

115TH CONGRESS  
2D SESSION

# H. R. 6543

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

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## IN THE HOUSE OF REPRESENTATIVES

JULY 26, 2018

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

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## A BILL

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

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

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

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

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

#### TITLE I—GENERAL PROVISIONS

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

#### TITLE II—TEACHER QUALITY ENHANCEMENT

##### PART A—TEACHER AND SCHOOL LEADER QUALITY PARTNERSHIP GRANTS

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

##### PART B—ENHANCING TEACHER AND SCHOOL LEADER EDUCATION

- Sec. 2101. Enhancing teacher education.

#### TITLE III—INSTITUTIONAL AID

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

#### TITLE IV—STUDENT ASSISTANCE

- Sec. 4001. Effective date for title IV.

##### PART A

- Sec. 4011. Improvements to the Pell Grant program.
- Sec. 4012. Amendments to Pell Grant eligibility.
- Sec. 4013. Extending Federal Pell Grant eligibility of certain short-term programs.

- Sec. 4014. Providing Federal Pell Grants for Iraq and Afghanistan veteran's dependents.
- Sec. 4015. Federal Pell Grant fraud prevention.
- Sec. 4016. Conforming amendments to academic competitiveness grants.
- Sec. 4017. Federal TRIO program.
- Sec. 4018. Talent search.
- Sec. 4019. Upward Bound.
- Sec. 4020. Student support services.
- Sec. 4021. Postbaccalaureate achievement program authority.
- Sec. 4022. Educational opportunity centers.
- Sec. 4023. Staff developmental activities.
- Sec. 4024. Reports and evaluations.
- Sec. 4025. Gaining Early Awareness and Readiness for Undergraduate Programs.
- Sec. 4026. Gaining Early Awareness and Readiness for Undergraduate Programs; authorization of appropriations.
- Sec. 4027. Purpose; appropriations authorized.
- Sec. 4028. Allocation of funds.
- Sec. 4029. Emergency Grant Aid Demonstration Program.
- Sec. 4030. Special programs for students whose families are engaged in migrant and seasonal farmwork.
- Sec. 4031. CCAMPIS reauthorization.
- Sec. 4032. Jumpstart to College grant programs.
- Sec. 4033. Revised definitions of TEACH grants.
- Sec. 4034. Revisions to establishing TEACH grant program.
- Sec. 4035. Revisions to TEACH grant applications and eligibility.
- Sec. 4036. Revisions to TEACH grant data collection and reporting.
- Sec. 4037. Northern Mariana Islands and American Samoa College access.
- Sec. 4038. Community College Student Success Grant Program authorized.

#### PART B

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

#### PART C

- Sec. 4051. Purpose; authorization of appropriations.
- Sec. 4052. Allocation formula.
- Sec. 4053. Grants for Federal work-study programs.
- Sec. 4054. Flexible use of funds.
- Sec. 4055. Job location and development programs.
- Sec. 4056. Community service.
- Sec. 4057. Pilot grant program.
- Sec. 4058. Department activities.
- Sec. 4059. Study and report.

#### PART D

- Sec. 4061. Refinancing programs.
- Sec. 4062. Amendments to terms and conditions of loans and repayment plans.
- Sec. 4063. Amendments to terms and conditions of borrower defenses.
- Sec. 4064. Amendments to terms and conditions of Public Service Loan Forgiveness.
- Sec. 4065. Federal Direct Perkins Loans terms and conditions.
- Sec. 4066. Requiring a common manual for servicers.
- Sec. 4067. Refinancing FFEL and Federal Direct Loans.
- Sec. 4068. Refinancing private student loans.

## PART E

- Sec. 4071. Authorization of appropriations for Perkins loan.
- Sec. 4072. Allocation of funds for Perkins loan.
- Sec. 4073. Federal Direct Perkins loan allocation.
- Sec. 4074. Agreements with institutions of higher education for purposes of the Perkins loan program.
- Sec. 4075. Student loan information by eligible institutions for purposes of the Perkins loan program.
- Sec. 4076. Terms of loans for purposes of the Perkins loan program.
- Sec. 4077. Reimbursement for cancellation of Perkins loans for certain public service.
- Sec. 4078. Distribution of assets from student loan funds for purposes of the Perkins loan program.

## PART F

- Sec. 4081. Conforming amendment to family contribution.
- Sec. 4082. Amendments to data elements when determining the expected family contribution.
- Sec. 4083. Amendments to family contribution for dependent students.
- Sec. 4084. Amendments to family contribution for independent students without dependents other than a spouse.
- Sec. 4085. Amendments to family contribution for independent students with dependents other than a spouse.
- Sec. 4086. Updated tables and amounts to need analysis.
- Sec. 4087. Zero expected family contribution.
- Sec. 4088. Amendments to definitions in need analysis.

## PART G

- Sec. 4091. FAFSA simplification.
- Sec. 4092. Federal aid eligibility.
- Sec. 4093. Reinstatement of the 6-year statute of limitations for student loans.
- Sec. 4094. Exit counseling.
- Sec. 4095. Clery Act amendments.
- Sec. 4096. Online survey tool for campus safety.
- Sec. 4097. Amendments to institutional and financial assistance.
- Sec. 4098. Conforming amendments to Pell Grants.
- Sec. 4099. Information with respect to crime statistics for programs of study abroad.
- Sec. 4100. Remedial education grants.
- Sec. 4101. Competency-based education.
- Sec. 4102. Competency-based education council.
- Sec. 4103. Improvements to program participation agreements.
- Sec. 4104. Prearbitration agreements.

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

#### PART H

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

#### PART I

- Sec. 4131. Program authorized.
- Sec. 4132. Pathways to student success for Historically Black Colleges and Universities.

#### TITLE V—DEVELOPING INSTITUTIONS

- Sec. 5001. Hispanic-serving institutions.
- Sec. 5002. Promoting postbaccalaureate opportunities for Hispanic Americans.
- Sec. 5003. General provisions.

#### TITLE VI—INTERNATIONAL EDUCATION PROGRAMS

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

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

- Sec. 7001. Graduate education programs.
- Sec. 7002. Minority-serving institutions innovation fund.
- Sec. 7003. Definitions.
- Sec. 7004. Supporting postsecondary faculty, staff, and administrators in providing accessible education.
- Sec. 7005. Office of Accessibility.
- Sec. 7006. Postsecondary programs for students with intellectual disabilities.
- Sec. 7007. National Technical Assistance Center and National Coordinating Center for Inclusion of Students with Intellectual Disabilities.
- Sec. 7008. Accessible instructional materials and technology.
- Sec. 7009. Formula grants to States to improve higher education opportunities for foster youth and homeless youth.

#### TITLE VIII—ADDITIONAL PROGRAMS

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

#### TITLE IX—AMENDMENTS TO OTHER LAWS

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

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

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

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

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

- Sec. 9201. Additional authorization of appropriations.

##### PART D—GENERAL EDUCATION PROVISIONS ACT

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

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

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

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

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

1 section or other provision of the Higher Education Act of  
2 1965 (20 U.S.C. 1001 et seq.).

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

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

8 **TITLE I—GENERAL PROVISIONS**

9 **SEC. 1001. DEFINITIONS.**

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

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

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

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

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

21 “(A) is a nonprofit, as defined in section  
22 103(13); and

23 “(B) at which no member of the governing  
24 board of the nonprofit institution of higher edu-  
25 cation (other than ex officio members serving at

1 the pleasure of the remainder of the governing  
2 board and receiving a fixed salary), or any per-  
3 son with the power to appoint or remove mem-  
4 bers of such governing board, receives any sub-  
5 stantial direct or indirect economic benefit (in-  
6 cluding a lease, promissory note, or other con-  
7 tract) from the nonprofit institution of higher  
8 education.

9 “(26) PUBLIC INSTITUTION OF HIGHER EDU-  
10 CATION.—The term ‘public institution of higher edu-  
11 cation’ means an institution of higher education—

12 “(A) for which all obligations of the insti-  
13 tution are valid and binding obligations of the  
14 State (or of an equivalent governmental entity);  
15 and

16 “(B) for which the full faith and credit of  
17 such State (or equivalent government entity) is  
18 pledged for the timely payment of such obliga-  
19 tions.

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

22 “(A) means children and youth whose care  
23 and placement are the responsibility of the  
24 State or Tribal agency that administers a State  
25 or Tribal plan under part B or E of title IV of



1 the Social Security Act (42 U.S.C. 621 et seq.  
2 and 670 et seq.), without regard to whether fos-  
3 ter care maintenance payments are made under  
4 section 472 of such Act (42 U.S.C. 672) on be-  
5 half of such children and youth; and

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

17 “(28) FEDERAL EDUCATION ASSISTANCE  
18 FUNDS.—The term ‘Federal education assistance  
19 funds’ means—

20 “(A) funds under title IV;

21 “(B) educational and training benefits  
22 available to veterans, military personal, and  
23 other individuals under chapter 30, 31, 32, 33,  
24 34, or 35 of title 38, United States Code, or  
25 chapter 101, 105, 106A, 1606, 1607, or 1608

1 of title 10, United States Code, or section  
2 1784a of title 10, United States Code;

3 “(C) funds for training under the Work-  
4 force Innovation and Opportunity Act (29  
5 U.S.C. 3101 et seq.), including funds under  
6 title II of such Act; and

7 “(D) funds under section 477 of the Social  
8 Security Act.

9 “(29) 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 a student default risk indicator of  
15 not less than 10 percent and not more than 15 per-  
16 cent.”.

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

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

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

22 (2) in subsection (b)—

23 (A) in paragraph (1)—

24 (i) by inserting “The legal name of  
25 the person or institution from which the

1 gift is received.” after “particular coun-  
2 try.”; and

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

10 (B) in paragraph (2)—

11 (i) by inserting “the name of the  
12 agency or office within the government  
13 from which such a gift is received, and”  
14 after “foreign government,”; and

15 (ii) by inserting “In this paragraph,  
16 the term ‘aggregate dollar amount’ in-  
17 cludes the fair market value of staff mem-  
18 bers, textbooks, and other in-kind gifts.”  
19 after “each foreign government.”;

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

23 (4) in subsection (d)—

24 (A) in paragraph (1) by striking “are sub-  
25 stantially” and all that follows through “this

1 section,” and inserting “includes all information  
2 required by this section,”; and

3 (B) in paragraph (2) by striking “require-  
4 ments substantially similar to those” and in-  
5 serting “all the information”;

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

15 (6) in subsection (h)—

16 (A) in paragraph (1) by inserting “gift,”  
17 after “lease,”;

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

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

1 **SEC. 1003. ALCOHOL AND SUBSTANCE MISUSE PREVEN-**  
2 **TION.**

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

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

8 (2) in subsection (a)—

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

16 (B) by amending paragraph (1)(D) to read  
17 as follows:

18 “(D) a description of any alcohol or sub-  
19 stance misuse counseling, treatment, rehabilita-  
20 tion, recovery, re-entry, or recovery support  
21 programs provided by the institution (including  
22 in partnership with a community-based organi-  
23 zation) that are available to employees or stu-  
24 dents;” and

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

4 (3) in subsection (c)—

5 (A) in paragraph (1)—

6 (i) by striking “and” at the end of  
7 subparagraph (A);

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

10 (iii) by adding at the end the fol-  
11 lowing:

12 “(C) compliance assistance to assist insti-  
13 tutions in complying with the requirements of  
14 this section.”;

15 (B) by redesignating paragraph (2) as  
16 paragraph (4); and

17 (C) by inserting after paragraph (1) the  
18 following:

19 “(2) INTERAGENCY AGREEMENT.—Not later  
20 than 180 days after the date of enactment of the  
21 Aim Higher Act, the Secretary shall enter into a  
22 interagency agreement with the Secretary of Health  
23 and Human Services to—

24 “(A) determine criteria that satisfy the re-  
25 quirement of subsection (a) that an institution

1 of higher education has adopted and has imple-  
2 mented an evidence-based program described in  
3 such subsection;

4 “(B) establish a process for disseminating  
5 the best practices for adopting and imple-  
6 menting such an evidence-based program; and

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

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

20 (4) in subsection (e)—

21 (A) in the subsection heading, by striking  
22 “**DRUG ABUSE**” in the heading and inserting  
23 “**SUBSTANCE MISUSE**”;

24 (B) in paragraph (1)—

1 (i) by striking “other organizations”  
2 and inserting “community-based organiza-  
3 tions that partner with institutions of high-  
4 er education”;

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

18 (iii) by striking “alcohol and drug  
19 abuse” and inserting “substance use dis-  
20 order”;

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

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



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

6                   “(A) Providing programs for recovery sup-  
7                   port services, and peer support services and  
8                   counseling for students with a substance use  
9                   disorder.

10                   “(B) Promoting integration and collabora-  
11                   tion in campus-based health services between  
12                   primary care, substance use disorder services,  
13                   and mental health services.

14                   “(C) Promoting integrated care services re-  
15                   lated to screening, diagnosis, prevention, and  
16                   treatment of mental, behavioral, and substance  
17                   use disorders for students.

18                   “(D) Providing re-entry assistance for stu-  
19                   dents on academic probation due to their sub-  
20                   stance use disorder.

21                   “(E) Preventing fatal and nonfatal  
22                   overdoses.

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

1           “(i) recognizing the signs and symp-  
2           toms of substance use disorder, and how to  
3           engage and support a person in a crisis sit-  
4           uation;

5           “(ii) resources available in the com-  
6           munity, within the institution of higher  
7           education, and other relevant resources for  
8           individuals with a substance use disorder;  
9           and

10           “(iii) safely de-escalating crisis situa-  
11           tions involving individuals with a substance  
12           use disorder.”; and

13           (E) by amending paragraph (6), as redes-  
14           ignated by subparagraph (C), to read as fol-  
15           lows:

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

20           (b) EFFECTIVE DATES.—

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

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

5 **SEC. 1004. EXCEPTION TO REQUIRED REGISTRATION WITH**  
6                                   **SELECTIVE SERVICE SYSTEM.**

7           Part B of title I of the Higher Education Act of 1965  
8           (20 U.S.C. 1011 et seq.) is amended by adding at the end  
9           the following:

10 **“SEC. 124. EXCEPTION TO REQUIRED REGISTRATION WITH**  
11                                   **SELECTIVE SERVICE SYSTEM.**

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

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

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

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

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

5 “(1) approve the conversion of an institution of  
6 higher education to a nonprofit institution of higher  
7 education; and

8 “(2) review such approval every 5 years there-  
9 after.

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

14 “(1) that such institution is a nonprofit institu-  
15 tion of higher education, as defined in section  
16 103(25);

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

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

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

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

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

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

17                       “(A) third-party valuation;

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

20                       “(C) full and open competition in the pro-  
21 curement of services or assets, as such term is  
22 defined in section 2.101(b) of title 48, Code of  
23 Federal Regulations, as in effect on the date of  
24 the enactment of this section; and

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

5           “(e) PUBLICATION.—

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

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

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

23          (b) EXPERTISE.—The Secretary of Education shall  
24          create a unit within the Department of Education with  
25          the expertise necessary to carry out section 125 of the

1 Higher Education Act of 1965, as added by subsection  
2 (a).

3 **SEC. 1006. POSTSECONDARY DATA SYSTEM.**

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

6 (1) in subsection (i)(1)(T), by striking “rate,”  
7 and inserting “rate and adjusted cohort default  
8 rate,”;

9 (2) by redesignating subsection (l) as subsection  
10 (m); and

11 (3) by inserting after subsection (k) the fol-  
12 lowing:

13 “(l) DATA SYSTEM.—

14 “(1) IN GENERAL.—

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

21 “(i) evaluate student-level—

22 “(I) enrollment, progression, and  
23 completion patterns;

24 “(II) outcomes following postsec-  
25 ondary enrollment and completion;

1 “(III) postsecondary costs; and

2 “(IV) financial aid;

3 “(ii) improve institutional trans-  
4 parency and facilitate institutional im-  
5 provement while reducing the reporting  
6 burden on institutions of higher education;  
7 and

8 “(iii) analyze, evaluate, and improve  
9 Federal student aid programs;

10 “(B) REQUIREMENTS.—In developing the  
11 data system described in this subsection, the  
12 Commissioner shall—

13 “(i) focus on the needs of users of  
14 such system and entities reporting to such  
15 system, including institutions of higher  
16 education;

17 “(ii) follow relevant web design and  
18 digital services standards; and

19 “(iii) ensure student data privacy and  
20 security in accordance with the most recent  
21 Federal standards developed by the Na-  
22 tional Institute of Standards and Tech-  
23 nology.

24 “(C) REPORTING.—Notwithstanding any  
25 other provision of this section, to the extent



1 that another provision of this section requires  
2 the same reporting or collection of data that is  
3 required under this subsection, an institution of  
4 higher education (as defined in section 102), or  
5 the Secretary or Commissioner may use the re-  
6 porting or data required for the postsecondary  
7 data system established pursuant to this sub-  
8 section to satisfy both such requirements.

9 “(2) DATA SYSTEM ELEMENTS.—

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

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

22 “(i) The student-level data elements  
23 necessary to calculate the information  
24 within any student-related surveys included

1 in the Integrated Postsecondary Education  
2 Data System (IPEDS).

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

11 “(I) First-time enrollment status.

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

14 “(III) Distance education enroll-  
15 ment status.

16 “(IV) Credential-seeking status.

17 “(V) Credential level.

18 “(VI) Race (as defined in section  
19 153(3)(a) of the Education Sciences  
20 Reform Act (20 U.S.C. 9501(3)(a))).

21 “(VII) Age.

22 “(VIII) Gender.

23 “(IX) Program of study.

24 “(X) Military or veteran status,  
25 as determined made on receipt of vet-

1                   eran’s education benefits (defined in  
2                   section 480(c)).

3                   “(XI) Federal Pell Grant eligi-  
4                   bility.

5                   “(XII) Federal Pell Grant recipi-  
6                   ent status.

7                   “(XIII) Federal loan recipient  
8                   status under title IV.

9                   “(XIV) Disability status.

10                  “(XV) First-generation college  
11                  student status (defined in section  
12                  318).

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

21                  “(D) ADDITIONAL DATA ELEMENTS.—The  
22                  Commissioner may, after consultation with in-  
23                  stitutions of higher education and other stake-  
24                  holders, make a determination to promulgate

1 regulations to include additional data elements  
2 in the postsecondary student data system.

3 “(3) FEDERAL DATA SYSTEM COORDINATION.—

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

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

16 “(i) Enrollment, retention, transfer,  
17 and completion outcomes.

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

23 “(iii) Postcollegiate outcomes, includ-  
24 ing earnings, employment, and post-

1 graduate education, by program of study  
2 and credential level.

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

8 “(i) protect student data privacy; and

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

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

21 “(4) INFORMATION SHARING.—

22 “(A) AGGREGATE INFORMATION.—The  
23 Commissioner shall make summary aggregate  
24 information publicly available and user-friendly.  
25 Such aggregate information shall—

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

6           “(ii) not include any personally identi-  
7 fiable information.

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

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

21           “(ii) through which any institution of  
22 higher education or a State that fully par-  
23 ticipates in the postsecondary data system  
24 under this subsection may request and re-  
25 ceive from the Commissioner non-person-

1 ally identifiable information, and aggregate  
2 summary data, related to students who  
3 have attended such institution or any insti-  
4 tution in such State, as applicable, for pur-  
5 poses of institutional or State improvement  
6 and program evaluation; and

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

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

18 “(i) fair, secure, and equitable access  
19 to such data; and

20 “(ii) privacy, security, and access to  
21 such data.

22 “(D) PROHIBITIONS.—Data collected  
23 under this subsection shall not be—

24 “(i) sold to any third party by the  
25 Commissioner, any institution of higher

1 education, any State, or any other entity;  
2 or

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

8 “(5) DATA SUBMISSION.—

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

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

20 **SEC. 1007. TEXTBOOK INFORMATION.**

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

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



1 (2) in subsection (b)(9)—

2 (A) by striking “to accompany a” and in-  
3 serting “to accompany or support a” in the  
4 matter preceding subparagraph (A); and

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

9 (3) in subsection (c)(1)(D)(i), by striking “pa-  
10 perback, and unbound” and inserting “paperback,  
11 digital, and unbound”; and

12 (4) in subsection (f)—

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

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

20 **SEC. 1008. REPEAL OF PROHIBITION OF STUDENT INFOR-**  
21 **MATION DATABASE.**

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

1 **SEC. 1009. IN-STATE TUITION RATES FOR HOMELESS CHIL-**  
2 **DREN AND YOUTHS AND FOSTER CARE CHIL-**  
3 **DREN AND YOUTH.**

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

6 (1) in the section heading, by inserting “,  
7 **HOMELESS CHILDREN AND YOUTHS, AND FOS-**  
8 **TER CARE CHILDREN AND YOUTH**” after “**CHIL-**  
9 **DREN**”;

10 (2) in subsection (a)—

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

13 “(a) REQUIREMENT.—

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

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

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

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

26 “(c) EFFECTIVE DATE.—

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

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

14          “(d) DEFINITIONS.—In this section:

15                 “(1) ARMED FORCES.—The terms ‘armed  
16                 forces’ and ‘active duty for a period of more than 30  
17                 days’ have the meanings given those terms in section  
18                 101 of title 10, United States Code.

19                 “(2) HOMELESS CHILDREN AND YOUTHS.—The  
20                 term ‘homeless children and youths’ has the mean-  
21                 ing given the term in section 725 of the McKinney-  
22                 Vento Homeless Assistance Act (42 U.S.C.  
23                 11434a).”.

1 **SEC. 1010. STUDENT LOAN OMBUDSMAN.**

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

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

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

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

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

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

3           **PART A—TEACHER AND SCHOOL LEADER**

4                   **QUALITY PARTNERSHIP GRANTS**

5   **SEC. 2001. DEFINITIONS.**

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

8   **“SEC. 200. DEFINITIONS.**

9           “Except as otherwise provided, in this title:

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

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

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

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

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

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

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

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

18                 “(A) underrepresented groups; or

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

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

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

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

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

14               “(A) shall include—

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

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

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

22                   “(iii) a partner institution;

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

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

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

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

12 “(i) The Governor of the State.

13 “(ii) The State educational agency.

14 “(iii) The State board of education.

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

17 “(v) A business.

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

20 “(vii) An educational service agency.

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

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



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

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

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

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

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

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

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

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

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

7           “(i) based on—

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

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

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

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

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

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

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

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

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

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

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

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

18 “(14) FOSTER CARE.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25           “(17) HIGH-NEED SCHOOL.—

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

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

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

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

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

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

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

7           “(ii) In the case of—

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

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

21          “(B) SPECIAL RULE.—

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

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

11 “(ii) APPLICATION REQUIREMENTS.—

12 An application for designation of a school  
13 under clause (i) shall include—

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

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

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



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

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

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

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

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

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

23                   “(B) with—

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

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

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

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

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

25                                  “(A) High-quality mentoring.

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

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

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

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

18           “(F) Faculty or program staff who—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

11 “(i) teaching and learning;

12 “(ii) assessment of student learning;

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

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

19 “(G) includes—

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

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

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

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

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

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

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



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

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

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

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

17 “(ii) that requires—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

18                           “(I) a performance assessment;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

21 “(ii) pedagogical practices; and

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

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

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

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

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

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

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

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

10           “(B) fosters a collaborative culture to—

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19                         “(i) curriculum planning;

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

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

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

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

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

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

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

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

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

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

3 **SEC. 2002. PURPOSES.**

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

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

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

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

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

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

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

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

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

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

10 (1) in subsection (b)—

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

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

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

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

1 (D) in paragraph (4)—

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

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

8 (E) in paragraph (6)—

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

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

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

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

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

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

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

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



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

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

10 (iii) in subparagraph (K)—

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

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

16 (F) in paragraph (7)—

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

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

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

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

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

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

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

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

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

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

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

20                  (3) in subsection (d)—

21                  (A) in paragraph (1)—

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

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

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

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

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

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

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

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

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

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

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

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

24           “(2) TEACHING RESIDENCY PROGRAM.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 such standards of student perform-  
2 ance.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



1 program based on the following character-  
2 istics:

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

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

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

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

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

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

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

8           “(B) APPLICATIONS.—

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

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

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

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

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

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

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

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

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

10                   “(C) REPAYMENTS.—

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

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

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

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

22                  “(f) TEACHER LEADER DEVELOPMENT PROGRAM.—

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

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

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

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

13 “(C) family and community engagement;

14 “(D) school discipline and culture;

15 “(E) peer observations and coaching; or

16 “(F) dual enrollment instruction.

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

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

23 “(i) include—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

5               “(i) who—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

10          (2) in subsection (b)—

11                 (A) in paragraph (1)—

12                         (i) in subparagraph (A)—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 “(i) Area of certification or licensure.

25 “(ii) Academic major.

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

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

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

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

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

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

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

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

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

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

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

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

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

11 **“SEC. 207. STATE FUNCTIONS.**

12           “(a) STATE ASSESSMENT.—

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

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

22                   Each State described in paragraph (1) shall—

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19 **STUDY.**

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

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

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

13 “(b) ESTABLISHMENT.—

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

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

23 “(A) Teacher unions.

24 “(B) School leader organizations.

25 “(C) State and local officials.

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

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

5           “(F) School administrator organizations.

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

8           “(H) Civil rights organizations.

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

11           “(J) Organizations representing English  
12 learners.

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

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

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

22           “(N) Nonprofit research organizations.

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

1                   “(P) Organizations representing parents.

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

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

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

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

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

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

7           “(2) REPORTS.—

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

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

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

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

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

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

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

11           and

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

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

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

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

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

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

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

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

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

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

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

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

14    **“SEC. 231. FINDINGS.**

15             “Congress finds the following:

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

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



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

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

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

18 **“SEC. 232. PURPOSE.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 “(A) retraining or recruiting faculty; and

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

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

15 “(ii) promote effective teaching skills.

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

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

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

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

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

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

1           “(6) Activities authorized under section 202.

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

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

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

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

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

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

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

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

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

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

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

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

18           “(c) AUTHORIZATION OF PROGRAM.—

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

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

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

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

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

18 “(1) shall include—

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

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

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



1 postbaccalaureate program required for  
2 teacher certification; and

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

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

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

17 “(2) may include—

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

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

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

1 “(1) shall use the grant funds to—

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

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

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

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

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

3 “(ii) universal design for learning;

4 “(iii) determining and utilizing accom-  
5 modations for instruction and assessments  
6 for students with disabilities;

7 “(iv) collaborating with stakeholders  
8 such as special educators, related services  
9 providers, out-of-school time providers, and  
10 parents, including participation in individ-  
11 ualized education program development  
12 and implementation;

13 “(v) appropriately utilizing technology  
14 and assistive technology for students with  
15 disabilities; and

16 “(vi) effectively and equitably using  
17 technology for digital and blended learning;

18 “(D) provide teacher candidates partici-  
19 pating in the program under subparagraph (B)  
20 with skills related to—

21 “(i) social and emotional learning  
22 competencies;

23 “(ii) positive behavior interventions  
24 and supports or multitiered systems of  
25 support;

1                   “(iii) trauma-informed care;  
2                   “(iv) evidenced-based restorative jus-  
3                   tice practices; and  
4                   “(v) culturally responsive teaching  
5                   and anti-bias training that is evidence-  
6                   based; and  
7                   “(E) provide extensive clinical experience  
8                   for participants described in subparagraphs (A)  
9                   and (B) with mentoring and induction support  
10                  throughout the program that continues during  
11                  the first 2 years of full-time teaching.

12                  “(f) APPLICATION.—

13                         “(1) APPLICATION REQUIREMENTS.—An eligi-  
14                         ble partnership seeking a grant under this section  
15                         shall submit an application to the Secretary at such  
16                         time, in such manner, and containing such informa-  
17                         tion as the Secretary may require. Such application  
18                         shall include—

19                                 “(A) a self-assessment by the eligible part-  
20                                 nership of the existing teacher preparation pro-  
21                                 gram at the institution of higher education and  
22                                 needs related to preparing general education  
23                                 teacher candidates to instruct students with dis-  
24                                 abilities; and

1           “(B) an assessment of the existing per-  
2           sonnel needs for general education teachers who  
3           instruct students with disabilities, performed by  
4           the local educational agency in which most  
5           graduates of the teacher preparation program  
6           are likely to teach after completion of the pro-  
7           gram under subsection (e)(1).

8           “(2) PEER REVIEW.—

9           “(A) IN GENERAL.—The Secretary shall  
10          convene a peer review committee to review ap-  
11          plications for grants under this subpart and to  
12          make recommendations to the Secretary regard-  
13          ing the selection of eligible partnerships for  
14          such grants.

15          “(B) MEMBERSHIP.—Members of the peer  
16          review committee shall be recognized experts in  
17          the fields of special education, social and emo-  
18          tional learning, teacher preparation, and gen-  
19          eral education and shall not be in a position to  
20          benefit financially from any grants awarded  
21          under this section.

22          “(g) EQUITABLE GEOGRAPHIC DISTRIBUTION.—In  
23          awarding grants under this subpart, the Secretary shall,  
24          to the maximum extent possible, provide for an equitable  
25          geographic distribution of such grants.

1 “(h) EVALUATIONS.—

2 “(1) BY THE PARTNERSHIP.—

3 “(A) IN GENERAL.—An eligible partner-  
4 ship receiving a grant under this subpart shall  
5 conduct an evaluation at the end of the grant  
6 period to determine—

7 “(i) the effectiveness of the general  
8 education teachers who completed a pro-  
9 gram under subsection (c)(1) with respect  
10 to instruction of students with disabilities  
11 in general education classrooms; and

12 “(ii) the systemic impact of the activi-  
13 ties carried out by such grant on how each  
14 institution of higher education that is a  
15 member of the partnership prepares teach-  
16 ers for instruction in elementary schools  
17 and secondary schools.

18 “(B) REPORT TO THE SECRETARY.—Each  
19 eligible partnership performing an evaluation  
20 under subparagraph (A) shall report the find-  
21 ings of such evaluation to the Secretary.

22 “(2) REPORT BY THE SECRETARY.—Not later  
23 than 180 days after the last day of the grant period  
24 for which an evaluation was conducted under para-  
25 graph (1), the Secretary shall make available to the

1 authorizing committees and the public the findings  
2 of the evaluations submitted under paragraph (1),  
3 and information on best practices related to effective  
4 instruction of students with disabilities in general  
5 education classrooms.

6 **“Subpart 3—Preparing Teachers for English-Learner**  
7 **Instruction**

8 **“SEC. 251. TEACHING ENGLISH LEARNERS GRANT.**

9 “(a) AUTHORIZATION OF PROGRAM.—The Secretary  
10 shall award grants, on a competitive basis, to eligible part-  
11 nerships to improve the preparation of teacher candidates  
12 to ensure that such teacher candidates possess the knowl-  
13 edge and skills necessary to effectively instruct English  
14 learners.

15 “(b) DURATION OF GRANTS.—A grant under this  
16 section shall be awarded for a period of not more than  
17 5 years.

18 “(c) NON-FEDERAL SHARE.—An eligible partnership  
19 that receives a grant under this section shall provide not  
20 less than 25 percent of the cost of the activities carried  
21 out with such grant from non-Federal sources, which may  
22 be provided in cash or in-kind.

23 “(d) USES OF FUNDS.—An eligible partnership that  
24 receives a grant under this section shall use the grant to—

1           “(1) develop or strengthen an undergraduate,  
2 postbaccalaureate, or master’s teacher preparation  
3 program by integrating strategies for teaching  
4 English learners into the education curriculum and  
5 academic content;

6           “(2) provide teacher candidates participating in  
7 a program under paragraph (1) with skills related  
8 to—

9                   “(A) helping English learners—

10                           “(i) achieve at high levels in pre-  
11 kindergarten programs, and elementary  
12 schools and secondary schools so that such  
13 English learners can meet the challenging  
14 State academic standards adopted under  
15 section 1111(b)(1) of the Elementary and  
16 Secondary Education Act of 1965 (20  
17 U.S.C. 6311(b)(1)) by the State of the  
18 school attended by the English learners,  
19 which all children in the State are expected  
20 to meet; and

21                           “(ii) attain English proficiency;

22                   “(B) appropriately identifying and meeting  
23 the specific learning needs of children with dis-  
24 abilities who are English learners;



1           “(C) recognizing and addressing the social  
2           and emotional needs of English learners; and

3           “(D) promoting parental, family, and com-  
4           munity engagement in educational programs  
5           that serve English learners;

6           “(3) provide authentic clinical learning opportu-  
7           nities for teacher candidates participating in the pro-  
8           gram involving sustained interactions with teachers  
9           and English learners at public prekindergarten pro-  
10          grams, or elementary schools or secondary schools,  
11          to the extent practicable, or simulated environments  
12          at the eligible institution of higher education in-  
13          volved, that foster in-depth, first-hand engagement  
14          with tasks required of a teacher providing instruc-  
15          tion to English learners; and

16          “(4) provide teacher candidates with the re-  
17          quired coursework to qualify for an English-as-a-sec-  
18          ond-language certification, endorsement, or initial  
19          teaching credential, as recognized by the State of the  
20          eligible partnership.

21          “(e) APPLICATION.—An eligible partnership seeking  
22 a grant under this section shall submit an application to  
23 the Secretary at such time, in such manner, and con-  
24 taining such information as the Secretary may require.  
25 Such application shall include—

1           “(1) a self-assessment by the eligible partner-  
2           ship of the existing teacher preparation program at  
3           the institution of higher education and the needs re-  
4           lated to preparing teacher candidates to instruct  
5           English learners in the manner described in sub-  
6           section (d)(2); and

7           “(2) a self-assessment by the eligible partner-  
8           ship of the personnel needs for teachers who instruct  
9           English learners at local, public prekindergarten  
10          programs, and elementary schools and secondary  
11          schools.

12          “(f) **EQUITABLE GEOGRAPHIC DISTRIBUTION.**—In  
13          awarding grants under this section, the Secretary shall,  
14          to the maximum extent possible, provide for an equitable  
15          geographic distribution of such grants.

16          “(g) **EVALUATIONS.**—

17                 “(1) **REPORT FROM ELIGIBLE PARTNER-**  
18                 **SHIPS.**—An eligible partnership receiving a grant  
19                 under this section shall submit to the Secretary the  
20                 results of an evaluation conducted by the partner-  
21                 ship at the end of the grant period to determine—

22                         “(A) the effectiveness of teachers who com-  
23                         pleted a program under subsection (d)(1) with  
24                         respect to instruction of English learners; and

1           “(B) the systemic impact of the activities  
 2           carried out by such grant on how such partner-  
 3           ship prepares teachers to provide instruction in  
 4           prekindergarten programs, and elementary  
 5           schools and secondary schools.

6           “(2) REPORT FROM THE SECRETARY.—Not  
 7           later than 180 days after the last day of the grant  
 8           period under this section, the Secretary shall make  
 9           available to the authorizing committees and the pub-  
 10          lic—

11                   “(A) the findings of the evaluations sub-  
 12                   mitted under paragraph (1); and

13                   “(B) information on best practices related  
 14                   to effective instruction of English learners.

15           **“Subpart 4—Graduate Fellowships To Prepare**  
 16           **Faculty in High-Need Areas at Colleges of Education**

17           **“SEC. 261. GRADUATE FELLOWSHIPS TO PREPARE FAC-**  
 18                   **ULTY IN HIGH-NEED AREAS AT COLLEGES OF**  
 19                   **EDUCATION.**

20           “(a) GRANTS BY SECRETARY.—From the amounts  
 21           provided to carry out this subpart, the Secretary shall  
 22           award grants, on a competitive basis, to eligible institu-  
 23           tions to enable such institutions to make graduate fellow-  
 24           ship awards to qualified individuals in accordance with the  
 25           provisions of this section.

1       “(b) ELIGIBLE INSTITUTIONS.—In this section, the  
2 term ‘eligible institution’ means an institution of higher  
3 education, or a consortium of such institutions, that offers  
4 a program of postbaccalaureate study leading to a doctoral  
5 degree.

6       “(c) APPLICATIONS.—An eligible institution that de-  
7 sires a grant under this section shall submit an application  
8 to the Secretary at such time, in such manner, and con-  
9 taining such information as the Secretary may reasonably  
10 require.

11       “(d) TYPES OF FELLOWSHIPS SUPPORTED.—

12           “(1) IN GENERAL.—An eligible institution that  
13 receives a grant under this subpart shall use the  
14 grant funds to provide graduate fellowships to indi-  
15 viduals who are preparing for the professorate in  
16 order to prepare individuals to become elementary  
17 school and secondary school science, technology, en-  
18 gineering, and math teachers, special education  
19 teachers, and teachers who provide instruction for  
20 English-learners, who meet the applicable State cer-  
21 tification and licensure requirements, including any  
22 requirements for certification obtained through alter-  
23 native routes to certification, or, with regard to spe-  
24 cial education teachers, the qualifications described

1 in section 612(a)(14)(C) of the Individuals with Dis-  
2 abilities Education Act.

3 “(2) TYPES OF STUDY.—A graduate fellowship  
4 provided under this section shall support an indi-  
5 vidual in pursuing postbaccalaureate study, which  
6 leads to a doctoral degree and may include a mas-  
7 ter’s degree as part of such study, related to teacher  
8 preparation and pedagogy in one of the following  
9 areas:

10 “(A) Science, technology, engineering,  
11 mathematics, and computer science, and their  
12 related subfields, if the individual has completed  
13 a master’s degree in mathematics, engineering,  
14 science, or computer science and is pursuing a  
15 doctoral degree in mathematics, science, engi-  
16 neering, or education.

17 “(B) Special education.

18 “(C) The instruction of English-learners,  
19 including postbaccalaureate study in language  
20 instruction educational programs.

21 “(e) FELLOWSHIP TERMS AND CONDITIONS.—

22 “(1) SELECTION OF FELLOWS.—The Secretary  
23 shall ensure that an eligible institution that receives  
24 a grant under this subpart—

1           “(A) shall provide graduate fellowship  
2 awards to individuals who plan to pursue a ca-  
3 reer in instruction at an institution of higher  
4 education that has a teacher preparation pro-  
5 gram; and

6           “(B) may not provide a graduate fellow-  
7 ship to an otherwise eligible individual—

8                   “(i) during periods in which such indi-  
9 vidual is enrolled at an institution of high-  
10 er education unless such individual is  
11 maintaining satisfactory academic progress  
12 in, and devoting full-time study or research  
13 to, the pursuit of the degree for which the  
14 fellowship support was provided; or

15                   “(ii) if the individual is engaged in  
16 gainful employment, other than part-time  
17 employment related to teaching, research,  
18 or a similar activity determined by the in-  
19 stitution to be consistent with and sup-  
20 portive of the individual’s progress toward  
21 the degree for which the fellowship support  
22 was provided.

23           “(2) AMOUNT OF FELLOWSHIP AWARDS.—

24                   “(A) IN GENERAL.—An eligible institution  
25 that receives a grant under this subpart shall

1           award stipends to individuals who are provided  
2           graduate fellowships under this subpart.

3           “(B) AWARDS BASED ON NEED.—A sti-  
4           pend provided under this subpart shall be in an  
5           amount equal to the level of support provided  
6           by the National Science Foundation graduate  
7           fellowships, except that such stipend shall be  
8           adjusted as necessary so as not to exceed the  
9           fellowship recipient’s demonstrated need, as de-  
10          termined by the institution of higher education  
11          where the fellowship recipient is enrolled.

12          “(3) SERVICE REQUIREMENT.—

13                 “(A) TEACHING REQUIRED.—Each indi-  
14                 vidual who receives a graduate fellowship under  
15                 this subpart and earns a doctoral degree shall  
16                 teach for 1 year at an institution of higher edu-  
17                 cation that has a teacher preparation program  
18                 for each year of fellowship support received  
19                 under this section.

20                 “(B) INSTITUTIONAL OBLIGATION.—Each  
21                 eligible institution that receives a grant under  
22                 this subpart shall provide an assurance to the  
23                 Secretary that the institution has inquired of  
24                 and determined the decision of each individual  
25                 who has received a graduate fellowship to, with-

1 in 3 years of receiving a doctoral degree, begin  
2 employment at an institution of higher edu-  
3 cation that has a teacher preparation program,  
4 as required by this section.

5 “(C) AGREEMENT REQUIRED.—Prior to  
6 receiving an initial graduate fellowship award,  
7 and upon the annual renewal of the graduate  
8 fellowship award, an individual selected to re-  
9 ceive a graduate fellowship under this section  
10 shall sign an agreement with the Secretary  
11 agreeing to pursue a career in instruction at an  
12 institution of higher education that has a teach-  
13 er preparation program in accordance with sub-  
14 paragraph (A).

15 “(D) FAILURE TO COMPLY.—If an indi-  
16 vidual who receives a graduate fellowship award  
17 under this section fails to comply with the  
18 agreement signed pursuant to subparagraph  
19 (C), the sum of the amounts of any graduate  
20 fellowship award received by such recipient  
21 shall, upon a determination of such a failure, be  
22 treated as a Federal Direct Unsubsidized Staf-  
23 ford Loan under part D of title IV, and shall  
24 be subject to repayment, together with interest  
25 thereon accruing from the date of the fellowship



1           award, in accordance with terms and conditions  
2           specified by the Secretary in regulations under  
3           this subpart.

4           “(E) MODIFIED SERVICE REQUIREMENT.—  
5           The Secretary may waive or modify the service  
6           requirement of this paragraph in accordance  
7           with regulations promulgated by the Secretary  
8           with respect to the criteria to determine the cir-  
9           cumstances under which compliance with such  
10          service requirement is inequitable or represents  
11          a substantial hardship. The Secretary may  
12          waive the service requirement if compliance by  
13          the fellowship recipient is determined to be in-  
14          equitable or represent a substantial hardship—

15                 “(i) because the individual is perma-  
16                 nently and totally disabled at the time of  
17                 the waiver request; or

18                 “(ii) based on documentation pre-  
19                 sented to the Secretary of substantial eco-  
20                 nomic or personal hardship.

21          “(f) INSTITUTIONAL SUPPORT FOR FELLOWS.—An  
22          eligible institution that receives a grant under this section  
23          may reserve not more than ten percent of the grant  
24          amount for academic and career transition support for

1 graduate fellowship recipients and for meeting the institu-  
2 tional obligation described in subsection (e)(3)(B).

3 “(g) RESTRICTION ON USE OF FUNDS.—An eligible  
4 institution that receives a grant under this section may  
5 not use grant funds for general operational overhead of  
6 the institution.

7 **“Subpart 5—General Provisions**

8 **“SEC. 271. COMPETITIVE PRIORITY.**

9 “In awarding grants under subparts 1 through 4, the  
10 Secretary shall award competitive priority to eligible insti-  
11 tutions, eligible partnerships, and eligible entities that  
12 demonstrate in the application for such a grant a plan  
13 to—

14 “(1) increase the diversity in the educator  
15 workforce through—

16 “(A) recruiting, enrolling, and preparing  
17 diverse teacher candidates; and

18 “(B) efforts that help retain diverse teach-  
19 er candidates in high-needs schools;

20 “(2) address the shortage of teachers in high-  
21 needs fields including science, technology, engineer-  
22 ing, arts, mathematics, or computer science  
23 through—

24 “(A) recruiting, enrolling, and preparing  
25 teacher candidates to achieve certification, as

1 required by the State, to offer instruction in  
2 high-needs fields, including science, technology,  
3 engineering, arts, mathematics, or computer  
4 science; and

5 “(B) efforts that help retain teachers of  
6 high-needs fields in high-needs schools; and

7 “(3) expand the pipeline of school leaders  
8 through preparing teacher leaders, which may be  
9 achieved by efforts that may include—

10 “(A) embedding pedagogical coursework  
11 for teacher candidates that fosters—

12 “(i) leadership and advocacy skills;

13 “(ii) knowledge of school management  
14 and finance;

15 “(iii) school operations and business  
16 skills;

17 “(iv) effective use and management of  
18 educational technology;

19 “(v) strategies for community and  
20 family engagement; and

21 “(vi) mentorship and coaching strate-  
22 gies; and

23 “(B) providing opportunities for teacher  
24 candidates to receive—

1 “(i) exposure to and modeling from  
2 teacher leaders and school leaders; and

3 “(ii) ongoing support and continu-  
4 ation of professional development on teach-  
5 er or other school leadership once exiting  
6 the teacher or other school leader prepara-  
7 tion program.”.

## 8 **TITLE III—INSTITUTIONAL AID**

### 9 **SEC. 3001. STRENGTHENING INSTITUTIONS.**

10 (a) STRENGTHENING INSTITUTIONS.—Section  
11 311(d) of the Higher Education Act of 1965 (20 U.S.C.  
12 1057(d)) is amended—

13 (1) in paragraph (2)—

14 (A) by striking “non-Federal sources” and  
15 inserting “non-Federal sources (which may in-  
16 clude gifts to the endowment fund restricted for  
17 a specific purpose)”; and

18 (B) by striking “or greater than” and in-  
19 serting “50 percent of”; and

20 (2) by inserting after paragraph (3) the fol-  
21 lowing:

22 “(4) SCHOLARSHIP.—An eligible institution  
23 that uses grant funds provided under this section to  
24 establish or increase an endowment fund may use  
25 the interest proceeds from such endowment to pro-

1       vide scholarships to students for the purposes of at-  
2       tending such institution.”.

3       (b) TRIBALLY CONTROLLED COLLEGES AND UNI-  
4       VERSITIES.—Section 316(c)(3) of the Higher Education  
5       Act of 1965 (20 U.S.C. 1059c(c)(3)) is amended—

6             (1) in subparagraph (B)—

7                     (A) by striking “matching funds” and in-  
8                     serting “matching funds (which may include  
9                     gifts to the endowment fund restricted for a  
10                    specific purpose)”; and

11                    (B) by striking “equal to the Federal  
12                    funds” and inserting “equal to 50 percent of  
13                    the Federal funds”; and

14             (2) by inserting after subparagraph (C) the fol-  
15       lowing:

16                     “(D) SCHOLARSHIPS.—An eligible institu-  
17                     tion that uses grant funds provided under this  
18                     section to establish or increase an endowment  
19                     fund may use the interest proceeds from such  
20                     endowment to provide scholarships to students  
21                     for the purposes of attending such institution.”.

22       (c) DEFINITION OF STUDENT COUNT; USE OF UN-  
23       EXPENDED FUNDS; ELIMINATION OF PRE-APPROVAL RE-  
24       QUIREMENT.—Section 316(d) of the Higher Education  
25       Act of 1965 (20 U.S.C. 1059c(d)) is amended—

1 (1) by striking paragraph (1);

2 (2) by redesignating paragraphs (2) through  
3 (4) as paragraphs (1) through (3), respectively; and  
4 (3) in paragraph (2), as so redesignated—

5 (A) in subparagraph (B)(i)(I), by striking  
6 “based on the respective Indian student counts  
7 (as defined in section 2(a) of the Tribally Con-  
8 trolled Colleges and Universities Assistance Act  
9 of 1978 (25 U.S.C. 1801(a)) of the Tribal Col-  
10 leges and Universities.” and inserting “based  
11 on the respective full-time equivalent of all en-  
12 rolled students.”; and

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

14 “(C) USE OF UNEXPENDED FUNDS.—Any  
15 funds paid to an institution and not expended  
16 or used for the purposes for which the funds  
17 were paid during the 5-year period following the  
18 date of the initial grant award, may be carried  
19 over and expended during the succeeding 5-year  
20 period, if such funds were obligated for a pur-  
21 pose for which the funds were paid during the  
22 5-year period following the date of the initial  
23 grant award.”.

24 (d) PROMOTING THE SUSTAINABILITY OF NATIVE  
25 AMERICAN LANGUAGES.—Part A of title III of the Higher

1 Education Act of 1965 (20 U.S.C. 1057 et seq.) is further  
2 amended by inserting after section 316 (20 U.S.C. 1059c)  
3 the following:

4 **“SEC. 316A. NATIVE AMERICAN LANGUAGE VITALIZATION**  
5 **AND TRAINING PROGRAM.**

6 “(a) ESTABLISHMENT.—

7 “(1) IN GENERAL.—From the amount appro-  
8 priated under subsection (d), the Secretary shall es-  
9 tablish the Native American Language Vitalization  
10 and Training Program under which the Secretary  
11 shall award grants, on a competitive basis, to eligible  
12 institutions to promote the preservation, revitaliza-  
13 tion, relevancy, and use of Native American lan-  
14 guages.

15 “(2) TERM.—The term of a grant under this  
16 section shall be not more than 5 years.

17 “(3) APPLICATION.—

18 “(A) STREAMLINED PROCESS.—In car-  
19 rying out the program under this section, the  
20 Secretary shall establish application require-  
21 ments in such a manner as to simplify and  
22 streamline the process for the grant application  
23 under this section.

24 “(B) IN GENERAL.—To be eligible to re-  
25 ceive a grant under this subsection, an eligible

1 institution shall submit to the Secretary an ap-  
2 plication at such time, in such manner, and in  
3 accordance with any other application require-  
4 ments described in subparagraph (A), that the  
5 Secretary may prescribe, and including the fol-  
6 lowing:

7 “(i) A description of the 5-year pro-  
8 gram of the eligible institution for meeting  
9 the needs of American Indians, Alaska Na-  
10 tives, or Native Hawaiians, as appropriate,  
11 in the area served by the institution, and  
12 how such plan is consistent with the pur-  
13 poses described in paragraph (1).

14 “(ii)(I) An identification of the popu-  
15 lation to be served by the eligible institu-  
16 tion; and

17 “(II) an identification of the status of  
18 Native American language understanding  
19 and use within that population and a de-  
20 scription of the manner in which the pro-  
21 gram will help preserve and revitalize the  
22 relevant Native American language.

23 “(iii) A description of the services to  
24 be provided under the program, including



1           the manner in which the services will be in-  
2           tegrated with other appropriate activities.

3           “(iv) A description, to be prepared in  
4           consultation with the Secretary, of the per-  
5           formance measures to be used to assess  
6           the performance of the eligible institution  
7           in carrying out the program.

8           “(b) USE OF FUNDS.—An eligible institution may  
9           use a grant under this section to carry out activities con-  
10          sistent with the purposes described in subsection (a)(1),  
11          including—

12           “(1) curriculum development and academic in-  
13          struction, including educational activities, programs,  
14          and partnerships relating to students in early child-  
15          hood education programs through grade 12;

16           “(2) professional development for faculty at the  
17          eligible institution and in-service training programs  
18          for early childhood education programs through  
19          grade 12 instructors and administrators; and

20           “(3) innovative Native American language pro-  
21          grams for students in early childhood education pro-  
22          grams through grade 12, including language immer-  
23          sion programs.

24          “(c) APPLICABILITY OF OTHER PROVISIONS.—

25           “(1) CONCURRENT FUNDING.—

1           “(A) TRIBAL COLLEGE OR UNIVERSITY.—  
2           An eligible institution that is a Tribal College  
3           or University may receive a grant under this  
4           section and funds under section 316 concu-  
5           rently.

6           “(B) ALASKA NATIVE-SERVING INSTITU-  
7           TION OR NATIVE HAWAIIAN-SERVING INSTITU-  
8           TION.—An eligible institution that is an Alaska  
9           Native-serving institution or Native Hawaiian-  
10          serving institution may receive a grant under  
11          this section and funds under section 317 con-  
12          currently.

13          “(2) EXEMPTION.—Sections 312(b) and 313(d)  
14          shall not apply to an eligible institution that receives  
15          a grant under this section.

16          “(d) AUTHORIZATION OF APPROPRIATIONS.—There  
17          are authorized to be appropriated to carry out this section  
18          \$20,000,000 for fiscal year 2019 and each of the 5 suc-  
19          ceeding fiscal years.

20          “(e) DEFINITIONS.—In this section:

21                  “(1) ELIGIBLE INSTITUTION.—The term ‘eligi-  
22                  ble institution’ means—

23                          “(A) a Tribal College or University, as de-  
24                          fined in section 316;

1           “(B) an Alaska Native-serving institution,  
2           as defined in section 317; or

3           “(C) a Native Hawaiian-serving institu-  
4           tion, as defined in section 317.

5           “(2) NATIVE AMERICAN.—The term ‘Native  
6           American’ has the meaning given the term in section  
7           371(c)(6).”.

8           (e) PREDOMINANTLY BLACK INSTITUTIONS.—Sec-  
9           tion 318(d)(3) of the Higher Education Act of 1965 (20  
10          U.S.C. 1059e(d)(3)) is amended—

11           (1) in subparagraph (B)—

12                   (A) by striking “non-Federal sources” and  
13                   inserting “non-Federal sources (which may in-  
14                   clude gifts to the endowment fund restricted for  
15                   a specific purpose)”; and

16                   (B) by striking “equal to or greater than  
17                   the Federal funds” and inserting “equal to 50  
18                   percent of the Federal funds”; and

19           (2) by inserting after subparagraph (C) the fol-  
20          lowing:

21                   “(D) SCHOLARSHIPS.—An eligible institu-  
22                   tion that uses grant funds provided under this  
23                   section to establish or increase an endowment  
24                   fund may use the interest proceeds from such

1 endowment to provide scholarships to students  
2 for the purposes of attending such institution.”.

3 (f) TECHNICAL CORRECTION TO SECTION 318.—Sec-  
4 tion 318(i) of the Higher Education Act of 1965 (20  
5 U.S.C. 1059e) is amended—

6 (1) in the subsection heading, by striking “SPE-  
7 CIAL RULE ON ELIGIBILITY” and inserting “SPE-  
8 CIAL RULES”;

9 (2) by striking “No Predominantly” and insert-  
10 ing the following:

11 “(1) ELIGIBILITY.—No Predominantly”; and

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

13 “(2) EXEMPTION.—Section 313(d) shall not  
14 apply to institutions that are eligible to receive funds  
15 under this section.”.

16 (g) STATE RELIEF FROM FEDERAL HIGHER EDU-  
17 CATION MANDATE.—Part A of title III of the Higher Edu-  
18 cation Act of 1965 (20 U.S.C. 1057 et seq.) is amended  
19 by inserting after section 319 the following:

20 **“SEC. 319A. STATE RELIEF FROM FEDERAL HIGHER EDU-  
21 CATION MANDATE.**

22 “(a) AMOUNT OF PAYMENT.—For fiscal year 2019  
23 and each of the 5 succeeding fiscal years, the Secretary  
24 may pay to any eligible college an amount that equals the  
25 charges for tuition waived by the college (as described in

1 subsection (e)(1)) for the academic year ending before the  
2 beginning of such fiscal year for Native American Indian  
3 students who were enrolled in the college for such aca-  
4 demic year and who were not residents of the State in  
5 which the college is located during such academic year.

6 “(b) TREATMENT OF PAYMENT.—Any amounts re-  
7 ceived by an eligible college under subsection (a) shall be  
8 treated as a reimbursement from the State in which the  
9 college is located, which is provided in fulfillment of any  
10 Federal mandate upon the State to waive charges for tui-  
11 tion for Native American Indian students.

12 “(c) RULE OF CONSTRUCTION.—Nothing in this sec-  
13 tion shall be construed to relieve any State from any man-  
14 date the State may have under Federal law to reimburse  
15 an eligible college for an academic year—

16 “(1) with respect to Native American Indian  
17 students enrolled in the college who are not residents  
18 of the State in which the college is located, any  
19 amount of charges for tuition waived by the college  
20 for such students that exceeds the amount received  
21 by the college under subsection (a) for such aca-  
22 demic year; and

23 “(2) with respect to Native American Indian  
24 students enrolled in the college who are residents of  
25 the State in which the college is located, an amount

1 equal to the charges for tuition waived by the college  
2 for such students for such academic year.

3 “(d) APPLICABILITY.—

4 “(1) IN GENERAL.—The provisions of any other  
5 section of this part or part G shall not apply with  
6 respect to funds paid under this section.

7 “(2) NO EFFECT ON ELIGIBILITY.—Funds re-  
8 ceived by a Native American-serving, nontribal insti-  
9 tution under this section shall not be taken into ac-  
10 count for purposes of section 319(d)(3)(A).

11 “(e) DEFINITIONS.—In this section:

12 “(1) ELIGIBLE COLLEGE.—The term ‘eligible  
13 college’ means any 4-year Native American-serving,  
14 nontribal institution that waives the charges for tui-  
15 tion as mandated by Federal statute, with the sup-  
16 port of the State in which the institution is located,  
17 for Native American Indian students in fulfillment  
18 of a condition under which the institution or State  
19 received its original grant of land and facilities from  
20 the United States.

21 “(2) NATIVE AMERICAN INDIAN STUDENTS.—

22 The term ‘Native American Indian students’ in-  
23 cludes reference to the term ‘Indian pupils’ as that  
24 term has been utilized in Federal statutes imposing  
25 a mandate upon any eligible college or State to

1 waive charges for tuition for Native American Indian  
2 students in fulfillment of a condition under which  
3 the college or State received its original grant of  
4 land and facilities from the United States.

5 “(3) NATIVE AMERICAN-SERVING, NONTRIBAL  
6 INSTITUTION.—The term ‘Native American-serving,  
7 nontribal institution’ has the meaning given the  
8 term in section 319(b).

9 “(f) SUPPLEMENT, NOT SUPPLANT.—Funds under  
10 this section shall be used to supplement, not supplant, any  
11 Federal or non-Federal funds that would otherwise be  
12 used for Indian education programs.”

13 (h) TECHNICAL CORRECTION TO SECTION 320.—  
14 Section 320(d)(3)(A) of the Higher Education Act of 1965  
15 (20 U.S.C. 1059g(d)(3)(A)) is amended by inserting “part  
16 A of” after “or”.

17 **SEC. 3002. STRENGTHENING HISTORICALLY BLACK COL-**  
18 **LEGES AND UNIVERSITIES.**

19 (a) ALLOWABLE USES OF FUNDS.—Section 323(a)  
20 of the Higher Education Act of 1965 (20 U.S.C. 1062(a))  
21 is amended—

22 (1) by striking paragraphs (6) and (7) and in-  
23 serting the following:

24 “(6) Tutoring, counseling, advising, and stu-  
25 dent service programs designed to improve academic

1 success, including innovative and customized instruc-  
2 tional courses (which may include remedial edu-  
3 cation and English language instruction) designed to  
4 help retain students and move students rapidly into  
5 core courses and through program completion.

6 “(7) Funds and administrative management,  
7 and acquisition of technology, services, and equip-  
8 ment for use in strengthening funds and administra-  
9 tive management.”;

10 (2) in paragraph (10)—

11 (A) by striking “teacher education” and  
12 inserting “traditional or alternative route teach-  
13 er preparation”; and

14 (B) by striking “preparation for teacher  
15 certification” and inserting “preparation of  
16 graduates for teacher certification or licensure”;

17 (3) by redesignating paragraph (15) as para-  
18 graph (19); and

19 (4) by inserting after paragraph (14) the fol-  
20 lowing:

21 “(15) Distance education programs and cre-  
22 ating or improving facilities for internet or other dis-  
23 tance learning academic instruction capabilities, in-  
24 cluding the purchase or rental of telecommunications  
25 technology equipment or services.



1           “(16) Establishing or improving a program that  
2 produces improved results in the educational out-  
3 comes of African American males.

4           “(17) Scholarships, fellowships, and other fi-  
5 nancial assistance for financially needy under-  
6 graduate students, as determined by the institution,  
7 to permit the enrollment and degree completion of  
8 such students in the physical or natural sciences, en-  
9 gineering, mathematics or other scientific disciplines  
10 in which African Americas are underrepresented, ex-  
11 cept that not more than 30 percent of the grant  
12 amount may be for this purpose.

13           “(18) Establishing or improving an office of  
14 sponsored programs to assist with identifying exter-  
15 nal funding opportunities, applying for external  
16 funding, and administering grant awards.”.

17           (b) HISTORICALLY BLACK COLLEGES AND UNIVER-  
18 SITIES.—Section 323(b) of the Higher Education Act of  
19 1965 (20 U.S.C. 1062(b)) is amended—

20           (1) in paragraph (2)—

21           (A) by striking “non-Federal sources” and  
22 inserting “non-Federal sources (which may in-  
23 clude gifts to the endowment fund restricted for  
24 a specific gifts purpose)”; and

1 (B) by striking “equal to or greater than  
2 the Federal funds” and inserting “equal to 50  
3 percent of the Federal funds”; and

4 (2) by inserting after paragraph (3) the fol-  
5 lowing:

6 “(4) SCHOLARSHIPS.—An eligible institution  
7 that uses grant funds provided under this section to  
8 establish or increase an endowment fund may use  
9 the interest proceeds from such endowment to pro-  
10 vide scholarships to students for the purposes of at-  
11 tending such institution.”.

12 (c) ALLOTMENTS AND APPLICATION PROCESS.—

13 (1) ALLOTMENTS.—Section 324 of the Higher  
14 Education Act of 1965 (20 U.S.C. 1063) is amend-  
15 ed—

16 (A) in subsection (c), by striking “5” and  
17 inserting “6”;

18 (B) in subsection (d)(1), by striking sub-  
19 paragraphs (A) and (B) and inserting the fol-  
20 lowing:

21 “(A) less than \$500,000 for a part B insti-  
22 tution which has received a grant under this  
23 part, the Secretary shall award the part B insti-  
24 tution an allotment in the amount of \$500,000;  
25 and

1           “(B) less than \$250,000 for a part B insti-  
2           tution which has not received a grant under  
3           this part for a fiscal year prior to fiscal year  
4           2017, the Secretary shall award the part B in-  
5           stitution an allotment in the amount of  
6           \$250,000.”; and

7           (C) in subsection (h)—

8           (i) in paragraphs (1)(C) and (2)(C),  
9           by striking “within 5 years” each time it  
10          appears and inserting “within 6 years”;  
11          and

12          (ii) by adding at the end the fol-  
13          lowing:

14          “(3) LIMITATION FOR NEW INSTITUTIONS.—

15          Notwithstanding any other provision of this section,  
16          no part B institution that would otherwise be eligible  
17          for funds under this part shall receive an allotment  
18          under this part for a fiscal year, unless—

19                 “(A) such institution received an allotment  
20                 under this part for fiscal year 2017; or

21                 “(B) the amount appropriated under sec-  
22                 tion 399(a)(2)(A) for such fiscal year is not less  
23                 than \$275,000,000.”.

24          (2) APPLICATIONS.—Section 325(c) of the  
25          Higher Education Act of 1965 (20 U.S.C. 1063a(c))

1 is amended by inserting “, including goals to en-  
2 hance student retention, graduation, and post-  
3 graduate outcomes,” after “management and aca-  
4 demic programs”.

5 (d) PROFESSIONAL OR GRADUATE INSTITUTIONS.—  
6 Section 326(c) of the Higher Education Act of 1965 (20  
7 U.S.C. 1063b(c)) is amended—

8 (1) in paragraph (7)—

9 (A) by striking “equipment,” and inserting  
10 “equipment, technology, and services,”; and

11 (B) by inserting “and administrative”  
12 after “in strengthening funds”;

13 (2) by redesignating paragraph (12) as para-  
14 graph (13); and

15 (3) by striking paragraph (11) and inserting  
16 the following:

17 “(11) tutoring, counseling, advising, and stu-  
18 dent service programs designed to improve academic  
19 success, including innovative and customized instruc-  
20 tional courses (which may include remedial edu-  
21 cation and English language instruction) designed to  
22 help retain students and move students rapidly into  
23 core courses and through program completion; and

24 “(12) distance education programs and creating  
25 or improving facilities for internet or other distance

1 learning academic instruction capabilities, including  
2 the purchase or rental of telecommunications tech-  
3 nology equipment or services; and”.

4 (e) ELIGIBILITY.—Section 326(e)(1) of the Higher  
5 Education Act of 1965 (20 U.S.C. 1063b(e)) is amend-  
6 ed—

7 (1) in subparagraph (W), by striking “and” at  
8 the end;

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

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

12 “(Y) University of the Virgin Islands  
13 School of Medicine.”.

14 (f) INTERACTION WITH OTHER GRANT PRO-  
15 GRAMS.—Section 326(h) of the Higher Education Act of  
16 1965 (20 U.S.C. 1063b(h)) is amended by striking “or  
17 724” and inserting “724, or 727.”.

18 **SEC. 3003. HISTORICALLY BLACK COLLEGE AND UNIVER-**  
19 **SITY CAPITAL FINANCING.**

20 (a) BOND INSURANCE AND CAPITAL FINANCE OF  
21 STEM FACILITIES.—Section 343 of the Higher Edu-  
22 cation Act of 1965 (20 U.S.C. 1066b) is amended—

23 (1) in subsection (b)—

1 (A) in paragraph (1), by striking “an es-  
2 crow account” and inserting “a bond insurance  
3 fund”;

4 (B) in paragraph (3), by inserting “(except  
5 that loans for the purpose of science, tech-  
6 nology, engineering, or mathematics related  
7 academic facilities shall carry not more than a  
8 1 percent rate of interest)” after “charge such  
9 interest on loans”;

10 (C) in paragraph (8)—

11 (i) in the matter preceding subpara-  
12 graph (A), by striking “an escrow ac-  
13 count” and inserting “a bond insurance  
14 fund”; and

15 (ii) in subparagraph (A), by striking  
16 “the escrow account” and inserting “the  
17 bond insurance fund”;

18 (D) in paragraph (9), by striking “escrow  
19 account” each place it appears and inserting  
20 “bond insurance fund”; and

21 (E) in paragraph (12), by striking “, ex-  
22 cept as otherwise required by the Secretary”;  
23 and

1           (2) in subsection (c), by striking “escrow ac-  
2           count” each place it appears and inserting “bond in-  
3           surance fund”.

4           (b) INCREASED AGGREGATE BOND LIMIT.—Section  
5           344 of the Higher Education Act of 1965 (20 U.S.C.  
6           1066c) is amended—

7           (1) in the matter preceding paragraph (1), by  
8           striking “\$1,100,000,000” and inserting  
9           “\$3,600,000,000”;

10          (2) in paragraph (1), by striking  
11          “\$733,333,333” and inserting “two-thirds”; and

12          (3) in paragraph (2), by striking  
13          “\$366,666,667” and inserting “one-third”.

14          (c) STRENGTHENING TECHNICAL ASSISTANCE.—  
15          Section 345 of the Higher Education Act of 1965 (20  
16          U.S.C. 1066d) is amended—

17          (1) in paragraph (8), by inserting “and” at the  
18          end;

19          (2) by striking paragraph (9) and inserting the  
20          following:

21                 “(9) may, directly or by grant or contract, pro-  
22                 vide financial counseling and technical assistance to  
23                 eligible institutions to prepare the institutions to  
24                 qualify, apply for, and maintain a capital improve-  
25                 ment loan, including a loan under this part.”; and

1           (3) by striking paragraph (10) and inserting  
2           the following:

3           “(10) may provide for the modification or  
4           deferment of a loan made under this part based on  
5           need of the institution, as defined by the Secretary,  
6           for a period not to exceed 6 fiscal years, and, during  
7           the period of deferment of such a loan, interest on  
8           the loan will not accrue or be capitalized.”.

9           (d)   HBCU    CAPITAL   FINANCING   ADVISORY  
10   BOARD.—Paragraph (2) of Section 347(c) of the Higher  
11   Education Act of 1965 (20 U.S.C. 1066f(c)) is amended  
12   to read as follows:

13           “(2) REPORT.—On an annual basis, the Advi-  
14           sory Board shall prepare and submit to the author-  
15           izing committees a report on—

16                   “(A) the status of the historically Black  
17                   colleges and universities described in paragraph  
18                   (1)(A);

19                   “(B) an overview of all loans awarded  
20                   under the program under this part, including  
21                   the most recent loans awarded for the fiscal  
22                   year in which the report is submitted; and

23                   “(C) administrative and legislative rec-  
24                   ommendations for addressing the issues related



1 to construction financing facing historically  
2 Black colleges and universities.”.

3 **SEC. 3004. STRENGTHENING HISTORICALLY BLACK COL-**  
4 **LEGES AND UNIVERSITIES AND OTHER MI-**  
5 **NORITY-SERVING INSTITUTIONS.**

6 Section 371(b) of the Higher Education Act of 1965  
7 (20 U.S.C. 1067q(b)) is amended—

8 (1) in paragraph (1)(A)—

9 (A) in the first sentence, by striking “ap-  
10 propriated,” and all that follows through  
11 “2019” and inserting the following: “appro-  
12 priated, \$300,000,000 for fiscal year 2019 and  
13 each succeeding fiscal year”; and

14 (B) by striking the second sentence; and

15 (2) in paragraph (2)—

16 (A) in subparagraph (A)—

17 (i) in clause (i), by striking  
18 “\$100,000,000” and inserting  
19 “\$117,500,000”;

20 (ii) in clause (ii), by striking  
21 “\$100,000,000” and inserting  
22 “\$99,875,000”;

23 (iii) in clause (iii)—

24 (I) by striking “\$55,000,000”  
25 and inserting “\$65,000,000”; and

1 (II) by striking “(D)” and insert-  
2 ing “(E)”;

3 (iv) by redesignating clause (iii) as  
4 clause (iv); and

5 (v) by inserting after clause (ii) the  
6 following:

7 “(iii) \$17,625,000 shall be available  
8 for allocation under subparagraph (D);”;

9 (B) by redesignating subparagraph (D) as  
10 subparagraph (E) and—

11 (i) in clause (i), by striking  
12 “\$30,000,000” each place it appears and  
13 inserting “\$35,000,000”;

14 (ii) in clause (ii), by striking  
15 “\$15,000,000” each place it appears and  
16 inserting “\$18,000,000”; and

17 (iii) in clauses (iii) and (iv), by strik-  
18 ing “\$5,000,000” each place it appears  
19 and inserting “\$6,000,000”; and

20 (C) by striking subparagraph (C) and in-  
21 serting the following:

22 “(C) ALLOCATION AND ALLOTMENT  
23 HBCUS.—The amount made available for alloca-  
24 tion under this subparagraph by subparagraph  
25 (A)(ii) for any fiscal year shall be available to

1 eligible institutions described in subsection  
2 (a)(1) and shall be made available as grants  
3 under section 323 and allotted among such in-  
4 stitutions under section 324, treating such  
5 amount, plus the amount appropriated for such  
6 fiscal year in a regular or supplemental appro-  
7 priation Act to carry out part B of this title, as  
8 the amount appropriated to carry out part B of  
9 this title for purposes of allotments under sec-  
10 tion 324, for use by such institutions with a  
11 priority for—

12 “(i) activities described in paragraphs  
13 (1), (2), (4), (5), and (10) of section  
14 323(a); and

15 “(ii) other activities, consistent with  
16 the institution’s comprehensive plan and  
17 designed to increase the institution’s ca-  
18 pacity to prepare students for careers in  
19 the physical or natural sciences, mathe-  
20 matics, computer science or information  
21 technology or sciences, engineering, lan-  
22 guage instruction in the less-commonly  
23 taught languages or international affairs,  
24 or nursing or allied health professions.

