authorized to be appropriated to carry out  
18       this subpart \$30,000,000 for fiscal year 2021 and each  
19       of the 5 succeeding fiscal years.

20       **“Subpart 6—Graduate Opportunities at Tribal**  
21                   **Colleges and Universities**

22       **“SEC. 729. GRANT PROGRAM ESTABLISHED.**

23       “(a) IN GENERAL.—Subject to the availability of  
24       funds appropriated to carry out this subpart, the Sec-  
25       retary shall award grants, on a competitive basis, to eligi-

1 ble institutions to enable the eligible institutions to carry  
2 out the activities described in section 730.

3 “(b) AWARD OF GRANT FUNDS.—Of the funds ap-  
4 propriated to carry out this subpart for a fiscal year, the  
5 Secretary—

6 “(1) shall reserve—

7 “(A) not less than one-third of such funds  
8 to award grants to carry out the activities de-  
9 scribed in section 730(b); and

10 “(B) not less than one-third of such funds  
11 to award grants to carry out the activities de-  
12 scribed in section 730(c); and

13 “(2) may use the amount of funds remaining  
14 after the reservation required under paragraph (1)  
15 to award grants to carry out the activities described  
16 in subsections (b) and (c) of section 730.

17 “(c) DURATION.—Grants under this part shall be  
18 awarded for a period not to exceed five years.

19 “(d) LIMITATION ON NUMBER OF AWARDS.—The  
20 Secretary may not award more than one grant under this  
21 subpart in any fiscal year to any Tribal College and Uni-  
22 versity.

23 “(e) APPLICATION.—Any eligible institution may  
24 apply for a grant under this subpart by submitting an ap-  
25 plication to the Secretary at such time and in such manner

1 as the Secretary may require. Such application shall dem-  
2 onstrate how the grant funds will be used to improve  
3 postbaccalaureate education opportunities for American  
4 Indian and Alaska Native students.

5 “(f) INTERACTION WITH OTHER GRANT PRO-  
6 GRAMS.—No institution that is eligible for and receives an  
7 award under section 326, 512, 723, or 724, or subpart  
8 5 of this part for a fiscal year shall be eligible to apply  
9 for a grant, or receive grant funds, under this section for  
10 the same fiscal year.

11 “(g) ELIGIBLE INSTITUTION DEFINED.—For the  
12 purposes of this subpart, an ‘eligible institution’ means an  
13 institution of higher education that—

14 “(1) is a Tribal College or University (as de-  
15 fined in section 316); and

16 “(2) offers a postbaccalaureate certificate or  
17 postbaccalaureate degree granting program.

18 **“SEC. 730. USE OF FUNDS.**

19 “(a) IN GENERAL.—

20 “(1) ACTIVITIES.—An eligible institution that  
21 receives a grant under this subpart shall use such  
22 funds to carry out—

23 “(A) one or more of the activities described  
24 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 op-  
10                  portunities for American Indian and Alaska Native stu-  
11                  dents:

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 American Indian and Alaska  
25                  Native postbaccalaureate students including out-

1 reach, academic support services and mentoring,  
2 scholarships, fellowships, and other financial assist-  
3 ance to permit the enrollment of such students in  
4 postbaccalaureate certificate and postbaccalaureate  
5 degree granting programs.

6 “(5) Creating or improving facilities for Inter-  
7 net or other distance education technologies, includ-  
8 ing purchase or rental of telecommunications tech-  
9 nology equipment or services.

10 “(6) Collaboration with other institutions of  
11 higher education to expand postbaccalaureate certifi-  
12 cate and postbaccalaureate degree offerings.

13 “(7) Other activities proposed in the application  
14 submitted pursuant to section 729 that—

15 “(A) contribute to carrying out the pur-  
16 poses of this subpart; and

17 “(B) are approved by the Secretary as part  
18 of the review and acceptance of such applica-  
19 tion.

20 “(c) FACULTY DEVELOPMENT ACTIVITIES.—Grants  
21 awarded under this subpart may be used for one or more  
22 of the following activities for faculty development:

23 “(1) Support of faculty exchanges, faculty de-  
24 velopment, faculty research, curriculum development,  
25 and academic instruction.



1           “(2) Financial support to graduate students  
2           planning to pursue academic careers who desire to  
3           become faculty at Tribal Colleges and Universities.

4           “(3) Career services in preparing for an aca-  
5           demic career and identifying opportunities.

6           “(4) Developing partnerships between Tribal  
7           Colleges and Universities to facilitate connections  
8           between graduate students and hiring institutions.

9           “(5) Faculty recruitment efforts with an em-  
10          phasis on graduates from Tribal Colleges and Uni-  
11          versities and other minority-serving institutions.

12          “(6) Recruitment and retention incentives to  
13          allow Tribal Colleges and Universities to make com-  
14          petitive offers to potential faculty, including use of  
15          funds for student loan repayment.

16          “(7) Research support for early career faculty.

17          “(8) Other activities proposed in the application  
18          submitted pursuant to section 729 that—

19                 “(A) contribute to carrying out the pur-  
20                 poses of this subpart; and

21                 “(B) are approved by the Secretary as part  
22                 of the review and acceptance of such applica-  
23                 tion.

1 **“SEC. 731. AUTHORIZATION OF APPROPRIATIONS.**

2 “There is authorized to be appropriated to carry out  
3 this subpart \$5,000,000 for fiscal year 2021 and each of  
4 the 5 succeeding fiscal years.”.

5 **SEC. 7002. FUND FOR THE IMPROVEMENT OF POSTSEC-**  
6 **ONDARY EDUCATION.**

7 Section 745 of the Higher Education Act of 1965 (20  
8 U.S.C. 1138d) is amended by striking “2009” and insert-  
9 ing “2021”.

10 **SEC. 7003. MINORITY-SERVING INSTITUTIONS INNOVATION**  
11 **FUND.**

12 Title VII of the Higher Education Act of 1965 (20  
13 U.S.C. 1133 et seq.) is amended by inserting after part  
14 B the following:

15 **“PART C—FUNDING INNOVATIONS AT MINORITY-**  
16 **SERVING INSTITUTIONS**

17 **“SEC. 751. PURPOSE.**

18 “It is the purpose of this part to assist minority-serv-  
19 ing institutions in planning, developing, implementing,  
20 validating, and replicating innovations that provide solu-  
21 tions to persistent challenges in enabling economically and  
22 educationally disadvantaged students to enroll in, persist  
23 through, and graduate from college, including innovations  
24 designed to—

25 “(1) increase the successful recruitment at mi-  
26 nority-serving institutions of—

1           “(A) students from low-income families of  
2           all races;

3           “(B) students who begin college when over  
4           21 years of age; and

5           “(C) military-affiliated students;

6           “(2) increase the rate at which students en-  
7           rolled in minority-serving institutions make adequate  
8           or accelerated progress toward graduation, and suc-  
9           cessfully graduate from such institutions;

10          “(3) increase the number of students pursuing  
11          and completing degrees in science, technology, engi-  
12          neering, and mathematics at minority-serving insti-  
13          tutions and pursuing graduate work in such fields,  
14          including through the establishment of innovation  
15          ecosystems on the campuses of such institutions;

16          “(4) redesign course offerings and other in-  
17          structional strategies at minority-serving institutions  
18          to improve student outcomes and reduce postsec-  
19          ondary education costs;

20          “(5) enhance the quality and number of tradi-  
21          tional and alternative route teacher preparation pro-  
22          grams offered by minority-serving institutions;

23          “(6) expand the effective use of technology at  
24          minority-serving institutions; and

1           “(7) strengthen postgraduate employment out-  
2           comes for students enrolled in minority-serving insti-  
3           tutions.

4   **“SEC. 752. DEFINITION.**

5           “In this part:

6           “(1) ELIGIBLE ENTITY.—The term ‘eligible en-  
7           tity’ means—

8                   “(A) a minority-serving institution; or

9                   “(B) a consortium of a minority-serving in-  
10           stitution and—

11                   “(i) one or more other institutions of  
12           higher education;

13                   “(ii) a private nonprofit organization;

14                   “(iii) a local educational agency;

15                   “(iv) a high school that—

16                           “(I) receives funding under part  
17           A of title I of the Elementary and  
18           Secondary Education Act of 1965 (20  
19           U.S.C. 6311 et seq.); and

20                           “(II) has been identified for com-  
21           prehensive support and improvement  
22           under section 1111(e)(4)(D)(i) of  
23           such Act (20 U.S.C.  
24           6311(e)(4)(D)(i)); or

1                   “(v) any combination of the entities  
2                   described in clauses (i) through (iv).

3                   “(2) MINORITY SERVING INSTITUTION.—The  
4                   term ‘minority serving institution’ means an institu-  
5                   tion of higher education described in paragraph (1),  
6                   (2), (3), (4), (5), (6), or (7) of section 371(a).

7   **“SEC. 753. GRANTS AUTHORIZED.**

8                   “(a) IN GENERAL.—Except as provided in subsection  
9                   (b)(2), with the funds made available for this part under  
10                  section 757, the Secretary shall make planning and imple-  
11                  mentation grants, as described in subsections (b) and (c),  
12                  to eligible entities to enable such entities to plan for the  
13                  implementation of, in the case of a planning grant, and  
14                  implement, in the case of an implementation grant, inno-  
15                  vations described in section 751 and to support the plan-  
16                  ning, development, implementation, validation, scaling up,  
17                  and replication of such innovations.

18                  “(b) PLANNING GRANTS.—

19                         “(1) IN GENERAL.—Except as provided in para-  
20                         graph (2), with the funds made available under sec-  
21                         tion 757 for a fiscal year, the Secretary shall use not  
22                         more than 5 percent or \$42,500,000 (whichever is  
23                         greater) to award planning grants to enable eligible  
24                         entities to plan, design, and develop innovations de-  
25                         scribed in section 751.

1           “(2) TYPE OF INSTITUTION.—Planning grants  
2 shall be awarded to minority-serving institutions in  
3 proportion to the allocations made in subparagraphs  
4 (A) through (G) of section 757(1).

5           “(3) ORDER OF CONSIDERATION.—Subject to  
6 paragraph (2) and the priority described in section  
7 755(a), planning grants shall be awarded to eligible  
8 entities satisfying the application requirements  
9 under section 754 in the order in which received by  
10 the Secretary.

11           “(4) DURATION.—A planning grant authorized  
12 under this subsection shall be for the duration of 1  
13 year.

14           “(5) GRANT AMOUNTS.—Each planning grant  
15 authorized under this subsection shall be in an  
16 amount that is not more than \$150,000.

17           “(c) IMPLEMENTATION GRANTS.—

18           “(1) IN GENERAL.—With funds made available  
19 for this part under section 757, the Secretary shall  
20 award implementation grants on a competitive basis  
21 to enable eligible entities to further develop, pilot,  
22 field-test, implement, document, validate, and, as ap-  
23 plicable, scale up and replicate, innovations de-  
24 scribed in section 751.

1           “(2) DURATION.—An implementation grant au-  
2           thorized under this subsection shall be for a dura-  
3           tion of 5 years, except that the Secretary may not  
4           continue providing funds under the grant after year  
5           3 of the grant period unless the eligible entity dem-  
6           onstrates that the entity has achieved satisfactory  
7           progress toward carrying out the educational innova-  
8           tions, activities, and projects described in their appli-  
9           cation pursuant to section 754(d), as determined by  
10          the Secretary.

11          “(3) GRANT AMOUNT.—Each implementation  
12          grant authorized under this subsection shall be in an  
13          amount sufficient to enable the eligible entity to  
14          achieve the purposes of its proposed activities and  
15          projects, but shall not exceed \$10,000,000.

16          “(d) SPECIAL RULES FOR CONSORTIUMS.—

17                 “(1) FISCAL AGENT.—

18                         “(A) IN GENERAL.—In the case of an eligi-  
19                         ble entity applying for a grant under this part  
20                         as a consortium, each member of the consor-  
21                         tium shall agree on 1 such member of such eli-  
22                         gibility entity to serve as a fiscal agent of such  
23                         entity.

24                         “(B) RESPONSIBILITIES.—The fiscal agent  
25                         of an eligible entity, as described in subpara-

1 graph (A), shall act on behalf of such entity in  
2 performing the financial duties of such entity  
3 under this part.

4 “(C) WRITTEN AGREEMENT.—The agree-  
5 ment described in subparagraph (A) shall be in  
6 writing and signed by each member of the con-  
7 sortium.

8 “(2) SUBGRANTS.—In the case of an eligible  
9 entity applying for a grant under this part as a con-  
10 sortium, the fiscal agent for such entity (as de-  
11 scribed in paragraph (1)) may use the funds pro-  
12 vided by the grant to make subgrants to members  
13 of the consortium.

14 **“SEC. 754. APPLICATIONS.**

15 “(a) IN GENERAL.—An eligible entity desiring to re-  
16 ceive a grant under this part shall submit an application  
17 to the Secretary at such time, in such manner, and con-  
18 taining such information as the Secretary may reasonably  
19 require.

20 “(b) CONSORTIUM ENTITIES.—An application under  
21 this section which is submitted by an eligible entity apply-  
22 ing as a consortium shall include the written agreement  
23 described in section 753(d)(1)(C).

24 “(c) PLANNING GRANTS.—The Secretary shall en-  
25 sure that the application requirements under this section



1 for a planning grant authorized under section 753(b) in-  
2 clude, in addition to the requirement in subsection (b) (if  
3 applicable), only those minimal requirements that are nec-  
4 essary to review the proposed process of an eligible entity  
5 for the planning, design, and development of one or more  
6 of the innovations described in section 751.

7 “(d) IMPLEMENTATION GRANTS.—An application  
8 under this section for an innovation grant authorized  
9 under section 753(c) shall include, in addition to the re-  
10 quirement under subsection (b) (if applicable), descrip-  
11 tions of—

12 “(1) each innovation described in section 751  
13 that the eligible entity would implement using the  
14 funds made available by such grant, including, as  
15 applicable, a description of the evidence base sup-  
16 porting such innovation;

17 “(2) how each such innovation will address the  
18 purpose of this part, as described in section 751,  
19 and how each such innovation will further the insti-  
20 tutional or organizational mission of the minority-  
21 serving institution that is part of the eligible entity;

22 “(3) the specific activities that the eligible enti-  
23 ty will carry out with funds made available by such  
24 grant, including, in the case of an eligible entity ap-  
25 plying as a consortium, a description of the activities

1 that each member of the consortium will carry out  
2 and a description of the capacity of each such mem-  
3 ber to carry out those activities;

4 “(4) the performance measures that the eligible  
5 entity will use to track its progress in implementing  
6 each such innovation, including a description of how  
7 the entity will implement those performance meas-  
8 ures and use information on performance to make  
9 adjustments and improvements to its implementa-  
10 tion activities, as needed, over the course of the  
11 grant period;

12 “(5) how the eligible entity will provide for an  
13 independent evaluation of the implementation and  
14 impact of the projects funded by such grant, includ-  
15 ing—

16 “(A) an interim report (evaluating the  
17 progress made in the first 3 years of the grant);  
18 and

19 “(B) a final report (completed at the end  
20 of the grant period); and

21 “(6) the plan of the eligible entity for con-  
22 tinuing each proposed innovation after the grant has  
23 ended.

1 **“SEC. 755. PRIORITY.**

2 “(a) PLANNING GRANTS.—In awarding planning  
3 grants under this part, the Secretary shall give priority  
4 to applications that were submitted with respect to the  
5 prior award year, but did not receive a planning grant due  
6 to insufficient funds.

7 “(b) IMPLEMENTATION GRANTS.—In awarding im-  
8 plementation grants under this part, the Secretary shall  
9 give—

10 “(1) first priority to applications for programs  
11 at minority-serving institutions that have not pre-  
12 viously received an implementation grant under this  
13 part; and

14 “(2) second priority to applications that address  
15 issues of major national need, including—

16 “(A) innovative partnerships between mi-  
17 nority-serving institutions and local educational  
18 agencies that are designed to increase the en-  
19 rollment of historically underrepresented popu-  
20 lations in higher education;

21 “(B) educational innovations designed to  
22 increase the rate of postsecondary degree at-  
23 tainment for populations within minority groups  
24 that have low relative rates of postsecondary de-  
25 gree attainment;

1           “(C) educational innovations that support  
2 programs and initiatives at minority-serving in-  
3 stitutions to enhance undergraduate and grad-  
4 uate programs in science, technology, engineer-  
5 ing, and mathematics;

6           “(D) innovative partnerships between mi-  
7 nority-serving institutions and other organiza-  
8 tions to establish innovation ecosystems in sup-  
9 port of economic development, entrepreneur-  
10 ship, and the commercialization of technology  
11 supported by research funded through this  
12 grant;

13           “(E) educational innovations that enhance  
14 the quality and number of traditional and alter-  
15 native route teacher preparation programs at  
16 minority-serving institutions to enable teachers  
17 to be highly effective in the classroom and to  
18 enable such programs to meet the demands for  
19 diversity and accountability in teacher edu-  
20 cation; and

21           “(F) educational innovations that strength-  
22 en postgraduate employment outcomes of mi-  
23 nority-serving institutions through the imple-  
24 mentation of comprehensive and strategic ca-  
25 reer pathways for students.

1 **“SEC. 756. USES OF FUNDS.**

2 “(a) PLANNING GRANTS.—An eligible entity receiv-  
3 ing a planning grant under section 753(b) shall use funds  
4 made available by such grant to conduct an institutional  
5 planning process that includes—

6 “(1) an assessment of the needs of the minor-  
7 ity-serving institution;

8 “(2) research on educational innovations de-  
9 scribed in section 751 that will meet the needs de-  
10 scribed in paragraph (1);

11 “(3) the selection of one or more such edu-  
12 cational innovations for implementation;

13 “(4) an assessment of the capacity of the mi-  
14 nority-serving institution to implement such edu-  
15 cational innovation; and

16 “(5) activities to further develop such capacity.

17 “(b) IMPLEMENTATION GRANTS.—An eligible entity  
18 receiving an implementation grant under section 753(c)  
19 shall use the funds made available by such grant to further  
20 develop, pilot, field-test, implement, document, validate,  
21 and, as applicable, scale up, and replicate innovations de-  
22 scribed in section 751, such as innovations designed to—

23 “(1) create a college-bound culture at secondary  
24 schools (including efforts targeting high-achieving  
25 students from low-income families) through activities

1       undertaken in partnership with local educational  
2       agencies and nonprofit organizations, such as—

3               “(A) activities that promote postsecondary  
4               school awareness, including recruitment, orga-  
5               nizing campus visits, and providing assistance  
6               with entrance and financial aid application com-  
7               pletion; and

8               “(B) postsecondary school preparation ef-  
9               forts such as—

10                   “(i) aligning high school coursework  
11                   and high school graduation requirements  
12                   with the requirements for entrance into  
13                   credit-bearing coursework at 4-year institu-  
14                   tions of higher education;

15                   “(ii) early identification and support  
16                   for students at risk of not graduating from  
17                   high school, or at risk of requiring remedi-  
18                   ation upon enrolling in postsecondary edu-  
19                   cation; and

20                   “(iii) dual-enrollment programs;

21               “(2) improve student achievement, such as  
22               through activities designed to increase the number  
23               or percentage of students who successfully complete  
24               developmental or remedial coursework (which may  
25               be accomplished through the evidence-based redesign

1 of such coursework) and pursue and succeed in post-  
2 secondary studies;

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) activities to promote a positive climate on  
16 campuses of institutions of higher education and to  
17 increase the sense of belonging among eligible stu-  
18 dents, including through first year support programs  
19 such as mentoring and peer networks and advisories;

20 “(6) increase the number or percentage of stu-  
21 dents, particularly students who are members of his-  
22 torically underrepresented populations, who enroll in  
23 science, technology, engineering, and mathematics  
24 courses, graduate with degrees in such fields, and  
25 pursue advanced studies in such fields;

1           “(7) develop partnerships between minority-  
2           serving institutions and other organizations to estab-  
3           lish innovation ecosystems in support of economic  
4           development, entrepreneurship, and the commer-  
5           cialization of technology supported by funded re-  
6           search;

7           “(8) implement evidence-based improvements to  
8           courses, particularly high-enrollment courses, to im-  
9           prove student outcomes and reduce education costs  
10          for students, including costs of remedial courses;

11          “(9) enhance the quality and number of tradi-  
12          tional and alternative route teacher and school lead-  
13          er preparation programs at minority-serving institu-  
14          tions that enable graduates to be profession-ready  
15          and highly effective in the classroom and to enable  
16          such programs to meet the demands for diversity  
17          and accountability in educator preparation;

18          “(10) expand the effective use of technology in  
19          higher education, such as through collaboration be-  
20          tween institutions on implementing technology-en-  
21          abled delivery models (including hybrid models) or  
22          through the use of open educational resources and  
23          digital content;

24          “(11) strengthen postgraduate employment out-  
25          comes through the implementation of comprehensive



1 and strategic career pathways for students, which  
2 may include aligning curricula with workforce needs,  
3 experiential learning, integration of career services,  
4 and developing partnerships with employers and  
5 business organizations; and

6 “(12) provide a continuum of solutions by in-  
7 corporating activities that address multiple objec-  
8 tives described in paragraphs (1) through (11).