1           “(D) ALLOCATION AND ALLOTMENT  
2           PBIS.—The amount made available for alloca-  
3           tion under this subparagraph by subparagraph  
4           (A)(iii) for any fiscal year shall be available to  
5           eligible institutions described in subsection  
6           (a)(5) and shall be available for a competitive  
7           grant program to award grants of \$600,000 an-  
8           nually for programs in any of the following  
9           areas:

10                   “(i) science, technology, engineering,  
11                   or mathematics (STEM);

12                   “(ii) health education;

13                   “(iii) internationalization or  
14                   globalization;

15                   “(iv) teacher preparation; or

16                   “(v) improving educational outcomes  
17                   of African American males.”.

18 **SEC. 3005. GENERAL PROVISIONS.**

19           Section 399(a) of the Higher Education Act of 1965  
20 (20 U.S.C. 1068h(a)) is amended—

21                   (1) by striking “2009” each place it appears  
22                   and inserting “2019”;

23                   (2) in paragraph (1)—

24                           (A) in subparagraph (A), by striking  
25                           “\$135,000,000” and inserting “\$150,000,000”;

1 (B) in subparagraph (B), by striking  
2 “\$30,000,000” and inserting “\$45,000,000”;

3 (C) in subparagraph (C), by striking  
4 “\$15,000,000” and inserting “\$25,000,000”;

5 (D) in subparagraph (D), by striking  
6 “\$75,000,000” and inserting “\$90,000,000”;

7 (E) in subparagraph (E), by striking  
8 “\$25,000,000” and inserting “\$30,000,000”;

9 (F) in subparagraph (F), by striking  
10 “\$30,000,000” and inserting “\$60,000,000”;

11 (G) by redesignating subparagraph (F) as  
12 subparagraph (G); and

13 (H) by inserting after subparagraph (E)  
14 the following:

15 “(F) SECTION 319A.—There is authorized to be  
16 appropriated to carry out section 319A \$17,400,000  
17 for fiscal year 2019 and each of the 5 succeeding fis-  
18 cal years.”;

19 (3) in paragraph (2)—

20 (A) in subparagraph (A), by striking  
21 “\$375,000,000” and inserting “\$400,000,000”;

22 and

23 (B) in subparagraph (B), by striking  
24 “\$125,000,000” and inserting “\$135,000,000”;

1           (4) in paragraph (3), by striking  
2           “\$10,000,000” and inserting “\$220,000,000”; and  
3           (5) in paragraph (4)(A), by striking  
4           “\$185,000” and inserting “\$225,000”.

## 5 **TITLE IV—STUDENT ASSISTANCE**

### 6 **SEC. 4001. EFFECTIVE DATE FOR TITLE IV.**

7           Except as otherwise provided in this title or the  
8 amendments made by this title, this title and the amend-  
9 ments made by this title shall take effect on July 1, 2019.

### 10 **PART A**

#### 11 **SEC. 4011. IMPROVEMENTS TO THE PELL GRANT PROGRAM.**

12           Section 401 of the Higher Education Act of 1965 (20  
13 U.S.C. 1070a) is amended—

14           (1) by striking subsections (a) and (b) and in-  
15 sserting the following:

16           “(a) PROGRAM AUTHORITY AND METHOD OF DIS-  
17 TRIBUTION.—

18           “(1) For each fiscal year, the Secretary shall  
19 pay to each eligible institution such sums as may be  
20 necessary to pay to each eligible student (defined in  
21 accordance with section 484) for each academic year  
22 during which that student is in attendance at an in-  
23 stitution of higher education, as an undergraduate,  
24 a Federal Pell Grant in the amount for which that  
25 student is eligible, as determined pursuant to sub-

1 section (b). Not less than 85 percent of such sums  
2 shall be advanced to eligible institutions prior to the  
3 start of each payment period and shall be based  
4 upon an amount requested by the institution as  
5 needed to pay eligible students until such time as  
6 the Secretary determines and publishes in the Fed-  
7 eral Register with an opportunity for comment, an  
8 alternative payment system that provides payments  
9 to institutions in an accurate and timely manner, ex-  
10 cept that this sentence shall not be construed to  
11 limit the authority of the Secretary to place an insti-  
12 tution on a reimbursement system of payment.

13 “(2) Nothing in this section shall be interpreted  
14 to prohibit the Secretary from paying directly to stu-  
15 dents, in advance of the beginning of the academic  
16 term, an amount for which they are eligible, in cases  
17 where the eligible institution elects not to participate  
18 in the disbursement system required by paragraph  
19 (1).

20 “(3) Grants made under this subpart shall be  
21 known as ‘Federal Pell Grants’.

22 “(b) PURPOSE AND AMOUNT OF GRANTS.—

23 “(1) AMOUNT.—The amount of the Federal  
24 Pell Grant for a student eligible under this subpart  
25 shall be—

1           “(A) the maximum Federal Pell Grant de-  
2           scribed in paragraph (6); less

3           “(B) the amount equal to the amount de-  
4           termined to be the expected family contribution  
5           with respect to such student for such year.

6           “(2) In any case where a student attends an in-  
7           stitution of higher education on less than a full-time  
8           basis (including a student who attends an institution  
9           of higher education on less than a half-time basis)  
10          during any academic year, the amount of the Fed-  
11          eral Pell Grant to which that student is entitled  
12          shall be reduced in proportion to the degree to which  
13          that student is not so attending on a full-time basis,  
14          in accordance with a schedule of reductions estab-  
15          lished by the Secretary for the purposes of this divi-  
16          sion, computed in accordance with this subpart.  
17          Such schedule of reductions shall be established by  
18          regulation and published in the Federal Register in  
19          accordance with section 482 of this Act.

20          “(3) No Federal Pell Grant under this subpart  
21          shall exceed the difference between the expected  
22          family contribution for a student and the cost of at-  
23          tendance (as defined in section 472) at the institu-  
24          tion at which that student is in attendance. If, with  
25          respect to any student, it is determined that the



1 amount of a Federal Pell Grant plus the amount of  
2 the expected family contribution for that student ex-  
3 ceeds the cost of attendance for that year, the  
4 amount of the Federal Pell Grant shall be reduced  
5 until the combination of expected family contribution  
6 and the amount of the Federal Pell Grant does not  
7 exceed the cost of attendance at such institution.

8 “(4) No Federal Pell Grant shall be awarded to  
9 a student under this subpart if the amount of that  
10 grant for that student as determined under this sub-  
11 section for any academic year is less than ten per-  
12 cent of the maximum Federal Pell Grant described  
13 in paragraph (6) for such academic year.

14 “(5) Notwithstanding any other provision of  
15 this subpart, the Secretary shall allow the amount of  
16 the Federal Pell Grant to be exceeded for students  
17 participating in a program of study abroad approved  
18 for credit by the institution at which the student is  
19 enrolled when the reasonable costs of such program  
20 are greater than the cost of attendance at the stu-  
21 dent’s home institution, except that the amount of  
22 such Federal Pell Grant in any fiscal year shall not  
23 exceed the maximum amount of a Federal Pell  
24 Grant award described in paragraph (6), for which  
25 a student is eligible during such award year. If the

1 preceding sentence applies, the financial aid admin-  
2 istrator at the home institution may use the cost of  
3 the study abroad program, rather than the home in-  
4 stitution's cost, to determine the cost of attendance  
5 of the student.

6 “(6) MAXIMUM FEDERAL PELL GRANT.—

7 “(A) AWARD YEAR 2019–2020.—For award  
8 year 2019–2020, the maximum Federal Pell  
9 Grant shall be \$6,595.

10 “(B) SUBSEQUENT AWARD YEARS.—For  
11 award year 2020–2021 and each subsequent  
12 award year, the maximum Federal Pell Grant  
13 shall be equal to the total maximum Federal  
14 Pell Grant for the preceding award year under  
15 this paragraph—

16 “(i) increased by the annual adjust-  
17 ment percentage for the award year for  
18 which the amount under this subparagraph  
19 is being determined; and

20 “(ii) rounded to the nearest \$5.

21 “(C) DEFINITION OF ANNUAL ADJUST-  
22 MENT PERCENTAGE.—In this paragraph, the  
23 term ‘annual adjustment percentage’, as applied  
24 to an award year, is equal to the estimated per-  
25 centage increase in the Consumer Price Index

1 (as determined by the Secretary, using the defi-  
2 nition in section 478(f)) for the most recent cal-  
3 endar year ending prior to the beginning of that  
4 award year.

5 “(7)(A) Effective in the 2017–2018 award year  
6 and thereafter, the Secretary shall award an eligible  
7 student not more than one and one-half Federal Pell  
8 Grants during a single award year to permit such  
9 student to work toward completion of an eligible  
10 program if, during that single award year, the stu-  
11 dent—

12 “(i) has received a Federal Pell Grant for  
13 an award year and is enrolled in an eligible pro-  
14 gram for one or more additional payment peri-  
15 ods during the same award year that are not  
16 otherwise fully covered by the student’s Federal  
17 Pell Grant; and

18 “(ii) is enrolled on at least a half-time  
19 basis while receiving any funds under this sec-  
20 tion.

21 “(B) In the case of a student receiving more  
22 than one Federal Pell Grant in a single award year  
23 under subparagraph (A), the total amount of Fed-  
24 eral Pell Grants awarded to such student for the

1 award year may exceed the maximum Federal Pell  
2 Grant available for an award year.

3 “(C) Any period of study covered by a Federal  
4 Pell Grant awarded under subparagraph (A) shall be  
5 included in determining a student’s duration limit  
6 under subsection (e)(5).

7 “(D) In any case where an eligible student is  
8 receiving a Federal Pell Grant for a payment period  
9 that spans two award years, the Secretary shall  
10 allow the eligible institution in which the student is  
11 enrolled to determine the award year to which the  
12 additional period shall be assigned, as it determines  
13 is most beneficial to students.”;

14 (2) in subsection (f)—

15 (A) in paragraph (1), by striking the mat-  
16 ter preceding subparagraph (A) and inserting  
17 the following: “After receiving an application  
18 for a Federal Pell Grant under this subpart, the  
19 Secretary (including any contractor of the Sec-  
20 retary processing applications for Federal Pell  
21 Grants under this subpart) shall, in a timely  
22 manner, furnish to the student financial aid ad-  
23 ministrators at each institution of higher edu-  
24 cation that a student awarded a Federal Pell  
25 Grant under this subpart is attending, the ex-

1           pected family contribution for each such stu-  
2           dent. Each such student financial administrator  
3           shall—”; and

4                   (B) in paragraph (3)—

5                           (i) by striking “after academic year  
6                           1986–1987”; and

7                           (ii) by striking “the Committee on  
8                           Appropriations of the Senate, the Com-  
9                           mittee on Appropriations of the House of  
10                          Representatives, and”;

11           (3) by striking subsections (g) and (h);

12           (4) by redesignating subsections (i) and (j) as  
13           subsections (g) and (h), respectively;

14           (5) in subsection (h), as so redesignated—

15                   (A) in paragraph (1) by inserting before  
16                   the period the following: “, or if such institution  
17                   of higher education is subject to an ineligibility  
18                   determination under section 435(a)(9)”; and

19                   (B) in paragraph (2) by inserting “or final  
20                   adjusted cohort default rate” before “deter-  
21                   mination”; and

22           (6) by adding at the end the following:

23           “(k) APPROPRIATION OF FUNDS.—

1           “(1) IN GENERAL.—There are authorized to be  
2 appropriated, and there are appropriated, out of any  
3 money in the Treasury not otherwise appropriated—

4           “(A) for fiscal year 2019, the greater of—

5                   “(i) the coverage amount; or

6                   “(ii) \$19,448,200,000;

7           “(B) for fiscal year 2020, the greater of—

8                   “(i) the coverage amount; or

9                   “(ii) \$20,610,000,000;

10          “(C) for fiscal year 2021, the greater of—

11                   “(i) the coverage amount; or

12                   “(ii) \$21,887,400,000;

13          “(D) for fiscal year 2022, the greater of—

14                   “(i) the coverage amount; or

15                   “(ii) \$23,305,600,000;

16          “(E) for fiscal year 2023, the greater of—

17                   “(i) the coverage amount; or

18                   “(ii) \$24,609,400,000;

19          “(F) for fiscal year 2024, the greater of—

20                   “(i) the coverage amount; or

21                   “(ii) \$26,119,400,000;

22          “(G) for fiscal year 2025, the greater of—

23                   “(i) the coverage amount; or

24                   “(ii) \$27,776,200,000;

25          “(H) for fiscal year 2026, the greater of—

1 “(i) the coverage amount; or  
2 “(ii) \$29,463,000,000;  
3 “(I) for fiscal year 2027, the greater of—  
4 “(i) the coverage amount; or  
5 “(ii) \$31,339,200,000; and  
6 “(J) for each subsequent fiscal year, the  
7 coverage amount.

8 “(2) COVERAGE AMOUNT DEFINED.—In this  
9 subsection, the term ‘coverage amount’ means, with  
10 respect to a fiscal year, such sums as may be nec-  
11 essary to cover 60 percent of the costs of the Fed-  
12 eral Pell Grant Program.”.

13 **SEC. 4012. AMENDMENTS TO PELL GRANT ELIGIBILITY.**

14 Section 401(c) of the Higher Education Act of 1965  
15 (20 U.S.C. 1070a(c)) is amended—

16 (1) in paragraph (1) by striking “except” and  
17 all that follows and inserting “except—

18 “(A) that any period during which the stu-  
19 dent is enrolled in a noncredit or remedial  
20 course of study as define in paragraph (2) shall  
21 not be counted for the purpose of this para-  
22 graph; and

23 “(B) in the case of a student who received  
24 Pell Grants during an undergraduate baccalaureate  
25 course of study, but did not exhaust

1 the maximum period of eligibility as described  
2 in paragraph (5), the period during which a  
3 student may receive Federal Pell Grants shall  
4 also include the period required for the comple-  
5 tion of the first postbaccalaureate course of  
6 study up to the maximum period of eligibility.”;  
7 and

8 (2) in paragraph (5)—

9 (A) by striking “(5) The period” and in-  
10 sserting the following: “(5) MAXIMUM PERIOD.—

11 “(A) IN GENERAL.—Except as provided in  
12 subparagraph (B), the period”;

13 (B) by striking “12” each place the term  
14 appears and inserting “14”; and

15 (C) by adding at the end the following:

16 “(B) EXCEPTION.—

17 “(i) IN GENERAL.—Any Federal Pell  
18 Grant that a student received during a pe-  
19 riod described in subclause (I) or (II) of  
20 clause (ii) shall not count toward the stu-  
21 dent’s duration limits under this para-  
22 graph.

23 “(ii) APPLICABLE PERIODS.—Clause  
24 (i) shall apply with respect to any Federal



1 Pell Grant awarded to a student to attend  
2 an institution—

3 “(I) during a period—

4 “(aa) for which the student  
5 received a loan under this title;  
6 and

7 “(bb) for which the loan de-  
8 scribed in item (aa) is forgiven  
9 under—

10 “(AA) section 437(e)(1)  
11 or 464(g)(1) due to the clos-  
12 ing of the institution;

13 “(BB) section 455(h)  
14 due to the student’s success-  
15 ful assertion of a defense to  
16 repayment of the loan; or

17 “(CC) section  
18 432(a)(6), section 685.215  
19 of title 34, Code of Federal  
20 Regulations (or a successor  
21 regulation), or any other  
22 loan forgiveness provision or  
23 regulation under this Act, as  
24 a result of a determination  
25 by the Secretary or a court

1                   that the institution com-  
2                   mitted fraud or other mis-  
3                   conduct; or

4                   “(II) during a period for which  
5                   the student did not receive a loan  
6                   under this title but for which, if the  
7                   student had received such a loan, the  
8                   student would have qualified for loan  
9                   forgiveness under subclause (I)(bb).”.

10 **SEC. 4013. EXTENDING FEDERAL PELL GRANT ELIGIBILITY**  
11 **OF CERTAIN SHORT-TERM PROGRAMS.**

12           Section 401 of the Higher Education Act of 1965 (20  
13 U.S.C. 1070a) is further amended by inserting after sub-  
14 section (h) the following:

15           “(i) **JOB TRAINING FEDERAL PELL GRANT PRO-**  
16 **GRAM.—**

17                   “(1) **DEFINITIONS.—**In this subsection:

18                           “(A) **ELIGIBLE CAREER PATHWAY PRO-**  
19 **GRAM.—**The term ‘eligible career pathway pro-  
20 gram’ means a program that—

21                                   “(i) meets the requirements of section  
22                                   484(d)(2);

23                                   “(ii) is a program of training services  
24                                   listed under section 122(d) of the Work-

1 force Innovation and Opportunity Act (29  
2 U.S.C. 3152(d)); and

3 “(iii) is part of a career pathway, as  
4 defined in section 3 of such Act (29 U.S.C.  
5 3102).

6 “(B) JOB TRAINING PROGRAM.—The term  
7 ‘job training program’ means a career and tech-  
8 nical education program at an institution of  
9 higher education that—

10 “(i) provides not less than 150, and  
11 not more than 600, clock hours of instruc-  
12 tional time over a period of not less than  
13 8, and not more than 15, weeks;

14 “(ii) provides training aligned with  
15 the requirements of employers in the State  
16 or local area, which may include in-demand  
17 industry sectors or occupations, as defined  
18 in section 3 of the Workforce Innovation  
19 and Opportunity Act (29 U.S.C. 3102), in  
20 the State or local area (as defined in such  
21 section);

22 “(iii) is a program of training serv-  
23 ices, and provided through an eligible pro-  
24 vider of training services, listed under sec-

1           tion 122(d) of such Act (29 U.S.C.  
2           3152(d));

3           “(iv) provides a student, upon comple-  
4           tion of the program, with a recognized  
5           postsecondary credential, as defined in sec-  
6           tion 3 of such Act, that is recognized by  
7           employers in the relevant industry, includ-  
8           ing credentials recognized by industry or  
9           sector partnerships in the State or local  
10          area where the industry is located;

11          “(v) has been determined, by the in-  
12          stitution of higher education, to provide  
13          academic content, an amount of instruc-  
14          tional time, and a recognized postsec-  
15          ondary credential that are sufficient to—

16                 “(I) meet the hiring requirements  
17                 of potential employers; and

18                 “(II) satisfy any applicable edu-  
19                 cational prerequisite requirement for  
20                 professional licensure or certification,  
21                 so that the student who completes the  
22                 program and seeks employment quali-  
23                 fies to take any licensure or certifi-  
24                 cation examination needed to practice  
25                 or find employment in an occupation

1                   that the program prepares students to  
2                   enter;

3                   “(vi) may include integrated or basic  
4                   skills courses; and

5                   “(vii) may be offered as part of an eli-  
6                   gible career pathway program.

7                   “(2) IN GENERAL.—For the award year begin-  
8                   ning on July 1, 2019, and each subsequent award  
9                   year, the Secretary shall carry out a program  
10                  through which the Secretary shall award job training  
11                  Federal Pell Grants to students in job training pro-  
12                  grams. Each job training Federal Pell Grant award-  
13                  ed under this subsection shall have the same terms  
14                  and conditions, and be awarded in the same manner,  
15                  as a Federal Pell Grant awarded under subsection  
16                  (a), except as follows:

17                  “(A) A student who is eligible to receive a  
18                  job training Federal Pell Grant under this sub-  
19                  section is a student who—

20                         “(i) has not yet attained a baccalaureate degree or postbaccalaureate degree;  
21                         laureate degree or postbaccalaureate de-  
22                         gree;

23                         “(ii) attends an institution of higher  
24                         education;

1           “(iii) is enrolled, or accepted for en-  
2           rollment, in a job training program at such  
3           institution of higher education; and

4           “(iv) meets all other eligibility re-  
5           quirements for a Federal Pell Grant (ex-  
6           cept with respect to the type of program of  
7           study, as provided in clause (iii)).

8           “(B) The amount of a job training Federal  
9           Pell Grant for an eligible student shall be deter-  
10          mined under subsection (b)(1), except that—

11           “(i) the maximum Federal Pell Grant  
12           awarded under this subsection for an  
13           award year shall be 50 percent of the max-  
14           imum Federal Pell Grant awarded under  
15           subsection (b)(5) applicable to that award  
16           year; and

17           “(ii) subsection (b)(4) shall not apply.

18           “(3) INCLUSION IN TOTAL ELIGIBILITY PE-  
19           RIOD.—Any period during which a student receives  
20           a job training Federal Pell Grant under this sub-  
21           section shall be included in calculating the student’s  
22           period of eligibility for Federal Pell Grants under  
23           subsection (e), and any regulations under such sub-  
24           section regarding students who are enrolled in an  
25           undergraduate program on less than a full-time

1 basis shall similarly apply to students who are en-  
2 rolled in a job training program at an eligible insti-  
3 tution on less than a full-time basis.”.

4 **SEC. 4014. PROVIDING FEDERAL PELL GRANTS FOR IRAQ**  
5 **AND AFGHANISTAN VETERAN’S DEPENDENTS.**

6 (a) AMENDMENTS.—Part A of title IV of the Higher  
7 Education Act of 1965 (20 U.S.C. 1070a et seq.) is  
8 amended in section 401 by inserting after subsection (i)  
9 the following:

10 “(j) SCHOLARSHIPS FOR VETERAN’S DEPEND-  
11 ENTS.—

12 “(1) DEFINITION OF ELIGIBLE VETERAN’S DE-  
13 PENDENT.—In this subsection, the term ‘eligible vet-  
14 eran’s dependent’ means a dependent or an inde-  
15 pendent student—

16 “(A) whose parent or guardian was a  
17 member of the Armed Forces of the United  
18 States and died as a result of performing mili-  
19 tary service in Iraq or Afghanistan after Sep-  
20 tember 11, 2001; and

21 “(B) who, at the time of the parent or  
22 guardian’s death, was—

23 “(i) less than 24 years of age; or

1                   “(ii) enrolled at an institution of high-  
2                   er education on a part-time or full-time  
3                   basis.

4                   “(2) GRANTS.—

5                   “(A) IN GENERAL.—The Secretary shall  
6                   award a Federal Pell Grant, as modified in ac-  
7                   cordance with the requirements of this sub-  
8                   section, to each eligible veteran’s dependent to  
9                   assist in paying the eligible veteran’s depend-  
10                  ent’s cost of attendance at an institution of  
11                  higher education.

12                  “(B) DESIGNATION.—Federal Pell Grants  
13                  made under this subsection may be known as  
14                  ‘Iraq and Afghanistan Service Grants’.

15                  “(3) PREVENTION OF DOUBLE BENEFITS.—No  
16                  eligible veteran’s dependent may receive a grant  
17                  under both this subsection and subsections (a) or (i).

18                  “(4) TERMS AND CONDITIONS.—The Secretary  
19                  shall award Iraq and Afghanistan Service Grants  
20                  under this subsection in the same manner and with  
21                  the same terms and conditions, including the length  
22                  of the period of eligibility, as the Secretary awards  
23                  Federal Pell Grants under subsection (a), except  
24                  that—



1           “(A) the award rules and determination of  
2 need applicable to the calculation of Federal  
3 Pell Grants under subsection (a) shall not apply  
4 to Iraq and Afghanistan Service Grants;

5           “(B) the provisions of paragraph (1)(B)  
6 and (3) of subsection (b), and subsection (f),  
7 shall not apply;

8           “(C) the maximum period determined  
9 under subsection (c)(5) shall be determined by  
10 including all Iraq and Afghanistan Service  
11 Grants received by the eligible veteran’s de-  
12 pendent, including such Grants received under  
13 subpart 10 before the effective date of this sub-  
14 section; and

15           “(D) an Iraq and Afghanistan Service  
16 Grant to an eligible veteran’s dependent for any  
17 award year shall equal the maximum Federal  
18 Pell Grant available under subsection (b)(5) for  
19 that award year, except that an Iraq and Af-  
20 ghanistan Service Grant—

21           “(i) shall not exceed the cost of at-  
22 tendance of the eligible veteran’s depen-  
23 dent for that award year; and

24           “(ii) shall be adjusted to reflect the  
25 attendance by the eligible veteran’s de-

1           pendent on a less than full-time basis in  
2           the same manner as such adjustments are  
3           made for a Federal Pell Grant under sub-  
4           section (a).

5           “(5) ESTIMATED FINANCIAL ASSISTANCE.—For  
6           purposes of determinations of need under part F, an  
7           Iraq and Afghanistan Service Grant shall not be  
8           treated as estimated financial assistance as de-  
9           scribed in sections 471(3) and 480(j).”.

10          (b) EFFECTIVE DATE; TRANSITION.—

11           (1) EFFECTIVE DATE.—The amendments made  
12           by this section shall take effect with respect to the  
13           award year immediately following the date of enact-  
14           ment of this Act.

15           (2) TRANSITION.—The Secretary shall take  
16           such steps as are necessary to transition from the  
17           Iraq and Afghanistan Service Grants program under  
18           subpart 10 of part A of title IV of the Higher Edu-  
19           cation Act of 1965 (20 U.S.C. 1070h), as in effect  
20           on the day before the effective date of this section,  
21           and the Iraq and Afghanistan Service Grants pro-  
22           gram under section 401(j) of the Higher Education  
23           Act of 1965 (20 U.S.C. 1070a(j)), as amended by  
24           this section.

1 **SEC. 4015. FEDERAL PELL GRANT FRAUD PREVENTION.**

2 Part A of title IV of the Higher Education Act of  
3 1965 (20 U.S.C. 1070a et seq.) is amended in section 401,  
4 by inserting after subsection (j) the following:

5 “(k) PREVENTION OF FRAUD.—

6 “(1) REPORT.—Not later than December 31 of  
7 each year, the Secretary shall prepare and submit a  
8 report to the authorizing committees that includes  
9 the following information with respect to unusual en-  
10 rollment history:

11 “(A) The number and percentage of total  
12 applicants who were flagged for an unusual en-  
13 rollment history in the preceding award year.

14 “(B) The number and percentage of insti-  
15 tutions that have had fewer than 2 percent of  
16 applicants flagged for an unusual enrollment  
17 history in the preceding award year.

18 “(C) The name of every institution that  
19 has had more than 3 percent of total applicants  
20 flagged for an unusual enrollment history in the  
21 preceding award year.

22 “(D) If the percentage of total applicants  
23 in subparagraph (A) is greater than 2 percent,  
24 a detailed plan from the Secretary as to how to  
25 reduce that percentage below 2 percent by the  
26 following award year.

1           “(2) DEFINITION.—For the purposes of this  
2 subsection the term ‘unusual enrollment history’  
3 means, with respect to the application for Federal  
4 student aid—

5           “(A) a pattern in which a student attends  
6 an institution long enough to receive a disburse-  
7 ment of credit balance funds authorized by this  
8 title, does not complete the enrollment period,  
9 enrolls at another institution and repeats this  
10 pattern to collect an additional credit balance of  
11 funds authorized by this title without earning  
12 academic credit; or

13           “(B) any other enrollment pattern that the  
14 Department of Education believes may signal  
15 an attempt by a student to receive funds au-  
16 thorized under this title in a fraudulent man-  
17 ner.”.

18 **SEC. 4016. CONFORMING AMENDMENTS TO ACADEMIC**  
19 **COMPETITIVENESS GRANTS.**

20           Section 401A(d)(1)(B)(i) of the Higher Education  
21 Act of 1965 (20 U.S.C. 1070a–1(d)(1)(B)(i)) is amended  
22 by striking “section 401(b)(2)(B)” and inserting “section  
23 401(b)(2)”.

1 **SEC. 4017. FEDERAL TRIO PROGRAM.**

2 Section 402A of the Higher Education Act of 1965  
3 (20 U.S.C. 1070a–11) is amended—

4 (1) in subsection (b)(3), by striking “\$200,000”  
5 and all that follows through the period at the end  
6 and inserting the following: “\$220,000, except that  
7 for any fiscal year for which such minimum indi-  
8 vidual grant amount would result in fewer than  
9 2,780 grants awarded under this chapter, an indi-  
10 vidual grant authorized under this chapter shall be  
11 awarded in an amount that would result in not fewer  
12 than 2,780 grants awarded under this chapter for  
13 such fiscal year.”;

14 (2) in subsection (c)—

15 (A) by amending subparagraph (A) of  
16 paragraph (2) to read as follows:

17 “(A) ACCOUNTABILITY FOR OUTCOMES.—  
18 In making grants under this chapter, the Sec-  
19 retary shall consider each applicant’s prior suc-  
20 cess in achieving high-quality service delivery,  
21 as determined under subsection (f) under the  
22 particular program for which funds are sought.  
23 The level of consideration given the factor of  
24 prior success in achieving high-quality service  
25 delivery shall not vary from the level of consid-  
26 eration given such factor during fiscal years

1 1994 through 1997, except that grants made  
2 under section 402H shall not be given such con-  
3 sideration.”;

4 (B) in paragraph (6), by striking the last  
5 sentence and inserting the following: “The Sec-  
6 retary shall require each applicant for funds  
7 under the programs authorized by this chapter  
8 to identify and conduct outreach to foster care  
9 children and youth and homeless children and  
10 youths (as such term is defined in section 725  
11 of the McKinney-Vento Homeless Assistance  
12 Act (42 U.S.C. 11434a)), and make available to  
13 foster care children and youth and homeless  
14 children and youths services under such pro-  
15 grams, including mentoring, tutoring, and other  
16 services provided by such programs.”;

17 (C) by redesignating paragraphs (7) and  
18 (8) as paragraphs (8) and (9), respectively;

19 (D) in paragraph (6), as so amended—

20 (i) by striking “WITH OTHER PRO-  
21 GRAMS FOR DISADVANTAGED STUDENTS”  
22 in the heading; and

23 (ii) by striking “The Secretary shall,  
24 as appropriate, require each applicant for

1 funds under the programs authorized by  
2 this chapter” and inserting the following:

3 “(7) INCLUSION OF HOMELESS AND FOSTER  
4 STUDENTS.—The Secretary shall, as appropriate, re-  
5 quire each applicant for funds under the programs  
6 authorized by this chapter (other than the programs  
7 authorized under section 402E or 402G)”;

8 (E) in paragraph (8), as so redesignated,  
9 by striking “8 months” and inserting “90  
10 days” both places it appears; and

11 (F) in paragraph (9), as so redesignated—  
12 (i) in subparagraph (A)—

13 (I) by striking “Not later than  
14 180 days after the date of enactment  
15 of the Higher Education Opportunity  
16 Act,” and inserting “Not less than 90  
17 days before the commencement of  
18 each competition for a grant under  
19 this chapter is held,”;

20 (II) in clause (iii), by striking  
21 “prior experience” and inserting “ac-  
22 countability for outcomes”; and

23 (III) in clause (v), by striking  
24 “prior experience” and inserting “ac-  
25 countability for outcomes”; and

1 (ii) by striking subparagraph (B) and  
2 redesignating subparagraph (C) as sub-  
3 paragraph (B);

4 (3) in subsection (d)(3), by adding at the end  
5 the following: “In addition, the Secretary shall host  
6 at least one virtual, interactive training to ensure  
7 that any interested applicants have access to tech-  
8 nical assistance.”;

9 (4) in subsection (e)—

10 (A) in paragraph (1)—

11 (i) by striking “or” at the end of sub-  
12 paragraph (C);

13 (ii) by striking the period at the end  
14 of subparagraph (D) and inserting a semi-  
15 colon; and

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

18 “(E) documentation that the student has  
19 been determined eligible for a Federal Pell  
20 Grant authorized under section 401; or

21 “(F) for grants authorized under 402B  
22 and 402F of this chapter, documentation that  
23 a student is attending a school that elects, or  
24 for which the local educational agency serving  
25 the school elects on behalf of the school, to re-



1 ceive special assistance payment under section  
2 11(a)(1)(F)(ii) of the Richard B. Russell Na-  
3 tional School Lunch Act (42 U.S.C.  
4 1759a(a)(1)(F)(ii)), or that had a percentage of  
5 enrolled students who were identified students  
6 (defined in clause (i) of section 11(a)(1)(F) of  
7 such Act (42 U.S.C. 1759a(a)(1)(F))) that  
8 meets or exceeds the threshold described in  
9 clause (viii) of such section (42 U.S.C.  
10 1759a(a)(1)(F)) during the school year that  
11 ends prior to the first period for which such  
12 grant is awarded.”; and

13 (B) in paragraph (2)—

14 (i) by striking “or” at the end of sub-  
15 paragraph (C);

16 (ii) by striking the period at the end  
17 of subparagraph (D) and inserting a semi-  
18 colon; and

19 (iii) by adding at the end the fol-  
20 lowing:

21 “(E) documentation that the student has  
22 been determined to be eligible for a Federal Pell  
23 Grant authorized under section 401; or

24 “(F) for grants authorized under 402B  
25 and 402F of this chapter, documentation that

1 a student is attending a school that elects, or  
2 for which the local educational agency serving  
3 the school elects on behalf of the school, to re-  
4 ceive special assistance payment under section  
5 11(a)(1)(F)(ii) of the Richard B. Russell Na-  
6 tional School Lunch Act (42 U.S.C.  
7 1759a(a)(1)(F)(ii)), or that had a percentage of  
8 enrolled students who were identified students  
9 (defined in clause (i) of section 11(a)(1)(F) of  
10 such Act (42 U.S.C. 1759a(a)(1)(F))) that  
11 meets or exceeds the threshold described in  
12 clause (viii) of such section (42 U.S.C.  
13 1759a(a)(1)(F)) during the school year that  
14 ends prior to the first period for which such  
15 grant is awarded.”;

16 (5) in subsection (f)—

17 (A) in paragraph (1)—

18 (i) by striking “PRIOR EXPERIENCE”  
19 and inserting “ACCOUNTABILITY IN OUT-  
20 COMES” in the heading;

21 (ii) by striking “on or after January  
22 1, 2009” and inserting “on or after the  
23 date of enactment of the”; and

24 (iii) by striking “prior experience of”  
25 and inserting “success in achieving”;

1 (B) in paragraph (2), by striking “college  
2 students, and” and inserting “college students,  
3 foster care children and youth, homeless chil-  
4 dren and youth, and”; and

5 (C) in paragraph (3)—

6 (i) in subparagraph (A)—

7 (I) in clause (iv), by striking  
8 “will make such students eligible for  
9 programs such as the Academic Com-  
10 petitiveness Grants Program” and in-  
11 sserting “includes at least 4 years of  
12 mathematics, 3 years of science, and  
13 2 years of a foreign language”;

14 (II) by redesignating clauses (v)  
15 and (vi) as clauses (vi) and (vii), re-  
16 spectively; and

17 (III) by inserting after clause (iv)  
18 the following:

19 “(v) the completion of financial aid  
20 applications, including the Free Applica-  
21 tion for Federal Student Aid described in  
22 section 483(a) and college admissions ap-  
23 plications;”;

24 (ii) in subparagraph (B)—

1 (I) by inserting “except in the  
2 case of programs that specifically tar-  
3 get veterans,” after “under section  
4 402C,”;

5 (II) in clause (v), by striking  
6 “will make such students eligible for  
7 programs such as the Academic Com-  
8 petitiveness Grants Program” and in-  
9 serting “includes at least 4 years of  
10 mathematics, 3 years of science, and  
11 2 years of a foreign language”;

12 (III) by redesignating clauses (vi)  
13 and (vii) as clauses (vii) and (viii), re-  
14 spectively; and

15 (IV) by inserting after clause (v)  
16 the following:

17 “(vi) the completion of financial aid  
18 applications, including the Free Applica-  
19 tion for Federal Student Aid described in  
20 section 483(a) and college admission appli-  
21 cations;”;

22 (iii) by redesignating subparagraphs  
23 (C), (D), and (E), as subparagraphs (D),  
24 (E), and (F), respectively;

1 (iv) by inserting after subparagraph  
2 (B) the following:

3 “(C) For programs authorized under sec-  
4 tion 402C that specifically target veterans, the  
5 extent to which the eligible entity met or ex-  
6 ceeded the entity’s objectives for such program  
7 regarding—

8 “(i) the delivery of service to a total  
9 number of students served by the program,  
10 as agreed upon by the entity and the Sec-  
11 retary for the period of the program;

12 “(ii) such students’ academic perform-  
13 ance as measured by standardized tests;

14 “(iii) the retention and completion of  
15 participants in the program;

16 “(iv) the provision of assistance to  
17 students served by the program in com-  
18 pleting financial aid applications, including  
19 the Free Application for Federal Student  
20 Aid described in section 483(a) and college  
21 admission applications;

22 “(v) the enrollment of such students  
23 in an institution of higher education; and

1 “(vi) to the extent practicable, the  
2 postsecondary completion of such stu-  
3 dents.”;

4 (v) in subparagraph (D), as redesign-  
5 nated in clause (ii)—

6 (I) in subclause (I), by striking  
7 “in which such students were en-  
8 rolled” and inserting “at any bacca-  
9 laureate granting institution within 6  
10 years of initial enrollment in the  
11 project”; and

12 (II) in subclause (II), by striking  
13 items (aa) and (bb) and inserting the  
14 following:

15 “(aa) the transfer of such  
16 students to institutions of higher  
17 education that offer bacca-  
18 laureate degrees, regardless of  
19 whether the transferring student  
20 completes a degree or certificate;  
21 or

22 “(bb) the completion of a  
23 degree or certificate by such stu-  
24 dents at any accredited institu-

1                   tion within 4 years of initial en-  
2                   rollment in the project;”;

3                   (vi) in subparagraph (E), as redesign-  
4                   nated—

5                   (I) in clause (iii), by striking “;  
6                   and” and inserting “within 2 years of  
7                   receiving the baccalaureate degree;”;  
8                   and

9                   (II) in clause (iv), by striking  
10                  “graduate study and the attainment  
11                  of doctoral degrees by former program  
12                  participants.” and inserting “graduate  
13                  study; and

14                  “(v) the attainment of doctoral de-  
15                  grees by former program participants with-  
16                  in 10 years of receiving the baccalaureate  
17                  degree.”; and

18                  (vii) in subparagraph (F), as redesign-  
19                  nated—

20                  (I) in clause (i), by inserting  
21                  “within 2 years of service” before the  
22                  semicolon; and

23                  (II) in clause (ii), by inserting  
24                  “or re-enrollment” after “the enroll-  
25                  ment”;

1 (6) in subsection (g)—

2 (A) by striking “\$900,000,000 for fiscal  
3 year 2009 and such sums as may be necessary  
4 for each” and inserting “\$1,010,000,000 for  
5 fiscal year 2019, and each of the 5 succeeding  
6 years. The amount authorized to be appro-  
7 priated in the preceding sentence for fiscal year  
8 2020 and each of the 4 succeeding fiscal years  
9 shall be deemed increased by the annual adjust-  
10 ment percentage. For purposes of this sub-  
11 section, the term ‘adjustment percentage’ as ap-  
12 plied to a fiscal year, means the estimated per-  
13 centage change in the Consumer Price Index  
14 (as determined by the Secretary, using the defi-  
15 nition in section 478(f)) for the most recent cal-  
16 endar year ending before the beginning of that  
17 fiscal year.”;

18 (B) by striking “ $\frac{1}{2}$  of”;

19 (C) by striking “, and to provide” and in-  
20 serting “, to provide”; and

21 (D) by striking “current grantees.” and all  
22 that follows through “additional readers.” and  
23 inserting “current grantees, and to carry out  
24 the requirements of section 402A(c)(9)(B).”;

25 (7) in subsection (h)—



1 (A) by amending paragraph (4) to read as  
2 follows:

3 “(4) LOW-INCOME INDIVIDUAL.—The term  
4 ‘low-income individual’ means—

5 “(A) an individual from a family whose  
6 taxable income for the preceding year did not  
7 exceed 150 percent of the poverty line applica-  
8 ble to the individual’s family size as determined  
9 under section 673(2) of the Community Serv-  
10 ices Block Grant Act (42 U.S.C. 9902(2));

11 “(B) an individual whose taxable income  
12 as reported on the individual’s most recently  
13 completed Free Application for Federal Student  
14 Aid under section 483(a) did not exceed 150  
15 percent of such poverty line;

16 “(C) an individual who has been deter-  
17 mined to be eligible for a Federal Pell Grant  
18 authorized under section 401; or

19 “(D) for grants authorized under 402B  
20 and 402F of this chapter, a student who is at-  
21 tending a school that elects, or for which the  
22 local educational agency serving the school  
23 elects on behalf of the school, to receive special  
24 assistance payment under section  
25 11(a)(1)(F)(ii) of the Richard B. Russell Na-

1            tional School Lunch Act (42 U.S.C.  
2            1759a(a)(1)(F)(ii)), or that had a percentage of  
3            enrolled students who were identified students  
4            (defined in clause (i) of section 11(a)(1)(F) of  
5            such Act (42 U.S.C. 1759a(a)(1)(F))) that  
6            meets or exceeds the threshold described in  
7            clause (viii) of such section (42 U.S.C.  
8            1759a(a)(1)(F)) during the school year that  
9            ends prior to the first year of the period for  
10           which such grant is awarded.”;

11                    (B) by redesignating paragraph (5) as sub-  
12                    section (i) and subparagraphs (A) through (D)  
13                    as paragraphs (1) through (4); and

14                    (C) by redesignating paragraph (6) as sub-  
15                    section (j); and

16                    (8) in subsection (j), as redesignated, by strik-  
17            ing “subparagraph (A), (B), or (C) of paragraph  
18            (5)” and inserting “paragraph (1), (2), or (3) of  
19            subsection (i)”.

20    **SEC. 4018. TALENT SEARCH.**

21            Section 402B of the Higher Education Act of 1965  
22    (20 U.S.C. 1070a–12) is amended—

23                    (1) in subsection (a)—

24                            (A) in paragraph (2), by striking “and” at  
25            the end;

1 (B) by redesignating paragraph (3) as  
2 paragraph (4); and

3 (C) by inserting after paragraph (2) the  
4 following:

5 “(3) to advise such youths regarding the post-  
6 secondary education selection process, including con-  
7 sideration of financial aid awards offered, potential  
8 Federal loan burden, and likelihood of graduating;  
9 and”;

10 (2) in subsection (b)—

11 (A) by striking “and” at the end of para-  
12 graph (5); and

13 (B) by striking paragraph (6) and insert-  
14 ing the following:

15 “(6) education or counseling services to assist  
16 students and their families regarding career choice;  
17 and

18 “(7) connections to programs providing finan-  
19 cial literacy and economic literacy so that students  
20 and their families are able to make informed choices  
21 regarding postsecondary education, including consid-  
22 ering degree choice and potential Federal loan bur-  
23 den.”;

24 (3) in subsection (c)(2), by striking “career”  
25 and inserting “academic”; and

1 (4) in subsection (d)—

2 (A) in paragraph (3), by striking “and”  
3 after the semicolon;

4 (B) in paragraph (4), by striking the pe-  
5 riod at the end and inserting a semicolon; and

6 (C) by adding at the end the following:

7 “(5) require an assurance that the entity car-  
8 rying out the project has reviewed and revised poli-  
9 cies and practices as needed to remove barriers to  
10 the participation and retention in the project of  
11 homeless children and youths (as such term is de-  
12 fined in section 725 of the McKinney-Vento Home-  
13 less Assistance Act (42 U.S.C. 11434a)), including  
14 unaccompanied youth, and foster care children and  
15 youth;

16 “(6) require that such entity submit, as part of  
17 the application for the project, a description of the  
18 activities that will be undertaken to reach out to  
19 homeless children and youths and foster care chil-  
20 dren and youth as part of the project; and

21 “(7) require an assurance that such entity will  
22 prepare and submit the report required under sec-  
23 tion 402H(e) at the conclusion of the project regard-  
24 ing homeless children and youths and foster care  
25 children and youth.”.

1 **SEC. 4019. UPWARD BOUND.**

2 Section 402C of the Higher Education Act of 1965  
3 (20 U.S.C. 1070a–13) is amended—

4 (1) in subsection (b), by striking paragraphs  
5 (5) and (6) and inserting the following:

6 “(5) assistance to students and their families  
7 regarding career choice;

8 “(6) education or counseling services designed  
9 to education improve the financial literacy and eco-  
10 nomic literacy of students or the students’ parents  
11 in order to aid them in making informed decisions  
12 about the postsecondary education selection process  
13 and assist students and their families in making in-  
14 formed choices regarding the postsecondary edu-  
15 cation selection process; and

16 “(7) in the case of such a project that is not  
17 specifically designed for veterans, as part of core  
18 curriculum, instruction in mathematics through pre-  
19 calculus, science, foreign language, language arts,  
20 and literature, and in the case of such a project that  
21 is specifically designed for veterans, instruction in  
22 mathematics through pre-calculus, science, foreign  
23 language, and language arts.”;

24 (2) by striking subsections (c) and (g) and re-  
25 designating subsections (d), (e), (f), and (h) as sub-  
26 sections (c), (d), (e), and (f), respectively;

1 (3) in subsection (c), as so redesignated—

2 (A) in paragraph (1), by striking “youth”  
3 and inserting “participants”;

4 (B) in paragraph (2)—

5 (i) by striking “youth participating in  
6 the project” and inserting “project partici-  
7 pants”; and

8 (ii) by striking “youth;” and inserting  
9 “participants;” and

10 (C) in paragraph (5), by striking “youth  
11 participating in the project” and inserting “par-  
12 ticipants”; and

13 (4) in subsection (e), as so redesignated—

14 (A) by striking “\$60” and inserting  
15 “\$90”;

16 (B) by striking “\$300” and inserting  
17 “\$450”;

18 (C) by striking “\$40” and inserting  
19 “\$60”;

20 (D) by adding at the end the following:  
21 “Adults participating in a project specifically  
22 targeting veterans under this section may be  
23 paid stipends not in excess of \$100 per month  
24 during the year.”;

1           (E) in paragraph (4), by striking “and”  
2           after the semicolon;

3           (F) in paragraph (5), by striking the pe-  
4           riod at the end and inserting a semicolon; and

5           (G) by adding at the end the following:

6           “(7) require an assurance that the entity car-  
7           rying out the project has reviewed and revised poli-  
8           cies and practices as needed to remove barriers to  
9           the participation and retention in the project of  
10          homeless children and youths (as such term is de-  
11          fined in section 725 of the McKinney-Vento Home-  
12          less Assistance Act (42 U.S.C. 11434a)), including  
13          unaccompanied youth, and foster care children and  
14          youth;

15          “(8) require that such entity submit, as part of  
16          the application, a description of the activities that  
17          will be undertaken to reach out to homeless children  
18          and youths and foster care children and youth re-  
19          garding the project; and

20          “(9) require an assurance that such entity will  
21          prepare and submit the report required under sec-  
22          tion 402H(e) at the conclusion of the project regard-  
23          ing homeless children and youths and foster care  
24          children and youth.”.

1 **SEC. 4020. STUDENT SUPPORT SERVICES.**

2 Section 402D of the Higher Education Act of 1965  
3 (20 U.S.C. 1070a–14) is amended—

4 (1) in subsection (a)—

5 (A) in paragraph (3), by striking “limited  
6 English proficient” and inserting “low-income  
7 and first generation college students, including  
8 limited English proficient students”; and

9 (B) in paragraph (4), by striking “, includ-  
10 ing—” and all that follows through the end of  
11 the paragraph and inserting a period;

12 (2) in subsection (b)(4), by striking “including  
13 financial planning for postsecondary education;” and  
14 inserting “including—

15 “(A) financial planning for postsecondary  
16 education, including loan burdens required, re-  
17 payment options, and expected earnings in po-  
18 tential career fields;

19 “(B) basic personal income, household  
20 money management, and financial planning  
21 skills; and

22 “(C) basic economic decisionmaking  
23 skills.”;

24 (3) in subsection (d)(1), by striking “section  
25 401(b)(2)(A)” and inserting “section 401(b)(1)”;  
26 and



1 (4) in subsection (e)—

2 (A) in paragraph (5), by striking “and”  
3 after the semicolon;

4 (B) in paragraph (6)(B), by striking the  
5 period at the end and inserting a semicolon;  
6 and

7 (C) by adding at the end the following:

8 “(7) require an assurance that the entity car-  
9 rying out the project has reviewed and revised poli-  
10 cies and practices as needed to remove barriers to  
11 the participation and retention in the project of  
12 homeless children and youths (as such term is de-  
13 fined in section 725 of the McKinney-Vento Home-  
14 less Assistance Act (42 U.S.C. 11434a)), including  
15 unaccompanied youth, and foster care children and  
16 youth;

17 “(8) require that such entity submit, in the ap-  
18 plication for the project, a description of the activi-  
19 ties that will be undertaken to reach out to homeless  
20 children and youths, and foster care children and  
21 youth, who are enrolled or accepted for enrollment  
22 at the institution; and

23 “(9) require an assurance that such entity will  
24 prepare and submit the report required under sec-  
25 tion 402H(e) at the conclusion of the project regard-

1       ing homeless children and youths and foster care  
2       children and youth.”.

3 **SEC. 4021. 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. 4022. 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), by striking “students;”  
23       and inserting “students, including—

24               “(A) financial planning for postsecondary  
25       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;”; 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 children and youths (as such term is de-  
19 fined in section 725 of the McKinney-Vento Home-  
20 less Assistance Act (42 U.S.C. 11434a)), including  
21 unaccompanied youth, and foster care children and  
22 youth;

23 “(5) require that such entity submit, as part of  
24 the application, a description of the activities that  
25 will be undertaken to reach out to homeless children

1 and youths and foster care children and youth re-  
2 garding the project; and

3 “(6) require an assurance that such entity will  
4 prepare and submit the report required under sec-  
5 tion 402H(e) at the conclusion of the project regard-  
6 ing homeless children and youths and foster care  
7 children and youth.”.

8 **SEC. 4023. STAFF DEVELOPMENTAL ACTIVITIES.**

9 Section 402G(b) of the Higher Education Act of  
10 1965 (20 U.S.C. 1070a–17(b)) is amended—

11 (1) by inserting “webinars, online classes,”  
12 after “seminars, workshops,”;

13 (2) by striking “new directors” and inserting  
14 “staff”;

15 (3) by redesignating paragraphs (1) through  
16 (5) as paragraphs (2) through (6), respectively;

17 (4) by inserting before paragraph (2), as so re-  
18 designated, the following:

19 “(1) Legislation and regulatory requirements  
20 and program management for new directors of pro-  
21 grams funded under this chapter.”;

22 (5) in paragraph (2), as redesignated, by insert-  
23 ing “for continuing directors and staff of programs”  
24 after “operation of programs”; and

1           (6) in paragraph (4), as redesignated, by strik-  
2           ing “model programs” and inserting “innovations”.

3 **SEC. 4024. REPORTS AND EVALUATIONS.**

4           (a) **OTHER REPORTING REQUIREMENTS.**—Section  
5 402H of the Higher Education Act of 1965 (20 U.S.C.  
6 1070a–18) is further amended—

7           (1) in subsection (b)—

8           (A) in paragraph (1)—

9           (i) in subparagraph (A), by striking “,  
10           including a rigorous evaluation of the pro-  
11           grams and projects assisted under section  
12           402C. The evaluation of the programs and  
13           projects assisted under section 402C shall  
14           be implemented not later than June 30,  
15           2010.” and inserting “The issues such  
16           evaluations shall measure shall include the  
17           effectiveness of programs and projects as-  
18           sisted under this chapter in—

19           “(i) meeting or exceeding the stated  
20           objectives regarding the outcome criteria  
21           under 402A(f);

22           “(ii) enhancing the access of low-in-  
23           come individuals and first-generation col-  
24           lege students to postsecondary education;

1                   “(iii) preparing individuals for post-  
2                   secondary education; and

3                   “(iv) comparing students who partici-  
4                   pate in the programs funded under this  
5                   chapter with students who do not partici-  
6                   pate in such programs with respect to—

7                                 “(I) level of education completed;

8                                 “(II) retention rates;

9                                 “(III) graduation rates;

10                                “(IV) college admission and com-  
11                               pletion rates; and

12                               “(V) other issues as the Sec-  
13                               retary considers appropriate.”; and

14                   (ii) in subparagraph (C), by inserting  
15                   “and take into account the agreed upon  
16                   target determined under section  
17                   402A(f)(4)” before the period; and

18                   (B) by amending paragraph (2) to read as  
19                   follows:

20                   “(2) PRACTICES.—The evaluations described in  
21                   paragraph (1) shall identify institutional, commu-  
22                   nity, and program or project practices that are effec-  
23                   tive in—

1           “(A) enhancing the access of low-income  
2 individuals and first-generation college students  
3 to postsecondary education;

4           “(B) the preparation of such individuals  
5 and students for postsecondary education;

6           “(C) fostering the success of the individ-  
7 uals and students in postsecondary education;  
8 and

9           “(D) for programs and projects assisted  
10 under section 402C, the characteristics of stu-  
11 dents who benefit most from such programs  
12 and projects.”; and

13           (2) in subsection (d), by inserting “, including  
14 the authorizing committees” before the period.

15           (b) HOMELESS CHILDREN AND YOUTHS AND FOS-  
16 TER CARE CHILDREN AND YOUTH.—Section 402H of the  
17 Higher Education Act of 1965 (20 U.S.C. 1070a–18) is  
18 further amended by adding at the end the following:

19           “(e) REPORT REGARDING HOMELESS CHILDREN  
20 AND YOUTHS AND FOSTER CARE CHILDREN AND  
21 YOUTH.—Each entity carrying out a project under section  
22 402B, 402C, 402D, or 402F shall, at the conclusion of  
23 the project, prepare and submit a report to the Secretary  
24 that includes—

1           “(1) data on the number of homeless children  
2           and youths (as such term is defined in section 725  
3           of the McKinney-Vento Homeless Assistance Act (42  
4           U.S.C. 11434a)) and foster care children and youth  
5           served through the project; and

6           “(2) a description of any strategies or program  
7           enhancements that were used in the project and that  
8           were effective in meeting the needs of homeless chil-  
9           dren and youths and foster care children and  
10          youth.”.

11 **SEC. 4025. GAINING EARLY AWARENESS AND READINESS**  
12 **FOR UNDERGRADUATE PROGRAMS.**

13          Section 404C(a)(2) of the Higher Education Act of  
14 1965 (20 U.S.C. 1070a–23(a)(2)) is amended—

15           (1) in subparagraph (I), by striking “and” after  
16          the semicolon;

17           (2) in subparagraph (J), by striking the period  
18          at the end and inserting “; and”; and

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

20           “(K) describe how the eligible entity will  
21          facilitate the participation of foster care chil-  
22          dren and youth and homeless children and  
23          youths (as such term is defined in section 725  
24          of the McKinney-Vento Homeless Assistance  
25          Act (42 U.S.C. 11434a)), including—



1           “(i) how the eligible entity will iden-  
2           tify foster care children and youth and  
3           homeless children and youths, in collabora-  
4           tion with child welfare agencies, homeless  
5           shelters, and local educational agency liai-  
6           sons for homeless children and youths des-  
7           ignated under section 722(g)(1)(J)(ii) of  
8           the McKinney-Vento Homeless Assistance  
9           Act (42 U.S.C. 11432(g)(1)(J)(ii));

10           “(ii) how the eligible entity will collect  
11           and submit to the Secretary data on the  
12           number of homeless children and youths  
13           and foster care children and youth served;  
14           and

15           “(iii) the policies and practices the eli-  
16           gible entity will adopt to remove barriers to  
17           the participation of homeless children and  
18           youths and foster care children and youth,  
19           including policies to facilitate continued  
20           participation despite changes in residence  
21           resulting from homelessness or foster care  
22           placement and policies consistent with the  
23           McKinney-Vento Homeless Assistance Act  
24           (42 U.S.C. 11301 et seq.).”.

1 **SEC. 4026. GAINING EARLY AWARENESS AND READINESS**  
2 **FOR UNDERGRADUATE PROGRAMS; AUTHOR-**  
3 **IZATION OF APPROPRIATIONS.**

4 Section 404H of the Higher Education Act of 1965  
5 (20 U.S.C. 1070a–28) is amended by striking  
6 “\$400,000,000 for fiscal year 2009” and inserting  
7 “\$500,000,000 for fiscal year 2019”.

8 **SEC. 4027. PURPOSE; APPROPRIATIONS AUTHORIZED.**

9 Section 413A of the Higher Education Act of 1965  
10 (20 U.S.C. 1070b) is amended—

11 (1) by amending subsection (a) to read as fol-  
12 lows:

13 “(a) PURPOSE OF SUBPART.—It is the purpose of  
14 this subpart to—

15 “(1) provide, through institutions of higher edu-  
16 cation, supplemental grants to assist in making  
17 available the benefits of postsecondary education to  
18 qualified students who demonstrate financial need in  
19 accordance with the provisions of part F of this title;  
20 and

21 “(2) to establish demonstration projects at var-  
22 ious institutions of higher education, as defined in  
23 section 101, to determine best practices and policies  
24 regarding the distribution of emergency grant aid to  
25 assist students in completing their program of study,

1 notwithstanding aid they may have received in ac-  
2 cordance with the provisions of part F of this title.”;

3 (2) in subsection (b)(1), by striking “appropriated” and all that follows through the end and in-  
4 serting “appropriated—  
5

6 “(A) \$1,150,000,000 for fiscal year 2019;

7 “(B) \$1,300,000,000 for fiscal year 2020;

8 “(C) \$1,450,000,000, for fiscal year 2021;

9 “(D) \$1,600,000,000 for fiscal year 2022;

10 and

11 “(E) \$1,750,000,000 for fiscal year 2023

12 and each succeeding fiscal year.”;

13 (3) by redesignating paragraph (2) as para-  
14 graph (3); and

15 (4) by inserting after paragraph (1) the fol-  
16 lowing:

17 “(2) For the purpose of enabling the Secretary  
18 to fund demonstration projects under section  
19 413(F), there are allocated, from funds authorized  
20 under paragraph (b)(1), \$1,250,000 for fiscal year  
21 2019 and each of the 3 succeeding fiscal years.”.

22 **SEC. 4028. ALLOCATION OF FUNDS.**

23 Section 413D of the Higher Education Act of 1965  
24 (20 U.S.C. 1070b–3) is amended to read as follows:

1 **“SEC. 413D. ALLOCATION OF FUNDS.**

2 “(a) ALLOCATION FORMULA FOR FISCAL YEARS  
3 2019 THROUGH 2023.—

4 “(1) IN GENERAL.—From the amount appro-  
5 priated under section 413A(b)(1) for a fiscal year,  
6 the Secretary shall allocate to each institution—

7 “(A) for fiscal year 2019, an amount equal  
8 to the greater of—

9 “(i) 90 percent of the amount the in-  
10 stitution received under subsection (a) for  
11 fiscal year 2018, as such subsection was in  
12 effect with respect to such fiscal year (in  
13 this subparagraph referred to as ‘the 2018  
14 amount for the institution’); or

15 “(ii) the fair share amount for the in-  
16 stitution determined under subsection (c);

17 “(B) for fiscal year 2020, an amount equal  
18 to the greater of—

19 “(i) 80 percent of the 2018 amount  
20 for the institution; or

21 “(ii) the fair share amount for the in-  
22 stitution determined under subsection (c);

23 “(C) for fiscal year 2021, an amount equal  
24 to the greater of—

25 “(i) 60 percent of the 2018 amount  
26 for the institution; or

1           “(ii) the fair share amount for the in-  
2           stitution determined under subsection (c);

3           “(D) for fiscal year 2022, an amount equal  
4           to the greater of—

5           “(i) 40 percent of the 2018 amount  
6           for the institution; or

7           “(ii) the fair share amount for the in-  
8           stitution determined under subsection (c);

9           and

10          “(E) for fiscal year 2023, an amount equal  
11          to the greater of—

12          “(i) 20 percent of the 2018 amount  
13          for the institution; or

14          “(ii) the fair share amount for the in-  
15          stitution determined under subsection (c).

16          “(2) RATABLE REDUCTION.—

17               “(A) IN GENERAL.—If the amount appro-  
18               priated under section 413A(b)(1) for a fiscal  
19               year is less than the amount required to be allo-  
20               cated to the institutions under this subsection,  
21               then the amount of the allocation to each insti-  
22               tution shall be ratably reduced.

23               “(B) ADDITIONAL APPROPRIATIONS.—If  
24               the amounts allocated to each institution are  
25               ratably reduced under subparagraph (A) for a

1           fiscal year and additional amounts are appro-  
2           priated for such fiscal year, the amount allo-  
3           cated to each institution from the additional  
4           amounts shall be increased on the same basis as  
5           the amounts under subparagraph (A) were re-  
6           duced (until each institution receives the  
7           amount required to be allocated under this sub-  
8           section).

9           “(b) ALLOCATION FORMULA FOR FISCAL YEAR 2024  
10          AND EACH SUCCEEDING FISCAL YEAR.—From the  
11          amount appropriated under section 413A(b)(1) for fiscal  
12          year 2024 and each succeeding fiscal year, the Secretary  
13          shall allocate to each institution the fair share amount for  
14          the institution determined under subsection (c).

15          “(c) DETERMINATION OF FAIR SHARE AMOUNT.—

16                  “(1) IN GENERAL.—Subject to paragraph (2),  
17          the fair share amount for an institution for a fiscal  
18          year shall be equal to the sum of the institution’s  
19          undergraduate student need described in paragraph  
20          (2) for the preceding fiscal year.

21                  “(2) INSTITUTIONAL UNDERGRADUATE STU-  
22          DENT NEED.—The undergraduate student need for  
23          an institution for a fiscal year shall be equal to the  
24          sum of the following:

1           “(A) An amount equal to 50 percent of the  
2           amount that bears the same proportion to the  
3           available appropriated amount for such fiscal  
4           year as the total amount of Federal Pell Grant  
5           funds awarded at the institution for the pre-  
6           ceding fiscal year bears to the total amount of  
7           Federal Pell Grant funds awarded at all institu-  
8           tions participating under this part for the pre-  
9           ceding fiscal year.

10           “(B) 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 the undergraduate  
14           student need at the institution for the preceding  
15           fiscal year bears to the total amount of under-  
16           graduate student need at all institutions partici-  
17           pating under this part for the preceding fiscal  
18           year.

19           “(3) ELIGIBILITY FOR FAIR SHARE AMOUNT.—

20           The Secretary may not allocate funds under this  
21           part to any institution that, for 2 or more fiscal  
22           years during any 3 fiscal year period beginning not  
23           earlier than the first day of the first fiscal year that  
24           is 2 years after the date of the enactment of this  
25           paragraph, has a student population with less than

1       7 percent of undergraduate students who are recipi-  
2       ents of Federal Pell Grants.”.

3   **SEC. 4029. EMERGENCY GRANT AID DEMONSTRATION PRO-**  
4                   **GRAM.**

5       Subpart 3 of part A of title IV of the Higher Edu-  
6   cation Act of 1965 (20 U.S.C. 1070b et seq.) is amended  
7   by adding at the end the following:

8   **“SEC. 413F. EMERGENCY GRANT AID DEMONSTRATION**  
9                   **PROGRAM.**

10       “(a) DEMONSTRATION PROJECTS AUTHORIZED.—  
11   The Secretary shall select, in accordance with subsection  
12   (d), eligible entities to voluntarily carry out emergency  
13   grant aid demonstration projects designed to aid in the  
14   completion of their program of study.

15       “(b) NON-FEDERAL SHARE REQUIREMENT; USE OF  
16   FUNDS.—The Federal share of the cost of any project  
17   funded under this section shall not exceed 50 percent. The  
18   share provided by the eligible entity shall not include in-  
19   kind contributions. Federal funds provided shall be used  
20   solely to provide emergency grant aid to eligible students  
21   and cannot be used to pay or subsidize the salary of any  
22   employee of an eligible entity.

23       “(c) APPLICATION.—

24               “(1) IN GENERAL.—Each eligible entity desir-  
25       ing to carry out a demonstration project under this



1 section shall submit an application to the Secretary,  
2 at such time and in such manner as the Secretary  
3 may require.

4 “(2) OUTREACH.—The Secretary shall, prior to  
5 any deadline to submit applications under paragraph  
6 (1), conduct outreach to any institution eligible to  
7 receive funds under section 371 (20 U.S.C. 1067(q))  
8 to provide those institutions with information on the  
9 opportunity to apply to carry out a demonstration  
10 project under this section.

11 “(3) CONTENTS.—Each application under para-  
12 graph (1) shall include a description of the emer-  
13 gency grant aid program to be offered by the eligible  
14 entity under the demonstration project which shall  
15 include—

16 “(A) a description of the assessment the  
17 entity has undertaken to develop an estimate of  
18 the number of emergency aid grants that entity  
19 will make in an award year;

20 “(B) the criteria the entity will use to de-  
21 fine an emergency for which a student will be  
22 eligible to receive an emergency grant;

23 “(C) an assurance that the definition or  
24 criteria of an emergency for which a student

1 will be eligible to receive an emergency grant  
2 will include at a minimum—

3 “(i) the unexpected loss of employ-  
4 ment, transportation, child care or hous-  
5 ing;

6 “(ii) an unexpected medical condition  
7 of the student, or a dependent of the stu-  
8 dent; and

9 “(iii) in the case of a dependent stu-  
10 dent—

11 “(I) the unexpected death of a  
12 parent or guardian; or

13 “(II) an unexpected medical con-  
14 dition of the parent or guardian which  
15 results in their loss of employment;

16 “(D) a description of the process by which  
17 a student will navigate the process for applying  
18 and receiving emergency aid;

19 “(E) how the entity will administer the  
20 program, including—

21 “(i) which employees and departments  
22 of the entity will administer the program;

23 “(ii) which departments will coordi-  
24 nate in the delivery of the program;

1           “(iii) the role of the student financial  
2 aid administrator of the eligible entity in  
3 the program;

4           “(iv) the processes the entity has in  
5 place to respond to applications, approve  
6 applications, and disburse emergency grant  
7 aid outside of normal business hours;

8           “(v) the data management tools the  
9 entity will have in place to ensure efficient  
10 administration of the program and data  
11 collection for evaluation; and

12           “(vi) the internal controls in place to  
13 discourage fraud in the program;

14           “(F) an assurance that either the financial  
15 aid department or the student services depart-  
16 ment will serve as the primary program admin-  
17 istrator;

18           “(G) an assurance that the process by  
19 which a student applies for emergency aid in-  
20 cludes at a minimum—

21           “(i) an in-person interview where fea-  
22 sible;

23           “(ii) an opportunity for the student to  
24 learn about other forms of emergency aid

1 outside of the eligible entity that they may  
2 be eligible for; and

3 “(iii) at least one opportunity to ap-  
4 peal a denial of a grant;

5 “(H) an assurance that an eligible entity  
6 will be able to acknowledge a student request  
7 for emergency aid within 8 hours of a request,  
8 make a decision within 48 hours of a request  
9 and disburse aid within 24 hours of approval of  
10 a request;

11 “(I) an assurance that a student eligible to  
12 receive an emergency aid grant is enrolled at  
13 least part-time at the entity and is making sat-  
14 isfactory academic progress;

15 “(J) an assurance that the eligible entity  
16 will limit the emergency grant aid a student  
17 may receive in any individual request to no  
18 more than \$750 and the lifetime limit for emer-  
19 gency grant aid for a student is \$2,000;

20 “(K) a description of how the school in-  
21 tends to limit excessive demand, fraud or abuse  
22 through program audits, required student docu-  
23 mentation of the expenses for which the grant  
24 aid was disbursed, and other means; and

1           “(L) any other information the Secretary  
2           may require.

3           “(d) NOTIFICATION.—Not later than 9 months after  
4 the date of enactment of this subsection, the Secretary  
5 shall make available to the authorizing committees and the  
6 public a list of eligible entities selected to carry out a dem-  
7 onstration project under this section.

8           “(e) INFORMATION AND EVALUATION.—

9           “(1) INFORMATION.—

10           “(A) STUDENT-LEVEL DATA.—Each eligi-  
11 ble entity that carries out a demonstration  
12 project under this section shall provide to the  
13 Director of the Institute of Education Sciences  
14 the student-level data and the record of emer-  
15 gency grant aid received by students who par-  
16 ticipated in the program authorized in sub-  
17 section (a), to enable the Director—

18           “(i) to determine the aggregate infor-  
19 mation described in subparagraph (B) with  
20 respect to the program; and

21           “(ii) to the extent practicable, to com-  
22 pare the grant aid programs using a rig-  
23 orous evaluation.

24           “(B) AGGREGATE INFORMATION.—For  
25 purposes of the evaluation under paragraph (2),

1 the Director shall use the student-level data  
2 provided under subparagraph (A) by an eligible  
3 entity to determine the following information  
4 with respect to each program described in sub-  
5 paragraph (C)(i) offered at such eligible entity:

6 “(i) the average number of credit  
7 hours students earned prior to receipt of  
8 an emergency grant;

9 “(ii) the average period of time be-  
10 tween the receipt of emergency aid by a  
11 student and when that student completes  
12 their program;

13 “(iii) the average amount of grant aid  
14 received in one disbursement;

15 “(iv) the average amount of grant aid  
16 received over a recipient’s period of enroll-  
17 ment at the eligible entity;

18 “(v) the completion and retention  
19 rates of students who received aid under  
20 the program;

21 “(vi) the point in the academic year  
22 the student applied for emergency aid;

23 “(vii) the type of emergency declared  
24 by the student;

1           “(viii) the average time taken by the  
2           eligible entity to acknowledge a grant ap-  
3           plication, make a decision on the applica-  
4           tion, and disburse funding to a student;  
5           and

6           “(ix) such other information as the  
7           Director may reasonably require.

8           “(C) DISAGGREGATION.—The information  
9           determined under subparagraph (B) shall be  
10          disaggregated as follows, provided that the  
11          disaggregation of the information does not iden-  
12          tify any individual student:

13           “(i) For each eligible entity that car-  
14           ries out a demonstration project under this  
15           section, disaggregation by—

16           “(I) the students receiving aid  
17           under the program;

18           “(II) the students who applied  
19           but did not receive aid under the pro-  
20           gram;

21           “(III) the students who received  
22           more than one grant under the pro-  
23           gram; and

1                   “(IV) the students who received  
2                   the maximum lifetime benefit awarded  
3                   by the program.

4                   “(ii) For each group of students de-  
5                   scribed in clause (i), disaggregation by age,  
6                   race (as defined in section 153(a)(3) of the  
7                   Education Sciences Reform Act of 2002  
8                   (20 U.S.C. 9543)), gender, disability sta-  
9                   tus, students who are veterans or service-  
10                  members, first generation college students,  
11                  and status as a recipient of a Federal Pell  
12                  Grant.

13                  “(2) EVALUATION.—

14                  “(A) IN GENERAL.—The Director, in con-  
15                  sultation with the Secretary and using the in-  
16                  formation determined under paragraph (1),  
17                  shall annually evaluate each eligible entity car-  
18                  rying out a demonstration project under this  
19                  section. Each evaluation shall be disaggregated  
20                  in accordance with subparagraph (B) and in-  
21                  clude—

22                  “(i) the extent to which the eligible  
23                  entity has met the elements of its applica-  
24                  tion under subsection (c);



1           “(ii) whether the demonstration  
2 project led to reduced time to completion  
3 or increased retention rates;

4           “(iii) obstacles related to administra-  
5 tion of emergency grant aid;

6           “(iv) total cost and net cost per stu-  
7 dent who received emergency aid;

8           “(v) the 3-year adjusted cohort de-  
9 fault rate, as defined in section 435(m), of  
10 students receiving aid;

11           “(vi) the median student earnings 1,  
12 3, and 4 years after graduation;

13           “(vii) enrollment data, disaggregated  
14 by enrollment status, retention rates, cred-  
15 it accumulation, and completion rates  
16 for—

17                   “(I) first-time, full-time students;

18                   “(II) first-time, part-time stu-  
19 dents;

20                   “(III) non-first-time, full-time  
21 students;

22                   “(IV) non-first-time, part-time  
23 students;

24                   “(V) eligibility for Federal Pell  
25 Grants;

1                   “(VI) race (as defined in section  
2                   153(a)(3) of the Education Sciences  
3                   Reform Act of 2002 (20 U.S.C.  
4                   9543)), and ethnicity; and

5                   “(VII) transfer rates; and

6                   “(viii) a description of the role of staff  
7                   and faculty in the administration of the  
8                   project.

9                   “(3) DISAGGREGATION.—The data collected  
10                  under clause (v) through (vii) shall be disaggregated  
11                  by each group of students described in paragraph  
12                  (1)(C).

13                  “(4) ANNUAL REPORT.—The Director, in con-  
14                  sultation with the Secretary, shall annually provide  
15                  to the authorizing committees a report on the effec-  
16                  tiveness of the programs.

17                  “(f) DATA PRIVACY.—

18                  “(1) IN GENERAL.—It shall be unlawful for any  
19                  person who obtains or has access to personally iden-  
20                  tifiable information in connection with this section to  
21                  willfully disclose to any person (except as authorized  
22                  in this section or any Federal law) such personally  
23                  identifiable information.

24                  “(2) PENALTY.—Any person who violates para-  
25                  graph (1) shall be fined not more than \$5,000, im-

1       prisoned not more than 5 years, or both, together  
2       with the costs of prosecution.

3           “(3) EMPLOYEE OR OFFICER OF THE UNITED  
4       STATES.—If a violation of paragraph (1) is com-  
5       mitted by any officer or employee of the United  
6       States, the officer or employee shall be dismissed  
7       from office or discharged from employment upon  
8       conviction for the violation.

9           “(4) SALE OF DATA PROHIBITED.—Data col-  
10      lected under this section shall not be sold to any  
11      third party by the Director, any postsecondary insti-  
12      tution, or any other entity.

13          “(5) LIMITATION ON USE BY OTHER FEDERAL  
14      AGENCIES.—The Director shall not allow any other  
15      Federal agency to use data collected under this sec-  
16      tion for any purpose except as explicitly authorized  
17      by this section.

18          “(6) LAW ENFORCEMENT.—Personally identifi-  
19      able information collected under this section shall  
20      not be used for any law enforcement activity or any  
21      other activity that would result in adverse action  
22      against any student, including debt collection activ-  
23      ity or enforcement of the immigration laws.

24          “(g) DEFINITIONS.—For the purpose of this section:

1           “(1) ELIGIBLE ENTITY.—The term ‘eligible en-  
2           tity’ means an institution of higher education that  
3           participates in the FSEOG program as authorized in  
4           section 413A.

5           “(2) INSTITUTION OF HIGHER EDUCATION.—  
6           The term ‘institution of higher education’ has the  
7           meaning given the term in section 101.

8           “(3) FIRST GENERATION COLLEGE STUDENT.—  
9           The term ‘first generation college student’ has the  
10          meaning given the term in section 402A(h)(3).”.

11 **SEC. 4030. SPECIAL PROGRAMS FOR STUDENTS WHOSE**  
12                           **FAMILIES ARE ENGAGED IN MIGRANT AND**  
13                           **SEASONAL FARMWORK.**

14          Section 418A(i) of the Higher Education Act of 1965  
15 (20 U.S.C. 1070d–2(i)) is amended by striking “2009”  
16 and inserting “2019”.

17 **SEC. 4031. CCAMPIS REAUTHORIZATION.**

18          Section 419N of the Higher Education Act of 1965  
19 (20 U.S.C. 1070e) is amended by striking subsection (g)  
20 and inserting the following:

21          “(g) AUTHORIZATION OF APPROPRIATIONS.—

22               “(1) IN GENERAL.—Subject to paragraph (2),  
23               there are authorized to be appropriated to carry out  
24               this section \$67,000,000 for fiscal year 2019 and  
25               each of the 5 succeeding fiscal years.

1 “(2) ADJUSTMENT FOR INFLATION.—

2 “(A) IN GENERAL.—The amount author-  
3 ized to be appropriated under paragraph (1) for  
4 fiscal year 2020 and each of the 4 succeeding  
5 fiscal years shall be deemed increased by the  
6 annual adjustment percentage.

7 “(B) DEFINITION.—In this paragraph, the  
8 term ‘annual adjustment percentage’, as applied  
9 to a fiscal year, means the estimated percentage  
10 change in the Consumer Price Index (as deter-  
11 mined by the Secretary, using the definition in  
12 section 478(f)) for the most recent calendar  
13 year ending before the beginning of that fiscal  
14 year.”.

15 **SEC. 4032. JUMPSTART TO COLLEGE GRANT PROGRAMS.**

16 Part A of title IV of the Higher Education Act of  
17 1965 (20 U.S.C. 1070 et seq.) is further amended by in-  
18 serting after subpart 7 the following:

19 **“Subpart 8—Jumpstart to College**

20 **“SEC. 4190. DEFINITIONS.**

21 “In this subpart:

22 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-  
23 tity’ means an institution of higher education in  
24 partnership with one or more local educational agen-  
25 cies (which may be an educational service agency).

1 Such partnership may also include other entities  
2 such as nonprofit organizations or businesses.

3 “(2) INSTITUTION OF HIGHER EDUCATION.—  
4 The term ‘institution of higher education’ has the  
5 meaning given the term in section 101 (20 U.S.C.  
6 1001).

7 “(3) ESEA TERMS.—The terms ‘dual or con-  
8 current enrollment program’, ‘early college high  
9 school’, ‘educational service agency’, ‘four-year ad-  
10 justed cohort graduation rate’, ‘local educational  
11 agency’, ‘secondary school’, and ‘State’ have mean-  
12 ings given the terms in section 8101 of the Elemen-  
13 tary and Secondary Education Act of 1965 (20  
14 U.S.C. 7801).

15 “(4) LOW-INCOME STUDENT.—The term ‘low-  
16 income student’ means a student counted under sec-  
17 tion 1124(c) of the Elementary and Secondary Edu-  
18 cation Act of 1965 (20 U.S.C. 6333(e)).

19 “(5) RECOGNIZED POSTSECONDARY CREDEN-  
20 TIAL.—The term ‘recognized postsecondary creden-  
21 tial’ has the meaning given the term in section 3 of  
22 the Workforce Innovation and Opportunity Act (29  
23 U.S.C. 3102).

1 **“SEC. 419P. AUTHORIZATION OF APPROPRIATIONS; RES-**  
2 **ERVATIONS.**

3 “(a) IN GENERAL.—To carry out this subpart, there  
4 are authorized to be appropriated \$250,000,000 for fiscal  
5 year 2019 and each of the five succeeding fiscal years.

6 “(b) RESERVATIONS.—From the funds appropriated  
7 under subsection (a) for each fiscal year, the Secretary  
8 shall reserve—

9 “(1) not less than 40 percent for grants to eli-  
10 gible entities under section 419Q;

11 “(2) not less than 55 percent for grants to  
12 States under section 419R; and

13 “(3) not less than 5 percent for national activi-  
14 ties under section 419T.

15 **“SEC. 419Q. GRANTS TO ELIGIBLE ENTITIES.**

16 “(a) IN GENERAL.—The Secretary shall award  
17 grants to eligible entities, on a competitive basis, to assist  
18 such entities in establishing or supporting an early college  
19 high school or dual or concurrent enrollment program in  
20 accordance with this section.

21 “(b) DURATION.—Each grant under this section shall  
22 be awarded for a period of 6 years.

23 “(c) GRANT AMOUNT.—The Secretary shall ensure  
24 that the amount of each grant under this section is suffi-  
25 cient to enable each grantee to carry out the activities de-

1 scribed in subsection (h), except that a grant under this  
2 section may not exceed \$2,000,000.

3 “(d) MATCHING REQUIREMENT.—

4 “(1) IN GENERAL.—For each year that an eligi-  
5 ble entity receives a grant under this section, the en-  
6 tity shall contribute matching funds, in the amounts  
7 described in paragraph (2), for the activities sup-  
8 ported by the grant.

9 “(2) AMOUNTS DESCRIBED.—The amounts de-  
10 scribed in this paragraph are—

11 “(A) for each of the first and second years  
12 of the grant period, 20 percent of the grant  
13 amount;

14 “(B) for each of the third and fourth years  
15 of the grant period, 30 percent of the grant  
16 amount;

17 “(C) for the fifth year of the grant period,  
18 40 percent of the grant amount; and

19 “(D) for the sixth year of the grant period,  
20 50 percent of the grant amount.

21 “(3) DETERMINATION OF AMOUNT CONTRIB-  
22 UTED.—

23 “(A) IN-KIND CONTRIBUTIONS.—The Sec-  
24 retary shall allow an eligible entity to meet the



1 requirements of this subsection through in-kind  
2 contributions.

3 “(B) NON-FEDERAL SOURCES.—Not less  
4 than half of each amount described in para-  
5 graph (2) shall be provided by the eligible entity  
6 from non-Federal sources.

7 “(e) SUPPLEMENT, NOT SUPPLANT.—An eligible en-  
8 tity shall use a grant received under this section only to  
9 supplement funds that would, in the absence of such  
10 grant, be made available from other Federal, State, or  
11 local sources for activities supported by the grant, not to  
12 supplant such funds.

13 “(f) PRIORITY.—In awarding grants under this sec-  
14 tion, the Secretary shall give priority to eligible entities  
15 that—

16 “(1) propose to establish or support an early  
17 college high school or other dual or concurrent en-  
18 rollment program that will serve a student popu-  
19 lation of which not less than 51 percent are low-in-  
20 come students;

21 “(2) are from States that provide assistance to  
22 early college high schools or other dual enrollment  
23 programs, such as assistance to defray the costs of  
24 higher education (including costs of tuition, fees,  
25 and textbooks); and

1           “(3) propose to establish or support an early  
2 college high school or dual or concurrent enrollment  
3 program that meets quality standards established  
4 by—

5           “(A) a nationally recognized accrediting  
6 agency or association that offers accreditation  
7 specifically for such programs; or

8           “(B) a State process specifically for the re-  
9 view and approval of such programs.

10       “(g) **EQUITABLE DISTRIBUTION.**—The Secretary  
11 shall ensure, to the extent practicable, that eligible entities  
12 receiving grants under this section—

13           “(1) are from a representative cross section  
14 of—

15           “(A) urban, suburban, and rural areas;  
16 and

17           “(B) regions of the United States; and

18           “(2) include both two-year and four-year insti-  
19 tutions of higher education.

20       “(h) **USES OF FUNDS.**—

21           “(1) **MANDATORY ACTIVITIES.**—

22           “(A) **IN GENERAL.**—An eligible entity shall  
23 use grant funds received under this section—

24           “(i) to support the activities described  
25 in its application under subsection (i);

1           “(ii) to create and maintain a coher-  
2           ent system of supports for students, teach-  
3           ers, principals, and faculty under the pro-  
4           gram, including—

5                   “(I) college and career readiness,  
6                   academic, and social support services  
7                   for students; and

8                   “(II) professional development  
9                   for secondary school teachers, faculty,  
10                  and principals and faculty from the  
11                  institution of higher education, includ-  
12                  ing—

13                           “(aa) joint professional de-  
14                           velopment activities; and

15                           “(bb) activities to assist  
16                           such teachers, faculty, and prin-  
17                           cipals in using effective parent  
18                           and community engagement  
19                           strategies and to help ensure the  
20                           success of students academically  
21                           at risk of not enrolling in or com-  
22                           pleting postsecondary education,  
23                           first-generation college students,  
24                           and students described in section  
25                           1111(b)(2)(B)(xi) of the Elemen-

1                    tary and Secondary Education  
2                    Act of 1965 (20 U.S.C.  
3                    6311(b)(2)(B)(xi));

4                    “(iii) to carry out liaison activities  
5                    among the partners that comprise the eli-  
6                    gible entity pursuant to an agreement or  
7                    memorandum of understanding docu-  
8                    menting commitments, resources, roles,  
9                    and responsibilities of the partners con-  
10                    sistent with the design of the program;

11                    “(iv) for outreach programs to ensure  
12                    that secondary school students and their  
13                    families, including students academically at  
14                    risk of not enrolling in or completing post-  
15                    secondary education, first-generation col-  
16                    lege students, and students described in  
17                    section 1111(b)(2)(B)(xi) of the Elemen-  
18                    tary and Secondary Education Act of 1965  
19                    (20 U.S.C. 6311(b)(2)(B)(xi)), are—

20                    “(I) aware of, and recruited into,  
21                    the early college high school or dual  
22                    or concurrent enrollment program;  
23                    and

24                    “(II) assisted with the process of  
25                    enrolling in the early college high

1 school or dual or concurrent enroll-  
2 ment program;

3 “(v) to collect, share, and use data (in  
4 compliance with section 444 of the General  
5 Education Provisions Act (20 U.S.C.  
6 1232g)) for program improvement and  
7 program evaluation; and

8 “(vi) to review and strengthen its pro-  
9 gram to maximize the potential that stu-  
10 dents participating in the program will  
11 eventually complete a recognized postsec-  
12 ondary credential, including by opti-  
13 mizing—

14 “(I) the curriculum of the pro-  
15 gram;

16 “(II) the sequence of courses of-  
17 fered by the program; and

18 “(III) the alignment of academic  
19 calendars between the secondary  
20 schools and the institution of higher  
21 education participating in the pro-  
22 gram.

23 “(B) NEW PROGRAMS.—In the case of an  
24 eligible entity that uses a grant under this sec-  
25 tion to establish an early college high school or

1 dual or concurrent enrollment program, the en-  
2 tity shall use such funds during the first year  
3 of the grant period—

4 “(i) to design the curriculum and se-  
5 quence of courses in collaboration with, at  
6 a minimum—

7 “(I) faculty from the institution  
8 of higher education;

9 “(II) teachers and faculty from  
10 the local educational agency; and

11 “(III) in the case of a career and  
12 technical education program, employ-  
13 ers or workforce development entities  
14 to ensure that the program is aligned  
15 with labor market demand;

16 “(ii) to develop and implement an ar-  
17 ticulation agreement between the institu-  
18 tion of higher education and the local edu-  
19 cational agency that governs how sec-  
20 ondary and postsecondary credits will be  
21 awarded under the program; and

22 “(iii) to carry out the activities de-  
23 scribed in subparagraph (A).

24 “(2) ALLOWABLE ACTIVITIES.—An eligible enti-  
25 ty may use grant funds received under this section

1 to support the activities described in its application  
2 under subsection (i), including by—

3 “(A) purchasing textbooks and equipment  
4 that support the program’s curriculum;

5 “(B) pursuant to the assurance provided  
6 by the eligible entity under subsection (i)(3)(A),  
7 paying tuition and fees for postsecondary  
8 courses taken by students under the program;

9 “(C) incorporating work-based learning op-  
10 portunities into the program (which may in-  
11 clude partnering with entities that provide such  
12 opportunities), including—

13 “(i) internships;

14 “(ii) career-based capstone projects;

15 “(iii) pre-apprenticeships and appren-  
16 ticeships provided by eligible providers of  
17 apprenticeship programs described in sec-  
18 tion 122(a)(2)(B) of the Workforce Inno-  
19 vation and Opportunity Act (29 U.S.C.  
20 3152(a)(2)(B)); and

21 “(iv) work-based learning opportuni-  
22 ties provided under chapters 1 and 2 of  
23 subpart 2 of part A of title IV of the High-  
24 er Education Act of 1965 (20 U.S.C.  
25 1070a–11 et seq.);

1           “(D) providing students with transpor-  
2           tation to and from the program;

3           “(E) paying costs for—

4                 “(i) high school teachers to obtain the  
5                 skills, credentials, or industry certifications  
6                 necessary to teach for the institution of  
7                 higher education participating in the pro-  
8                 gram; or

9                 “(ii) postsecondary faculty to become  
10                certified to teach high school; or

11           “(F) providing time during which sec-  
12           ondary school teachers and faculty and faculty  
13           from an institution of higher education can col-  
14           laborate, which may include the planning of  
15           team activities for such teachers and faculty.

16           “(i) APPLICATION.—

17                 “(1) IN GENERAL.—To be eligible to receive a  
18                 grant under this section, an eligible entity shall sub-  
19                 mit to the Secretary an application at such time, in  
20                 such manner, and containing such information as  
21                 the Secretary may require.

22                 “(2) CONTENTS OF APPLICATION.—The appli-  
23                 cation under paragraph (1) shall include, at min-  
24                 imum, a description of—



1           “(A) the partnership that comprises the el-  
2           igible entity, including documentation of part-  
3           ner commitments, resources and budget, roles,  
4           and responsibilities;

5           “(B) how the partners that comprise the  
6           eligible entity will coordinate to carry out the  
7           mandatory activities described in subsection  
8           (h)(1);

9           “(C) the number of students intended to  
10          be served by the program and demographic in-  
11          formation relating to such students;

12          “(D) how the eligible entity’s curriculum  
13          and sequence of courses form a program of  
14          study leading to a recognized postsecondary cre-  
15          dential;

16          “(E) how postsecondary credits earned will  
17          be transferable to institutions of higher edu-  
18          cation within the State, including any applicable  
19          statewide transfer agreements and any provi-  
20          sions of such agreements that are specific to  
21          dual or concurrent enrollment programs;

22          “(F) how the eligible entity will ensure  
23          that students understand how credits earned by  
24          such students will transfer;

1           “(G) outreach programs to provide sec-  
2           ondary school students, especially those in mid-  
3           dle grades, and their parents, teachers, school  
4           counselors, and principals information about,  
5           and academic preparation for, the early college  
6           high school or other dual or concurrent enroll-  
7           ment program;

8           “(H) how the eligible entity will determine  
9           the eligibility of students for postsecondary  
10          courses, including an explanation of the mul-  
11          tiple factors the entity will take into account to  
12          assess the readiness of students for such  
13          courses; and

14          “(I) the sustainability plan for the early  
15          college high school or other dual or concurrent  
16          enrollment program.

17          “(3) ASSURANCES.—The application under  
18          paragraph (1) shall include assurances from the eli-  
19          gible entity that—

20                 “(A) students participating in a program  
21                 funded with a grant under this section will not  
22                 be required to pay tuition or fees for postsec-  
23                 ondary courses taken under the program;

24                 “(B) postsecondary credits earned by stu-  
25                 dents under the program will be transcribed

1           upon completion of the required course work;  
2           and

3                   “(C) instructors of postsecondary courses  
4           under the program will meet the same stand-  
5           ards applicable to other faculty at the institu-  
6           tion of higher education that is participating in  
7           the program.

8   **“SEC. 419R. GRANTS TO STATES.**

9           “(a) IN GENERAL.—The Secretary shall award  
10   grants to States, on a competitive basis, to assist States  
11   in supporting or establishing early college high schools or  
12   dual or concurrent enrollment programs.

13           “(b) DURATION.—Each grant under this section shall  
14   be awarded for a period of 6 years.

15           “(c) GRANT AMOUNT.—The Secretary shall ensure  
16   that the amount of each grant under this section is suffi-  
17   cient to enable each grantee to carry out the activities de-  
18   scribed in subsection (f).

19           “(d) MATCHING REQUIREMENT.—For each year that  
20   a State receives a grant under this section, the State shall  
21   provide, from non-Federal sources, an amount equal to 50  
22   percent of the amount of the grant received by the State  
23   for such year to carry out the activities supported by the  
24   grant.

1       “(e) SUPPLEMENT, NOT SUPPLANT.—A State shall  
2 use a grant received under this section only to supplement  
3 funds that would, in the absence of such grant, be made  
4 available from other Federal, State, or local sources for  
5 activities supported by the grant, not to supplant such  
6 funds.

7       “(f) USES OF FUNDS.—

8           “(1) MANDATORY ACTIVITIES.—A State shall  
9 use grant funds received under this section to—

10                   “(A) support the activities described in its  
11 application under subsection (g);

12                   “(B) plan and implement a statewide  
13 strategy for expanding access to early college  
14 high schools and dual or concurrent enrollment  
15 programs for students who are underrep-  
16 resented in higher education to raise statewide  
17 rates of secondary school graduation, readiness  
18 for postsecondary education, and completion of  
19 recognized postsecondary credentials, with a  
20 focus on students academically at risk of not  
21 enrolling in or completing postsecondary edu-  
22 cation;

23                   “(C) identify any obstacles to such a strat-  
24 egy under State law or policy;

1           “(D) provide technical assistance (either  
2 directly or through a knowledgeable inter-  
3 mediary) to early college high schools and other  
4 dual or concurrent enrollment programs, which  
5 may include—

6                   “(i) brokering relationships and agree-  
7 ments that forge a strong partnership be-  
8 tween elementary and secondary and post-  
9 secondary partners; and

10                   “(ii) offering statewide training and  
11 peer learning opportunities for school lead-  
12 ers, instructors, and counselors or advisors;

13           “(E) identify and implement policies that  
14 will improve the effectiveness and ensure the  
15 quality of early college high schools and dual or  
16 concurrent enrollment programs, such as eligi-  
17 bility and access, funding, data and quality as-  
18 surance, governance, accountability, and align-  
19 ment policies;

20           “(F) disseminate best practices for early  
21 college high schools and dual or concurrent en-  
22 rollment programs, which may include best  
23 practices from programs in the State or other  
24 States;

1           “(G) facilitate statewide secondary and  
2 postsecondary data collection, research and  
3 evaluation, and reporting to policymakers and  
4 other stakeholders; and

5           “(H) conduct outreach programs to ensure  
6 that secondary school students, their families,  
7 and community members are aware of early col-  
8 lege high schools and dual or concurrent enroll-  
9 ment programs in the State.

10           “(2) ALLOWABLE ACTIVITIES.—A State may  
11 use grant funds received under this section to—

12           “(A) establish a mechanism to offset the  
13 costs of tuition, fees, and support services for  
14 low-income students enrolled in early college  
15 high schools or dual or concurrent enrollment  
16 programs;

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)) as identified by the State in  
23           its accountability system under section 1111(e)  
24           of the Elementary and Secondary Education  
25           Act of 1965 (20 U.S.C. 6311(e));



1           “(D) how the State will access and lever-  
2           age additional resources necessary to sustain  
3           early college high schools or other dual or con-  
4           current enrollment programs;

5           “(E) how the State will identify and elimi-  
6           nate barriers to implementing effective early  
7           college high schools and dual or concurrent en-  
8           rollment programs after the grant expires, in-  
9           cluding by engaging businesses and nonprofit  
10          organizations; and

11          “(F) such other information as the Sec-  
12          retary determines to be appropriate.

13 **“SEC. 419S. REPORTING AND OVERSIGHT.**

14          “(a) IN GENERAL.—Not less frequently than once  
15          annually, each State and eligible entity that receives a  
16          grant under this subpart shall submit to the Secretary a  
17          report on the progress of the State or eligible entity in  
18          carrying out the programs supported by such grant.

19          “(b) FORM OF REPORT.—The report under sub-  
20          section (a) shall be submitted to the Secretary at such  
21          time, in such manner, and containing such information as  
22          the Secretary may require. The Secretary shall issue uni-  
23          form guidelines describing the information that shall be  
24          reported by grantees under such subsection.

25          “(c) CONTENTS OF REPORT.—

1           “(1) IN GENERAL.—The report under sub-  
2           section (a) shall include, at minimum, the following:

3                   “(A) The number of students enrolled in  
4                   the early college high school or dual or concu-  
5                   rent enrollment program.

6                   “(B) The number and percentage of stu-  
7                   dents reimbursed by the State for part or all of  
8                   the costs of an Advanced Placement or Inter-  
9                   national Baccalaureate examination and the  
10                  student test scores.

11                  “(C) The number and percentage of stu-  
12                  dents enrolled in the early college high school or  
13                  dual or concurrent enrollment program who  
14                  earn a recognized postsecondary credential con-  
15                  currently with a high school diploma.

16                  “(D) The number of postsecondary credits  
17                  earned by eligible students while enrolled in the  
18                  early college high school or dual or concurrent  
19                  enrollment program that may be applied toward  
20                  a recognized postsecondary credential.

21                  “(E) The number and percentage of stu-  
22                  dents who earn a high school diploma.

23                  “(F) Total number and percentage of eligi-  
24                  ble students who enroll in and subsequently

1 complete the early college high school or dual or  
2 concurrent enrollment program.

3 “(G) The number and percentage of grad-  
4 uates who enroll in postsecondary education, in  
5 military service, and in employment.

6 “(2) CATEGORIES OF STUDENTS.—The infor-  
7 mation described in each of subparagraphs (A)  
8 through (G) of paragraph (1) shall be set forth sepa-  
9 rately for each category of students described in sec-  
10 tion 1111(b)(2)(B)(xi) of the Elementary and Sec-  
11 ondary Education Act of 1965 (20 U.S.C.  
12 6311(b)(2)(B)(xi)).

13 **“SEC. 419T. NATIONAL ACTIVITIES.**

14 “(a) REPORTING BY SECRETARY.—Not less fre-  
15 quently than once annually, the Secretary shall submit to  
16 Congress a report that includes—

17 “(1) an analysis of the information received  
18 from States and eligible entities under section 419S;

19 “(2) an identification of best practices for car-  
20 rying out programs supported by grants under this  
21 subpart; and

22 “(3) the results of the evaluation under sub-  
23 section (b).

24 “(b) NATIONAL EVALUATION.—Not later than 6  
25 months after the date of the enactment of the Aim Higher

1 Act, the Secretary shall seek to enter into a contract with  
2 an independent entity to perform an evaluation of the  
3 grants awarded under this subtitle. Such evaluation shall  
4 apply rigorous procedures to obtain valid and reliable data  
5 concerning student outcomes by social and academic char-  
6 acteristics and monitor the progress of students from sec-  
7 ondary school to and through postsecondary education.

8 “(c) TECHNICAL ASSISTANCE.—The Secretary shall  
9 provide technical assistance to States and eligible entities  
10 concerning best practices and quality improvement pro-  
11 grams in early college high schools and dual or concurrent  
12 enrollment programs and shall disseminate such best prac-  
13 tices among eligible entities, States, and local educational  
14 agencies.

15 “(d) ADMINISTRATIVE COSTS.—From amounts re-  
16 served to carry out this section under section 419P(b)(3),  
17 the Secretary may reserve such sums as may be necessary  
18 for the direct administrative costs of carrying out the Sec-  
19 retary’s responsibilities under this subtitle.

20 **“SEC. 419U. RULES OF CONSTRUCTION.**

21 “(a) EMPLOYEES.—Nothing in this subpart shall be  
22 construed to alter or otherwise affect the rights, remedies,  
23 and procedures afforded to the employees of local edu-  
24 cational agencies (including schools) or institutions of  
25 higher education under Federal, State, or local laws (in-

1 cluding applicable regulations or court orders) or under  
2 the terms of collective bargaining agreements, memoranda  
3 of understanding, or other agreements between such em-  
4 ployees and their employers.

5 “(b) GRADUATION RATE.—A student who graduates  
6 from an early college high school supported by a grant  
7 under section 419Q within 100 percent of the normal time  
8 for completion described in the eligible entity’s application  
9 under such section shall be counted in the four-year ad-  
10 justed cohort graduation rate for such high school.”.

11 **SEC. 4033. REVISED DEFINITIONS OF TEACH GRANTS.**

12 Section 420L of the Higher Education Act of 1965  
13 (20 U.S.C. 1070g) is amended by adding at the end the  
14 following:

15 “(4) TEACHER PREPARATION PROGRAM.—The  
16 term ‘teacher preparation program’—

17 “(A) means a State-approved course of  
18 study provided by an institution of higher edu-  
19 cation, the completion of which signifies that an  
20 enrollee has met all the State’s educational or  
21 training requirements for initial certification or  
22 licensure to teach in the State’s elementary  
23 schools or secondary schools; and

1           “(B) may be a regular program or an al-  
2           ternative route to certification, as defined by  
3           the State that approved such course of study.”.

4 **SEC. 4034. REVISIONS TO ESTABLISHING TEACH GRANT**  
5 **PROGRAM.**

6           Section 420M(d)(1) of the Higher Education Act of  
7 1965 (20 U.S.C. 1070g-1(d)(1)) is amended—

8           (1) in the matter preceding subparagraph (A),  
9           by striking “baccalaureate or” and inserting “asso-  
10          ciate or baccalaureate, or”; and

11          (2) in subparagraph (B), by inserting before  
12          the period at the end the following: “, except that  
13          not more than \$8,000 may be received for under-  
14          graduate associate study”.

15 **SEC. 4035. REVISIONS TO TEACH GRANT APPLICATIONS**  
16 **AND ELIGIBILITY.**

17          Section 420N of the Higher Education Act of 1965  
18 (20 U.S.C. 1070g-2) is amended—

19          (1) in subsection (a)—

20                  (A) in the heading of paragraph (2), by  
21                  striking “DEMONSTRATION OF TEACH” and in-  
22                  serting “TEACH”;

23                  (B) in paragraphs (2)(B)(i), by striking  
24                  “or another high-need” and inserting “early  
25                  childhood education, or another high-need”; and

1 (C) in paragraph (2)(B)(ii), by striking “,  
2 such as Teach for America,”;

3 (2) in subsection (b)—

4 (A) in paragraph (1)—

5 (i) in subparagraph (B), by inserting  
6 before the semicolon at the end the fol-  
7 lowing: “or in a high-need early childhood  
8 education program (as defined in section  
9 200(15));”;

10 (ii) in subparagraph (C)—

11 (I) by striking “or” at the end of  
12 clause (vi);

13 (II) by redesignating clause (vii)  
14 as clause (viii);

15 (III) by inserting after clause  
16 (vi), as so amended, the following:

17 “(vii) early childhood education; or”;

18 and

19 (IV) in clause (viii), as so redesi-  
20 gnated, by adding “and” at the end;

21 (iii) in subparagraph (D), by striking  
22 “and” at the end; and

23 (iv) by striking subparagraph (E);

24 (B) by striking “and” at the end of para-  
25 graph (2);

1 (C) by striking the period at the end of  
2 paragraph (3) and inserting “; and”; and

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

4 “(4) contains an assurance by the Secretary  
5 that the Secretary will notify, or ensure that the ap-  
6 plicable loan servicer will notify, the applicant of—

7 “(A) the date on which submission of the  
8 certification under paragraph (1)(D) is re-  
9 quired; and

10 “(B) any failure to submit such certifi-  
11 cation.”;

12 (3) in subsection (c)—

13 (A) by striking “In the event” and insert-  
14 ing the following:

15 “(1) IN GENERAL.—In the event”; and

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

17 “(2) CLARIFICATION.—

18 “(A) IN GENERAL.—Except as provided in  
19 subparagraph (B) and without regard to wheth-  
20 er a recipient of a grant under this subpart  
21 submits the evidence under subsection  
22 (b)(1)(D) for any year or receives or responds  
23 to a notification described in subsection (b)(4),  
24 such recipient shall be considered to be in com-  
25 pliance with the service obligation under sub-



1 section (b) and shall not be subject to para-  
2 graph (1) of this subsection.

3 “(B) EXCEPTIONS.—Paragraph (1) of this  
4 subsection shall apply to a recipient of a grant  
5 under this subpart if—

6 “(i) after completing the course of  
7 study for which the recipient received the  
8 grant, the recipient does not serve as a  
9 full-time teacher as required under sub-  
10 section (b)(1) for at least—

11 “(I) 1 year, by not later than 5  
12 years after such completion;

13 “(II) 2 years, by not later than 6  
14 years after such completion;

15 “(III) 3 years, by not later than  
16 7 years after such completion; or

17 “(IV) 4 years, by not later than  
18 8 years after such completion; or

19 “(ii) the recipient elects to have such  
20 grant treated as a loan in accordance with  
21 such paragraph (1).”; and

22 (4) in subsection (d)—

23 (A) by redesignating paragraph (2) as  
24 paragraph (4);

1 (B) in paragraph (1), by striking “sub-  
2 section (b)(1)(C)(vii)” and inserting “sub-  
3 section (b)(1)(C)(viii)”;

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

6 “(2) CHANGE OF SCHOOL DESCRIPTION OR  
7 PROGRAM DEFINITION.—If a recipient of an initial  
8 grant under this subpart teaches in a school or an  
9 early childhood education program for an academic  
10 year during which the school is identified as a school  
11 described in section 465(a)(2)(A) or a program that  
12 meets the definition of section 200(15), but the  
13 school or program no longer meets such description  
14 or definition during a subsequent academic year, the  
15 grant recipient may fulfill the service obligation de-  
16 scribed in subsection (b)(1) by continuing to teach  
17 at that school or program.

18 “(3) CHANGE OF TEACHER DUTIES OR ASSIGN-  
19 MENT.—If a recipient of an initial grant under this  
20 subpart teaches as a full-time teacher described in  
21 subsection (b)(1)(A), but the recipient no longer  
22 meets such description during a subsequent aca-  
23 demic year due to switching academic roles to that  
24 of a full-time co-teacher, teacher leader, instruc-  
25 tional or academic coach, department chairperson,

1 special education case manager, guidance counselor,  
2 or school administrator within a school or program,  
3 the grant recipient may fulfill the service obligation  
4 described in subsection (b)(1) by continuing to work  
5 in any such academic role on a full-time basis at  
6 that school or program.”.

7 **SEC. 4036. 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, the Secretary shall determine,  
15 disaggregate in accordance with paragraph (2), and  
16 make available to the public in accordance with  
17 paragraph (3), with respect to each institution (and  
18 each category of institution listed in section 132(d))  
19 that received a payment under this subpart in the  
20 previous academic year, the following information:

21 “(A) The number and mean dollar amount  
22 of TEACH Grants awarded to students at the  
23 institution.

1           “(B) The number and proportion of  
2           TEACH Grant recipients who exit their pro-  
3           gram of study before completing the program.

4           “(C) The number and proportion of  
5           TEACH Grant recipients who complete their  
6           program of study and begin employment as a  
7           teacher in the first academic year following the  
8           year of such completion.

9           “(D) The adjusted cohort default rate (as  
10          determined under section 435(m)) for TEACH  
11          Grant recipients who exit their program of  
12          study before completing the program, and for  
13          TEACH Grant recipients who complete their  
14          program of study.

15          “(E) The number and proportion of indi-  
16          viduals employed as teachers who received a  
17          TEACH Grant and whose TEACH Grants are  
18          converted into loans during the 8-year period  
19          following the year in which the recipient com-  
20          pleted the recipient’s program of study, set  
21          forth separately for each year in such period.

22          “(F) The number and proportion of  
23          TEACH Grant recipients who fulfill the terms  
24          of their agreement to serve under section  
25          420N(b) during the 8-year period following the

1 year in which the recipient completed the recipi-  
2 ent's program of study, set forth separately for  
3 each year in such period.

4 “(2) DISAGGREGATION.—The information de-  
5 termined under paragraph (1)—

6 “(A) except in cases in which such  
7 disaggregation would reveal personally identifi-  
8 able information about an individual student,  
9 shall be disaggregated by—

10 “(i) race, in accordance with section  
11 153(a)(3) of the Education Sciences Re-  
12 form Act of 2002 (20 U.S.C. 9543);

13 “(ii) gender;

14 “(iii) socioeconomic status;

15 “(iv) Federal Pell Grant eligibility  
16 status;

17 “(v) status as a first-generation col-  
18 lege student (as defined in section  
19 402A(h));

20 “(vi) veteran or active duty status;

21 “(vii) disability status;

22 “(viii) level of study (undergraduate,  
23 postbaccalaureate, or graduate, as applica-  
24 ble);

1                   “(ix) year of study (freshman, sopho-  
2                   more, junior, senior, as applicable); and

3                   “(x) each teacher preparation pro-  
4                   gram offered by an institution; and

5                   “(B) may be disaggregated by any com-  
6                   bination of subgroups or descriptions described  
7                   in subparagraph (A).

8                   “(3) AVAILABILITY OF DATA.—The information  
9                   determined under paragraph (1) shall—

10                   “(A) remain available to the public for a  
11                   period of not less than 10 years after its initial  
12                   release by the Secretary; and

13                   “(B) be updated as necessary to reflect the  
14                   most accurate and up-to-date information for  
15                   each institution for each year of data collection.

16                   “(b) INFORMATION FROM INSTITUTIONS.—Each in-  
17                   stitution that receives a payment under this subpart shall  
18                   provide to the Secretary, on an annual basis, such infor-  
19                   mation as may be necessary for the Secretary to carry out  
20                   subsection (a).

21                   “(c) REPORTS AND DISSEMINATION.—

22                   “(1) INITIAL AND INTERIM REPORTS.—Not  
23                   later than one year after the date on which the first  
24                   TEACH Grant is awarded under this subpart after  
25                   the date of enactment of the Aim Higher Act, and

1 annually thereafter, the Secretary shall submit to  
2 the authorizing committees a report that includes  
3 the information required under paragraph (3).

4 “(2) FINAL REPORT.—

5 “(A) IN GENERAL.—Not later than one  
6 year after the date described in subparagraph  
7 (B), the Secretary shall submit to the author-  
8 izing committees a final report that includes the  
9 information required under paragraph (3).

10 “(B) DATE DESCRIBED.—The date de-  
11 scribed in this subparagraph is the later of—

12 “(i) the date on which the last service  
13 agreement associated with a TEACH  
14 Grant is completed; or

15 “(ii) the date on which the last  
16 TEACH Grant awarded under this subpart  
17 is converted into a loan.

18 “(3) ELEMENTS.—Each report under this sub-  
19 section shall include, based on information deter-  
20 mined under subsection (a), the following:

21 “(A) A review of the utilization of TEACH  
22 Grants at teacher preparation programs at in-  
23 stitutions that received a payment under this  
24 subpart.

1           “(B) A review of TEACH Grant practices  
2           that correlate with higher rates of completion of  
3           agreements under section 420N(b).

4           “(C) Guidance and recommendations on  
5           how effective utilization of TEACH Grants can  
6           be replicated.

7           “(4) AVAILABILITY.—Each report under this  
8           subsection shall be made available to the public in  
9           an accessible format—

10           “(A) on a website of the Department of  
11           Education; and

12           “(B) in any other format determined to be  
13           appropriate by the Secretary.”.

14 **SEC. 4037. NORTHERN MARIANA ISLANDS AND AMERICAN**  
15 **SAMOA COLLEGE ACCESS.**

16           Subpart 10 of part A of title IV (20 U.S.C. 1070(h))  
17 is amended to read as follows:

18           **“Subpart 10—Northern Mariana Islands and**  
19           **American Samoa College Access**

20 **“SEC. 420R. PUBLIC SCHOOL GRANTS.**

21           “(a) PURPOSE.—It is the purpose of this subpart to  
22 establish a program that enables college-bound residents  
23 of the Northern Mariana Islands and American Samoa to  
24 have greater choices among institutions of higher edu-  
25 cation.



1 “(b) GRANTS.—

2 “(1) IN GENERAL.—From amounts appro-  
3 priated under subsection (j), the Secretary shall pro-  
4 vide—

5 “(A) 50 percent of such amount to the  
6 Northern Mariana Islands for the Governor to  
7 award grants to eligible institutions that enroll  
8 eligible students to pay the difference between  
9 the tuition and fees charged for in-State stu-  
10 dents and the tuition and fees charged for out-  
11 of-State students on behalf of each eligible stu-  
12 dent enrolled in the eligible institution; and

13 “(B) 50 percent of such amount to the  
14 American Samoa for the Governor to award  
15 grants to eligible institutions that enroll eligible  
16 students to pay the difference between the tui-  
17 tion and fees charged for in-State students and  
18 the tuition and fees charged for out-of-State  
19 students on behalf of each eligible student en-  
20 rolled in the eligible institution.

21 “(2) MAXIMUM STUDENT AMOUNTS.—The  
22 amount paid on behalf of an eligible student under  
23 this section shall be—

24 “(A) not more than \$15,000 for any one  
25 award year (as defined in section 481); and

1           “(B) not more than \$45,000 in the aggre-  
2           gate.

3           “(3) PRORATION.—The Governor shall prorate  
4           payments under this section for students who attend  
5           an eligible institution on less than a full-time basis.

6           “(c) REDUCTION FOR INSUFFICIENT APPROPRIA-  
7           TIONS.—

8           “(1) IN GENERAL.—If the funds appropriated  
9           pursuant to subsection (j) for any fiscal year are in-  
10          sufficient to award a grant in the amount deter-  
11          mined under subsection (a) on behalf of each eligible  
12          student enrolled in an eligible institution, then the  
13          Governor, in consultation with the Secretary of Edu-  
14          cation, shall—

15               “(A) first, ratably reduce the amount of  
16               the tuition and fee payment made on behalf of  
17               each eligible student who has not received funds  
18               under this section for a preceding year; and

19               “(B) after making reductions under sub-  
20               paragraph (A), ratably reduce the amount of  
21               the tuition and fee payments made on behalf of  
22               all other eligible students.

23           “(2) ADJUSTMENTS.—The Governor, in con-  
24           sultation with the Secretary of Education, may ad-

1 just the amount of tuition and fee payments made  
2 under paragraph (1) based on—

3 “(A) the financial need of the eligible stu-  
4 dents to avoid undue hardship to the eligible  
5 students; or

6 “(B) undue administrative burdens on the  
7 Governor.

8 “(3) FURTHER ADJUSTMENTS.—Notwith-  
9 standing paragraphs (1) and (2), the Governor may  
10 prioritize the making or amount of tuition and fee  
11 payments under this subsection based on the income  
12 and need of eligible students.

13 “(d) DEFINITIONS.—In this subpart:

14 “(1) ELIGIBLE INSTITUTION.—The term ‘eligi-  
15 ble institution’ means an institution that—

16 “(A) is a public four-year institution of  
17 higher education located in one of the several  
18 States, the District of Columbia, Puerto Rico,  
19 the United States Virgin Islands, or Guam;

20 “(B) is eligible to participate in the stu-  
21 dent financial assistance programs under title  
22 IV; and

23 “(C) enters into an agreement with the  
24 Governors of the Northern Mariana Islands and  
25 American Samoa containing such conditions as

1 each Governor may specify, including a require-  
2 ment that the institution use the funds made  
3 available under this section to supplement and  
4 not supplant assistance that otherwise would be  
5 provided to eligible students from the Northern  
6 Mariana Islands and American Samoa.

7 “(2) ELIGIBLE STUDENT.—The term ‘eligible  
8 student’ means an individual who—

9 “(A) graduated from a public institution of  
10 higher education located in the Northern Mar-  
11 iana Islands or American Samoa;

12 “(B) begins the individual’s course of  
13 study within the 3 calendar years (excluding  
14 any period of service on active duty in the  
15 Armed Forces or service under the Peace Corps  
16 Act (22 U.S.C. 2501 et seq.) or subtitle D of  
17 title I of the National and Community Service  
18 Act of 1990 (42 U.S.C. 12571 et seq.)) of grad-  
19 uation from a public institution of higher edu-  
20 cation located in the Northern Mariana Islands  
21 or American Samoa;

22 “(C) is enrolled or accepted for enrollment,  
23 on at least a half-time basis, in a baccalaureate  
24 degree or other program (including a program  
25 of study abroad approved for credit by the insti-

1           tution at which such student is enrolled) lead-  
2           ing to a recognized educational credential at an  
3           eligible institution;

4           “(D) if enrolled in an eligible institution, is  
5           maintaining satisfactory progress in the course  
6           of study the student is pursuing in accordance  
7           with section 484(c); and

8           “(E) has not completed the individual’s  
9           first undergraduate baccalaureate course of  
10          study.

11          “(3) INSTITUTION OF HIGHER EDUCATION.—  
12          The term ‘institution of higher education’ has the  
13          meaning given the term in section 101.

14          “(4) GOVERNOR.—The term ‘Governor’ means  
15          the Governor of the Commonwealth of the Northern  
16          Mariana Islands or American Samoa.

17          “(e) CONSTRUCTION.—Nothing in this subpart shall  
18          be construed to require an institution of higher education  
19          to alter the institution’s admissions policies or standards  
20          in any manner to enable an eligible student to enroll in  
21          the institution.

22          “(f) APPLICATIONS.—Each student desiring a tuition  
23          payment under this section shall submit an application to  
24          the eligible institution at such time, in such manner, and

1 accompanied by such information as the eligible institution  
2 may require.

3 “(g) ADMINISTRATION OF PROGRAM.—

4 “(1) IN GENERAL.—Each Governor shall carry  
5 out the program under this section in consultation  
6 with the Secretary. Each Governor may enter into a  
7 grant, contract, or cooperative agreement with an-  
8 other public or private entity to administer the pro-  
9 gram under this section if the Governor determines  
10 that doing so is a more efficient way of carrying out  
11 the program.

12 “(2) POLICIES AND PROCEDURES.—Each Gov-  
13 ernor, in consultation with institutions of higher  
14 education eligible for participation in the program  
15 authorized under this section, shall develop policies  
16 and procedures for the administration of the pro-  
17 gram.

18 “(3) MEMORANDUM OF AGREEMENT.—Each  
19 Governor and the Secretary shall enter into a Memo-  
20 randum of Agreement that describes—

21 “(A) the manner in which the Governor  
22 shall consult with the Secretary with respect to  
23 administering the program under this section;  
24 and

1           “(B) any technical or other assistance to  
2           be provided to the Governor by the Secretary  
3           for purposes of administering the program  
4           under this section (which may include access to  
5           the information in the common financial report-  
6           ing form developed under section 483).

7           “(h) GOVERNOR’S REPORT.—Each Governor shall re-  
8           port to the authorizing committees annually regarding—

9           “(1) the number of eligible students attending  
10          each eligible institution and the amount of the grant  
11          awards paid to those institutions on behalf of the eli-  
12          gible students;

13          “(2) the extent, if any, to which a ratable re-  
14          duction was made in the amount of tuition and fee  
15          payments made on behalf of eligible students; and

16          “(3) the progress in obtaining recognized aca-  
17          demic credentials of the cohort of eligible students  
18          for each year.

19          “(i) GAO REPORT.—Beginning on the date of the en-  
20          actment of this Act, the Comptroller General of the United  
21          States shall monitor the effect of the program assisted  
22          under this section on educational opportunities for eligible  
23          students. The Comptroller General shall analyze whether  
24          eligible students had difficulty gaining admission to eligi-  
25          ble institutions because of any preference afforded in-

1 State residents by eligible institutions, and shall expedi-  
2 tiously report any findings regarding such difficulty to  
3 Congress and the Governor. In addition the Comptroller  
4 General shall—

5           “(1) analyze the extent to which there are an  
6           insufficient number of eligible institutions to which  
7           Northern Mariana Islands and American Samoa stu-  
8           dents can gain admission, including admission aided  
9           by assistance provided under this subpart, due to—

10                   “(A) caps on the number of out-of-State  
11                   students the institution will enroll;

12                   “(B) significant barriers imposed by aca-  
13                   demic entrance requirements (such as grade  
14                   point average and standardized scholastic ad-  
15                   missions tests); and

16                   “(C) absence of admission programs bene-  
17                   fitting minority students; and

18           “(2) report the findings of the analysis de-  
19           scribed in paragraph (1) and the assessment de-  
20           scribed in paragraph (2) to Congress and the Gov-  
21           ernor.

22           “(j) AUTHORIZATION OF APPROPRIATIONS.—There  
23           are authorized to be appropriated to the Commonwealth  
24           of the Northern Mariana Islands and American Samoa to  
25           carry out this subpart \$5,000,000, to be available until



1 expended, for fiscal year 2019 and each of the 5 suc-  
2 ceeding fiscal years.

3 “(k) EFFECTIVE DATE.—This subpart shall take ef-  
4 fect with respect to payments for periods of instruction  
5 that begin on or after January 1, 2019.

6 **“SEC. 420S. GENERAL REQUIREMENTS.**

7 “(a) PERSONNEL.—The Secretary shall arrange for  
8 the assignment of an individual, pursuant to subchapter  
9 VI of chapter 33 of title 5, United States Code, to serve  
10 as an adviser to each Governor with respect to the pro-  
11 grams assisted under this subpart.

12 “(b) ADMINISTRATIVE EXPENSES.—Each Governor  
13 may use not more than 5 percent of the funds made avail-  
14 able for a program under section 420R for a fiscal year  
15 to pay the administrative expenses of a program under  
16 section 420R for the fiscal year.

17 “(c) INSPECTOR GENERAL REVIEW.—Each of the  
18 programs assisted under this subpart shall be subject to  
19 audit and other review by the Inspector General of the  
20 Department of Education in the same manner as pro-  
21 grams are audited and reviewed under the Inspector Gen-  
22 eral Act of 1978 (5 U.S.C. App.).

23 “(d) GIFTS.—The Governor may accept, use, and dis-  
24 pose of donations of services or property for purposes of  
25 carrying out this subpart.

1       “(e) MAXIMUM STUDENT AMOUNT ADJUSTMENTS.—  
2 Each Governor shall establish rules to adjust the max-  
3 imum student amounts described in section 440S(b)(2) for  
4 eligible students described in section 440S(d)(2) who  
5 transfer between the eligible institutions described in sec-  
6 tion 440S(d)(1).”.

7 **SEC. 4038. COMMUNITY COLLEGE STUDENT SUCCESS**  
8 **GRANT PROGRAM AUTHORIZED.**

9       Part A of title IV (20 U.S.C. 1070 et seq.) is further  
10 amended by adding at the end the following:

11 **“Subpart 11—Community College Student Success**  
12 **“SEC. 420T. COMMUNITY COLLEGE STUDENT SUCCESS**  
13 **GRANT PROGRAM AUTHORIZED.**

14       “From the amounts appropriated under 420BB, the  
15 Secretary of Education shall establish and carry out the  
16 community college student success grant program to  
17 award grants under sections 420U and 420V, on a com-  
18 petitive basis, to eligible institutions to plan and imple-  
19 ment community college student success programs de-  
20 signed to increase—

21               “(1) the rate at which eligible students grad-  
22 uate from a program of study at such eligible insti-  
23 tution within 150 percent of the normal time for  
24 graduation; and

25               “(2) transfer rates of eligible students.

1 **“SEC. 420U. GRANTS TO PLAN COMMUNITY COLLEGE STU-**  
2 **DENT SUCCESS PROGRAMS.**

3 “(a) **PLANNING GRANTS AUTHORIZED.**—From the  
4 amounts appropriated to carry out this section under sec-  
5 tion 420BB for a fiscal year, the Secretary shall award  
6 planning grants for such fiscal year, on a competitive  
7 basis, to eligible institutions to develop plans for commu-  
8 nity college student success programs.

9 “(b) **DURATION.**—A grant awarded under this sec-  
10 tion shall be for a 1-year period.

11 “(c) **PEER REVIEW PROCESS; PRIORITY.**—In award-  
12 ing grants under this section for a fiscal year, the Sec-  
13 retary shall—

14 “(1) carry out a peer review process that—

15 “(A) requires that each application sub-  
16 mitted under subsection (d) be peer reviewed by  
17 a panel of readers composed of individuals se-  
18 lected by the Secretary, which shall include—

19 “(i) not less than 50 percent of read-  
20 ers—

21 “(I) who are not employees of the  
22 Federal Government; and

23 “(II) who have relevant research  
24 or practical experience with respect to  
25 student support programs designed to  
26 increase graduation rates and transfer

1 rates at public 2-year institutions of  
2 higher education; and

3 “(ii) to the maximum extent prac-  
4 ticable, individuals who are members of  
5 groups underrepresented in higher edu-  
6 cation, including African Americans, His-  
7 panics, Native Americans, Alaska Natives,  
8 Asian Americans, Native American Pacific  
9 Islanders (including Native Hawaiians),  
10 and individuals with disabilities; and

11 “(B) ensures that no individual assigned  
12 under subparagraph (A) to review an applica-  
13 tion has any conflict of interest with regard to  
14 that application that may make the individual  
15 unable to impartially conduct such review; and

16 “(2) give priority to eligible institutions that  
17 are eligible to receive funding under title III or V.

18 “(d) APPLICATION.—An eligible institution desiring  
19 a grant under this section shall submit an application to  
20 the Secretary at such time, in such manner, and con-  
21 taining such information as the Secretary may require,  
22 which shall include—

23 “(1) the graduation rate and transfer rate for  
24 the most recent academic year for which data are

1 available for eligible students and all students, re-  
2 spectively;

3 “(2) an analysis of how implementing a commu-  
4 nity college student success program may improve  
5 the graduation rate or transfer rate for eligible stu-  
6 dents; and

7 “(3) an analysis of the methods the eligible in-  
8 stitution has previously used to improve the gradua-  
9 tion rate or transfer rate with respect to eligible stu-  
10 dents and all students, respectively.

11 “(e) USE OF FUNDS.—An eligible institution that re-  
12 ceives a grant under this section shall use the grant to  
13 develop a plan to implement a community college student  
14 success program at the eligible institution.

15 “(f) REPORT.—Not later than 1 year after the date  
16 on which an eligible institution receives a grant under this  
17 section, such eligible institution shall submit to the Sec-  
18 retary a report that includes—

19 “(1) a plan for implementing a community col-  
20 lege student success program at the eligible institu-  
21 tion, including—

22 “(A) the ambitious outcome goals for  
23 achieving significant improvements in gradua-  
24 tion rates and transfer rates for eligible stu-  
25 dents and all students, respectively, as such

1 rates are defined by the eligible institution, in  
2 consultation with the Secretary, before the end  
3 of the grant period;

4 “(B) the number of such eligible students  
5 who will participate in such program, including  
6 how such eligible students will be identified, re-  
7 ferred, and selected, in cases where the interest  
8 in the program is larger than the budget for the  
9 program;

10 “(C) the demographics (including income,  
11 race (as defined by section 153(a) of the Edu-  
12 cation of the Sciences Reform Act of 2002 (20  
13 U.S.C. 9543)), disability status, and gender) of  
14 such eligible students; and

15 “(D) based on the most recent academic  
16 year for which data are available, disaggregated  
17 by eligible students and all students—

18 “(i) graduation rates;

19 “(ii) transfer rates;

20 “(iii) retention rates;

21 “(iv) rates of completion of remedial  
22 courses for students required to complete  
23 such courses; and

1           “(v) average number of credits at-  
2           tempted and average number of credits  
3           earned;

4           “(E) an analysis of the financial needs of  
5           the eligible students described in subparagraph  
6           (B);

7           “(F) an analysis of how the eligible institu-  
8           tion will collaborate across departments at the  
9           institution and with external partners to imple-  
10          ment a community college student success pro-  
11          gram, including the detailed roles and respon-  
12          sibilities of each potential external partner (in-  
13          cluding each investor, State or local government  
14          entity, or other stakeholder);

15          “(G) a description of how the eligible insti-  
16          tution will effectively staff a community college  
17          student success program; and

18          “(H) a timeline for the implementation of  
19          such program;

20          “(2) a budgetary analysis that includes—

21                  “(A) a description of how the eligible insti-  
22                  tution will—

23                          “(i) provide non-Federal funds for  
24                          such program under subsection (d) of sec-  
25                          tion 420V; and

1                   “(ii) meet the requirement of sub-  
2                   section (b)(3) of such section; and

3                   “(B) a description of how the eligible insti-  
4                   tution will continue to fund such program after  
5                   the end of the grant period for the grant  
6                   awarded to the institution under section 420V;

7                   “(3) a description of the data system the eligi-  
8                   ble institution will use to track and evaluate the  
9                   progress of eligible students participating in such  
10                  program;

11                  “(4) an analysis of the institutional barriers  
12                  that may hinder implementation of such program at  
13                  such eligible institution; and

14                  “(5) such other information as the Secretary  
15                  may require.

16 **“SEC. 420V. GRANTS TO IMPLEMENT COMMUNITY COLLEGE**  
17 **STUDENT SUCCESS PROGRAMS.**

18                  “(a) IMPLEMENTATION GRANTS AUTHORIZED.—

19                  “(1) IN GENERAL.—From the amounts appro-  
20                  priated to carry out this section under section  
21                  420BB for a fiscal year, the Secretary shall award  
22                  grants for such fiscal year, on a competitive basis,  
23                  to eligible institutions awarded a grant under section  
24                  420U to implement community college student suc-  
25                  cess programs.



1           “(2) CONSULTATION.—In awarding grants  
2           under this section for a fiscal year, the Secretary  
3           shall consult with the independent evaluator before  
4           finalizing which eligible institutions will receive such  
5           a grant for such fiscal year.

6           “(b) REQUIREMENTS FOR SELECTION.—To be eligi-  
7           ble to receive a grant under this section, an eligible institu-  
8           tion shall meet the following requirements:

9           “(1) The eligible institution was awarded a  
10          grant under section 420U at least 1 year before  
11          such eligible institution submits an application under  
12          subsection (e).

13          “(2) The eligible institution submits an applica-  
14          tion under subsection (e).

15          “(3) The eligible institution demonstrates, on  
16          the date of the application described in subsection  
17          (e), the availability of non-Federal funding for the  
18          matching funds required under subparagraphs (A),  
19          (B), and (C) of subsection (d)(1).

20          “(c) DURATION.—A grant awarded under this section  
21          shall be for a 5-year period.

22          “(d) NON-FEDERAL CONTRIBUTION.—

23                 “(1) IN GENERAL.—Except as provided in para-  
24                 graph (2), an eligible institution awarded a grant

1 under this section shall contribute in cash from non-  
2 Federal sources, the following:

3 “(A) For the second year of the grant pe-  
4 riod, an amount equal to 20 percent of the cost  
5 of carrying out the community college student  
6 success program at the institution for such  
7 year.

8 “(B) For the third year of the grant pe-  
9 riod, an amount equal to 40 percent of the cost  
10 of carrying out such program for such year.

11 “(C) For the fourth year of the grant pe-  
12 riod, an amount equal to 60 percent of the cost  
13 of carrying out such program for such year.

14 “(D) For the fifth year of the grant pe-  
15 riod, an amount equal to 80 percent of the cost  
16 of carrying out such program for such year.

17 “(2) EXCEPTION.—

18 “(A) IN GENERAL.—Notwithstanding para-  
19 graph (1), with respect to an exempt institution  
20 awarded a grant under this section, for each  
21 year of the grant period beginning with the sec-  
22 ond year through the fifth year, the Secretary  
23 shall not require the institution to make a cash  
24 contribution from non-Federal sources in an  
25 amount that is greater than the amount equal

1 to 5 percent of the cost of carrying out the  
2 community college student success program at  
3 the institution for such year.

4 “(B) DEFINITIONS.—For purposes of this  
5 paragraph:

6 “(i) EXEMPT INSTITUTION.—The  
7 term ‘exempt institution’ means an eligible  
8 institution that is a—

9 “(I) Tribal college or university;

10 or

11 “(II) an institution located in the  
12 Commonwealth of Puerto Rico, Guam,  
13 American Samoa, the United States  
14 Virgin Islands, the Commonwealth of  
15 the Northern Mariana Islands, the  
16 Republic of the Marshall Islands, the  
17 Federated States of Micronesia, or the  
18 Republic of Palau.

19 “(ii) TRIBAL COLLEGE OR UNIVER-  
20 SITY.—The term ‘Tribal college or univer-  
21 sity’ has the meaning given the term in  
22 section 316 of the Higher Education Act  
23 of 1965 (20 U.S.C. 1059c).

24 “(e) APPLICATION.—

1           “(1) IN GENERAL.—An eligible institution de-  
2           siring a grant under this section shall submit an ap-  
3           plication to the Secretary at such time, in such man-  
4           ner, and containing such information as the Sec-  
5           retary may require, which shall include a copy of the  
6           report described in 420U(e).

7           “(2) REQUIREMENTS FOR ELIGIBLE INSTITU-  
8           TIONS THAT REAPPLY.—An institution that submits  
9           an application under paragraph (1) that is not the  
10          first application submitted by such institution under  
11          such paragraph shall include the following in such  
12          application:

13                 “(A) The number of applications such eli-  
14                 gible institution has submitted under paragraph  
15                 (1) and the dates on which such applications  
16                 were submitted.

17                 “(B) A description of the changes the eligi-  
18                 ble institution has made since the most recent  
19                 application submitted under paragraph (1) to  
20                 improve the plan to implement a community  
21                 college student success program at such eligible  
22                 institution.

23           “(3) REVIEW.—Not later than 60 days after re-  
24           ceiving an application under this subsection, the Sec-  
25           retary shall approve or deny such application.

1       “(f) REQUIRED USE OF FUNDS.—An eligible institu-  
2 tion that receives a grant under this section shall use the  
3 grant funds to—

4           “(1) implement a community college student  
5 success program;

6           “(2) regularly review—

7               “(A) data to monitor the academic  
8 progress of eligible students participating in  
9 such program; and

10               “(B) the meeting and program participa-  
11 tion requirements described in section  
12 420AA(1); and

13           “(3) cover the employment of administrators  
14 for the program whose sole job shall be to admin-  
15 ister the program, without regard to whether the  
16 employment is full-time or less than full-time.

17       “(g) PERMISSIBLE USE OF FUNDS.—An eligible in-  
18 stitution that receives a grant under this section may use  
19 the grant to—

20           “(1) establish or expand a data tracking system  
21 that includes early alerts to complete the regular re-  
22 views required under subsection (f)(2);

23           “(2) provide eligible students participating in  
24 the community college student success program for  
25 which the grant is awarded with financial assistance

1 to cover the costs described in paragraph (2), (3), or  
2 (8) of section 472;

3 “(3) establish or expand career development  
4 services for such students, such as career workshops  
5 or career counseling;

6 “(4) establish or expand tutoring services for  
7 such students; and

8 “(5) provide financial support for eligible stu-  
9 dents participating in such program to enroll in  
10 courses offered during enrollment periods that are  
11 outside the fall and spring semesters (or equivalent  
12 terms).

13 “(h) REPORTS.—An eligible institution that receives  
14 a grant under this section shall—

15 “(1) not less than once for each year of the  
16 grant period, submit to the Secretary an annual per-  
17 formance report for such year of the grant period,  
18 and when data is available, compares such year with  
19 each of the 2 years preceding the date on which the  
20 grant was awarded—

21 “(A) the demographic characteristics of  
22 the eligible students participating in the com-  
23 munity college student success program;

24 “(B) the average number of credits at-  
25 tempted and average number of credits earned,

1 rate of retention, rate of degree completion, and  
2 rates of transfer of such eligible students;

3 “(C) the graduation rate of such eligible  
4 students within—

5 “(i) 100 percent of the normal time  
6 for graduation;

7 “(ii) 150 percent of the normal time  
8 for graduation; and

9 “(iii) 200 percent of the normal time  
10 for graduation;

11 “(D) an analysis of the implementation  
12 and progress of such program based on the am-  
13 bitious outcome goals described in the report  
14 submitted by the institution under section  
15 420U(e)(1)(A), including challenges to and  
16 changes made to such program; and

17 “(E) if according to the analysis under  
18 subparagraph (D), the program is not on track  
19 to meet such ambitious outcome goals, a de-  
20 scription of the plans to adjust the program to  
21 improve the performance of the program; and

22 “(F) the participation of such eligible stu-  
23 dents in tutoring, career services, and meetings  
24 with program advisors;

1           “(G) for the report for year 3 of the grant  
2 period, the plan to meet the non-Federal con-  
3 tribution requirement under subsection  
4 (d)(1)(D); and

5           “(H) for the report for year 4 of the grant  
6 period, a description of—

7                 “(i) the source of the funds to meet  
8 the non-Federal contribution requirement  
9 under subsection (d)(1)(D);

10                “(ii) the plans to continue to fund  
11 such program after the grant period ends;  
12 and

13                “(iii) the plans to use this program as  
14 a catalyst for institution-wide reform with  
15 respect to graduation rates and transfer  
16 rates for all students; and

17           “(2) not later than 6 years after the date on  
18 which the eligible institution received such grant,  
19 submit a final report to the Secretary that includes  
20 an analysis of—

21                “(A) the factors that contributed to the  
22 success or failure of the community college stu-  
23 dent success program in meeting the ambitious  
24 outcome goals described in the report submitted  
25 by the institution under section 3(e)(1)(A);



1           “(B) the challenges faced in attempting to  
2           implement such program;

3           “(C) information on how to improve such  
4           program;

5           “(D) whether the program has created an  
6           institution-wide reform with respect to gradua-  
7           tion rates and transfer rates for all students,  
8           and if so, how such reform was created; and

9           “(E) how the eligible institution will con-  
10          tinue to fund such program after the end of the  
11          grant period.

12 **“SEC. 420W. EVALUATIONS.**

13          “(a) INDEPENDENT EVALUATIONS.—Before final-  
14          izing which eligible institutions will receive grants under  
15          section 420V for a fiscal year, the Secretary, acting  
16          through the Director of the Institute of Education  
17          Sciences, shall enter into a contract with an independent  
18          evaluator—

19                 “(1) to consult with the Secretary on which eli-  
20                 gible institutions should receive the grants; and

21                 “(2) to use the What Works Clearinghouse  
22                 Standards (without reservations) to evaluate,  
23                 throughout the duration of the grant period of such  
24                 grants—

1           “(A) each community college student suc-  
2           cess program for which such grant is awarded,  
3           including whether the program met its ambi-  
4           tious outcome goals described in the report sub-  
5           mitted by the institution under section  
6           420U(e)(1)(A);

7           “(B) the average impact of community col-  
8           lege student success programs on graduation  
9           rates and transfer rates for eligible students;

10           “(C) the variation in program impact  
11           across eligible institutions with respect to such  
12           rates; and

13           “(D) whether such programs lead to higher  
14           graduation rates and transfer rates of eligible  
15           students per dollar spent for such students by  
16           such institutions compared with such rates at  
17           eligible institutions without such programs.

18           “(b) RESULTS OF EVALUATIONS.—The results of the  
19           evaluations under subsection (a) shall be made publicly  
20           available on the website of the Department of Education.

21           “(c) FUNDING FOR EVALUATIONS.—The Secretary  
22           may reserve not more than 15 percent of the funds appro-  
23           priated under section 420BB for a fiscal year to carry out  
24           this section for such fiscal year.

1 **“SEC. 420X. OUTREACH AND TECHNICAL ASSISTANCE.**

2 “(a) OUTREACH.—The Secretary shall conduct out-  
3 reach activities to notify eligible institutions of the avail-  
4 ability of grants under this subpart.

5 “(b) TECHNICAL ASSISTANCE.—The Secretary shall  
6 provide technical assistance—

7 “(1) to eligible institutions that may be inter-  
8 ested in applying for grants under this subpart, in-  
9 cluding assistance with applications for such grants;  
10 and

11 “(2) to eligible institutions awarded grants  
12 under this subpart, including assistance with—

13 “(A) establishing ambitious outcome goals  
14 described in section 420U(e)(1)(A); and

15 “(B) the implementation of a community  
16 college student success program.

17 “(c) FUNDING FOR TECHNICAL ASSISTANCE FOR  
18 EVALUATIONS.—The Secretary may reserve not more  
19 than 7 percent of the funds appropriated under section  
20 420BB for a fiscal year for technical assistance under this  
21 section for such fiscal year.