9 **“SEC. 757. AUTHORIZATION OF APPROPRIATIONS.**

10 “There are authorized to be appropriated to carry out  
11 activities under this part \$850,000,000 for fiscal year  
12 2021 and each of the 5 succeeding fiscal years, to be allo-  
13 cated as follows:

14 “(1) for institutions described in paragraph (1)  
15 of section 371(a), \$224,987,083;

16 “(2) for institutions described in paragraph (2)  
17 of section 371(a), \$214,446,428;

18 “(3) for institutions described in paragraph (3)  
19 of section 371(a), \$78,056,743;

20 “(4) for institutions described in paragraph (4)  
21 of section 371(a), \$20,662,079;

22 “(5) for institutions described in paragraph (5)  
23 of section 371(a), \$130,859,834;

24 “(6) for institutions described in paragraph (6)  
25 of section 371(a), \$122,305,533; and

1           “(7) for institutions described in paragraph (7)  
2           of section 371(a), \$58,682,300.”.

3 **SEC. 7004. DEFINITIONS.**

4           Section 760 of the Higher Education Act of 1965 (20  
5 U.S.C. 1140) is amended to read as follows:

6 **“SEC. 760. DEFINITIONS.**

7           “In this part:

8           “(1) COMPREHENSIVE TRANSITION AND POST-  
9           SECONDARY PROGRAM FOR STUDENTS WITH INTEL-  
10          LECTUAL DISABILITIES.—The term ‘comprehensive  
11          transition and postsecondary program for students  
12          with intellectual disabilities’ means a program that  
13          leads to a degree, certificate, or recognized postsec-  
14          ondary credential issued by an institution of higher  
15          education that meets each of the following require-  
16          ments:

17                   “(A) Is offered by an institution of higher  
18                   education.

19                   “(B) Is designed to support students with  
20                   intellectual disabilities who are seeking to con-  
21                   tinue academic, career and technical, and inde-  
22                   pendent living instruction at an institution of  
23                   higher education in order to prepare for gainful  
24                   employment and competitive integrated employ-  
25                   ment.

1           “(C) Includes student advising and a pro-  
2           gram of study.

3           “(D) Requires students with intellectual  
4           disabilities to participate on not less than a  
5           half-time basis as determined by the institution,  
6           with such participation focusing on academic  
7           and career development components and occur-  
8           ring through one or more of the following ac-  
9           tivities:

10                   “(i) Regular enrollment in credit-bear-  
11                   ing courses with students without disabil-  
12                   ities that are offered by the institution.

13                   “(ii) Auditing or participating in  
14                   courses with students without disabilities  
15                   that are offered by the institution and for  
16                   which the student does not receive regular  
17                   academic credit.

18                   “(iii) Enrollment in noncredit-bearing,  
19                   nondegree courses with students without  
20                   disabilities.

21                   “(iv) Participation in internships, reg-  
22                   istered apprenticeships, or work-based ex-  
23                   periences in competitive integrated settings  
24                   for a semester, or multiple semesters.

1           “(E) Requires students with intellectual  
2           disabilities to be socially and academically inte-  
3           grated with students without disabilities to the  
4           maximum extent practicable.

5           “(F) Does not require the work compo-  
6           nents (ii) to occur each semester.

7           “(2) DISABILITY.—The term ‘disability’ has the  
8           meaning given such term in section 3 of the Ameri-  
9           cans with Disabilities Act of 1990 (42 U.S.C.  
10          12102).

11          “(3) INSTITUTION OF HIGHER EDUCATION.—  
12          The term ‘institution of higher education’ has the  
13          meaning given such term in section 101.

14          “(4) OFFICE OF ACCESSIBILITY.—The term  
15          ‘Office of Accessibility’ has the meaning given to the  
16          office of disability services of the institution or  
17          equivalent office.

18          “(5) RECOGNIZED POSTSECONDARY CREDEN-  
19          TIAL.—The term ‘recognized postsecondary creden-  
20          tial’ has the meaning given the term in section 101  
21          of the Workforce Innovation and Opportunity Act.

22          “(6) STUDENT WITH AN INTELLECTUAL DIS-  
23          ABILITY.—The term ‘student with an intellectual  
24          disability’ means a student—

1           “(A) with a cognitive impairment, charac-  
2           terized by significant limitations in—

3                   “(i) intellectual and cognitive func-  
4                   tioning; and

5                   “(ii) adaptive behavior as expressed in  
6                   conceptual, social, and practical adaptive  
7                   skills;

8           “(B) who is currently, or was formerly, eli-  
9           gible for a free appropriate public education  
10          under the Individuals with Disabilities Edu-  
11          cation Act (20 U.S.C. 1400 et seq.); and

12          “(C) or, in the case of a student who has  
13          not currently or formerly been found eligible for  
14          a free appropriate education under the Individ-  
15          uals with Disabilities Education Act, or a stu-  
16          dent who has not previously been found eligible  
17          as a student with an intellectual disability  
18          under IDEA, documentation establishing that  
19          the student has an intellectual disability, such  
20          as—

21                   “(i) a documented comprehensive and  
22                   individualized psycho-educational evalua-  
23                   tion and diagnosis of an intellectual dis-  
24                   ability by a psychologist or other qualified  
25                   professional; or

1           “(ii) a record of the disability from a  
2           local or State educational agency, or gov-  
3           ernment agency, such as the Social Secu-  
4           rity Administration or a vocational reha-  
5           bilitation agency, that identifies the intel-  
6           lectual disability.”.

7   **SEC. 7005. SUPPORTING POSTSECONDARY FACULTY, STAFF,**  
8                           **AND ADMINISTRATORS IN PROVIDING ACCES-**  
9                           **SIBLE EDUCATION.**

10       (a) GRANTS.—Section 762 of the Higher Education  
11 Act of 1965 (20 U.S.C. 1140b) is amended to read as  
12 follows:

13   **“SEC. 762. GRANTS AUTHORIZED.**

14       “(a) COMPETITIVE GRANTS AUTHORIZED TO SUP-  
15 PORT POSTSECONDARY FACULTY, STAFF, AND ADMINIS-  
16 TRATORS IN PROVIDING AN ACCESSIBLE EDUCATION.—

17           “(1) IN GENERAL.—From amounts appro-  
18 priated under section 765C, the Secretary shall  
19 award grants, on a competitive basis, to institutions  
20 of higher education to enable the institutions to  
21 carry out the activities under subsection (b).

22           “(2) AWARDS FOR PROFESSIONAL DEVELOP-  
23 MENT AND TECHNICAL ASSISTANCE.—Not less than  
24 5 grants shall be awarded to institutions of higher  
25 education that provide professional development and

1 technical assistance in order to improve access to,  
2 and completion of, postsecondary education for stu-  
3 dents, including students with disabilities.

4 “(b) DURATION; ACTIVITIES.—

5 “(1) DURATION.—A grant under this section  
6 shall be awarded for a period of 5 years.

7 “(2) AUTHORIZED ACTIVITIES.—A grant  
8 awarded under this section shall be used to carry  
9 out one or more of the following activities:

10 “(A) TEACHING METHODS AND STRATE-  
11 GIES.—The development and implementation of  
12 training to provide innovative, effective, and evi-  
13 dence-based teaching methods and strategies,  
14 consistent with the principles of universal de-  
15 sign for learning, to provide postsecondary fac-  
16 ulty, staff, and administrators with the skills  
17 and supports necessary to teach and meet the  
18 academic and programmatic needs of students  
19 (including students with disabilities) in order to  
20 improve the retention of such students in, and  
21 the completion by such students of, postsec-  
22 ondary education. Such methods and strategies  
23 may include in-service training, professional de-  
24 velopment, customized and general technical as-  
25 sistance, workshops, summer institutes, dis-

1 tance learning, and training in the use of assist-  
2 ive and educational technology.

3 “(B) IMPLEMENTING ACCOMMODATIONS.—  
4 The development and implementation of train-  
5 ing to provide postsecondary faculty, staff, and  
6 administrators methods and strategies of pro-  
7 viding appropriate accommodations consistent  
8 with the principles of universal design for learn-  
9 ing for students with disabilities, including de-  
10 scriptions of legal obligations of the institution  
11 of higher education to provide such accommoda-  
12 tions.

13 “(C) EFFECTIVE TRANSITION PRAC-  
14 TICES.—The development and implementation  
15 of innovative, effective, and evidence-based  
16 teaching methods and strategies to provide  
17 postsecondary faculty, staff, and administrators  
18 with the skills and supports necessary to ensure  
19 the successful and smooth transition of stu-  
20 dents with disabilities from secondary school to  
21 postsecondary education. The teaching methods  
22 and strategies may include supporting students  
23 in the development of self-advocacy skills to im-  
24 prove transition to, and completion of, postsec-  
25 ondary education.



1           “(D) DISTANCE LEARNING.—The develop-  
2           ment and implementation of training to provide  
3           innovative, effective, and evidence-based teach-  
4           ing methods and strategies to enable postsec-  
5           ondary faculty, staff, and administrators to pro-  
6           vide accessible distance education programs or  
7           classes that would enhance the access of stu-  
8           dents (including students with disabilities) to  
9           postsecondary education, including the use of  
10          accessible curricula and electronic communica-  
11          tion for instruction and advising that meet the  
12          requirements of section 508 of the Rehabilita-  
13          tion Act of 1973 (29 U.S.C. 794d).

14          “(E) CAREER PATHWAY GUIDANCE.—The  
15          development and implementation of effective  
16          and evidence-based teaching methods and strat-  
17          egies to provide postsecondary faculty, staff,  
18          and administrators with the ability to advise  
19          students with disabilities with respect to their  
20          chosen career pathway, which shall include at  
21          least one of the following:

22                  “(i) Supporting internships, appren-  
23                  ticeships, or work-based learning opportu-  
24                  nities.

1           “(ii) Counseling on coursework to  
2           meet the recognized educational credential  
3           or recognized postsecondary credential ap-  
4           propriate for the field chosen.

5           “(iii) Developing self-advocacy skills  
6           to advocate for appropriate accommoda-  
7           tions once in the workplace.

8           “(iv) Support with selecting a career  
9           pathway that leads to competitive, inte-  
10          grated employment.

11          “(3) MANDATORY EVALUATION AND DISSEMI-  
12          NATION.—An institution of higher education award-  
13          ed a grant under this section shall evaluate and dis-  
14          seminate to other institutions of higher education  
15          the information obtained through the activities de-  
16          scribed in subparagraphs (A) through (E) of para-  
17          graph (2).

18          “(c) CONSIDERATIONS IN MAKING AWARDS.—In  
19          awarding grants, contracts, or cooperative agreements  
20          under this section, the Secretary shall consider the fol-  
21          lowing:

22               “(1) GEOGRAPHIC DISTRIBUTION.—Providing  
23               an equitable geographic distribution of such awards.

24               “(2) RURAL AND URBAN AREAS.—Distributing  
25               such awards to urban and rural areas.

1           “(3) RANGE AND TYPE OF INSTITUTION.—En-  
2           suring that the activities to be assisted are developed  
3           for a range of types and sizes of institutions of high-  
4           er education.

5           “(d) REPORTS.—

6           “(1) INITIAL REPORT.—Not later than one year  
7           after the date of enactment of the College Afford-  
8           ability Act, the Secretary shall prepare and submit  
9           to the authorizing committees, and make available to  
10          the public, a report on all projects awarded grants  
11          under this part, including a review of the activities  
12          and program performance of such projects based on  
13          existing information as of the date of the report.

14          “(2) SUBSEQUENT REPORT.—Not later than  
15          five years after the date of the first award of a grant  
16          under this section after the date of enactment of the  
17          College Affordability Act, the Secretary shall prepare  
18          and submit to the authorizing committees, and make  
19          available to the public, a report that—

20                 “(A) reviews the activities and program  
21                 performance of the projects authorized under  
22                 subsection (b); and

23                 “(B) provides guidance and recommenda-  
24                 tions on how effective projects can be rep-  
25                 licated.”.

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 section 762 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 section 762(b) that the institution proposes to  
12 carry out, and how such institution plans to conduct  
13 such activities in order to further the purposes of  
14 this subpart;

15 “(2) a description of how the institution con-  
16 sulted with a broad range of people including stu-  
17 dents with disabilities and individuals with expertise  
18 in disability supports or special education within the  
19 institution to develop activities for which assistance  
20 is sought;

21 “(3) a description of how the institution will co-  
22 ordinate and collaborate with the office of accessi-  
23 bility; and

24 “(4) a description of the extent to which the in-  
25 stitution will work to replicate the research-based

1 and best practices of institutions of higher education  
2 with demonstrated effectiveness in serving students  
3 with disabilities.”.

4 **SEC. 7006. OFFICE OF ACCESSIBILITY.**

5 Subpart 1 of part D of title VII of the Higher Edu-  
6 cation Act of 1965 (20 U.S.C. 1140a et seq.) is amend-  
7 ed—

8 (1) by redesignating section 765 as section  
9 765C;

10 (2) by inserting after section 764 the following:

11 **“SEC. 765A. OFFICE OF ACCESSIBILITY.**

12 “(a) ESTABLISHMENT.—Each institution of higher  
13 education shall establish an office of accessibility to de-  
14 velop and implement policies to support students who  
15 enter postsecondary education with disabilities and stu-  
16 dents who acquire a disability while enrolled in an institu-  
17 tion of higher education.

18 “(b) DUTIES.—Each office of accessibility shall—

19 “(1) inform students, during student orienta-  
20 tion, about services provided at the institution of  
21 higher education, and continually update such infor-  
22 mation through the accessibility office’s website and  
23 other communications to improve accessibility of  
24 such services;

1           “(2) provide information to students regarding  
2 accommodations and modifications provided by the  
3 institution of higher education with respect to in-  
4 ternships, practicums, work-based learning, appren-  
5 ticeships, or other work-related environments that—

6           “(A) the student may engage in through  
7 courses; or

8           “(B) are necessary for completion of a rec-  
9 ognized educational credential or recognized  
10 postsecondary credential;

11           “(3) provide information to students regarding  
12 their legal rights under the Americans with Disabil-  
13 ities Act (42 U.S.C. 12101 et seq.) and section 504  
14 of the Rehabilitation Act (29 U.S.C. 794); and

15           “(4) in order to provide appropriate accom-  
16 modations to students with disabilities, carry out the  
17 following:

18           “(A) Adopt policies that, at a minimum,  
19 make any of the following documentation sub-  
20 mitted by an individual sufficient to establish  
21 that such individual is an individual with a dis-  
22 ability:

23           “(i) Documentation that the indi-  
24 vidual has had an individualized education  
25 program (in this clause referred to as an

1 ‘IEP’) in accordance with section 614(d) of  
2 the Individuals with Disabilities Education  
3 Act (20 U.S.C. 1414(d)), including an IEP  
4 that may not be current on the date of the  
5 determination that the individual has a  
6 disability. The office of accessibility may  
7 ask for additional documentation from an  
8 individual who had an IEP but who was  
9 subsequently evaluated and determined to  
10 be ineligible for services under the Individ-  
11 uals with Disabilities Education Act (20  
12 U.S.C. 1400 et seq.), including an indi-  
13 vidual determined to be ineligible during  
14 elementary school.

15 “(ii) Documentation describing serv-  
16 ices or accommodations provided to the in-  
17 dividual pursuant to section 504 of the Re-  
18 habilitation Act of 1973 (29 U.S.C. 794)  
19 (commonly referred to as a ‘Section 504  
20 plan’).

21 “(iii) A plan or record of service for  
22 the individual from a private school, a local  
23 educational agency, a State educational  
24 agency, or an institution of higher edu-  
25 cation provided in accordance with the

1 Americans with Disabilities Act of 1990  
2 (42 U.S.C. 12101 et seq.).

3 “(iv) A record or evaluation from a  
4 relevant licensed professional finding that  
5 the individual has a disability.

6 “(v) A plan or record of disability  
7 from another institution of higher edu-  
8 cation.

9 “(vi) Documentation of a disability  
10 due to service in the uniformed services, as  
11 defined in section 484C(a).

12 “(B) Adopt policies that are transparent  
13 and explicit regarding the process by which the  
14 institution determines eligibility for accom-  
15 modations.

16 “(C) Disseminate the information de-  
17 scribed in subparagraph (B) to students, par-  
18 ents, and faculty—

19 “(i) in an accessible format;

20 “(ii) during student orientation; and

21 “(iii) by making such information  
22 readily available on a public website of the  
23 institution.



1           “(D) Provide accommodations to students  
2           with mental health disabilities, and students  
3           with disabilities associated with pregnancy.

4           “(E) Provide outreach and consult with  
5           students in inclusive higher education.

6   **“SEC. 765B. COMPETITIVE GRANT FOR INNOVATION AND**  
7           **ACCESSIBILITY.**

8           “(a) GRANTS AUTHORIZED.—

9           “(1) IN GENERAL.—From amounts appro-  
10          priated under section 765C, the Secretary may  
11          award grants on a competitive basis to institutions  
12          of higher education to enable the institutions to  
13          carry out the activities described under subsection  
14          (c).

15          “(2) DURATION.—A grant under this section  
16          shall be awarded for a period of 5 years.

17          “(3) CONSIDERATION IN MAKING AWARDS.—In  
18          awarding grants under this section, the Secretary  
19          shall consider the following:

20                 “(A) Providing an equitable geographic  
21                 distribution of such awards.

22                 “(B) Ensuring that the activities to be as-  
23                 sisted are developed for a range of types and  
24                 sizes of institutions of higher education.

1       “(b) APPLICATION.—Each institution of higher edu-  
2 cation desiring to receive a grant under this section shall  
3 submit an application to the Secretary at such time, in  
4 such manner, and accompanied by such information as the  
5 Secretary may require. Each application shall include—

6           “(1) a description of how the institution will  
7 carry out the activities under subsection (c);

8           “(2) a description of the consultation the insti-  
9 tution has had with a broad range of people within  
10 the institution, including students with disabilities  
11 and individuals with expertise in disability supports  
12 or special education, in developing the information  
13 under paragraph (1);

14           “(3) a plan for the sustainability of the pro-  
15 gram after the end of the grant period; and

16           “(4) a written business plan for revenue and ex-  
17 penditures to be provided to the Department under  
18 subsection (d).

19       “(c) ACTIVITIES.—A grant awarded under this sec-  
20 tion shall be used to—

21           “(1) develop and implement across the institu-  
22 tion of higher education, a universal design for  
23 learning framework for course design and instruc-  
24 tional materials to improve campus-wide accessibility

1 to instruction, materials, and the learning environ-  
2 ment; or

3 “(2) develop or improve distance education  
4 courses consistent with the principles of universal  
5 design for learning to improve accessibility of in-  
6 struction and materials.

7 “(d) REPORTS.—

8 “(1) GRANT RECIPIENT REPORTS.—An institu-  
9 tion of higher education awarded a grant under this  
10 section shall evaluate and disseminate to other insti-  
11 tutions of higher education, the information obtained  
12 through the activities described in subsection (c).

13 “(2) INITIAL REPORT BY SECRETARY.—Not  
14 later than one year after the date of the enactment  
15 of this section, the Secretary shall prepare and sub-  
16 mit to the authorizing committees, and make avail-  
17 able to the public, a report on all projects awarded  
18 grants under this section, including a review of the  
19 activities and program performance of such projects  
20 based on existing information as of the date of the  
21 report.

22 “(3) FINAL REPORT BY SECRETARY.—Not later  
23 than 6 years after the date of the first award of a  
24 grant under this section, the Secretary shall prepare

1 and submit to the authorizing committees, and make  
2 available to the public, a report that—

3 “(A) reviews the activities and program  
4 performance of the projects authorized under  
5 this section; and

6 “(B) provides guidance and recommenda-  
7 tions on how effective projects can be rep-  
8 licated.”; and

9 (3) by amending section 765C, as so redesign-  
10 nated, by striking “2009” and inserting “2021”.

11 **SEC. 7007. POSTSECONDARY PROGRAMS FOR STUDENTS**  
12 **WITH INTELLECTUAL DISABILITIES.**

13 (a) **PURPOSE.**—Section 766 of the Higher Education  
14 Act of 1965 (20 U.S.C. 1140f) is amended to read as fol-  
15 lows:

16 **“SEC. 766. PURPOSE.**

17 “It is the purpose of this subpart to support inclusive  
18 programs that promote the successful transition of stu-  
19 dents with intellectual disabilities into higher education  
20 and the earning of a recognized educational credential or  
21 recognized postsecondary credential issued by the institu-  
22 tion of higher education.”.

23 (b) **PROGRAMS FOR STUDENTS WITH INTELLECTUAL**  
24 **DISABILITIES.**—Section 767 of the Higher Education Act  
25 of 1965 (20 U.S.C. 1140g) is amended to read as follows:

1 **“SEC. 767. INCLUSIVE HIGHER EDUCATION PROGRAMS FOR**  
2 **STUDENTS WITH INTELLECTUAL DISABIL-**  
3 **ITIES.**

4 “(a) GRANTS AUTHORIZED.—

5 “(1) IN GENERAL.—From amounts appro-  
6 priated under section 769(a), the Secretary shall an-  
7 nually award grants, on a competitive basis, to insti-  
8 tutions of higher education (or consortia of three or  
9 more institutions of higher education), to enable  
10 such institutions or consortia to create or expand a  
11 comprehensive transition and postsecondary edu-  
12 cation program for students with intellectual disabil-  
13 ities.

14 “(2) ELIGIBILITY AND APPROPRIATIONS LIM-  
15 ITS.—

16 “(A) RELATION TO OTHER GRANTS.—An  
17 institution of higher education that received a  
18 grant under this section before the date of the  
19 enactment of the College Affordability Act may  
20 not receive an additional grant under this sec-  
21 tion unless—

22 “(i) the institution receives a grant as  
23 part of a consortium of three or more in-  
24 stitutions of higher education; or

25 “(ii) the grant term of such preceding  
26 grant has ended.

1           “(B) LIMITATION ON AMOUNTS.—

2                   “(i) INSTITUTION OF HIGHER EDU-  
3                   CATION.—A grant under this section made  
4                   to an institution of higher education may  
5                   not be in an amount greater than  
6                   \$300,000.

7                   “(ii) CONSORTIUM.—A grant under  
8                   this section made to a consortia of institu-  
9                   tions of higher education may not be in an  
10                  amount greater than \$500,000.

11                 “(3) ADMINISTRATION.—The program under  
12                 this section shall be administered by the office in the  
13                 Department that administers other postsecondary  
14                 education programs in collaboration with the Office  
15                 of Postsecondary Education and the Office of Spe-  
16                 cial Education and Rehabilitative Services of the De-  
17                 partment of Education.

18                 “(4) DURATION OF GRANTS.—A grant under  
19                 this section shall be awarded for a period of 5 years.

20                 “(b) APPLICATION.—An institution of higher edu-  
21                 cation or a consortium desiring a grant under this section  
22                 shall submit an application to the Secretary at such time,  
23                 in such manner, and containing such information as the  
24                 Secretary may require.

1           “(c) AWARD BASIS.—In awarding grants under this  
2 section, the Secretary shall—

3           “(1) provide for an equitable geographic dis-  
4 tribution of such grants;

5           “(2) to the extent possible, provide for an equi-  
6 table distribution of such grants between 4-year in-  
7 stitutions of higher education and 2-year institu-  
8 tions of higher education, including community col-  
9 leges;

10           “(3) provide grant funds for high-quality, inclu-  
11 sive higher education programs for students with in-  
12 tellectual disabilities, herein after referred to as in-  
13 clusive higher education programs, that will serve  
14 areas that are underserved by programs of this type;

15           “(4) in the case of an institution of higher edu-  
16 cation that provides institutionally owned or oper-  
17 ated housing for students attending the institution,  
18 award grants only to such institutions that integrate  
19 students with intellectual disabilities into the hous-  
20 ing offered to students without disabilities or to in-  
21 stitutions that provide such integrated housing  
22 through providing supports to students directly or  
23 through partnerships with other organizations;

24           “(5) provide grant funds to encourage involve-  
25 ment of students attending institutions of higher

1 education in the fields of special education, general  
2 education, vocational rehabilitation, assistive tech-  
3 nology, or related fields in the program;

4 “(6) select applications that—

5 “(A) demonstrate an existing comprehen-  
6 sive transition and postsecondary education  
7 program for students with intellectual disabil-  
8 ities that is title IV eligible; or

9 “(B) agree to establish such a program;  
10 and

11 “(7) give preference to applications submitted  
12 under subsection (b) that agree to incorporate into  
13 the inclusive higher education program for students  
14 with intellectual disabilities carried out under the  
15 grant one or more of the following elements:

16 “(A) The formation of a partnership with  
17 any relevant agency serving students with intel-  
18 lectual disabilities, such as a vocational rehabili-  
19 tation agency.

20 “(B) Applications that represent geo-  
21 graphically underserved States.

22 “(d) USE OF FUNDS; REQUIREMENTS.—An institu-  
23 tion of higher education or consortium receiving a grant  
24 under this section shall—



1           “(1) use the grant funds to establish an inclu-  
2           sive higher education program for students with in-  
3           tellectual disabilities that—

4                   “(A) serves students with intellectual dis-  
5                   abilities;

6                   “(B) provides individual supports and serv-  
7                   ices for the academic and social inclusion of  
8                   students with intellectual disabilities in aca-  
9                   demic courses, extracurricular activities, and  
10                  other aspects of the regular postsecondary pro-  
11                  gram, including access to health and mental  
12                  health services, offices of accessibility, and  
13                  graduation ceremonies;

14                  “(C) with respect to the students with in-  
15                  tellectual disabilities participating in the pro-  
16                  gram, provides a focus on—

17                           “(i) academic and career development;

18                           “(ii) socialization and inclusion with  
19                           the general student population;

20                           “(iii) independent living skills, includ-  
21                           ing self-advocacy skills; and

22                           “(iv) integrated work experiences and  
23                           career skills that lead to competitive inte-  
24                           grated employment;

1           “(D) integrates person-centered planning  
2           in the development of the course of study for  
3           each student with an intellectual disability par-  
4           ticipating in the program;

5           “(E) plans for the sustainability of the  
6           program after the end of the grant period, with  
7           a written business plan for revenue and expend-  
8           itures to be provided to the Department by the  
9           end of year 3; and

10           “(F) awards a degree, certificate, or recog-  
11           nized postsecondary credential for students with  
12           intellectual disabilities upon the completion of  
13           the program;

14           “(2) in the case of an institution of higher edu-  
15           cation that provides institutionally owned or oper-  
16           ated housing for students attending the institution  
17           or integrated housing through providing supports to  
18           students directly or through partnerships with other  
19           organizations, provide for the integration of students  
20           with intellectual disabilities into housing offered to  
21           students without disabilities;

22           “(3) participate with the coordinating center es-  
23           tablished under section 777(b) in the evaluation of  
24           the program, including by regularly submitting data

1 on experiences and outcomes of individual students  
2 participating in the program; and

3 “(4) partner with one or more local educational  
4 agencies to support students with intellectual disabili-  
5 ties participating in the program who are eligible  
6 for special education and related services under the  
7 Individuals with Disabilities Education Act (20  
8 U.S.C. 1400 et seq.), including the use of funds  
9 available under part B of such Act (20 U.S.C. 1411  
10 et seq.) to support the participation of such students  
11 in the program.

12 “(e) MATCHING REQUIREMENT.—An institution of  
13 higher education (or consortium) that receives a grant  
14 under this section shall provide matching funds toward the  
15 cost of the inclusive higher education program for students  
16 with intellectual disabilities carried out under the grant.  
17 Such matching funds may be provided in cash or in-kind,  
18 and shall be in an amount of not less than 25 percent  
19 of the amount of such costs.

20 “(f) DATA COLLECTION AND TRANSMISSION.—

21 “(1) IN GENERAL.—An institution or consor-  
22 tium receiving a grant under this section shall col-  
23 lect and transmit to the coordinating center estab-  
24 lished under section 777(b) on an annual basis for  
25 each student who is enrolled in the program, stu-

1       dent-level information related to the experiences and  
2       outcomes of students who participate in the inclusive  
3       higher education program for students with intellec-  
4       tual disabilities.

5               “(2) LONGITUDINAL DATA.—Each grantee shall  
6       collect longitudinal outcome data from each student  
7       participating in the program and transmit such data  
8       to the coordinating center established under section  
9       777(b). Such longitudinal data shall be collected for  
10      every student each year for 5 years after the student  
11      graduates from, or otherwise exits, the program.

12              “(3) DATA TO BE COLLECTED.—The program-  
13      level information and data and student-level infor-  
14      mation and data to be collected under this sub-  
15      section shall include—

16                      “(A) the number and type of postsec-  
17                      ondary education courses taken and completed  
18                      by the student;

19                      “(B) academic outcomes;

20                      “(C) competitive, integrated employment  
21                      outcomes;

22                      “(D) independent living outcomes; and

23                      “(E) social outcomes, including community  
24                      integration.

1           “(4) DISAGGREGATION.—The information de-  
2           termined under paragraph (3) shall be disaggregated  
3           by race, gender, socioeconomic status, Federal Pell  
4           Grant eligibility status, status as a first generation  
5           college student, and veteran or active duty status.

6           “(g) REPORT.—Not later than 5 years after the date  
7           of the first grant awarded under this section, the Sec-  
8           retary shall prepare and disseminate a report to the au-  
9           thorizing committees and to the public that—

10           “(1) reviews the activities of the inclusive high-  
11           er education programs for students with intellectual  
12           disabilities funded under this section; and

13           “(2) provides guidance and recommendations  
14           on how effective programs can be replicated.”.

15           (c) AUTHORIZATION OF APPROPRIATIONS.—Section  
16           769(a) of the Higher Education Act of 1965 (20 U.S.C.  
17           1140i) is amended by striking “2009” and inserting  
18           “2021”.

19           **SEC. 7008. NATIONAL TECHNICAL ASSISTANCE CENTER**  
20                                   **AND NATIONAL COORDINATING CENTER FOR**  
21                                   **INCLUSION OF STUDENTS WITH INTELLEC-**  
22                                   **TUAL DISABILITIES.**

23           (a) IN GENERAL.—Section 777 of the Higher Edu-  
24           cation Act of 1965 (20 U.S.C. 1140q) is amended to read  
25           as follows:

1 **“SEC. 777. NATIONAL TECHNICAL ASSISTANCE CENTER**  
2 **AND NATIONAL COORDINATING CENTER FOR**  
3 **INCLUSION OF STUDENTS WITH INTELLEC-**  
4 **TUAL DISABILITIES.**

5 “(a) NATIONAL TECHNICAL ASSISTANCE CENTER.—

6 “(1) IN GENERAL.—From amounts appro-  
7 priated under paragraph (5), the Secretary shall  
8 award a grant to, or enter into a contract or cooper-  
9 ative agreement with, an eligible entity to provide  
10 for the establishment and support of a National  
11 Technical Assistance Center. The National Technical  
12 Assistance Center shall carry out the duties set forth  
13 in paragraph (4).

14 “(2) ADMINISTRATION.—The program under  
15 this section shall be administered by the office in the  
16 Department that administers other postsecondary  
17 education programs in consultation with the Office  
18 of Special Education and Rehabilitative Services.

19 “(3) ELIGIBLE ENTITY.—In this subpart, the  
20 term ‘eligible entity’ means an institution of higher  
21 education, a nonprofit organization, or partnership  
22 of two or more such institutions or organizations,  
23 with demonstrated expertise in—

24 “(A) transitioning students with disabil-  
25 ities from secondary school to postsecondary  
26 education;

1           “(B) supporting students with disabilities  
2           in postsecondary education;

3           “(C) technical knowledge necessary for the  
4           dissemination of information in accessible for-  
5           mats; and

6           “(D) working with diverse types of institu-  
7           tions of higher education, including community  
8           colleges.

9           “(4) DUTIES.—The duties of the National  
10          Technical Assistance Center shall include the fol-  
11          lowing:

12                 “(A) ASSISTANCE TO STUDENTS AND FAM-  
13                 ILIES.—The National Technical Assistance  
14                 Center shall provide information and technical  
15                 assistance to students with disabilities and the  
16                 families of students with disabilities to support  
17                 students across the broad spectrum of disabil-  
18                 ities, including—

19                         “(i) information to assist individuals  
20                         with disabilities who are prospective stu-  
21                         dents of an institution of higher education  
22                         in planning for postsecondary education  
23                         while the students are in secondary school;

24                         “(ii) information and technical assist-  
25                         ance provided to individualized education

1 program teams (as defined in section  
2 614(d)(1) of the Individuals with Disabil-  
3 ities Education Act) for secondary school  
4 students with disabilities, and to early out-  
5 reach and student services programs, in-  
6 cluding programs authorized under sub-  
7 parts 2, 4, and 5 of part A of title IV, to  
8 support students across a broad spectrum  
9 of disabilities with the successful transition  
10 to postsecondary education;

11 “(iii) research-based supports, serv-  
12 ices, and accommodations which are avail-  
13 able in postsecondary settings, including  
14 services provided by other agencies such as  
15 vocational rehabilitation;

16 “(iv) information on student men-  
17 toring and networking opportunities for  
18 students with disabilities; and

19 “(v) effective recruitment and transi-  
20 tion programs at postsecondary edu-  
21 cational institutions.

22 “(B) ASSISTANCE TO INSTITUTIONS OF  
23 HIGHER EDUCATION.—The National Technical  
24 Assistance Center shall provide information and  
25 technical assistance to faculty, staff, and ad-



1           ministrators of institutions of higher education  
2           to improve the services provided to, the accom-  
3           modations for, the retention rates of, and the  
4           completion rates of, students with disabilities in  
5           higher education settings, which may include—

6                   “(i) collection and dissemination of  
7                   best and promising practices and materials  
8                   for accommodating and supporting stu-  
9                   dents with disabilities, including practices  
10                  and materials supported by the grants,  
11                  contracts, or cooperative agreements au-  
12                  thorized under subparts 1, 2, and 3;

13                  “(ii) development and provision of  
14                  training modules for higher education fac-  
15                  ulty on exemplary practices for accommo-  
16                  dating and supporting postsecondary stu-  
17                  dents with disabilities across a range of  
18                  academic fields, which may include uni-  
19                  versal design for learning and practices  
20                  supported by the grants, contracts, or co-  
21                  operative agreements authorized under  
22                  subparts 1, 2, and 3; and

23                  “(iii) development of technology-based  
24                  tutorials for higher education faculty and  
25                  staff, including new faculty and graduate

1 students, on best and promising practices  
2 related to support and retention of stu-  
3 dents with disabilities in postsecondary  
4 education.

5 “(C) INFORMATION COLLECTION AND DIS-  
6 SEMINATION.—The National Technical Assist-  
7 ance Center shall be responsible for building,  
8 maintaining, and updating a database of dis-  
9 ability support services information with respect  
10 to institutions of higher education, or for ex-  
11 panding and updating an existing database of  
12 disabilities support services information with re-  
13 spect to institutions of higher education. Such  
14 database shall be available to the general public  
15 through a website built to high technical stand-  
16 ards of accessibility practicable for the broad  
17 spectrum of individuals with disabilities. Such  
18 database and website shall include available in-  
19 formation on—

20 “(i) disability documentation require-  
21 ments;

22 “(ii) support services available;

23 “(iii) links to financial aid;

24 “(iv) accommodations policies;

25 “(v) accessible instructional materials;

1 “(vi) other topics relevant to students  
2 with disabilities; and

3 “(vii) the information in the report  
4 described in subparagraph (E).

5 “(D) DISABILITY SUPPORT SERVICES.—

6 The National Technical Assistance Center shall  
7 work with organizations and individuals with  
8 proven expertise related to disability support  
9 services for postsecondary students with disabili-  
10 ties to evaluate, improve, and disseminate in-  
11 formation related to the delivery of high quality  
12 disability support services at institutions of  
13 higher education.

14 “(E) REVIEW AND REPORT.—Not later  
15 than three years after the establishment of the  
16 National Technical Assistance Center, and  
17 every two years thereafter, the National Tech-  
18 nical Assistance Center shall prepare and dis-  
19 seminate a report to the Secretary and the au-  
20 thorizing committees analyzing the condition of  
21 postsecondary success for students with disabili-  
22 ties. Such report shall include—

23 “(i) a review of the activities and the  
24 effectiveness of the programs authorized  
25 under this part;

1           “(ii) annual enrollment and gradua-  
2           tion rates of students with disabilities in  
3           institutions of higher education from pub-  
4           licly reported data;

5           “(iii) recommendations for effective  
6           postsecondary supports and services for  
7           students with disabilities, and how such  
8           supports and services may be widely imple-  
9           mented at institutions of higher education;

10           “(iv) recommendations on reducing  
11           barriers to full participation for students  
12           with disabilities in higher education; and

13           “(v) a description of strategies with a  
14           demonstrated record of effectiveness in im-  
15           proving the success of such students in  
16           postsecondary education.

17           “(F) STAFFING OF THE CENTER.—In hir-  
18           ing employees of the National Technical Assist-  
19           ance Center, the National Technical Assistance  
20           Center shall consider the expertise and experi-  
21           ence of prospective employees in providing  
22           training and technical assistance to practi-  
23           tioners.

1           “(5) AUTHORIZATION OF APPROPRIATIONS.—

2           There is authorized to be appropriated to carry out  
3           this subsection \$10,000,000.

4           “(b) THE NATIONAL COORDINATING CENTER FOR  
5 INCLUSION OF STUDENTS WITH INTELLECTUAL DISABIL-  
6 ITIES.—

7           “(1) DEFINITION OF ELIGIBLE ENTITY.—In  
8           this subsection, the term ‘eligible entity’ means an  
9           entity, or a partnership of entities, that has dem-  
10          onstrated expertise in the fields of—

11                   “(A) higher education;

12                   “(B) the education of students with intel-  
13                   lectual disabilities;

14                   “(C) the development of inclusive higher  
15                   education programs for students with intellec-  
16                   tual disabilities; and

17                   “(D) evaluation and technical assistance.

18           “(2) IN GENERAL.—From amounts appro-  
19           priated under paragraph (7), the Secretary shall  
20           enter into a cooperative agreement, on a competitive  
21           basis, with an eligible entity for the purpose of es-  
22           tablishing a coordinating center for institutions of  
23           higher education that offer inclusive higher edu-  
24           cation programs for students with intellectual dis-

1 abilities, including institutions participating in  
2 grants authorized under subpart 2 to provide—

3 “(A) recommendations related to the devel-  
4 opment of standards for such programs;

5 “(B) technical assistance for such pro-  
6 grams; and

7 “(C) evaluations for such programs, in-  
8 cluding systematic collection of data on the ex-  
9 periences and outcomes of individuals with in-  
10 tellectual disabilities.

11 “(3) ADMINISTRATION.—The program under  
12 this subsection shall be administered by the Office of  
13 Postsecondary Education, in collaboration with the  
14 Office of Special Education and Rehabilitative Serv-  
15 ices.

16 “(4) DURATION.—The Secretary shall enter  
17 into a cooperative agreement under this subsection  
18 for a period of five years.