22 **“SEC. 420Y. REPORT TO CONGRESS.**

23 “Not later than 1 year after the date on which the  
24 Secretary receives the final evaluation results under sec-  
25 tion 420W for eligible institutions that were awarded  
26 grants under section 420V for the same fiscal year, the

1 Secretary shall submit to Congress a report that in-  
2 cludes—

3           “(1) the number of grants awarded under sec-  
4 tion 420V for such fiscal year, and the amount of  
5 such grants;

6           “(2) the number of grants awarded under sec-  
7 tion 420U to eligible institutions that received the  
8 grants described in paragraph (1), and the amount  
9 of such grants;

10           “(3) the number of grants awarded under sec-  
11 tion 420U to eligible institutions that would have  
12 been eligible but did not receive the grants in para-  
13 graph (1);

14           “(4) such final evaluation results; and

15           “(5) any other information the Secretary may  
16 deem relevant.

17 **“SEC. 420Z. SUPPLEMENT, NOT SUPPLANT.**

18           “Funds awarded to an eligible institution under this  
19 subpart shall be used only to supplement the amount of  
20 funds that would, in the absence of the Federal funds pro-  
21 vided under this subpart, be made available from non-Fed-  
22 eral sources or other Federal sources to carry out the ac-  
23 tivities under this subpart, and not to supplant such  
24 funds.

1 **“SEC. 420AA. DEFINITIONS.**

2 “In this subpart:

3 “(1) COMMUNITY COLLEGE STUDENT SUCCESS  
4 PROGRAM.—The term ‘community college student  
5 success program’ means a program carried out by  
6 an eligible institution under which the institution  
7 carries out the following:

8 “(A) Provides eligible students partici-  
9 pating in such program with an amount that  
10 covers the cost of tuition and fees that are not  
11 covered by any Federal, State, or institutional  
12 financial assistance received by the student.

13 “(B) Requires eligible students partici-  
14 pating in such program to—

15 “(i) be enrolled in the eligible institu-  
16 tion and carry a full-time academic work-  
17 load during each fall and spring semester  
18 (or equivalent terms) during which the stu-  
19 dent participates in such program;

20 “(ii) if the eligible student is referred  
21 to remedial courses or is on academic pro-  
22 bation, meet, on at least a weekly basis,  
23 with a tutor, except that in the case of an  
24 eligible student who is academically strug-  
25 gling, but who is not referred to remedial  
26 courses or on academic probation, the stu-

1                   dent may meet with a tutor as often as the  
2                   program advisor for such student requires;  
3                   “(iii) meet with a program advisor—  
4                       “(I) twice each month during the  
5                       first semester (or equivalent term) of  
6                       participation in such program; and  
7                       “(II) as directed by the program  
8                       advisor in subsequent semesters (or  
9                       equivalent terms) under subparagraph  
10                       (C)(ii); and  
11                       “(iv) meet with an on-campus career  
12                       advisor or participate in a career services  
13                       event once each semester (or equivalent  
14                       term).  
15                   “(C) Provides a program advisor to each  
16                   eligible student participating in such program  
17                   who—  
18                       “(i) provides comprehensive academic  
19                       and personal advising to the eligible stu-  
20                       dent, including—  
21                       “(I) the creation and implemen-  
22                       tation of an academic plan for the  
23                       student to graduate from a program  
24                       of study at the eligible institution

1 within 150 percent of the normal time  
2 for graduation from such program;

3 “(II) if an eligible student is re-  
4 ferred to remedial courses, encour-  
5 aging such student to complete such  
6 courses as quickly as possible; and

7 “(III) assisting the eligible stu-  
8 dent with developing and achieving  
9 academic goals, including creating  
10 strong transfer pathways that dem-  
11 onstrate programmatic transfer for  
12 students interested in transferring to  
13 a 4-year institution of higher edu-  
14 cation;

15 “(ii) after the eligible student partici-  
16 pating in such program completes a semes-  
17 ter (or equivalent term), creates for the eli-  
18 gible student a needs-based advising sched-  
19 ule that indicates, based on the eligible  
20 student’s academic performance, the fre-  
21 quency with which such eligible student  
22 shall be required to meet with a program  
23 advisor for each subsequent semester (or  
24 equivalent term) of program participation;

1                   “(iii) has a caseload of not more than  
2                   150 eligible students;

3                   “(iv) tracks the attendance of the eli-  
4                   gible student at the meetings described in  
5                   clauses (ii), (iii), and (iv) of subparagraph  
6                   (B);

7                   “(v) monitors the academic progress  
8                   of the eligible student; and

9                   “(vi) provides each eligible student  
10                  who meets the requirements of subpara-  
11                  graph (B), on at least a monthly basis,  
12                  with financial incentives, such as a trans-  
13                  portation pass or a gas card.

14                  “(D) Provides free tutoring and career  
15                  services to eligible students participating in  
16                  such program, and may reserve places in select  
17                  courses for such eligible students in order to  
18                  create a community within cohorts of eligible  
19                  students.

20                  “(2) ELIGIBLE INSTITUTION.—The term ‘eligi-  
21                  ble institution’ means a public 2-year institution of  
22                  higher education.

23                  “(3) ELIGIBLE STUDENT.—The term ‘eligible  
24                  student’ means a student enrolled at an eligible in-  
25                  stitution who—



1           “(A) on the date such eligible student  
2 would begin participation in a community col-  
3 lege student success program at such eligible  
4 institution—

5           “(i) is enrolled in a program of study  
6 leading to an associate degree;

7           “(ii) is enrolled at such institution  
8 and carrying a full-time academic workload  
9 during each fall and spring semester (or  
10 equivalent terms) during which the student  
11 participates in such program;

12           “(iii) is—

13           “(I) a first-time undergraduate  
14 student; or

15           “(II) a continuing or transfer  
16 student with not more than 15 credits  
17 and a minimum grade point average  
18 of 2.0 (or its equivalent); and

19           “(iv) is considered by the eligible in-  
20 stitution to need no more than two reme-  
21 dial courses; and

22           “(B) if the student is eligible for financial  
23 aid under title IV, has completed the Free Ap-  
24 plication for Federal Student Aid or other com-

1 mon financial reporting form under section  
2 483(a); and

3 “(C) meets any other requirements estab-  
4 lished by the institution.

5 “(4) FULL-TIME ACADEMIC WORKLOAD.—The  
6 term ‘full-time academic workload’, when used with  
7 respect to a semester or equivalent term, means at  
8 least 12 credits (or the equivalent).

9 “(5) INSTITUTION OF HIGHER EDUCATION.—  
10 The term ‘institution of higher education’ has the  
11 meaning given the term under section 101.

12 “(6) TRANSFER RATE.—The term ‘transfer  
13 rate’, when used with respect to students enrolled in  
14 a program of study at an eligible institution, means  
15 the rate at which such students transfer to a 4-year  
16 institution of higher education.

17 **“SEC. 420BB. AUTHORIZATION OF APPROPRIATIONS.**

18 “There are authorized to be appropriated to carry out  
19 this subpart \$1,000,000,000, to be available until ex-  
20 pended for fiscal year 2019 and each of the 5 succeeding  
21 fiscal years.”.

**PART B****SEC. 4041. TERMINATION OF CERTAIN REPAYMENT PLAN  
OPTIONS AND OPPORTUNITY TO CHANGE RE-  
PAYMENT PLANS.**

Section 428(b) of the Higher Education Act of 1965  
(20 U.S.C. 1078(b)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (D)—

(i) in clause (ii), by striking “may annually change the selection of a repayment plan under this part,” and inserting “may at any time after July 1, 2019, change the selection of a repayment plan under this part to one of the 2 repayment plans described in paragraph (9)(C),”; and

(ii) in clause (iii), by striking “be subject to income contingent repayment in accordance with subsection (m);” and inserting “be subject to income-based repayment in accordance with section 493C(f);”; and

(B) in subparagraph (E)(i), by striking “the option of repaying the loan in accordance with a standard, graduated, income-sensitive, or extended repayment schedule (as described in paragraph (9)) established by the lender in accordance with regulations of the Secretary;

1 and” and inserting “the option of repaying the  
2 loan in accordance with a repayment plan de-  
3 scribed in paragraph (9)(C) established by the  
4 lender in accordance with regulations of the  
5 Secretary; and”;

6 (2) in paragraph (9), by adding at the end the  
7 following:

8 “(C) SELECTION OF REPAYMENT PLANS  
9 ON AND AFTER JULY 1, 2019.—

10 “(i) OPPORTUNITY TO CHANGE RE-  
11 PAYMENT PLANS.—Notwithstanding any  
12 other provision of this paragraph, or any  
13 other provision of law, and in accordance  
14 with regulations, beginning on July 1,  
15 2019, the lender shall offer a borrower of  
16 a loan made, insured, or guaranteed under  
17 this part the opportunity to change repay-  
18 ment plans, and to enroll in one of the fol-  
19 lowing repayment plans:

20 “(I) A fixed repayment plan de-  
21 scribed in section 493E.

22 “(II) The income-based repay-  
23 ment plan under section 493C(f).”.

1 **SEC. 4042. CONFORMING AMENDMENT TO SEPARATE JOINT**  
2 **CONSOLIDATION LOANS.**

3 Section 428C(a)(3)(B)(i)(V) of the Higher Education  
4 Act of 1965 (20 U.S.C. 1078–3(3)(B)(i)(V)) is amend-  
5 ed—

6 (1) by striking “or” at the end of item (bb);

7 (2) by striking the period at the end of item  
8 (cc) and inserting “; or”; and

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

10 “(dd) for the purpose of sep-  
11 arating a joint consolidation loan  
12 into 2 separate Federal Direct  
13 Consolidation Loans under sec-  
14 tion 455(g)(2).”.

15 **SEC. 4043. DISBURSEMENT OF STUDENT LOANS.**

16 Section 428G of the Higher Education Act of 1965  
17 (20 U.S.C. 1078–7(a)) is amended—

18 (1) in subsection (a) by adding at the end the  
19 following:

20 “(5) ADJUSTED COHORT DEFAULT RATE.—Be-  
21 ginning on the date on which the final adjusted co-  
22 hort default rates are published by the Secretary for  
23 not less than 3 fiscal years under section 435(m), an  
24 institution whose adjusted cohort default rate (as de-  
25 termined under section 435(m)) for each of the 3  
26 most recent fiscal years for which data are available

1 is less than 5 percent may disburse any loan made,  
2 insured, or guaranteed under this part in a single in-  
3 stallment for any period of enrollment that is not  
4 more than 1 semester, 1 trimester, 1 quarter, or 4  
5 months.”; and

6 (2) in subsection (e), by inserting before the pe-  
7 riod the following: “, or beginning on the date on  
8 which the final adjusted cohort default rates are  
9 published by the Secretary for fiscal year 2016  
10 under section 435(m), an adjusted cohort default  
11 rate (as determined under section 435(m)) of less  
12 than 2 percent”.

13 **SEC. 4044. STUDENT LOAN CONTRACT AND LOAN DISCLO-**  
14 **SURES.**

15 (a) **STUDENT LOAN CONTRACT.**—Section  
16 432(m)(1)(D) of the Higher Education Act of 1965 (20  
17 U.S.C. 1082(m)(1)(D)) is amended by adding at the end  
18 the following:

19 “(iv) **STUDENT LOAN CONTRACT.**—  
20 “(I) **IN GENERAL.**—Any master  
21 promissory note form described in this  
22 subparagraph that is developed or  
23 used for loans made under part D for  
24 periods of enrollment beginning on or  
25 after the date of enactment of the

1 Aim Higher Act shall be referred to  
2 as a ‘student loan contract’.

3 “(II) CLARIFICATION ON USE.—

4 Notwithstanding clause (i), each stu-  
5 dent loan contract for a part D loan  
6 made for periods of enrollment begin-  
7 ning on or after the date of enactment  
8 of the Aim Higher Act shall—

9 “(aa) not be entered into by  
10 a student unless the student has  
11 completed all required counseling  
12 related to such loan, including  
13 counseling required under section  
14 485(1);

15 “(bb) be signed by the stu-  
16 dent entering such student loan  
17 contract after completion of such  
18 counseling; and

19 “(cc) be used only for the  
20 award year for which the initial  
21 loans are made under the con-  
22 tract, and shall not be valid for  
23 additional loans for the same or  
24 subsequent periods of enroll-  
25 ment.”.

1 (b) LOAN DISCLOSURES.—Section 432(m)(1)(D) of  
2 the Higher Education Act of 1965 (20 U.S.C.  
3 1082(m)(1)(D)) is further amended by adding after clause  
4 (iv) (as amended) the following:

5 “(v) LOAN DISCLOSURES.—For loans  
6 made for periods of enrollment beginning  
7 on or after the date of enactment of the  
8 Aim Higher Act, the Secretary shall take  
9 such steps as are necessary to streamline  
10 the student loan disclosure requirements  
11 under this Act. The Secretary shall ensure  
12 that information required to be disclosed to  
13 a student who is applying for, receiving, or  
14 preparing to repay a loan under part D of  
15 this Act shall be streamlined in a manner  
16 that—

17 “(I) reduces and simplifies the  
18 paperwork students are required to  
19 complete; and

20 “(II) limits the number of times  
21 students are presented with disclo-  
22 sures by incorporating the streamlined  
23 disclosures into required student loan  
24 counseling under section 485(l), the



1 student loan contract under this sub-  
2 paragraph, or both.”.

3 **SEC. 4045. COHORT DEFAULT RATES.**

4 (a) INELIGIBILITY BASED ON HIGH DEFAULT  
5 RATES.—

6 (1) IN GENERAL.—Section 435(a) of the High-  
7 er Education Act of 1965 (20 U.S.C. 1085(a)) is  
8 amended—

9 (A) in paragraph (7)(A), by adding at the  
10 end the following:

11 “(iii) DEFAULT MANAGEMENT  
12 PLAN.—The default management plan re-  
13 quired under clause (II) may not include  
14 placing students in forbearance as a means  
15 of reducing the cohort default rate of the  
16 institution.”; and

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

18 “(9) INELIGIBILITY BASED ON HIGH DEFAULT  
19 RATES ON OR AFTER FISCAL YEAR 2016.—Beginning  
20 on the date that is one year after the date on which  
21 the final adjusted cohort default rates are published  
22 by the Secretary for not less than 3 fiscal years—

23 “(A) an institution shall be ineligible to  
24 participate in a program under this title—

1           “(i) in a case in which the institu-  
2           tion’s adjusted cohort default rate is great-  
3           er than 20 percent for each of the three  
4           most recent fiscal years for which the ad-  
5           justed cohort default rate is published; or

6           “(ii)(I) in a case in which the institu-  
7           tion’s adjusted cohort default rate is great-  
8           er than 10 percent for each of the 8 most  
9           recent fiscal years for which the adjusted  
10          cohort default rate is published; and

11          “(II) the Secretary determines that  
12          the institution has not made adequate  
13          progress in meeting standards for student  
14          achievement established by the relevant ac-  
15          crediting agency or association pursuant to  
16          section 496(a)(5)(A) during such 8-year  
17          period; and

18          “(B) an institution whose adjusted cohort  
19          default rate is greater than 15 percent for each  
20          of the 6 most recent fiscal years for which the  
21          adjusted cohort default rate is published—

22                 “(i) shall be ineligible to receive Fed-  
23                 eral Pell Grants under section 401 on be-  
24                 half of any student who enrolls in the insti-

1                   tution for the first-time after the expira-  
2                   tion of such 6-year period;

3                   “(ii) shall be subject to ongoing track-  
4                   ing and monitoring by the Secretary to de-  
5                   termine the progress of the institution in  
6                   meeting the standards for student achieve-  
7                   ment described in subparagraph (A)(ii)(II);  
8                   and

9                   “(iii) if the institution shows no im-  
10                  provement on meeting the standards for  
11                  student achievement described in subpara-  
12                  graph (A)(ii)(II) within a 2-year period,  
13                  such institution shall be ineligible to re-  
14                  ceive Federal loans under this title on be-  
15                  half of any student who enrolls in the insti-  
16                  tution for the first time after the expira-  
17                  tion of such 2-year period.

18                  “(10) APPLICATION OF SECTION 435(a) TO AD-  
19                  JUSTED COHORT DEFAULT RATE.—Beginning on the  
20                  date on which the final adjusted cohort default rates  
21                  are published by the Secretary for not less than 3  
22                  fiscal years—

23                  “(A) paragraph (1) shall be applied by  
24                  substituting ‘paragraph (9)’ for ‘paragraph (2)’

1           “(B) paragraph (3) shall be applied by  
2 substituting ‘adjusted cohort default rate, cal-  
3 culated in accordance with subsection  
4 (m)(1)(E), is equal to or greater than 20 per-  
5 cent’ for ‘cohort default rate, calculated in ac-  
6 cordance with subsection (m), is equal to or  
7 greater than the threshold percentage specified  
8 in paragraph (2)(B)(iv)’;

9           “(C) paragraph (4) shall be applied—

10           “(i) in subparagraph (C), by sub-  
11 stituting ‘adjusted cohort default rate  
12 equals or exceeds 15 percent’ for ‘cohort  
13 default rate equals or exceeds 20 percent’;  
14 and

15           “(ii) in the matter following subpara-  
16 graph (C), by substituting ‘adjusted cohort  
17 default rate to reflect the percentage of de-  
18 faulted loans in the representative sample  
19 that are required to be excluded pursuant  
20 to subsection (m)(1)(B)’ for ‘cohort default  
21 rate to reflect the percentage of defaulted  
22 loans in the representative sample that are  
23 required to be excluded pursuant to sub-  
24 section (m)(1)(B)’;

1           “(D) paragraph (5)(A) shall be applied by  
2 substituting ‘paragraph (9)’ for ‘paragraph (2)’;

3           “(E) paragraph (6) shall be applied—

4                 “(i) in subparagraph (A)—

5                         “(I) in the matter preceding  
6 clause (i), by substituting ‘Any insti-  
7 tution that has an adjusted cohort de-  
8 fault rate that equals or exceeds 15  
9 percent’ for ‘After July 1, 1999, any  
10 institution that has a cohort default  
11 rate that equals or exceeds 25 per-  
12 cent’; and

13                         “(II) in clause (i), by sub-  
14 stituting ‘has an adjusted cohort de-  
15 fault rate that is less than 15%’ for  
16 ‘by July 1, 2004, have a cohort de-  
17 fault rate that is less than 25 per-  
18 cent’; and

19                         “(ii) in subparagraph (B), by sub-  
20 stituting ‘has an adjusted cohort default  
21 rate that is less than 15%’ for ‘by July 1,  
22 2004, have a cohort default rate that is  
23 less than 25 percent’;

24           “(F) paragraph (7) shall be applied—

25                 “(i) in subparagraph (A)(i)—

1           “(I) in the matter preceding sub-  
2           clause (I), by substituting ‘adjusted  
3           cohort default rate is equal to or  
4           greater than 20 percent’ for ‘cohort  
5           default rate is equal to or greater  
6           than the threshold percentage speci-  
7           fied in paragraph (2)(B)(iv)’; and

8           “(II) in subclauses (I) and (II),  
9           by substituting ‘adjusted cohort de-  
10          fault rate’ for ‘cohort default rate’;  
11          and

12          “(ii) in subparagraph (B)(i), by sub-  
13          stituting ‘adjusted cohort default rate is  
14          equal to or greater than 20 percent’ for  
15          ‘cohort default rate is equal to or greater  
16          than the threshold percentage specified in  
17          paragraph (2)(B)(iv)’; and

18          “(G) paragraph (8) shall be applied by  
19          substituting ‘adjusted cohort default rate’ for  
20          ‘cohort default rate’ both places it appears.

21          “(11) EXCEPTION FOR TRANSITION TO AD-  
22          JUSTED COHORT DEFAULT RATE METRIC.—

23                 “(A) IN GENERAL.—During a period of  
24                 transition to using an adjusted cohort default  
25                 rate, any public institution with an adjusted co-

1           hort default rate that equals or exceeds 20 per-  
2           cent may request a transition exception to con-  
3           tinue to be an eligible institution for purposes  
4           of title IV.

5           “(B) EXCEPTION REVIEW.—The Secretary,  
6           with respect to an institution requesting an ex-  
7           ception under subparagraph (A), shall—

8                   “(i) review such institution to deter-  
9                   mine whether during year 4 of repayment  
10                  the institution’s default rate rose higher  
11                  than the default rate during year 3 of re-  
12                  payment; and

13                   “(ii) if such rate is higher than 10  
14                   percent, require such institution to develop  
15                   a default management plan as specified in  
16                   section 435(a)(7).

17           “(C) TRANSITION PERIOD LIMIT.—An ex-  
18           ception under subparagraph (A) shall expire not  
19           later than 2 years after the date on which the  
20           first year of the adjusted cohort default rate is  
21           published with respect to the institution for  
22           which the exception applies.”.

23           (2) CONFORMING AMENDMENTS.—Section  
24           435(a)(2) of the Higher Education Act of 1965 (20  
25           U.S.C. 1085(a)) is amended—

1 (A) in the paragraph heading, by adding at  
2 the end the following: “BEFORE FISCAL YEAR  
3 2016”; and

4 (B) in subparagraph (B)(iv), by striking  
5 “and any succeeding fiscal year” and inserting  
6 “through fiscal year 2015”.

7 (b) ADJUSTED COHORT DEFAULT RATE DEFINED.—  
8 Section 435(m)(1) of the Higher Education Act of 1965  
9 (20 U.S.C. 1085(m)(1)) is amended by adding at the end  
10 the following:

11 “(E)(i) With respect to a cohort default  
12 rate calculated for an institution under this  
13 paragraph for fiscal year 2016 and for each  
14 succeeding fiscal year, such cohort default rate  
15 shall be adjusted as follows:

16 “(I) In determining the number of  
17 current and former students at an institu-  
18 tion who enter repayment for such fiscal  
19 year—

20 “(aa) any such student who is in  
21 nonmandatory forbearance for such  
22 fiscal year for a period of greater than  
23 18 months but less than 36 months  
24 shall not be counted as entering re-  
25 payment for such fiscal year;



1                   “(bb) such a student shall be  
2                   counted as entering repayment for the  
3                   first fiscal year for which the student  
4                   ceases to be in a period of forbearance  
5                   and otherwise meets the requirements  
6                   for being in repayment; and

7                   “(cc) any such student who is in  
8                   a period of forbearance for 3 or more  
9                   years shall be counted as in default  
10                  and included in the institution’s total  
11                  number of students in default.

12                  “(II) Such rate shall be multiplied by  
13                  the percentage of students enrolled at the  
14                  institution for such fiscal year who are  
15                  borrowing a loan under part D of this title.

16                  “(ii) The result obtained under this sub-  
17                  paragraph for an institution shall be referred to  
18                  in this Act as the ‘adjusted cohort default  
19                  rate’.”.

20                  (c) PUBLICATION OF ADJUSTED COHORT DEFAULT  
21                  RATE.—Section 435(m) of the Higher Education Act of  
22                  1965 (20 U.S.C. 1085(m)) is amended by adding at the  
23                  end the following:

24                  “(5) Beginning on the date on which the final  
25                  adjusted cohort default rates for fiscal year 2016 are

1 made available for publication by the Secretary,  
2 paragraph (4) shall be applied by substituting ‘ad-  
3 justed cohort default’ with ‘cohort default’.”.

4 **SEC. 4046. CONFORMING AMENDMENTS.**

5 The Higher Education Act of 1965 (20 U.S.C. 1001  
6 et seq.) is amended in section 435(a)(5)(A)(i)(I) (20  
7 U.S.C. 1085(a)(5)(A)(i)(I)), by striking “under section  
8 401(b)(2)(A)” and inserting “, as appropriate, under sec-  
9 tion 401(b)(2)(A) (as in effect on the day before the effec-  
10 tive date of the Aim Higher Act) or section 401(b)(1).”.

11 **SEC. 4047. AUTOMATIC INCOME MONITORING PROCEDURES**

12 **AFTER A TOTAL AND PERMANENT DIS-**  
13 **ABILITY DISCHARGE.**

14 Section 437(a) of the Higher Education Act of 1965  
15 (20 U.S.C. 1087(a)) is amended by adding at the end the  
16 following:

17 “(3) AUTOMATIC INCOME MONITORING.—

18 “(A) IN GENERAL.—Not later than 2 years  
19 after the date of enactment of the Aim Higher  
20 Act, the Secretary shall establish and imple-  
21 ment, with respect to any borrower described in  
22 subparagraph (B), procedures to—

23 “(i) obtain (for each year of the in-  
24 come-monitoring period described in sub-  
25 paragraph (B) and without further action

1 by the borrower) such information as is  
2 reasonably necessary regarding the income  
3 of such borrower (and the borrower's  
4 spouse, if applicable) for the purpose of de-  
5 termining the borrower's continued eligi-  
6 bility for the loan discharge described in  
7 subparagraph (B) for such year, and any  
8 other information necessary to determine  
9 such continued eligibility of the borrower  
10 for such year, except that—

11 “(I) in the case of a borrower  
12 whose returns and return information  
13 indicate that the borrower has no  
14 earned income for any year of such  
15 income-monitoring period, such bor-  
16 rower shall be treated as not having  
17 earned income in excess of the poverty  
18 line for such year subject to clause  
19 (ii);

20 “(ii) allow the borrower, at any time,  
21 to opt out of clause (i) and prevent the  
22 Secretary from obtaining information  
23 under such clause without further action  
24 by the borrower; and

1           “(iii) provide the borrower with an op-  
2           portunity to update the information ob-  
3           tained under clause (i) before the deter-  
4           mination of the borrower’s continued eligi-  
5           bility for such loan discharge for such  
6           year.

7           “(B) APPLICABILITY.—Subparagraph (A)  
8           shall apply—

9           “(i) to each borrower of a covered  
10          loan (defined in section 455(d)(10)) that is  
11          discharged under this subsection or section  
12          464(e)(1)(F) due to the permanent and  
13          total disability of the borrower; and

14          “(ii) during the income-monitoring pe-  
15          riod under this subsection, defined in this  
16          paragraph as the period—

17                 “(I) beginning on the date on  
18                 which such loan is so discharged; and

19                 “(II) during which the Secretary  
20                 determines whether a reinstatement of  
21                 the obligation of, and resumption of  
22                 collection on, such loan may be nec-  
23                 essary.”.

1 **SEC. 4048. REPAYMENT OF PARENT LOANS DUE TO STU-**  
2 **DENT DISABILITY.**

3 Section 437(d) of the Higher Education Act of 1965  
4 (20 U.S.C. 1087(d)) is amended—

5 (1) by striking “If a student” and inserting the  
6 following:

7 “(1) DEATH.—If a student”; and

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

9 “(2) DISABILITY.—

10 “(A) IN GENERAL.—The Secretary shall  
11 discharge a parent’s liability on a loan de-  
12 scribed in section 428B by repaying the amount  
13 owed on the loan if the student on whose behalf  
14 the parent has received the loan—

15 “(i) becomes permanently and totally  
16 disabled (as determined in accordance with  
17 regulations of the Secretary); or

18 “(ii) is unable to engage in any sub-  
19 stantial gainful activity by reason of any  
20 medically determinable physical or mental  
21 impairment that can be expected to result  
22 in death, has lasted for a continuous pe-  
23 riod of not less than 60 months, or can be  
24 expected to last for a continuous period of  
25 not less than 60 months.



1 “(1) \$1,500,000,000 for fiscal year 2019;  
2 “(2) \$1,750,000,000 for fiscal year 2020;  
3 “(3) \$2,000,000,000 for fiscal year 2021;  
4 “(4) \$2,250,000,000 for fiscal year 2022; and  
5 “(5) \$2,500,000,000 for fiscal year 2023 and  
6 each succeeding fiscal year.”;

7 (2) in subsection (c)—

8 (A) in paragraph (3), by striking “and”;

9 (B) in paragraph (4)(C), by striking the  
10 period at the end and inserting “; and”; and

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

12 “(5) work-based learning designed to give stu-  
13 dents experience in any activity described in para-  
14 graph (1), (2), (3), or (4), whether or not credit is  
15 awarded.”; and

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

17 “(d) WORK-BASED LEARNING DEFINED.—For pur-  
18 poses of this part, the term ‘work-based learning’ means  
19 sustained interactions with industry, community, or aca-  
20 demic professionals in real workplace settings that—

21 “(1) foster in-depth, first-hand engagement  
22 with the tasks required of a given career field that  
23 are aligned to a student’s field of study; and

24 “(2) may include internships, fellowships, and  
25 apprenticeships.”.

1 **SEC. 4052. ALLOCATION FORMULA.**

2 Section 442 of the Higher Education Act of 1965 (20  
3 U.S.C. 1087–52) is amended to read as follows:

4 “(a) RESERVATIONS.—

5 “(1) RESERVATION FOR IMPROVED INSTITU-  
6 TIONS.—

7 “(A) AMOUNT OF RESERVATION FOR IM-  
8 PROVED INSTITUTIONS.—Beginning with the  
9 first fiscal year that is 2 years after the date  
10 of the enactment of the Aim Higher Act of  
11 2018, for a fiscal year in which the amount ap-  
12 propriated under section 441(b) exceeds  
13 \$700,000,000, the Secretary shall—

14 “(i) reserve the lesser of—

15 “(I) an amount equal to 20 per-  
16 cent of the amount by which the  
17 amount appropriated under section  
18 441(b) exceeds \$700,000,000; or

19 “(II) \$150,000,000; and

20 “(ii) allocate the amount reserved  
21 under clause (i) to each improved institu-  
22 tion in an amount equal to the greater of  
23 the following:

24 “(I) The amount that bears the  
25 same proportion to the amount re-  
26 served under clause (i) as the total



1 amount of all Federal Pell Grant  
2 funds awarded at the improved insti-  
3 tution for the second preceding fiscal  
4 year bears to the total amount of Fed-  
5 eral Pell Grant funds awarded at im-  
6 proved institutions participating under  
7 this part for the second preceding fis-  
8 cal year.

9 “(II) \$5,000.

10 “(B) IMPROVED INSTITUTION DE-  
11 SCRIBED.—For purposes of this paragraph, an  
12 improved institution is an institution that, on  
13 the date the Secretary makes an allocation  
14 under subparagraph (A)(ii)—

15 “(i) is an institution of higher edu-  
16 cation (as defined under section 101);

17 “(ii) meets the requirements of sub-  
18 section (d)(5); and

19 “(iii) is with respect to—

20 “(I) the completion rate or grad-  
21 uation rate of Federal Pell Grant re-  
22 cipients at the institution, in the top  
23 75 percent of all institutions partici-  
24 pating under this part for the pre-  
25 ceding fiscal year;

1                   “(II) the percentage of Federal  
2                   Pell Grant recipients at the institu-  
3                   tion, in the top 50 percent of the in-  
4                   stitutions described in subclause (I);  
5                   and

6                   “(III) the annual increase in the  
7                   completion rate or graduation rate of  
8                   Federal Pell Grant recipients at the  
9                   institution, in the top 50 percent of  
10                  the institutions described in sub-  
11                  clauses (I) and (II).

12                  “(C) COMPLETION RATE OR GRADUATION  
13                  RATE.—For purposes of determining the com-  
14                  pletion rate or graduation rate under this sec-  
15                  tion, a Federal Pell Grant recipient who is ei-  
16                  ther a full-time student or a part-time student  
17                  shall be counted as a completer or graduate if,  
18                  within 150 percent of the normal time for com-  
19                  pletion of or graduation from the program, the  
20                  student has completed or graduated from the  
21                  program, or enrolled in any program of an in-  
22                  stitution participating in any program under  
23                  this title for which the prior program provides  
24                  substantial preparation.

1           “(2) RESERVATION FOR GRANT PROGRAM.—  
2           From the amount appropriated under section 441(b)  
3           for a fiscal year and remaining after the Secretary  
4           reserves funds under subparagraph (A), the Sec-  
5           retary shall reserve \$30,000,000 to carry out grants  
6           under section 449.

7           “(3) REALLOCATION OF AMOUNT RETURNED BY  
8           IMPROVED INSTITUTIONS.—If an institution returns  
9           to the Secretary any portion of the sums allocated  
10          to such institution under this subsection for any fis-  
11          cal year, the Secretary shall reallocate such excess to  
12          improved institutions on the same basis as under  
13          paragraph (1)(A).

14          “(4) PUBLICATION.—Beginning 1 year after  
15          the first allocations are made to improved institu-  
16          tions under paragraph (1)(A) and annually there-  
17          after, the Secretary shall make publicly available—

18                 “(A) a list of the improved institutions  
19                 that received funding under such paragraph in  
20                 the prior fiscal year;

21                 “(B) the percentage of students at each  
22                 such improved institution that are Federal Pell  
23                 Grant recipients;

24                 “(C) the completion rate or graduation  
25                 rate for the students described in subparagraph

1 (B) with respect to each such improved institu-  
2 tion; and

3 “(D) a comparison between the informa-  
4 tion described in subparagraphs (A), (B), and  
5 (C) for the prior fiscal year for such improved  
6 institution, and such information for the year  
7 prior to such year.

8 “(b) ALLOCATION FORMULA FOR FISCAL YEARS  
9 2019 THROUGH 2023.—

10 “(1) IN GENERAL.—From the amount appro-  
11 priated under section 441(b) for a fiscal year and re-  
12 maining after the Secretary reserves funds under  
13 subsection (a), the Secretary shall allocate to each  
14 institution—

15 “(A) for fiscal year 2019, an amount equal  
16 to the greater of—

17 “(i) 90 percent of the amount the in-  
18 stitution received under this subsection  
19 and subsection (a) for fiscal year 2018, as  
20 such subsections were in effect with re-  
21 spect to such fiscal year (in this subpara-  
22 graph referred to as ‘the 2018 amount for  
23 the institution’); or

24 “(ii) the fair share amount for the in-  
25 stitution determined under subsection (d);

1           “(B) for fiscal year 2020, an amount equal  
2 to the greater of—

3           “(i) 80 percent of the 2018 amount  
4 for the institution; or

5           “(ii) the fair share amount for the in-  
6 stitution determined under subsection (d);

7           “(C) for fiscal year 2021, an amount equal  
8 to the greater of—

9           “(i) 60 percent of the 2018 amount  
10 for the institution; or

11           “(ii) the fair share amount for the in-  
12 stitution determined under subsection (d);

13           “(D) for fiscal year 2022, an amount equal  
14 to the greater of—

15           “(i) 40 percent of the 2018 amount  
16 for the institution; or

17           “(ii) the fair share amount for the in-  
18 stitution determined under subsection (d);

19 and

20           “(E) for fiscal year 2023, an amount equal  
21 to the greater of—

22           “(i) 20 percent of the 2018 amount  
23 for the institution; or

24           “(ii) the fair share amount for the in-  
25 stitution determined under subsection (d).

1           “(2) RATABLE REDUCTION.—

2                   “(A) IN GENERAL.—If the amount appro-  
3                   priated under section 441(b) for a fiscal year  
4                   and remaining after the Secretary reserves  
5                   funds under subsection (a) is less than the  
6                   amount required to be allocated to the institu-  
7                   tions under this subsection, then the amount of  
8                   the allocation to each institution shall be rat-  
9                   ably reduced.

10                   “(B) ADDITIONAL APPROPRIATIONS.—If  
11                   the amounts allocated to each institution are  
12                   ratably reduced under subparagraph (A) for a  
13                   fiscal year and additional amounts are appro-  
14                   priated for such fiscal year, the amount allo-  
15                   cated to each institution from the additional  
16                   amounts shall be increased on the same basis as  
17                   the amounts under subparagraph (A) were re-  
18                   duced (until each institution receives the  
19                   amount required to be allocated under this sub-  
20                   section).

21                   “(c) ALLOCATION FORMULA FOR FISCAL YEAR 2024  
22                   AND EACH SUCCEEDING FISCAL YEAR.—Except as pro-  
23                   vided in subsection (d)(5), from the amount appropriated  
24                   under section 441(b) for fiscal year 2024 and each suc-  
25                   ceeding fiscal year and remaining after the Secretary re-

1 serves funds under subsection (a), the Secretary shall allo-  
2 cate to each institution the fair share amount for the insti-  
3 tution determined under subsection (d).

4 “(d) DETERMINATION OF FAIR SHARE AMOUNT.—

5 “(1) IN GENERAL.—Subject to paragraph (2),  
6 the fair share amount for an institution for a fiscal  
7 year shall be equal to the sum of—

8 “(A) 100 percent of the institution’s un-  
9 dergraduate student need described in para-  
10 graph (2) for the preceding fiscal year; and

11 “(B) 25 percent of the institution’s grad-  
12 uate student need described in paragraph (3)  
13 for the preceding fiscal year.

14 “(2) INSTITUTIONAL UNDERGRADUATE STU-  
15 DENT NEED.—The undergraduate student need for  
16 an institution for a fiscal year shall be equal to the  
17 sum of the following:

18 “(A) An amount equal to 50 percent of the  
19 amount that bears the same proportion to the  
20 available appropriated amount for such fiscal  
21 year as the total amount of Federal Pell Grant  
22 funds awarded at the institution for the pre-  
23 ceding fiscal year bears to the total amount of  
24 Federal Pell Grant funds awarded at all institu-

1           tions participating under this part for the pre-  
2           ceding fiscal year.

3           “(B) An amount equal to 50 percent of the  
4           amount that bears the same proportion to the  
5           available appropriated amount for such fiscal  
6           year as the total amount of the undergraduate  
7           student need at the institution for the preceding  
8           fiscal year bears to the total amount of under-  
9           graduate student need at all institutions partici-  
10          pating under this part for the preceding fiscal  
11          year.

12          “(3) INSTITUTIONAL GRADUATE STUDENT  
13          NEED.—The graduate student need for an institu-  
14          tion for a fiscal year shall be equal to the amount  
15          that bears the same proportion to the available ap-  
16          propriated amount for such fiscal year as the total  
17          amount of the graduate student need at the institu-  
18          tion for the preceding fiscal year bears to the total  
19          amount of graduate student need at all institutions  
20          participating under this part for the preceding fiscal  
21          year.

22          “(4) ELIGIBILITY FOR FAIR SHARE AMOUNT.—  
23          The Secretary may not allocate funds under this  
24          part to any institution that, for two or more fiscal  
25          years during any three fiscal year period beginning



1 not earlier than the first day of the first fiscal year  
2 that is 2 years after the date of the enactment of  
3 this paragraph, has—

4 “(A) a student population with less than 7  
5 percent of undergraduate students who are re-  
6 cipients of Federal Pell Grants; or

7 “(B) if the institution only enrolls grad-  
8 uate students, a student population with less  
9 than 5 percent of students that have an ex-  
10 pected family contribution of zero.

11 “(5) DEFINITIONS.—In this subsection:

12 “(A) AVAILABLE APPROPRIATED  
13 AMOUNT.—In this section, the term ‘available  
14 appropriated amount’ means—

15 “(i) the amount appropriated under  
16 section 441(b) for a fiscal year, minus

17 “(ii) the amounts reserved under sub-  
18 section (a) for such fiscal year.

19 “(B) AVERAGE COST OF ATTENDANCE.—  
20 The term ‘average cost of attendance’ means,  
21 with respect to an institution, the average of  
22 the attendance costs for a fiscal year for stu-  
23 dents which shall include—

24 “(i) tuition and fees, computed on the  
25 basis of information reported by the insti-

1                   tution to the Secretary, which shall in-  
2                   clude—

3                   “(I) total revenue received by the  
4                   institution from undergraduate and  
5                   graduate tuition and fees for the sec-  
6                   ond year preceding the year for which  
7                   it is applying for an allocation; and

8                   “(II) the institution’s enrollment  
9                   for such second preceding year;

10                  “(ii) standard living expenses equal to  
11                  150 percent of the difference between the  
12                  income protection allowance for a family of  
13                  five with one in college and the income  
14                  protection allowance for a family of six  
15                  with one in college for a single independent  
16                  student; and

17                  “(iii) books and supplies, in an  
18                  amount not exceeding \$1,000.

19                  “(C) GRADUATE STUDENT NEED.—The  
20                  term ‘graduate student need’ means, with re-  
21                  spect to a graduate student for a fiscal year,  
22                  the lesser of the following:

23                  “(i) The amount equal to (except the  
24                  amount computed by this clause shall not  
25                  be less than zero)—

1           “(I) the average cost of attend-  
2           ance for the preceding fiscal year,  
3           minus

4           “(II) each such graduate stu-  
5           dent’s expected family contribution  
6           (computed in accordance with part F  
7           of this title) for the preceding fiscal  
8           year.

9           “(ii) The total loan limit for a Federal  
10          Direct Unsubsidized Stafford Loan.

11          “(D) UNDERGRADUATE STUDENT NEED.—  
12          The term ‘undergraduate student need’ means,  
13          with respect to an undergraduate student for a  
14          fiscal year, the lesser of the following:

15               “(i) The total of the amount equal to  
16               (except the amount computed by this  
17               clause shall not be less than zero)—

18                       “(I) the average cost of attend-  
19                       ance for the fiscal year, minus

20                       “(II) each such undergraduate  
21                       student’s expected family contribution  
22                       (computed in accordance with part F  
23                       of this title) for the preceding fiscal  
24                       year.

1                   “(ii) The total loan limit for a Federal  
2                   Direct Unsubsidized Stafford Loan and a  
3                   Federal Direct Loan.

4                   “(e) RETURN OF SURPLUS ALLOCATED FUNDS.—

5                   “(1) IN GENERAL.—Except with respect to  
6                   funds returned under subsection (a)(3), if an institu-  
7                   tion returns to the Secretary any portion of the  
8                   sums allocated to such institution under this section  
9                   for any fiscal year, the Secretary shall reallocate such  
10                  excess to institutions that used at least 10 percent  
11                  of the total amount of funds granted to such institu-  
12                  tion under this section to compensate students em-  
13                  ployed during a qualified period of nonenrollment  
14                  (as such term is defined in section 443(f)) on the  
15                  same basis as excess eligible amounts are allocated  
16                  under subsection (d).

17                  “(2) USE OF FUNDS.—Funds received by insti-  
18                  tutions pursuant to this subsection shall be used to  
19                  compensate students employed in work-based learn-  
20                  ing positions.

21                  “(3) RETAINED FUNDS.—

22                  “(A) AMOUNT RETURNED.—If an institu-  
23                  tion returns more than 10 percent of its alloca-  
24                  tion under paragraph (1), the institution’s allo-

1 cation for the next fiscal year shall be reduced  
2 by the amount returned.

3 “(B) WAIVER.—The Secretary may waive  
4 this paragraph for a specific institution if the  
5 Secretary finds that enforcing this paragraph  
6 would be contrary to the interest of the pro-  
7 gram.

8 “(f) FILING DEADLINES.—The Secretary may re-  
9 quire applications under this section, at such time, in such  
10 manner, and containing such information as the Secretary  
11 may require.”.

12 **SEC. 4053. GRANTS FOR FEDERAL WORK-STUDY PRO-**  
13 **GRAMS.**

14 Section 443 of the Higher Education Act of 1965 (20  
15 U.S.C. 1087–53) is amended—

16 (1) in subsection (b)—

17 (A) by amending paragraph (2)(A) to read  
18 as follows:

19 “(A) for fiscal year 2019 and succeeding  
20 fiscal years, an institution shall (unless the Sec-  
21 retary determines that enforcing this subpara-  
22 graph would cause hardship for students at the  
23 institution) use—

24 “(i) at least 7 percent of the total  
25 amount of funds granted to such institu-

1           tion under this section for such fiscal year  
2           to compensate students employed in work-  
3           based learning positions; and

4           “(ii) at least 3 percent of the total  
5           amount of funds granted to such institu-  
6           tion under this section for such fiscal year  
7           to compensate students who have excep-  
8           tional need (as defined in section  
9           413C(c)(2)) and are employed in a work-  
10          based learning position during a qualified  
11          period of nonenrollment, as defined in sub-  
12          section (f).”;

13          (B) in paragraph (4)—

14                 (i) by striking “\$300” and inserting  
15                 “\$500”; and

16                 (ii) by inserting “except as provided  
17                 under subsection (f),” before “provide”;

18          (C) in paragraph (5), by striking “75 per-  
19          cent” each place it appears and inserting “75  
20          percent in the first year after the date of the  
21          enactment of the Aim Higher Act, 65 percent  
22          in the first succeeding fiscal year, 60 percent in  
23          the second succeeding fiscal year, 55 percent in  
24          the third succeeding fiscal year, and 50 percent  
25          each succeeding fiscal year”;

1 (D) in paragraph (6)—

2 (i) by inserting “who demonstrate ex-  
3 ceptional need (as defined in section  
4 413C(c)(2))” after “students”; and

5 (ii) by inserting after “institution”,  
6 “and prioritize employment for students  
7 who are currently or formerly homeless  
8 children and youths (as such term is de-  
9 fined in section 725 of the McKinney-  
10 Vento Homeless Assistance act (42 U.S.C.  
11 11434a)) or foster care children and  
12 youth”;

13 (E) in paragraph (7), by striking “voca-  
14 tional” and inserting “career”;

15 (F) in paragraph (8)(A)(i), by striking “or  
16 vocational goals” and inserting “career goals”;

17 (G) in paragraph (10), by striking “; and”  
18 and inserting a semicolon;

19 (H) in paragraph (11), by striking the pe-  
20 riod at the end and inserting a semicolon; and

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

22 “(12) provide assurances that compensation of  
23 students employed in the work-study program in ac-  
24 cordance with the agreement shall include reim-  
25 bursement for reasonable travel (not including the

1 purchase of a vehicle) directly related to such work-  
2 study program;

3 “(13) provide assurances that the institution  
4 will administer and use feedback from the surveys  
5 required under section 450, to improve the experi-  
6 ences of students employed in the work-study pro-  
7 gram in accordance with the agreement;

8 “(14) provide assurances that the institution  
9 will collect data from students and employers such  
10 that the employment made available from funds  
11 under this part will, to the maximum extent prac-  
12 ticable, complement and reinforce the educational  
13 goals or career goals of each student receiving as-  
14 sistance under this part; and

15 “(15) provide assurances that if the institution  
16 receives funds under section 442(a)(1)(A), such in-  
17 stitution shall—

18 “(A) use such funds to compensate stu-  
19 dents employed in the work-study program in  
20 accordance with the agreement; and

21 “(B) prioritize the awarding of such funds  
22 (and increasing the amount of each award) to  
23 students—

24 “(i) who demonstrate exceptional need  
25 (as defined in section 413C(e)(2)); and



1                   “(ii) who are employed in work-based  
2                   learning opportunities through the work  
3                   study program in accordance with the  
4                   agreement.”;

5                   (2) in subsection (c)—

6                   (A) by striking paragraph (2);

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

9                   “(2) provide assurances that compensation of  
10                  students employed in the work-study program in ac-  
11                  cordance with the agreement shall include reim-  
12                  bursement for reasonable travel (not including the  
13                  purchase of a vehicle) directly related to such work-  
14                  study program.”; and

15                  (C) in paragraph (4), by inserting “and  
16                  complement and reinforce the educational goals  
17                  or career goals of each student receiving assist-  
18                  ance under this part” after “academically rel-  
19                  evant”;

20                  (3) in subsection (d)(1)—

21                  (A) by striking “In any academic year to  
22                  which subsection (b)(2)(A) applies, an institu-  
23                  tion shall ensure that” and inserting “An insti-  
24                  tution may use the”; and

1 (B) by striking “travel” and inserting  
2 “reasonable travel (not including the purchase  
3 of a vehicle)”;

4 (4) in subsection (e)(3), by striking “75” and  
5 inserting “50”; and

6 (5) by adding at the end the following:

7 “(f) QUALIFIED PERIOD OF NONENROLLMENT.—

8 “(1) IN GENERAL.—A student may be awarded  
9 work-study employment during a qualified period of  
10 nonenrollment if—

11 “(A) the student demonstrates exceptional  
12 need (as defined in section 413C(e)(2)) in the  
13 award year prior to the qualified period of non-  
14 enrollment;

15 “(B) the student is employed in a work-  
16 based learning position; and

17 “(C) the employment—

18 “(i) involves less than 25 percent ad-  
19 ministrative work; and

20 “(ii) is for at least 20 hours per week,  
21 unless the institution waives such require-  
22 ment—

23 “(I) at the request of the stu-  
24 dent; or

1                   “(II) based on a finding by the  
2                   institution that such requirement pre-  
3                   sents a hardship in finding a work-  
4                   based learning position for the stu-  
5                   dent.

6                   “(2) FUNDS EARNED.—

7                   “(A) IN GENERAL.—Any funds earned by  
8                   a student (beyond standard living expenses (as  
9                   such term is described in section  
10                  413D(c)(3)(C))) during the qualified period of  
11                  nonenrollment less than or equal to \$2,500 may  
12                  not be applied to such student’s cost of attend-  
13                  ance for the next period in which the student  
14                  is enrolled.

15                  “(B) EXCESS FUNDS.—Any funds earned  
16                  by a student (beyond standard living expenses  
17                  (as such term is described in section  
18                  413D(c)(3)(C))) during the qualified period of  
19                  nonenrollment in excess of \$2,500 shall be ap-  
20                  plied to such student’s cost of attendance for  
21                  the next period in which the student is enrolled.

22                  “(3) DEFINITION OF QUALIFIED PERIOD OF  
23                  NONENROLLMENT.—In this subsection, the term  
24                  ‘qualified period of nonenrollment’ means, with re-  
25                  spect to a student, a period of nonenrollment that—

1           “(A) occurs between a period of enrollment  
2           and a period of anticipated enrollment; and

3           “(B) the duration of which is no longer  
4           than 6 months.”.

5 **SEC. 4054. FLEXIBLE USE OF FUNDS.**

6           Section 445 of the Higher Education Act of 1965 (20  
7 U.S.C. 1087–55) is amended—

8           (1) in subsection (a), by adding at the end the  
9           following:

10           “(3) In addition to the carry-over sums author-  
11           ized under paragraph (1) of this section, an institu-  
12           tion may permit a student who completed the pre-  
13           vious award period to continue to earn unearned  
14           portions of the student’s work-study award from  
15           that previous period if—

16           “(A) any reduction in the student’s need  
17           upon which the award was based is accounted  
18           for in the remaining portion; and

19           “(B) the student is currently employed in  
20           a work-based learning position.”; and

21           (2) by striking “10 percent” both places it ap-  
22           pears and inserting “20 percent”.

23 **SEC. 4055. JOB LOCATION AND DEVELOPMENT PROGRAMS.**

24           (a) AMENDMENTS.—Section 446 of the Higher Edu-  
25           cation Act of 1965 (20 U.S.C. 1087–56) is amended—

1 (1) in subsection (a)—

2 (A) in paragraph (1), by striking “10 per-  
3 cent or \$75,000” and inserting “20 percent or  
4 \$150,000”; and

5 (B) in paragraph (2), by striking “voca-  
6 tional” and inserting “career”; and

7 (2) in subsection (b)—

8 (A) by striking paragraphs (1) and (2);  
9 and

10 (B) by inserting before paragraph (3) the  
11 following:

12 “(1) provide satisfactory assurance that the in-  
13 stitution will prioritize placing students with excep-  
14 tional need (as defined in section 413C(c)(2)) and  
15 Federal work-study recipients in jobs located and de-  
16 veloped under this section; and

17 “(2) provide satisfactory assurances that the  
18 funds available under this section will be used to lo-  
19 cate and develop work-based learning positions;”;  
20 and

21 (C) in paragraph (6), by striking the pe-  
22 riod and inserting “, including—

23 “(A) the number of students employed in  
24 work-based learning positions through such pro-  
25 gram;

1           “(B) the number of students dem-  
2           onstrating exceptional need (as defined in sec-  
3           tion 413C(c)(2)) and Federal work-study recipi-  
4           ents employed through such program; and

5           “(C) the number of students dem-  
6           onstrating exceptional need (as defined in sec-  
7           tion 413C(c)(2)) and Federal work-study recipi-  
8           ents employed in work-based learning positions  
9           through such program.”.

10       (b) CLARIFICATION ON CARRY-OVER AUTHORITY.—

11       Of the sums granted to an eligible institution under part  
12       C of title IV of the Higher Education Act (20 U.S.C.  
13       1087–51) for any fiscal year, 10 percent may, at the dis-  
14       cretion of the institution, remain available for expenditure  
15       during the succeeding fiscal year to carry out programs  
16       under such part, including the job location and develop-  
17       ment programs under section 446 of such Act (20 U.S.C.  
18       1087–56).

19       **SEC. 4056. COMMUNITY SERVICE.**

20       Section 447 of the Higher Education Act of 1965 (20  
21       U.S.C. 1087–57) is amended to read as follows:

22       **“SEC. 447. ADDITIONAL FUNDS TO CONDUCT COMMUNITY**  
23               **SERVICE WORK STUDY PROGRAMS.**

24       “Each institution participating under this part may  
25       use up to 10 percent of the funds made available under

1 section 489(a) and attributable to the amount of the insti-  
2 tution's expenditures under this part to conduct that insti-  
3 tution's program of community service-learning, includ-  
4 ing—

5           “(1) development of mechanisms to assure the  
6 academic quality of the student experience;

7           “(2) assuring student access to educational re-  
8 sources, expertise, and supervision necessary to  
9 achieve community service objectives;

10           “(3) assuring, to the maximum extent prac-  
11 ticable, that the community service-learning program  
12 will support the educational goals or career goals of  
13 students participating in such program;

14           “(4) collaboration with public and private non-  
15 profit agencies, and programs assisted under the  
16 National and Community Service Act of 1990 in the  
17 planning, development, and administration of such  
18 programs; and

19           “(5) to recruit and compensate students for  
20 community service-learning (including compensation  
21 for time spent in training and for reasonable travel  
22 (not including the purchase of a vehicle) directly re-  
23 lated to such community service).”.

1 **SEC. 4057. PILOT GRANT PROGRAM.**

2 Part C of title IV of the Higher Education Act (20  
3 U.S.C. 1087–51 et seq.) is amended by adding at the end  
4 the following:

5 **“SEC. 449. WORK-BASED LEARNING OPPORTUNITIES PILOT**  
6 **GRANT PROGRAM.**

7 “(a) ESTABLISHMENT.—

8 “(1) IN GENERAL.—The Secretary shall estab-  
9 lish a program to provide grants to eligible institu-  
10 tions participating under this part to establish or ex-  
11 pand a program to develop work-based learning posi-  
12 tions.

13 “(2) LIMITATIONS.—

14 “(A) DURATION.—A grant awarded under  
15 this section shall be for a period of not more  
16 than 4 years, but may be renewed by the Sec-  
17 retary for a period of 2 years.

18 “(B) AMOUNT.—A grant under this sec-  
19 tion may not be in an amount greater than  
20 \$1,000,000.

21 “(b) APPLICATION.—To be selected to receive a grant  
22 under this section an eligible institution participating  
23 under this part shall submit an application to the Sec-  
24 retary at such time, in such manner, and containing such  
25 information as the Secretary may require, including a plan  
26 that describes how the eligible institution will establish or



1 expand a program to develop work-based learning posi-  
2 tions that will—

3 “(1) benefit students who demonstrate excep-  
4 tional need (as defined in section 413C(e)(2));

5 “(2) identify high-demand occupations (as de-  
6 termined by the Bureau of Labor and Statistics,  
7 State departments of labor, and local workforce in-  
8 vestment boards) and develop partnerships with  
9 high-demand employers (including nonprofit organi-  
10 zations, for-profit firms, or public agencies);

11 “(3) involve participating employers in evalu-  
12 ating and improving such program;

13 “(4) track and report academic and employ-  
14 ment outcomes for participating students; and

15 “(5) be able to continue after the end of the  
16 grant term.

17 “(c) USE OF FUNDS.—Grant funds awarded under  
18 this program shall be used to pay wages for students par-  
19 ticipating under this program and develop work-based  
20 learning positions that—

21 “(1) are for a period of at least 12 weeks;

22 “(2) serve students who demonstrate excep-  
23 tional need (as defined in section 413C(e)(2));

24 “(3) limit administrative work to no more than  
25 25 percent of such position;

1           “(4) provide a minimum of 15 hours of work  
2           per week during periods of enrollment and 30 hours  
3           per week during periods of nonenrollment, except  
4           such requirement may be waived by the institution  
5           in consultation with a student;

6           “(5) include career coaching from participating  
7           employers (including mock interviews, resume writ-  
8           ing assistance, and counseling on applying for and  
9           attaining employment); and

10           “(6) provide participating students with oppor-  
11           tunities to meet with employers in fields or indus-  
12           tries related to those of participating employers.

13           “(d) REPORT.—On a date that is before the date on  
14           which the period of the grant received by an eligible insti-  
15           tution under this section terminates, such institution shall  
16           submit a report to the Secretary including—

17           “(1) the graduation rate or completion rate (as  
18           described under section 442(a)(1)(C)) with respect  
19           to students participating in work-based learning po-  
20           sitions under the pilot program; and

21           “(2) the results of the work-based learning op-  
22           portunities program for which such institution re-  
23           ceived such grant, including—

24           “(A) participating students’ satisfaction  
25           with the program as reported in surveys under

1 section 450, as amended by section 4178 of the  
2 Aim Higher Act;

3 “(B) the types of jobs in which partici-  
4 pating students were employed and the types of  
5 duties performed in such jobs;

6 “(C) the academic programs of the partici-  
7 pating students;

8 “(D) the share of participating students  
9 who worked at another job, in addition to the  
10 one under the pilot program;

11 “(E) the percentage of participating stu-  
12 dents who, during the second quarter after  
13 completing their academic program, are in edu-  
14 cation or training activities or unsubsidized em-  
15 ployment;

16 “(F) the percentage of participating stu-  
17 dents employed in high-demand occupations  
18 within 2 quarters of completing their academic  
19 programs; and

20 “(G) other items as deemed relevant by the  
21 Secretary.

22 “(e) RESERVATION OF FUNDING FOR SUCH PRO-  
23 GRAM.—From the amount appropriated under section  
24 441(b) for a fiscal year and remaining after the Secretary  
25 reserves funds under section 442(a)(1), the Secretary shall

1 reserve \$30,000,000 to carry out grants under this sec-  
2 tion.”.

3 **SEC. 4058. DEPARTMENT ACTIVITIES.**

4 Part C of title IV of the Higher Education Act of  
5 1965 (20 U.S.C. 1087–51 et seq.) is further amended by  
6 adding at the end the following:

7 **“SEC. 450. DEPARTMENT ACTIVITIES.**

8 “(a) SURVEYS.—Not later than 1 year after the date  
9 of the enactment of this section, the Secretary shall de-  
10 velop, in consultation with work-study administrators from  
11 institutions of higher education, participating employers,  
12 and participating students—

13 “(1) a consumer-tested electronic survey for  
14 students awarded work-study employment under the  
15 Federal work-study program under this part that—

16 “(A) measures each such student’s satis-  
17 faction with the Federal work-study program,  
18 including—

19 “(i) any complaints the student has  
20 with respect to the program;

21 “(ii) the amount and quality of the  
22 on-the-job training the student received;

23 “(iii) the amount and quality of on-  
24 the-job supervision and employer feedback  
25 the student received;

1           “(iv) the amount and quality of infor-  
2           mation provided by the institution about  
3           the work-study program and job opportuni-  
4           ties and the availability of work-study staff  
5           at the institution;

6           “(v) the quality of the assistance pro-  
7           vided by the institution to the student in  
8           finding a work-study job and the avail-  
9           ability of types of jobs; and

10          “(vi) the student’s overall satisfaction  
11          with the work-study program;

12          “(B) measures the applicability of work-  
13          study employment to the educational goals and  
14          career goals of each such student;

15          “(C) elicits an assessment by each such  
16          student of the capacity to manage time between  
17          work-study employment and coursework;

18          “(D) measures, with respect to the pro-  
19          gram—

20                 “(i) the award amounts under the  
21                 program;

22                 “(ii) the average number of hours stu-  
23                 dents worked per week, and the wages re-  
24                 ceived for such work;

1           “(iii) the number of on campus jobs  
2           and off campus jobs;

3           “(iv) how students located work-study  
4           positions;

5           “(v) the work performed at each job;

6           “(vi) whether students worked addi-  
7           tional jobs while employed in a work-study  
8           job (and the reason for such additional  
9           job);

10          “(vii) whether the work-study employ-  
11          ment had an impact on the student’s aca-  
12          demic performance; and

13          “(viii) the voluntarily disclosed demo-  
14          graphics of students awarded work-study  
15          employment; and

16          “(E) includes such information as the Sec-  
17          retary may require; and

18          “(2) a consumer-tested electronic survey for  
19          employers of students described in paragraph (1)  
20          that—

21                  “(A) measures each such employer’s satis-  
22                  faction with the Federal work-study program,  
23                  including—

1                   “(i) the extent to which the employer  
2                   is satisfied with its ability to accommodate  
3                   students’ schedules;

4                   “(ii) the extent to which student-em-  
5                   ployees are prepared for the duties adver-  
6                   tised for the job; and

7                   “(iii) the extent to which the employer  
8                   is satisfied with opportunities to make rec-  
9                   ommendations for improving institutions’  
10                  academic programs;

11                  “(B) elicits an assessment by each such  
12                  employer of—

13                         “(i) any complaints the employer had  
14                         with respect to the program;

15                         “(ii) any skills or knowledge necessary  
16                         for the job that student-employees are  
17                         lacking; and

18                         “(iii) the extent of outreach from in-  
19                         stitutions to the employer; and

20                         “(C) includes such information as the Sec-  
21                         retary may require; and

22                         “(3) a consumer-tested electronic survey that,  
23                         not less than once every 4 years, with respect to  
24                         each institution of higher education participating in  
25                         the Federal work-study program, measures—

1           “(A) methods used to recruit on-campus  
2 and off-campus employers;

3           “(B) if an institution operates a job loca-  
4 tion development program—

5                 “(i) the share of jobs filled on-campus  
6 and off-campus;

7                 “(ii) the share of jobs filled by—

8                         “(I) work-study recipients; and

9                         “(II) students who demonstrate  
10 exceptional need (as defined in section  
11 413C(c)(2));

12                 “(iii) the primary factors considered  
13 in matching work-study students and jobs;

14                 “(iv) the share of students employed  
15 in work-based learning opportunities; and

16                 “(v) the share of students employed  
17 during qualified periods of nonenrollment,  
18 including the share of students with excep-  
19 tional need (as defined in section  
20 413C(c)(2)) employed during qualified pe-  
21 riods of nonenrollment;

22           “(C) the institution’s Federal and non-  
23 Federal contributions toward work-study wages;



1           “(D) the primary factors considered in  
2           awarding students work-study and in deter-  
3           mining the amount of the award;

4           “(E) the acceptance rate among students  
5           who were offered work-study aid; and

6           “(F) other information the Secretary may  
7           require.

8           “(b) RESULTS.—The Secretary shall develop an on-  
9           line portal—

10           “(1) for students, employers, and institutions of  
11           higher education to access the surveys required  
12           under subsection (a); and

13           “(2) to compile the results of such surveys.

14           “(c) REPORT.—Not less than once every 4 years after  
15           the date of the enactment of this subsection, the Secretary  
16           shall submit a report to Congress that includes—

17           “(1) the data collected under this section (re-  
18           dacted for personal information);

19           “(2) with respect to students employed in work-  
20           study through the Federal work-study program—

21           “(A) the types of jobs such students par-  
22           ticipated in;

23           “(B) the average hours worked per week;

24           “(C) the average award amount;

25           “(D) the average wage rates;

1           “(E) the extent to which students enter  
2           employment with skills and knowledge gained  
3           from work-study participation that have pre-  
4           pared them for the job; and

5           “(F) the students’ satisfaction with the  
6           program and primary complaints;

7           “(3) the extent to which institutions conduct  
8           outreach to employers and engage them in discus-  
9           sions on improving academic programs;

10          “(4) the extent to which institutions conduct  
11          outreach to students and make jobs readily avail-  
12          able;

13          “(5) the extent to which the work-study employ-  
14          ment aligns with students’ academic programs or ca-  
15          reer goals;

16          “(6) the employers’ satisfaction with the pro-  
17          gram and primary complaints; and

18          “(7) recommendations for improving the pro-  
19          gram.

20          “(d) CONSULTATION.—In consulting with the entities  
21          described in subsection (a) to create the electronic surveys  
22          required under such subsection, the Secretary shall engage  
23          with—

1           “(1) a representative sample of institutions of  
2 higher education participating in the Federal work-  
3 study program;

4           “(2) a representative sample of employers par-  
5 ticipating in the Federal work-study program; and

6           “(3) a representative sample of students par-  
7 ticipating in the Federal work-study program.

8           “(e) TECHNICAL ASSISTANCE.—The Secretary  
9 shall—

10           “(1) provide technical assistance to institutions  
11 participating under the Federal work-study program  
12 under this part to—

13           “(A) comply with the amendments made  
14 by subtitle O of the Aim Higher Act and the  
15 regulations issued pursuant to this subtitle;

16           “(B) administer the surveys described in  
17 subsection (a) to students and employers par-  
18 ticipating in the Federal work-study program;

19           “(C) ensure that Federal work-study posi-  
20 tions align with students’ educational goals or  
21 career goals to the maximum extent practicable;  
22 and

23           “(D) satisfy the requirements under sec-  
24 tion 443(b)(7); and

1           “(2) issue guidance and provide technical as-  
2           sistance to institutions to support improved partner-  
3           ships and coordination among financial aid, career  
4           services, and academic advisors to administer the  
5           Federal work-study program.

6           “(f) RESPONSE RATE.—In the case of an institution  
7           participating under the Federal work-study program  
8           under this part with a response rate for students and em-  
9           ployers with respect to the surveys described in subsection  
10          (a)(1) of less than 75 percent, the Secretary shall require  
11          such institution—

12                 “(1) to submit to the Secretary an improvement  
13                 plan to increase such response rate; and

14                 “(2) if the response rate has not improved 2  
15                 years after the date on which an improvement plan  
16                 was submitted under paragraph (1), submit to the  
17                 Secretary a revised improvement plan.

18          “(g) AUTHORIZATION OF APPROPRIATIONS.—There  
19          is authorized to be appropriated \$2,000,000 to carry out  
20          subsection (a).”.

21          **SEC. 4059. STUDY AND REPORT.**

22          (a) STUDY.—Not later than 180 days after the date  
23          of the enactment of this Act, the Comptroller General of  
24          the United States shall conduct a study on best practices  
25          for assisting students participating in the Federal work-

1 study program under part C of title IV of the Higher Edu-  
2 cation Act (42 U.S.C. 1087–51 et seq.) with—

3 (1) connecting to off-campus employers;

4 (2) procuring work-based learning opportunities  
5 through such program;

6 (3) procuring employment that aligns with stu-  
7 dents’ educational goals or career goals;

8 (4) locating employment through job location  
9 and development programs;

10 (5) procuring employment in high-demand occu-  
11 pations;

12 (6) balancing employment with academic pro-  
13 grams to improve graduation and completion rates;

14 and

15 (7) with respect to students with exceptional  
16 need (as defined in section 413C(e)(2) of the Higher  
17 Education Act of 1965 (20 U.S.C. 1070b–  
18 2(c)(2)))—

19 (A) locating and coordinating work-study  
20 employment during qualified periods of non-  
21 enrollment;

22 (B) increasing participation of such stu-  
23 dents in such work-study program; and

24 (C) limiting the need for additional em-  
25 ployment outside the work-study program.

1 (b) REPORT.—Not later than one year after the date  
2 on which the study required under subsection (a) is com-  
3 pleted, the Comptroller General of the United States shall  
4 submit to Congress a report summarizing the findings of  
5 such study.

6 (c) PUBLISH REPORT.—The Comptroller General of  
7 the United States shall make the report required under  
8 subsection (b) available to the public on the website of the  
9 Government Accountability Office.

10 **PART D**

11 **SEC. 4061. REFINANCING PROGRAMS.**

12 (a) PROGRAM AUTHORITY.—Section 451(a) of the  
13 Higher Education Act of 1965 (20 U.S.C. 1087a(a)) is  
14 amended—

15 (1) by striking “and (2)” and inserting “(2)”;

16 and

17 (2) by inserting “; and (3) to make loans under  
18 section 460A and section 460B” after “section  
19 459A”.

20 **SEC. 4062. AMENDMENTS TO TERMS AND CONDITIONS OF**  
21 **LOANS AND REPAYMENT PLANS.**

22 (a) REPEAL OF ORIGINATION FEES.—Subsection (c)  
23 of section 455 of the Higher Education Act of 1965 (20  
24 U.S.C. 1087e(c)) is repealed.

1           (b) RULEMAKING REGARDING TERMINATION OF  
2 CERTAIN REPAYMENT PLANS.—Before the effective date  
3 of this title, the Secretary of Education shall carry out  
4 a plan to end all eligibility for repayment plans other than  
5 a fixed repayment plan described in section 493E and an  
6 income-based repayment plan described under section  
7 493C(f) for loans made under part B or D of title IV of  
8 the Higher Education Act of 1965, unless the borrower  
9 is enrolled in another repayment plan before such effective  
10 date, in accordance with the amendments made by this  
11 Act.

12           (c) REPAYMENT PLANS.—Section 455(d) of the  
13 Higher Education Act of 1965 (20 U.S.C. 1087e(d)) is  
14 amended—

15                   (1) by redesignating paragraphs (2) through  
16                   (5) as paragraphs (3) through (6), respectively;

17                   (2) by inserting after paragraph (1), the fol-  
18                   lowing:

19                   “(2) DESIGN AND SELECTION ON AND AFTER  
20                   JULY 1, 2019.—

21                   “(A) IN GENERAL.—Notwithstanding para-  
22                   graph (1), for the borrower of a loan made on  
23                   or after July 1, 2019, and for other borrowers  
24                   subject to paragraph (7), the Secretary shall  
25                   offer a borrower of a loan made under this part

1           2 plans for repayment of such loan, including  
2           principal and interest on the loan. The borrower  
3           shall be entitled to accelerate, without penalty,  
4           repayment on the borrower’s loans under this  
5           part. The borrower may choose—

6                   “(i) a fixed repayment plan described  
7                   in section 493E; or

8                   “(ii) the income-based repayment plan  
9                   under section 493C(f).

10           “(B) SELECTION BY THE SECRETARY.—If  
11           a borrower of a loan made under this part on  
12           or after July 1, 2019, does not select a repay-  
13           ment plan described in subparagraph (A), the  
14           Secretary may provide the borrower with a  
15           fixed repayment plan described in section 493E.