19 “(5) REQUIREMENTS OF COOPERATIVE AGREE-  
20 MENT.—The eligible entity entering into a coopera-  
21 tive agreement under this subsection shall establish  
22 and maintain a coordinating center that shall—

23 “(A) serve as the technical assistance enti-  
24 ty for all inclusive higher education programs  
25 and comprehensive transition and postsec-

1           ondary programs for students with intellectual  
2           disabilities;

3           “(B) provide technical assistance regarding  
4           the development, evaluation, and continuous im-  
5           provement of such programs;

6           “(C) evaluate such programs using quali-  
7           tative and quantitative methodologies for meas-  
8           uring program strengths in the areas of aca-  
9           demic access, academic enrichment, socializa-  
10          tion, competitive integrated employment, attain-  
11          ment of a degree, certificate, or recognized  
12          postsecondary credential, and independent liv-  
13          ing;

14          “(D) evaluate participant progress by cre-  
15          ating and maintaining a database of student-  
16          level information and data related to the experi-  
17          ences and outcomes of youth who participate in  
18          each inclusive higher education program that  
19          receives a grant under this subpart;

20          “(E) create and maintain a mechanism for  
21          continuing to collect outcome information from  
22          students who participated in inclusive higher  
23          education programs that were developed in pre-  
24          vious grant award cycles;

1           “(F) assist recipients of a grant under this  
2 subpart in efforts to award a degree, certificate,  
3 or recognized postsecondary credential;

4           “(G) create and maintain a database of  
5 student and program level data reflecting imple-  
6 mentation of the inclusive higher education pro-  
7 gram that receives a grant under this subpart;

8           “(H) create and maintain a mechanism to  
9 consolidate follow up data on student outcomes  
10 collected by inclusive higher education programs  
11 funded through previous grant cycles;

12           “(I) assist recipients of grants under sub-  
13 part 2 in efforts to award a degree, certificate,  
14 or recognized postsecondary credential to stu-  
15 dents with intellectual disabilities upon the  
16 completion of such programs;

17           “(J) identify model memoranda of agree-  
18 ment for use between or among institutions of  
19 higher education and State and local agencies  
20 providing funding for such programs;

21           “(K) develop recommendations for the nec-  
22 essary components of such programs, such as—

23                   “(i) academic, career and technical,  
24 social, and independent living skills;

25                   “(ii) evaluation of student progress;



1           “(iii) program administration and  
2           evaluation;

3           “(iv) student eligibility;

4           “(v) issues regarding the equivalency  
5           of a student’s participation in such pro-  
6           grams to semester, trimester, quarter,  
7           credit, or clock hours at an institution of  
8           higher education, as the case may be; and

9           “(vi) access to student housing for  
10          students participating in the inclusive  
11          higher education programs, including ac-  
12          commodations and services that support  
13          independent living;

14          “(L) review and analyze—

15                 “(i) the impact of State and Federal  
16                 policy on inclusive higher education legisla-  
17                 tion; and

18                 “(ii) funding streams for such pro-  
19                 grams;

20                 “(M) provide recommendations regarding  
21                 the funding streams described in paragraph  
22                 (H)(ii);

23                 “(N) develop mechanisms for regular com-  
24                 munication, outreach and dissemination of in-  
25                 formation about inclusive higher education pro-

1           grams for students with intellectual disabilities  
2           under subpart 2 between or among such pro-  
3           grams and to families and prospective students;

4           “(O) host a meeting of all recipients of  
5           grants under subpart 2 not less often than once  
6           each year; and

7           “(P) convene a work group to continue the  
8           development of and recommendations for model  
9           criteria, standards, and components of inclusive  
10          higher education programs and comprehensive  
11          transition and postsecondary programs for stu-  
12          dents with intellectual disabilities, that are ap-  
13          propriate for the development of accreditation  
14          standards—

15                 “(i) which work group shall include—

16                         “(I) an expert in community col-  
17                         lege education;

18                         “(II) an expert in career tech-  
19                         nical education;

20                         “(III) an expert in 4-year insti-  
21                         tutions of higher education;

22                         “(IV) an expert in special edu-  
23                         cation;

1           “(V) a disability organization  
2           that represents students with intellec-  
3           tual disabilities;

4           “(VI) a representative from the  
5           National Advisory Committee on In-  
6           stitutional Quality and Integrity; and

7           “(VII) a representative of a re-  
8           gional or national accreditation agen-  
9           cy or association; and

10          “(ii) the work group will carry out the  
11          following activities—

12               “(I) conduct outreach to accred-  
13               iting agencies;

14               “(II) develop a technical guid-  
15               ance document to support implemen-  
16               tation of the model standards;

17               “(III) develop and conduct a pro-  
18               tocol for implementing the model  
19               standards; and

20               “(IV) update recommendations  
21               for the model standards, criteria, and  
22               components of such programs, as ap-  
23               plicable.

24          “(6) REPORT.—Not later than 5 years after the  
25          date of the establishment of the coordinating center

1 under this subsection, the coordinating center shall  
2 report to the Secretary, the authorizing committees,  
3 and the National Advisory Committee on Institu-  
4 tional Quality and Integrity on the activities de-  
5 scribed in paragraph (5).

6 “(7) AUTHORIZATION OF APPROPRIATIONS.—  
7 There are authorized to be appropriated to carry out  
8 this subsection such sums as may be necessary for  
9 fiscal year 2021 and each of the five succeeding fis-  
10 cal years.”.

11 (b) AUTHORIZATION OF APPROPRIATIONS.—Section  
12 778 of the Higher Education Act of 1965 (20 U.S.C.  
13 1140r) is repealed.

14 **SEC. 7009. FORMULA GRANTS TO STATES TO IMPROVE**  
15 **HIGHER EDUCATION OPPORTUNITIES FOR**  
16 **FOSTER YOUTH AND HOMELESS YOUTH.**

17 Title VII of the Higher Education Act of 1965 (20  
18 U.S.C. 1133 et seq.) is further amended by adding at the  
19 end the following new part:

20 **“PART F—GRANTS FOR IMPROVING ACCESS TO**  
21 **AND SUCCESS IN HIGHER EDUCATION FOR**  
22 **FOSTER YOUTH AND HOMELESS YOUTH**

23 **“SEC. 791. DEFINITIONS.**

24 “In this part:

1           “(1) FOSTER YOUTH.—The term ‘foster  
2 youth’—

3           “(A) means an individual whose care and  
4 placement is the responsibility of the State or  
5 tribal agency that administers a State or tribal  
6 plan under part B or E of title IV of the Social  
7 Security Act (42 U.S.C. 621 et seq.; 670 et  
8 seq.), without regard to whether foster care  
9 maintenance payments are made under section  
10 472 of such Act (42 U.S.C. 672) on behalf of  
11 the individual; and

12           “(B) includes any individual—

13           “(i) whose care and placement was  
14 the responsibility of such a State or tribal  
15 agency when, or at any time after, the in-  
16 dividual attained 13 years of age, without  
17 regard to whether foster care maintenance  
18 payments were made under section 472 of  
19 such Act (42 U.S.C. 672) on behalf of the  
20 individual; and

21           “(ii) who is no longer under the care  
22 and responsibility of such a State or tribal  
23 agency, without regard to any subsequent  
24 adoption, guardianship arrangement, or  
25 other form of permanency option.

1           “(2) HOMELESS YOUTH.—The term ‘homeless  
2 youth’ has the meaning given the term ‘homeless  
3 children and youths’ in section 725 of the McKin-  
4 ney-Vento Homeless Assistance Act (42 U.S.C.  
5 11434a).

6           “(3) INDIAN TRIBE; TRIBAL ORGANIZATION.—  
7 The terms ‘Indian Tribe’ and ‘tribal organization’  
8 have the meanings given the terms in section 4 of  
9 the Indian Self-Determination and Education Assist-  
10 ance Act (25 U.S.C. 5304).

11           “(4) INSTITUTION OF HIGHER EDUCATION.—  
12 The term ‘institution of higher education’ has the  
13 meaning given the term in section 101.

14           “(5) STATE.—The term ‘State’ means each of  
15 the several States and the District of Columbia.

16           “(6) TERRITORY.—The term ‘territory’ means  
17 Puerto Rico, United States Virgin Islands, Guam,  
18 American Samoa, and the Commonwealth of the  
19 Northern Mariana Islands, the Republic of the Mar-  
20 shall Islands, the Federated States of Micronesia,  
21 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;

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;

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) For each such student with reason-  
20           able, unanticipated expenses that would not be  
21           covered by the institutional aid provided under  
22           subparagraph (D) and that would be necessary  
23           for the student to persist in college during an  
24           academic year, provide the student with access

1 to an emergency grant to help cover such ex-  
2 penses.

3 “(L) Collect, review, and monitor data for  
4 program improvement.

5 “(4) RELIANCE ON INSTITUTIONAL AID.—Any  
6 institutional aid provided to a student under para-  
7 graph (3)(D) by an eligible institution during the  
8 grant period of the institution’s grant under this  
9 section shall continue to be provided during the stu-  
10 dent’s continuous enrollment at the institution, with-  
11 out regard to whether the grant period ends during  
12 such enrollment.

13 “(5) DEFINITIONS.—In this subsection:

14 “(A) ADMINISTERING STATE AGENCY.—  
15 The term ‘administering State agency’ means a  
16 State agency—

17 “(i) designated by the Governor or ex-  
18 ecutive of the State to administer the sub-  
19 grants under this subsection; and

20 “(ii) that, with respect to such State,  
21 has jurisdiction over—

22 “(I) foster youth;

23 “(II) homeless youth;

24 “(III) elementary and secondary  
25 education; or

1 “(IV) higher education.

2 “(B) ELIGIBLE INSTITUTION.—The term  
3 ‘eligible institution’ means an institution of  
4 higher education—

5 “(i) that is in partnership with—

6 “(I) the State child welfare agen-  
7 cy that is responsible for the adminis-  
8 tration of the State plan under part B  
9 or E of title IV of the Social Security  
10 Act (42 U.S.C. 621 et seq.; 670 et  
11 seq.); and

12 “(II) an organization that serves  
13 homeless youth (such as a youth shel-  
14 ter or outreach program); and

15 “(ii) that may partner with any other  
16 provider, agency, official, or entity that  
17 serves foster youth and homeless youth, or  
18 former foster youth and homeless youth.

19 “(f) STATE REPORTS.—For each year in which a  
20 State receives an allotment under subsection (b), the State  
21 shall prepare and submit a report to the Secretary that  
22 includes—

23 “(1) each activity or service that was carried  
24 out under this section;

1           “(2) the cost of providing each such activity or  
2           service;

3           “(3) the number of students who received each  
4           activity or service disaggregated by each subgroup of  
5           students described in subclauses (I) through (VI) of  
6           section 1111(b)(2)(B)(xi) of the Elementary and  
7           Secondary Education Act of 1965 (20 U.S.C.  
8           6311(b)(2)(B)(xi));

9           “(4) using qualitative and quantitative analysis,  
10          how the State—

11                 “(A) improved access to higher education  
12                 for foster youth and homeless youth; and

13                 “(B) measured youth satisfaction with ac-  
14                 tivities carried out under this part;

15           “(5) an analysis of the implementation and  
16           progress of the Statewide transition initiative under  
17           subsection (d), including challenges and changes  
18           made to the initiative throughout the preceding year;

19           “(6) if, based on the analysis under paragraph  
20           (5), the State determines that the program is not on  
21           track to meet the intended outcomes described in the  
22           application of the State under subsection (c)(2)(C),  
23           a description of how the State plans to meet such  
24           intended outcomes; and

1           “(7) information on the eligible institutions re-  
2           ceiving subgrants, including how such institutions  
3           used subgrant funds to carry out the activities de-  
4           scribed in subsection (e)(3).

5           “(g) DEPARTMENT ACTIVITIES.—

6           “(1) EVALUATIONS.—Beginning on the date on  
7           which funds are first allotted under subsection (b),  
8           and annually thereafter, the Secretary shall evaluate  
9           recipients of allotments and subgrants under this  
10          section. The results of such evaluations shall be  
11          made publicly available on the website of the De-  
12          partment.

13          “(2) REPORT TO CONGRESS.—Not later than 1  
14          year after the date on which funds are first allocated  
15          under subsection (b), and annually thereafter, the  
16          Secretary shall submit a report to Congress that in-  
17          cludes—

18                 “(A) the amount of each allotment under  
19                 subsection (b);

20                 “(B) the amount of each subgrant under  
21                 subsection (e); and

22                 “(C) with respect to the year for which  
23                 such report is made, the results of the evalua-  
24                 tions under paragraph (1).

25          “(h) AUTHORIZATION OF APPROPRIATIONS.—

1           “(1) IN GENERAL.—Subject to paragraph (2),  
2           there are authorized to be appropriated to carry out  
3           this part \$150,000,000 for fiscal year 2021 and  
4           each of the 5 succeeding fiscal years.

5           “(2) ADJUSTMENT FOR INFLATION.—

6                   “(A) IN GENERAL.—The amount author-  
7                   ized to be appropriated under paragraph (1) for  
8                   fiscal year 2022 and each of the 4 succeeding  
9                   fiscal years shall be deemed increased by the  
10                  annual adjustment percentage.

11                   “(B) DEFINITION.—In this paragraph, the  
12                   term ‘annual adjustment percentage’, as applied  
13                   to a fiscal year, means the estimated percentage  
14                   change in the Consumer Price Index (as deter-  
15                   mined by the Secretary, using the definition in  
16                   section 478(f)) for the most recent calendar  
17                   year ending before the beginning of that fiscal  
18                   year.”.

## 19                   **TITLE VIII—ADDITIONAL** 20                   **PROGRAMS**

21           **SEC. 8001. RONALD V. DELLUMS MEMORIAL STEAM SCHOL-**  
22                   **ARS PROGRAM.**

23           Part B of title VIII of the Higher Education Act of  
24           1965 (20 U.S.C. 1161b) is amended to read as follows:



1 “PART B—RONALD V. DELLUMS MEMORIAL STEAM  
2 SCHOLARS  
3 **“SEC. 802. RONALD V. DELLUMS MEMORIAL STEAM SCHOL-  
4 ARS PROGRAM.**

5 “(a) PROGRAM AUTHORIZED.—

6 “(1) GRANTS FOR SCHOLARSHIPS.—The Sec-  
7 retary shall award grants under this section to insti-  
8 tutions of higher education (as defined in section  
9 101) to provide scholarships to eligible students for  
10 the purpose of enabling such students to enter into  
11 the STEAM workforce and increasing the number of  
12 underrepresented students in STEAM fields.

13 “(2) ELIGIBLE STUDENTS.—A student is eligi-  
14 ble for a scholarship under this section if the stu-  
15 dent—

16 “(A) meets the requirements of section  
17 484(a);

18 “(B) is an at least half-time student who  
19 has completed at least the first year of under-  
20 graduate study;

21 “(C) is enrolled in a program of under-  
22 graduate instruction leading to a bachelor’s de-  
23 gree at the institution with a major in a  
24 STEAM field; and

1           “(D) has obtained a cumulative grade  
2           point average of at least a 3.0 (or the equiva-  
3           lent as determined under regulations prescribed  
4           by the Secretary) at the end of the most re-  
5           cently completed term.

6           “(3) PRIORITY FOR SCHOLARSHIPS.—The Sec-  
7           retary shall set a priority for awarding scholarships  
8           under this section for students agreeing to work  
9           after graduation in a STEAM field.

10           “(4) STUDENTS FROM MINORITY-SERVING IN-  
11           STITUTIONS AND HISTORICALLY BLACK COLLEGES  
12           AND UNIVERSITIES.—The Secretary shall ensure  
13           that not fewer than 50 percent of the scholarships  
14           awarded under this section are awarded to eligible  
15           students who attend historically Black colleges and  
16           universities and other minority-serving institutions,  
17           including Hispanic-serving institutions, Asian Amer-  
18           ican and Native American Pacific Islander-serving  
19           institutions, American Indian Tribally controlled col-  
20           leges and universities, Alaska Native and Native Ha-  
21           waiian-serving institutions, Predominantly Black In-  
22           stitutions, and Native American-serving, Nontribal  
23           institutions.

1           “(5) AMOUNT AND DURATION OF SCHOLAR-  
2           SHIP.—Scholarship amounts awarded under this sec-  
3           tion shall not exceed—

4                   “(A) \$10,000 per student for an academic  
5                   year; and

6                   “(B) \$40,000 per student in the aggregate.

7           “(b) MATCHING REQUIREMENT.—In order to receive  
8 a grant under this section, an institution of higher edu-  
9 cation shall provide matching funds for the scholarships  
10 awarded under this section in an amount equal to 25 per-  
11 cent of the Federal funds received.

12           “(c) APPLICATION.—An institution that desires a  
13 grant under this section shall submit an application to the  
14 Secretary at such time, in such manner, and containing  
15 such information as the Secretary may require. Each ap-  
16 plication shall include a description of how the institution  
17 will meet the matching requirement of subsection (b).

18           “(d) REPORTS.—Not later than 2 years after the  
19 date on which the first scholarship is awarded under this  
20 section, and each academic year thereafter, the Secretary  
21 shall submit to the Congress a report containing—

22                   “(1) a description and analysis of the demo-  
23                   graphic information of students who receive scholar-  
24                   ships under this section, including information with  
25                   respect to such students regarding—

1 “(A) race;

2 “(B) ethnicity;

3 “(C) gender; and

4 “(D) eligibility to receive a Pell Grant;

5 “(2) the total number of underrepresented stu-  
6 dents in STEAM fields who obtain a degree with  
7 scholarship funds each year; and

8 “(3) an analysis of the effects of the program  
9 on the goals of increasing the number of underrep-  
10 resented students in STEAM fields and the number  
11 of such students who enter into the STEAM work-  
12 force.

13 “(e) AUTHORIZATION OF APPROPRIATIONS.—There  
14 are authorized to be appropriated to carry out this section  
15 \$5,000,000 for fiscal year 2021 and each of the five suc-  
16 ceeding fiscal years.

17 “(f) DEFINITIONS.—For purposes of this section:

18 “(1) The term ‘minority-serving institution’  
19 means an institution eligible to receive assistance  
20 under title III or V.

21 “(2) The term ‘STEAM’ means science, tech-  
22 nology, engineering, arts, and mathematics.

23 “(3) The term ‘underrepresented student in  
24 STEAM fields’ means a student who is a member of  
25 a minority group for which the number of individ-

1 uals in such group who annually receive bachelor’s  
2 degrees in the STEAM fields per 10,000 individuals  
3 in such group is substantially less than the number  
4 of white, non-Hispanic individuals who annually re-  
5 ceive bachelor’s degrees in the STEAM fields per  
6 10,000 such individuals.”.

7 **SEC. 8002. TEACH FOR AMERICA.**

8 Subparagraph (C) of section 806(f)(1) (20 U.S.C.  
9 1161f(f)(1)) is amended to read as follows:

10 “(C) \$30,000,000 for fiscal year 2021 and  
11 each of the 5 succeeding fiscal years.”.

12 **SEC. 8003. PATSY T. MINK FELLOWSHIP PROGRAM.**

13 Subsection (f) of section 807 (20 U.S.C. 1161g) is  
14 amended to read as follows:

15 “(f) AUTHORIZATION OF APPROPRIATIONS.—There  
16 is authorized to be appropriated to carry out this section  
17 \$10,000,000 for fiscal year 2021 and each of the 5 suc-  
18 ceeding fiscal years.”.

19 **SEC. 8004. IMPROVING SCIENCE, TECHNOLOGY, ENGINEER-  
20 ING, AND MATHEMATICS EDUCATION WITH A  
21 FOCUS ON AMERICAN INDIAN, ALASKA NA-  
22 TIVE, AND NATIVE HAWAIIAN STUDENTS.**

23 Section 819 of the Higher Education Act of 1965 (20  
24 U.S.C. 1161j) is amended—

1 (1) in the section heading, by striking “**ALAS-**  
2 **KA NATIVE AND NATIVE HAWAIIAN**” and insert-  
3 ing “**NATIVE AMERICAN**”;

4 (2) in subsection (a)(2), by striking “Alaska  
5 Natives and Native Hawaiians” and inserting  
6 “American Indians, Alaska Natives, Native Hawai-  
7 ians and other Native American Pacific Islanders to  
8 enable them to succeed in these fields”;

9 (3) in subsection (b)—

10 (A) by redesignating paragraphs (1), (2),  
11 (3), and (4), as paragraphs (2), (4), (5), and  
12 (6), respectively;

13 (B) by inserting before paragraph (2), as  
14 redesignated by subparagraph (A), the fol-  
15 lowing:

16 “(1) **NATIVE AMERICAN**.—The term ‘Native  
17 American’ includes Alaska Natives, American Indi-  
18 ans, Native Hawaiians and Native American Pacific  
19 Islanders.”; and

20 (C) by inserting after paragraph (2), as re-  
21 designated by subparagraph (A), the following:

22 “(3) **AMERICAN INDIAN**.—The term ‘American  
23 Indian’ has the meaning given the term ‘Indian’ in  
24 section 202 of the Indian Land Consolidation Act  
25 (25 U.S.C. 2201).”;

1 (4) in subsection (c)—

2 (A) by inserting “create or” after “to en-  
3 able the eligible partnership to”;

4 (B) by inserting “Native American” after  
5 “the development of”; and

6 (C) by striking “, including existing pro-  
7 grams for Alaska Native and Native Hawaiian  
8 students”;

9 (5) in subsection (d)—

10 (A) in paragraph (1), by striking “Alaska  
11 Native or Native Hawaiian students” and in-  
12 serting “programs that serve Native American  
13 students”;

14 (B) in paragraph (2), by striking “Alaska  
15 Native and Native Hawaiian students” and in-  
16 serting “programs that serve Native American  
17 students”; and

18 (C) in paragraph (3), by striking “Alaska  
19 Native or Native Hawaiian students” and in-  
20 serting “Native American students”;

21 (6) in subsection (f), by striking “30 percent or  
22 more of the program participants are Alaska Native  
23 or Native Hawaiian” and inserting “30 percent or  
24 more of the program participants are Native Amer-  
25 ican”; and

1           (7) in subsection (i), by striking “to carry out  
2           this section such sums as may be necessary for fiscal  
3           year 2009 and each of the five succeeding fiscal  
4           years” and inserting “\$5,000,000 for fiscal year  
5           2021 and each of the 5 succeeding fiscal years”.