16           “(C) CHANGES IN SELECTIONS.—Begin-  
17           ning on July 1, 2019, a borrower of a loan  
18           made under this part may change the bor-  
19           rower’s selection of a repayment plan in accord-  
20           ance with paragraph (7) and under such terms  
21           and conditions as may be established by the  
22           Secretary.”;

23           (3) in paragraph (6)(B), as redesignated, by  
24           striking “an income contingent repayment plan.”



1 and inserting “the income-based repayment plan  
2 under section 493C(f).”; and

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

4 “(7) BORROWERS OF LOANS MADE BEFORE  
5 JULY 1, 2019.—A borrower who is in repayment on  
6 a loan made under part B or part D before July 1,  
7 2019—

8 “(A) may choose to retain the repayment  
9 plan that the borrower was enrolled in on the  
10 day before such date;

11 “(B) may elect to—

12 “(i) enter the income-based repayment  
13 plan under section 493C(f); or

14 “(ii) enter a fixed repayment plan de-  
15 scribed in section 493E;

16 “(C) after electing to leave a repayment  
17 plan other than an income-based repayment  
18 plan described under this subsection or a fixed  
19 repayment plan described in section 493E, shall  
20 not be permitted to re-elect a repayment plan  
21 that is not an income-based repayment plan  
22 under this subsection or a fixed repayment plan  
23 described in section 493E; and

24 “(D) shall retain, for purposes of repay-  
25 ment or cancellation of any outstanding balance

1 of principal and interest due on a loan as de-  
2 scribed in section 493C(b)(7) any years of re-  
3 payment under another income-based or income  
4 contingent repayment plan under this title.

5 “(8) NOTIFICATION AND AUTOMATIC ENROLL-  
6 MENT PROCEDURES FOR BORROWERS WHO ARE DE-  
7 LINQUENT ON LOANS.—

8 “(A) AUTHORITY TO OBTAIN INCOME IN-  
9 FORMATION.—In the case of any borrower who  
10 is at least 60 days delinquent on a covered loan,  
11 the Secretary may obtain such information as is  
12 reasonably necessary regarding the income and  
13 family size of the borrower (and the borrower’s  
14 spouse, if applicable).

15 “(B) BORROWER NOTIFICATION.—With re-  
16 spect to each borrower of a covered loan who is  
17 at least 60 days delinquent on such loan and  
18 who has not been subject to the procedures  
19 under this paragraph for such loan in the pre-  
20 ceeding 120 days, the Secretary shall, as soon as  
21 practicable after such 60-day delinquency, pro-  
22 vide to the borrower the following:

23 “(i) Notification that the borrower is  
24 at least 60 days delinquent on at least 1  
25 covered loan, and a description of all delin-

1           quent covered loans, nondelinquent covered  
2           loans, and noncovered loans of the bor-  
3           rower.

4           “(ii) A brief description of the repay-  
5           ment plans for which the borrower is eligi-  
6           ble and the covered loans and noncovered  
7           loans of the borrower that may be eligible  
8           for such plans, based on information avail-  
9           able to the Secretary.

10          “(iii) The amount of monthly pay-  
11          ments for the covered and noncovered  
12          loans under the income-based repayment  
13          plan under section 493C(f) and the fixed  
14          repayment plan described in section 493E,  
15          based on information available to the Sec-  
16          retary, including, if the income information  
17          of the borrower is available to the Sec-  
18          retary under subparagraph (A)—

19               “(I) the amount of the monthly  
20               payment under the income-based re-  
21               payment plan under section 493C(f)  
22               and the fixed repayment plan de-  
23               scribed in section 493E for which the  
24               borrower is eligible for the borrower’s

1 covered and noncovered loans, based  
2 on such income information; and

3 “(II) the income, family size, tax  
4 filing status, and tax year information  
5 on which each monthly payment is  
6 based.

7 “(iv) Clear and simple instructions on  
8 how to select the repayment plans.

9 “(v) An explanation that, in the case  
10 of a borrower for whom adjusted gross in-  
11 come is unavailable—

12 “(I) if the borrower selects to  
13 repay the covered loans of such bor-  
14 rower pursuant to the income-based  
15 repayment plan under section 493C(f)  
16 that defines discretionary income in  
17 such a manner that an individual not  
18 required under section 6012(a)(1) of  
19 the Internal Revenue Code of 1986 to  
20 file a return with respect to income  
21 taxes imposed by subtitle A of such  
22 Code may have a calculated monthly  
23 payment greater than \$0, the bor-  
24 rower will be required to provide the  
25 Secretary with other documentation of

1 income satisfactory to the Secretary,  
2 which documentation the Secretary  
3 may use to determine an appropriate  
4 repayment schedule; and

5 “(II) if the borrower selects to  
6 repay such loans pursuant to an in-  
7 come-driven repayment plan that is  
8 not described in subclause (I), the  
9 borrower will not be required to pro-  
10 vide the Secretary with such other  
11 documentation of income, and the bor-  
12 rower will have a calculated monthly  
13 payment of \$0.

14 “(vi) An explanation that the Sec-  
15 retary shall take the actions under sub-  
16 paragraph (C) with respect to such bor-  
17 rower, if—

18 “(I) the borrower is 120 days de-  
19 linquent on 1 or more covered loans  
20 and has not selected a new repayment  
21 plan for the covered loans of the bor-  
22 rower; and

23 “(II) in the case of such a bor-  
24 rower whose repayment plan for the  
25 covered loans of the borrower is not

1 an income-driven repayment plan de-  
2 scribed in subparagraph (D) or (E) of  
3 paragraph (1), the monthly payments  
4 under such repayment plan are higher  
5 than such monthly payments would be  
6 under the income-based repayment  
7 plan under section 493C(f).

8 “(vii) Instructions on updating the in-  
9 formation of the borrower obtained under  
10 subparagraph (A).

11 “(C) SECRETARY’S INITIAL SELECTION OF  
12 A PLAN.—With respect to each borrower de-  
13 scribed in subparagraph (B) who has a repay-  
14 ment plan for the covered loans of the borrower  
15 that meets the requirements of clause (vi)(II) of  
16 subparagraph (B) and has not selected a new  
17 repayment plan for such loans in accordance  
18 with the notice received under such subpara-  
19 graph, and who is at least 120 days delinquent  
20 on such a loan, the Secretary shall, as soon as  
21 practicable—

22 “(i) provide the borrower with the in-  
23 come-based repayment plan under section  
24 493C(f); and

1           “(ii) authorize the borrower to change  
2           the Secretary’s selection of a plan under  
3           this clause to the fixed repayment plan de-  
4           scribed in section 493E.

5           “(D) OPT-OUT.—A borrower of a covered  
6           loan shall have the right to opt out of the pro-  
7           cedures under this paragraph.

8           “(E) PROCEDURES.—The Secretary shall  
9           establish procedures as are necessary to effec-  
10          tively implement this paragraph.

11          “(9) NOTIFICATION AND AUTOMATIC ENROLL-  
12          MENT PROCEDURES FOR BORROWERS WHO ARE RE-  
13          HABILITATING DEFAULTED LOANS.—

14               “(A) AUTHORITY TO OBTAIN INCOME IN-  
15               FORMATION.—In the case of any borrower who  
16               is rehabilitating a covered loan pursuant to sec-  
17               tion 428F(a), the Secretary may obtain such in-  
18               formation as is reasonably necessary regarding  
19               the income and family size of the borrower (and  
20               the borrower’s spouse, if applicable).

21               “(B) BORROWER NOTIFICATION.—Not  
22               later than 30 days after a borrower makes the  
23               6th payment required for the loan rehabilitation  
24               described in subparagraph (A), the Secretary

1 shall notify the borrower of the process under  
2 subparagraph (C) with respect to such loan.

3 “(C) SECRETARY’S SELECTION OF PLAN.—

4 With respect to each borrower who has made  
5 the 9th payment required for the loan rehabili-  
6 tation described in subparagraph (A), the Sec-  
7 retary shall, as soon as practicable after such  
8 payment, provide the borrower with the income-  
9 based repayment plan under section 493C(f),  
10 without regard to whether the loan has been so  
11 rehabilitated.

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 “(10) DEFINITIONS.—In this subsection:

19 “(A) COVERED LOAN.—The term ‘covered  
20 loan’ means—

21 “(i) a loan made under this part;

22 “(ii) a loan purchased under section  
23 459A; or



1           “(iii) a loan that has been assigned to  
2           the Secretary under section 428(c)(8) or  
3           part E.

4           “(B) NONCOVERED LOAN.—The term  
5           ‘noncovered loan’ means a loan made, insured,  
6           or guaranteed under this title that is not a cov-  
7           ered loan.

8           “(11) APPLICATION OF PREPAYMENT  
9           AMOUNTS.—

10           “(A) REQUIREMENT.—Notwithstanding  
11           any other provision of this subsection or any  
12           other provision of law—

13           “(i) with respect to loans made to an  
14           eligible borrower under this part or part B,  
15           which are held by the same holder and  
16           which have different applicable rates of in-  
17           terest, the holder of such loans shall, un-  
18           less otherwise requested by the borrower in  
19           writing, apply the borrower’s prepayment  
20           amount (within the meaning of section  
21           682.209(b) of title 34, Code of Federal  
22           Regulations, or a successor regulation) for  
23           one or more of such loans, first toward the  
24           outstanding balance of principal due on the

1 loan with the highest applicable rate of in-  
2 terest among such loans; and

3 “(ii) except as provided in clause (i),  
4 with respect to loans made to an eligible  
5 borrower under this part or part B, which  
6 are held by the same holder and which  
7 have the same applicable rates of interest,  
8 the holder of such loans shall, unless other-  
9 wise requested by the borrower in writing,  
10 apply the borrower’s prepayment amount  
11 (within the meaning of section 682.209(b)  
12 of title 34, Code of Federal Regulations, or  
13 a successor regulation) for one or more of  
14 such loans, first toward the outstanding  
15 balance of principal due on the loan with  
16 the highest principal balance among such  
17 loans.

18 “(B) ELIGIBLE BORROWER.—

19 “(i) IN GENERAL.—For purposes of  
20 this paragraph, the term ‘eligible borrower’  
21 means a borrower with no outstanding bal-  
22 ance of fees, including collection costs and  
23 authorized late charges, due on any loan  
24 made under this part or part B.

1                   “(ii) PREPAYMENT AMOUNTS.—A pre-  
2                   payment amount (as described in subpara-  
3                   graph (A)) made by a borrower who is not  
4                   an eligible borrower to a holder shall be  
5                   applied first toward the borrower’s out-  
6                   standing balance of fees, including collec-  
7                   tion costs and authorized late charges, due  
8                   on any loan made under this part or part  
9                   B held by such holder.”.

10           (d) APPLICATION.—The amendments made by sub-  
11 section (c)(5) shall—

12                   (1) take effect as soon as the Secretary of Edu-  
13                   cation determines practicable after the Secretary fi-  
14                   nalizes the procedures under section 4114, but not  
15                   later than 2 years after the date of enactment of  
16                   this Act; and

17                   (2) apply to all borrowers of covered loans (as  
18                   defined in section 455(d)(10) of the Higher Edu-  
19                   cation Act of 1965, as added by subsection (c)(5)).

20           (e) AUTOMATIC RECERTIFICATION OF INCOME FOR  
21 INCOME-DRIVEN REPAYMENT PLANS.—Section 455(e) of  
22 the Higher Education Act of 1965 (20 U.S.C. 1087e(e))  
23 is amended—

24                   (1) in paragraph (3)—

1 (A) by striking “does not reasonably re-  
2 flect the borrower’s current income” and insert-  
3 ing “whose income has decreased relative to the  
4 adjusted gross income available to the Sec-  
5 retary”; and

6 (B) by inserting “, consistent with the pro-  
7 cedures established under paragraph  
8 (8)(B)(iv)” before the period at the end; and  
9 (2) by adding at the end the following:

10 “(8) AUTOMATIC RECERTIFICATION.—

11 “(A) DEFINITION.—In this paragraph, the  
12 term ‘covered loan’ has the meaning given the  
13 term in subsection (d)(10).

14 “(B) IN GENERAL.—Beginning as soon as  
15 the Secretary determines practicable after the  
16 Secretary finalizes the procedures under section  
17 4114 of the Aim Higher Act, but not later than  
18 2 years after the date of enactment of such Act,  
19 the Secretary shall establish and implement,  
20 with respect to any borrower described in sub-  
21 paragraph (C), procedures to—

22 “(i) obtain (for each year of repay-  
23 ment and without further action by the  
24 borrower) such information as is reason-  
25 ably necessary regarding the income of

1 such borrower (and the borrower’s spouse,  
2 if applicable), for the purpose of deter-  
3 mining the repayment obligation of the  
4 borrower for such year, including informa-  
5 tion with respect to the borrower’s family  
6 size in accordance with the procedures  
7 under section 4114 of the Aim Higher Act,  
8 subject to clause (ii);

9 “(ii) allow the borrower, at any time,  
10 to opt out of clause (i) and prevent the  
11 Secretary from obtaining information  
12 under such clause without further action  
13 by the borrower;

14 “(iii) provide the borrower with an op-  
15 portunity to update the information ob-  
16 tained under clause (i) before the deter-  
17 mination of the annual repayment obliga-  
18 tion of the borrower; and

19 “(iv) in the case of a borrower for  
20 whom adjusted gross income is unavail-  
21 able—

22 “(I) if the borrower has selected  
23 to repay the covered loans of such  
24 borrower pursuant to an income con-  
25 tingent repayment plan that defines

1 discretionary income in such a man-  
2 ner that an individual not required  
3 under section 6012(a)(1) of the Inter-  
4 nal Revenue Code of 1986 to file a re-  
5 turn with respect to income taxes im-  
6 posed by subtitle A of such Code may  
7 have a calculated monthly payment  
8 greater than \$0, the borrower will be  
9 required to provide the Secretary with  
10 other documentation of income satis-  
11 factory to the Secretary, which docu-  
12 mentation the Secretary may use to  
13 determine an appropriate repayment  
14 schedule; or

15 “(II) if the borrower has selected  
16 to repay such loans pursuant to an in-  
17 come contingent repayment that is not  
18 described in subelause (I), the bor-  
19 rower will not be required to provide  
20 the Secretary with such other docu-  
21 mentation of income, and the bor-  
22 rower will have a calculated monthly  
23 payment of \$0.

24 “(C) APPLICABILITY.—Subparagraph (B)  
25 shall apply to each borrower of a covered loan

1           who, on or after the date on which the Sec-  
2           retary establishes procedures under such sub-  
3           paragraph—

4                   “(i) selects, or for whom the Secretary  
5                   selects under paragraph (8)(C) or (9)(C)  
6                   of subsection (d), or section 428(m)(1), an  
7                   income contingent repayment plan; or

8                   “(ii) recertifies income and family size  
9                   under such plan.

10                   “(D) OTHER REQUIREMENTS.—The proce-  
11                   dures established by the Secretary under this  
12                   paragraph shall be consistent with the require-  
13                   ments of paragraphs (1) through (7), except as  
14                   otherwise provided in this paragraph.”.

15           (f) SEPARATING JOINT CONSOLIDATION LOANS.—  
16           Section 455(g) of the Higher Education Act of 1965 (20  
17           U.S.C. 1087e(g)) is amended—

18                   (1) by striking “A borrower” and inserting the  
19                   following:

20                           “(1) IN GENERAL.—A borrower”; and

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

22                           “(2) SEPARATING JOINT CONSOLIDATION  
23                   LOANS.—

24                           “(A) IN GENERAL.—A married couple, or  
25                   2 individuals who were previously a married

1 couple, and who received a joint consolidation  
2 loan as such married couple under subpara-  
3 graph (C) of section 428C(a)(3) (as such sub-  
4 paragraph was in effect on or before June 30,  
5 2006), may apply to the Secretary for each in-  
6 dividual borrower in the married couple (or pre-  
7 viously married couple) to receive a separate  
8 Federal Direct Consolidation Loan under this  
9 part—

10 “(i) that shall—

11 “(I) unless the Secretary receives  
12 notice of an agreement described in  
13 subclause (II)(aa), be equal to the  
14 sum of—

15 “(aa) the unpaid principal  
16 and accrued unpaid interest of  
17 the percentage of the joint con-  
18 solidation loan that, as of the day  
19 before such joint consolidation  
20 loan was made, was attributable  
21 to the loans of the individual bor-  
22 rower for whom such separate  
23 consolidation loan is being made;  
24 and



1           “(bb) any other loans de-  
2           scribed in section 428C(a)(4)  
3           that such individual borrower se-  
4           lects for consolidation under this  
5           part; or

6           “(II) be equal to the sum of—

7           “(aa) the unpaid principal  
8           and accrued unpaid interest of  
9           the percentage of the joint con-  
10          solidation loan that, as of the  
11          date of application under this  
12          paragraph, the married couple  
13          (or previously married couple)  
14          agrees shall be considered attrib-  
15          utable to the loans of the indi-  
16          vidual borrower for whom such  
17          separate consolidation loan is  
18          being made; and

19          “(bb) any other loans de-  
20          scribed in section 428C(a)(4)  
21          that such individual borrower se-  
22          lects for consolidation under this  
23          part;

1           “(ii) the proceeds of which shall be  
2           paid by the Secretary to the holder or  
3           holders—

4                   “(I) of the joint consolidation  
5                   loan for the purpose of discharging  
6                   the liability on the percentage of such  
7                   joint consolidation loan described in  
8                   subclause (I)(aa) or (II)(aa) of clause  
9                   (i); and

10                   “(II) of the loans selected for  
11                   consolidation under subclause (I)(bb)  
12                   or subclause (II)(bb) of clause (i) for  
13                   the purpose of discharging the liability  
14                   on such loans;

15           “(iii) except as otherwise provided in  
16           this paragraph, that has the same terms  
17           and conditions, and rate of interest as the  
18           joint consolidation loan;

19                   “(iv) for which any payment made  
20                   under section 455(m)(1)(A) on the joint  
21                   consolidation loan during a period in which  
22                   the individual borrower for whom such sep-  
23                   arate consolidation loan is being made was  
24                   employed in a public service job described  
25                   in section 455(m)(1)(B) shall be treated as

1 if such payment were made on such sepa-  
2 rate consolidation loan; and

3 “(v) for which any payment made  
4 under an income contingent repayment  
5 plan or an income-based repayment plan  
6 described in subparagraph (D) or (E) of  
7 section 455(d)(1), respectively, on the joint  
8 consolidation loan shall be treated as if  
9 such payment were made on such separate  
10 consolidation loan.

11 “(B) APPLICATION FOR SEPARATE DIRECT  
12 CONSOLIDATION LOAN.—

13 “(i) JOINT APPLICATION.—Except as  
14 provided in clause (ii), to receive separate  
15 consolidation loans under subparagraph  
16 (A), both individual borrowers in a married  
17 couple (or previously married couple) shall  
18 jointly apply under subparagraph (A).

19 “(ii) SEPARATE APPLICATION.—An  
20 individual borrower in a married couple (or  
21 previously married couple) may apply for a  
22 separate consolidation loan under subpara-  
23 graph (A) separately and without regard to  
24 whether or when the other individual bor-  
25 rower in the married couple (or previously

1 married couple) applies under subpara-  
2 graph (A), in a case in which—

3 “(I) the individual borrower has  
4 experienced from the other individual  
5 borrower—

6 “(aa) domestic violence (as  
7 defined in section 40002(a) of  
8 the Violence Against Women Act  
9 of 1994 (34 U.S.C. 12291(a));  
10 or

11 “(bb) economic abuse (in-  
12 cluding behaviors that control  
13 such borrower’s ability to ac-  
14 quire, use, and maintain access  
15 to money, credit, or the joint fi-  
16 nancial obligations of both bor-  
17 rowers);

18 “(II) the individual borrower cer-  
19 tifies, on a form approved by the Sec-  
20 retary, that such borrower is unable  
21 to reasonably reach or access the loan  
22 information of the other individual  
23 borrower; or

24 “(III) the Secretary determines  
25 that authorizing each individual bor-

1                   rower to apply separately under sub-  
2                   paragraph (A) would be in the best  
3                   fiscal interests of the Federal Govern-  
4                   ment.

5                   “(C) BORROWER ELIGIBILITY.—Notwith-  
6                   standing section 428C(a)(3)(A), the Secretary  
7                   shall award a consolidation loan under this part  
8                   to each borrower who—

9                   “(i) applies for such loan under sub-  
10                  paragraph (A); and

11                  “(ii) meets the requirements of sub-  
12                  paragraphs (A) and (B).”.

13 **SEC. 4063. AMENDMENTS TO TERMS AND CONDITIONS OF**  
14 **BORROWER DEFENSES.**

15                  Section 455(h) of the Higher Education Act of 1965  
16 is amended to read as follows:

17                  “(h) BORROWER DEFENSES.—

18                  “(1) IN GENERAL.—Notwithstanding any other  
19                  provision of State or Federal law, a defense to re-  
20                  payment of a loan under this title includes—

21                  “(A) a substantial misrepresentation under  
22                  section 487(c)(3);

23                  “(B) an act or omission that would give  
24                  rise to a cause of action against the school  
25                  under applicable State law; or

1           “(C) such further acts or omissions that  
2 the Secretary determines appropriate.

3           “(2) PROCEDURES.—

4           “(A) IN GENERAL.—The Secretary shall,  
5 with respect to a borrower defense under this  
6 subsection—

7                   “(i) determine the entitlement of a  
8 borrower to relief based on all evidence  
9 available to the Department; and

10                   “(ii) provide an expeditious and fair  
11 process to consider applications provided  
12 by individuals, groups, and representatives  
13 on behalf of groups.

14           “(B) INDEPENDENT DETERMINATION.—A  
15 determination under subparagraph (A)(i) shall  
16 be independent of any action that the Depart-  
17 ment may take to recoup from the school re-  
18 lated to the borrower defense.

19           “(C) CANCELLATION OF DEBT.—If the  
20 Secretary determines under subparagraph  
21 (A)(i) that a borrower is entitled to relief, the  
22 Secretary shall cancel all outstanding debt, and  
23 return any payments made on the loans of such  
24 borrower.

1           “(3) REGULATIONS.—The Secretary shall speci-  
2           fy in regulations which acts or omissions of an insti-  
3           tution of higher education a borrower may assert as  
4           a defense to repayment of a loan made under this  
5           part, except that in no event may a borrower recover  
6           from the Secretary, in any action arising from or re-  
7           lating to a loan made under this part, an amount in  
8           excess of the amount such borrower has repaid on  
9           such loan.”.

10 **SEC. 4064. AMENDMENTS TO TERMS AND CONDITIONS OF**  
11 **PUBLIC SERVICE LOAN FORGIVENESS.**

12           Section 455(m) of the Higher Education Act of 1965  
13 (20 U.S.C. 1087e(m)) is amended—

14           (1) by redesignating paragraphs (3) and (4) as  
15           paragraphs (4) and (5), respectively; and

16           (2) by inserting after paragraph (2) the fol-  
17           lowing:

18           “(3) SPECIAL RULES FOR SECTION 460A  
19           LOANS.—

20           “(A) REFINANCED FEDERAL DIRECT  
21           LOANS.—Notwithstanding paragraph (1), in de-  
22           termining the number of monthly payments  
23           that meet the requirements of such paragraph  
24           for an eligible Federal Direct Loan refinanced  
25           under section 460A that was originally a loan

1 under this part, the Secretary shall include all  
2 monthly payments made on the original loan  
3 that meet the requirements of such paragraph.

4 “(B) REFINANCED FFEL LOANS.—In the  
5 case of an eligible Federal Direct Loan re-fi-  
6 nanced under section 460A that was originally  
7 a loan under part B, only monthly payments  
8 made after the date on which the loan was re-fi-  
9 nanced may be included for purposes of para-  
10 graph (1).”;

11 (3) in paragraph (4)(A) (as redesignated by  
12 paragraph (1))—

13 (A) by inserting “(including any Federal  
14 Direct Stafford Loan, Federal Direct PLUS  
15 Loan, Federal Direct Unsubsidized Stafford  
16 Loan, or Federal Direct Consolidation Loan re-  
17 financed under section 460A)” before the pe-  
18 riod at the end; and

19 (B) by striking “The term” and inserting  
20 the following:

21 “(i) IN GENERAL.—The term”; and

22 (C) by adding at the end the following:

23 “(ii) TREATMENT OF CERTAIN CON-  
24 SOLIDATION LOAN PAYMENTS.—In a case  
25 in which a borrower makes a monthly pay-



1                   ment under paragraph (1)(A) on a Federal  
2                   Direct Consolidation Loan that was used  
3                   to repay an eligible Federal Direct Loan  
4                   described in clause (i) for which at least  
5                   one monthly payment has been made under  
6                   paragraph (1)(A) prior to the consolida-  
7                   tion, the monthly payment on such Federal  
8                   Direct Consolidation Loan shall be treated  
9                   as a monthly payment on such eligible  
10                  Federal Direct Loan.”; and

11                  (4) by amending subparagraph (B) of para-  
12                  graph (4) (as redesignated by paragraph (1)) to  
13                  read as follows:

14                         “(B) PUBLIC SERVICE JOB.—The term  
15                         ‘public service job’ means—

16                                 “(i) a full-time job in emergency man-  
17                                 agement, government (excluding time  
18                                 served as a member of Congress), military  
19                                 service, public safety, law enforcement,  
20                                 public health (including nurses, nurse  
21                                 practitioners, nurses in a clinical setting,  
22                                 and full-time professionals engaged in  
23                                 health care practitioner occupations and  
24                                 health care support occupations, as such  
25                                 terms are defined by the Bureau of Labor

1 Statistics), public education, social work in  
2 a public child or family service agency,  
3 public interest law services (including pros-  
4 ecution or public defense or legal advocacy  
5 on behalf of low-income communities at a  
6 nonprofit organization), early childhood  
7 education (including licensed or regulated  
8 childcare, Head Start, and State funded  
9 prekindergarten), public service for individ-  
10 uals with disabilities, public service for the  
11 elderly, public library sciences, school-  
12 based library sciences and other school-  
13 based services, or at an organization that  
14 is described in section 501(c)(3) of the In-  
15 ternal Revenue Code of 1986 and exempt  
16 from taxation under section 501(a) of such  
17 Code;

18 “(ii) teaching as a full-time faculty  
19 member at a Tribal College or University  
20 as defined in section 316(b) and other fac-  
21 ulty teaching in high-needs subject areas  
22 or areas of shortage (including nurse fac-  
23 ulty, foreign language faculty, and part-  
24 time faculty at community colleges), as de-  
25 termined by the Secretary;

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 2017,  
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;

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; or

20           “(v) any health care practitioner who,  
21           as a result of State law, cannot be directly  
22           employed by a hospital or other health care  
23           facility for the provision of professional  
24           medical services, but who works in a public  
25           service job at that hospital or other health

1 care facility by virtue of being granted pro-  
2 fessional privileges or pursuant to a writ-  
3 ten arrangement for the provision of pro-  
4 fessional services.”.

5 **SEC. 4065. FEDERAL DIRECT PERKINS LOANS TERMS AND**  
6 **CONDITIONS.**

7 Part D of title IV of the Higher Education Act of  
8 1965 (20 U.S.C. 1087a et seq.) is amended by inserting  
9 after section 455 the following new section:

10 **“SEC. 455A. FEDERAL DIRECT PERKINS LOANS.**

11 “(a) DESIGNATION OF LOANS.—Loans made to bor-  
12 rowers under this section shall be known as ‘Federal Di-  
13 rect Perkins Loans’.

14 “(b) IN GENERAL.—It is the purpose of this section  
15 to authorize loans to be awarded by institutions of higher  
16 education through agreements established under section  
17 463(f). Unless otherwise specified in this section, all terms  
18 and conditions and other requirements applicable to Fed-  
19 eral Direct Unsubsidized Stafford loans established under  
20 section 455(a)(2)(D) shall apply to loans made pursuant  
21 to this section.

22 “(c) ELIGIBLE BORROWERS.—Any student meeting  
23 the requirements for student eligibility under section  
24 464(b) (including graduate and professional students as  
25 defined in regulations promulgated by the Secretary) shall

1 be eligible to borrow a Federal Direct Perkins Loan, pro-  
2 vided the student attends an eligible institution with an  
3 agreement with the Secretary under section 463(f), and  
4 the institution uses its authority under that agreement to  
5 award the student a loan.

6 “(d) LOAN LIMITS.—The annual and aggregate lim-  
7 its for loans under this section shall be the same as those  
8 established under section 464, and aggregate limits shall  
9 include loans made by institutions under agreements  
10 under section 463(a).

11 “(e) APPLICABLE RATES OF INTEREST.—Loans  
12 made pursuant to this section shall bear interest, on the  
13 unpaid balance of the loan, at the rate of 5 percent per  
14 year.”.

15 **SEC. 4066. REQUIRING A COMMON MANUAL FOR**  
16 **SERVICERS.**

17 Section 456 of the Higher Education Act of 1965 (20  
18 U.S.C. 1092) is amended by adding at the end the fol-  
19 lowing:

20 “(c) COMMON MANUAL.—The Secretary shall create  
21 a manual of common procedures and policies for entities  
22 with which the Secretary enters into contracts for origina-  
23 tion, servicing, and collection of Federal student loans as  
24 described in subsection (b), to standardize procedures to  
25 ensure borrowers are well-served.”.

1 **SEC. 4067. REFINANCING FFEL AND FEDERAL DIRECT**  
2 **LOANS.**

3 Part D of title IV of the Higher Education Act of  
4 1965 (20 U.S.C. 1087a et seq.) is amended by adding at  
5 the end the following:

6 **“SEC. 460A. REFINANCING FFEL AND FEDERAL DIRECT**  
7 **LOANS.**

8 “(a) IN GENERAL.—Beginning not later than 180  
9 days after the date of enactment of the Aim Higher Act,  
10 the Secretary shall establish a program under which the  
11 Secretary, upon the receipt of an application from a quali-  
12 fied borrower, makes a loan under this part, in accordance  
13 with the provisions of this section, in order to permit the  
14 borrower to obtain the interest rate provided under sub-  
15 section (c).

16 “(b) REFINANCING DIRECT LOANS.—

17 “(1) FEDERAL DIRECT LOANS.—Upon applica-  
18 tion of a qualified borrower, the Secretary shall  
19 repay a Federal Direct Stafford Loan, a Federal Di-  
20 rect Unsubsidized Stafford Loan, a Federal Direct  
21 PLUS Loan, or a Federal Direct Consolidation  
22 Loan of the qualified borrower, for which the first  
23 disbursement was made, or the application for the  
24 consolidation loan was received, before July 1, 2019,  
25 with the proceeds of a refinanced Federal Direct  
26 Stafford Loan, a Federal Direct Unsubsidized Staf-

1       ford Loan, a Federal Direct PLUS Loan, or a Fed-  
2       eral Direct Consolidation Loan, respectively, issued  
3       to the borrower in an amount equal to the sum of  
4       the unpaid principal, accrued unpaid interest, and  
5       late charges of the original loan.

6               “(2) REFINANCING FFEL PROGRAM LOANS AS  
7       REFINANCED FEDERAL DIRECT LOANS.—Upon ap-  
8       plication of a qualified borrower for any loan that  
9       was made, insured, or guaranteed under part B and  
10      for which the first disbursement was made, or the  
11      application for the consolidation loan was received,  
12      before July 1, 2010, the Secretary shall make a loan  
13      under this part, in an amount equal to the sum of  
14      the unpaid principal, accrued unpaid interest, and  
15      late charges of the original loan to the borrower in  
16      accordance with the following:

17               “(A) The Secretary shall pay the proceeds  
18      of such loan to the eligible lender of the loan  
19      made, insured, or guaranteed under part B, in  
20      order to discharge the borrower from any re-  
21      maining obligation to the lender with respect to  
22      the original loan.

23               “(B) A loan made under this section that  
24      was originally—

1           “(i) a loan originally made, insured,  
2           or guaranteed under section 428 shall be a  
3           Federal Direct Stafford Loan;

4           “(ii) a loan originally made, insured,  
5           or guaranteed under section 428B shall be  
6           a Federal Direct PLUS Loan;

7           “(iii) a loan originally made, insured,  
8           or guaranteed under section 428H shall be  
9           a Federal Direct Unsubsidized Stafford  
10          Loan; and

11          “(iv) a loan originally made, insured,  
12          or guaranteed under section 428C shall be  
13          a Federal Direct Consolidation Loan.

14          “(C) The interest rate for each loan made  
15          by the Secretary under this paragraph shall be  
16          the rate provided under subsection (c).

17          “(c) INTEREST RATES.—

18                 “(1) IN GENERAL.—The interest rate for the  
19                 refinanced Federal Direct Stafford Loans, Federal  
20                 Direct Unsubsidized Stafford Loans, Federal Direct  
21                 PLUS Loans, and Federal Direct Consolidation  
22                 Loans, shall be a rate equal to—

23                         “(A) in any case where the original loan  
24                         was a loan under section 428 or 428H, a Fed-  
25                         eral Direct Stafford loan, or a Federal Direct



1           Unsubsidized Stafford Loan, that was issued to  
2           an undergraduate student, a rate equal to the  
3           rate for Federal Direct Stafford Loans and  
4           Federal Direct Unsubsidized Stafford Loans  
5           issued to undergraduate students for the 12-  
6           month period beginning on July 1, 2017, and  
7           ending on June 30, 2018;

8           “(B) in any case where the original loan  
9           was a loan under section 428 or 428H, a Fed-  
10          eral Direct Stafford Loan, or a Federal Direct  
11          Unsubsidized Stafford Loan, that was issued to  
12          a graduate or professional student, a rate equal  
13          to the rate for Federal Direct Unsubsidized  
14          Stafford Loans issued to graduate or profes-  
15          sional students for the 12-month period begin-  
16          ning on July 1, 2017, and ending on June 30,  
17          2018;

18          “(C) in any case where the original loan  
19          was a loan under section 428B or a Federal Di-  
20          rect PLUS Loan, a rate equal to the rate for  
21          Federal Direct PLUS Loans for the 12-month  
22          period beginning on July 1, 2017, and ending  
23          on June 30, 2018; and

24          “(D) in any case where the original loan  
25          was a loan under section 428C or a Federal Di-

1           rect Consolidation Loan, a rate calculated in ac-  
2           cordance with paragraph (2).

3           “(2) INTEREST RATES FOR CONSOLIDATION  
4           LOANS.—

5                   “(A) METHOD OF CALCULATION.—In  
6           order to determine the interest rate for any re-  
7           financed Federal Direct Consolidation Loan  
8           under paragraph (1)(D), the Secretary shall—

9                           “(i) determine each of the component  
10           loans that were originally consolidated in  
11           the loan under section 428C or the Federal  
12           Direct Consolidation Loan, and calculate  
13           the proportion of the unpaid principal bal-  
14           ance of the loan under section 428C or the  
15           Federal Direct Consolidation Loan that  
16           each component loan represents;

17                           “(ii) use the proportions determined  
18           in accordance with clause (i) and the inter-  
19           est rate applicable for each component  
20           loan, as determined under subparagraph  
21           (B), to calculate the weighted average of  
22           the interest rates on the loans consolidated  
23           into the loan under section 428C or the  
24           Federal Direct Consolidation Loan; and

1           “(iii) apply the weighted average cal-  
2           culated under clause (ii) as the interest  
3           rate for the refinanced Federal Direct Con-  
4           solidation Loan.

5           “(B) INTEREST RATES FOR COMPONENT  
6           LOANS.—The interest rates for the component  
7           loans of a loan made under section 428C or a  
8           Federal Direct Consolidation Loan shall be the  
9           following:

10           “(i) The interest rate for any loan  
11           under section 428 or 428H, Federal Direct  
12           Stafford Loan, or Federal Direct Unsub-  
13           sidized Stafford Loan issued to an under-  
14           graduate student shall be a rate equal to  
15           the lesser of—

16           “(I) the rate for Federal Direct  
17           Stafford Loans and Federal Direct  
18           Unsubsidized Stafford Loans issued  
19           to undergraduate students for the 12-  
20           month period beginning on July 1,  
21           2017, and ending on June 30, 2018;  
22           or

23           “(II) the original interest rate of  
24           the component loan.

1           “(ii) The interest rate for any loan  
2           under section 428 or 428H, Federal Direct  
3           Stafford Loan, or Federal Direct Unsub-  
4           sidized Stafford Loan issued to a graduate  
5           or professional student shall be a rate  
6           equal to the lesser of—

7                       “(I) the rate for Federal Direct  
8                       Unsubsidized Stafford Loans issued  
9                       to graduate or professional students  
10                      for the 12-month period beginning on  
11                      July 1, 2017, and ending on June 30,  
12                      2018; or

13                     “(II) the original interest rate of  
14                     the component loan.

15           “(iii) The interest rate for any loan  
16           under section 428B or Federal Direct  
17           PLUS Loan shall be a rate equal to the  
18           lesser of—

19                     “(I) the rate for Federal Direct  
20                     PLUS Loans for the 12-month period  
21                     beginning on July 1, 2017, and end-  
22                     ing on June 30, 2018; or

23                     “(II) the original interest rate of  
24                     the component loan.

1           “(iv) The interest rate for any compo-  
2           nent loan that is a loan under section  
3           428C or a Federal Direct Consolidation  
4           Loan shall be the weighted average of the  
5           interest rates that would apply under this  
6           subparagraph for each loan comprising the  
7           component consolidation loan.

8           “(v) The interest rate for any eligible  
9           loan that is a component of a loan made  
10          under section 428C or a Federal Direct  
11          Consolidation Loan and is not described in  
12          clauses (i) through (iv) shall be the inter-  
13          est rate on the original component loan.

14          “(3) FIXED RATE.—The applicable rate of in-  
15          terest determined under paragraph (1) for a refi-  
16          nanced loan under this section shall be fixed for the  
17          period of the loan.

18          “(d) TERMS AND CONDITIONS OF LOANS.—

19                 “(1) IN GENERAL.—A loan that is refinanced  
20                 under this section shall have the same terms and  
21                 conditions as the original loan, except as otherwise  
22                 provided in this section.

23                 “(2) NO AUTOMATIC EXTENSION OF REPAY-  
24                 MENT PERIOD.—Refinancing a loan under this sec-  
25                 tion shall not result in the extension of the duration

1 of the repayment period of the loan, and the bor-  
2 rower shall retain the same repayment term that  
3 was in effect on the original loan. Nothing in this  
4 paragraph shall be construed to prevent a borrower  
5 from electing a different repayment plan at any time  
6 in accordance with section 455(d)(4).

7 “(e) DEFINITION OF QUALIFIED BORROWER.—

8 “(1) IN GENERAL.—For purposes of this sec-  
9 tion, the term ‘qualified borrower’ means a bor-  
10 rower—

11 “(A) of a loan under this part or part B  
12 for which the first disbursement was made, or  
13 the application for a consolidation loan was re-  
14 ceived, before July 1, 2018; and

15 “(B) who meets the eligibility requirements  
16 based on income or debt-to-income ratio estab-  
17 lished by the Secretary.

18 “(2) INCOME REQUIREMENTS.—Not later than  
19 180 days after the date of enactment of the Aim  
20 Higher Act, the Secretary shall establish eligibility  
21 requirements based on income or debt-to-income  
22 ratio that take into consideration providing access to  
23 refinancing under this section for borrowers with the  
24 greatest financial need.

1       “(f) NOTIFICATION TO BORROWERS.—The Secretary,  
2 in coordination with the Director of the Bureau of Con-  
3 sumer Financial Protection, shall undertake a campaign  
4 to alert borrowers of loans that are eligible for refinancing  
5 under this section that the borrowers are eligible to apply  
6 for such refinancing. The campaign shall include the fol-  
7 lowing activities:

8           “(1) Developing consumer information mate-  
9 rials about the availability of Federal student loan  
10 refinancing.

11          “(2) Requiring servicers of loans under this  
12 part or part B to provide such consumer information  
13 to borrowers in a manner determined appropriate by  
14 the Secretary, in consultation with the Director of  
15 the Bureau of Consumer Financial Protection.”.

16 **SEC. 4068. REFINANCING PRIVATE STUDENT LOANS.**

17       Part D of title IV of the Higher Education Act of  
18 1965 (20 U.S.C. 1087a et seq.) is amended by adding at  
19 the end the following:

20 **“SEC. 460B. FEDERAL DIRECT REFINANCED PRIVATE LOAN**  
21 **PROGRAM.**

22       “(a) DEFINITIONS.—In this section:

23           “(1) ELIGIBLE PRIVATE EDUCATION LOAN.—  
24 The term ‘eligible private education loan’ means a  
25 private education loan, as defined in section 140(a)

1 of the Truth in Lending Act (15 U.S.C. 1650(a)),  
2 that—

3 “(A) was disbursed to the borrower before  
4 July 1, 2019; and

5 “(B) was for the borrower’s own postsec-  
6 ondary educational expenses for an eligible pro-  
7 gram at an institution of higher education par-  
8 ticipating in the loan program under this part,  
9 as of the date that the loan was disbursed.

10 “(2) FEDERAL DIRECT REFINANCED PRIVATE  
11 LOAN.—The term ‘Federal Direct Refinanced Pri-  
12 vate Loan’ means a loan issued under subsection  
13 (b)(1).

14 “(3) PRIVATE EDUCATIONAL LENDER.—The  
15 term ‘private educational lender’ has the meaning  
16 given the term in section 140(a) of the Truth in  
17 Lending Act (15 U.S.C. 1650(a)).

18 “(4) QUALIFIED BORROWER.—The term ‘quali-  
19 fied borrower’ means an individual who—

20 “(A) has an eligible private education loan;

21 “(B) has been current on payments on the  
22 eligible private education loan for the 6 months  
23 prior to the date of the qualified borrower’s ap-  
24 plication for refinancing under this section, and



1 is in good standing on the loan at the time of  
2 such application;

3 “(C) is not in default on the eligible pri-  
4 vate education loan or on any loan made, in-  
5 sured, or guaranteed under this part or part B  
6 or E; and

7 “(D) meets the eligibility requirements de-  
8 scribed in subsection (b)(2).

9 “(b) PROGRAM AUTHORIZED.—

10 “(1) IN GENERAL.—The Secretary, in consulta-  
11 tion with the Secretary of the Treasury, shall carry  
12 out a program under which the Secretary, upon ap-  
13 plication by a qualified borrower who has an eligible  
14 private education loan, shall issue such borrower a  
15 loan under this part in accordance with the fol-  
16 lowing:

17 “(A) The loan issued under this program  
18 shall be in an amount equal to the sum of the  
19 unpaid principal, accrued unpaid interest, and  
20 late charges of the private education loan.

21 “(B) The Secretary shall pay the proceeds  
22 of the loan issued under this program to the  
23 private educational lender of the private edu-  
24 cation loan, in order to discharge the qualified

1 borrower from any remaining obligation to the  
2 lender with respect to the original loan.

3 “(C) The Secretary shall require that the  
4 qualified borrower undergo loan counseling that  
5 provides all of the information and counseling  
6 required under clause (i) and clauses (iv)  
7 through (xiv) of section 485(b)(1)(A) (as  
8 amended by the Aim Higher Act) before the  
9 loan is refinanced in accordance with this sec-  
10 tion, and before the proceeds of such loan are  
11 paid to the private educational lender.

12 “(D) The Secretary shall issue the loan as  
13 a Federal Direct Refinanced Private Loan,  
14 which shall have the same terms, conditions,  
15 and benefits as a Federal Direct Unsubsidized  
16 Stafford Loan, except as otherwise provided in  
17 this section.

18 “(2) BORROWER ELIGIBILITY.—Not later than  
19 180 days after the date of enactment of the Aim  
20 Higher Act, the Secretary, in consultation with the  
21 Secretary of the Treasury and the Director of the  
22 Bureau of Consumer Financial Protection, shall es-  
23 tablish eligibility requirements—

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, 2017, and  
2 ending on June 30, 2018; 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, 2017, and  
11 ending on June 30, 2018.

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, 2017, and ending  
20 on June 30, 2018.

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.—Notwithstanding sections 428K(a)(2)(A),  
10 428L(b)(2), 455(m)(4)(A), and 460(b), a Federal Direct  
11 Refinanced Private Loan, or any Federal Direct Consoli-  
12 dation Loan to the extent such loan was used to repay  
13 a Federal Direct Refinanced Private Loan, shall not be  
14 eligible for any loan repayment or loan forgiveness pro-  
15 gram under section 428K, 428L, or 460 or for the repay-  
16 ment plan for public service employees under section  
17 455(m).

18       “(f) PRIVATE EDUCATIONAL LENDER REPORTING  
19 REQUIREMENT.—

20               “(1) REPORTING REQUIRED.—Not later than  
21 180 days after the date of enactment of the Aim  
22 Higher Act, the Secretary, in consultation with the  
23 Secretary of the Treasury and the Director of the  
24 Bureau of Consumer Financial Protection, shall es-  
25 tablish a requirement that private educational lend-

1       ers report the data described in paragraph (2) to the  
2       Secretary, to Congress, to the Secretary of the  
3       Treasury, and to the Director of the Bureau of Con-  
4       sumer Financial Protection, in order to allow for an  
5       assessment of the private education loan market.

6               “(2) CONTENTS OF REPORTING.—The data  
7       that private educational lenders shall report in ac-  
8       cordance with paragraph (1) shall include each of  
9       the following about private education loans (as de-  
10      fined in section 140(a) of the Truth in Lending Act  
11      (15 U.S.C. 1650(a))):

12               “(A) The total amount of private education  
13      loan debt the lender holds.

14               “(B) The total number of private edu-  
15      cation loan borrowers the lender serves.

16               “(C) The average interest rate on the out-  
17      standing private education loan debt held by the  
18      lender.

19               “(D) The proportion of private education  
20      loan borrowers who are in default on a loan  
21      held by the lender.

22               “(E) The proportion of the outstanding  
23      private education loan volume held by the lend-  
24      er that is in default.



1 **SEC. 4072. ALLOCATION OF FUNDS FOR PERKINS LOAN.**

2 Section 462 of the Higher Education Act of 1965 (20  
3 U.S.C. 1087bb) is amended—

4 (1) in subsection (a)(1), by striking “From”  
5 and inserting “For any fiscal year before fiscal year  
6 2019, from”; and

7 (2) in subsection (i)(1), by striking “for any fis-  
8 cal year,” and inserting “for any fiscal year before  
9 fiscal year 2019,”.

10 **SEC. 4073. FEDERAL DIRECT PERKINS LOAN ALLOCATION.**

11 Part E of title IV of the Higher Education Act of  
12 1965 (20 U.S.C. 1087aa et seq.) is amended by inserting  
13 after section 462 the following:

14 **“SEC. 462A. FEDERAL DIRECT PERKINS LOAN ALLOCATION.**

15 “(a) PURPOSES.—The purposes of this section are—

16 “(1) to allocate, among eligible and partici-  
17 pating institutions (as such terms are defined in this  
18 section), the authority to make Federal Direct Per-  
19 kins Loans under section 455A with a portion of the  
20 annual loan authority described in subsection (b);  
21 and

22 “(2) to make funds available, in accordance  
23 with section 452, to each participating institution  
24 from a portion of the annual loan authority de-  
25 scribed in subsection (b), in an amount not to exceed  
26 the sum of an institution’s allocation of funds under



1 subparagraphs (A), (B), and (C) of subsection (b)(1)  
2 to enable each such institution to make Federal Di-  
3 rect Perkins Loans to eligible students at the insti-  
4 tution.

5 “(b) AVAILABLE DIRECT PERKINS ANNUAL LOAN  
6 AUTHORITY.—

7 “(1) AVAILABILITY AND ALLOCATIONS.—There  
8 are hereby made available, from funds made avail-  
9 able for loans made under part D, not to exceed  
10 \$6,000,000,000 of annual loan authority for award  
11 year 2019–2020 and each succeeding award year, to  
12 be allocated as follows (except as provided in para-  
13 graphs (3) and (4)):

14 “(A) The Secretary shall allocate  $\frac{1}{2}$  of  
15 such funds for each award year by allocating to  
16 each participating institution an amount equal  
17 to the adjusted self-help need amount of the in-  
18 stitution, as determined in accordance with sub-  
19 section (c) for such award year.

20 “(B) The Secretary shall allocate  $\frac{1}{4}$  of  
21 such funds for each award year by allocating to  
22 each participating institution an amount equal  
23 to the low tuition incentive amount of the insti-  
24 tution, as determined in accordance with sub-  
25 section (d).

1           “(C) The Secretary shall allocate  $\frac{1}{4}$  of  
2           such funds for each award year by allocating to  
3           each participating institution an amount which  
4           bears the same ratio to the funds allocated  
5           under this subparagraph as the ratio deter-  
6           mined in accordance with subsection (e) for the  
7           calculation of the Federal Pell Grant and de-  
8           gree recipient amount of the institution.

9           “(2) NO FUNDS TO NON-PARTICIPATING INSTI-  
10          TUTIONS.—The Secretary shall not make funds  
11          available under this subsection to any eligible insti-  
12          tution that is not a participating institution. The ad-  
13          justed self-help need amount (determined in accord-  
14          ance with subsection (c)) of an eligible institution  
15          that is not a participating institution shall not be  
16          made available to any other institution.

17          “(3) REQUIRED MINIMUM AMOUNT.—Notwith-  
18          standing paragraph (1), in no case shall the sum of  
19          a participating institution’s allocation of loan au-  
20          thority computed under subsections (c), (d), and (e)  
21          be less than the average of the institution’s total  
22          principal amount of loans made under this part for  
23          each of the academic years 2011–2012 through  
24          2015–2016.

1           “(4) ADDITIONAL ADJUSTMENTS.—If the Sec-  
2           retary determines that the sum of a participating in-  
3           stitution’s allocation of loan authority under sub-  
4           sections (c), (d), and (e) is below the minimum  
5           amount required under paragraph (3), the Secretary  
6           shall—

7                   “(A) for each institution for which the  
8                   minimum amount under paragraph (3) is not  
9                   satisfied, increase the amount of such sum to  
10                  the amount of the required minimum under  
11                  such paragraph; and

12                   “(B) ratably reduce the amount of the sum  
13                   of such loan authority of all participating insti-  
14                   tutions not described in subparagraph (A).

15           “(c) ADJUSTED SELF-HELP NEED AMOUNT.—For  
16           the purposes of subsection (b)(1)(A), the Secretary shall  
17           calculate the adjusted self-help need amount of each eligi-  
18           ble institution for an award year as follows:

19                   “(1) USE OF BASE SELF-HELP NEED  
20                   AMOUNTS.—

21                   “(A) IN GENERAL.—Except as provided in  
22                   paragraphs (2), (3), and (4), the adjusted self-  
23                   help need amount of each eligible institution  
24                   shall be the institution’s base self-help need  
25                   amount, which is the sum of—

1           “(i) the self-help need of the institu-  
2           tion’s eligible undergraduate students for  
3           such award year; and

4           “(ii) the self-help need of the institu-  
5           tion’s eligible graduate and professional  
6           students for such award year.

7           “(B) UNDERGRADUATE STUDENT SELF-  
8           HELP NEED.—To determine the self-help need  
9           of an institution’s eligible undergraduate stu-  
10          dents, the Secretary shall determine the sum of  
11          each eligible undergraduate student’s average  
12          cost of attendance for the second preceding  
13          award year less each such student’s expected  
14          family contribution (computed in accordance  
15          with part F) for the second preceding award  
16          year, except that, for each such eligible under-  
17          graduate student, the amount computed by  
18          such subtraction shall not be less than zero or  
19          more than the lesser of—

20                 “(i) 25 percent of the average cost of  
21                 attendance with respect to such eligible  
22                 student; or

23                 “(ii) \$5,500.

24           “(C) GRADUATE AND PROFESSIONAL STU-  
25          DENT SELF-HELP NEED.—To determine the

1 self-help need of an institution's eligible grad-  
2 uate and professional students, the Secretary  
3 shall determine the sum of each eligible grad-  
4 uate and professional student's average cost of  
5 attendance for the second preceding award year  
6 less each such student's expected family con-  
7 tribution (computed in accordance with part F)  
8 for such second preceding award year, except  
9 that, for each such eligible graduate and profes-  
10 sional student, the amount computed by such  
11 subtraction shall not be—

12 “(i) less than zero; and

13 “(ii) more than \$8,000.

14 “(2) RATABLE REDUCTION ADJUSTMENTS.—If  
15 the sum of the base self-help need amounts of all eli-  
16 gible institutions for an award year as determined  
17 under paragraph (1) exceeds  $\frac{1}{2}$  of the annual loan  
18 authority under subsection (b) for such award year,  
19 the Secretary shall ratably reduce the base self-help  
20 need amounts of all eligible institutions until the  
21 sum of such amounts is equal to the amount that is  
22  $\frac{1}{2}$  of the annual loan authority under subsection  
23 (b).

24 “(d) LOW TUITION INCENTIVE AMOUNT.—

1           “(1) IN GENERAL.—For purposes of subsection  
2           (b)(1)(B), the Secretary shall determine the low tui-  
3           tion incentive amount for each participating institu-  
4           tion for each award year, by calculating for each  
5           such institution the sum of—

6                   “(A) the total amount, if any (but not less  
7                   than zero), by which—

8                           “(i) the average tuition and required  
9                           fees for the institution’s sector for the sec-  
10                           ond preceding award year; exceeds

11                           “(ii) the tuition and required fees for  
12                           the second preceding award year for each  
13                           undergraduate and graduate student at-  
14                           tending the institution who had financial  
15                           need (as determined under part F); plus

16                   “(B) the total amount, if any (but not less  
17                   than zero), by which—

18                           “(i) the total amount for the second  
19                           preceding award year of non-Federal grant  
20                           aid provided to meet the financial need of  
21                           all undergraduate students attending the  
22                           institution (as determined without regard  
23                           to financial aid not received under this  
24                           title); exceeds

1                   “(ii) the total amount for the second  
2 preceding award year, if any, by which—

3                   “(I) the tuition and required fees  
4 of each such student with such finan-  
5 cial need; exceeds

6                   “(II) the average tuition and re-  
7 quired fees for the institution’s sector.

8                   “(2) RATABLE REDUCTION.—If the sum of the  
9 low tuition incentive amounts of all participating in-  
10 stitutions for an award year as determined under  
11 paragraph (1) exceeds  $\frac{1}{4}$  of the annual loan author-  
12 ity under subsection (b) for such award year, the  
13 Secretary shall ratably reduce the low tuition incen-  
14 tive amounts of all participating institutions until  
15 the sum of such amounts is equal to the amount  
16 that is  $\frac{1}{4}$  of the annual loan authority under sub-  
17 section (b).

18                   “(e) FEDERAL PELL GRANT AND DEGREE RECIPI-  
19 ENT AMOUNT.—For purposes of subsection (b)(1)(C), the  
20 Secretary shall determine the Federal Pell Grant and de-  
21 gree recipient amount for each participating institution for  
22 each award year, by calculating for each such institution  
23 the ratio of—

24                   “(1) the number of students who, during the  
25 most recent year for which data are available, ob-

1       tained an associate’s degree or other postsecondary  
2       degree from such participating institution and, prior  
3       to obtaining such degree, received a Federal Pell  
4       Grant for attendance at any institution of higher  
5       education; to

6               “(2) the number of students who, during the  
7       most recent year for which data are available, ob-  
8       tained an associate’s degree or other postsecondary  
9       degree from each participating institution and, prior  
10      to obtaining such degree, received a Federal Pell  
11      Grant for attendance at any institution of higher  
12      education.

13      “(f) DEFINITIONS.—In this section:

14              “(1) ANNUAL LOAN AUTHORITY.—The term  
15      ‘annual loan authority’ means the total original prin-  
16      cipal amount of loans that may be allocated and  
17      made available for an award year to make Federal  
18      Direct Perkins Loans under section 455A.

19              “(2) AVERAGE COST OF ATTENDANCE.—

20                  “(A) IN GENERAL.—The term ‘average  
21      cost of attendance’ means the average of the at-  
22      tendance costs for undergraduate students and  
23      for graduate and professional students, respec-  
24      tively, for the second preceding award year  
25      which shall include—



1           “(i) tuition and required fees deter-  
2           mined in accordance with subparagraph  
3           (B);

4           “(ii) standard living expenses deter-  
5           mined in accordance with subparagraph  
6           (C); and

7           “(iii) books and supplies determined  
8           in accordance with subparagraph (D).

9           “(B) TUITION AND REQUIRED FEES.—The  
10          average undergraduate and graduate and pro-  
11          fessional tuition and required fees described in  
12          subparagraph (A)(i) shall be computed on the  
13          basis of information reported by the institution  
14          to the Secretary, which shall include—

15               “(i) total revenue received by the in-  
16               stitution from undergraduate and graduate  
17               and professional students, respectively, for  
18               tuition and required fees for the second  
19               preceding award year; and

20               “(ii) the institution’s full-time equiva-  
21               lent enrollment of undergraduate and  
22               graduate and professional students, respec-  
23               tively, for such second preceding award  
24               year.

1           “(C) STANDARD LIVING EXPENSES.—The  
2           standard living expense described in subpara-  
3           graph (A)(ii) is equal to the allowance, deter-  
4           mined by an institution, for room and board  
5           costs incurred by a student, as computed in ac-  
6           cordance with part F for the second preceding  
7           award year.

8           “(D) BOOKS AND SUPPLIES.—The allow-  
9           ance for books and supplies described in sub-  
10          paragraph (A)(iii) is equal to the allowance, de-  
11          termined by an institution, for books, supplies,  
12          transportation, and miscellaneous personal ex-  
13          penses, including a reasonable allowance for the  
14          documented rental or purchase of a personal  
15          computer, as computed in accordance with part  
16          F for the second preceding award year.

17          “(3) AVERAGE TUITION AND REQUIRED FEES  
18          FOR THE INSTITUTION’S SECTOR.—The term ‘aver-  
19          age tuition and required fees for the institution’s  
20          sector’ shall be determined by the Secretary for each  
21          of the categories described in section 132(d).

22          “(4) ELIGIBLE INSTITUTION.—The term ‘eligi-  
23          ble institution’ means an institution of higher edu-  
24          cation that participates in the Federal Direct Staf-  
25          ford Loan Program.

1           “(5) PARTICIPATING INSTITUTION.—The term  
2           ‘participating institution’ means an institution of  
3           higher education that has an agreement under sec-  
4           tion 463(f).

5           “(6) SECTOR.—The term ‘sector’ means each of  
6           the categories described in section 132(d).”.

7   **SEC. 4074. AGREEMENTS WITH INSTITUTIONS OF HIGHER**  
8                           **EDUCATION FOR PURPOSES OF THE PERKINS**  
9                           **LOAN PROGRAM.**

10          (a) AMENDMENTS.—Section 463 of the Higher Edu-  
11          cation Act (20 U.S.C. 1087cc) is amended—

12                  (1) in subsection (a)—

13                          (A) in the heading, by inserting “FOR  
14                          LOANS MADE BEFORE JULY 1, 2019” after  
15                          “AGREEMENTS”;

16                          (B) in paragraph (3)(A), by inserting “be-  
17                          fore July 1, 2019” after “students”;

18                          (C) in paragraph (4), by striking “there-  
19                          on—” and all that follows and inserting “there-  
20                          on, if the institution has failed to maintain an  
21                          acceptable collection record with respect to such  
22                          loan, as determined by the Secretary in accord-  
23                          ance with criteria established by regulation, the  
24                          Secretary may require the institution to assign

1           such note or agreement to the Secretary, with-  
2           out recompense;” and

3           (D) in paragraph (5), by striking “and the  
4           Secretary shall apportion” and all that follows  
5           through “in accordance with section 462” and  
6           inserting “and the Secretary shall return a por-  
7           tion of funds from loan repayments to the insti-  
8           tution as specified in section 466(b)”;

9           (2) by amending subsection (b) to read as fol-  
10          lows:

11          “(b) ADMINISTRATIVE EXPENSES.—An institution  
12          that has entered into an agreement under subsection (a)  
13          shall be entitled, for each fiscal year during which it serv-  
14          ices student loans from a student loan fund established  
15          under such agreement, to a payment in lieu of reimburse-  
16          ment for its expenses in servicing student loans made be-  
17          fore July 1, 2019. Such payment shall be equal to 0.50  
18          percent of the outstanding principal and interest balance  
19          of such loans being serviced by the institution as of Sep-  
20          tember 30 of each fiscal year.”; and

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

22          “(f) CONTENTS OF AGREEMENTS FOR LOANS MADE  
23          ON OR AFTER JULY 1, 2019.—An agreement with any  
24          institution of higher education that elects to participate

1 in the Federal Direct Perkins Loan program under section  
2 455A shall provide—

3 “(1) for the establishment and maintenance of  
4 a Direct Perkins Loan program at the institution  
5 under which the institution shall use loan authority  
6 allocated under section 462A to make loans to eligi-  
7 ble students attending the institution;

8 “(2) that the institution, unless otherwise speci-  
9 fied in this subsection, shall operate the program  
10 consistent with the requirements of agreements es-  
11 tablished under section 454;

12 “(3) that the institution will pay matching  
13 funds, quarterly, in an amount agreed to by the in-  
14 stitution and the Secretary, to an escrow account  
15 approved by the Secretary, for the purpose of pro-  
16 viding loan benefits to borrowers;

17 “(4) that if the institution fails to meet the re-  
18 quirements of paragraph (3), the Secretary shall  
19 suspend or terminate the institution’s eligibility to  
20 make Federal Direct Perkins Loans under section  
21 455A until such time as the Secretary determines,  
22 in accordance with section 498, that the institution  
23 has met the requirements of such paragraph; and

24 “(5) that if the institution ceases to be eligible  
25 to receive Federal loans under this title based on

1 loss of eligibility under section 435(a), as amended,  
2 due to a high adjusted cohort default rate, the Sec-  
3 retary shall suspend or terminate the institution’s  
4 eligibility to make Federal Direct Perkins Loans  
5 under section 455A unless and until the institution  
6 would qualify for a resumption of eligible institution  
7 status under such section.”.

8 (b) EFFECTIVE DATE.—The amendments made by  
9 paragraph (2) of subsection (a) shall take effect on Octo-  
10 ber 1, 2019.

11 **SEC. 4075. STUDENT LOAN INFORMATION BY ELIGIBLE IN-**  
12 **STITUTIONS FOR PURPOSES OF THE PERKINS**  
13 **LOAN PROGRAM.**

14 Section 463A of the Higher Education Act of 1965  
15 (20 U.S.C. 1087cc–1) is amended—

16 (1) in subsection (a), by striking “Each institu-  
17 tion” and inserting “For loans made before July 1,  
18 2019, each institution”; and

19 (2) in subsection (b), by striking “Each institu-  
20 tion” and inserting “For loans made before July 1,  
21 2019, each institution”.

22 **SEC. 4076. TERMS OF LOANS FOR PURPOSES OF THE PER-**  
23 **KINS LOAN PROGRAM.**

24 Section 464 of the Higher Education Act of 1965 (20  
25 U.S.C. 1087dd) is amended—

1           (1) in subsection (a)(1), by striking “section  
2           463” and inserting “section 463(a)”;

3           (2) in subsection (b)(1), by inserting “made be-  
4           fore July 1, 2019,” after “A loan”;

5           (3) in subsection (c)—

6                 (A) in paragraph (1), by inserting “made  
7                 before July 1, 2019,” after “a loan”;

8                 (B) in paragraph (2)—

9                         (i) in subparagraph (A), by inserting  
10                        “made before July 1, 2019,” after “any  
11                        loan”; and

12                       (ii) in subparagraph (B), by inserting  
13                        “made before July 1, 2019,” after “any  
14                        loan”;

15                 (C) in paragraph (3)(B), by inserting “for  
16                 a loan made before July 1, 2019,” after “dur-  
17                 ing the repayment period”;

18                 (D) in paragraph (4), by inserting “before  
19                 July 1, 2019,” after “for a loan made”;

20                 (E) in paragraph (5), by striking “The in-  
21                 stitution” and inserting “For loans made before  
22                 July 1, 2019, the institution”; and

23                 (F) in paragraph (6), by inserting “made  
24                 before July 1, 2019,” after “of loans”;

1 (4) in subsection (d), by inserting “made before  
2 July 1, 2019,” before “from the student loan fund”;

3 (5) in subsection (e), by inserting “with respect  
4 to loans made before July 1, 2019, and” before “as  
5 documented in accordance with paragraph (2),”;

6 (6) by repealing subsection (f);

7 (7) in subsection (g)(1), by inserting “and be-  
8 fore July 1, 2019,” after “January 1, 1986,”;

9 (8) in subsection (h)—

10 (A) in paragraph (1)(A) by inserting “be-  
11 fore July 1, 2019,” after “made under this  
12 part”; and

13 (B) in paragraph (2), by inserting “before  
14 July 1, 2019,” after “under this part”; and

15 (9) in subsection (j)(1), by inserting “before  
16 July 1, 2019,” after “under this part”.

17 **SEC. 4077. REIMBURSEMENT FOR CANCELLATION OF PER-**  
18 **KINS LOANS FOR CERTAIN PUBLIC SERVICE.**

19 Section 465 of the Higher Education Act of 1965 (20  
20 U.S.C. 1087ee) is amended—

21 (1) in subsection (a), by inserting “and before  
22 July 1, 2019,” after “June 30, 1972,”; and

23 (2) by amending subsection (b) to read as fol-  
24 lows:

25 “(b) REIMBURSEMENT FOR CANCELLATIONS.—



1           “(1) ASSIGNED LOANS.—In the case of loans  
2           made under this part before July 1, 2019, and that  
3           are assigned to the Secretary, the Secretary shall,  
4           from amounts repaid each quarter on assigned Per-  
5           kins Loans made before July 1, 2019, pay to each  
6           institution for each quarter an amount equal to—

7                   “(A) the aggregate of the amounts of loans  
8                   from its student loan fund that are canceled  
9                   pursuant to this section for such quarter, minus

10                   “(B) an amount equal to the aggregate of  
11                   the amounts of any such loans so canceled that  
12                   were made from Federal capital contributions  
13                   to its student loan fund.

14           “(2) RETAINED LOANS.—In the case of loans  
15           made under this part before July 1, 2019, and that  
16           are retained by the institution for servicing, the in-  
17           stitution shall deduct from loan repayments owed to  
18           the Secretary under section 466, an amount equal  
19           to—

20                   “(A) the aggregate of the amounts of loans  
21                   from its student loan fund that are canceled  
22                   pursuant to this section for such quarter, minus

23                   “(B) an amount equal to the aggregate of  
24                   the amounts of any such loans so canceled that

1           were made from Federal capital contributions  
2           to its student loan fund.”.

3 **SEC. 4078. DISTRIBUTION OF ASSETS FROM STUDENT LOAN**  
4                   **FUNDS FOR PURPOSES OF THE PERKINS**  
5                   **LOAN PROGRAM.**

6           Section 466 of the Higher Education Act of 1965 (20  
7 U.S.C. 1087ff) is amended to read as follows:

8 **“SEC. 466. DISTRIBUTION OF ASSETS FROM STUDENT LOAN**  
9                   **FUNDS.**

10           “(a) CAPITAL DISTRIBUTION.—Beginning July 1,  
11 2019, there shall be a capital distribution of the balance  
12 of the student loan fund established under this part by  
13 each institution of higher education as follows:

14                   “(1) For the quarter beginning July 1, 2019,  
15           the Secretary shall first be paid, no later than Sep-  
16           tember 30, 2019, an amount that bears the same  
17           ratio to the cash balance in such fund at the close  
18           of June 30, 2019, as the total amount of the Fed-  
19           eral capital contributions to such fund by the Sec-  
20           retary under this part bears to—

21                           “(A) the sum of such Federal contribu-  
22                           tions and the institution’s capital contributions  
23                           to such fund, less

24                           “(B) an amount equal to—

1           “(i) the institution’s outstanding ad-  
2           ministrative costs as calculated under sec-  
3           tion 463(b);

4           “(ii) outstanding charges assessed  
5           under section 464(c)(1)(H); and

6           “(iii) outstanding loan cancellation  
7           costs incurred under section 465.

8           “(2) At the end of each quarter subsequent to  
9           the quarter ending September 30, 2019, the Sec-  
10          retary shall first be paid an amount that bears the  
11          same ratio to the cash balance in such fund at the  
12          close of the preceding quarter, as the total amount  
13          of the Federal capital contributions to such fund by  
14          the Secretary under this part bears to—

15               “(A) the sum of such Federal contribu-  
16               tions and the institution’s capital contributions  
17               to such fund, less

18               “(B) an amount equal to—

19                       “(i) the institution’s administrative  
20                       costs incurred for that quarter as cal-  
21                       culated under section 463(b);

22                       “(ii) charges assessed for that quarter  
23                       under section 464(c)(1)(H); and

24                       “(iii) loan cancellation costs incurred  
25                       for that quarter under section 465.

1           “(3)(A) The Secretary shall calculate the  
2 amounts due to the Secretary under paragraph (1)  
3 (adjusted in accordance with subparagraph (B), as  
4 appropriate) and paragraph (2) and shall promptly  
5 inform the institution of such calculated amounts.

6           “(B) In the event that, prior to the date of en-  
7 actment of the Student Aid and Fiscal Responsi-  
8 bility Act of 2009, an institution made a short-term,  
9 interest-free loan to the institution’s student loan  
10 fund established under this part in anticipation of  
11 collections or receipt of Federal capital contribu-  
12 tions, and the institution demonstrates to the Sec-  
13 retary, on or before June 30, 2019, that such loan  
14 will still be outstanding after June 30, 2019, the  
15 Secretary shall subtract the amount of such out-  
16 standing loan from the cash balance of the institu-  
17 tion’s student loan fund that is used to calculate the  
18 amount due to the Secretary under paragraph (1).  
19 An adjustment of an amount due to the Secretary  
20 under this subparagraph shall be made by the Sec-  
21 retary on a case-by-case basis.