6   **SEC. 8005. GRANTS FOR RURAL-SERVING INSTITUTIONS OF**  
7                                   **HIGHER EDUCATION.**

8           Subsection (g) of section 861 (20 U.S.C. 1161q) is  
9           amended to read as follows:

10          “(g) AUTHORIZATION OF APPROPRIATIONS.—There  
11           is authorized to be appropriated to carry out this section  
12           \$20,000,000 for fiscal year 2021 and each of the 5 suc-  
13           ceeding fiscal years.”.

14   **SEC. 8006. TRAINING FOR REALTIME WRITERS TO PROVIDE**  
15                                   **CLOSED CAPTIONING AND COURT REPORT-**  
16                                   **ING SERVICES.**

17           Section 872(e) (20 U.S.C. 1161s(e)) is amended by  
18           striking “2009” and inserting “2021”.

19   **SEC. 8007. GRANT PROGRAM TO ESTABLISH, MAINTAIN,**  
20                                   **AND IMPROVE VETERAN STUDENT CENTERS.**

21           (a) IN GENERAL.—Title VIII (20 U.S.C. 1161a et  
22           seq.) is amended by striking part T (20 U.S.C. 1161t)  
23           and inserting the following:





1 serving on active duty, and members of a  
2 reserve component of the Armed Forces; or  
3 “(ii) a significant percentage of vet-  
4 eran students, as measured by comparing  
5 the overall enrollment of the institution or  
6 consortium to the number, for the most re-  
7 cent academic year for which data are  
8 available, of veteran students, members of  
9 the Armed Forces serving on active duty,  
10 and members of a reserve component of  
11 the Armed Forces who are enrolled in un-  
12 dergraduate or graduate courses at the in-  
13 stitution or consortium.

14 “(B) The institution or consortium pre-  
15 sents a sustainability plan to demonstrate that  
16 the Veteran Student Center of such institution  
17 or consortium will be maintained and will con-  
18 tinue operations upon conclusion of the grant  
19 period under subsection (a).

20 “(3) ADDITIONAL CRITERIA.—

21 “(A) MANDATORY CONSIDERATIONS.—In  
22 awarding grants under subsection (a), the Sec-  
23 retary shall consider institutions or consortia  
24 representing a broad spectrum of sectors and  
25 sizes, including institutions or consortia from

1 urban, suburban, and rural regions of the  
2 United States.

3 “(B) DISCRETIONARY CRITERIA.—In  
4 awarding grants under subsection (a), the Sec-  
5 retary may provide consideration to institutions  
6 or consortia that meet one or more of the fol-  
7 lowing criteria:

8 “(i) The institution or consortium is  
9 located in a region or community that has  
10 a significant population of veterans.

11 “(ii) The institution or consortium  
12 carries out programs or activities that as-  
13 sist veterans in the local community and  
14 the spouses of veteran students.

15 “(iii) The institution or consortium  
16 partners in its veteran-specific program-  
17 ming with nonprofit veteran service organi-  
18 zations, local workforce development orga-  
19 nizations, or institutions of higher edu-  
20 cation.

21 “(iv) The institution or consortium  
22 commits to hiring staff at the Veteran Stu-  
23 dent Center that includes veterans (includ-  
24 ing veteran student volunteers and veteran  
25 students participating in a Federal work-

1 study program under part C of title IV, a  
2 work-study program administered by the  
3 Secretary of Veteran Affairs, or a State  
4 work-study program).

5 “(v) The institution or consortium  
6 commits to using a portion of the grant re-  
7 ceived under this section to develop and  
8 implement an early-warning veteran stu-  
9 dent retention program designed to alert  
10 staff at the Veteran Student Center that a  
11 veteran student may be facing difficulties  
12 that could lead to the non-completion of  
13 the course of study of such veteran.

14 “(vi) The institution or consortium  
15 commits to providing mental health coun-  
16 seling to its veteran students and their  
17 spouses.

18 “(vii) The institution or consortium  
19 carries out programs or activities that as-  
20 sist individuals pursuing a course of edu-  
21 cation using educational assistance under  
22 chapter 31 of title 38, United States Code.

23 “(c) USE OF FUNDS.—

24 “(1) IN GENERAL.—An institution or consor-  
25 tium that is awarded a grant under subsection (a)

1 shall use such grant to establish, maintain, improve,  
2 or operate a Veteran Student Center.

3 “(2) OTHER ALLOWABLE USES.—An institution  
4 or consortium receiving a grant under subsection (a)  
5 may use a portion of such funds to carry out sup-  
6 portive instruction services for student veterans, in-  
7 cluding—

8 “(A) assistance with special admissions  
9 and transfer of credit from previous postsec-  
10 ondary education or experience; and

11 “(B) any other support services the insti-  
12 tution or consortium determines to be necessary  
13 to ensure the success of veterans on campus in  
14 achieving education and career goals.

15 “(d) AMOUNTS AWARDED.—

16 “(1) DURATION.—Each grant awarded under  
17 subsection (a) shall be for a 4-year period.

18 “(2) TOTAL AMOUNT OF GRANT AND SCHED-  
19 ULE.—Each grant awarded under subsection (a)  
20 may not exceed a total of \$500,000. The Secretary  
21 shall disburse to an institution or consortium the  
22 amounts awarded under the grant in such amounts  
23 and at such times during the grant period as the  
24 Secretary determines appropriate.

1       “(e) REPORT.—From the amounts appropriated to  
2 carry out this section, and not later than 3 years after  
3 the date on which the first grant is awarded under sub-  
4 section (a), the Secretary shall submit to Congress a re-  
5 port on the grant program established under subsection  
6 (a), including—

7               “(1) the number of grants awarded;

8               “(2) the institutions of higher education and  
9 consortia that have received grants;

10              “(3) with respect to each such institution of  
11 higher education and consortium—

12                      “(A) the amounts awarded;

13                      “(B) how such institution or consortium  
14 used such amounts;

15                      “(C) a description of the students to whom  
16 services were offered as a result of the award;  
17 and

18                      “(D) data enumerating whether the use of  
19 the amounts awarded helped veteran students  
20 at the institution or consortium toward comple-  
21 tion of a degree, certificate, or credential;

22               “(4) best practices for veteran student success,  
23 identified by reviewing data provided by institutions  
24 and consortia that received a grant under this sec-  
25 tion; and

1           “(5) a determination by the Secretary with re-  
2           spect to whether the grant program under this sec-  
3           tion should be extended or expanded.

4           “(f) TERMINATION.—The authority of the Secretary  
5           to carry out the grant program established under sub-  
6           section (a) shall terminate on the date that is 4 years after  
7           the date on which the first grant is awarded under sub-  
8           section (a).

9           “(g) DEPARTMENT OF EDUCATION BEST PRACTICES  
10          WEBSITE.—Subject to the availability of appropriations  
11          under subsection (i) and not later than 3 years after the  
12          date on which the first grant is awarded under subsection  
13          (a), the Secretary shall develop and implement a website  
14          for veteran student services at institutions of higher edu-  
15          cation, which details best practices for serving veteran stu-  
16          dents at institutions of higher education.

17          “(h) DEFINITIONS.—In this section:

18                 “(1) INSTITUTION OF HIGHER EDUCATION.—  
19                 The term ‘institution of higher education’ has the  
20                 meaning given the term in section 101.

21                 “(2) VETERAN STUDENT CENTER.—The term  
22                 ‘Veteran Student Center’ means a dedicated space  
23                 on a campus of an institution of higher education  
24                 that provides students who are veterans or members  
25                 of the Armed Forces with the following:

1           “(A) A lounge or meeting space for such  
2 veteran students, their spouses or partners, and  
3 veterans in the community.

4           “(B) A centralized office for veteran serv-  
5 ices that—

6                   “(i) is a single point of contact to co-  
7 ordinate comprehensive support services  
8 for veteran students;

9                   “(ii) is staffed by trained employees  
10 and volunteers, which includes veterans  
11 and at least one full-time employee or vol-  
12 unteer who is trained as a veterans’ bene-  
13 fits counselor;

14                   “(iii) provides veteran students with  
15 assistance relating to—

16                           “(I) transitioning from the mili-  
17 tary to student life;

18                           “(II) transitioning from the mili-  
19 tary to the civilian workforce;

20                           “(III) networking with other vet-  
21 eran students and veterans in the  
22 community;

23                           “(IV) understanding and obtain-  
24 ing benefits provided by the institu-  
25 tion of higher education, Federal Gov-



1                   ernment, and State for which such  
2                   students may be eligible;

3                   “(V) understanding how to suc-  
4                   ceed in the institution of higher edu-  
5                   cation, including by understanding  
6                   academic policies, the course selection  
7                   process, and institutional policies and  
8                   practices related to the transfer of  
9                   academic credits; and

10                   “(VI) understanding their dis-  
11                   ability-related rights and protections  
12                   under the Americans with Disabilities  
13                   Act of 1990 (42 U.S.C. 12101 et seq.)  
14                   and section 504 of the Rehabilitation  
15                   Act of 1973 (29 U.S.C. 794); and

16                   “(iv) provides comprehensive academic  
17                   and tutoring services for veteran students,  
18                   including peer-to-peer tutoring and aca-  
19                   demic mentorship.

20                   “(i) AUTHORIZATION OF APPROPRIATIONS.—There  
21                   are authorized to be appropriated to carry out this part  
22                   \$15,000,000 for fiscal year 2021 and each of the 5 suc-  
23                   ceeding fiscal years.”.

24                   (b) CONTINUATION OF AWARDS.—An institution of  
25                   higher education that received a grant under section 873

1 of the Higher Education Act of 1965 (20 U.S.C. 1161t)  
2 before the date of enactment of this Act, as such section  
3 873 (20 U.S.C. 1161t) was in effect on the day before  
4 the date of enactment of this Act, shall continue to receive  
5 funds in accordance with the terms and conditions of such  
6 grant.

7 **SEC. 8008. UNIVERSITY SUSTAINABILITY PROGRAM AMEND-**  
8 **MENTS.**

9 Section 881 of the Higher Education Act of 1965 (20  
10 U.S.C. 1161u) is amended—

11 (1) in subsection (a)—

12 (A) by striking paragraph (1) and insert-  
13 ing:

14 “(1) IN GENERAL.—From the amounts appro-  
15 priated to carry out this section, the Secretary, in  
16 consultation with the Administrator of the Environ-  
17 mental Protection Agency, shall make grants to eli-  
18 gible entities to establish sustainability programs to  
19 design and implement the teaching and practice of  
20 sustainability, including in the areas of staff and  
21 faculty professional development, energy manage-  
22 ment, greenhouse gas emissions reductions, green  
23 building, waste management, transportation, resil-  
24 ience, green workforce, and other aspects of sustain-  
25 ability that integrate the local community with mul-

1       tidisciplinary academic programs and are applicable  
2       to the private and Government sectors.”; and

3               (B) by striking paragraph (3)(B) and in-  
4       serting:

5               “(B) a nonprofit consortium, association,  
6       alliance, or collaboration operating in partner-  
7       ship with more than one institution of higher  
8       education.”;

9       (2) in subsection (c)—

10           (A) in paragraph (1)—

11               (i) by inserting “in alignment with  
12       local community needs” after “following  
13       purposes”;

14               (ii) in subparagraph (D)—

15                   (I) by striking “establish” and  
16       inserting “scale established”;

17                   (II) by striking “purchasing,  
18       toxics management,”; and

19                   (III) by inserting “resilience,  
20       green workforce,” after “transpor-  
21       tation,”; and

22               (iii) in subparagraph (G), by inserting  
23       “economics, law, political science,” after  
24       “business,”; and

25       (B) in paragraph (2)—

- 1 (i) in subparagraph (A), by striking  
2 “of” and inserting “relating to”; and  
3 (ii) in subparagraph (C), by inserting  
4 “city and State governments,” after “busi-  
5 ness,”;  
6 (3) in subsection (e), by striking “\$250,000 or  
7 more than \$2,000,000” and inserting “\$200,000 or  
8 more than \$500,000”; and  
9 (4) in subsection (f), by striking “2009” and  
10 inserting “2021”.

11 **SEC. 8009. MODELING AND SIMULATION.**

12 Subsection (e) of section 891 (20 U.S.C. 1161v) is  
13 amended, in the matter preceding paragraph (1), by strik-  
14 ing the first sentence and inserting the following: “There  
15 is authorized to be appropriated to carry out this section  
16 \$75,000,000 for fiscal year 2021 and each of the 5 suc-  
17 ceeding fiscal years.”.

18 **SEC. 8010. MANDATORY FUNDING FOR MASTERS AND**  
19 **POSTBACCALAUREATE PROGRAMS.**

20 (a) **MASTERS DEGREE PROGRAMS.**—Section 897 (20  
21 U.S.C. 1161aa) is amended by striking “\$11,500,000 for  
22 fiscal year 2009 and for each of the five succeeding fiscal  
23 years” and inserting “\$13,500,000 for fiscal year 2021  
24 and each succeeding fiscal year”.

1 (b) POSTBACCALAUREATE PROGRAMS.—Section 898  
2 (20 U.S.C. 1161aa–1) is amended—

3 (1) by striking “In addition” and inserting “(a)  
4 ADDITIONAL APPROPRIATIONS FOR PART B OF  
5 TITLE V.—In addition”;

6 (2) by striking “\$11,500,000 for fiscal year  
7 2009 and for each of the five succeeding fiscal  
8 years” and inserting “\$21,000,000 for fiscal year  
9 2021 and each succeeding fiscal year”; and

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

11 “(b) ADDITIONAL APPROPRIATIONS FOR PART A OF  
12 TITLE VII.—In addition to any amounts appropriated  
13 under subpart 5 of part A of title VII, there are authorized  
14 to be appropriated, and there are appropriated, out of any  
15 funds in the Treasury not otherwise appropriated,  
16 \$13,000,000 for fiscal year 2021 and each of the 5 suc-  
17 ceeding fiscal years to carry out subpart 5 of part A of  
18 title VII.”.

19 **SEC. 8011. FUNDS FOR ACCESS TO OPEN EDUCATIONAL RE-**  
20 **SOURCES.**

21 Title VIII (20 U.S.C. 1161a et seq.) is amended by  
22 adding at the end the following:



1 savings that will be achieved for students  
2 through the use of such textbooks;

3 “(iii) a description of how the eligible  
4 entity will evaluate whether existing open  
5 educational resources could be used or  
6 adapted into open educational resources  
7 before creating new open educational re-  
8 sources;

9 “(iv) a plan for quality review (includ-  
10 ing peer review), review of accuracy, and  
11 review of accessibility of any open edu-  
12 cational resources created or adapted  
13 through the grant;

14 “(v) a plan for assessing the impact of  
15 open textbooks on instruction and student  
16 learning outcomes at the eligible entity;

17 “(vi) a plan for disseminating infor-  
18 mation about the results of the project to  
19 institutions of higher education outside of  
20 the eligible entity, including promoting the  
21 adoption of any open textbooks created or  
22 adapted through the grant;

23 “(vii) a statement on consultation  
24 with relevant faculty, including those en-  
25 gaged in the creation of open educational

1 resources, in the development of the appli-  
2 cation; and

3 “(viii) an assurance that open edu-  
4 cational resources utilized, developed, or  
5 researched will be available in accessible  
6 formats, which may include braille, audio  
7 books, closed captioning, and audio de-  
8 scriptions.

9 “(3) SPECIAL CONSIDERATION.—In awarding  
10 grants under this section, the Secretary shall give  
11 special consideration to applications that dem-  
12 onstrate the greatest potential to—

13 “(A) achieve the highest level of savings  
14 for students through sustainable expanded use  
15 of high-quality open textbooks in postsecondary  
16 courses offered by the eligible entity;

17 “(B) achieve improvements in student  
18 learning and student outcomes;

19 “(C) expand the use of open textbooks at  
20 institutions of higher education outside of the  
21 eligible entity; and

22 “(D) produce—

23 “(i) the highest quality and most ac-  
24 cessible open textbooks;



1           “(ii) open textbooks that can be most  
2           easily utilized and adapted by faculty  
3           members at institutions of higher edu-  
4           cation;

5           “(iii) open textbooks that correspond  
6           to the highest enrollment courses at insti-  
7           tutions of higher education;

8           “(iv) open textbooks created or adapt-  
9           ed in partnership with entities, including  
10          campus bookstores, that will assist in mar-  
11          keting and distribution of the open text-  
12          book; and

13          “(v) open textbooks that conform to  
14          accessibility standards under section 508  
15          of the Rehabilitation Act of 1973 (29  
16          U.S.C. 794d).

17          “(4) USE OF FUNDS.—

18                 “(A) MANDATORY USES OF FUNDS.—An  
19                 eligible entity that receives a grant under this  
20                 section shall use the grant funds to carry out  
21                 the following activities to expand the use of  
22                 open textbooks:

23                         “(i) Professional development for any  
24                         faculty and staff members at institutions

1 of higher education, including the search  
2 for and review of open textbooks.

3 “(ii) Creation or adaptation of high-  
4 quality open educational resources that  
5 conform to accessibility standards under  
6 section 508 of the Rehabilitation Act of  
7 1973 (29 U.S.C. 794d), especially open  
8 textbooks, and the quality assurance of  
9 such open educational resources.

10 “(iii) Development or improvement of  
11 tools and informational resources that sup-  
12 port the use of open textbooks, including  
13 improving accessible instructional materials  
14 for students with disabilities that conform  
15 to accessibility standards under section  
16 508 of the Rehabilitation Act of 1973 (29  
17 U.S.C. 794d).

18 “(iv) Research evaluating the efficacy  
19 of the use of open textbooks for achieving  
20 savings for students and the impact on in-  
21 struction and student learning outcomes.

22 “(B) DISCRETIONARY USE OF FUNDS.—An  
23 eligible entity that receives a grant under this  
24 section may use grant funds to purchase or  
25 maintain electronic equipment necessary for the

1 operation or use of digital open educational re-  
2 sources, including mobile computer devices and  
3 accompanying hardware, software applications,  
4 computer systems and platforms, and other dig-  
5 ital and online services and support.

6 “(5) OPEN LICENSING REQUIREMENT.—

7 “(A) COPYRIGHT.—An eligible entity re-  
8 ceiving a grant under this section may, with  
9 prior approval from the Secretary, assert a  
10 copyright in a copyrightable work first produced  
11 under the grant.

12 “(B) OPEN LICENSE REQUIREMENT.—

13 “(i) REQUIREMENT.—With respect to  
14 each copyrightable work first produced  
15 under the grant, except as provided in  
16 clause (ii), an eligible entity that asserts a  
17 copyright under subparagraph (A) shall  
18 provide to the public a non-exclusive, roy-  
19 alty-free, perpetual, irrevocable, worldwide  
20 license to carry out each exclusive right  
21 provided to that eligible entity under sec-  
22 tion 106 of title 17, United States Code.

23 “(ii) EXCEPTION.—With respect to a  
24 copyrightable work first produced under  
25 the grant that employs preexisting mate-

1           rial, the requirement described under such  
2           subparagraph shall apply to such work to  
3           the extent that—

4                   “(I) no copyright subsists in such  
5                   preexisting material; or

6                   “(II) the eligible entity is author-  
7                   ized to license such material in the  
8                   manner described under such sub-  
9                   paragraph.

10                   “(C) RULE OF CONSTRUCTION.—Nothing  
11                   in this subsection may be construed as affecting  
12                   the application of the requirements of chapter  
13                   18 of title 35, United States Code (commonly  
14                   known as the ‘Bayh-Dole Act’).

15                   “(D) COPYRIGHTABLE WORK DEFINED.—  
16                   In this subsection, the term ‘copyrightable  
17                   work’ means a work subject to protection under  
18                   title 17, United States Code, but does not in-  
19                   clude a work that may be patentable or other-  
20                   wise protectable under title 35, United States  
21                   Code.

22                   “(6) ACCESS AND DISTRIBUTION.—The full and  
23                   complete digital content of each educational resource  
24                   created or adapted under paragraph (5) shall be  
25                   made available free of charge to the public—

1           “(A) on an easily accessible and interoper-  
2           able website, which shall be identified to the  
3           Secretary by the eligible entity;

4           “(B) in a machine readable, digital format  
5           that anyone can directly download, edit with at-  
6           tribution, and redistribute; and

7           “(C) in a fully accessible format in compli-  
8           ance with the Americans with Disabilities Act  
9           of 1990 (42 U.S.C. 12101 et seq.) and section  
10          508 of the Rehabilitation Act of 1973 (29  
11          U.S.C. 794d).

12          “(7) REPORT.—Upon an eligible entity’s com-  
13          pletion of a project for which the eligible entity re-  
14          ceived a grant under this section, the eligible entity  
15          shall prepare and submit a report to the Secretary  
16          regarding—

17                 “(A) the effectiveness of the project in ex-  
18                 panding the use of high-quality open textbooks  
19                 and in achieving savings for students;

20                 “(B) the impact of the project on expand-  
21                 ing the use of open textbooks at institutions of  
22                 higher education outside of the eligible entity;

23                 “(C) educational resources created or  
24                 adapted under the grant, including instructions  
25                 on where the public can access each educational

1 resource under the terms of paragraphs (5) and  
2 (6);

3 “(D) information about the quality review  
4 process that was used to ensure quality and ac-  
5 curacy;

6 “(E) the impact of the project on instruc-  
7 tion and student learning outcomes; and

8 “(F) all project costs, including the value  
9 of any volunteer labor and institutional capital  
10 used for the project.

11 “(8) AUTHORIZATION OF APPROPRIATIONS.—  
12 There are authorized to be appropriated to carry out  
13 this section \$5,000,000 for fiscal year 2021 and  
14 each of the 5 succeeding fiscal years.

15 “(b) REPORT TO CONGRESS.—Not later than 2 years  
16 after the date of enactment of College Affordability Act,  
17 the Secretary shall prepare and submit a report to author-  
18 izing committees detailing—

19 “(1) the high-quality open textbooks created or  
20 adapted under this section;

21 “(2) the adoption of such open textbooks;

22 “(3) the savings generated for students, States,  
23 territories, and the Federal Government through the  
24 use of open textbooks; and

1           “(4) the impact of open textbooks on instruc-  
2           tion and student learning outcomes.

3           “(c) GAO REPORT.—Not later than 3 years after the  
4           date of enactment of College Affordability Act, the Comp-  
5           troller General of the United States shall prepare and sub-  
6           mit a report to the authorizing committees on the cost  
7           of textbooks to students at institutions of higher edu-  
8           cation. The report shall include—

9           “(1) the change of the cost of textbooks be-  
10          tween the date of the enactment of the College Af-  
11          fordability Act and the date of such report;

12          “(2) the factors that have contributed to such  
13          change in the cost of textbooks, including the impact  
14          of open textbooks on the cost;

15          “(3) the extent to which open textbooks are  
16          used at institutions of higher education compared to  
17          the use of open textbooks before the date of the en-  
18          actment of this subsection;

19          “(4) how institutions are tracking the impact of  
20          open textbooks on instruction and student learning  
21          outcomes;

22          “(5) the availability of accessible forms of open  
23          textbooks and the barriers faced by students with  
24          disabilities in accessing accessible forms of open edu-

1 educational resources compared to the barriers faced in  
2 accessing traditional educational materials; and

3 “(6) the barriers faced by other student popu-  
4 lations, including low-income students, in accessing  
5 high-quality open educational resources compared to  
6 the barriers faced in accessing traditional edu-  
7 cational materials.

8 “(d) 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) ELIGIBLE ENTITY.—The term ‘eligible en-  
15 tity’ means an institution of higher education or a  
16 consortia of such institutions of higher education.

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) OPEN EDUCATIONAL RESOURCE.—The  
21 term ‘open educational resource’ means a print or  
22 digital educational resource that either resides in the  
23 public domain or has been released under an intel-  
24 lectual property license that permits its free use,  
25 reuse, modification, and sharing with others.



1           “(5) OPEN TEXTBOOK.—The term ‘open text-  
2           book’ means an open educational resource or set of  
3           open educational resources that either is a textbook  
4           or can be used in place of a textbook for a postsec-  
5           ondary course at an institution of higher education.

6           “(6) RELEVANT FACULTY.—The term ‘relevant  
7           faculty’ means both tenure track and contingent fac-  
8           ulty members who may be involved in the creation  
9           of open educational resources or the use of open  
10          educational resources created as part of the grant  
11          application.”.

12 **SEC. 8012. REPEALS.**

13          Title VIII of the Higher Education Act of 1965 (20  
14          U.S.C. 1161a et seq.), as amended by this title, is further  
15          amended by repealing the following:

- 16           (1) Section 801 (20 U.S.C. 1161a).
- 17           (2) Section 803 (20 U.S.C. 1161c).
- 18           (3) Section 804 (20 U.S.C. 1161d).
- 19           (4) Section 805 (20 U.S.C. 1161e).
- 20           (5) Section 808 (20 U.S.C. 1161h).
- 21           (6) Section 818 (20 U.S.C. 1161i-7).
- 22           (7) Section 820 (20 U.S.C. 1161k).
- 23           (8) Section 824 (20 U.S.C. 1161l-3)
- 24           (9) Section 830 (20 U.S.C. 1161m).
- 25           (10) Section 835 (20 U.S.C. 1161n-4).

1 (11) Section 841 (20 U.S.C. 1161o).

2 (12) Section 851 (20 U.S.C. 1161p).

3 (13) Section 871 (20 U.S.C. 1161r).

4 (14) Section 893 (20 U.S.C. 1161x).

5 (15) Section 894 (20 U.S.C. 1161y).

6 (16) Section 895 (20 U.S.C. 1161z).

7 **TITLE IX—DIRECTIVES TO THE**  
8 **SECRETARY OF EDUCATION**

9 **SEC. 9001. PROVIDING THAT THE SECRETARY OF EDU-**  
10 **CATION MAY NOT ISSUE OR ENFORCE CER-**  
11 **TAIN RULES THAT WEAKEN THE ENFORCE-**  
12 **MENT OF THE PROHIBITION OF SEX DIS-**  
13 **CRIMINATION APPLICABLE UNDER TITLE IX**  
14 **OF THE EDUCATION AMENDMENTS OF 1972.**

15 The Secretary of Education may not—

16 (1) take any action to implement, enforce, or  
17 otherwise give effect to the proposed amendments to  
18 regulations relating to the enforcement of title IX of  
19 the Education Amendments of 1972, published on  
20 November 29, 2018, under the heading “Non-  
21 discrimination on the Basis of Sex in Education  
22 Programs or Activities Receiving Federal Financial  
23 Assistance” (83 Fed. Reg. 61462); or

1           (2) propose or issue any rule or guidance that  
2           is similar in substance or effect to any of such pro-  
3           posed amendments.

4 **SEC. 9002. STUDY AND REPORT ON SINGLE CERTIFICATION**  
5 **FORM.**

6           (a) **STUDY.**—Not later than 1 year after the date of  
7 the enactment of this Act, the Secretary of Education  
8 shall conduct a study on the feasibility of developing a sin-  
9 gle certification form that borrowers may use to electroni-  
10 cally submit information with respect to—

11           (1) **TEACH** Grants under subpart 9 of part A  
12 of title IV of the Higher Education Act of 1965 (20  
13 U.S.C. 1070g et seq.);

14           (2) loan forgiveness under section 428J of the  
15 Higher Education Act of 1965 (20 U.S.C. 1078–  
16 10);

17           (3) loan cancellation under section 460 of the  
18 Higher Education Act of 1965 (20 U.S.C. 1087j);  
19 and

20           (4) public service loan forgiveness under section  
21 455(m) of the Higher Education Act of 1965 (20  
22 U.S.C. 1087e(m)).

23           (b) **REPORT.**—Not later than 1 year after the date  
24 of the enactment of this Act, the Secretary of Education  
25 shall submit a report to Congress that includes—

1 (1) the results of the study required under sub-  
2 section (a); and

3 (2) recommendations with respect to using a  
4 single certification form that borrowers may use to  
5 electronically submit information with respect to the  
6 programs specified in paragraphs (1) through (4) of  
7 such subsection.

8 **SEC. 9003. LONGITUDINAL STUDY ON THE EFFECTIVENESS**  
9 **OF STUDENT LOAN COUNSELING.**

10 (a) IN GENERAL.—Not later than 1 year after the  
11 date of enactment of this Act, the Secretary of Education,  
12 acting through the Director of the Institute of Education  
13 Sciences, shall begin conducting a rigorous, longitudinal  
14 study of the impact and effectiveness of the student loan  
15 counseling—

16 (1) provided under subsections (b), (l), and (n)  
17 of section 485 of the Higher Education Act of 1965  
18 (20 U.S.C. 1092), as amended by this Act; and

19 (2) provided through such other means as the  
20 Secretary of Education may determine.

21 (b) CONTENTS.—

22 (1) BORROWER INFORMATION.—The longitu-  
23 dinal study carried out under subsection (a) shall in-  
24 clude borrower information, in the aggregate and  
25 disaggregated by race, ethnicity, gender, income,

1 status as an individual with a disability, and status  
2 as a first generation college student (defined in sec-  
3 tion 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. 9004. 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 4627 of this  
19 Act.

20 **SEC. 9005. UNIVERSAL UNIQUE NUMERIC DATA IDENTI-**  
21 **FIER.**

22 (a) ASSIGNMENT OF UNIQUE NUMERIC IDENTIFIER  
23 REQUIRED.—Not later than 18 months after the date of  
24 the enactment of this Act, the Secretary of Education  
25 shall assign a unique numeric identifier to at least each

1 campus of each institution of higher education that par-  
2 ticipates in a program under title IV of the Higher Edu-  
3 cation Act of 1965 (20 U.S.C. 1070 et seq.) to be used  
4 for reporting and disaggregating data for the purposes of  
5 the following:

6 (1) Surveys conducted as a part of the Inte-  
7 grated Postsecondary Education Data System  
8 (IPEDS) or any other Federal postsecondary insti-  
9 tution data collection effort, as completed in accord-  
10 ance with section 487(a)(17) of the Higher Edu-  
11 cation Act of 1965 (20 U.S.C. 1094(a)(17)).

12 (2) Reports required to be filed under section  
13 485(f) of the Higher Education Act of 1965 (20  
14 U.S.C. 1092(f)).

15 (3) The electronic exchange of data under sec-  
16 tion 485B of the Higher Education Act of 1965 (20  
17 U.S.C. 1092b).

18 (4) Determinations under section 496 of the  
19 Higher Education Act of 1965 (20 U.S.C. 1099b).

20 (5) Reports filed on the College Scorecard  
21 website of the Department of Education (or any suc-  
22 cessor website).

23 (6) Reports filed on the College Navigator  
24 website (as defined in section 132 of the Higher  
25 Education Act of 1965 (20 U.S.C. 1015a)).



1 (7) Data submitted to the postsecondary stu-  
2 dent data system established under section 132(l) of  
3 the Higher Education Act of 1965 (20 U.S.C.  
4 1015a(l)), as added by this Act.

5 (8) To the extent determined to be appropriate  
6 by the Secretary, any other data systems of the De-  
7 partment of Education that include information on  
8 institutions of higher education.

9 (b) CONSIDERATIONS.—In carrying out subsection  
10 (a), the Secretary of Education shall—

11 (1) consider the ability to use the unique nu-  
12 meric identifier assigned under such subsection to—

13 (A) disaggregate institutions of higher edu-  
14 cation by corporate ownership;

15 (B) identify an institution of higher edu-  
16 cation with more than one campus; and

17 (C) in the case of institutions of higher  
18 education described in subparagraph (B), dis-  
19 tinguish between a campus with a specific loca-  
20 tion and a distance education program;

21 (2) account for interactions of the unique nu-  
22 meric identifier with requirements under title IV of  
23 the Higher Education Act (20 U.S.C. 1070 et seq.),  
24 including by preventing institutional attempts to  
25 evade such requirements by changing the unique nu-

1       meric identifiers associated with the campuses of the  
2       institution;

3           (3) to the extent practicable, minimize the pa-  
4       perwork burden on institutions of higher education;

5           (4) create and make public a crosswalk indi-  
6       cating changes in the unique numeric identifiers as-  
7       signed by the Secretary to each campus under sub-  
8       section (a) and the numeric identifiers used by the  
9       Department of Education prior to the date on which  
10      the Secretary assigns each campus a unique numeric  
11      identifier; and

12          (5) annually create and make public an updated  
13      crosswalk indicating changes in unique numeric  
14      identifiers assigned to campuses, including changes  
15      that result from the establishment of new locations,  
16      the closing of campuses, and changes in ownership  
17      and affiliation.

18 **SEC. 9006. QUESTIONS ON FOOD AND HOUSING INSECURITY**  
19                   **IN NATIONAL POSTSECONDARY STUDENT AID**  
20                   **STUDY.**

21      For purposes of each National Postsecondary Stu-  
22      dent Aid Study conducted after the date of enactment of  
23      this Act, the Secretary of Education shall include ques-  
24      tions that measure rates of food and housing insecurity  
25      in the National Postsecondary Student Aid Study.

1 **SEC. 9007. DISAGGREGATION OF DATA USING RACIAL**  
2 **GROUPS.**

3 (a) **STUDY REQUIRED.**—Not later than 1 year after  
4 the date of the enactment of this Act, the Secretary of  
5 Education shall carry out a study on the feasibility of  
6 disaggregating data reported under the Higher Education  
7 Act of 1965 (20 U.S.C. 1001 et seq.) to the Secretary  
8 using the racial groups identified by the American Com-  
9 munity Survey of the Bureau of the Census.

10 (b) **ELEMENTS.**—The study required by subsection  
11 (a) shall, with respect to the data described such sub-  
12 section—

13 (1) survey each method by which such data re-  
14 ported to the Secretary is disaggregated by race;

15 (2) survey each method by which the Secretary  
16 disaggregates such data by race; and

17 (3) in the case of such data that are reported  
18 to the Secretary and are not disaggregated by race  
19 using the racial groups identified by the American  
20 Community Survey of the Bureau of the Census, the  
21 feasibility of disaggregating such data using such ra-  
22 cial groups.

23 (c) **BEST PRACTICES.**—Not later than 1 year after  
24 the date of the enactment of this Act, the Secretary of  
25 Education shall issue best practices with respect to  
26 disaggregating data reported to the Secretary using the

1 racial groups identified by the American Community Sur-  
2 vey of the Bureau of the Census.

3 **SEC. 9008. ACCESSIBLE INSTRUCTIONAL MATERIALS AND**  
4 **TECHNOLOGY.**

5 (a) ESTABLISHMENT OF COMMISSION.—The Speaker  
6 of the House of Representatives, the President pro tem-  
7 pore of the Senate, and the Secretary of Education shall  
8 establish an independent commission, comprised of key  
9 stakeholders, to develop guidelines for accessible postsec-  
10 ondary electronic instructional materials and related tech-  
11 nologies in order—

12 (1) to ensure students with disabilities are af-  
13 farded the same educational benefits provided to stu-  
14 dents without disabilities through the use of elec-  
15 tronic instructional materials and related tech-  
16 nologies;

17 (2) to improve the selection and use of such  
18 materials and technologies at institutions of higher  
19 education; and

20 (3) to encourage entities that produce such ma-  
21 terials and technologies to make accessible versions  
22 more readily available in the market.

23 (b) REVIEW.—In carrying out subsection (a), the  
24 commission shall—

1           (1) review applicable information technology ac-  
2           cessibility standards; and

3           (2) compile and annotate such accessibility  
4           standards as an additional information resource for  
5           institutions of higher education and companies that  
6           service the higher education market.

7           (c) MEMBERSHIP.—

8           (1) STAKEHOLDER GROUPS.—The commission  
9           shall be composed of representatives from the fol-  
10          lowing categories:

11           (A) Communities of persons with disabili-  
12           ties for whom the accessibility of postsecondary  
13           electronic instructional materials and related  
14           technologies is a significant factor in ensuring  
15           equal participation in higher education, and  
16           nonprofit organizations that provide accessible  
17           electronic materials to these communities.

18           (B) Higher education leadership, including  
19           institution of higher education presidents, pro-  
20           vosts, deans, vice presidents or deans of librar-  
21           ies, chief information officers, and other senior  
22           institutional executives.

23           (C) Developers of postsecondary electronic  
24           instructional materials and manufacturers of  
25           related technologies.

1           (2) APPOINTMENT OF MEMBERS.—The commis-  
2           sion members shall be appointed as follows:

3                   (A) 6 members, 2 from each category de-  
4                   scribed in paragraph (1), shall be appointed by  
5                   the Speaker of the House of Representatives, 3  
6                   of whom shall be appointed on the rec-  
7                   ommendation of the majority leader of the  
8                   House of Representatives and 3 of whom shall  
9                   be appointed on the recommendation of the mi-  
10                  nority leader of the House of Representatives,  
11                  with the Speaker ensuring that 1 developer of  
12                  postsecondary electronic instructional materials  
13                  and 1 manufacturer of related technologies are  
14                  appointed. The Speaker shall also appoint 2 ad-  
15                  ditional members, 1 student with a disability  
16                  and 1 faculty member from an institution of  
17                  higher education.

18                   (B) 6 members, 2 from each category de-  
19                   scribed in paragraph (1), shall be appointed by  
20                   the President pro tempore of the Senate, 3 of  
21                   whom shall be appointed on the recommenda-  
22                   tion of the majority leader of the Senate and 3  
23                   of whom shall be appointed on the rec-  
24                   ommendation of the minority leader of the Sen-  
25                   ate, with the President pro tempore ensuring

1 that 1 developer of postsecondary electronic in-  
2 structional materials and 1 manufacturer of re-  
3 lated technologies are appointed. The President  
4 pro tempore shall also appoint 2 additional  
5 members, 1 student with a disability and 1 fac-  
6 ulty member from an institution of higher edu-  
7 cation.

8 (C) 3 members, each of whom must pos-  
9 sess extensive, demonstrated technical expertise  
10 in the development and implementation of ac-  
11 cessible postsecondary electronic instructional  
12 materials, shall be appointed by the Secretary  
13 of Education. 1 of these members shall rep-  
14 resent postsecondary students with disabilities,  
15 1 shall represent higher education leadership,  
16 and 1 shall represent developers of postsec-  
17 ondary electronic instructional materials.

18 (3) ELIGIBILITY TO SERVE AS A MEMBER.—  
19 Federal employees are ineligible for appointment to  
20 the commission. An appointee to a volunteer or advi-  
21 sory position with a Federal agency or related advi-  
22 sory body may be appointed to the commission so  
23 long as his or her primary employment is with a  
24 non-Federal entity and he or she is not otherwise  
25 engaged in financially compensated work on behalf

1 of the Federal Government, exclusive of any stand-  
2 ard expense reimbursement or grant-funded activi-  
3 ties.

4 (d) AUTHORITY AND ADMINISTRATION.—

5 (1) AUTHORITY.—The commission's execution  
6 of its duties shall be independent of the Secretary of  
7 Education, the Attorney General, and the head of  
8 any other agency or department of the Federal Gov-  
9 ernment with regulatory or standard setting author-  
10 ity in the areas addressed by the commission.

11 (2) ADMINISTRATION.—

12 (A) STAFFING.—There shall be no perma-  
13 nent staffing for the commission.

14 (B) LEADERSHIP.—Commission members  
15 shall elect a chairperson from among the ap-  
16 pointees to the commission.

17 (C) ADMINISTRATIVE SUPPORT.—The  
18 Commission shall be provided administrative  
19 support, as needed, by the Secretary of Edu-  
20 cation through the Office of Postsecondary  
21 Education of the Department of Education.