22           “(4) Any remaining balance at the end of a  
23 quarter after a payment under paragraph (1) or (2)  
24 shall be retained by the institution for use at its dis-  
25 cretion. Any balance so retained shall be withdrawn

1 from the student loan fund and shall not be counted  
2 in calculating amounts owed to the Secretary for  
3 subsequent quarters.

4 “(5) Each institution shall make the quarterly  
5 payments to the Secretary described in paragraph  
6 (2) until all outstanding Federal Perkins Loans at  
7 that institution have been assigned to the Secretary  
8 and there are no funds remaining in the institution’s  
9 student loan fund.

10 “(6) In the event that the institution’s adminis-  
11 trative costs, charges, and cancellation costs de-  
12 scribed in paragraph (2) for a quarter exceed the  
13 amount owed to the Secretary under paragraphs (1)  
14 and (2) for that quarter, no payment shall be due  
15 to the Secretary from the institution for that quarter  
16 and the Secretary shall pay the institution, from  
17 funds realized from the collection of assigned Fed-  
18 eral Perkins Loans made before July 1, 2019, an  
19 amount that, when combined with the amount re-  
20 tained by the institution under paragraphs (1) and  
21 (2), equals the full amount of such administrative  
22 costs, charges, and cancellation costs.

23 “(b) ASSIGNMENT OF OUTSTANDING LOANS.—Be-  
24 ginning July 1, 2019, an institution of higher education  
25 may assign all outstanding loans made under this part be-

1 fore July 1, 2019, to the Secretary, consistent with the  
2 requirements of section 463(a)(5). In collecting loans so  
3 assigned, the Secretary shall pay an institution an amount  
4 that constitutes the same fraction of such collections as  
5 the fraction of the cash balance that the institution retains  
6 under subsection (a)(2), but determining such fraction  
7 without regard to subparagraph (B)(i) of such sub-  
8 section.”.

9

**PART F****10 SEC. 4081. CONFORMING AMENDMENT TO FAMILY CON-  
11 TRIBUTION.**

12 Section 473(b) of the Higher Education Act of 1965  
13 (20 U.S.C. 1087mm) is amended—

14 (1) in paragraph (1), by striking “academic  
15 year” and inserting “award year”; and

16 (2) in paragraph (2), by striking “academic  
17 year 2009–2010 and succeeding academic years”  
18 and inserting “award year 2019–2020 and suc-  
19 ceeding award years”.

1 **SEC. 4082. AMENDMENTS TO DATA ELEMENTS WHEN DE-**  
2 **TERMINING THE EXPECTED FAMILY CON-**  
3 **TRIBUTION.**

4 Section 474(b) of the Higher Education Act of 1965  
5 (20 U.S.C. 1087nn(b)) is amended in paragraph (4), by  
6 inserting before “the net” the following: “only in the case  
7 of a pathway three applicant,”.

8 **SEC. 4083. AMENDMENTS TO FAMILY CONTRIBUTION FOR**  
9 **DEPENDENT STUDENTS.**

10 (a) **DEPENDENT STUDENTS.**—Section 475 of the  
11 Higher Education Act of 1965 (20 U.S.C. 1087oo) is  
12 amended—

13 (1) in subsection (a)(3), by inserting before  
14 “the student” the following: “only in the case of a  
15 pathway three applicant,”;

16 (2) in subsection (b)(1)(B), by inserting before  
17 “the parents” the following: “only in the case of a  
18 pathway three applicant,”; and

19 (3) in subsection (b)(3), by striking “award pe-  
20 riod” and inserting “award year”.

21 (b) **INCREASING SUPPORT FOR WORKING DEPEND-**  
22 **ENT STUDENTS.**—Section 475(g)(2)(D) of the Higher  
23 Education Act of 1965 (20 U.S.C. 1087oo(g)(2)(D)) is  
24 amended to read as follows:

25 “(D) an income protection allowance (or a  
26 successor amount prescribed by the Secretary

1           under section 478) of \$9,010 for award year  
2           2019–2020;”.

3 **SEC. 4084. AMENDMENTS TO FAMILY CONTRIBUTION FOR**  
4                           **INDEPENDENT STUDENTS WITHOUT DEPEND-**  
5                           **ENTS OTHER THAN A SPOUSE.**

6           (a) INDEPENDENT STUDENTS WITHOUT DEPEND-  
7 ENTS OTHER THAN A SPOUSE.—Section 476(a)(1)(B) of  
8 the Higher Education Act of 1965 (20 U.S.C.  
9 1087pp(a)(1)(B)) is amended by inserting before “the  
10 family’s contribution” the following: “only in the case of  
11 a pathway three applicant,”.

12           (b) INCREASING SUPPORT FOR WORKING INDE-  
13 PENDENT STUDENTS WITHOUT DEPENDENTS OTHER  
14 THAN A SPOUSE.—Section 476 of the Higher Education  
15 Act of 1965 (20 U.S.C. 1087pp) is further amended—

16                   (1) in subsection (a)(2), by striking “award pe-  
17 riod” and inserting “award year”; and

18                   (2) by amending subsection (b)(1)(A)(iv) to  
19 read as follows:

20                           “(iv) an income protection allowance  
21                           (or a successor amount prescribed by the  
22                           Secretary under section 478)—

23                                   “(I) for single or separated stu-  
24                                   dents, or married students where both  
25                                   are enrolled pursuant to subsection



1 (a)(2), of \$14,010 for award year  
2 2019–2020; and

3 “(II) for married students where  
4 1 is enrolled pursuant to subsection  
5 (a)(2), of \$22,460 for award year  
6 2019–2020;”.

7 **SEC. 4085. AMENDMENTS TO FAMILY CONTRIBUTION FOR**  
8 **INDEPENDENT STUDENTS WITH DEPEND-**  
9 **ENTS OTHER THAN A SPOUSE.**

10 (a) INDEPENDENT STUDENTS WITH DEPENDENTS  
11 OTHER THAN A SPOUSE.—Section 477(a)(1)(B) of the  
12 Higher Education Act of 1965 (20 U.S.C.  
13 1087qq(a)(1)(B)) is amended by inserting before “the  
14 family’s contribution” the following: “only in the case of  
15 a pathway three applicant,”.

16 (b) INCREASING SUPPORT FOR WORKING INDE-  
17 PENDENT STUDENTS WITH DEPENDENTS OTHER THAN  
18 A SPOUSE.—Section 477 of the Higher Education Act of  
19 1965 (20 U.S.C. 1087qq) is amended—

20 (1) in subsection (a)(3), by striking “award pe-  
21 riod” and inserting “award year”; and

22 (2) by amending subsection (b)(4) to read as  
23 follows:

24 “(4) INCOME PROTECTION ALLOWANCE.—The  
25 income protection allowance is determined by the fol-

1       lowing table (or a successor table prescribed by the  
2       Secretary under section 478), for award year 2019–  
3       2020:

“Income Protection Allowance						
Family Size	Number in College					For each additional subtract:
(including student)	1	2	3	4	5	
2	\$35,470	\$29,410				\$6,030
3	44,170	38,130	\$32,070			
4	54,540	45,490	42,450	\$36,370		
5	64,360	58,280	52,240	46,190	\$40,160	
6	75,260	69,210	63,190	57,090	51,070	
For each additional add:	8,500					”.

4   **SEC. 4086. UPDATED TABLES AND AMOUNTS TO NEED**  
5                                   **ANALYSIS.**

6       Section 478 of the Higher Education Act of 1965 (20  
7   U.S.C. 1087rr) is amended—

8                   (1) in subsection (b)—

9                                   (A) in paragraph (1), by striking subpara-  
10                                   graphs (A) and (B) and inserting the following:

11                                   “(A) IN GENERAL.—For each award year  
12                                   after award year 2019–2020, the Secretary  
13                                   shall publish in the Federal Register a revised  
14                                   table of income protection allowances for the  
15                                   purpose of sections 475(c)(4) and 477(b)(4),  
16                                   subject to subparagraphs (B) and (C).

17                                   “(B) TABLE FOR INDEPENDENT STU-  
18                                   DENTS.—For each award year after award year  
19                                   2019–2020, the Secretary shall develop the re-

1           vised table of income protection allowances by  
2           increasing each of the dollar amounts contained  
3           in the table of income protection allowances  
4           under section 477(b)(4) by a percentage equal  
5           to the estimated percentage increase in the  
6           Consumer Price Index (as determined by the  
7           Secretary for the most recent calendar year  
8           ending prior to the beginning of the award year  
9           for which the determination is being made), and  
10          rounding the result up to the nearest \$10.”;  
11          and

12                       (B) in paragraph (2)—

13                               (i) in the first sentence, by striking  
14                               “academic year after academic year 2007–  
15                               2008” and inserting “award year after  
16                               award year 2019–2020”; and

17                               (ii) in the second sentence, by striking  
18                               “shall be developed” and all that follows  
19                               through the period at the end and insert-  
20                               ing “shall be developed for each award  
21                               year after award year 2019–2020, by in-  
22                               creasing each of the dollar amounts con-  
23                               tained in such section for award year  
24                               2019–2020 by a percentage equal to the  
25                               estimated percentage increase in the Con-

1           sumer Price Index (as determined by the  
2           Secretary for the most recent calendar  
3           year ending prior to the beginning of the  
4           award year for which the determination is  
5           being made), and rounding the result up to  
6           the nearest \$10.”; and

7           (2) in subsection (e)(1), by striking “academic  
8           year” and inserting “award year”.

9   **SEC. 4087. ZERO EXPECTED FAMILY CONTRIBUTION.**

10          Section 479 of the Higher Education Act of 1965 (20  
11   U.S.C. 1087ss) is amended to read as follows:

12   **“SEC. 479. ZERO EXPECTED FAMILY CONTRIBUTION.**

13          “(a) IN GENERAL.—The Secretary shall consider an  
14   applicant to have an expected family contribution equal  
15   to zero if—

16          “(1) in the case of a dependent student—

17                  “(A)(i) the student’s parents file, or are el-  
18                  igible to file, a qualifying form, or certify that  
19                  the parents are not required to file a Federal  
20                  income tax return; and

21                  “(ii) the sum of the adjusted gross income  
22                  of the parents is less than or equal to \$34,000;  
23                  or

24                  “(B) the student’s parents, or the student,  
25                  received benefits at some time during the pre-

1           vious 24-month period under a means-tested  
2           Federal benefit program;

3           “(2) in the case of an independent student  
4           without regard to whether the student has depend-  
5           ents other than a spouse—

6                   “(A)(i) the student (and the student’s  
7                   spouse, if any) files, or is eligible to file, a  
8                   qualifying form or certifies that the student  
9                   (and the student’s spouse, if any) is not re-  
10                  quired to file a Federal income tax return; and

11                   “(ii) the sum of the adjusted gross income  
12                  of the student and spouse (if appropriate) is  
13                  less than or equal to \$34,000; or

14                   “(B) the student received benefits at some  
15                  time during the previous 24-month period  
16                  under a means-tested Federal benefit program;  
17                  or

18                  “(3) the applicant is a pathway one applicant  
19                  under section 483(a)(13).

20           “(b) EARNED INCOME CREDIT.—An individual is not  
21           required to qualify or file for the earned income credit in  
22           order to be eligible under this section.

23           “(c) ADJUSTMENTS.—The Secretary shall annually  
24           adjust the income level necessary to qualify an applicant  
25           for the zero expected family contribution. The income level

1 shall be annually increased by the estimated percentage  
2 change in the Consumer Price Index, as defined in section  
3 478(f), for the most recent calendar year ending prior to  
4 the beginning of an award year, and rounded up to the  
5 nearest \$1,000.

6 “(d) DEFINITIONS.—In this section:

7 “(1) QUALIFYING FORM.—The term ‘qualifying  
8 form’ means, in the case of an independent student,  
9 the student, or in the case of a dependent student,  
10 the family, files—

11 “(A) a form 1040A or 1040EZ (including  
12 any prepared or electronic version of such form)  
13 required pursuant to the Internal Revenue Code  
14 of 1986;

15 “(B) a form 1040 (including any prepared  
16 or electronic version of such form) required  
17 pursuant to the Internal Revenue Code of 1986,  
18 except that such form shall be considered a  
19 qualifying form only if the student or family  
20 files such form in order to take a tax credit  
21 under section 25A of the Internal Revenue  
22 Code of 1986, and would otherwise be eligible  
23 to file a form described in subparagraph (A); or

24 “(C) an income tax return (including any  
25 prepared or electronic version of such return)

1 required pursuant to the tax code of the Com-  
2 monwealth of Puerto Rico, Guam, American  
3 Samoa, the United States Virgin Islands, the  
4 Republic of the Marshall Islands, the Federated  
5 States of Micronesia, Palau, or the Common-  
6 wealth of the Northern Mariana Islands.

7 “(2) MEANS-TESTED FEDERAL BENEFIT PRO-  
8 GRAM.—For purposes of this title, a ‘means-tested  
9 Federal benefit program’ means a mandatory spend-  
10 ing program of the Federal government, other than  
11 a program under this title, in which eligibility for  
12 the program’s benefits, or the amount of such bene-  
13 fits, are determined on the basis of income or re-  
14 sources of the individual or family seeking the ben-  
15 efit, and may include such programs as—

16 “(A) the supplemental security income pro-  
17 gram under title XVI of the Social Security Act  
18 (42 U.S.C. 1381 et seq.);

19 “(B) the supplemental nutrition assistance  
20 program under the Food and Nutrition Act of  
21 2008 (7 U.S.C. 2011 et seq.);

22 “(C) the program of block grants for  
23 States for temporary assistance for needy fami-  
24 lies established under part A of title IV of the  
25 Social Security Act (42 U.S.C. 601 et seq.);

1           “(D) the special supplemental nutrition  
2           program for women, infants, and children es-  
3           tablished by section 17 of the Child Nutrition  
4           Act of 1966 (42 U.S.C. 1786);

5           “(E) the State Medicaid program under  
6           title XIX of the Social Security Act (42 U.S.C.  
7           1396 et seq.); and

8           “(F) any other program identified by the  
9           Secretary.”.

10 **SEC. 4088. AMENDMENTS TO DEFINITIONS IN NEED ANAL-**  
11 **YSIS.**

12           (a) USING DATA FROM THE SECOND PRECEDING  
13 YEAR.—Section 480(a)(1)(B) of the Higher Education  
14 Act of 1965 (20 U.S.C. 1087vv(a)(1)(B)) is amended by  
15 striking “may” in both places it appears and inserting  
16 “shall”.

17           (b) CHANGES TO UNTAXED INCOME AND BENE-  
18 FITS.—Section 480(b) of the Higher Education Act of  
19 1965 (20 U.S.C. 1087vv(b)) is amended—

20           (1) in paragraph (1), to read as follows:

21           “(1) The term ‘untaxed income and benefits’  
22           means—

23           “(A) child support received;

24           “(B) untaxed portion of pensions; and



1           “(C) payments to individual retirement ac-  
2 counts and Keogh accounts excluded from in-  
3 come for Federal income tax purposes.”; and  
4 (2) in paragraph (2)—

5           (A) by striking “or” at the end of subpara-  
6 graph (E);

7           (B) by striking the period at the end of  
8 subparagraph (F) and inserting a semicolon;  
9 and

10          (C) by adding at the end the following:

11           “(G) workman’s compensation;

12           “(H) veterans’ benefits such as death pen-  
13 sion, dependency, and indemnity compensation,  
14 but excluding veterans’ education benefits as  
15 defined in subsection (c);

16           “(I) interest on tax-free bonds;

17           “(J) housing, food, and other allowances  
18 (excluding rent subsidies for low-income hous-  
19 ing) for military, clergy, and others (including  
20 cash payments and cash value of benefits), ex-  
21 cept that the value of on-base military housing  
22 or the value of basic allowance for housing de-  
23 termined under section 403(b) of title 37,  
24 United States Code, received by the parents, in  
25 the case of a dependent student, or the student

1 or student's spouse, in the case of an inde-  
2 pendent student, shall be excluded;

3 "(K) cash support or any money paid on  
4 the student's behalf, except, for dependent stu-  
5 dents, funds provided by the student's parents;  
6 and

7 "(L) any other untaxed income and bene-  
8 fits, such as Black Lung Benefits, Refugee As-  
9 sistance, or Railroad Retirement benefits, or  
10 benefits received through participation in em-  
11 ployment and training activities under title I of  
12 the Workforce Investment Act of 1998 (29  
13 U.S.C. 2801 et seq.).".

14 (c) AMENDMENT TO THE DEFINITION OF INDE-  
15 PENDENT STUDENT AS IT RELATES TO FOSTER AND  
16 HOMELESS YOUTH.—Section 480(d)(1)(H) of the Higher  
17 Education Act of 1965 (20 U.S.C. 1087vv(d)(1)(H)) is  
18 amended—

19 (1) in the matter preceding clause (i)—

20 (A) by striking “during the school year in  
21 which the application is submitted”;

22 (B) by inserting “age 23 or younger” after  
23 “unaccompanied youth”; and

24 (C) by striking “terms are” and inserting  
25 “term is”;

1           (2) in clause (i), by inserting “, or a designee  
2 of the liaison” after “Act”;

3           (3) in clause (ii), by striking “a program fund-  
4 ed under the Runaway and Homeless Youth Act”  
5 and inserting “an emergency or transitional shelter,  
6 street outreach program, homeless youths drop-in  
7 center, or other program serving homeless youths,”;  
8 and

9           (4) in clause (iii), by striking “program funded  
10 under subtitle B of title IV of the McKinney-Vento  
11 Homeless Assistance Act (relating to emergency  
12 shelter grants)” and inserting “Federal TRIO pro-  
13 gram or a Gaining Early Awareness and Readiness  
14 for Undergraduate program under chapter 1 or 2 of  
15 subpart 2 of part A,”.

16       (d) STREAMLINING THE DETERMINATION AND  
17 VERIFICATION PROCESS FOR FOSTER AND HOMELESS  
18 YOUTH.—Section 480(d) of the Higher Education Act of  
19 1965 (20 U.S.C. 1087vv(d)) is further amended by adding  
20 at the end the following:

21           “(3) SIMPLIFYING THE DETERMINATION PROC-  
22       ESS FOR UNACCOMPANIED YOUTH.—

23           “(A) VERIFICATION.—A financial aid ad-  
24       ministrators shall accept a homelessness deter-  
25       mination made by any individual authorized to

1           make such determinations under clause (i), (ii),  
2           or (iii) of paragraph (1)(H) in the absence of  
3           conflicting information. A documented phone  
4           call with, or a written statement from, one of  
5           the authorized individuals is sufficient  
6           verification when needed. For purposes of this  
7           paragraph, a financial aid administrator’s dis-  
8           agreement with the determination made by an  
9           authorized individual shall not be considered  
10          conflicting information.

11           “(B) DETERMINATION OF INDEPEND-  
12          ENCE.—A financial aid administrator shall  
13          make a determination of independence under  
14          paragraph (1)(H) if a student does not have,  
15          and cannot obtain, documentation from any of  
16          the other designated authorities described in  
17          such paragraph. Such a determination shall  
18          be—

19                   “(i) based on the definitions outlined  
20                   in paragraph (1)(H);

21                   “(ii) distinct from a determination of  
22                   independence under paragraph (1)(I);

23                   “(iii) based on a documented inter-  
24                   view with the student; and

1           “(iv) limited to whether the student  
2           meets the definitions in paragraph (1)(H)  
3           and not about the reasons for the student’s  
4           homelessness.

5           “(4) SIMPLIFYING THE VERIFICATION PROCESS  
6           FOR FOSTER CHILDREN AND YOUTH.—

7           “(A) VERIFICATION OF INDEPENDENCE.—  
8           If an institution requires documentation to  
9           verify that a student is independent based on a  
10          status described in paragraph (1)(B), a finan-  
11          cial aid administrator shall consider any of the  
12          following as adequate verification:

13               “(i) Submission of a court order or of-  
14               ficial State documentation that the student  
15               received Federal or State support in foster  
16               care.

17               “(ii) A documented phone call with, or  
18               a written statement from,—

19                       “(I) a child welfare agency au-  
20                       thorized by a State or county;

21                       “(II) a tribal child welfare au-  
22                       thority;

23                       “(III) an Independent Living  
24                       case worker;

1                   “(IV) a public or private foster  
2                   care placing agency or foster care fa-  
3                   cility or placement;

4                   “(V) another program serving or-  
5                   phans, foster children and youth, or  
6                   wards of the court; or

7                   “(VI) a probation officer.

8                   “(iii) A documented phone call with,  
9                   or a written statement from, an attorney,  
10                  a guardian ad litem, or a Court Appointed  
11                  Special Advocate, documenting that per-  
12                  son’s relationship to the student.

13                  “(iv) A documented phone call with,  
14                  or a written statement from, a representa-  
15                  tive of a Federal TRIO program or a  
16                  Gaining Early Awareness and Readiness  
17                  for Undergraduate program under chapter  
18                  1 or 2 of subpart 2 of part A.

19                  “(v) Verification of the student’s eligi-  
20                  bility for an education and training vouch-  
21                  er under the John H. Chafee Foster Care  
22                  Independence Program (42 U.S.C. 677).

23                  “(vi) Submission of a copy of the stu-  
24                  dent’s biological or adoptive parents’—

25                  “(I) Certificates of Death; or

1 “(II) newspaper obituaries.

2 “(vii) An attestation from the student,  
3 which includes a description of why the  
4 student may qualify for a status described  
5 in paragraph (1)(B), including the approxi-  
6 mate dates that the student was in foster  
7 care, dependent, or a ward of the court, to  
8 the best of the student’s knowledge after  
9 making reasonable efforts to provide any  
10 requested documentation.

11 “(B) ADDITIONAL STREAMLINING PER-  
12 MITTED.—Nothing in this paragraph prohibits  
13 an institution from implementing policies that  
14 streamline the determination of independent  
15 status and improve a student’s access to finan-  
16 cial aid because that student is an orphan, in  
17 foster care, or a ward of the court, or was an  
18 orphan, in foster care, or a ward of the court  
19 at any time since such student was 13 years of  
20 age or older.

21 “(5) TIMING; USE OF EARLIER DETERMINA-  
22 TION.—

23 “(A) TIMING.—A determination under  
24 subparagraph (B) or (H) of paragraph (1) for  
25 a student—

1           “(i) shall be made as quickly as prac-  
2           ticable;

3           “(ii) may be made as early as the year  
4           before the award year for which the stu-  
5           dent initially submits an application; and

6           “(iii) shall be made no later than dur-  
7           ing the award year for which the student  
8           initially submits an application.

9           “(B) USE OF EARLIER DETERMINATION.—  
10          Any student who is determined to be inde-  
11          pendent under subparagraph (B) or (H) of  
12          paragraph (1) for a preceding award year at an  
13          institution shall be presumed to be independent  
14          for a subsequent award year at the same insti-  
15          tution unless—

16               “(i) the student informs the institu-  
17               tion that circumstances have changed; or

18               “(ii) the institution has specific con-  
19               flicting information about the student’s  
20               independence, and has informed the stu-  
21               dent of this information and the oppor-  
22               tunity to challenge such information  
23               through a documented interview or an im-  
24               partial review by the Student Loan Om-  
25               budsman pursuant to section 141(f)(3)(C).





1 (1) in subsection (a)—

2 (A) in paragraph (2)—

3 (i) in subparagraph (A), by striking  
4 “process” and all that follows through the  
5 end of clause (ii) and inserting “process a  
6 paper version of the forms described in  
7 this subsection, in accordance with sub-  
8 paragraph (C).”;

9 (ii) by striking subparagraph (B); and

10 (iii) by redesignating subparagraph  
11 (C) as subparagraph (B);

12 (B) in paragraph (3)—

13 (i) in subparagraph (A), by striking  
14 the end sentence; and

15 (ii) by striking subparagraph (B), and  
16 redesignating subparagraphs (C) through  
17 (H) as subparagraphs (B) through (G), re-  
18 spectively;

19 (C) in paragraph (4)—

20 (i) by striking “academic year” each  
21 place it appears and inserting “award  
22 year”;

23 (ii) in subparagraph (A), by striking  
24 clause (iv); and

1 (iii) by adding at the end the fol-  
2 lowing:

3 “(C) SINGLE QUESTION REGARDING  
4 HOMELESS STATUS.—The Secretary shall en-  
5 sure that, on each form developed under this  
6 section for which the information is applicable,  
7 there is a single, easily understood screening  
8 question to identify an applicant for aid who  
9 is—

10 “(i) an unaccompanied homeless child  
11 or youth (as such term is defined in sec-  
12 tion 725 of the McKinney-Vento Homeless  
13 Assistance Act); or

14 “(ii) an unaccompanied youth who is  
15 self-supporting and at risk of homeless-  
16 ness.”;

17 (D) in paragraph (5)—

18 (i) in subparagraph (A), by striking  
19 “paragraphs (2)(B)(iii), (3)(B), and  
20 (4)(A)(ii)” and inserting “paragraph  
21 (4)(A)(ii)”;

22 (ii) in subparagraph (B)—

23 (I) by striking “determine” and  
24 all that follows through “which” and  
25 inserting “determine which”; and

- 1 (II) by striking clause (ii);  
2 (iii) in subparagraph (C), by striking  
3 “the Secretary” and all that follows  
4 through “of the” and inserting “the Sec-  
5 retary of the”; and  
6 (iv) by striking subparagraphs (D)  
7 through (F), and redesignating subpara-  
8 graph (G) as subparagraph (D); and  
9 (E) by adding at the end the following:

10 “(13) FAFSA PATHWAYS.—

11 “(A) MEMORANDUM OF UNDER-  
12 STANDING.—Not later than the effective date of  
13 the Aim Higher Act, the Secretary shall seek to  
14 enter into a Memorandum of Understanding  
15 with the Secretary of Health and Human Serv-  
16 ices, the Secretary of Agriculture, and the Sec-  
17 retary of the Treasury, under which any infor-  
18 mation exchanged under an income and eligi-  
19 bility verification system established pursuant  
20 to section 1137 of the Social Security Act by  
21 State agencies administering a program listed  
22 in paragraph (1), (4), or (5) of subsection (b)  
23 of such section which may be of use in estab-  
24 lishing or verifying eligibility or benefit amounts  
25 under such program shall be made available to

1 the Secretary of Education to assist in deter-  
2 mining whether the applicant (or the appli-  
3 cant's parents) received a benefit at some time  
4 during the previous 24-month period under a  
5 means-tested Federal benefit program, but sub-  
6 ject to the requirements of Federal law.

7 “(B) REQUIREMENT FOR ALL APPLICANTS  
8 AND THE SECRETARY.—For any award year for  
9 which an applicant applies for financial assist-  
10 ance under this title (except for any award year  
11 for which, pursuant to paragraph (14), the ap-  
12 plicant is not required to submit a FAFSA)—

13 “(i) the applicant shall provide on the  
14 form described in this subsection whether  
15 the applicant received, or in the case of a  
16 dependent applicant, whether the parents  
17 of the applicant received, a benefit at some  
18 time during the previous 24-month period  
19 under a means-tested Federal benefit pro-  
20 gram; and

21 “(ii) the Secretary, to the extent prac-  
22 ticable and pursuant to the Memorandum  
23 of Understanding entered into under sub-  
24 paragraph (A), and without any further  
25 action by the applicant, shall verify the ap-

1           plicant’s (or the applicant’s parents) re-  
2           ceipt of such benefit.

3           “(C) PATHWAY ONE APPLICANTS.—

4                   “(i) IN GENERAL.—With respect to an  
5           applicant who received, or in the case of a  
6           dependent applicant, whose parents re-  
7           ceived, benefits at some time during the  
8           previous 24-month period under a means-  
9           tested Federal benefit program, the appli-  
10          cant shall not be required to provide any  
11          further income or asset information on the  
12          form under this subsection.

13                   “(ii) DESIGNATION.—For purposes of  
14          this section and part F, an applicant de-  
15          scribed in clause (i) shall be referred to as  
16          a ‘pathway one applicant’.

17          “(D) PATHWAY TWO APPLICANTS.—

18                   “(i) IN GENERAL.—With respect to an  
19          applicant who is not a pathway one appli-  
20          cant and who is not required to file or, in  
21          the case of a dependent applicant, no par-  
22          ent of the applicant is required to file, any  
23          schedule (other than a schedule R, sched-  
24          ule 8812, or schedule EIC) with a Federal  
25          income tax return, the Secretary, to the ex-

1           tent practicable, shall use the data re-  
2           trieval tool under section 484(q) to obtain  
3           any information for the applicant beyond  
4           the information described in subparagraph  
5           (A) for purposes of the form under this  
6           subsection.

7           “(ii) DESIGNATION.—For purposes of  
8           this section and part F, an applicant de-  
9           scribed in clause (i) shall be referred to as  
10          a ‘pathway two applicant’.

11          “(E) PATHWAY THREE APPLICANTS.—

12          “(i) IN GENERAL.—With respect to an  
13          applicant who is not a pathway one appli-  
14          cant or a pathway two applicant, the Sec-  
15          retary, to the extent practicable, shall use  
16          the data retrieval tool under section 484(q)  
17          to obtain any information for the applicant  
18          beyond the information described in sub-  
19          paragraph (A) for purposes of the form  
20          under this subsection.

21          “(ii) DESIGNATION.—For purposes of  
22          this section and part F, an applicant de-  
23          scribed in clause (i) shall be referred to as  
24          a ‘pathway three applicant’.

1           “(F) MEANS-TESTED FEDERAL BENEFIT  
2 PROGRAM DEFINED.—For purposes of this  
3 paragraph, the term ‘means-tested Federal ben-  
4 efit program’ has the meaning given the term  
5 in section 479(d)(2).

6           “(14) ONE-TIME FAFSA FILING FOR DEPEND-  
7 ENT STUDENTS.—

8           “(A) IN GENERAL.—Notwithstanding any  
9 other provision of this section and subject to  
10 subparagraphs (B) and (C), an applicant who  
11 submits a FAFSA for the first time during the  
12 period required for the completion of the first  
13 undergraduate baccalaureate course of study  
14 being pursued by such applicant and is deter-  
15 mined to be a dependent student who is eligible  
16 to receive a Federal Pell Grant for the award  
17 year for which the applicant submitted such  
18 FAFSA, for any succeeding award year—

19           “(i) for which the applicant does not  
20 submit a FAFSA and for which the appli-  
21 cant submits a certification form described  
22 in subparagraph (D) based upon which the  
23 Secretary confirms that the applicant is a  
24 dependent student for such year, such ap-  
25 plicant—



1           “(I) shall not be required to sub-  
2           mit a FAFSA to receive financial as-  
3           sistance under this title; and

4           “(II) shall have an expected fam-  
5           ily contribution for such year that is  
6           equal to the expected family contribu-  
7           tion of the applicant determined for  
8           the award year for which the appli-  
9           cant submitted a FAFSA during such  
10          period, except that an adjustment to  
11          such expected family contribution may  
12          be made under section 479A;

13          “(ii) for which the applicant submits a  
14          FAFSA, such applicant—

15               “(I) shall have an expected fam-  
16               ily contribution for such year that is  
17               determined based on such FAFSA;  
18               and

19               “(II) shall be required to submit  
20               a FAFSA for any other award year  
21               for which the applicant seeks financial  
22               assistance under this title; and

23               “(iii) for which the applicant is deter-  
24               mined to be an independent student or  
25               does not submit a certification form de-

1           scribed in subparagraph (D), such appli-  
2           cant shall submit a FAFSA for such suc-  
3           ceeding award year and any other award  
4           year for which the applicant seeks financial  
5           assistance under this title.

6           “(B) ADJUSTMENT OF EXPECTED FAMILY  
7           CONTRIBUTION.—With respect to an applicant  
8           described in subparagraph (A)(i) who receives  
9           an adjustment under section 479A to the ex-  
10          pected family contribution of the applicant for  
11          an award year, for any succeeding award year  
12          after the award year for which the adjustment  
13          was made, subclause (II) of such subparagraph  
14          shall be applied to such applicant by sub-  
15          stituting ‘expected family contribution of the  
16          applicant as most recently adjusted under sec-  
17          tion 479A for such applicant’ for the ‘expected  
18          family contribution of the applicant determined  
19          for the award year for which the applicant sub-  
20          mitted a FAFSA during such period’.

21          “(C) RULE FOR CERTAIN STUDENTS.—  
22          With respect to an applicant who submits a  
23          FAFSA for award year 2019–2020 and enrolls  
24          in an institution of higher education for such  
25          year, subparagraph (A) shall be applied—

1                   “(i) in the matter preceding clause (i),  
2                   by substituting ‘award year 2019–2020’  
3                   for ‘the first time’; and

4                   “(ii) in clause (i)(II), by substituting  
5                   ‘award year 2019–2020’ for ‘the award  
6                   year for which the applicant submitted a  
7                   FAFSA during such period’.

8                   “(D) DEPENDENT STUDENT CERTIFI-  
9                   CATION FORM.—The Secretary, in cooperation  
10                  with representatives of agencies and organiza-  
11                  tions involved in student financial assistance,  
12                  shall use behavioral science insights to produce,  
13                  distribute, and process free of charge a short  
14                  and simple consumer-tested dependent student  
15                  certification form that uses skip logic to bypass  
16                  fields that are inapplicable to an applicant.  
17                  Such form shall not require an applicant to pro-  
18                  vide data that the Secretary may otherwise ob-  
19                  tain with respect to the applicant (such as age  
20                  or active duty military status), and may only  
21                  contain the data elements required for purposes  
22                  of subparagraph (A)(i)—

23                                 “(i) to confirm that the applicant is a  
24                                 dependent student;

1           “(ii) to allow the applicant to update  
2           the contact information of such applicant  
3           or the Federal School Code of the institu-  
4           tion of higher education in which the appli-  
5           cant is, or will be enrolled, for the award  
6           year for which the applicant submits such  
7           form; and

8           “(iii) to ask whether the applicant’s  
9           need and eligibility for financial assistance  
10          under this title has not changed substan-  
11          tially since the most recent of the fol-  
12          lowing:

13                   “(I) The applicant submitted a  
14                   FAFSA.

15                   “(II) The applicant received an  
16                   adjustment under section 479A to the  
17                   expected family contribution of the  
18                   applicant.

19           “(E) SUCCEEDING AWARD YEAR DE-  
20          FINED.—In this paragraph, the term ‘suc-  
21          ceeding award year’—

22                   “(i) when used with respect to an ap-  
23                   plicant who submits a FAFSA for the first  
24                   time for an award year during the period  
25                   required for the completion of the first un-

1           dergraduate baccalaureate course of study  
2           being pursued by such applicant, means  
3           any award year during such period that  
4           follows the award year for which the appli-  
5           cant submits such FAFSA; and

6           “(ii) when used with respect to an ap-  
7           plicant described in subparagraph (C),  
8           means any award year after award year  
9           2018–2019 during the period required for  
10          the completion of the first undergraduate  
11          baccalaureate course of study being pur-  
12          sued by such applicant.

13          “(15) FAFSA IN VARIOUS LANGUAGES.—The  
14          Secretary shall—

15               “(A) translate the form developed under  
16               this subsection into not fewer than 11 foreign  
17               languages based on the languages most often  
18               spoken by English learner students and their  
19               parents, and make the translated form available  
20               and accessible to applicants in paper and elec-  
21               tronic formats; and

22               “(B) ensure that the form developed under  
23               this subsection is available in formats accessible  
24               to individuals with disabilities.”.

1           (2) in subsection (c), by striking the last sen-  
2           tence;

3           (3) in subsection (d)(3)—

4                 (A) in subparagraph (A), by striking “and  
5           EZ FAFSA”; and

6                 (B) in subparagraph (B), by striking “and  
7           EZ FAFSA”;

8           (4) in subsection (e)—

9                 (A) in paragraph (3)—

10                         (i) by striking “or, as appropriate, an  
11           EZ FAFSA”; and

12                         (ii) in clause (A)(ii), by striking “sec-  
13           tion 401(b)(2)(A)” and inserting “section  
14           401(b)(1)”; and

15                 (B) in paragraph (5)(D), by striking “or,  
16           as appropriate, an EZ FAFSA,”;

17           (5) by amending subsection (f) to read as fol-  
18           lows:

19           “(f) USE OF INTERNAL REVENUE SERVICE DATA  
20           RETRIEVAL TOOL TO POPULATE FAFSA.—

21                         “(1) SIMPLIFICATION EFFORTS.—The Sec-  
22           retary shall—

23                                 “(A) make every effort to allow applicants  
24           to utilize the current data retrieval tool to  
25           transfer data available from the Internal Rev-

1            enue Service to reduce the amount of original  
2            data entry by applicants and strengthen the re-  
3            liability of data used to calculate expected fam-  
4            ily contributions, including through the use of  
5            technology to—

6                    “(i) allow an applicant to automati-  
7                    cally populate the electronic version of the  
8                    forms under this paragraph with data  
9                    available from the Internal Revenue Serv-  
10                   ice; and

11                   “(ii) direct an applicant to appro-  
12                   priate questions on such forms based on  
13                   the applicant’s answers to previous ques-  
14                   tions; and

15                   “(B) allow single taxpayers, married tax-  
16                   payers filing jointly, and married taxpayers fil-  
17                   ing separately to utilize the current data re-  
18                   trieval tool to its full capacity.

19                   “(2) USE OF TAX RETURN IN APPLICATION  
20                   PROCESS.—The Secretary shall continue to examine  
21                   whether data provided by the Internal Revenue Serv-  
22                   ice can be used to generate an expected family con-  
23                   tribution without additional action on the part of the  
24                   student and taxpayer.

1           “(3) REPORTS ON FAFSA SIMPLIFICATION EF-  
2           FORTS.—Not less than once every other year, the  
3           Secretary shall report to the authorizing committees  
4           and the Committees on Appropriations of the House  
5           of Representatives and the Senate on the progress of  
6           the simplification efforts under this subsection.”;

7           (6) by repealing subsection (g);

8           (7) redesignating subsection (h) as subsection  
9           (g); and

10          (8) by adding at the end the following:

11          “(h) DATA TRANSPARENCY ON THE NUMBER OF AP-  
12          PLICANTS.—

13                 “(1) IN GENERAL.—The Secretary shall annu-  
14                 ally publish data on the number of individuals who  
15                 apply for Federal student aid pursuant to this sec-  
16                 tion who are homeless children and youths (as such  
17                 term is defined in section 725 of the McKinney-  
18                 Vento Homeless Assistance Act (42 U.S.C.  
19                 11434a)), including unaccompanied youth, and fos-  
20                 ter care children and youth.

21                 “(2) CONTENTS.—The data described in para-  
22                 graph (1) with respect to homeless children and  
23                 youths shall include, at a minimum, for each appli-  
24                 cation cycle—



1           “(A) the total number of all applicants  
2           who were determined to be (or to be at risk of  
3           becoming) unaccompanied homeless youth,  
4           under section 480(d)(1)(H);

5           “(B) the number of applicants described in  
6           subparagraph (A), disaggregated—

7                   “(i) by State; and

8                   “(ii) by the sources of determination  
9                   as described in clauses (i) through (iv) of  
10                   section 480(d)(1)(H); and

11           “(C) the number of undetermined requests  
12           for homelessness consideration, including  
13           statuses that remain unknown because no de-  
14           termination had been made in response to the  
15           applicant’s request for the institution to con-  
16           sider the applicant’s special circumstance of  
17           being homeless.

18           “(i) CONVICTIONS.—The Secretary shall not include  
19           any question about the conviction of an applicant for the  
20           possession or sale of illegal drugs on the FAFSA (or any  
21           other form developed under subsection (a)).

22           “(j) FAFSA VERIFICATION.—

23                   “(1) IN GENERAL.—With respect to applicants  
24                   who submit a FAFSA for an award year and were  
25                   eligible to receive a Federal Pell Grant for such

1 award year, the Secretary shall submit to the au-  
2 thorizing committees, and make publicly available, a  
3 report for such award year on—

4 “(A) the percentage of such applicants who  
5 received a Federal Pell Grant for such award  
6 year;

7 “(B) the percentage of such applicants  
8 who did not receive a Federal Pell Grant for  
9 such year;

10 “(C) the percentage of such applicants who  
11 were selected by the Secretary for verification of  
12 the data provided in the FAFSA;

13 “(D) the percentage of applicants de-  
14 scribed in (1)(C) who received a Federal Pell  
15 Grant for such award year; and

16 “(E) the percentage of applicants de-  
17 scribed in (1)(C) who did not receive a Federal  
18 Pell Grant for such award year.

19 “(2) DISAGGREGATION.—The data provided in  
20 a report under paragraph (1) shall be  
21 disaggregated—

22 “(A) by applicants who were pathway one  
23 applicants for such year;

24 “(B) by applicants who were pathway two  
25 applicants for such year;

1           “(C) by applicants who were pathway three  
2 applicants for such year; and

3           “(D) to the extent practicable, by appli-  
4 cants who enrolled in an institution of higher  
5 education for such award year.

6           “(k) SECRETARIAL REQUIREMENTS.—

7           “Not later than the effective date of this Act,  
8 the Secretary of Education, in consultation with the  
9 Secretaries of Defense and Veterans Affairs, shall  
10 develop and finalize a financial shopping sheet that  
11 ensures each institution of higher education provides  
12 meaningful information about the financial cost and  
13 quality of such institution to students (including stu-  
14 dents who have authorized the Department of Edu-  
15 cation to send the student’s Institutional Student  
16 Information Record to such institution) to assist  
17 such students in determining how to use financial  
18 aid to attend such institution, and which—

19           “(A) is standardized so that it can be used  
20 by all institutions of higher education;

21           “(B) is consumer tested, and presented in  
22 a manner that is simple and easily understand-  
23 able; and

24           “(C) is personalized for each student who  
25 receives such sheet by including—

1           “(i) the cost of attendance of the edu-  
2           cational program in which the student is  
3           enrolled or seeks to be enrolled;

4           “(ii) the type of Federal educational  
5           benefits available to assist in covering such  
6           cost of attendance, including loans and  
7           grants under title IV of the Higher Edu-  
8           cation Act of 1965;

9           “(iii) the amount of financial aid, in-  
10          cluding Federal, State, institutional, or  
11          other aid that can be used to assist in cov-  
12          ering such cost of attendance;

13          “(iv) information about student out-  
14          comes for students who graduate from  
15          such educational program, including, based  
16          upon the most recent data available—

17                 “(I) the graduation rate;

18                 “(II) the loan repayment rate;

19                 and

20                 “(III) the estimated loan debt  
21                 upon graduation; and

22                 “(v) any other information that facili-  
23                 tates comparison of aid packages offered  
24                 by different institutions of higher edu-  
25                 cation.”.

1 **SEC. 4092. FEDERAL AID ELIGIBILITY.**

2 (a) FEDERAL AID ELIGIBILITY FOR DREAMER STU-  
3 DENTS.—Section 484(a)(5) of the Higher Education Act  
4 of 1965 (20 U.S.C. 1091(a)(5)) is amended by inserting  
5 “, or be a Dreamer student, as defined in subsection (q)”,  
6 as amended by this section, after “becoming a citizen or  
7 permanent resident”.

8 (b) EXCEPTION TO REQUIRED REGISTRATION WITH  
9 SELECTIVE SERVICE SYSTEM.—

10 (1) subsection (n) of section 484 of the Higher  
11 Education Act of 1965 (20 U.S.C. 1901(n)) is re-  
12 pealed; and

13 (2) subsections (o) through (q) are redesignated  
14 as subsections (n) through (p), respectively.

15 (c) DEFINITION OF DREAMER STUDENT.—Section  
16 484 of the Higher Education Act of 1965 (20 U.S.C.  
17 1091) is further amended by adding at the end the fol-  
18 lowing:

19 “(q) DREAMER STUDENT.—

20 “(1) IN GENERAL.—In this section, the term  
21 ‘Dreamer student’ means an individual who—

22 “(A) was younger than 16 years of age on  
23 the date on which the individual initially en-  
24 tered the United States;

1           “(B) has provided a list of each secondary  
2 school that the student attended in the United  
3 States; and

4           “(C)(i) has earned a high school diploma,  
5 the recognized equivalent of such diploma from  
6 a secondary school, or a high school equivalency  
7 diploma in the United States or is scheduled to  
8 complete the requirements for such a diploma  
9 or equivalent before the next academic year be-  
10 gins;

11           “(ii) has acquired a degree from an institu-  
12 tion of higher education or has completed not  
13 less than 2 years in a program for a bacca-  
14 laurate degree or higher degree at an institu-  
15 tion of higher education in the United States  
16 and has made satisfactory academic progress,  
17 as defined in subsection (c), during such time  
18 period;

19           “(iii) at any time was eligible for a grant  
20 of deferred action under—

21           “(I) the June 15, 2012, memorandum  
22 from the Secretary of Homeland Security  
23 entitled ‘Exercising Prosecutorial Discre-  
24 tion with Respect to Individuals Who  
25 Came to the United States as Children’; or

1           “(II) the November 20, 2014, memo-  
2           randum from the Secretary of Homeland  
3           Security entitled ‘Exercising Prosecutorial  
4           Discretion with Respect to Individuals  
5           Who Came to the United States as Chil-  
6           dren and with Respect to Certain Individ-  
7           uals Who Are the Parents of U.S. Citizens  
8           or Permanent Residents’; or

9           “(iv) has served in the uniformed services,  
10          as defined in section 101 of title 10, United  
11          States Code, for not less than 4 years and, if  
12          discharged, received an honorable discharge.

13          “(2) HARDSHIP EXCEPTION.—The Secretary  
14          shall issue regulations that direct when the Depart-  
15          ment shall waive the requirement of subparagraph  
16          (A) or (B), or both, of paragraph (1) for an indi-  
17          vidual to qualify as a Dreamer student under such  
18          paragraph, if the individual—

19                 “(A) demonstrates compelling cir-  
20                 cumstances for the inability to satisfy the re-  
21                 quirement of such subparagraph (A) or (B), or  
22                 both; and

23                 “(B) satisfies the requirement of para-  
24                 graph (1)(C).”.

1 (d) REPEAL OF SUSPENSION OF FINANCIAL AID ELI-  
2 GIBILITY FOR DRUG-RELATED OFFENSES.—Subsection  
3 (r) of section 484 of the Higher Education Act of 1965  
4 (20 U.S.C. 1091(r)) is repealed.

5 **SEC. 4093. REINSTATEMENT OF THE 6-YEAR STATUTE OF**  
6 **LIMITATIONS FOR STUDENT LOANS.**

7 Section 484A(a) of the Higher Education Act of  
8 1965 (20 U.S.C. 1091a(a)) is amended to read as follows:

9 “(a) STATUTE OF LIMITATIONS.—Notwithstanding  
10 any Federal or State statutory, regulatory, or administra-  
11 tive limitation on the period within which debts may be  
12 enforced—

13 “(1) an institution that receives funds under  
14 this title may file a suit or initiate or take another  
15 action for collection of a refund due from a student  
16 on a grant made, or work assistance awarded, under  
17 this title, during the 6-year period beginning on the  
18 day after the refund first became due (exclusive of  
19 the period during which the State statute of limita-  
20 tions otherwise applicable to a suit under this para-  
21 graph would be tolled under State law);

22 “(2) a guaranty agency that has an agreement  
23 with the Secretary under section 428(c) may file a  
24 suit or initiate or take another action for collection  
25 of the amount due from a borrower on a loan made



1 under part B during the 6-year period beginning on  
2 the day after such guaranty agency reimburses the  
3 previous holder of the loan for its loss on account of  
4 the default of the borrower (exclusive of the period  
5 during which the State statute of limitations other-  
6 wise applicable to a suit under this paragraph would  
7 be tolled under State law);

8 “(3) an institution that has an agreement with  
9 the Secretary pursuant to section 487 may file a suit  
10 or initiate or take another action for collection of the  
11 amount due from a borrower on a loan made under  
12 part D or E after the default of the borrower on  
13 such loan during the 6-year period beginning on the  
14 day after the date of the default of the borrower  
15 with respect to such amount (exclusive of the period  
16 during which the State statute of limitations other-  
17 wise applicable to a suit under this paragraph would  
18 be tolled under State law); or

19 “(4) the Secretary, the Attorney General, or the  
20 administrative head of another Federal agency, as  
21 the case may be, may file a suit or initiate or take  
22 another action for collection of a refund due from a  
23 student on a grant made under this title, or for the  
24 repayment of the amount due from a borrower on a  
25 loan made under this title that has been assigned to

1 the Secretary under this title, during the 6-year pe-  
2 riod beginning on the day after the refund or the  
3 amount first became due.”.

4 **SEC. 4094. EXIT COUNSELING.**

5 (a) AMENDMENTS TO EXIT COUNSELING FOR BOR-  
6 ROWERS.—Section 485(b) of the Higher Education Act of  
7 1965 (20 U.S.C. 1092(b)) is amended—

8 (1) in paragraph (1)(A)—

9 (A) in the matter preceding clause (i),  
10 striking “through financial aid offices or other-  
11 wise” and inserting “through the use of an  
12 interactive program, during an exit counseling  
13 session that is in-person or online, or through  
14 the use of the online counseling tool described  
15 in subsection (n)(1)(A)”;

16 (B) by redesignating clauses (i) through  
17 (ix) as clauses (iv) through (xii), respectively;

18 (C) by inserting before clause (iv), as so  
19 redesignated, the following:

20 “(i) a summary of the outstanding  
21 balance of principal and interest due on  
22 the loans made to the borrower under part  
23 B, D, or E;

24 “(ii) an explanation of the grace pe-  
25 riod preceding repayment and the expected

1 date that the borrower will enter repay-  
2 ment;

3 “(iii) an explanation that the borrower  
4 has the option to pay any interest that has  
5 accrued while the borrower was in school  
6 or that may accrue during the grace period  
7 preceding repayment or during an author-  
8 ized period of deferment or forbearance,  
9 prior to the capitalization of the interest;”;  
10 (D) in clause (iv), as so redesignated—

11 (i) by striking “sample information  
12 showing the average” and inserting “infor-  
13 mation, based on the borrower’s out-  
14 standing balance described in clause (i),  
15 showing the borrower’s”; and

16 (ii) by striking “of each plan” and in-  
17 sserting “of at least the fixed repayment  
18 plan described in section 493E, the in-  
19 come-based repayment plan under section  
20 493C(f), and any other repayment plan for  
21 which each loan may be eligible”;

22 (E) in clause (ix), as so redesignated—

23 (i) by inserting “decreased credit  
24 score,” after “credit reports,”; and

1           (ii) by inserting “reduced ability to  
2           rent or purchase a home or car, potential  
3           difficulty in securing employment,” after  
4           “Federal law,”;

5           (F) in clause (x), as so redesignated, by  
6           striking “consolidation loan under section 428C  
7           or a”;

8           (G) in clauses (xi) and (xii), as so redesign-  
9           ated, by striking “and” at the end; and

10          (H) by adding at the end the following:

11           “(xiii) for each of the borrower’s loans  
12           made under part B, D, or E for which the  
13           borrower is receiving counseling under this  
14           subsection, the contact information for the  
15           loan servicer of the loan and a link to such  
16           servicer’s website; and

17           “(xiv) an explanation that an indi-  
18           vidual has a right to annually request a  
19           disclosure of information collected by a  
20           consumer reporting agency pursuant to  
21           section 612(a) of the Fair Credit Report-  
22           ing Act (15 U.S.C. 1681j(a)).”;

23          (2) in paragraph (1)(B)—

24           (A) by inserting “online or” before “in  
25           writing”; and

1 (B) by adding before the period at the end  
2 the following: “, except that in the case of an  
3 institution using the online counseling tool de-  
4 scribed in subsection (n)(1)(A), the Secretary  
5 shall attempt to provide such information to the  
6 student in the manner described in subsection  
7 (n)(3)(C)”;

8 (3) in paragraph (2)(C), by inserting “, such as  
9 the online counseling tool described in subsection  
10 (n)(1)(A),” after “electronic means”.

11 (b) CONFORMING AMENDMENT.—Section 485(d)(1)  
12 of the Higher Education Act of 1965 (20 U.S.C.  
13 1092(d)(1)) is amended by striking “including income-  
14 sensitive” and all that follows through “part D” and in-  
15 serting “including, beginning on July 1, 2019, the income-  
16 based repayment plan under section 493C(f) and the fixed  
17 repayment plan described in section 493E”.

18 **SEC. 4095. CLERY ACT AMENDMENTS.**

19 (a) DISCLOSURE OF CAMPUS SECURITY POLICY AND  
20 CAMPUS CRIME STATISTICS.—Section 485(f) of the High-  
21 er Education Act of 1965 (20 U.S.C. 1092(f)) is amend-  
22 ed—

23 (1) in paragraph (1)(F)—

24 (A) in clause (i), by striking “and” at the  
25 end;

1 (B) in clause (ii), by striking “and” at the  
2 end;

3 (C) in clause (iii), by striking the period at  
4 the end and inserting “;”; and

5 (D) by adding at the end the following:

6 “(iv) of hazing incidents that were re-  
7 ported to campus security authorities or  
8 local police agencies; and

9 “(v) of harassment incidents that  
10 were reported to campus security authori-  
11 ties or local police agencies.”;

12 (2) in paragraph (6)(A), by adding at the end  
13 the following:

14 “(vi) For purposes of reporting under  
15 this subsection, the term ‘hazing’ means  
16 any intentional, knowing, or reckless act  
17 committed by a student, or a former stu-  
18 dent, of an institution of higher education,  
19 whether individually or in concert with  
20 other persons, against another student,  
21 that—

22 “(I) was committed in connection  
23 with an initiation into, an affiliation  
24 with, or the maintenance of member-  
25 ship in, any organization that is affili-

1           ated with such institution of higher  
2           education; and

3                   “(II) contributes to a substantial  
4           risk of physical injury, mental harm,  
5           or personal degradation or causes  
6           physical injury, mental harm, or per-  
7           sonal degradation.

8                   “(vii) For purposes of reporting under  
9           this section, the term ‘harassment’ means  
10          conduct, including acts of verbal, non-  
11          verbal, or physical aggression, intimidation,  
12          or hostility (including conduct that is un-  
13          dertaken in whole or in part, through the  
14          use of electronic messaging services, com-  
15          mercial mobile services, electronic commu-  
16          nications, or other technology) that—

17                   “(I) is sufficiently severe, per-  
18          sistent, or pervasive so as to limit a  
19          student’s ability to participate in or  
20          benefit from a program or activity at  
21          an institution of higher education, or  
22          to create a hostile or abusive edu-  
23          cational environment at an institution  
24          of higher education; and

1                   “(II) is based on a student’s ac-  
2                   tual or perceived race, gender, reli-  
3                   gion, national origin, sexual orienta-  
4                   tion, gender identity, ethnicity, or dis-  
5                   ability.

6                   “(viii) The term ‘commercial mobile  
7                   service’ has the meaning given the term in  
8                   section 332(d) of the Communications Act  
9                   of 1934 (47 U.S.C. 332(d)).

10                  “(ix) The term ‘electronic communica-  
11                  tion’ means any transfer of signs, signals,  
12                  writing, images, sounds, or data of any na-  
13                  ture transmitted in whole or in part by a  
14                  wire,                  radio,                  electromagnetic,  
15                  photoelectronic, or photooptical system.

16                  “(x) The term ‘electronic messaging  
17                  services’ has the meaning given the term in  
18                  section 102 of the Communications Assist-  
19                  ance for Law Enforcement Act (47 U.S.C.  
20                  1001).”;

21                  (3) in paragraph (7), by inserting after the sec-  
22                  ond sentence the following: “For hazing incidents,  
23                  such statistics shall be compiled in accordance with  
24                  the definition of that term in paragraph (6)(A)(vi).  
25                  For harassment incidents, such statistics shall be



1 compiled in accordance with the definition of that  
2 term in paragraph (6)(A)(vii).”.

3 (b) STATEMENT OF POLICY REGARDING HARASS-  
4 MENT.—Section 485(f) of the Higher Education Act of  
5 1965 (20 U.S.C. 1092(f)) is further amended—

6 (1) by redesignating paragraphs (9) through  
7 (18) as paragraphs (10) through (19), respectively;  
8 and

9 (2) by inserting after paragraph (8) the fol-  
10 lowing:

11 “(9)(A) Each institution of higher education  
12 participating in any program under this title, other  
13 than a foreign institution of higher education, shall  
14 develop and distribute as part of the report de-  
15 scribed in paragraph (1) a statement of policy re-  
16 garding harassment, which shall include—

17 “(i) a prohibition of harassment—

18 “(I) on campus;

19 “(II) in or on a noncampus building  
20 or property;

21 “(III) on public property;

22 “(IV) in dormitories or other residen-  
23 tial facilities for students on campus;

1           “(V) through the use of electronic  
2           mail addresses issued by the institution of  
3           higher education;

4           “(VI) through the use of computers  
5           and communication networks, including  
6           any telecommunications service, owned, op-  
7           erated, or contracted for use by the institu-  
8           tion of higher education or its agents; or

9           “(VII) during an activity sponsored by  
10          the institution of higher education or car-  
11          ried out with the use of resources provided  
12          by the institution of higher education;

13          “(ii) a description of the institution’s pro-  
14          grams to combat harassment, which shall be  
15          aimed at the prevention of harassment;

16          “(iii) a description of the procedures that  
17          a student should follow if an incident of harass-  
18          ment occurs; and

19          “(iv) a description of the procedures that  
20          the institution will follow once an incident of  
21          harassment has been reported, including a  
22          statement of the standard of evidence that will  
23          be used during any institutional conduct pro-  
24          ceeding arising from such a report.

1           “(B) The statement of policy described in sub-  
2 paragraph (A) shall address the following areas:

3           “(i) Procedures for timely institutional ac-  
4 tion in cases of alleged harassment, which pro-  
5 cedures shall include a clear statement that the  
6 accuser and the accused shall be informed of  
7 the outcome of any disciplinary proceedings in  
8 response to an allegation of harassment.

9           “(ii) Possible sanctions to be imposed fol-  
10 lowing the final determination of an institu-  
11 tional disciplinary procedure regarding harass-  
12 ment.

13           “(iii) Notification of existing counseling,  
14 mental health, or student services for victims or  
15 perpetrators of harassment, both on campus  
16 and in the community.

17           “(iv) Identification of a designated em-  
18 ployee or office at the institution that will be  
19 responsible for receiving and tracking each re-  
20 port of harassment.”.

21 **SEC. 4096. ONLINE SURVEY TOOL FOR CAMPUS SAFETY.**

22           Section 485(f) of the Higher Education Act of 1965  
23 (20 U.S.C. 1092) is further amended—

1           (1) by redesignating paragraphs (18) and (19)  
2           as so redesignated as paragraphs (19) and (20), re-  
3           spectively; and

4           (2) by inserting after paragraph (17) the fol-  
5           lowing:

6           “(18) ONLINE SURVEY TOOL FOR CAMPUS  
7           SAFETY.—

8                   “(A) IN GENERAL.—The Secretary shall,  
9                   in consultation with the Attorney General and  
10                   experts in domestic violence, dating violence,  
11                   sexual assault, and stalking, develop, design,  
12                   and make available through a secure online por-  
13                   tal, a standardized online survey tool regarding  
14                   student experiences with domestic violence, dat-  
15                   ing violence, sexual assault, and stalking.

16                   “(B) DEVELOPMENT OF SURVEY TOOL.—  
17                   In developing the survey tool required under  
18                   subparagraph (A), the Secretary shall—

19                           “(i) use best practices from peer-re-  
20                           viewed research measuring domestic vio-  
21                           lence, dating violence, sexual assault, and  
22                           stalking; and

23                           “(ii) consult with the higher education  
24                           community and experts in survey research  
25                           related to domestic violence, dating vio-

1           lence, sexual assault, and stalking regard-  
2           ing the development and design of such  
3           survey tool and the methodology for ad-  
4           ministration of such survey tool.

5           “(C) ELEMENTS.—

6                   “(i) IN GENERAL.—The survey tool  
7           developed pursuant to this paragraph shall  
8           be fair and unbiased, scientifically valid  
9           and reliable, and meet the highest stand-  
10          ards of survey research.

11                   “(ii) SURVEY QUESTIONS.—Survey  
12          questions included in the survey tool devel-  
13          oped pursuant to this paragraph shall—

14                           “(I) be designed to gather infor-  
15                           mation on student experiences with  
16                           domestic violence, dating violence, sex-  
17                           ual assault, and stalking, including  
18                           the experiences of victims of such inci-  
19                           dents;

20                           “(II) use trauma-informed lan-  
21                           guage to prevent retraumatization;  
22                           and

23                           “(III) include the following:

24                                   “(aa) Questions designed to  
25                                   determine the incidence and prev-

1           alence of domestic violence, dat-  
2           ing violence, sexual assault, and  
3           stalking.

4           “(bb) Questions regarding  
5           whether students know about in-  
6           stitutional policies and proce-  
7           dures related to domestic vio-  
8           lence, dating violence, sexual as-  
9           sault, and stalking.

10          “(cc) Questions designed to  
11          determine, if victims reported do-  
12          mestic violence, dating violence,  
13          sexual assault, or stalking—

14                 “(AA) to whom the in-  
15                 cident was reported and  
16                 what response the victim  
17                 may have received; and

18                 “(BB) whether the vic-  
19                 tim was informed of, or re-  
20                 ferred to, national, State,  
21                 local, or on-campus re-  
22                 sources.

23          “(dd) Questions regarding  
24          contextual factors, such as

1 whether force, incapacitation, or  
2 coercion was involved.

3 “(ee) Questions to determine  
4 whether an accused individual  
5 was a student at the institution.

6 “(ff) Questions to determine  
7 whether a victim reported an in-  
8 cident to State, local, or campus  
9 law enforcement.

10 “(gg) Questions to deter-  
11 mine why the victim chose to re-  
12 port or not report an incident to  
13 State, local, or campus law en-  
14 forcement.

15 “(hh) Other questions as de-  
16 termined by the Secretary.

17 “(iii) ADDITIONAL ELEMENTS.—In  
18 addition to the standardized questions de-  
19 veloped by the Secretary under clause (ii),  
20 an institution may request additional infor-  
21 mation from students that would increase  
22 the understanding of the institution of  
23 school climate factors unique to their cam-  
24 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) IN GENERAL.—Each institution  
13 shall administer the survey tool developed  
14 pursuant to this paragraph every 2 years.

15                   “(ii) FEDERAL ADMINISTRATION.—  
16 The Secretary, in consultation with the At-  
17 torney General, shall develop a mechanism  
18 by which institutions of higher education  
19 may, with respect to the survey tool devel-  
20 oped pursuant 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                   “(iii) 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                   “(E) COMPLETED SURVEYS.—The Sec-  
8                   retary shall require each institution partici-  
9                   pating in any program under this title to ensure  
10                  that an adequate, random, and representative  
11                  sample size of students (as determined by the  
12                  Secretary) enrolled at the institution complete  
13                  the survey tool developed pursuant to this para-  
14                  graph beginning not later than 1 year after the  
15                  date of enactment of the Aim Higher Act.

16                  “(F) REPORT.—Beginning not later than  
17                  2 years after the date of enactment of the Aim  
18                  Higher Act, the Secretary shall prepare a bien-  
19                  nial report on the information gained from the  
20                  standardized elements of the survey under this  
21                  paragraph and publish such report in an acces-  
22                  sible format on the website of the Department  
23                  and submit such report to Congress. The report  
24                  shall include campus-level data for each school  
25                  and attributed by name of each campus in a

1 manner that permits comparisons across  
2 schools and campuses.

3 “(G) PUBLICATION.—Each institution  
4 shall publish—

5 “(i) the campus-level results of the  
6 standardized elements of the survey under  
7 this paragraph on the website of the insti-  
8 tution and in the annual security report re-  
9 quired under paragraph 1 for the cam-  
10 puses affiliated with the institution; and

11 “(ii) the campus-level results of the  
12 additional elements modifying the survey  
13 by the institution, if any, on the website of  
14 the institution.

15 “(H) VIOLATION.—Upon a determination  
16 pursuant to section 487(c)(3)(B) that an insti-  
17 tution of higher education has violated or failed  
18 to carry out any provision under this sub-  
19 section, the Secretary shall impose a civil pen-  
20 alty upon the institution in the same amount  
21 and pursuant to the same procedures as a civil  
22 penalty is imposed under section  
23 487(c)(3)(B).”.

1 **SEC. 4097. AMENDMENTS TO INSTITUTIONAL AND FINAN-**  
2 **CIAL ASSISTANCE.**

3 (a) NOTICE TO STUDENTS CONCERNING DRUG VIO-  
4 LATIONS.—Subsection (k) of section 485 (20 U.S.C.  
5 1092) is repealed.

6 (b) SINGLE POINT OF CONTACT FOR FOSTER AND  
7 HOMELESS YOUTH.—Section 485 of the Higher Edu-  
8 cation Act of 1965 (20 U.S.C. 1092) is amended by insert-  
9 ing after subsection (j) the following:

10 “(k) Each institution of higher education partici-  
11 pating in any program under this title shall—

12 “(1) have designated an appropriate staff per-  
13 son as a single point of contact to assist homeless  
14 children and youths (as such term is defined in sec-  
15 tion 725 of the McKinney-Vento Homeless Assist-  
16 ance Act (42 U.S.C. 11434a)) and foster care chil-  
17 dren and youth in accessing and completing postsec-  
18 ondary education, including by ensuring that such  
19 homeless children and youths and foster care chil-  
20 dren and youth are connected to applicable and  
21 available student support services, programs, and  
22 community resources in areas such as financial aid,  
23 academic advising, housing, food, public benefits,  
24 health care, health insurance, mental health, and  
25 mentoring;

1           “(2) post public notice about student financial  
2 assistance and other assistance available to homeless  
3 children and youths and foster care children and  
4 youth, including their eligibility as independent stu-  
5 dents under subparagraphs (B) and (H) of sections  
6 480(d)(1);

7           “(3) give priority for any institutionally owned  
8 or operated housing facilities, including student  
9 housing facilities that remain open for occupation  
10 during school breaks or on a year-round basis, to—

11                   “(A) homeless children and youths (as  
12 such term is defined in section 725 of the  
13 McKinney-Vento Homeless Assistance Act (42  
14 U.S.C. 11434a);

15                   “(B) youth who are unaccompanied, at  
16 risk of homelessness, and self-supporting; and

17                   “(C) foster care children and youth;

18           “(4) have developed a plan for how homeless  
19 children and youths, youth who are unaccompanied,  
20 at risk of homelessness, and self-supporting, and fos-  
21 ter care children and youth can access housing re-  
22 sources during and between academic terms,  
23 through means that may include access to institu-  
24 tionally owned or operated housing during breaks

1 and a list of housing resources in the community  
2 that provide short-term housing; and

3 “(5) include, in its application for admission,  
4 questions (to be answered voluntarily) regarding the  
5 applicant’s status as a homeless child or youth or  
6 foster care child or youth, that—

7 “(A) can be answered by the applicant vol-  
8 untarily for the limited purpose of being pro-  
9 vided information about financial aid or any  
10 other available assistance; and

11 “(B) explain the key terms in the question  
12 in a manner children and youth can understand  
13 in order to self-identify and declare eligibility as  
14 a homeless child or youth or foster care child or  
15 youth.”.

16 (c) ANNUAL FINANCIAL AID COUNSELING.—Section  
17 485(l) of the Higher Education Act of 1965 (20 U.S.C.  
18 1092(l)) is amended to read as follows:

19 “(l) ANNUAL FINANCIAL AID COUNSELING.—

20 “(1) ANNUAL DISCLOSURE REQUIRED.—

21 “(A) IN GENERAL.—Each eligible institu-  
22 tion shall ensure that each individual who re-  
23 ceives a loan made under part D (other than a  
24 Federal Direct Consolidation Loan or a loan  
25 made under section 460A and 460B) receives

1 comprehensive information on the terms and  
2 conditions of such loan and the responsibilities  
3 the individual has with respect to such loan.  
4 Such information shall be provided, for each  
5 award year for which the individual receives  
6 such loan, in a simple and understandable man-  
7 ner—

8 “(i) during a counseling session con-  
9 ducted in person;

10 “(ii) online, with the individual ac-  
11 knowledging receipt of the information; or

12 “(iii) through the use of the online  
13 counseling tool described in subsection  
14 (n)(1)(B).

15 “(B) USE OF INTERACTIVE PROGRAMS.—

16 In the case of institutions not using the online  
17 counseling tool described in subsection  
18 (n)(1)(B), the Secretary shall require such in-  
19 stitutions to carry out the requirements of sub-  
20 paragraph (A) through the use of interactive  
21 programs, during an annual counseling session  
22 that is in-person or online, that tests the indi-  
23 vidual’s understanding of the terms and condi-  
24 tions of the loan awarded to the individual,

1 using simple and understandable language and  
2 clear formatting.

3 “(2) ALL INDIVIDUALS.—The information to be  
4 provided under paragraph (1)(A) to each individual  
5 receiving counseling under this subsection shall in-  
6 clude the following:

7 “(A) An explanation of how the individual  
8 may budget for typical educational expenses  
9 and a sample budget based on the cost of at-  
10 tendance for the institution.

11 “(B) An explanation that an individual has  
12 a right to annually request a disclosure of infor-  
13 mation collected by a consumer reporting agen-  
14 cy pursuant to section 612(a) of the Fair Credit  
15 Reporting Act (15 U.S.C. 1681j(a)).

16 “(C) An introduction to the financial man-  
17 agement resources provided by the Consumer  
18 Financial Protection Bureau.

19 “(3) BORROWERS RECEIVING LOANS MADE  
20 UNDER PART D (OTHER THAN PARENT PLUS  
21 LOANS).—The information to be provided under  
22 paragraph (1)(A) to a borrower of a loan made  
23 under part D (other than a Federal Direct PLUS  
24 Loan made on behalf of a dependent student) shall  
25 include the following:

1           “(A) A notification that some students  
2 may qualify for other financial aid and an ex-  
3 planation that the borrower should consider ac-  
4 cepting any grant, scholarship, or State or Fed-  
5 eral work-study jobs for which the borrower is  
6 eligible prior to accepting student loans.