22 (e) DUTIES.—

23 (1) GUIDELINES.—Not later than 18 months  
24 after the date of enactment of this Act, subject to



1 a 6-month extension that it may exercise at its dis-  
2 cretion, the commission shall—

3 (A) develop and issue guidelines for acces-  
4 sible postsecondary electronic instructional ma-  
5 terials, and related technologies; and

6 (B) in developing the guidelines, the com-  
7 mission shall—

8 (i) establish a technical panel pursu-  
9 ant to paragraph (4) to support the com-  
10 mission in developing the guidelines;

11 (ii) develop criteria for determining  
12 which materials and technologies constitute  
13 postsecondary electronic instructional ma-  
14 terials and related technologies;

15 (iii) identify existing national and  
16 international accessibility standards that  
17 are relevant to student use of postsec-  
18 ondary electronic instructional materials  
19 and related technologies at institutions of  
20 higher education;

21 (iv) identify and address any unique  
22 pedagogical and accessibility requirements  
23 of postsecondary electronic instructional  
24 materials and related technologies that are  
25 not addressed, or not adequately ad-

1 dressed, by the identified, relevant existing  
2 accessibility standards;

3 (v) identify those aspects of accessi-  
4 bility, and types of postsecondary instruc-  
5 tional materials and related technologies,  
6 for which the commission cannot produce  
7 guidelines or which cannot be addressed by  
8 existing accessibility standards due to—

9 (I) inherent limitations of com-  
10 mercially available technologies; or

11 (II) the challenges posed by a  
12 specific category of disability that cov-  
13 ers a wide spectrum of impairments  
14 and capabilities which makes it dif-  
15 ficult to assess the benefits from par-  
16 ticular guidelines on a categorical  
17 basis;

18 (vi) ensure that the guidelines are  
19 consistent with the requirements of section  
20 504 of the Rehabilitation Act of 1973 (29  
21 U.S.C. 794) and titles II and III of the  
22 Americans with Disabilities Act (42 U.S.C.  
23 12131 et seq.; 42 U.S.C. 12181 et seq.);

24 (vii) ensure that the guidelines are  
25 consistent, to the extent feasible and ap-

1 appropriate, with the technical and functional  
2 performance criteria included in the na-  
3 tional and international accessibility stand-  
4 ards identified by the commission as rel-  
5 evant to student use of postsecondary elec-  
6 tronic instructional materials and related  
7 technologies;

8 (viii) allow for the use of an alter-  
9 native design or technology that results in  
10 substantially equivalent or greater accessi-  
11 bility and usability by individuals with dis-  
12 abilities than would be provided by compli-  
13 ance with the guidelines; and

14 (ix) provide that where electronic in-  
15 structional materials, or related tech-  
16 nologies, that comply fully with the guide-  
17 lines are not commercially available, or  
18 where such compliance is not technically  
19 feasible, the institution may select the  
20 product that best meets the guidelines con-  
21 sistent with the institution's business and  
22 pedagogical needs.

23 (2) ANNOTATED LIST OF INFORMATION TECH-  
24 NOLOGY STANDARDS.—Not later than 18 months  
25 after the date of the enactment of this Act, subject

1 to a 6-month extension that it may exercise at its  
2 discretion, the commission established in section 2  
3 shall, with the assistance of the technical panel es-  
4 tablished under paragraph (4), develop and issue an  
5 annotated list of information technology standards.

6 (3) APPROVAL.—Issuance of the guidelines and  
7 annotated list of information technology standards  
8 shall require approval of at least 75 percent of the  
9 members of the commission.

10 (4) TECHNICAL PANEL.—Not later than 1  
11 month after first meeting, the Commission shall ap-  
12 point and convene a panel of 12 technical experts,  
13 each of whom shall have extensive, demonstrated  
14 technical experience in developing, researching, or  
15 implementing accessible postsecondary electronic in-  
16 structional materials, or related technologies. The  
17 commission has discretion to determine a process for  
18 nominating, vetting, and confirming a panel of ex-  
19 perts that fairly represents the stakeholder commu-  
20 nities on the commission. The technical panel shall  
21 include a representative from the United States Ac-  
22 cess Board.

23 (f) REVIEW OF GUIDELINES.—Not later than 5 years  
24 after issuance of the guidelines and annotated list of infor-  
25 mation technology standards described in subsections (a)

1 and (b), and every 5 years thereafter, the Secretary of  
2 Education shall publish a notice in the Federal Register  
3 requesting public comment about whether there is a need  
4 to reconstitute the commission to update the guidelines  
5 and annotated list of information technology standards to  
6 reflect technological advances, changes in postsecondary  
7 electronic instructional materials and related technologies,  
8 or updated national and international accessibility stand-  
9 ards. The Secretary shall then submit a report and rec-  
10 ommendation to Congress regarding whether the Commis-  
11 sion should be reconstituted.

12 (g) RULE OF APPLICATION.—

13 (1) NONCONFORMING POSTSECONDARY ELEC-  
14 TRONIC INSTRUCTIONAL MATERIALS OR RELATED  
15 TECHNOLOGIES.—Nothing in this section shall be  
16 construed to require an institution of higher edu-  
17 cation to require, provide, or both recommend and  
18 provide, postsecondary electronic instructional mate-  
19 rials or related technologies that conform to the  
20 guidelines. However, an institution that selects or  
21 uses nonconforming postsecondary electronic instruc-  
22 tional materials or related technologies must other-  
23 wise comply with existing obligations under section  
24 504 of the Rehabilitation Act of 1973 (29 U.S.C.  
25 794) and titles II and III of the Americans with

1       Disabilities Act (42 U.S.C. 12131 et seq.; 42 U.S.C.  
2       12181 et seq.) to provide access to the educational  
3       benefit afforded by such materials and technologies  
4       through provision of appropriate and reasonable  
5       modification, accommodation, and auxiliary aids or  
6       services.

7               (2) RELATIONSHIP TO EXISTING LAWS AND  
8       REGULATIONS.—With respect to the Americans with  
9       Disabilities Act of 1990 (42 U.S.C. 12101 et seq.)  
10      and the Rehabilitation Act of 1973 (29 U.S.C. 701  
11      et seq.), nothing in this Act may be construed—

12              (A) to authorize or require conduct prohib-  
13              ited under the Americans with Disabilities Act  
14              of 1990 and the Rehabilitation Act of 1973, in-  
15              cluding the regulations issued pursuant to those  
16              laws;

17              (B) to expand, limit, or alter the remedies  
18              or defenses under the Americans with Disabil-  
19              ities Act of 1990 and the Rehabilitation Act of  
20              1973;

21              (C) to supersede, restrict, or limit the ap-  
22              plication of the Americans with Disabilities Act  
23              of 1990 and the Rehabilitation Act of 1973; or

24              (D) to limit the authority of Federal agen-  
25              cies to issue regulations pursuant to the Ameri-

1           cans with Disabilities Act of 1990 and the Re-  
2           habilitation Act of 1973.

3           (h) DEFINITIONS.—In this section:

4           (1) ANNOTATED LIST OF INFORMATION TECH-  
5           NOLOGY STANDARDS.—The term “annotated list of  
6           information technology standards” means a list of  
7           existing national and international accessibility  
8           standards relevant to student use of postsecondary  
9           electronic instructional materials and related tech-  
10          nologies, and to other types of information tech-  
11          nology common to institutions of higher education,  
12          such as institutional websites or registration sys-  
13          tems, annotated by the commission established pur-  
14          suant to this section. The annotated list of informa-  
15          tion technology standards is intended to serve solely  
16          as a reference tool to inform any consideration of  
17          the relevance of such standards in higher education  
18          contexts.

19          (2) POSTSECONDARY ELECTRONIC INSTRU-  
20          TIONAL MATERIALS.—The term “postsecondary elec-  
21          tronic instructional materials” means digital cur-  
22          ricular content that is required, provided, or both  
23          recommended and provided by an institution of high-  
24          er education for use in a postsecondary instructional  
25          program.

1           (3) RELATED TECHNOLOGIES.—The term “re-  
2       lated technologies” refers to any software, applica-  
3       tions, learning management or content management  
4       systems, and hardware that an institution of higher  
5       education requires, provides, or both recommends  
6       and provides for student access to and use of post-  
7       secondary electronic instructional materials in a  
8       postsecondary instructional program.

9           (4) TECHNICAL PANEL.—The term “technical  
10      panel” means a group of experts with extensive,  
11      demonstrated technical experience in the develop-  
12      ment and implementation of accessibility features for  
13      postsecondary electronic instructional materials and  
14      related technologies, established by the Commission  
15      pursuant to subsection (e)(4), which will assist the  
16      commission in the development of the guidelines and  
17      annotated list of information technology standards  
18      authorized under this section.

## 19           **TITLE X—AMENDMENTS TO** 20           **OTHER LAWS**

### 21           **PART A—EDUCATION OF THE DEAF ACT OF 1986**

#### 22           **SEC. 10001. COMPOSITION OF BOARD OF TRUSTEES.**

23           Section 103(a)(1) of the Education of the Deaf Act  
24       of 1986 (20 U.S.C. 4303(a)(1)) is amended—



1 (1) by striking “twenty-one” and inserting  
2 “twenty-three”;

3 (2) in subparagraph (A)—

4 (A) by striking “three” and inserting  
5 “four”; and

6 (B) in clause (i)—

7 (i) by striking “one” and inserting  
8 “two”; and

9 (ii) by striking “Senator” and insert-  
10 ing “Senators”; and

11 (3) in subparagraph (B), by striking “eighteen”  
12 and inserting “nineteen”.

13 **SEC. 10002. ADMINISTRATIVE REQUIREMENTS OF LAURENT**  
14 **CLERC NATIONAL DEAF EDUCATION CENTER.**

15 Section 104(b)(5) of the Education of the Deaf Act  
16 of 1986 (20 U.S.C. 4304(b)(5)) is amended to read as  
17 follows:

18 “(5) The University, for purposes of the ele-  
19 mentary and secondary education programs carried  
20 out by the Clerc Center, shall—

21 “(A)(i)(I) provide an assurance to the Sec-  
22 retary that the University has adopted and is  
23 implementing challenging State academic stand-  
24 ards that meet the requirements of section

1           1111(b)(1) of the Elementary and Secondary  
2           Education Act of 1965 (20 U.S.C. 6311(b)(1));

3           “(II) demonstrate to the Secretary that the  
4           University is implementing a set of high-quality  
5           student academic assessments in mathematics,  
6           reading or language arts, and science, and any  
7           other subjects chosen by the University, that  
8           meet the requirements of section 1111(b)(2) of  
9           such Act (20 U.S.C. 6311(b)(2)); and

10          “(III) demonstrate to the Secretary that  
11          the University is implementing an account-  
12          ability system consistent with section 1111(e) of  
13          such Act (20 U.S.C. 6311(e)); or

14          “(ii)(I) select the challenging State aca-  
15          demic standards and State academic assess-  
16          ments of a State, adopted and implemented, as  
17          appropriate, pursuant to paragraphs (1) and  
18          (2) of section 1111(b) of such Act (20 U.S.C.  
19          6311(b)); and

20          “(II) adopt the accountability system, con-  
21          sistent with section 1111(e) of such Act (20  
22          U.S.C. 6311(e)), of such State; and

23          “(B) publicly report, except in a case in  
24          which such reporting would not yield statis-  
25          tically reliable information or would reveal per-

1           sonally identifiable information about an indi-  
2           vidual student—

3                   “(i) the results of the academic as-  
4                   sessments implemented under subpara-  
5                   graph (A); and

6                   “(ii) the results of the annual evalua-  
7                   tion of the programs at the Clerc Center,  
8                   as determined using the accountability sys-  
9                   tem adopted under subparagraph (A).”.

10 **SEC. 10003. FEDERAL ENDOWMENT PROGRAMS FOR GAL-**  
11 **LAUDET UNIVERSITY AND THE NATIONAL**  
12 **TECHNICAL INSTITUTE FOR THE DEAF.**

13           Section 207 of the Education of the Deaf Act of 1986  
14 (20 U.S.C. 4357) is amended—

15                   (1) in subsection (e), by striking “(and its non-  
16                   Federal match)”; and

17                   (2) in subsection (g)(1), by striking “amounts  
18                   contributed to the fund from non-Federal sources,  
19                   and” and inserting “and the related”.

1     **PART B—TRIBALLY CONTROLLED COLLEGES**  
2     **AND UNIVERSITIES ASSISTANCE ACT OF 1978**  
3     **SEC. 10101. TRIBALLY CONTROLLED COLLEGES AND UNI-**  
4             **VERSITIES ASSISTANCE ACT OF 1978.**

5             (a) DEFINITIONS.—Section 2 of the Tribally Con-  
6     trolled Colleges and Universities Assistance Act of 1978  
7     (25 U.S.C. 1801) is amended—

8             (1) in subsection (a)—

9                     (A) in paragraph (4), by striking “or has  
10     been formally” and inserting “and has been for-  
11     mally”;

12                    (B) in paragraph (7), by adding “and” at  
13     the end;

14                    (C) in paragraph (8), by striking “; and”  
15     and inserting a period; and

16                    (D) by striking paragraph (9); and

17             (2) in subsection (b)—

18                     (A) by amending paragraph (1) to read as  
19     follows:

20                     “(1) Such number shall be calculated based on  
21     the number of Indian students who are enrolled—

22                             “(A) at the conclusion of the third week of  
23     each academic term; or

24                             “(B) on the fifth day of a shortened pro-  
25     gram beginning after the conclusion of the third  
26     full week of an academic term.”;

1 (B) in paragraph (3), by striking “for pur-  
2 poses of obtaining” and inserting “solely for the  
3 purpose of obtaining”;

4 (C) in paragraph (4)—

5 (i) By striking “students” and insert-  
6 ing “individuals 16 years of age or older”;  
7 and

8 (ii) by striking “credit hours.” and in-  
9 serting “credit hours, except that the pro-  
10 visions of paragraphs (1) and (3) shall not  
11 apply to any determination under this  
12 paragraph.”;

13 (D) in paragraph (5)—

14 (i) in subparagraph (A)—

15 (I) by inserting “hour” after  
16 “credit”;

17 (II) by striking “in the case of an  
18 institution on a quarter system, or 15  
19 contact hours in the case of an insti-  
20 tution on a semester system,”; and

21 (III) by striking “and” at the  
22 end;

23 (ii) by redesignating subparagraph  
24 (B) as subparagraph (C); and

1 (iii) by inserting after subparagraph

2 (A) the following:

3 “(B) shall be determined as one academic  
4 credit hour for every three continuing education  
5 program credits earned in the case of an insti-  
6 tution on a semester system (which may be ad-  
7 justed by the Secretary, if necessary, for insti-  
8 tutions using academic periods other than se-  
9 mesters, such as trimesters or quarters); and”;  
10 and

11 (E) 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.—

16 (1) IN GENERAL.—The Tribally Controlled Col-  
17 leges and Universities Assistance Act of 1978 (25  
18 U.S.C. 1801 et seq.) is amended by inserting after  
19 section 2 (25 U.S.C. 1801), the following:

20 “AUTHORIZATION OF APPROPRIATIONS

21 “SEC. 3. (a)(1) There are authorized to be appro-  
22 priated to carry out sections 105, 107, 112(b), and 113  
23 such sums as may be necessary for fiscal year 2021 and  
24 each of the five succeeding fiscal years.

25 “(2) Funds appropriated pursuant to the authoriza-  
26 tion under paragraph (1) shall be transferred by the Sec-

1 retary of the Treasury through the most expeditious meth-  
2 od available, with each of the tribally controlled colleges  
3 or universities being designated as its own certifying agen-  
4 cy.

5 “(b) There are authorized to be appropriated to carry  
6 out title III such sums as may be necessary for fiscal year  
7 2021 and each of the five succeeding fiscal years. Any  
8 funds appropriated pursuant to this subsection are au-  
9 thorized to remain available until expended.

10 “(c) There are authorized to be appropriated to carry  
11 out titles IV and V such sums as may be necessary for  
12 fiscal year 2021 and each of the five succeeding fiscal  
13 years.

14 “(d)(1) For the purpose of affording adequate notice  
15 of funding available under this Act, amounts appropriated  
16 in an appropriation Act for any fiscal year to carry out  
17 this Act shall become available for obligation on July 1  
18 of that fiscal year and shall remain available until Sep-  
19 tember 30 of the succeeding fiscal year.

20 “(2) In order to effect a transition to the forward  
21 funding method of timing appropriation action described  
22 in paragraph (1), there are authorized to be appropriated,  
23 in an appropriation Act or Acts for the same fiscal year,  
24 two separate appropriations to carry out this Act, the first  
25 of which shall not be subject to paragraph (1).”.

1 (2) CONFORMING AMENDMENTS.—

2 (A) Section 110 of the Tribally Controlled  
3 Colleges and Universities Assistance Act of  
4 1978 (25 U.S.C. 1810) is repealed.

5 (B) Section 111 of the Tribally Controlled  
6 Colleges and Universities Assistance Act of  
7 1978 (25 U.S.C. 1811) is amended by striking  
8 “110(a)(2)” and inserting “3(a)(2)”.

9 (C) Section 306 of the Tribally Controlled  
10 Colleges and Universities Assistance Act of  
11 1978 (25 U.S.C. 1836) is repealed.

12 (D) Title III of the Tribally Controlled  
13 Colleges and Universities Assistance Act of  
14 1978 (25 U.S.C. 1831 et seq.) is amended by  
15 striking “section 306” each place it appears  
16 and inserting “section 3(b)”

17 (E) Section 403 of the Tribally Controlled  
18 Colleges and Universities Assistance Act of  
19 1978 (25 U.S.C. 1852) is repealed.

20 (F) Section 502 of the Tribally Controlled  
21 Colleges and Universities Assistance Act of  
22 1978 (25 U.S.C. 1862) is amended—

23 (i) in subsection (a), by striking “Sub-  
24 ject to the availability of appropriations,  
25 for fiscal year 2009 and each fiscal year



1           thereafter,” and inserting “From the  
2           amount made available under section 3(c)  
3           for each fiscal year,”; and

4                   (ii) in subsection (d)(1), by striking  
5           “For fiscal year 2009 and each fiscal year  
6           thereafter, of amounts made available pur-  
7           suant to section 504,” and inserting  
8           “From the amount made available under  
9           section 3(c) for each fiscal year,”.

10           (G) Section 504 of the Tribally Controlled  
11           Colleges and Universities Assistance Act of  
12           1978 (25 U.S.C. 1864) is repealed.

13           (c) ANNUAL REPORT ON EMERGING TRIBAL COL-  
14           LEGES.—Section 104 of the Tribally Controlled Colleges  
15           and Universities Assistance Act of 1978 (25 U.S.C.  
16           1804a) is amended to read as follows:

17           “ANNUAL REPORT ON EMERGING TRIBAL COLLEGES  
18           “SEC. 104. Not later than December 31 of each year,  
19           the Secretary shall submit a report to the Senate Com-  
20           mittee on Indian Affairs, the Senate Committee on  
21           Health, Education, Labor and Pensions, the House Com-  
22           mittee on Natural Resources, the House Committee on  
23           Education and Labor, the Senate Appropriations Sub-  
24           committee on the Interior, and the House Appropriations  
25           Subcommittee on the Interior on developing and emerging

1 tribally controlled colleges or universities. Such report  
2 shall include information on—

3 “(1) inquiries received by the Secretary from  
4 federally recognized Indian Tribes and tribal organi-  
5 zations regarding the process for establishing a trib-  
6 ally controlled college or university;

7 “(2) the status of ongoing efforts to establish  
8 tribally controlled colleges or universities;

9 “(3) the geographic location, current and pro-  
10 jected size, and anticipated application time frame of  
11 each reported institution; and

12 “(4) such other data as the Secretary may  
13 deem relevant.”.

14 (d) ELIGIBILITY STUDIES.—Section 106 of the Trib-  
15 ally Controlled Colleges and Universities Assistance Act  
16 of 1978 (25 U.S.C. 1806) is amended—

17 (1) in subsection (b), by striking “for the fiscal  
18 year succeeding” and inserting “for the second fiscal  
19 year succeeding”; and

20 (2) in subsection (c), by striking “drawn from”  
21 and all that follows through the period at the end  
22 and inserting “drawn from the general administra-  
23 tive appropriations to the Secretary.”

24 (e) GRANTS TO TRIBALLY CONTROLLED COLLEGES  
25 OR UNIVERSITIES.—Section 107 of the Tribally Con-

1 trolled Colleges and Universities Assistance Act of 1978  
2 (25 U.S.C. 1807) is amended—

3 (1) in subsection (c), by striking “given to insti-  
4 tutions” and all that follows through the period at  
5 the end and inserting “given to institutions which  
6 received payments under this title in fiscal year  
7 2019 or were affiliated with an institution which re-  
8 ceived payments under this title in fiscal year  
9 2019.”; and

10 (2) in subsection (d), by inserting “higher edu-  
11 cation” after “national Indian” both places it ap-  
12 pears.

13 (f) AMOUNT OF GRANTS.—Section 108 of the Trib-  
14 ally Controlled Colleges and Universities Assistance Act  
15 of 1978 (25 U.S.C. 1808) is amended—

16 (1) by striking subsection (a)(2) and inserting  
17 the following:

18 “(2) EXCEPTIONS.—

19 “(A) If the sum appropriated for any fiscal  
20 year for payments under this section is not suf-  
21 ficient to pay in full the total amount that ap-  
22 proved applicants are eligible to receive under  
23 this section for such fiscal year, the Secretary  
24 shall first allocate to each such applicant that  
25 received funds under this part for the preceding

1 fiscal year an amount equal to 100 percent of  
2 the product of the per capita payment for the  
3 preceding fiscal year and such applicant's In-  
4 dian student count for the current program  
5 year, plus an amount equal to the actual cost  
6 of any increase to the per capita figure result-  
7 ing from inflationary increases to necessary  
8 costs beyond the institution's control.

9 “(B) The amount of a grant under para-  
10 graph (1) shall not exceed an amount equal to  
11 the total cost of the education program pro-  
12 vided by the applicable tribally controlled col-  
13 lege or university.”; and

14 (2) in subsection (b)(1)—

15 (A) by striking “of the funds available for  
16 allotment by October 15 or no later than 14  
17 days after appropriations become available” and  
18 inserting “of the amounts appropriated for any  
19 fiscal year on or before July 1 of that fiscal  
20 year”; and

21 (B) by striking “January 1” and inserting  
22 “September 30”.

23 (g) REPORT ON FACILITIES.—Section 112 of the  
24 Tribally Controlled Colleges and Universities Assistance

1 Act of 1978 (25 U.S.C. 1812) is amended to read as fol-  
2 lows:

3 “REPORT ON FACILITIES

4 “SEC. 112. (a) The Secretary shall provide for the  
5 conduct of a study on the condition of tribally controlled  
6 college or university facilities, which, for purposes of this  
7 section, shall include the facilities of a Tribal College or  
8 University, as defined in section 316(b) of the Higher  
9 Education Act of 1965 (20 U.S.C. 1059c(b)). Such study  
10 shall identify the need for new construction, renovation,  
11 and infrastructure enhancements of tribally controlled col-  
12 lege or university facilities.

13 “(b) The study required in subsection (a) may be con-  
14 ducted directly by the Secretary or by contract.

15 “(c) A report on the results of the study required in  
16 subsection (a) shall be submitted to the Senate Committee  
17 on Indian Affairs, the Senate Committee on Health, Edu-  
18 cation, Labor and Pensions, the House Committee on Nat-  
19 ural Resources, the House Committee on Education and  
20 Labor, the Senate Appropriations Subcommittee on the  
21 Interior, and the House Appropriations Subcommittee on  
22 the Interior not later than 18 months after the date of  
23 the enactment of the College Affordability Act.”.

24 (h) MODIFICATION OF FACILITIES PROGRAM.—Sec-  
25 tion 113 of the Tribally Controlled Colleges and Univer-

1 sities Assistance Act of 1978 (25 U.S.C. 1813) is amend-  
2 ed—

3 (1) in subsection (a), by striking “of the Ad-  
4 ministrator of General Services under section 112(a)  
5 of this Act” and inserting “under section 112(c)”;

6 (2) in subsection (b), by striking “a tribally  
7 controlled college or university—” and all that fol-  
8 lows through the period at the end and inserting “a  
9 tribally controlled college or university shall be a  
10 Tribal College or University, as defined in section  
11 316(b) of the Higher Education Act of 1965 (20  
12 U.S.C. 1059c(b)).”;

13 (3) by redesignating subsections (d) through (f)  
14 as subsections (e) through (g), respectively; and

15 (4) by inserting after subsection (c) the fol-  
16 lowing:

17 “(d) Activities eligible for a grant under this section  
18 shall be activities that address a wide variety of facilities  
19 and infrastructure needs including—

20 “(1) building of new facilities;

21 “(2) renovating or expanding existing or ac-  
22 quired facilities;

23 “(3) providing new and existing facilities with  
24 equipment and infrastructure, including laboratory  
25 equipment, computer infrastructure and equipment,

1 broadband infrastructure and equipment, library  
2 books, and furniture; and

3 “(4) property acquisition.”.

4 (i) CONFORMING AMENDMENT FOR THE NAVAJO  
5 TRIBE.—Section 114(a) of the Tribally Controlled Col-  
6 leges and Universities Assistance Act of 1978 (25 U.S.C.  
7 1814(a)) is amended striking “The Navajo” and inserting  
8 “Except as provided in sections 112 and 113, the Nav-  
9 ajo”.

10 (j) RULES AND REGULATIONS.—Section 115 of the  
11 Tribally Controlled Colleges and Universities Assistance  
12 Act of 1978 (25 U.S.C. 1815) is repealed.

13 (k) ENDOWMENT GRANTS.—Section 302 of the Trib-  
14 ally Controlled Colleges and Universities Assistance Act  
15 of 1978 (25 U.S.C. 1832) is amended by adding at the  
16 end the following:

17 “(c) The period of a grant under this section shall  
18 be not more than 20 years. During the grant period, an  
19 institution may withdraw and expend interest income gen-  
20 erated by the endowment for any operating or academic  
21 purpose. An institution may not withdraw or expend any  
22 of the endowment fund corpus. After the termination of  
23 the grant period, an institution may use the endowment  
24 fund corpus for any operating or academic purpose.

1           “(d)(1) If at any time during the grant period an in-  
2 stitution withdraws part of the endowment fund corpus,  
3 the institution shall repay to the Secretary an amount  
4 equal to 150 percent of the withdrawn amount. The Sec-  
5 retary may use up to 75 percent of such repaid funds to  
6 make additional endowment grants to, or to increase exist-  
7 ing endowment grants at, other eligible institutions.

8           “(2) Notwithstanding subsection (c) and para-  
9 graph(1), the Secretary may allow an institution to expend  
10 part of the endowment fund corpus if the institution dem-  
11 onstrates such an expenditure is necessary because of—

12                   “(A) a financial emergency, such as a pending  
13 insolvency or temporary liquidity problem;

14                   “(B) a life-threatening situation occasioned by  
15 a natural disaster or arson; or

16                   “(C) any other unusual occurrence or exigent  
17 circumstance.”.

18           (l) PARTICIPATION OF TRIBALLY CONTROLLED  
19 POSTSECONDARY CAREER AND TECHNICAL INSTITUTIONS  
20 UNDER OTHER TITLES.—Section 503(a) of the Tribally  
21 Controlled Colleges and Universities Assistance Act of  
22 1978 (25 U.S.C. 1863(a)) is amended to read as follows:

23           “(a) PARTICIPATION OF TRIBALLY CONTROLLED  
24 POSTSECONDARY CAREER AND TECHNICAL INSTITUTIONS  
25 UNDER OTHER TITLES.—For purposes of the preceding



1 titles of this Act, a tribally controlled postsecondary career  
2 and technical institution shall not be considered to be a  
3 tribally controlled college or university except as follows:

4           “(1) For purposes of section 105(a)(1), the  
5 Secretary shall provide, upon request from a tribally  
6 controlled postsecondary career and technical insti-  
7 tution, technical assistance either directly or through  
8 contract.

9           “(2) For purposes of section 113, title III, and  
10 title IV, a tribally controlled postsecondary career  
11 and technical institution shall be considered to be a  
12 tribally controlled college or university.”.

13       (m) CLERICAL AMENDMENTS.—The Tribally Con-  
14 trolled Colleges and Universities Assistance Act of 1978  
15 (25 U.S.C. 1801 et seq.), as amended by the preceding  
16 provisions of this section, is further amended—

17           (1) by striking “Bureau of Indian Affairs” each  
18 place it appears and inserting “Bureau of Indian  
19 Education”;

20           (2) by striking “Navajo Community College  
21 Act” each place it appears and inserting “Diné Col-  
22 lege Act”; and

23           (3) in section 109 (25 U.S.C. 1809), by redesi-  
24 gnating the second subsection (c) as subsection (d).

1 **PART C—STRENGTHENING PROGRAM ALIGN-**  
2 **MENT FOR POSTSECONDARY PERKINS CA-**  
3 **REER AND TECHNICAL EDUCATION PRO-**  
4 **GRAMS**

5 **SEC. 10201. STRENGTHENING PROGRAM ALIGNMENT FOR**  
6 **POSTSECONDARY PERKINS CAREER AND**  
7 **TECHNICAL EDUCATION PROGRAMS.**

8 (a) AUTHORIZATION OF APPROPRIATIONS.—

9 (1) IN GENERAL.—There are authorized to be  
10 appropriated to carry out this section \$181,000,000  
11 for fiscal year 2021 and each of the 5 succeeding fis-  
12 cal years.

13 (2) OUTLYING AREAS.—In addition to the  
14 amounts authorized to be appropriated under para-  
15 graph (1), there are authorized to be appropriated  
16 \$1,520,000 for fiscal year 2021 and each of the 5  
17 succeeding fiscal years, for the purpose of awarding  
18 funds to carry out this section to the outlying areas  
19 described in section 115(a) of the Carl D. Perkins  
20 Career and Technical Education Act of 2006 (20  
21 U.S.C. 2325(a)).

22 (3) TRIBALLY CONTROLLED POSTSECONDARY  
23 CAREER AND TECHNICAL INSTITUTIONS.—In addi-  
24 tion to the amounts authorized to be appropriated  
25 under paragraphs (1) and (2), there are authorized  
26 to be appropriated \$10,469,000 for fiscal year 2021

1 and each of the 5 succeeding fiscal years, for the  
2 purpose of awarding funds to carry out this section  
3 to tribally controlled postsecondary career and tech-  
4 nical institutions described in section 117(a) of the  
5 Carl D. Perkins Career and Technical Education  
6 Act of 2006 (20 U.S.C. 2327(a)).

7 (b) ALLOTMENT AND ALLOCATION.—

8 (1) STATE ALLOTMENT.—

9 (A) IN GENERAL.—From the amount ap-  
10 propriated under subsection (a)(1) for each fis-  
11 cal year, the Secretary of Education shall allot  
12 funds to States in the same manner as allot-  
13 ments are made to States under 111(a)(2) of  
14 the Carl D. Perkins Career and Technical Edu-  
15 cation Act of 2006 (20 U.S.C. 2321(a)(2)), ex-  
16 cept that such section 111(a)(2) shall be ap-  
17 plied by substituting “From the amount appro-  
18 priated under subsection (a)(1),” for “From the  
19 remainder of the amount appropriated under  
20 section 9 and not reserved under paragraph (1)  
21 for a fiscal year,”.

22 (B) REALLOTMENT.—If for any fiscal year  
23 the amount appropriated for allotments under  
24 this paragraph is insufficient to satisfy the pro-  
25 visions of subparagraph (A), the payments to

1 all States under such subparagraph shall be  
2 ratably reduced.

3 (2) REQUIREMENTS FOR STATE ALLOTMENT.—

4 From the amount allotted to each State under para-  
5 graph (1) for a fiscal year, the eligible agency shall  
6 use such funds in the same manner and in the same  
7 amounts as described in paragraphs (2) and (3) of  
8 section 112(a) of the Carl D. Perkins Career and  
9 Technical Education Act of 2006 (20 U.S.C.  
10 2321(a)).

11 (3) ELIGIBLE RECIPIENT ALLOCATION.—

12 (A) IN GENERAL.—From the amount allot-  
13 ted to each State under paragraph (1) and not  
14 used under paragraph (2) for a fiscal year, the  
15 eligible agency shall allocate funds to each eligi-  
16 ble recipient within the State in the same man-  
17 ner that funds are allocated to eligible institu-  
18 tions or consortium of eligible institutions under  
19 section 132(a)(2) of the Carl D. Perkins Career  
20 and Technical Education Act of 2006 (20  
21 U.S.C. 2352(a)(2)), except that such section  
22 132(a)(2) shall be applied by substituting “the  
23 amount allotted to the State under paragraph  
24 (1) and not used under paragraph (2)” for “the

1 portion of funds made available under section  
2 112(a)(1) to carry out this section”.

3 (B) REQUIREMENTS FOR ALLOCATION.—

4 To receive an allocation under subparagraph  
5 (A), an eligible recipient shall meet the fol-  
6 lowing requirements:

7 (i) Provide a description to the Sec-  
8 retary, at such time and in such manner,  
9 as may be required by the Secretary of  
10 how the eligible recipient will use the allo-  
11 cation to support and coordinate with—

12 (I) any funds received by such el-  
13 igible recipient under title I of the  
14 Carl D. Perkins Career and Technical  
15 Education Act of 2006 (20 U.S.C.  
16 2321 et seq.); and

17 (II) the activities described in the  
18 State plan of the eligible agency that  
19 distributes funds under such title to  
20 such eligible recipient, and local appli-  
21 cation of such eligible recipient under  
22 such title.

23 (ii) Establish partnerships with each  
24 of the following:

1 (I) A local educational agency or  
2 a consortia of local educational agen-  
3 cies.

4 (II) An area career and technical  
5 education school, in a case in which  
6 such a school is located in the State  
7 or local area of the eligible recipient.

8 (III) A State or local workforce  
9 development system.

10 (IV) A 4-year institution of high-  
11 er education.

12 (4) ALLOTMENTS TO OUTLYING AREAS.—From  
13 funds appropriated under subsection (a)(2), the Sec-  
14 retary shall—

15 (A) make a grant in the amount of  
16 \$660,000 to Guam;

17 (B) make a grant in the amount of  
18 \$350,000 to each of the Commonwealth of the  
19 Northern Mariana Islands and American  
20 Samoa; and

21 (C) make a grant in the amount of  
22 \$160,000 to the Republic of Palau.

23 (c) USES OF FUNDS.—

24 (1) IN GENERAL.—Each eligible recipient that  
25 receives an allocation under subsection (b)(2) shall

1 use such allocation to carry out a career and tech-  
2 nical education program of study that shall—

3 (A) include alignment to career pathways,  
4 the use of articulation agreements, and career  
5 guidance and academic counseling;

6 (B) combine a minimum of 2 years of sec-  
7 ondary education (as determined under State  
8 law) with a minimum of 2 years of postsec-  
9 ondary education in a nonduplicative, sequential  
10 course of study;

11 (C) include work-based learning or appren-  
12 ticeship programs;

13 (D) be aligned with—

14 (i) the workforce development system;

15 and

16 (ii) institutions of higher education of-  
17 fering baccalaureate or advanced degree  
18 programs;

19 (E) offer education and training in high-  
20 skill, high-wage, or in-demand industry sectors  
21 and occupations to meet the regional needs and  
22 support the priorities described in the most re-  
23 cent comprehensive local needs assessment con-  
24 ducted by the eligible recipient under section

1           134(c) of the Carl D. Perkins Career and Tech-  
2           nical Education Act (20 U.S.C. 2354(c)); and

3                   (F) carry out the requirements of subpara-  
4           graph (A), (B), (C), (D), or (E) of paragraph  
5           (2).

6           (2) REQUIREMENTS.—Each career and tech-  
7           nical education program of study described in para-  
8           graph (1) shall carry out at least one of the fol-  
9           lowing:

10                   (A) Supporting the development, delivery,  
11           or implementation of a statewide effort to scale  
12           such program of study and career pathways.

13                   (B) Establishing industry or sector part-  
14           nerships inside or outside the State.

15                   (C) Providing equal access to, and sup-  
16           ports for, successful completion of the career  
17           and technical education program of study to in-  
18           dividuals who are members of special popu-  
19           lations, including the development of services  
20           appropriate to the needs of special populations.

21                   (D) Improving career guidance, academic  
22           counseling, and career exploration activities for  
23           prospective or participating students through  
24           the development and implementation of gradua-



1           tion and career plans aligned to career path-  
2           ways.

3           (E) Developing curriculum and supports  
4           for effective transitions between the following:

5                   (i) The transition from a secondary  
6                   career and technical education program to  
7                   a postsecondary career and technical edu-  
8                   cation program.

9                   (ii) The transition from postsecondary  
10                   career and technical education programs to  
11                   an institution of higher education offering  
12                   a baccalaureate or an advanced degree pro-  
13                   gram.

14                   (iii) The transition from a workforce  
15                   development system to a postsecondary ca-  
16                   reer and technical education program.

17                   (iv) The transition from a postsec-  
18                   ondary career and technical education pro-  
19                   gram to employment.

20                   (v) The transition from a career and  
21                   technical education program to an appren-  
22                   ticeship program or from an apprenticeship  
23                   program to an institution of higher edu-  
24                   cation or employment.

1           (3) RESTRICTION ON USES OF FUNDS.—Each  
2 eligible recipient that receives an allocation under  
3 subsection (b)(2) shall not use more than 5 percent  
4 of such allocation for costs associated with the ad-  
5 ministration of activities.

6           (d) DEFINITIONS.—In this section:

7           (1) APPRENTICESHIP PROGRAM.—The term  
8 “apprenticeship program” means an apprenticeship  
9 registered under the Act of August 16, 1937 (com-  
10 monly known as the “National Apprenticeship Act”;  
11 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.).

12           (2) ELIGIBLE RECIPIENT.—The term “eligible  
13 recipient” has the meaning given the term in section  
14 3(21)(B) of the Carl D. Perkins Career and Tech-  
15 nical Education Act of 1965 (20 U.S.C.  
16 2302(21)(B)).

17           (3) INSTITUTION OF HIGHER EDUCATION.—The  
18 term “institution of higher education” has the  
19 meaning given such term in section 101 of the High-  
20 er Education Act of 1965 (20 U.S.C. 1001).

21           (4) LOCAL EDUCATIONAL AGENCY.—The term  
22 “local educational agency” has the meaning given  
23 such term in section 8101 of the Elementary and  
24 Secondary Education Act of 1965 (20 U.S.C. 7801).

1           (5) PERKINS CTE TERMS.—The terms “articu-  
2           lation agreement”, “area career and technical edu-  
3           cation school”, “career and technical education”,  
4           “eligible agency”, “program of study”, “special pop-  
5           ulation”, and “work-based learning” have the mean-  
6           ings given the terms in section 3 of the Carl D. Per-  
7           kins Career and Technical Education Act of 2006  
8           (20 U.S.C. 2302).

9           (6) STATE.—The term “State” has the mean-  
10          ing given the term in section 111(d) of the Carl D.  
11          Perkins Career and Technical Education Act of  
12          2006.

13          (7) WIOA TERMS.—The terms “career path-  
14          way”, “workforce development system”, “in-demand  
15          industry sector or occupation”, and “industry or sec-  
16          tor partnership” have the meanings given the terms  
17          in section 3 of the Workforce Innovation and Oppor-  
18          tunity Act (29 U.S.C. 3201).

19       **PART E—GENERAL EDUCATION PROVISIONS ACT**

20       **SEC. 10301. RELEASE OF EDUCATION RECORDS TO FACILI-**

21                       **TATE THE AWARD OF A RECOGNIZED POST-**

22                       **SECONDARY CREDENTIAL.**

23          Section 444(b) of the General Education Provisions  
24       Act (20 U.S.C. 1232g(b)) is amended—

25                       (1) in paragraph (1)—

1 (A) in subparagraph (K)(ii), by striking “;  
2 and” and inserting a semicolon; and

3 (B) in subparagraph (L), by striking the  
4 period at the end and inserting “; and”; and

5 (2) by inserting after subparagraph (L) the fol-  
6 lowing:

7 “(M) an institution of postsecondary education  
8 in which the student was previously enrolled, to  
9 which records of postsecondary coursework and cred-  
10 its are sent for the purpose of applying such  
11 coursework and credits toward completion of a rec-  
12 ognized postsecondary credential (as that term is de-  
13 fined in section 3 of the Workforce Innovation and  
14 Opportunity Act (29 U.S.C. 3102)), upon condition  
15 that the student provides written consent prior to re-  
16 ceiving such credential.”.

17 **PART F—EDUCATION SCIENCES REFORM ACT OF**  
18 **2002**

19 **SEC. 10401. INCLUSION OF RACIAL SUBGROUPS IN IPEDS**  
20 **DATA.**

21 Section 153(a)(3) of the Education Sciences Reform  
22 Act of 2002 (20 U.S.C. 9543(a)(3)) is amended—

23 (1) by striking “feasible, information” and in-  
24 serting the following: “feasible—

25 “(A) information”;

1 (2) by inserting “and” after the semicolon; and

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

3 “(B) information from the Integrated  
4 Postsecondary Education Data Survey, the  
5 postsecondary student data system established  
6 under section 132(l), or a successor system  
7 (whichever includes the most recent data), that  
8 is disaggregated by race in a manner that cap-  
9 tures all the racial groups specified in the  
10 American Community Survey of the Bureau of  
11 the Census;”.

12 **PART G—U.S. INSTITUTE OF PEACE**

13 **SEC. 10501. REAUTHORIZATION OF THE U.S. INSTITUTE OF**  
14 **PEACE.**

15 Section 1710 of the United States Institute of Peace  
16 Act (22 U.S.C. 4609) is amended in subsection (a)(1) by  
17 striking “fiscal years 2009 through 2014” and inserting  
18 “fiscal year 2021 and each of the 5 succeeding fiscal  
19 years”.