7           “(B) To the extent practicable, the effect  
8 of accepting the loan to be disbursed on the eli-  
9 gibility of the borrower for other forms of stu-  
10 dent financial assistance.

11           “(C) An explanation of the use of the stu-  
12 dent loan contract referred to in section  
13 432(m)(1)(D).

14           “(D) An explanation that the borrower is  
15 not required to accept the full amount of the  
16 loan offered to the borrower.

17           “(E) An explanation of the approved edu-  
18 cational expenses for which the borrower may  
19 use a loan made under part D.

20           “(F) A recommendation to the borrower to  
21 exhaust the borrower’s Federal student loan op-  
22 tions prior to taking out private education  
23 loans, an explanation that Federal student  
24 loans typically offer better terms and conditions  
25 than private education loans, an explanation



1 that Federal student loans offer consumer pro-  
2 tections typically not available in the private  
3 education loan market, an explanation of treat-  
4 ment of loans made under part D and private  
5 education loans in bankruptcy, and an expla-  
6 nation that if a borrower decides to take out a  
7 private education loan—

8 “(i) the borrower has the ability to se-  
9 lect a private educational lender of the bor-  
10 rower’s choice;

11 “(ii) the proposed private education  
12 loan may impact the borrower’s potential  
13 eligibility for other financial assistance, in-  
14 cluding Federal financial assistance under  
15 this title; and

16 “(iii) the borrower has a right—

17 “(I) to accept the terms of the  
18 private education loan within 30 cal-  
19 endar days following the date on  
20 which the application for such loan is  
21 approved and the borrower receives  
22 the required disclosure documents,  
23 pursuant to section 128(e) of the  
24 Truth in Lending Act (15 U.S.C.  
25 1638(e)); and

1                   “(II) to cancel such loan within 3  
2                   business days of the date on which the  
3                   loan is consummated, pursuant to sec-  
4                   tion 128(e)(7) of such Act (15 U.S.C.  
5                   1638(e)(7)).

6                   “(G) The interest rate for the loan, as of  
7                   the date of the counseling.

8                   “(H) Information on how interest accrues  
9                   and is capitalized during periods when the in-  
10                  terest is not paid by either the borrower or the  
11                  Secretary.

12                  “(I) In the case of a Federal Direct PLUS  
13                  Loan or a Federal Direct Unsubsidized Staf-  
14                  ford Loan, the option of the borrower to pay  
15                  the interest while the borrower is in school.

16                  “(J) The definition of half-time enrollment  
17                  at the institution, during regular terms and  
18                  summer school, if applicable, and the con-  
19                  sequences of not maintaining at least half-time  
20                  enrollment.

21                  “(K) An explanation of the importance of  
22                  contacting the appropriate offices at the institu-  
23                  tion of higher education if the borrower with-  
24                  draws prior to completing the borrower’s pro-  
25                  gram of study so that the institution can pro-

1           vide exit counseling, including information re-  
2           garding the borrower’s repayment options and  
3           loan consolidation.

4           “(L) The obligation of the borrower to  
5           repay the full amount of the loan, regardless of  
6           whether the borrower completes or does not  
7           complete the program in which the borrower is  
8           enrolled within the regular time for program  
9           completion.

10           “(M) The likely consequences of default on  
11           the loan, including adverse credit reports, delin-  
12           quent debt collection procedures under Federal  
13           law, and litigation.

14           “(N) Notice of the institution’s most re-  
15           cent adjusted cohort default rate (calculated in  
16           accordance with section 435(m)(1)(E)), an ex-  
17           planation of the adjusted cohort default rate,  
18           the most recent national average adjusted co-  
19           hort default rate, and the most recent national  
20           average adjusted cohort default rate for the cat-  
21           egory of institution described in section  
22           435(m)(4) to which the institution belongs.

23           “(O) Information on the National Student  
24           Loan Data System and how the borrower can  
25           access the borrower’s records.

1           “(P) The contact information for the insti-  
2           tution’s financial aid office or other appropriate  
3           office at the institution the borrower may con-  
4           tact if the borrower has any questions about the  
5           borrower’s rights and responsibilities or the  
6           terms and conditions of the loan.

7           “(Q) For a first-time borrower, in addition  
8           to all the information described in subpara-  
9           graphs (A) through (P)—

10                   “(i) a statement of the anticipated  
11                   balance on the loan for which the borrower  
12                   is receiving counseling under this sub-  
13                   section;

14                   “(ii) based on such anticipated bal-  
15                   ance, the anticipated monthly payment  
16                   amount under, at minimum—

17                           “(I) the fixed repayment plan de-  
18                           scribed in section 493E; and

19                           “(II) the income-based repay-  
20                           ment plan under section 493C(f), as  
21                           determined using regionally available  
22                           data from the Bureau of Labor Sta-  
23                           tistics of the average starting salary  
24                           for the occupation in which the bor-

1           rower has an interest in or intends to  
2           be employed;

3           “(iii) an estimate of the projected  
4           monthly payment amount under each re-  
5           payment plan described in clause (ii),  
6           based on the average cumulative indebted-  
7           ness at graduation for borrowers of loans  
8           made under part D who are in the same  
9           program of study as the borrower and the  
10          expected increase in the cost of attendance  
11          of such program; and

12          “(iv) information on the annual and  
13          aggregate loan limits for Federal Direct  
14          Stafford Loans and Federal Direct Unsub-  
15          sidized Stafford Loans as it pertains to the  
16          loan for which the borrower is receiving  
17          counseling, and a statement that such ag-  
18          gregate borrowing limit may change based  
19          on the borrower’s student status (whether  
20          undergraduate or graduate) or if there is a  
21          change in the borrower’s dependency sta-  
22          tus.

23          “(R) For a borrower with an outstanding  
24          balance of principal or interest due on a loan  
25          made under this title, in addition to all the in-

1           formation described in subparagraphs (A)  
2           through (P)—

3                   “(i) information on each student loan  
4                   that the institution is aware that the stu-  
5                   dent has borrowed, including Federal  
6                   loans, private loans, and loans from the in-  
7                   stitution;

8                   “(ii) the total amount of the out-  
9                   standing balance and interest accrued from  
10                  the Federal student loans described in  
11                  clause (i);

12                  “(iii) for each Federal loan described  
13                  in clause (i), the interest rate for the loan,  
14                  as of the date of the counseling, and a  
15                  statement that the interest rate on student  
16                  loans may vary based on when the loan  
17                  was borrowed and other factors;

18                  “(iv) based on such outstanding bal-  
19                  ance for the Federal student loans, the an-  
20                  ticipated monthly payment amount under  
21                  the fixed repayment plan described in sec-  
22                  tion 493E, the income-based repayment  
23                  plan under section 493C(f), and any other  
24                  repayment plan for which each loan may  
25                  be eligible, calculated using regionally

1 available data from the Bureau of Labor  
2 Statistics of the average starting salary for  
3 the occupation the borrower intends to be  
4 employed;

5 “(v) an estimate of the projected  
6 monthly payment amount under each re-  
7 payment plan described in clause (iv),  
8 based on—

9 “(I) the outstanding balance de-  
10 scribed in clause (ii);

11 “(II) the anticipated outstanding  
12 balance on the loan for which the stu-  
13 dent is receiving counseling under this  
14 subsection; and

15 “(III) a projection for any other  
16 loans made under part D that the  
17 borrower is reasonably expected to ac-  
18 cept during the borrower’s program of  
19 study based on at least the average  
20 cumulative indebtedness at graduation  
21 for borrowers of loans made under  
22 part D who are in the same program  
23 of study as the borrower and the ex-  
24 pected increase in the cost of attend-  
25 ance of such program;

1           “(vi) a statement that the outstanding  
2           balance described in clause (ii), the interest  
3           rate described in clause (iii), and the  
4           monthly amount described in clause (iv)  
5           and clause (v) does not include any  
6           amounts that the student may be required  
7           to repay for private or institutional loans;  
8           and

9           “(vii) the percentage of the total ag-  
10          gregate borrowing limit that the student  
11          has reached, as of the date of the coun-  
12          seling, for Federal Direct Stafford Loans  
13          and Federal Direct Unsubsidized Stafford  
14          Loans, and a statement that such aggre-  
15          gate borrowing limit may change based on  
16          the borrower’s student status (whether un-  
17          dergraduate or graduate) or if there is a  
18          change in the borrower’s dependency sta-  
19          tus.

20           “(4) BORROWERS RECEIVING PARENT PLUS  
21          LOANS FOR DEPENDENT STUDENTS.—The informa-  
22          tion to be provided under paragraph (1)(A) to a bor-  
23          rower of a Federal Direct PLUS Loan made on be-  
24          half of a dependent student shall include the fol-  
25          lowing:



1           “(A) A notification that some students  
2 may qualify for other financial aid and an ex-  
3 planation that the student for whom the bor-  
4 rower is taking out the loan should consider ac-  
5 cepting any grant, scholarship, or State or Fed-  
6 eral work-study jobs for which the borrower is  
7 eligible prior to borrowing Parent PLUS Loans.

8           “(B) The information described in sub-  
9 paragraphs (B) through (D) and (L) through  
10 (O) of paragraph (3).

11           “(C) The interest rate for the loan, as of  
12 the date of the counseling.

13           “(D) The option of the borrower to pay the  
14 interest on the loan while the loan is in  
15 deferment.

16           “(E) Debt management strategies that are  
17 designed to facilitate the repayment of such in-  
18 debtedness.

19           “(F) An explanation that the borrower has  
20 the options to prepay each loan, pay each loan  
21 on a shorter schedule, and change repayment  
22 plans.

23           “(G) For each Federal Direct PLUS Loan  
24 made on behalf of a dependent student for  
25 which the borrower is receiving counseling

1 under this subsection, the contact information  
2 for the loan servicer of the loan and a link to  
3 such servicer’s Website.

4 “(H) For a first-time borrower of such  
5 loan—

6 “(i) a statement of the anticipated  
7 balance on the loan for which the borrower  
8 is receiving counseling under this sub-  
9 section;

10 “(ii) based on such anticipated bal-  
11 ance, the anticipated monthly payment  
12 amount under the fixed repayment plan  
13 described in section 493E, the income-  
14 based repayment plan under section  
15 493C(f), and any other repayment plan for  
16 which each loan may be eligible; and

17 “(iii) an estimate of the projected  
18 monthly payment amount under the fixed  
19 repayment plan described in section 493E,  
20 the income-based repayment plan under  
21 section 493C(f), and any other repayment  
22 plan for which each loan may be eligible,  
23 based on the average cumulative indebted-  
24 ness of other borrowers of Federal Direct  
25 PLUS Loans made on behalf of dependent

1 students who are in the same program of  
2 study as the student on whose behalf the  
3 borrower borrowed the loan and the ex-  
4 pected increase in the cost of attendance of  
5 such program.

6 “(I) For a borrower with an outstanding  
7 balance of principal or interest due on such  
8 loan—

9 “(i) a statement of the amount of  
10 such outstanding balance;

11 “(ii) based on such outstanding bal-  
12 ance, the anticipated monthly payment  
13 amount under the fixed repayment plan  
14 described in section 493E, the income-  
15 based repayment plan under section  
16 493C(f), and any other repayment plan for  
17 which each loan may be eligible; and

18 “(iii) an estimate of the projected  
19 monthly payment amount under the fixed  
20 and income-based repayment plans, based  
21 on—

22 “(I) the anticipated outstanding  
23 balance on the loan for which the bor-  
24 rower is receiving counseling under  
25 this subsection; and

1                   “(II) a projection for any other  
2                   Federal Direct PLUS Loan made on  
3                   behalf of the dependent student that  
4                   the borrower is reasonably expected to  
5                   accept during the program of study of  
6                   such student based on at least the av-  
7                   erage cumulative indebtedness of  
8                   other borrowers of Federal Direct  
9                   PLUS Loans made on behalf of de-  
10                  pendent students who are in the same  
11                  program of study as the student on  
12                  whose behalf the borrower borrowed  
13                  the loan and the expected increase in  
14                  the cost of attendance of such pro-  
15                  gram.

16                  “(5) ANNUAL LOAN ACCEPTANCE.—Prior to  
17                  making the first disbursement of a loan made under  
18                  part D (other than a Federal Direct Consolidation  
19                  Loan or a loan made under section 460A and 460B)  
20                  to a borrower for an award year, an eligible institu-  
21                  tion, shall, as part of carrying out the counseling re-  
22                  quirements of this subsection for the loan, ensure  
23                  that after receiving the applicable counseling under  
24                  paragraphs (2), (3), and (4) for the loan the bor-  
25                  rower accepts the loan for such award year by—

1           “(A) signing and returning to the institu-  
2           tion the student loan contract for the loan re-  
3           ferred to in section 432(m)(1)(D) that affirma-  
4           tively states that the borrower accepts the loan;  
5           or

6           “(B) electronically signing an electronic  
7           version of the student loan contract described in  
8           subparagraph (A).”.

9           (d) ONLINE COUNSELING TOOLS.—Section 485 of  
10          the Higher Education Act of 1965 (20 U.S.C. 1092) is  
11          further amended by adding at the end the following:

12          “(n) ONLINE COUNSELING TOOLS.—

13                 “(1) IN GENERAL.—Beginning not later than 1  
14                 year after the date of enactment of the Aim Higher  
15                 Act, the Secretary shall maintain—

16                         “(A) an online counseling tool that pro-  
17                         vides the exit counseling required under sub-  
18                         section (b) and meets the applicable require-  
19                         ments of this subsection; and

20                         “(B) an online counseling tool that pro-  
21                         vides the annual counseling required under sub-  
22                         section (1) and meets the applicable require-  
23                         ments of this subsection.

24                         “(2) REQUIREMENTS OF TOOLS.—In maintain-  
25                         ing the online counseling tools described in para-

1 graph (1), the Secretary shall ensure that each such  
2 tool is—

3 “(A) consumer tested, in consultation with  
4 other relevant Federal agencies and including  
5 students and borrowers, institutions of higher  
6 education, secondary school and postsecondary  
7 counselors, and nonprofit consumer groups, to  
8 ensure that the tool is effective in helping indi-  
9 viduals understand their rights and obligations  
10 with respect to borrowing a loan made under  
11 part D;

12 “(B) understandable to borrowers of loans  
13 made under part D; and

14 “(C) freely available to all eligible institu-  
15 tions.

16 “(3) RECORD OF COUNSELING COMPLETION.—

17 The Secretary shall—

18 “(A) use each online counseling tool de-  
19 scribed in paragraph (1) to keep a record of  
20 which individuals have received counseling using  
21 the tool, and notify the applicable institutions  
22 of the individual’s completion of such coun-  
23 seling;

24 “(B) in the case of a borrower who re-  
25 ceives annual counseling for a loan made under

1 part D using the tool described in paragraph  
2 (1)(B), notify the borrower by when the bor-  
3 rower should accept, in a manner described in  
4 subsection (1)(5), the loan for which the bor-  
5 rower has received such counseling; and

6 “(C) in the case of a borrower described in  
7 subsection (b)(1)(B) at an institution that uses  
8 the online counseling tool described in para-  
9 graph (1)(A) of this subsection, the Secretary  
10 shall attempt to provide the information de-  
11 scribed in subsection (b)(1)(A) to the borrower  
12 through such tool.”.

13 **SEC. 4098. CONFORMING AMENDMENTS TO PELL GRANTS.**

14 Section 485E(b)(1)(A) of the Higher Education Act  
15 of 1965 (20 U.S.C. 1092f(b)(1)(A)) is further amended  
16 by striking “section 401(b)(2)(A)” and inserting “section  
17 401(b)(1)”.

18 **SEC. 4099. INFORMATION WITH RESPECT TO CRIME STATIS-**

19 **TICS FOR PROGRAMS OF STUDY ABROAD.**

20 Part G of title IV of the Higher Education Act of  
21 1965 (20 U.S.C. 1088 et seq.) is further amended by in-  
22 serting after section 485E the following:

1 **“SEC. 485F. INFORMATION WITH RESPECT TO CRIME STA-**  
2 **TISTICS FOR PROGRAMS OF STUDY ABROAD.**

3 “(a) IN GENERAL.—Each institution participating in  
4 any program under this title, other than a foreign institu-  
5 tion of higher education, shall develop and distribute a  
6 statement of policy with respect to students participating  
7 in a program of study abroad approved for credit by the  
8 institution concerning crime and harm that may occur  
9 while participating in such program of study abroad that,  
10 at a minimum, includes a biennial review by the institution  
11 of the programs of study abroad approved for credit by  
12 the institution to determine—

13 “(1) the effectiveness of the programs at pro-  
14 tecting students from crime and harm, and whether  
15 changes to the programs are needed (based on the  
16 most recent guidance or other assistance from the  
17 Secretary) and will be implemented;

18 “(2) for the 5 years preceding the date of the  
19 report, the number (in the aggregate for all pro-  
20 grams of study abroad approved for credit by the in-  
21 stitution) of—

22 “(A) deaths of program participants occur-  
23 ring during program participation or during  
24 any other activities during the study abroad pe-  
25 riod;



1           “(B) sexual assaults against program par-  
2           ticipants occurring during program participa-  
3           tion and reported to the institution;

4           “(C) accidents and illnesses occurring dur-  
5           ing program participation that resulted in hos-  
6           pitalization and were reported to the institution;  
7           and

8           “(D) incidents involving program partici-  
9           pants during the program participation that re-  
10          sulted in police involvement or a police report  
11          and were reported to the institution; and

12          “(3) with respect to the incidents described in  
13          subparagraphs (A) and (B) of paragraph (2), wheth-  
14          er the incidents occurred—

15               “(A) on campus;

16               “(B) in or on noncampus buildings or  
17               property;

18               “(C) on public property;

19               “(D) in dormitories or other residential fa-  
20               cilities for students on campus; or

21               “(E) at a location not described in items  
22               (A) through (D) of this clause, without regard  
23               to whether the institution owns or controls a  
24               building or property at the location.

1       “(b) OTHER DUTIES.—An institution of higher edu-  
2 cation described in subsection (a) shall—

3           “(1) provide each student who is interested in  
4 participating in a program of study abroad approved  
5 for credit by the institution, with an orientation ses-  
6 sion and advising that includes—

7           “(A) a list of countries in which such pro-  
8 grams of study abroad are located;

9           “(B) all current travel information, includ-  
10 ing all travel warnings and travel alerts, issued  
11 by the Bureau of Consular Affairs of the De-  
12 partment of State for such countries; and

13           “(C) the information described in para-  
14 graph (a), provided specifically for each pro-  
15 gram of study abroad approved for credit by  
16 the institution in which the student is consid-  
17 ering participation; and

18           “(2) provide each student who returns from  
19 such a program of study abroad with a post-trip de-  
20 briefing session, including an exit interview that as-  
21 sists the institution in carrying out subsection (a).

22       “(c) LIMITATIONS.—An institution of higher edu-  
23 cation shall not disaggregate or otherwise distinguish in-  
24 formation for purposes of subsection (a) or (b) in a case  
25 in which the number of students in a category is insuffi-

1 cient to yield statistically reliable information or the re-  
2 sults would reveal personally identifiable information  
3 about an individual student.

4 “(d) REVIEW.—The Secretary shall periodically re-  
5 view a representative sample of the policies described in  
6 subsection (a) that have been adopted by institutions of  
7 higher education.

8 “(e) DEFINITION.—For the purpose of this section,  
9 the definitions for ‘campus’, ‘noncampus building or prop-  
10 erty’, and ‘public property’ shall have the same meaning  
11 as in section 485(f)(6).”.

12 **SEC. 4100. REMEDIAL EDUCATION GRANTS.**

13 Part G of title IV of the Higher Education Act of  
14 1965 (20 U.S.C. 1088 et seq.) is amended by inserting  
15 after section 486A the following:

16 **“SEC. 486B. REMEDIAL EDUCATION GRANTS.**

17 “(a) GRANTS AUTHORIZED.—

18 “(1) IN GENERAL.—From the funds appro-  
19 priated under subsection (i), the Secretary, in con-  
20 sultation with the Director of the Institute of Edu-  
21 cation Sciences, shall award grants, on a competitive  
22 basis, to eligible entities to improve remedial edu-  
23 cation in higher education.

24 “(2) DURATION.—A grant under this section  
25 shall be awarded for a period of 5 years.

1           “(3) MINIMUM AWARDS.—The total amount of  
2 funds provided under a grant awarded under this  
3 section shall not be less than \$500,000.

4           “(b) APPLICATION.—An eligible entity that desires to  
5 receive a grant under this section shall submit an applica-  
6 tion to the Secretary at such time, in such manner, and  
7 accompanied by such information as the Secretary may  
8 require, which shall include the following:

9           “(1) A description of how the eligible entity will  
10 use the grant funds to develop or improve a remedial  
11 education program that includes evidence-based, ef-  
12 fective strategies for providing instruction to ensure  
13 that students are prepared for courses at the post-  
14 secondary level.

15           “(2) An assurance that the eligible entity will  
16 use more than 2 measures (such as a student’s col-  
17 lege entrance examination score, grade point aver-  
18 age, high school course list, or a placement examina-  
19 tion) to identify students in need of remedial edu-  
20 cation who may be eligible to participate in the re-  
21 medial education program developed or improved  
22 under the grant.

23           “(3) A description of how the eligible entity, in  
24 developing or improving such a program, will consult  
25 with stakeholders, including individuals with exper-

1       tise in remedial education, students enrolled in reme-  
2       dial education, and faculty instructors for remedial  
3       education.

4               “(4) The eligible entity’s plan for sustaining the  
5       program after the grant period has ended.

6               “(5) The eligible entity’s plan for monitoring  
7       and evaluating the program, including how the eligi-  
8       ble entity will use the data collected under sub-  
9       section (g) to continually update and improve the  
10      program.

11      “(c) USE OF FUNDS.—An eligible entity that receives  
12      a grant under this section shall use the grant to develop  
13      or improve a remedial education program through one or  
14      more of the following models:

15              “(1) ALIGNING COURSE WORK.—Working with  
16      a local educational agency or State educational agen-  
17      cy that is part of the eligible entity to develop or im-  
18      prove programs that provide alignment between high  
19      school coursework and postsecondary education, and  
20      that may include—

21                      “(A) assessments in high school to meas-  
22                      ure student readiness for courses at the post-  
23                      secondary level; or

1           “(B) interventions in high school that im-  
2           prove student competencies for courses at the  
3           postsecondary level.

4           “(2) ACCELERATED COURSE WORK.—Rede-  
5           signing or improving remedial education that—

6           “(A) allows students to enroll in more than  
7           one sequential remedial education course or  
8           training in a semester, or the equivalent;

9           “(B) condenses the time of the remedial  
10          education; or

11          “(C) provides shortened, intensive courses  
12          or training to improve competencies of students  
13          for courses at the postsecondary level.

14          “(3) MODULAR INSTRUCTIONAL METHODS.—  
15          Developing or improving remedial education that—

16          “(A) specifically targets the skills that stu-  
17          dents need to move forward in courses at the  
18          postsecondary level; and

19          “(B) may be used to develop new assess-  
20          ments, redesign courses to provide targeted skill  
21          instruction, or provide faculty professional de-  
22          velopment.

23          “(4) CO-REQUISITE MODEL.—Developing or im-  
24          proving remedial education programs that allow a  
25          student to enroll in remedial education (which may

1 be provided through a modular instructional meth-  
2 od) while also enrolled in a course at the postsec-  
3 ondary level.

4 “(5) SYSTEMIC REFORM TO IMPLEMENT COM-  
5 PREHENSIVE, INTEGRATED SUPPORT PROGRAMS.—  
6 Implementing and improving comprehensive, inte-  
7 grated, evidence-based support programs that—

8 “(A) enable students enrolled in remedial  
9 education to reach completion and graduation  
10 at an institution of higher education within 150  
11 percent of the normal time for completion of, or  
12 graduation from, the program of study for  
13 which the students are enrolled; and

14 “(B) may include financial supports, aca-  
15 demic tutoring or support, and advising that  
16 enable students to find success in remedial edu-  
17 cation and courses at the postsecondary level.

18 “(d) CONSIDERATIONS.—In awarding grants under  
19 this section, the Secretary, in consultation with the Direc-  
20 tor of the Institute of Education Sciences, shall—

21 “(1) ensure—

22 “(A) a minimum of 30 eligible entities are  
23 awarded grants for each 5-year grant period;

1           “(B) an equitable geographic distribution  
2 of such grants, including an equitable distribu-  
3 tion between urban and rural areas; and

4           “(C) that grants are used to develop or im-  
5 prove remedial education programs—

6                 “(i) for a range of types and sizes of  
7 institutions of higher education; and

8                 “(ii) for each of the models described  
9 in subsection (c) to ensure adequate sam-  
10 ple sizes to enable statistical comparisons  
11 within and among such models; and

12           “(2) give preference to eligible entities that pri-  
13 marily serve low-income students.

14           “(e) FISCAL REQUIREMENTS.—

15                 “(1) SUPPLEMENT NOT SUPPLANT.—A grant  
16 awarded under this section shall be used to supple-  
17 ment, not supplant, funds that would otherwise be  
18 used to carry out the activities described in this sec-  
19 tion.

20           “(2) MATCHING FUNDS.—

21                 “(A) IN GENERAL.—Subject to subpara-  
22 graph (B), an eligible entity that receives a  
23 grant under this section shall provide, from  
24 non-Federal sources, an amount equal to 10



1 percent of the amount of the grant for the cost  
2 of activities assisted under the grant.

3 “(B) EXCEPTIONS.—The requirements of  
4 subparagraph (A) shall not apply to—

5 “(i) Tribal Colleges or Universities; or

6 “(ii) institutions of higher education  
7 located in the Commonwealth of Puerto  
8 Rico, Guam, American Samoa, the United  
9 States Virgin Islands, the Commonwealth  
10 of the Northern Mariana Islands, the Re-  
11 public of the Marshall Islands, the Fed-  
12 erated States of Micronesia, or the Repub-  
13 lic of Palau.

14 “(f) EXPERIMENTAL AUTHORITY.—Notwithstanding  
15 any other provision of this title, a student may be eligible  
16 to receive loans or grants under this title for up to 2 aca-  
17 demic years for enrollment in a remedial education pro-  
18 gram under this section.

19 “(g) DATA COLLECTION, REPORTS, EVALUATIONS,  
20 AND DISSEMINATION.—

21 “(1) INFORMATION.—

22 “(A) STUDENT-LEVEL DATA.—Each eligi-  
23 ble entity that receives a grant under this sec-  
24 tion shall provide, on an annual basis for each  
25 year of the grant period and for 5 years after

1 such grant period, to the Director of the Insti-  
2 tute of Education Sciences and the Secretary,  
3 the student-level data with respect to the stu-  
4 dents who are or were enrolled in a remedial  
5 education program funded under the grant to  
6 enable the Director, for each such year, to—

7 “(i) determine the information de-  
8 scribed in subparagraph (B) with respect  
9 to each such remedial education program;  
10 and

11 “(ii) submit to the authorizing com-  
12 mittees, and make publicly available in an  
13 accessible format, such information.

14 “(B) AGGREGATE STUDENT DATA.—The  
15 Director shall determine, with respect to each  
16 remedial education program for which an eligi-  
17 ble entity provides student-level data under sub-  
18 paragraph (A), the following information:

19 “(i) The number of students who are  
20 or were enrolled in such a remedial edu-  
21 cation program.

22 “(ii) The type of remedial education  
23 offered under the program.

24 “(iii) The cost of such remedial edu-  
25 cation program.

1           “(iv) The number of students who  
2 complete such remedial education program.

3           “(v) The length of time students  
4 spend in such remedial education program,  
5 as measured by semester, trimester, or  
6 clock hours.

7           “(vi) The length of time students who  
8 complete such remedial education program  
9 take to graduate with a recognized edu-  
10 cational credential from an institution of  
11 higher education.

12           “(vii) The number of students who  
13 enroll in postsecondary-level courses upon  
14 completing the remedial education pro-  
15 gram.

16           “(viii) The number and percentage of  
17 such students who graduate, or are on  
18 track to graduate, from an institution of  
19 higher education within 150 percent of the  
20 normal time for completion of, or gradua-  
21 tion from, the program of study for which  
22 the students are enrolled.

23           “(ix) The amount of grant or loan  
24 funds under this title awarded to students

1           for enrollment in such remedial education  
2           program.

3           “(C) DISAGGREGATION.—The information  
4           determined under subparagraph (B) shall be  
5           disaggregated by race (as defined in section  
6           153(a)(3) of the Education Sciences Reform  
7           Act of 2002), gender, socioeconomic status,  
8           Federal Pell Grant eligibility status, status as a  
9           first-generation college student, Veteran or ac-  
10          tive duty status, and disability status.

11          “(2) EVALUATION.—Not later than 6 years  
12          after the first grant is awarded under this section,  
13          the Director, in consultation with the Secretary and  
14          using the information determined under paragraph  
15          (1), shall submit to the authorizing committees and  
16          make publicly available in an accessible format, the  
17          results of a multi-year, rigorous evaluation on the  
18          impact of remedial education programs funded  
19          under this section that shall include—

20                 “(A) the effectiveness of the remedial edu-  
21                 cation programs in providing the skills nec-  
22                 essary for students to advance through remedial  
23                 education and complete courses at the postsec-  
24                 ondary level;

1           “(B) the quality of outcomes of the reme-  
2           dial education programs within and among  
3           models of remedial education described in sub-  
4           section (c);

5           “(C) the sustainability and replicability of  
6           the remedial education programs that dem-  
7           onstrate success, as determined by the number  
8           and percentage of students who graduate from  
9           an institution of higher education within 150  
10          percent of the normal time for completion of, or  
11          graduation from, the program of study for  
12          which the students are enrolled; and

13          “(D) the effectiveness of the authority  
14          under subsection (f) in assisting students who  
15          complete a remedial education program funded  
16          under this section in graduating from an insti-  
17          tution of higher education within 150 percent of  
18          the normal time for completion of, or gradua-  
19          tion from, the program of study for which the  
20          students are enrolled.

21          “(3) REPORTS AND DISSEMINATION.—

22                 “(A) INITIAL REPORT.—Not later than 1  
23                 year after the first grant is awarded under this  
24                 section, the Secretary shall prepare and submit  
25                 to the authorizing committees, and make avail-

1 able to the public in an accessible format, a re-  
2 port on each remedial education program fund-  
3 ed under this section.

4 “(B) SUBSEQUENT REPORT.—Not later  
5 than 5 years after the last grant is awarded  
6 under this section, the Secretary shall prepare  
7 and submit to the authorizing committees, and  
8 make available to the public in an accessible  
9 format, a report that—

10 “(i) reviews the activities and program  
11 performance of each remedial education  
12 program funded under this section; and

13 “(ii) provides guidance and rec-  
14 ommendations on how successful remedial  
15 education programs (as determined by the  
16 number and percentage of students who  
17 graduate from an institution of higher edu-  
18 cation within 150 percent of the normal  
19 time for completion of, or graduation from,  
20 the program of study for which the stu-  
21 dents are enrolled) can be replicated.

22 “(h) DATA PRIVACY.—

23 “(1) IN GENERAL.—It shall be unlawful for any  
24 person who obtains or has access to personally iden-  
25 tifiable information in connection with this section to

1 willfully disclose to any person (except as authorized  
2 in this Act or any Federal law) such personally iden-  
3 tifiable information.

4 “(2) PENALTY.—Any person who violates para-  
5 graph (1) shall be fined not more than \$5,000, im-  
6 prisoned for not more than 5 years, or both, to-  
7 gether with the costs of prosecution.

8 “(3) EMPLOYEE OR OFFICER OF THE UNITED  
9 STATES.—If a violation of paragraph (1) is com-  
10 mitted by any officer or employee of the United  
11 States, the officer or employee shall be dismissed  
12 from office or discharged from employment upon  
13 conviction for the violation.

14 “(4) SALE OF DATA PROHIBITED.—Data col-  
15 lected under this section shall not be sold to any  
16 third party by the Director, any postsecondary insti-  
17 tution, or any other entity.

18 “(5) LIMITATION ON USE BY OTHER FEDERAL  
19 AGENCIES.—The Director shall not allow any other  
20 Federal agency to use data collected under this sec-  
21 tion for any purpose except as explicitly authorized  
22 by this Act.

23 “(6) LAW ENFORCEMENT.—Personally identifi-  
24 able information collected under this section shall  
25 not be used for any law enforcement activity or any

1 other activity that would result in adverse action  
2 against any student, including debt collection activ-  
3 ity or enforcement of the immigration laws.

4 “(i) AUTHORIZATION OF APPROPRIATIONS.—There  
5 are authorized to be appropriated to carry out this section  
6 \$162,500,000 for fiscal year 2019 and each of the 5 suc-  
7 ceeding fiscal years.

8 “(j) DEFINITIONS.—In this section:

9 “(1) DIRECTOR.—The term ‘Director’ means  
10 the Director of the Institute of Education Sciences.

11 “(2) ELIGIBLE ENTITY.—The term ‘eligible en-  
12 tity’ means—

13 “(A) an institution of higher education; or

14 “(B) a partnership between an institution  
15 of higher education and at least 1 of the fol-  
16 lowing:

17 “(i) A local educational agency.

18 “(ii) A State educational agency.

19 “(3) FIRST-GENERATION COLLEGE STUDENT.—  
20 The term ‘first-generation college student’ has the  
21 meaning given the term in section 402A(h).

22 “(4) INSTITUTION OF HIGHER EDUCATION.—  
23 The term ‘institution of higher education’ has the  
24 meaning given such term in section 101.



1           “(5) REMEDIAL EDUCATION.—The term ‘reme-  
2           dial education’—

3           “(A) means education (such as courses or  
4           training) offered at an institution of higher  
5           education that—

6                   “(i) is below the postsecondary level;  
7                   and

8                   “(ii) is determined by the institution  
9                   to be necessary to help students be pre-  
10                  pared for the pursuit of a first under-  
11                  graduate baccalaureate degree or certifi-  
12                  cate or, in the case of courses in English  
13                  language instruction, to be necessary to  
14                  enable the student to utilize already exist-  
15                  ing knowledge, training, or skills; and

16                  “(B) includes developmental education that  
17                  meets the requirements of subparagraph (A).

18           “(6) TRIBAL COLLEGE OR UNIVERSITY.—The  
19           term ‘Tribal College or University’ has the meaning  
20           given the term in section 316.”.

21 **SEC. 4101. COMPETENCY-BASED EDUCATION.**

22           Part G of title IV of the Higher Education Act of  
23 1965 (20 U.S.C. 1088 et seq.) is amended by inserting  
24 after section 486A the following:

1 **“SEC. 486C. COMPETENCY-BASED EDUCATION DEMONSTRATION PROJECTS.**  
2

3       “(a) DEMONSTRATION PROJECTS AUTHORIZED.—  
4 The Secretary shall select, in accordance with subsection  
5 (d), eligible entities to voluntarily carry out competency-  
6 based education demonstration projects and receive waiv-  
7 ers or other flexibility described in subsection (e) to carry  
8 out such projects.

9       “(b) APPLICATION.—

10           “(1) IN GENERAL.—Each eligible entity desir-  
11 ing to carry out a demonstration project under this  
12 section shall submit an application to the Secretary,  
13 at such time and in such manner as the Secretary  
14 may require.

15           “(2) OUTREACH.—The Secretary shall, prior to  
16 any deadline to submit applications under paragraph  
17 (1), conduct outreach to historically black colleges  
18 and universities, minority-serving institutions, insti-  
19 tutions serving students with special needs, and in-  
20 stitutions located in rural areas to provide those in-  
21 stitutions with information on the opportunity to  
22 apply to carry out a demonstration project under  
23 this section.

24           “(3) AMENDMENTS.—

25           “(A) IN GENERAL.—An eligible entity that  
26 has been selected to carry out a demonstration

1 project under this section may submit to the  
2 Secretary amendments to the eligible entity's  
3 approved application under paragraph (1), at  
4 such time and in such manner as the Secretary  
5 may require, which the Secretary shall approve  
6 or deny within 30 days of receipt.

7 “(B) EXPANDING ENROLLMENT.—Not-  
8 withstanding the assurance required with re-  
9 spect to maximum enrollment under paragraph  
10 (4)(I)—

11 “(i) an eligible entity whose dem-  
12 onstration project has been evaluated  
13 under subsection (g)(2) not less than twice  
14 may submit to the Secretary an amend-  
15 ment to the eligible entity's application  
16 under paragraph (1) to increase enrollment  
17 in the project to more than 3,000 students,  
18 but not more than 5,000 students, and  
19 which shall specify—

20 “(I) the proposed maximum en-  
21 rollment or annual enrollment growth  
22 for the project;

23 “(II) how the eligible entity will  
24 successfully carry out the project with

1 such maximum enrollment or enroll-  
2 ment growth; and

3 “(III) any other amendments to  
4 the eligible entity’s application under  
5 paragraph (1) that are related to such  
6 maximum enrollment or enrollment  
7 growth; and

8 “(ii) the Secretary shall determine  
9 whether to approve or deny an amendment  
10 submitted under clause (i) for a dem-  
11 onstration project based on the project’s  
12 evaluations under subsection (g)(2).

13 “(4) CONTENTS.—Each application under para-  
14 graph (1) shall include—

15 “(A) a description of each competency-  
16 based education program to be offered by the  
17 eligible entity under the demonstration project;

18 “(B) a description of the proposed aca-  
19 demic delivery, business, and financial models  
20 for the demonstration project, including expla-  
21 nations of how each competency-based edu-  
22 cation program offered under the demonstration  
23 project will—

24 “(i) result in the achievement of com-  
25 petencies;

1                   “(ii) differ from standard credit hour  
2                   approaches, in whole or in part; and

3                   “(iii) result in lower costs or short-  
4                   ened time to the completion of a recog-  
5                   nized educational credential;

6                   “(C) a description of how each com-  
7                   petency-based education program offered under  
8                   the demonstration project will progress a stu-  
9                   dent toward completion of a recognized edu-  
10                  cational credential;

11                  “(D) a description of the meaningful role  
12                  of the appropriate faculty of the eligible entity  
13                  in the development, design, implementation, de-  
14                  livery, and evaluation of each such competency-  
15                  based education program;

16                  “(E) a description of how each such com-  
17                  petency-based education program will provide  
18                  strong post-enrollment earnings and loan repay-  
19                  ment outcomes;

20                  “(F) a description of how the eligible enti-  
21                  ty will articulate the transcript from a com-  
22                  petency-based education program offered under  
23                  the demonstration project to another program  
24                  at the eligible entity or at another institution of  
25                  higher education;

1           “(G) a description of the statutory and  
2 regulatory requirements described in subsection  
3 (e) for which the eligible entity is seeking a  
4 waiver or other flexibility, and why such waiver  
5 or flexibility is necessary to carry out the dem-  
6 onstration project;

7           “(H) a description of how a third party  
8 will assess student learning for each com-  
9 petency-based education program offered under  
10 the demonstration project;

11           “(I) a description of how the eligible entity  
12 will develop and evaluate the competencies and  
13 assessments of student knowledge administered  
14 as part of the demonstration project, including  
15 how such competencies and assessments are  
16 aligned with workforce needs;

17           “(J) a description of the proposal for de-  
18 termining a student’s Federal student aid eligi-  
19 bility under this title for participating in the  
20 demonstration project, the award and distribu-  
21 tion of such aid, and the safeguards to ensure  
22 that students are making satisfactory progress  
23 that warrants the disbursement of such aid;

24           “(K) an assurance that the demonstration  
25 project will enroll a minimum of 25 students

1 and a maximum of 3,000 students or, in the  
2 case of an eligible entity with an application  
3 amendment approved under paragraph (3)(B),  
4 the maximum enrollment approved under such  
5 paragraph;

6 “(L) a description of the population of stu-  
7 dents to whom competency-based education  
8 under the demonstration project will be offered,  
9 including demographic information and prior  
10 educational experience, disaggregated by stu-  
11 dents who are Federal Pell Grant recipients,  
12 race (as defined in section 153(a)(3) of the  
13 Education Sciences Reform Act of 2002 (20  
14 U.S.C. 9543)), students with disabilities, stu-  
15 dents who are veterans or members of the  
16 Armed Forces, and first generation college stu-  
17 dents, and how such eligible entity will, when  
18 appropriate, address the specific needs of each  
19 such population of students when carrying out  
20 the demonstration project;

21 “(M) an assurance that students partici-  
22 pating in the demonstration project will not, on  
23 average, be eligible for more Federal assistance  
24 under this title than such students would have  
25 been eligible for under a traditional program;

1           “(N) the cost of attendance for each com-  
2           petency-based education program offered under  
3           the demonstration project, disaggregated by  
4           each of the applicable costs or allowances de-  
5           scribed in paragraphs (1) through (13) of sec-  
6           tion 472, and the estimated amount of the cost  
7           of attendance of each such program to be cov-  
8           ered by need-based grant aid and merit-based  
9           grant aid from Federal, State, institutional, and  
10          private sources;

11          “(O) an assurance that the eligible entity  
12          will identify and disseminate best practices with  
13          respect to the demonstration project to other el-  
14          igible entities carrying out a demonstration  
15          project under this section;

16          “(P) a description of other competency-  
17          based education the eligible entity offers or  
18          plans to offer outside of the demonstration  
19          project;

20          “(Q) an assurance that the eligible entity  
21          will use data to—

22                  “(i) ensure that each competency-edu-  
23                  cation program under the demonstration  
24                  project meets the benchmarks established



1 in accordance with subsection (c)(2)(E);

2 and

3 “(ii) improve each such program;

4 “(R) an assurance that the eligible entity

5 has an agreement with the accrediting agency

6 or association of the eligible entity to establish

7 the standards described in subsection (c); and

8 “(S) other such elements as the Secretary

9 may require.

10 “(c) RECOGNITION BY ACCREDITING AGENCY OR AS-

11 SOCIATION.—To carry out a competency-based education

12 program under a demonstration project under this section,

13 an eligible entity shall ensure that before, on, or after the

14 date of approval of the eligible entity’s application under

15 subsection (b), the accrediting agency or association of the

16 eligible entity will establish the following standards with

17 respect to such competency-based education program:

18 “(1) Standards for determining whether the eli-

19 gible entity or the program requires students to

20 demonstrate competencies that are—

21 “(A) capable of being validly and reliably

22 assessed; and

23 “(B) appropriate in scope and rigor for the

24 award of the relevant recognized educational

25 credential.

1           “(2) Standards for determining whether the eli-  
2           gible entity or the program demonstrate—

3                   “(A) the administrative capacity and ex-  
4                   pertise that will ensure—

5                           “(i) the validity and reliability of as-  
6                           sessments of competencies; and

7                           “(ii) good practices in assessment and  
8                           measurement;

9                   “(B) sufficient educational content, activi-  
10                   ties, and resources (including faculty sup-  
11                   port)—

12                           “(i) to enable students to learn or de-  
13                           velop what is required to demonstrate or  
14                           attain mastery of competencies; and

15                           “(ii) that are consistent with the  
16                           qualifications of graduates of traditional  
17                           programs;

18                   “(C) that the quality of demonstration of  
19                   competence is judged at mastery for each com-  
20                   petency that is assessed for the award of a rec-  
21                   ognized educational credential;

22                   “(D) a standard for the amount of learn-  
23                   ing that is included in a unit of competency;

24                   “(E) reasonable benchmarks for gradua-  
25                   tion rates and the employment and earnings of

1 graduates, including placements in a field for  
2 which the program prepares students, debt-to-  
3 earnings ratios, loan repayment rates, and stu-  
4 dent satisfaction; and

5 “(F) regular evaluation of whether the pro-  
6 gram meets the benchmarks under subpara-  
7 graph (E).

8 “(3) Standards for determining when to deny,  
9 withdraw, suspend, or terminate the accreditation of  
10 the program if the benchmarks under paragraph  
11 (2)(E) are not achieved, including standards for pro-  
12 viding sufficient opportunity—

13 “(A) for the eligible entity or program to  
14 provide a written response regarding the failure  
15 to achieve such benchmarks be considered by  
16 the agency or association in the manner de-  
17 scribed in section 496(a)(6)(B); and

18 “(B) for the eligible entity or program to  
19 appeal any adverse action under this subpara-  
20 graph before an appeals panel that meets the  
21 requirements of section 496(a)(6)(C).

22 “(d) SELECTION.—

23 “(1) IN GENERAL.—Not later than 9 months  
24 after the date of enactment, the Secretary shall se-  
25 lect not more than 100 eligible entities to carry out

1 a demonstration project under this section under  
2 which at least 1 competency-based education pro-  
3 gram is offered.

4 “(2) CONSIDERATIONS.—In selecting eligible  
5 entities under paragraph (1), the Secretary shall—

6 “(A) consider the number and quality of  
7 applications received;

8 “(B) consider an eligible entity’s—

9 “(i) ability to successfully execute the  
10 demonstration project as described in the  
11 eligible entity’s application under sub-  
12 section (b);

13 “(ii) commitment and ability to effec-  
14 tively finance the demonstration project;

15 “(iii) ability to provide administrative  
16 capability and the expertise to evaluate  
17 student progress based on measures other  
18 than credit hours or clock hours;

19 “(iv) history of compliance with the  
20 requirements of this Act;

21 “(v) commitment to work with the Di-  
22 rector of the Institute of Education  
23 Sciences and the Secretary to evaluate the  
24 demonstration project and the impact of

1 the demonstration project under subsection  
2 (g)(2); and

3 “(vi) commitment and ability to as-  
4 sess student learning through a third  
5 party;

6 “(C) ensure the selection of a diverse  
7 group of eligible entities with respect to size,  
8 mission, student population, and geographic  
9 distribution;

10 “(D) not limit the types of programs of  
11 study or courses of study approved for partici-  
12 pation in a demonstration project; and

13 “(E) not select an eligible entity that has  
14 had, for 1 of the preceding 2 fiscal years, an  
15 adjusted cohort default rate (defined in section  
16 435(m)) that is 20 percent or greater.

17 “(e) WAIVERS AND OTHER FLEXIBILITY.—

18 “(1) IN GENERAL.—With respect to any eligible  
19 entity selected to carry out a demonstration project  
20 under this section, the Secretary may—

21 “(A) waive any requirements of the provi-  
22 sions of law (including any regulations promul-  
23 gated under such provisions) listed in para-  
24 graph (2) for which the eligible entity has pro-

1           vided a reason for waiving under subsection  
2           (b)(4)(F); or

3           “(B) provide other flexibility, but not  
4           waive, any requirements of the provisions of law  
5           (including any regulations promulgated under  
6           such provisions) listed in paragraph (3) for  
7           which the eligible entity has provided a reason  
8           for such flexibility under subsection (b)(4)(F).

9           “(2) PROVISIONS ELIGIBLE FOR WAIVERS.—  
10          The Secretary may waive the following under para-  
11          graph (1)(A):

12                 “(A) Subparagraphs (A) and (B) of section  
13                 102(a)(3).

14                 “(B) Section 484(l)(1).

15           “(3) PROVISIONS ELIGIBLE FOR FLEXI-  
16          BILITY.—The Secretary may provide the flexibility  
17          described in paragraph (1)(B) with respect to the re-  
18          quirements under provisions in title I, part F of this  
19          title, or this part, that inhibit the operation of a  
20          competency-based education program, relating to the  
21          following:

22                 “(A) Documenting attendance.

23                 “(B) Weekly academic activity.

24                 “(C) Minimum weeks of instructional time.

1           “(D) Requirements for credit hour or clock  
2 hour equivalencies.

3           “(E) Requirements for substantive inter-  
4 action with faculty.

5           “(F) Definitions of the terms ‘academic  
6 year’, ‘full-time student’, ‘term’ (including  
7 ‘standard term’, ‘non-term’, and ‘non-standard  
8 term’), ‘satisfactory academic progress’, ‘edu-  
9 cational activity’, ‘project of study’, and ‘pay-  
10 ment period’.

11           “(G) Methods of disbursing student finan-  
12 cial aid by institutions of higher education se-  
13 lected, as of the date of enactment of the Aim  
14 Higher Act, as experimental sites under section  
15 487A(b)(3) to carry out competency-based edu-  
16 cation programs.

17           “(f) NOTIFICATION.—Not later than 9 months after  
18 the date of enactment, the Secretary shall make available  
19 to the authorizing committees and the public a list of eligi-  
20 ble entities selected to carry out a demonstration project  
21 under this section, which shall include for each such eligi-  
22 ble entity—

23           “(1) the specific waiver or other flexibility from  
24 statutory or regulatory requirements offered under  
25 subsection (e); and

1           “(2) a description of the competency-based edu-  
2 cation programs to be offered under the project.

3           “(g) INFORMATION AND EVALUATION.—

4           “(1) INFORMATION.—

5           “(A) STUDENT-LEVEL DATA.—Each eligi-  
6 ble entity that carries out a demonstration  
7 project under this section shall provide to the  
8 Director of the Institute of Education Sciences  
9 the student-level data for the students enrolled  
10 in a program described in subparagraph  
11 (C)(i)(I), the student-level data for the students  
12 enrolled in a program described in subpara-  
13 graph (C)(i)(II), and the student-level data for  
14 students enrolled in a program described in  
15 subparagraph (C)(i)(III) to enable the Direc-  
16 tor—

17           “(i) to determine the aggregate infor-  
18 mation described in subparagraph (B) with  
19 respect to each such program; and

20           “(ii) to the extent practicable, to com-  
21 pare the programs using a rigorous evalua-  
22 tion, such as propensity score matching.

23           “(B) AGGREGATE INFORMATION.—For  
24 purposes of the evaluation under paragraph (2),  
25 the Director shall use the student-level data



1 provided under subparagraph (A) by an eligible  
2 entity to determine the following information  
3 with respect to each program described in sub-  
4 paragraph (C)(i) offered at such eligible entity:

5 “(i) The average number of credit  
6 hours students earned prior to enrollment  
7 in the program, if applicable.

8 “(ii) The number and percentage of  
9 students enrolled in a competency-based  
10 program that are also enrolled in programs  
11 of study or courses of study offered in  
12 credit hours or clock hours, disaggregated  
13 by student status as a first-year, second-  
14 year, third-year, fourth-year, or other stu-  
15 dent.

16 “(iii) The average period of time be-  
17 tween the enrollment of a student in the  
18 program and the first assessment of stu-  
19 dent knowledge of such student.

20 “(iv) The average time to 25 percent,  
21 50 percent, 75 percent, 100 percent, 150  
22 percent, and 200 percent completion of a  
23 recognized educational credential.

24 “(v) The percentage of assessments of  
25 student knowledge that students passed on

1 the first attempt during the period of en-  
2 rollment in the program.

3 “(vi) The percentage of assessments  
4 of student knowledge that students passed  
5 on the second attempt and the average pe-  
6 riod of time between the first and second  
7 attempts during the period of enrollment  
8 in the program.

9 “(vii) The average number of com-  
10 petencies a student acquired while enrolled  
11 in a program and the period of time during  
12 which the student acquired such com-  
13 petencies.

14 “(viii) The number and percentage of  
15 students completing the program who find  
16 employment, disaggregated by number and  
17 percentage of such students finding em-  
18 ployment in a field related to the program.

19 “(ix) The median student earnings 1,  
20 3, and 4 years after graduating from the  
21 program, if available.

22 “(x) Such other information as the  
23 Director may reasonably require.

24 “(C) DISAGGREGATION.—The information  
25 determined under subparagraph (B) shall be

1 disaggregated as follows, provided that the  
2 disaggregation of the information does not iden-  
3 tify any individual student:

4 “(i) For each eligible entity that car-  
5 ries out a demonstration project under this  
6 section, disaggregation by—

7 “(I) the students enrolled in each  
8 competency-based education program  
9 under the project;

10 “(II) the students enrolled in  
11 each competency-based education pro-  
12 gram not being carried out under the  
13 project; and

14 “(III) the students enrolled in a  
15 program not described in subclause  
16 (I) or (II).

17 “(ii) For each group of students de-  
18 scribed in clause (i), disaggregation by age,  
19 race (as defined in section 153(a)(3) of the  
20 Education Sciences Reform Act of 2002  
21 (20 U.S.C. 9543)), gender, disability sta-  
22 tus, students who are Veterans or service  
23 members, first generation college students,  
24 and status as a recipient of a Federal Pell  
25 Grant.

1           “(D) COUNCIL.—The Director shall pro-  
2           vide to the Competency-Based Education Coun-  
3           cil any information described in subparagraph  
4           (A) or (B) (other than personally identifiable  
5           information) that may be necessary for the  
6           Council to carry out its duties under section  
7           4101(g) of the Aim Higher Act.

8           “(2) EVALUATION.—

9           “(A) IN GENERAL.—The Director, in con-  
10          sultation with the Secretary and using the in-  
11          formation determined under paragraph (1),  
12          shall annually evaluate each eligible entity car-  
13          rying out a demonstration project under this  
14          section. Each evaluation shall be disaggregated  
15          in accordance with subparagraph (B) and in-  
16          clude—

17                 “(i) the extent to which the eligible  
18                 entity has met the elements of its applica-  
19                 tion under subsection (b)(4);

20                 “(ii) whether the demonstration  
21                 project led to reduced cost or time to com-  
22                 pletion of a recognized educational creden-  
23                 tial, and the amount of cost or time re-  
24                 duced for such completion;

1 “(iii) obstacles related to student fi-  
2 nancial assistance for competency-based  
3 education;

4 “(iv) the extent to which statutory or  
5 regulatory requirements not waived or for  
6 which flexibility is not provided under sub-  
7 section (e) presented difficulties or unin-  
8 tended consequences for students or eligi-  
9 ble entities;

10 “(v) a description of the waivers or  
11 flexibility provided under subsection (e)  
12 that were most beneficial to students or el-  
13 igible entities, and an explanation of such  
14 benefits;

15 “(vi) the percentage of students who  
16 received each of the following—

17 “(I) a grant under this title;

18 “(II) a loan under this title;

19 “(III) a State grant;

20 “(IV) a State loan;

21 “(V) an institutional grant;

22 “(VI) an institutional loan; and

23 “(VII) a private loan;

24 “(vii) total cost and net cost to the  
25 student of the program;

1           “(viii) the average outstanding bal-  
2           ance of principal and interest on loans  
3           made under this title that students have  
4           upon graduation;

5           “(ix) the 3-year adjusted cohort de-  
6           fault rate as defined under section 435(m);

7           “(x) the 1- and 3-year repayment rate  
8           of loans made under this title;

9           “(xi) the median student earnings 1,  
10          3, and 4 years after graduation;

11          “(xii) enrollment data, disaggregated  
12          by—

13                 “(I) enrollment status, retention  
14                 rates, credit accumulation, and com-  
15                 pletion rates for—

16                         “(II) first-time, full-time stu-  
17                         dents;

18                         “(III) first-time, part-time stu-  
19                         dents;

20                         “(IV) nonfirst-time, full-time stu-  
21                         dents;

22                         “(V) nonfirst-time, part-time stu-  
23                         dents;

24                         “(VI) eligibility for Federal Pell  
25                         Grants;

1                   “(VII) race (as defined in section  
2                   153(a)(3) of the Education Sciences  
3                   Reform Act of 2002 (20 U.S.C.  
4                   9543)) and ethnicity; and

5                   “(VIII) transfer rates;

6                   “(xiii) a description of the assess-  
7                   ments of student knowledge and the cor-  
8                   responding competencies;

9                   “(xiv) a description of the role of fac-  
10                  ulty and faculty involvement; and

11                  “(xv) outcomes of the assessments of  
12                  student knowledge.

13                  “(B) DISAGGREGATION.—The data col-  
14                  lected under clauses (vi) through (xii) shall be  
15                  disaggregated by each group of students de-  
16                  scribed in paragraph (1)(C)(i).

17                  “(3) ANNUAL REPORT.—The Director, in con-  
18                  sultation with the Secretary, shall annually provide  
19                  to the authorizing committees a report on—

20                  “(A) the evaluations required under para-  
21                  graph (2);

22                  “(B) the number and types of students re-  
23                  ceiving assistance under this title for com-  
24                  petency-based education programs offered  
25                  under projects under this section;

1           “(C) any proposed statutory or regulatory  
2 changes designed to support and enhance the  
3 expansion of competency-based education pro-  
4 grams, which may be independent of or com-  
5 bined with traditional credit hour or clock hour  
6 projects;

7           “(D) the most effective means of delivering  
8 competency-based education programs through  
9 projects under this section; and

10           “(E) the appropriate level and distribution  
11 methodology of Federal assistance under this  
12 title for students enrolled in a competency-  
13 based education program.

14           “(h) COORDINATION.—An eligible entity or the Di-  
15 rector shall consult with the Secretary of Education or the  
16 Secretary of the Treasury to obtain the employment, earn-  
17 ings, and loan information that may be necessary for pur-  
18 poses of subsection (c)(2)(F) or subsection (g), respec-  
19 tively.

20           “(i) OVERSIGHT.—In carrying out this section, the  
21 Secretary shall, on a continuing basis—

22           “(1) assure compliance of eligible entities with  
23 the requirements of this title (other than the provi-  
24 sions of law and regulations that are waived under  
25 subsection (e));



1           “(2) provide technical assistance;

2           “(3) monitor fluctuations in the student popu-  
3 lation enrolled in the eligible entities carrying out  
4 the demonstration projects under this section;

5           “(4) consult with appropriate accrediting agen-  
6 cies or associations and appropriate State regulatory  
7 authorities for additional ways of improving the de-  
8 livery of competency-based education programs; and

9           “(5) collect and disseminate to eligible entities  
10 carrying out a demonstration project under this sec-  
11 tion, best practices with respect to such projects.

12       “(j) DATA PRIVACY.—

13           “(1) IN GENERAL.—It shall be unlawful for any  
14 person who obtains or has access to personally iden-  
15 tifiable information in connection with this section to  
16 willfully disclose to any person (except as authorized  
17 in this Act or any Federal law) such personally iden-  
18 tifiable information.

19           “(2) PENALTY.—Any person who violates para-  
20 graph (1) shall be fined not more than \$5,000, im-  
21 prisoned for not more than 5 years, or both, to-  
22 gether with the costs of prosecution.

23           “(3) EMPLOYEE OR OFFICER OF THE UNITED  
24 STATES.—If a violation of paragraph (1) is com-  
25 mitted by any officer or employee of the United

1 States, the officer or employee shall be dismissed  
2 from office or discharged from employment upon  
3 conviction for the violation.

4 “(4) SALE OF DATA PROHIBITED.—Data col-  
5 lected under this section shall not be sold to any  
6 third party by the Director, any postsecondary insti-  
7 tution, or any other entity.

8 “(5) LIMITATION ON USE BY OTHER FEDERAL  
9 AGENCIES.—The Director shall not allow any other  
10 Federal agency to use data collected under this sec-  
11 tion for any purpose except as explicitly authorized  
12 by this Act.

13 “(6) LAW ENFORCEMENT.—Personally identifi-  
14 able information collected under this section shall  
15 not be used for any law enforcement activity or any  
16 other activity that would result in adverse action  
17 against any student, including debt collection activ-  
18 ity or enforcement of the immigration laws.

19 “(k) AUTHORIZATION OF APPROPRIATIONS.—There  
20 are authorized to be appropriated \$5,000,000 to carry out  
21 this section.

22 “(l) DEFINITIONS.—For the purpose of this section:

23 “(1) COMPETENCY-BASED EDUCATION PRO-  
24 GRAM.—The term ‘competency-based education pro-  
25 gram’ means a program that provides competency-

1 based education for which the accrediting agency or  
2 association of the institution of higher education of-  
3 fering such program has established or will establish  
4 the standards described in subsection (c) and, in ac-  
5 cordance with such standards—

6 “(A) measures academic progress and at-  
7 tainment by the assessment of student learning  
8 in lieu of, or in addition to, credit or clock  
9 hours;

10 “(B) measures and assesses such academic  
11 progress and attainment in terms of a student’s  
12 mastery of competencies by identifying what  
13 students know and the skills mastered through  
14 rigorous assessment;

15 “(C) determines and reports to the Sec-  
16 retary the number of credit or clock hours that  
17 would be needed for the attainment of a similar  
18 level of knowledge, skills, and characteristics in  
19 a standard credit or clock hour program;

20 “(D) provides the educational content, ac-  
21 tivities, support, and resources necessary to en-  
22 able students to attain the knowledge, skills,  
23 and characteristics that are required to dem-  
24 onstrate mastery of such competencies, includ-  
25 ing—

1           “(i) ready access to academic assist-  
2           ance from faculty who meet the standards  
3           of the agency or association for providing  
4           instruction in the subject area; and

5           “(ii) a system for monitoring a stu-  
6           dent’s engagement and progress in each  
7           competency, in which faculty are respon-  
8           sible for providing proactive academic as-  
9           sistance, when needed, on the basis of such  
10          monitoring; and

11          “(E) upon a student’s demonstration or  
12          mastery of a set of competencies identified and  
13          required by the institution, leads to or results  
14          in the awarding of a recognized educational cre-  
15          dential.

16          “(2) ELIGIBLE ENTITY.—The term ‘eligible en-  
17          tity’ means an institution of higher education, which  
18          may be an institution of higher education that offers  
19          a dual or concurrent enrollment program.

20          “(3) INSTITUTION OF HIGHER EDUCATION.—  
21          The term ‘institution of higher education’ has the  
22          meaning given the term in section 102, except that  
23          such term does not include institutions described in  
24          section 102(a)(1)(C).

1           “(4) DUAL OR CONCURRENT ENROLLMENT  
2 PROGRAM.—The term ‘dual or concurrent enrollment  
3 program’ has the meaning given the term in section  
4 8101 of the Elementary and Secondary Education  
5 Act of 1965 (20 U.S.C. 7801).

6           “(5) DIRECTOR.—The term ‘Director’ means  
7 the Director of the Institute of Education Sciences.

8           “(6) FIRST GENERATION COLLEGE STUDENT.—  
9 The term ‘first generation college student’ has the  
10 meaning given the term in section 402A(h)(3).”.

11       (m) RULE OF CONSTRUCTION.—Nothing in this sec-  
12 tion or the amendments made by this section shall be con-  
13 strued to alter the authority of the Secretary of Education  
14 to establish experimental sites under any other provision  
15 of law.

16 **SEC. 4102. COMPETENCY-BASED EDUCATION COUNCIL.**

17       (a) ESTABLISHMENT OF A COMMITTEE ON COM-  
18 PETENCY-BASED EDUCATION.—Not later than 6 months  
19 after the date of enactment of the Aim Higher Act, there  
20 shall be established the Competency-Based Education  
21 Council (referred to in this section as the “Council”).

22       (b) MEMBERSHIP.—

23           (1) COMPOSITION.—The Council shall be com-  
24 posed of—

1 (A) 3 individuals appointed by the Sec-  
2 retary of Education;

3 (B) 2 individuals appointed by the Director  
4 of the Consumer Financial Protection Bureau;

5 (C) not less than 8 and not more than 13  
6 individuals appointed by the Comptroller Gen-  
7 eral of the United States, representing—

8 (i) experts in competency-based edu-  
9 cation;

10 (ii) faculty members in competency-  
11 based education programs;

12 (iii) administrators at institutions that  
13 offer competency-based education pro-  
14 grams;

15 (iv) individuals currently enrolled in  
16 or graduated from a competency-based  
17 education program;

18 (v) accrediting agencies or associa-  
19 tions that recognize competency-based edu-  
20 cation programs; and

21 (vi) experts from the State education  
22 agency; and

23 (D) 4 members appointed by—

24 (i) the majority leader of the Senate;

25 (ii) the minority leader of the Senate;

1 (iii) the Speaker of the House of Rep-  
2 resentatives; and

3 (iv) the minority leader of the House  
4 of Representatives.

5 (2) CHAIRPERSON.—The Council shall select a  
6 Chairperson from among its members.

7 (3) VACANCIES.—Any vacancy in the Council  
8 shall not affect the powers of the Council and shall  
9 be filled in the same manner as an initial appoint-  
10 ment.

11 (c) MEETINGS.—The Council shall hold, at the call  
12 of the Chairperson, not less than 6 meetings before com-  
13 pleting the study required under subsection (e) and the  
14 report required under subsection (f).

15 (d) PERSONNEL MATTERS.—

16 (1) COMPENSATION OF MEMBERS.—Each mem-  
17 ber of the Council shall serve without compensation  
18 in addition to any such compensation received for  
19 the member's service as an officer or employee of the  
20 United States, if applicable.

21 (2) TRAVEL EXPENSES.—The members of the  
22 Council shall be allowed travel expenses, including  
23 per diem in lieu of subsistence, at rates authorized  
24 for employees of agencies under subchapter 1 of  
25 chapter 57 of title 5, United States Code, while

1 away from their homes or regular places of business  
2 in the performance of services for the Council.

3 (e) DUTIES OF THE COUNCIL.—

4 (1) STUDY.—The Council shall conduct a study  
5 on the ongoing innovation and development of com-  
6 petency-based education programs.

7 (2) RECOMMENDATIONS.—Based on the find-  
8 ings of the study under paragraph (1), the Council  
9 shall develop recommendations for the authorization  
10 of competency-based education under the Higher  
11 Education Act of 1965, including recommendations  
12 that—

13 (A) provide or update standard definitions,  
14 if needed, for relevant terms, including—

15 (i) competency-based education; and

16 (ii) competency-based education pro-  
17 gram; and

18 (B) address—

19 (i) the amount of learning in a com-  
20 petency unit;

21 (ii) the transfer of competency-based  
22 education credits to other institutions or  
23 programs;

24 (iii) the minimum amount of time in  
25 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) the role of faculty and faculty in-  
7 volvement in competency-based education  
8 programs; and

9 (vi) additional resources that may be  
10 needed for adequate oversight of com-  
11 petency-based education programs.

12 (f) REPORT.—Not later than 6 years after the date  
13 of enactment of this Act, the Council shall prepare and  
14 submit a report to the Secretary of Education and to Con-  
15 gress containing the findings of the study under sub-  
16 section (e)(1) and the recommendations developed under  
17 subsection (e)(2).

18 **SEC. 4103. IMPROVEMENTS TO PROGRAM PARTICIPATION**

19 **AGREEMENTS.**

20 (a) ALCOHOL AND SUBSTANCE MISUSE PREVEN-  
21 TION.—Section 487(a)(10) of the Higher Education Act  
22 of 1965 (20 U.S.C. 1094(a)(10)) is amended by striking  
23 “a drug abuse prevention program” and inserting “an al-  
24 cohol and substance misuse prevention program in accord-  
25 ance with section 120”.

1 (b) ADJUSTED COHORT DEFAULT RATE.—Section  
2 487(a)(14) of the Higher Education Act of 1965 is  
3 amended by adding at the end the following:

4 “(D) Beginning on the date on which the  
5 final adjusted cohort default rates are published  
6 by the Secretary for fiscal year 2016 under sec-  
7 tion 435(m), subparagraph (C) shall be applied  
8 by substituting ‘adjusted cohort default rate in  
9 excess of 5 percent’ for ‘cohort default rate in  
10 excess of 10 percent’ each place it appears.”.

11 (c) POSTSECONDARY DATA.—Paragraph (17) of sec-  
12 tion 487(a) of the Higher Education Act of 1965 (20  
13 U.S.C. 1094(a)) is amended to read as follows:

14 “(17) The institution of higher education (or  
15 the assigned agent of such institution) shall collect  
16 and submit data to the Commissioner for Education  
17 Statistics in a timely manner in accordance with—

18 “(A) section 132(l);

19 “(B) nonstudent-related surveys within the  
20 Integrated Postsecondary Education Data Sys-  
21 tem (IPEDS); and

22 “(C) any other Federal postsecondary data  
23 collection effort.”.

1 (d) ACCESS TO HOUSING FOR FOSTER YOUTH.—Sec-  
2 tion 487(a)(19) of the Higher Education Act of 1965 (20  
3 U.S.C. 1094(a)(19)) is amended—

4 (1) by striking “The institution will not” and  
5 inserting the following: “The institution—

6 “(A) will not”;

7 (2) by inserting “housing facilities,” after “li-  
8 braries,”;

9 (3) by striking “institution.” and inserting “in-  
10 stitution; and”; and

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

12 “(B) will provide a means for students to  
13 access institutionally owned or operated housing  
14 if a student is temporarily unable to meet fi-  
15 nancial obligations related to housing, including  
16 deposits, due to delayed disbursement of vouch-  
17 ers for education and training made available  
18 under section 477 of part E of title IV of the  
19 Social Security Act or delays attributable to the  
20 institution.”.

21 (e) DISTRIBUTION OF VOTER REGISTRATION  
22 FORMS.—

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 **SEC. 4104. PREARBITRATION AGREEMENTS.**

12 Section 487(a) of the Higher Education Act of 1965  
13 (20 U.S.C. 1094) is amended by adding at the end the  
14 following:

15 “(30) The institution will not require students  
16 to sign a pre-arbitration agreement that limits or re-  
17 stricts a student’s ability to file a claim, either alone  
18 or together with other individuals, against the insti-  
19 tution in a court of law State or Federal court of  
20 competent jurisdiction.”.

21 **SEC. 4105. COMPLIANCE WITH THE CIVIL RIGHTS ACT OF**

22 **1964.**

23 Section 487(a) of the Higher Education Act of 1965  
24 (20 U.S.C. 1094(a)) is further amended by adding at the  
25 end the following:

1 “(31) The institution will—

2 “(A) designate at least one employee to co-  
3 ordinate compliance with title VI of the Civil  
4 Rights Act of 1964 (42 U.S.C. 2000d et seq.),  
5 including any investigation of any complaint al-  
6 leging—

7 “(i) noncompliance with such title;

8 and

9 “(ii) any actions prohibited by such  
10 title;

11 “(B) annually submit a report to the Sec-  
12 retary that includes all complaints described in  
13 subparagraph (A) with respect to such institu-  
14 tion;

15 “(C) make the report under subparagraph  
16 (B) publicly available on the internet website of  
17 the institution; and

18 “(D) notify students and employees of—

19 “(i) the name, office address, and  
20 telephone number of each employee des-  
21 ignated under subparagraph (A);

22 “(ii) the report under subparagraph  
23 (B);

24 “(iii) the enforcement policies of the  
25 institution with respect to such title; and

1                   “(iv) the procedure for reporting and  
2                   investigating complaints under such title.”.

3 **SEC. 4106. REQUIREMENT FOR INSTITUTIONS TO USE A FI-**  
4 **NANCIAL AID SHOPPING SHEET.**

5           Section 487(a) of the Higher Education Act of 1965  
6 (20 U.S.C. 1094(a)) is further amended by adding at the  
7 end the following:

8                   “(32) The institution will use a financial aid  
9                   shopping sheet described in section 483(l) as its sole  
10                  financial award letter or include such sheet as a sup-  
11                  plemental cover to such financial award letter.”.

12 **SEC. 4107. SUBMISSION OF DATA WITH RESPECT TO STU-**  
13 **DENTS WITH DISABILITIES.**

14           Section 487(a) of the Higher Education Act of 1965  
15 (20 U.S.C. 1094(a)), is further amended by adding at the  
16 end the following:

17                   “(33) The institution will submit, for inclusion  
18                   in the Integrated Postsecondary Education Data  
19                   System of the Department or any other Federal  
20                   postsecondary institution data collection effort, key  
21                   data related to undergraduate and graduate stu-  
22                   dents enrolled at the institution who are formally  
23                   registered as students with disabilities with the insti-  
24                   tution’s office of accessibility, including the total  
25                   number of students with disabilities enrolled, the

1 number of students accessing or receiving accommo-  
2 dation, the percentage of students with disabilities of  
3 all undergraduate students, and the total number of  
4 undergraduate certificates or degrees awarded to  
5 students with disabilities. An institution shall not be  
6 required to submit the information described in the  
7 preceding sentence if the number of such students  
8 would reveal personally identifiable information  
9 about an individual student.”.

10 **SEC. 4108. EDUCATION PROGRAM ON HAZING.**

11 (a) EDUCATIONAL PROGRAM ON HAZING.—Section  
12 487(a) of the Higher Education Act of 1965 (20 U.S.C.  
13 1094(a)) is further amended by adding at the end the fol-  
14 lowing:

15 “(34) The institution will provide students with  
16 an educational program on hazing (as that term is  
17 defined in section 485(f)(6)(A)(vi)), which shall in-  
18 clude information on hazing awareness, hazing pre-  
19 vention, and the institution’s policies on hazing.”.

20 **SEC. 4109. CHANGES TO PROGRAM PARTICIPATION AGREE-**  
21 **MENTS TO STRENGTHEN CONSUMER PRO-**  
22 **TECTIONS.**

23 (a) PROHIBITION ON LOSS OF ACCESS TO TRAN-  
24 SCRIPTS FOR LOAN DEFAULT.—Section 487(a) of the

1 Higher Education Act of 1965 (20 U.S.C. 1094(a)) is fur-  
2 ther amended by adding at the end the following:

3 “(35)(A) The institution will not prohibit a stu-  
4 dent from accessing the student’s transcripts, degree  
5 scrolls, or other certifications of coursework or edu-  
6 cational attainments at the institution because the  
7 student is in default on the repayment of a loan  
8 made, insured, or guaranteed under this title.

9 “(B) For purposes of this paragraph, the term  
10 ‘student’ includes former students.”.

11 (b) PROHIBITION ON LIMITATIONS ON ABILITY OF  
12 STUDENTS TO PURSUE CLAIMS AGAINST CERTAIN INSTI-  
13 TUTIONS OF HIGHER EDUCATION.—Section 487(a) of the  
14 Higher Education Act of 1965 (20 U.S.C. 1094(a)) is fur-  
15 ther amended by adding at the end the following:

16 “(36) The institution will not require any stu-  
17 dent to agree to, and will not enforce, any limitation  
18 or restriction (including a limitation or restriction on  
19 any available choice of applicable law, a jury trial,  
20 or venue) on the ability of a student to pursue a  
21 claim, individually or with others, against an institu-  
22 tion in court.”.

23 **SEC. 4110. ADMINISTRATIVE EXPENSES.**

24 Section 489(a) of the Higher Education Act of 1965  
25 (20 U.S.C. 1096(a)) is amended—



1 (1) in the second sentence, by striking “or  
2 under part E of this title”; and

3 (2) in the third sentence—

4 (A) by inserting “and” after “subpart 3 of  
5 part A,”; and

6 (B) by striking “compensation of stu-  
7 dents,” and all that follows through the period  
8 and inserting “compensation of students.”.

9 **SEC. 4111. INCOME-BASED REPAYMENT PLAN.**

10 (a) OPTIONS TO ENTER INTO THE NEW FIXED RE-  
11 PAYMENT PLAN AND INCOME-BASED REPAYMENT  
12 PLAN.—Section 493C(b) of the Higher Education Act of  
13 1965 (20 U.S.C. 1098e) is amended—

14 (1) by amending paragraph (8) to read as fol-  
15 lows:

16 “(8) a borrower who is repaying a loan made,  
17 insured, or guaranteed under part B or D pursuant  
18 to an income contingent repayment plan or an in-  
19 come-based repayment plan described in subpara-  
20 graph (D) or (E) of section 455(d)(1), respectively,  
21 may elect, at any time, to terminate repayment pur-  
22 suant to income-based repayment and repay such  
23 loan under the income-based repayment plan under  
24 section 493C(f) or the fixed repayment plan de-  
25 scribed in section 493E;”;

1           (2) in paragraph (9), by striking the period at  
2           the end and inserting “; and”; and

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

4           “(10) a borrower who is repaying a loan made  
5           under part B or D pursuant to this section may  
6           repay such loan in full at any time without pen-  
7           alty.”.

8           (b) AUTOMATIC RECERTIFICATION OF INCOME FOR  
9           INCOME-DRIVEN REPAYMENT PLANS.—Section 493C(c)  
10          of the Higher Education Act of 1965 (20 U.S.C. 1098e(c))  
11          is amended—

12           (1) by striking “The Secretary shall establish”  
13           and inserting the following:

14           “(1) IN GENERAL.—The Secretary shall estab-  
15           lish”;

16           (2) by striking “The Secretary shall consider”  
17           and inserting the following:

18           “(2) PROCEDURES FOR ELIGIBILITY.—The Sec-  
19           retary shall—

20           “(A) consider”; and

21           (3) by striking “428C(b)(1)(E).” and inserting  
22           the following: “428C(b)(1)(E); and

23           “(B) beginning as soon as the Secretary  
24           determines practicable after the Secretary final-  
25           izes the procedures required under section 4114

1 of the Aim Higher Act, but not later than 2  
2 years after the date of enactment of such Act,  
3 carry out, with respect to borrowers of any cov-  
4 ered loan (as defined in section 455(d)(10)),  
5 procedures for income-based repayment plans  
6 under this section that are equivalent to the  
7 procedures carried out under section 455(e)(8)  
8 with respect to income contingent repayment  
9 plans.”.

10 (c) INCOME-BASED REPAYMENT.—Section 493C of  
11 the Higher Education Act of 1965 (20 U.S.C. 1098e) is  
12 amended by adding at the end the following:

13 “(f) INCOME-BASED REPAYMENT FOR NEW LOANS  
14 ON AND AFTER JULY 1, 2019, AND FOR BORROWERS  
15 WHO ENTER IBR AFTER JULY 1, 2019.—

16 “(1) IN GENERAL.—The income-based repay-  
17 ment plan shall be carried out in accordance with  
18 this section, except as otherwise specified in this  
19 subsection (including through the special terms de-  
20 scribed in paragraph (2))—

21 “(A) with respect to any loan issued on or  
22 after July 1, 2019, if such borrower elects the  
23 income-based repayment plan for that loan; and

24 “(B) with respect to any borrower who is  
25 repaying a loan made, insured, or guaranteed

1 under part B or D, if such borrower elects to  
2 repay the loan under the income-based repay-  
3 ment plan on or after July 1, 2019.

4 “(2) SPECIAL TERMS.—Notwithstanding any  
5 other provision of this section, with respect to a loan  
6 described under paragraph (1), the following terms  
7 shall apply to the income-based repayment plan:

8 “(A)(i) Notwithstanding subsection  
9 (a)(3)(B), the repayment amount under this  
10 subsection shall be an amount equal to 10 per-  
11 cent of the result obtained by calculating, on at  
12 least an annual basis, the amount by which the  
13 borrower’s, and the borrower’s spouse’s (if ap-  
14 plicable), adjusted gross income; exceeds the ap-  
15 plicable percentage of the poverty line in ac-  
16 cordance with clause (ii) that is applicable to  
17 the borrower’s family size as determined under  
18 section 673(2) of the Community Services  
19 Block Grant Act (42 U.S.C. 9902(2)).

20 “(ii) For purposes of clause (i), the term  
21 ‘applicable percentage’ means 250 percent re-  
22 duced by 5 percentage points for each \$1,000  
23 by which the borrower’s adjusted gross income  
24 exceeds \$120,000.

1           “(B) Subsection (b)(7)(B) shall be applied,  
2           but the period of time prescribed by the Sec-  
3           retary shall not exceed 20 years.

4           “(C) A borrower of such a loan shall not  
5           be required to have a partial financial hardship  
6           and may elect, and remain enrolled in, the in-  
7           come-based repayment plan under this sub-  
8           section regardless of income level.

9           “(D) Subparagraph (A) of subsection  
10          (b)(6) shall not apply and a borrower’s monthly  
11          payment shall be determined in accordance with  
12          subparagraph (A) divided by 12, which may ex-  
13          ceed the monthly repayment amount under a  
14          standard 10-year repayment plan or a fixed re-  
15          payment plan described in section 493E.

16          “(E) Subparagraph (B) of subsection  
17          (b)(3) shall not apply.

18          “(3) ADDITIONAL SPECIAL TERMS FOR CER-  
19          TAIN BORROWERS.—A borrower described in para-  
20          graph (1)(B)—

21                 “(A) may choose to retain the repayment  
22                 plan in which the borrower is enrolled on June  
23                 30, 2019;

24                 “(B) may elect to—

1           “(i) leave the repayment plan de-  
2           scribed in subparagraph (A) and enter the  
3           income-based repayment plan under this  
4           subsection; or

5           “(ii) leave the repayment plan de-  
6           scribed in subparagraph (A) and enter a  
7           fixed repayment plan described in section  
8           493E;

9           “(C) after electing to leave a repayment  
10          plan other than an income-based repayment  
11          plan described under this subsection or the  
12          fixed repayment plan described in section 493E,  
13          shall not be permitted to re-elect a repayment  
14          plan that is not an income-based repayment  
15          plan under this subsection or a fixed repayment  
16          plan described in section 493E; and

17          “(D) shall retain, for purposes of repay-  
18          ment or cancellation of any outstanding balance  
19          of principal and interest due on a loan (as de-  
20          scribed in subsection (b)(7)) any years of repay-  
21          ment under another income-based or income  
22          contingent repayment plan under this title.

23          “(4) CAP ON INTEREST ACCRUAL.—Notwith-  
24          standing any other provision of this Act, the total  
25          amount of interest that accrues during a borrower’s

1 grace period and the time that a borrower is in re-  
2 payment under this subsection shall not exceed 50  
3 percent of the original principal amount of the loan.

4 “(5) WRITTEN, ELECTRONIC, OR VERBAL EN-  
5 ROLLMENT IN INCOME-BASED REPAYMENT.—

6 “(A) IN GENERAL.—A borrower of a loan  
7 made under part D who is enrolled in the fixed  
8 repayment plan under section 493E, or who has  
9 not yet selected a repayment plan and is in the  
10 grace period for such loan, and who desires to  
11 repay such loan under the income-based repay-  
12 ment plan under this section for the first time,  
13 may elect to repay such loan under this section  
14 through written, electronic, or verbal notice to  
15 the Secretary of their desire to make such elec-  
16 tion.

17 “(B) USE OF INFORMATION.—

18 “(i) IN GENERAL.—The monthly pay-  
19 ment amount under this section for a loan  
20 for a borrower who makes an election de-  
21 scribed in subparagraph (A) shall be im-  
22 mediately calculated using the income and  
23 family size information provided through  
24 the borrower’s written, electronic, or verbal  
25 statement.

1                   “(ii) VERIFICATION.—The informa-  
2                   tion described in clause (i) shall be verified  
3                   by the Secretary not later than 90 days  
4                   after the date the borrower states such in-  
5                   come and family size information.

6                   “(iii) ADJUSTMENT IF NECESSARY.—  
7                   Upon verification by the Secretary under  
8                   clause (ii), the Secretary shall adjust the  
9                   monthly payment described in clause (i)  
10                  based on the verified income and family  
11                  size information of the borrower, if nec-  
12                  essary. Any increased adjusted monthly  
13                  payment shall take effect beginning with  
14                  the payment due not less than 60 days  
15                  after the Secretary notifies the borrower of  
16                  the adjusted amount.

17                  “(g) SPECIAL RULE FOR REFINANCED LOANS.—

18                  “(1) REFINANCED FEDERAL DIRECT AND FFEL  
19                  LOANS.—In calculating the period of time during  
20                  which a borrower of a loan that is refinanced under  
21                  section 460A has made monthly payments for pur-  
22                  poses of subsection (b)(7), the Secretary shall deem  
23                  the period to include all monthly payments made for  
24                  the original loan, and all monthly payments made



1 for the refinanced loan, that otherwise meet the re-  
2 quirements of this section.

3 “(2) FEDERAL DIRECT REFINANCED PRIVATE  
4 LOANS.—In calculating the period of time during  
5 which a borrower of a Federal Direct Refinanced  
6 Private Loan under section 460B has made monthly  
7 payments for purposes of subsection (b)(7), the Sec-  
8 retary shall include only payments—

9 “(A) that are made after the date of the  
10 issuance of the Federal Direct Refinanced Pri-  
11 vate Loan; and

12 “(B) that otherwise meet the requirements  
13 of this section.”.

14 **SEC. 4112. FIXED REPAYMENT PLAN.**

15 Part G of title IV of the Higher Education Act of  
16 1965 (20 U.S.C. 1088 et seq.) is amended by adding at  
17 the end the following:

18 **“SEC. 493E. FIXED REPAYMENT PLAN.**

19 “(a) IN GENERAL.—A borrower of a loan made under  
20 this part on or after July 1, 2019, and a borrower who  
21 is in repayment on a loan made under part B or part D  
22 before July 1, 2019, may elect to repay such loan under  
23 the fixed repayment plan described in this section.

1       “(b) FIXED REPAYMENT PLAN.—Under the fixed re-  
2 payment plan, a borrower with a total Federal student  
3 loan debt amount that—

4           “(1) is equal to or less than \$20,000, shall  
5 repay each loan described in subsection (a) with a  
6 fixed monthly repayment amount paid over a period  
7 of 10 years;

8           “(2) is more than \$20,000 and less than  
9 \$30,000, shall repay each loan described in sub-  
10 section (a) with a fixed monthly repayment amount  
11 paid over a period of—

12           “(A) 15 years; or

13           “(B) the period described in paragraph  
14 (1), if the borrower so chooses;

15           “(3) is equal to or greater than \$30,000, and  
16 less than \$40,000, shall repay each loan described in  
17 subsection (a) with a fixed monthly repayment  
18 amount paid over a period of—

19           “(A) 20 years; or

20           “(B) the period described in paragraph (1)  
21 or (2), if the borrower so chooses; and

22           “(4) is equal to or greater than \$40,000, shall  
23 repay each loan described in subsection (a) with a  
24 fixed monthly repayment amount paid over a period  
25 of—

1                   “(A) 25 years; or

2                   “(B) the period described in any of para-  
3                   graphs (1) through (3), if the borrower so  
4                   chooses.”.

5 **SEC. 4113. LONGITUDINAL STUDY ON THE EFFECTIVENESS**  
6                   **OF STUDENT LOAN COUNSELING.**

7           (a) IN GENERAL.—Not later than 1 year after the  
8           date of enactment of this Act, the Secretary of Education,  
9           acting through the Director of the Institute of Education  
10          Sciences, shall begin conducting a rigorous, longitudinal  
11          study of the impact and effectiveness of the student loan  
12          counseling—

13               (1) provided under subsections (b), (l), and (n)  
14               of section 485 of the Higher Education Act of 1965  
15               (20 U.S.C. 1092), as amended by this Act; and

16               (2) provided through such other means as the  
17               Secretary of Education may determine.

18          (b) CONTENTS.—

19               (1) BORROWER INFORMATION.—The longitu-  
20               dinal study carried out under subsection (a) shall in-  
21               clude borrower information, in the aggregate and  
22               disaggregated by race (as defined in section  
23               153(a)(3) of the Education Sciences Reform Act of  
24               2002 (20 U.S.C. 9543), as amended by the Aim  
25               Higher Act), ethnicity, gender, income, status as an

1 individual with a disability, and status as a first  
2 generation college student (defined in section  
3 402A(h)(3)), on—

4 (A) student persistence;

5 (B) degree attainment;

6 (C) program completion;

7 (D) successful entry into student loan re-  
8 payment;

9 (E) cumulative borrowing levels; and

10 (F) such other factors as the Secretary of  
11 Education may determine.

12 (2) EXCEPTION.—The disaggregation under  
13 paragraph (1) shall not be required in a case in  
14 which the number of borrowers in a category is in-  
15 sufficient to yield statistically reliable information or  
16 the results would reveal personally identifiable infor-  
17 mation about an individual borrower.

18 (c) INTERIM REPORTS.—Not later than 18 months  
19 after the commencement of the study under subsection  
20 (a), and annually thereafter, the Secretary of Education  
21 shall evaluate the progress of the study and report any  
22 short-term findings to the appropriate committees of Con-  
23 gress.

1 **SEC. 4114. STUDY AND PROCEDURES ON DETERMINING**  
2 **FAMILY SIZE.**

3 (a) IN GENERAL.—Not later than 1 year after the  
4 date of enactment of this Act, the Secretary of Education  
5 shall—

6 (1) conduct, in consultation with the Secretary  
7 of the Treasury, a study which meets the specifica-  
8 tions described in subsection (b), on the effect of  
9 using data from the Internal Revenue Service on the  
10 deduction for personal exemptions provided by sec-  
11 tion 151 of the Internal Revenue Code of 1986 for  
12 a proxy for family size in an income-driven repay-  
13 ment plan, and publish such study in the Federal  
14 Register;

15 (2) use the results of the study conducted under  
16 paragraph (1) to develop procedures for determining  
17 family size for the automatic recertification of in-  
18 come for an income-driven repayment plan in a man-  
19 ner that minimizes burdens and unintended harm to  
20 borrowers;

21 (3) publish the procedures developed under  
22 paragraph (2) in the Federal Register; and

23 (4) after a notice and comment period on such  
24 procedures, use such comments to finalize the proce-  
25 dures.

1 (b) SPECIFICATIONS.—The study conducted under  
2 subsection (a)(1) shall—

3 (1) determine how closely such personal exemp-  
4 tions match the family size that borrowers report on  
5 their income-driven repayment plan request form;

6 (2) compare the borrower’s actual monthly pay-  
7 ment amount with the monthly payment amount  
8 borrowers would have using family size information  
9 derived from tax returns; and

10 (3) use data from more than one year, where  
11 possible, to analyze how much family size changes  
12 over time.

13 (c) DEFINITION.—The term “the income-driven re-  
14 payment plan” means a plan described in subparagraph  
15 (D) or (E) of section 455(d)(1) of the Higher Education  
16 Act of 1965 (20 U.S.C. 1087e(d)(1)) and the income-  
17 based repayment plan under section 493C(f) of such Act  
18 (20 U.S.C. 1098e(f)), as added by section 4111 of this  
19 Act.

## 20 **PART H**

### 21 **SEC. 4121. STATE RESPONSIBILITIES.**

22 Section 495(a) of the Higher Education Act of 1965  
23 (20 U.S.C. 1099a(a)) is amended—

24 (1) in paragraph (2), by striking “and” at the  
25 end;

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

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

4           “(4) certify to the Secretary that each institu-  
5           tion of higher education located in the State or seek-  
6           ing authorization to operate in the State meets State  
7           standards relating to—

8                   “(A) facilities, equipment, and supplies;

9                   “(B) measures of program length and  
10                  other factors relevant to State licensure; and

11                  “(C) records of student complaints re-  
12                  ceived by, or available to, the State; and

13           “(5) The State shall manage, compile, and dis-  
14           tribute to the Secretary and accrediting bodies, data  
15           on student complaints received from the Department  
16           of Education’s student complaint system, reports  
17           made to the State, and reports made directly to the  
18           institution’s accrediting body.”.

19 **SEC. 4122. ADDITIONAL SAFEGUARDS.**

20           Section 496(a)(4) of the Higher Education Act of  
21           1965 (20 U.S.C. 1099b(a)(4)) is amended—

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

24           (2) in subparagraph (B)(ii), by inserting “and”  
25           after the semicolon; and

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

2 “(C) if such agency or association has or  
3 seeks to include within its scope of recognition  
4 the evaluation of the quality of institutions of  
5 higher education participating in the job train-  
6 ing Federal Pell Grant program under section  
7 401(i), such agency or association shall, in ad-  
8 dition to meeting the other requirements of this  
9 subpart, demonstrate to the Secretary that,  
10 with respect to such job training programs—

11 “(i) the agency or association’s stand-  
12 ards include a process for determining  
13 whether the program provides training  
14 aligned with the requirements of employers  
15 in the State or local area served by the  
16 program; and

17 “(ii) the agency or association re-  
18 quires a demonstration that the program—

19 “(I) has identified each recog-  
20 nized postsecondary credential offered  
21 and the corresponding industry or sec-  
22 tor partnership that actively recog-  
23 nizes each credential in the relevant  
24 industry in the State or local area  
25 where the industry is located; and



1 “(II) provides the academic con-  
2 tent and amount of instructional time  
3 that is sufficient to—

4 “(aa) meet the hiring re-  
5 quirements of potential employ-  
6 ers; and

7 “(bb) satisfy any applicable  
8 educational prerequisites for pro-  
9 fessional licensure or certification  
10 requirements so that the student  
11 who completes the program and  
12 seeks employment qualifies to  
13 take any licensure or certification  
14 examination that is needed to  
15 practice or find employment in  
16 an occupation that the program  
17 prepares students to enter;”.

18 **SEC. 4123. RECOGNITION OF ACCREDITING AGENCY OR AS-**  
19 **SOCIATION.**

20 Section 496 of the Higher Education Act of 1965 (20  
21 U.S.C. 1099b) is further amended—

22 (1) in subsection (a)—

23 (A) in paragraph (5), by striking subpara-  
24 graphs (A) through (J) and inserting the fol-  
25 lowing:

1           “(A) success with respect to student  
2 achievement in relation to the institution’s mis-  
3 sion, which—

4           “(i) may include different standards  
5 for different institutions or programs, as  
6 established by the institution; and

7           “(ii) shall include standards for com-  
8 pliance set by the accrediting agency or as-  
9 sociation, including—

10           “(I) one or more standards relat-  
11 ing to completion (which may include  
12 retention rates, rates of course com-  
13 pletion resulting in the conferral of a  
14 credential, rates of transfer from a 2-  
15 year to a 4-year institution, or grad-  
16 uation rates) for all students, includ-  
17 ing first-time students, transfer stu-  
18 dents, and part-time students;

19           “(II) one or more standards re-  
20 lating to workforce participation,  
21 which may include rates of licensure,  
22 job placement, or employment; and

23           “(III) measures that assess  
24 progress toward meeting the stand-  
25 ards specified in subclauses (I) and

1 (II), such as annual retention rates,  
2 persistence rates, numbers of students  
3 achieving certification to get a job or  
4 enrolling in graduate or professional  
5 school;

6 “(B) student achievement outcomes and  
7 program outcomes disaggregated by the sub-  
8 groups specified section 153(a)(3) of the Edu-  
9 cation Sciences Reform Act of 2002 (20 U.S.C.  
10 9543);

11 “(C) curricula, including program length,  
12 course sequencing, and objectives related to  
13 credentialing;

14 “(D) faculty;

15 “(E) student support services;

16 “(F) recruiting and admissions practices,  
17 academic calendars, catalogues, publications,  
18 and grading; and

19 “(G) administrative capacity as appro-  
20 priate to the specified scale of operations.”;

21 (B) by redesignating paragraphs (6)  
22 through (8) as paragraphs (8) through (10), re-  
23 spectively; and

24 (C) by inserting after paragraph (5) the  
25 following:

1           “(6) in measuring success with respect to stu-  
2           dent achievement under paragraph (5), the agency  
3           or association—

4                   “(A) shall establish a transparent and  
5                   standardized process applicable to all institu-  
6                   tions of higher education, regardless of sector;

7                   “(B) shall identify the completion and  
8                   workforce participation measures and standards  
9                   used for student achievement, measures of  
10                  progress toward meeting those standards, and  
11                  specify how those progress measures are  
12                  factored into the accreditation process;

13                  “(C) may consider, in assessing whether an  
14                  institution of higher education (as defined in  
15                  section 101(a)) meets the student achievement  
16                  standards established by the agency or associa-  
17                  tion—

18                           “(i) the historical significance of the  
19                           institution; and

20                           “(ii) whether the institution is one of  
21                           the only physical locations at which post-  
22                           secondary education is provided in the geo-  
23                           graphic area; and

24                  “(D) may not create peer groups for estab-  
25                  lishing the student achievement standards

1 based exclusively on the demographic character-  
2 istics of the population served at an institution;

3 “(7) the agency or association shall—

4 “(A) compile and make available on a pub-  
5 licly accessible website—

6 “(i) the student achievement measures  
7 and standards established by the agency or  
8 association, and the rationale for the selec-  
9 tion of such measures and standards;

10 “(ii) a list of institutions that failed to  
11 meet the requirements for accreditation;  
12 and

13 “(iii) a list of institutions in progress  
14 period status that received support under  
15 section 498D and that failed to meet the  
16 requirements necessary to receive addi-  
17 tional support under such section; and

18 “(B) annually update the lists described in  
19 subparagraph (A);”;

20 (2) in subsection (n)(1) inserting before the last  
21 sentence in the paragraph “The information pro-  
22 vided by such agency or association shall include in-  
23 formation on at least one institution representing  
24 each of the sectors that are currently accredited by  
25 such agency or association.”; and

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

2 “(r) EVALUATION OF QUALITY AND ACHIEVEMENT  
3 MEASURES.—

4 “(1) IN GENERAL.—The Secretary shall direct  
5 the National Advisory Committee on Institutional  
6 Quality and Integrity—

7 “(A) to regularly evaluate the effectiveness  
8 of—

9 “(i) the accountability measures es-  
10 tablished under subpart 4; and

11 “(ii) the student achievement progress  
12 measures established under subsection  
13 (a)(5)(A); and

14 “(B) with respect to the evaluation re-  
15 quired under subparagraph (A), to take into ac-  
16 count similarly situated accreditors, whose simi-  
17 larity may not be determined solely by the edu-  
18 cational sector to which the institutions evalu-  
19 ated belong.

20 “(2) ACCREDITOR STANDARDS.—The Secretary  
21 may require an accreditor to review metrics or set  
22 new standards if the Secretary determines that the  
23 metrics or standards set by such accreditor pursuant  
24 to section 496(a)(5) are, in the case of such metrics,

1 insufficient or, in the case of such standards, too  
2 low.

3 “(s) REPORT ON RECOGNIZED INSTITUTIONAL  
4 ACCREDITORS REQUIRED.—Not later than 180 days after  
5 the date of the enactment of the Aim Higher Act, and  
6 annually thereafter, the Secretary shall publish a report  
7 that includes the following with respect to each accrediting  
8 agency or association aggregated:

9 “(1) The number of institutions of higher edu-  
10 cation evaluated by such accrediting agency or asso-  
11 ciation in each educational sector.

12 “(2) The number of locations of such institu-  
13 tions of higher education.

14 “(3) The number of students enrolled at such  
15 institutions of higher education.

16 “(4) The number of students receiving a Fed-  
17 eral Pell Grant at such institutions of higher edu-  
18 cation in the preceding year.

19 “(5) The total of Federal student aid received  
20 by students enrolled at such institutions of higher  
21 education in the preceding year.

22 “(6) The graduation rates of such institutions  
23 of higher education.

24 “(7) The median earnings of students 10 years  
25 after enrollment.

1           “(8) The types of degrees most often conferred  
2           by such institutions of higher education.

3           “(9) The number of institutions on heightened  
4           cash monitoring status under section 668.162(d) of  
5           title 34, Code of Federal Regulations (as in effect on  
6           the date of the enactment of this subsection).

7           “(10) An index based on findings with respect  
8           to subparagraphs (1) through (9) above, of the  
9           accreditor’s status as an effective evaluator of pro-  
10          gram quality and gate-keeper to funds under title IV  
11          of this Act.

12          “(t) RULE-MAKING TO ESTABLISH STANDARDIZED  
13          CONSEQUENCES AND STEPS FOR ACCREDITING AGENCIES  
14          AND ASSOCIATIONS.—Not later than 180 days after the  
15          date of the enactment of this subsection, the Secretary  
16          shall—

17                 “(1) initiate negotiated rule-making processes  
18                 with experts from different stakeholder groups to es-  
19                 tablish a common set of consequences or steps all  
20                 accrediting bodies shall follow when the institutions  
21                 such accreditors review fail to meet the accreditation  
22                 standards set by such accreditors pursuant to sec-  
23                 tion 496(a); and



1           “(2) develop procedures for identifying the in-  
2           stitutions an accreditor shall use to demonstrate  
3           that such accreditor—

4                   “(A) consistently applies and enforces  
5                   standards; and

6                   “(B) effectively evaluates the quality of  
7                   education or training offered by the institutions  
8                   of higher education accredited by such  
9                   accreditor.”.

10 **SEC. 4124. PROGRAM REVIEW AND DATA.**

11           Section 498A(a)(2) of the Higher Education Act of  
12 1965 (20 U.S.C. 1099e–1(a)(2)) is amended by striking  
13 subparagraph (A) and inserting the following: “institu-  
14 tions with an adjusted cohort default rate for loans under  
15 part D of this title in excess of 18 percent or which places  
16 such institutions in the highest 25 percent of such institu-  
17 tions”.

18 **SEC. 4125. STRENGTHENING INSTITUTIONAL QUALITY.**

19           Part H of title IV of the Higher Education Act of  
20 1965 (20 U.S.C. 1099a et seq.) is amended by adding at  
21 the end the following:

1     **“Subpart 4—Strengthening Institutional Quality**

2     **“SEC. 498C. SUPPORTING INSTITUTIONAL QUALITY IM-**  
3             **PROVEMENT.**

4             “(a) REVIEW REQUIRED.—On an annual basis, the  
5 Secretary shall conduct a review of each institution of  
6 higher education that participates in programs under this  
7 title.

8             “(b) ELEMENTS.—In conducting each review under  
9 subsection (a), the Secretary shall assess all factors relat-  
10 ing to the eligibility of the institution of higher education  
11 to participate in programs under this title and the per-  
12 formance of the institution, including—

13                 “(1) the authority of the institution to operate  
14             under State law;

15                 “(2) the financial responsibility of the institu-  
16             tion;

17                 “(3) the administrative capacity of the institu-  
18             tion;

19                 “(4) rates of gainful employment of graduates  
20             of the institution;

21                 “(5) the compliance of the institution with pro-  
22             gram participation agreements under section 487;

23                 “(6) the return of title IV funds under 484B;

24                 “(7) the compliance of the institution with Fed-  
25             eral revenue requirements;

1           “(8) the institution’s record of compliance with  
2           its program responsibilities under title IV of this Act  
3           based on the most recent student default rate data,  
4           the results of financial or compliance audits, pro-  
5           gram reviews, and other information as the Sec-  
6           retary may have received from the State or accred-  
7           iting agency or association; and

8           “(9) any other criteria the Secretary determines  
9           to be appropriate.

10 **“SEC. 498D. ASSISTANCE TO PROGRESS PERIOD INSTITU-**  
11 **TIONS.**

12           “(a) IN GENERAL.—The Secretary shall provide  
13           grants and technical assistance to covered progress period  
14           institutions in accordance with this section.

15           “(b) AUTHORIZED ACTIVITIES.—Grants and assist-  
16           ance provided under this section shall be used to improve  
17           student achievement (as described in section  
18           4965(a)(5)(A)) at covered progress period institutions.

19           “(c) DURATION.—Grants and assistance may be pro-  
20           vided under this section for a period of not less than one  
21           year and not more than three years.

22           “(d) CONDITIONS.—

23                   “(1) BENCHMARKS.—

24                           “(A) IN GENERAL.—To continue to receive  
25                           support under this section after the first year in

1           which such support is provided, an institution  
2           must show progress, as determined by the Sec-  
3           retary, toward meeting the standards for stu-  
4           dent achievement established by the relevant ac-  
5           crediting agency or association pursuant to sec-  
6           tion 496(a)(5)(A).

7           “(B) CONSIDERATIONS.—In determining  
8           the progress of an institution under subpara-  
9           graph (A), the Secretary may take into consid-  
10          eration extenuating circumstances that may  
11          have contributed to the poor performance of the  
12          institution in the first year of the review period.

13          “(2) DEADLINE FOR COMPLIANCE.—An institu-  
14          tion that does not achieve an adjusted cohort default  
15          rate of less than 10 percent after receiving support  
16          under this section for three consecutive years shall  
17          be ineligible to receive further support under this  
18          section.

19          “(3) PROHIBITION.—An institution shall be in-  
20          eligible to receive further support under this section  
21          if, while the institution was receiving such support,  
22          the total enrollment of low-income students (as such  
23          term is defined in section 419N(b)(7)) at the institu-  
24          tion decreased by 10 percent or more.

1       “(e) COVERED PROGRESS PERIOD INSTITUTION.—In  
2 this section, the term ‘covered progress period institution’  
3 means—

4           “(1) a public institution of higher education  
5 that is determined to be in progress period status;

6           “(2) a part B institution (as defined in section  
7 322) that is determined to be in progress period sta-  
8 tus; or

9           “(3) a private, nonprofit institution of higher  
10 education—

11           “(A) that is determined to be in progress  
12 period status; and

13           “(B) at which not less than 45 percent of  
14 the total student enrollment consists of low-in-  
15 come students (as such term is defined in sec-  
16 tion 419N(b)(7)).

17       “(f) FUNDING.—

18           “(1) IN GENERAL.—There are appropriated  
19 such funds as the Secretary, using the formula de-  
20 scribed in paragraph (2), determines necessary to  
21 meet the needs of all eligible institutions under this  
22 subsection.

23           “(2) FORMULA.—Not later than 1 year after  
24 the date of the enactment of this section, the Sec-

1       retary shall establish through negotiated rulemaking  
2       a formula to determine the—

3               “(A) proportional amount of institutional  
4               need under this section; and

5               “(B) total amount of institutional need  
6               under this section.

7               “(3) SPECIAL RULE.—Such formula must at  
8       minimum take into consideration the severity of the  
9       problem, size of the institution, institutional re-  
10      sources, historical underfunding, and the number of  
11      low-income students (as such term is defined in sec-  
12      tion 419N(b)(7)) being served.

13   **“SEC. 498E. RESTRICTIONS ON CERTAIN EXPENDITURES.**

14       “(a) MONITORING AUTHORITY.—If, at any point in  
15      the 3 preceding fiscal years, the total amount expended  
16      by an institution of higher education on instruction as de-  
17      scribed in subsection (b) is less than 50 percent, the Sec-  
18      retary shall consider such expenditures in determining the  
19      eligibility of the institution to participate in programs  
20      under this title.

21       “(b) EXPENDITURE DISCLOSURES.—

22               “(1) IN GENERAL.—In the case of an institu-  
23               tion at which spending on instruction amounted to  
24               less than one-half of net tuition revenue as deter-  
25               mined by the institution in each of the three most

1 recent years for which institutional spending figures  
2 were required to be reported, the institution of high-  
3 er education shall annually disclose to the Secretary  
4 the amount of funds used by the institution to carry  
5 out each of the following activities in the preceding  
6 3 fiscal years:

7 “(A) Marketing.

8 “(B) Recruitment.

9 “(C) Advertising.

10 “(D) Lobbying.

11 “(2) DEFINED TERMS.—The Secretary shall,  
12 using a negotiated rulemaking process, issue defini-  
13 tions with respect to subparagraphs (A) through (D)  
14 of paragraph (1).

15 “(c) LIMITATION.—An institution of higher education  
16 may not use any Federal funds acquired through partici-  
17 pation in any program under this title for marketing, ad-  
18 vertising, recruiting or lobbying expenses if the total  
19 amount expended by the institution on instruction, as  
20 specified in subsection (a), in each of the three most recent  
21 fiscal years does not exceed 50 percent of tuition revenue.

22 **“SEC. 498F. INSTITUTIONAL DISCLOSURE SYSTEM.**

23 “(a) DEPARTMENTAL DISCLOSURE.—The Secretary  
24 shall make available, on a publicly accessible website of

1 the Department of Education, a list of institutions of high-  
2 er education that—

3 “(1) have failed to meet the requirements for  
4 accreditation by an agency or association recognized  
5 by the Secretary pursuant to section 496(a);

6 “(2) have failed to meet the requirements for  
7 participation in programs under this title; or

8 “(3) are in progress period status and are re-  
9 ceiving funds or assistance pursuant to section  
10 498D.

11 “(b) INSTITUTIONAL DISCLOSURE.—

12 “(1) IN GENERAL.—To be eligible to participate  
13 in programs under this title, an institution of higher  
14 education shall, using the template developed by the  
15 Secretary under subsection (c), disclose the accredi-  
16 tation status of the institution on a publicly acces-  
17 sible website of the institution and in any print ma-  
18 terials made available by the institution. Any failure  
19 of the institution to meet an accreditation standard  
20 shall be specifically identified by the institution as  
21 part of the disclosure under this paragraph.

22 “(2) UPDATES.—Any change in the accredita-  
23 tion status of an institution of higher education shall  
24 be disclosed in accordance with paragraph (1) not  
25 later than 30 days after such change occurs.





1           “(1) FORMULA.—Subject to paragraph (2), the  
2 Federal share of a grant under this subpart shall be  
3 based on a formula, determined by the Secretary,  
4 that—

5           “(A) accounts for the State or Indian  
6 tribe’s share of eligible students;

7           “(B) accounts for the ratio between a  
8 State or Indian tribe’s funding per full-time  
9 equivalent (FTE) student at public colleges and  
10 universities and the average net price at State  
11 public four-year colleges and universities, in  
12 such a way as to reward States that keep net  
13 prices for students low while maintaining their  
14 investment in higher education; and

15           “(C) provides, for each eligible student in  
16 the State or Indian tribe, a per-student amount  
17 that is—

18           “(i) not less than 300 percent of the  
19 per-student amount of the State or Indian  
20 tribe share, determined under subsection  
21 (b), subject to clause (ii); and

22           “(ii) at least 75 percent of—

23           “(I) for the 2019–2020 award  
24 year, the average resident community  
25 college tuition and fees per student in

1 all States for the most recent year for  
2 which data are available; and

3 “(II) for each subsequent award  
4 year, the average resident community  
5 college tuition and fees per student in  
6 all States calculated under this sub-  
7 clause for the preceding year, in-  
8 creased by the lesser of—

9 “(aa) the percentage by  
10 which the average resident com-  
11 munity college tuition and fees  
12 per student in all States for the  
13 most recent year for which data  
14 are available increased as com-  
15 pared to such average for the  
16 preceding year; or

17 “(bb) 3 percent.

18 “(2) EXCEPTION FOR CERTAIN INDIAN  
19 TRIBES.—In any case in which not less than 75 per-  
20 cent of the students at the community colleges oper-  
21 ated or controlled by an Indian tribe are low-income  
22 students, the amount of the Federal share for such  
23 Indian tribe shall be not less than 95 percent of the  
24 total amount needed to waive tuition and fees for all

1 eligible students enrolled in such community col-  
2 leges.

3 “(b) STATE OR TRIBAL SHARE.—

4 “(1) FORMULA.—

5 “(A) IN GENERAL.—The State or tribal  
6 share of a grant under this subpart for each fis-  
7 cal year shall be the amount needed to pay 25  
8 percent of the average community college resi-  
9 dent tuition and fees per student in all States  
10 in the 2019–2020 award year for all eligible  
11 students in the State or Indian tribe, respec-  
12 tively, for such fiscal year, except as provided in  
13 subparagraph (B).

14 “(B) EXCEPTION FOR CERTAIN INDIAN  
15 TRIBES.—In a case in which not less than 5  
16 percent of the students at the community col-  
17 leges operated or controlled by an Indian tribe  
18 are low-income students, the amount of such  
19 Indian tribe’s tribal share shall not exceed 5  
20 percent of the total amount needed to waive tui-  
21 tion and fees for all eligible students enrolled in  
22 such community colleges.

23 “(2) NEED-BASED AID.—A State or Indian  
24 tribe may include any need-based financial aid pro-

1 vided through State or tribal funds to eligible stu-  
2 dents as part of the State or tribal share.

3 “(3) NO IN-KIND CONTRIBUTIONS.—A State or  
4 Indian tribe shall not include in-kind contributions  
5 for purposes of the State or tribal share described  
6 in paragraph (1).

7 **“SEC. 499C. ELIGIBILITY.**

8 “To be eligible for a grant under this subpart, a State  
9 or Indian tribe shall agree to waive community college  
10 resident tuition and fees for all eligible students for each  
11 year of the grant.

12 **“SEC. 499D. APPLICATIONS.**

13 “(a) SUBMISSION.—For each fiscal year for which a  
14 State or Indian tribe desires a grant under this subpart,  
15 an application shall be submitted to the Secretary at such  
16 time, in such manner, and containing such information as  
17 the Secretary may require. Such application shall be sub-  
18 mitted by—

19 “(1) in the case of a State, the Governor, the  
20 State agency with jurisdiction over higher education,  
21 or another agency designated by the Governor to ad-  
22 minister the program under this subpart; or

23 “(2) in the case of an Indian tribe, the gov-  
24 erning body of such tribe.

1       “(b) CONTENTS.—Each State or Indian tribe appli-  
2 cation shall include, at a minimum—

3           “(1) an estimate of the number of eligible stu-  
4 dents in the State or Indian tribe and the cost of  
5 waiving community college resident tuition and fees  
6 for all eligible students for each fiscal year covered  
7 by the grant, with annual increases of an amount  
8 that shall not exceed 3 percent of the prior year’s  
9 average resident community college tuition and fees;

10          “(2) an assurance that all community colleges  
11 in the State or under the jurisdiction of the Indian  
12 tribe, respectively, will waive resident tuition and  
13 fees for eligible students in programs that are—

14           “(A) academic programs with credits that  
15 can fully transfer via articulation agreement to-  
16 ward a baccalaureate degree or postbaccalaure-  
17 ate degree at any public institution of higher  
18 education in the State; or

19           “(B) occupational skills training programs  
20 that lead to a recognized postsecondary creden-  
21 tial that is in an in-demand industry sector or  
22 occupation in the State;

23          “(3) a description of the promising and evi-  
24 dence-based institutional reforms and innovative  
25 practices to improve student outcomes, including

1 completion or transfer rates, that have been or will  
2 be adopted by the participating community colleges,  
3 such as—

4 “(A) providing comprehensive academic  
5 and student support services, including men-  
6 toring and advising, especially for low-income,  
7 first-generation, adult, and other underrep-  
8 resented students;

9 “(B) providing accelerated learning oppor-  
10 tunities, such as dual or concurrent enrollment  
11 programs, including early college high school  
12 programs;

13 “(C) advancing competency-based edu-  
14 cation;

15 “(D) strengthening remedial education, es-  
16 pecially for low-income, first-generation, adult  
17 and other underrepresented students;

18 “(E) implementing course redesigns of  
19 high-enrollment courses to improve student out-  
20 comes and reduce cost; or

21 “(F) utilizing career pathways or degree  
22 pathways;

23 “(4) a description of how the State or Indian  
24 tribe will promote alignment between its public sec-  
25 ondary school and postsecondary education systems,

1 including between 2-year and 4-year public institu-  
2 tions of higher education and with minority-serving  
3 institutions described in section 371 of the Higher  
4 Education Act of 1965 (20 U.S.C. 1067q), to ex-  
5 pand awareness of and access to postsecondary edu-  
6 cation, reduce the need for remediation and repeated  
7 coursework, and improve student outcomes;

8 “(5) a description of how the State or Indian  
9 tribe will ensure that programs leading to a recog-  
10 nized postsecondary credential meet the quality cri-  
11 teria established by the State under section 123(a)  
12 of the Workforce Innovation and Opportunity Act  
13 (29 U.S.C. 3153(a)) or other quality criteria deter-  
14 mined appropriate by the State or Indian tribe;

15 “(6) an assurance that all participating commu-  
16 nity colleges in the State or under the authority of  
17 the Indian tribe have entered into program partici-  
18 pation agreements under section 487 of the Higher  
19 Education Act of 1965 (20 U.S.C. 1094); and

20 “(7) an assurance that, for each year of the  
21 grant, the State or Indian tribe will notify each eligi-  
22 ble student of the student’s remaining eligibility for  
23 assistance under this subpart.



1 **“SEC. 499E. ALLOWABLE USES OF FUNDS.**

2       “(a) IN GENERAL.—A State or Indian tribe shall use  
3 a grant under this subpart only to provide funds to partici-  
4 pating community colleges to waive resident tuition and  
5 fees for eligible students who are enrolled in—

6           “(1) academic programs with credits that can  
7 fully transfer via articulation agreement toward a  
8 baccalaureate degree or postbaccalaureate degree at  
9 any public institution of higher education in the  
10 State; or

11           “(2) occupational skills training programs that  
12 lead to a recognized postsecondary credential that is  
13 in an in-demand industry sector or occupation in the  
14 State.

15       “(b) ADDITIONAL USES.—If a State or Indian tribe  
16 demonstrates to the Secretary that it has grant funds re-  
17 maining after meeting the demand for activities described  
18 in subsection (a), the State or Indian tribe may use those  
19 funds to carry out one or more of the following:

20           “(1) Expanding the waiver of resident tuition  
21 and fees at community college to students who are  
22 returning students or otherwise not enrolling in  
23 postsecondary education for the first time, and who  
24 meet the student eligibility requirements of clauses  
25 (i) through (v) of section 499F(5)(A).

1           “(2) Expanding the scope and capacity of high-  
2           quality academic and occupational skills training  
3           programs at community colleges.

4           “(3) Improving postsecondary education readi-  
5           ness in the State or Indian tribe, through outreach  
6           and early intervention.

7           “(4) Expanding access to dual or concurrent  
8           enrollment programs, including early college high  
9           school programs.

10           “(5) Improving affordability at 4-year public in-  
11           stitutions of higher education.

12           “(c) USE OF FUNDS FOR ADMINISTRATIVE PUR-  
13           POSES.—A State or Indian tribe that receives a grant  
14           under this subpart may not use any funds provided under  
15           this subpart for administrative purposes relating to the  
16           grant under this subpart.

17           “(d) MAINTENANCE OF EFFORT.—A State or Indian  
18           tribe receiving a grant under this subpart is entitled to  
19           receive its full allotment of funds under this subpart for  
20           a fiscal year only if, for each year of the grant, the State  
21           or Indian tribe provides—

22           “(1) financial support for public higher edu-  
23           cation at a level equal to or exceeding the average  
24           amount provided per full-time equivalent student for  
25           public institutions of higher education for the three

1 consecutive preceding State or Indian tribe fiscal  
2 years. In making the calculation under this sub-  
3 section, the State or Indian tribe shall—

4 “(A) exclude capital expenses and research  
5 and development costs; and

6 “(B) include need-based financial aid for  
7 students who attend public institutions of high-  
8 er education; and

9 “(2) financial support for operational expenses  
10 for public, four-year colleges and universities at a  
11 level equal to or exceeding the average amount pro-  
12 vided for the three consecutive preceding State or  
13 Indian tribe fiscal years.

14 “(e) ANNUAL REPORT.—

15 “(1) A State or Indian tribe receiving a grant  
16 under this subpart shall submit an annual report to  
17 the Secretary describing the uses of grant funds  
18 under this subpart, the progress made in fulfilling  
19 the requirements of the grant, and rates of gradua-  
20 tion, transfer and attainment of recognized postsec-  
21 ondary credentials at participating community col-  
22 leges, and including any other information as the  
23 Secretary may require.

1           “(2) At the discretion of the Secretary, the in-  
2           formation required in the report under paragraph  
3           (1) may be included in an annual report.

4           “(f) REPORTING BY SECRETARY.—The Secretary an-  
5           nually shall—

6           “(1) compile and analyze the information de-  
7           scribed in subsection (e); and

8           “(2) prepare and submit a report to the Com-  
9           mittee on Health, Education, Labor, and Pensions  
10          of the Senate and the Committee on Education and  
11          the Workforce of the House of Representatives con-  
12          taining the analysis described in paragraph (1) and  
13          an identification of State and Indian tribe best prac-  
14          tices for achieving the purpose of this subpart.

15          “(g) TECHNICAL ASSISTANCE.—The Secretary shall  
16          provide technical assistance to eligible States and Indian  
17          tribes concerning best practices regarding the promising  
18          and evidence-based institutional reforms and innovative  
19          practices to improve student outcomes and shall dissemi-  
20          nate such best practices among the States and Indian  
21          tribes.

22          “(h) CONTINUATION OF FUNDING.—

23          “(1) IN GENERAL.—A State or Indian tribe re-  
24          ceiving a grant under this subpart for a fiscal year  
25          may continue to receive funding under this subpart

1 for future fiscal years conditioned on the availability  
2 of budget authority and on meeting the require-  
3 ments of the grant, as determined by the Secretary.

4 “(2) DISCONTINUATION.—The Secretary may  
5 discontinue funding of the Federal share of a grant  
6 under this subpart if the State or Indian tribe has  
7 violated the terms of the grant or is not making ade-  
8 quate progress in implementing the reforms de-  
9 scribed in the application submitted under section  
10 499D.

11 **“SEC. 499F. DEFINITIONS.**

12 “In this subpart:

13 “(1) CAREER PATHWAY.—The term ‘career  
14 pathway’ has the meaning given the term in section  
15 3 of the Workforce Innovation and Opportunity Act  
16 (29 U.S.C. 3102).

17 “(2) COMMUNITY COLLEGE.—The term ‘com-  
18 munity college’ means a public institution of higher  
19 education at which the highest degree that is pre-  
20 dominantly awarded to students is an associate’s de-  
21 gree, including 2-year tribally controlled colleges  
22 under section 316 of the Higher Education Act of  
23 1965 (20 U.S.C. 1059c) and public 2-year State in-  
24 stitutions of higher education.

1           “(3) DUAL OR CONCURRENT ENROLLMENT  
2 PROGRAM.—The term ‘dual or concurrent enrollment  
3 program’ has the meaning given the term in section  
4 8101 of the Elementary and Secondary Education  
5 Act of 1965 (20 U.S.C. 7801).

6           “(4) EARLY COLLEGE HIGH SCHOOL.—The  
7 term ‘early college high school’ has the meaning  
8 given the term in section 8101 of the Elementary  
9 and Secondary Education Act of 1965 (20 U.S.C.  
10 7801).

11           “(5) ELIGIBLE STUDENT.—

12           “(A) DEFINITION.—The term ‘eligible stu-  
13 dent’ means a student who—

14           “(i)(I) enrolls in a community college  
15 after the date of enactment of the Aim  
16 Higher Act; or

17           “(II) is enrolled in a community col-  
18 lege as of the date of enactment of the  
19 Aim Higher Act;

20           “(ii) attends the community college on  
21 not less than a half-time basis;

22           “(iii) is maintaining satisfactory  
23 progress, as defined in section 484(c) of  
24 the Higher Education Act of 1965 (20

1 U.S.C. 1091(c)), in the student’s course of  
2 study;

3 “(iv) qualifies for resident tuition, as  
4 determined by the State or Indian tribe;  
5 and

6 “(v) is enrolled in an eligible program  
7 described in section 104(b)(2).

8 “(B) SPECIAL RULE.—An otherwise eligi-  
9 ble student shall lose eligibility 3 calendar years  
10 after first receiving benefits under this subpart.

11 “(6) IN-DEMAND INDUSTRY SECTOR OR OCCU-  
12 PATION.—The term ‘in-demand industry sector or  
13 occupation’ has the meaning given the term in sec-  
14 tion 3 of the Workforce Innovation and Opportunity  
15 Act (29 U.S.C. 3102).

16 “(7) INDIAN TRIBE.—The term ‘Indian tribe’  
17 has the meaning given the term in section 102 of the  
18 Federally Recognized Indian Tribe List Act of 1994  
19 (25 U.S.C. 479a).

20 “(8) INSTITUTION OF HIGHER EDUCATION.—  
21 The term ‘institution of higher education’ has the  
22 meaning given the term in section 101.

23 “(9) RECOGNIZED POSTSECONDARY CREDEN-  
24 TIAL.—The term ‘recognized postsecondary creden-  
25 tial’ has the meaning as described in section 3 of the

1 Workforce Innovation and Opportunity Act (29  
2 U.S.C. 3102).

3 “(10) STATE.—The term ‘State’ has the mean-  
4 ing given the term in section 103.

5 **“SEC. 499G. APPROPRIATIONS.**

6 “(a) AUTHORIZATION AND APPROPRIATIONS.—For  
7 the purpose of making grants under this subpart there are  
8 authorized to be appropriated, and there are appro-  
9 priated—

10 “(1) \$1,515,150,000 for fiscal year 2019;

11 “(2) \$3,352,200,000 for fiscal year 2020;

12 “(3) \$4,277,940,000 for fiscal year 2021;

13 “(4) \$5,988,450,000 for fiscal year 2022;

14 “(5) \$7,837,710,000 for fiscal year 2023;

15 “(6) \$8,974,350,000 for fiscal year 2024;

16 “(7) \$11,302,020,000 for fiscal year 2025;

17 “(8) \$14,451,090,000 for fiscal year 2026;

18 “(9) \$15,077,130,000 for fiscal year 2027; and

19 “(10) \$15,729,810,000 for fiscal year 2028 and  
20 each succeeding fiscal year.

21 “(b) AVAILABILITY.—Funds appropriated under sub-  
22 section (a) shall remain available to the Secretary until  
23 expended.

24 “(c) INSUFFICIENT FUNDS.—If the amount appro-  
25 priated under subsection (a) for a fiscal year is not suffi-



1 cient to award each participating State and Indian tribe  
2 a grant under this subpart that is equal to the minimum  
3 amount of the Federal share described in section (a), the  
4 Secretary may ratably reduce the amount of each such  
5 grant or take other actions necessary to ensure an equi-  
6 table distribution of such amount.”.

7 **SEC. 4132. PATHWAYS TO STUDENT SUCCESS FOR HISTORI-**  
8 **CALLY BLACK COLLEGES AND UNIVERSITIES.**

9 Part J of title IV of the Higher Education Act of  
10 1965, as added by subtitle G, is further amended by add-  
11 ing at the end the following:

12 **“Subpart 2—Grants to Historically Black Colleges**  
13 **and Universities and Other Minority-Serving In-**  
14 **stitutions**

15 **“SEC. 499H. IN GENERAL.**

16 “(a) IN GENERAL.—From amounts appropriated  
17 under section 499K(a) for any fiscal year, the Secretary  
18 shall award grants to participating 4-year historically  
19 black colleges or universities that meet the requirements  
20 of subsection (b) to—

21 “(1) encourage students to enroll and success-  
22 fully complete a bachelor’s degree at participating  
23 institutions;

24 “(2) provide incentives to community college  
25 students to transfer to participating institutions

1 through strong transfer pathways to complete a  
2 bachelor's degree program; and

3 “(3) support participating institutions to better  
4 serve new and existing students by engaging in re-  
5 forms and innovations designed to improve comple-  
6 tion rates and other student outcomes.

7 “(b) ELIGIBILITY.—To be eligible to receive a grant  
8 under the program under this section, an institution shall  
9 be a historically black college or university that—

10 “(1) has a student body of which not less than  
11 35 percent are low-income students;

12 “(2) commits to maintaining or adopting and  
13 implementing promising and evidence-based institu-  
14 tional reforms and innovative practices to improve  
15 the completion rates and other student outcomes,  
16 such as—

17 “(A) providing comprehensive academic  
18 and student support services, including men-  
19 toring and advising;

20 “(B) providing accelerated learning oppor-  
21 tunities and degree pathways, such as dual en-  
22 rollment and pathways to graduate and profes-  
23 sional degree programs;

24 “(C) advancing distance and competency-  
25 based education;

1           “(D) partnering with employers, industry,  
2           not-for-profit associations, and other groups to  
3           provide opportunities to advance learning out-  
4           side the classroom, including work-based learn-  
5           ing opportunities such as internships or appren-  
6           ticeships or programs designed to improve  
7           inter-cultural development and personal growth,  
8           such as foreign exchange and study abroad pro-  
9           grams;

10           “(E) reforming remedial education, espe-  
11           cially for low-income students, first generation  
12           college students, adult students, and other  
13           underrepresented students; or

14           “(F) implementing course redesigns of  
15           high-enrollment courses to improve student out-  
16           comes and reduce cost;

17           “(3) sets performance goals for improving stu-  
18           dent outcomes for the duration of the grant; and

19           “(4) if receiving a grant for transfer students,  
20           has articulation agreements with community colleges  
21           at the national, State, or local level to ensure that  
22           community college credits can fully transfer to the  
23           participating institution.

24           “(c) GRANT AMOUNT.—

1           “(1) INITIAL AMOUNT.—For the first year that  
2           an eligible institution participates in the grant pro-  
3           gram under this section and subject to paragraph  
4           (3), such eligible institution shall receive a grant in  
5           an amount based on the product of—

6                   “(A) the actual cost of tuition and fees at  
7                   the eligible institution in such year (referred to  
8                   in this section as the per-student rebate); and

9                   “(B) the number of eligible students en-  
10                  rolled in the eligible institution for the pre-  
11                  ceding year.

12           “(2) SUBSEQUENT INCREASES.—For each suc-  
13           ceeding year after the first year of the grant pro-  
14           gram under this section, each participating eligible  
15           institution shall receive a grant in the amount deter-  
16           mined under paragraph (1) for such year, except  
17           that in no case shall the amount of the per-student  
18           rebate for an eligible institution increase by more  
19           than 3 percent as compared to the amount of such  
20           rebate for the preceding year.

21           “(3) LIMITATIONS.—

22                   “(A) MAXIMUM PER-STUDENT REBATE.—

23           No eligible institution participating in the grant  
24           program under this section shall receive a per-  
25           student rebate amount for any year that is

1 greater than the national average of annual tui-  
2 tion and fees at public 4-year institutions of  
3 higher education for such year, as determined  
4 by the Secretary.

5 “(B) FIRST-YEAR TUITION AND FEES.—  
6 During the first year of participation in the  
7 grant program under this section, no eligible in-  
8 stitution may increase tuition and fees at a rate  
9 greater than any annual increase at the eligible  
10 institution in the previous 5 years.

11 “(d) APPLICATION.—An eligible institution that de-  
12 sires a grant under this section shall submit an application  
13 to the Secretary at such time, in such manner, and con-  
14 taining such information as the Secretary may require.

15 “(e) USE OF FUNDS.—Funds awarded under this  
16 section to a participating eligible institution shall be used  
17 to waive or significantly reduce tuition and fees for eligible  
18 students in an amount of not more than up to the annual  
19 per-student rebate amount for each student, for not more  
20 than the first 60 credits an eligible student enrolls in the  
21 participating eligible institution.

1 **“SEC. 499I. PATHWAYS TO STUDENT SUCCESS FOR HIS-**  
2 **PANIC-SERVING INSTITUTIONS, ASIAN AMER-**  
3 **ICAN AND NATIVE AMERICAN PACIFIC IS-**  
4 **LANDER-SERVING INSTITUTIONS, TRIBAL**  
5 **COLLEGES AND UNIVERSITIES, ALASKA NA-**  
6 **TIVE-SERVING INSTITUTIONS, NATIVE HAWAI-**  
7 **IAN-SERVING INSTITUTIONS, PREDOMI-**  
8 **NANTLY BLACK INSTITUTIONS, AND NATIVE**  
9 **AMERICAN-SERVING NONTRIBAL INSTITU-**  
10 **TIONS.**

11 “(a) IN GENERAL.—From amounts appropriated  
12 under section 499K(a) for any fiscal year, the Secretary  
13 shall award grants to participating 4-year minority-serving  
14 institutions to—

15 “(1) encourage students to enroll and success-  
16 fully complete a bachelor’s degree at participating  
17 institutions;

18 “(2) provide incentives to community college  
19 students to transfer to participating institutions  
20 through strong transfer pathways to complete a  
21 bachelor’s degree program; and

22 “(3) support participating institutions to better  
23 serve new and existing students by engaging in re-  
24 forms and innovations designed to improve comple-  
25 tion rates and other student outcomes.

1       “(b) INSTITUTIONAL ELIGIBILITY.—To be eligible to  
2 participate and receive a grant under this section, an insti-  
3 tution shall be a minority-serving institution that—

4               “(1) has a student body of which not less than  
5       35 percent are low-income students;

6               “(2) commits to maintaining or adopting and  
7 implementing promising and evidence-based institu-  
8 tional reforms and innovative practices to improve  
9 the completion rates and other student outcomes,  
10 such as—

11               “(A) providing comprehensive academic  
12 and student support services, including men-  
13 toring and advising;

14               “(B) providing accelerated learning oppor-  
15 tunities and degree pathways, such as dual en-  
16 rollment and pathways to graduate and profes-  
17 sional degree programs;

18               “(C) advancing distance and competency-  
19 based education;

20               “(D) partnering with employers, industry,  
21 not-for-profit associations, and other groups to  
22 provide opportunities to advance learning out-  
23 side the classroom, including work-based learn-  
24 ing opportunities such as internships or appren-  
25 ticeships or programs designed to improve

1 inter-cultural development and personal growth,  
2 such as foreign exchange and study abroad pro-  
3 grams;

4 “(E) reforming remedial education, espe-  
5 cially for low-income students, first generation  
6 college students, adult students, and other  
7 underrepresented students; and

8 “(F) implementing course redesigns of  
9 high-enrollment courses to improve student out-  
10 comes and reduce cost;

11 “(3) sets performance goals for improving stu-  
12 dent outcomes for the duration of the grant; and

13 “(4) if receiving a grant for transfer students,  
14 has articulation agreements with community colleges  
15 at the national, State, or local levels to ensure that  
16 community college credits can fully transfer to the  
17 participating institution.

18 “(c) GRANT AMOUNT.—

19 “(1) INITIAL AMOUNT.—For the first year that  
20 an eligible institution participates in the grant pro-  
21 gram under this section and subject to paragraph  
22 (3), such participating eligible institution shall re-  
23 ceive a grant in an amount based on the product  
24 of—



1           “(A) the actual cost of tuition and fees at  
2           the eligible institution in such year (referred to  
3           in this section as the per-student rebate); and

4           “(B) the number of eligible students en-  
5           rolled in the eligible institution for the pre-  
6           ceding year.

7           “(2) SUBSEQUENT INCREASES.—For each suc-  
8           ceeding year after the first year of the grant pro-  
9           gram under this section, each participating eligible  
10          institution shall receive a grant in the amount deter-  
11          mined under paragraph (1) for such year, except  
12          that in no case shall the amount of the per-student  
13          rebate increase by more than 3 percent as compared  
14          to the amount of such rebate for the preceding year.

15          “(3) LIMITATIONS.—

16                 “(A) MAXIMUM PER-STUDENT REBATE.—  
17                 No eligible institution participating in the grant  
18                 program under this section shall receive a per-  
19                 student rebate amount for a grant year greater  
20                 than the national average of public four-year in-  
21                 stitutional tuition and fees, as determined by  
22                 the Secretary.

23                 “(B) FIRST-YEAR TUITION AND FEES.—  
24                 During the first year of participation in the  
25                 grant program under this section, no eligible in-

1           stitution may increase tuition and fees at a rate  
2           greater than any annual increase made by the  
3           institution in the previous 5 years.

4           “(d) APPLICATION.—An eligible institution shall sub-  
5           mit an application to the Secretary at such time, in such  
6           a manner, and containing such information as determined  
7           by the Secretary.

8           “(e) USE OF FUNDS.—Funds awarded under this  
9           section to a participating eligible institution shall be used  
10          to waive or significantly reduce tuition and fees for eligible  
11          students in an amount of not more than up to the annual  
12          per-student rebate amount for each student, for not more  
13          than the first 60 credits an eligible student enrolls in the  
14          participating eligible institution.

15       **“SEC. 499J. DEFINITIONS.**

16          “In this subpart:

17               “(1) ELIGIBLE STUDENT.—

18                       “(A) DEFINITION.—The term ‘eligible stu-  
19                       dent’ means a student, regardless of age, who—

20                               “(i)(I) enrolls in a historically black  
21                               college or university, or minority-serving  
22                               institution; or

23                               “(II) transfers from a community col-  
24                               lege into a historically black college or uni-  
25                               versity, or minority-serving institution;

1           “(ii) attends the historically black col-  
2           lege or university, or minority-serving in-  
3           stitution, on at least a half-time basis;

4           “(iii) maintains satisfactory academic  
5           progress; and

6           “(iv) is a low-income student.

7           “(B) SPECIAL RULES.—

8           “(i) FIRST 3 YEARS.—An otherwise el-  
9           igible student shall lose eligibility 3 cal-  
10          endar years after first receiving benefits  
11          under this title.

12          “(ii) SPECIAL RULE FOR CERTAIN  
13          STUDENTS.—Notwithstanding subpara-  
14          graph (A)(i), an otherwise eligible student  
15          whose parent or guardian was denied a  
16          Federal Direct PLUS loan under title IV  
17          of the Higher Education Act of 1965 (20  
18          U.S.C. 1070 et seq.) after November 2011  
19          and before March 29, 2015, and who sub-  
20          sequently withdrew from a historically  
21          black college or university, or minority-  
22          serving institution, and has not yet com-  
23          pleted a program of study at such histori-  
24          cally black college or university or minor-  
25          ity-serving institution, shall be eligible to

1           participate under sections 499H or 499I in  
2           order to complete such program of study,  
3           subject to all other requirements of sec-  
4           tions 499H or 499I (as the case may be).

5           “(2) HISTORICALLY BLACK COLLEGE OR UNI-  
6           VERSITY.—The term ‘historically black college or  
7           university’ means a part B institution described in  
8           section 322(2) of the Higher Education Act of 1965  
9           (20 U.S.C. 1061(2)).

10          “(3) LOW-INCOME STUDENT.—The term ‘low-  
11          income student’—

12                 “(A) shall include any student eligible for  
13                 a Federal Pell Grant under section 401 of the  
14                 Higher Education Act of 1965 (20 U.S.C.  
15                 1070a); and

16                 “(B) may include a student ineligible for a  
17                 Federal Pell Grant under section 401 of the  
18                 Higher Education Act of 1965 (20 U.S.C.  
19                 1070a) who is determined by the institution to  
20                 be a low-income student based on an analysis of  
21                 the student’s ability to afford the cost of at-  
22                 tendance at the institution.

23          “(4) MINORITY-SERVING INSTITUTION.—The  
24          term ‘minority-serving institution’ means any public  
25          or not-for-profit institution of higher education—

1           “(A) described in paragraphs (2) through  
2           (7) of section 371(a) of the Higher Education  
3           Act of 1965 (20 U.S.C. 1067q); and

4           “(B) designated as a minority-serving in-  
5           stitution by the Secretary.

6   **“SEC. 499K. APPROPRIATIONS.**

7           “(a) AUTHORIZATION AND APPROPRIATIONS FOR  
8   HBCU AND MSI GRANTS.—For the purpose of carrying  
9   out sections 499H and 499I, there are authorized to be  
10  appropriated, and there are appropriated—

11           “(1) \$61,050,000 for fiscal year 2019;

12           “(2) \$199,800,000 for fiscal year 2020;

13           “(3) \$1,189,920,000 for fiscal year 2021;

14           “(4) \$1,237,650,000 for fiscal year 2022;

15           “(5) \$1,287,600,000 for fiscal year 2023;

16           “(6) \$1,338,660,000 for fiscal year 2024;

17           “(7) \$1,359,750,000 for fiscal year 2025;

18           “(8) \$1,449,660,000 for fiscal year 2026;

19           “(9) \$1,508,490,000 for fiscal year 2027; and

20           “(10) \$1,569,540,000 for fiscal year 2028 and

21           each succeeding fiscal year.

22           “(b) AVAILABILITY.—Funds appropriated under sub-  
23   section (a) are to remain available to the Secretary until  
24   expended.

1       “(c) INSUFFICIENT FUNDS.—If the amount appro-  
2       priated under subsection (a) for a fiscal year is not suffi-  
3       cient to award each participating institution in the grant  
4       programs under sections 499H and 499I a grant under  
5       this part equal to 100 percent of the grant amount deter-  
6       mined under section 499H(c), the Secretary may ratably  
7       reduce the amount of each such grant or take other ac-  
8       tions necessary to ensure an equitable distribution of such  
9       amount.”.

10                   **TITLE V—DEVELOPING**  
11                   **INSTITUTIONS**

12       **SEC. 5001. HISPANIC-SERVING INSTITUTIONS.**

13       (a) AUTHORIZED ACTIVITIES.—Section 503(b) of the  
14       Higher Education Act of 1965 (20 U.S.C. 1101b(b)) is  
15       amended—

16               (1) by redesignating paragraph (16) as para-  
17       graph (17); and

18               (2) by inserting after paragraph (15) the fol-  
19       lowing:

20               “(16) Promoting opportunities for international  
21       education, including through the development of  
22       partnerships with institutions of higher education  
23       outside the United States.”.

1 (b) ENDOWMENT FUNDING LIMITATIONS.—Section  
2 503(c) of the Higher Education Act of 1965 (20 U.S.C.  
3 1101b(c)) is amended—

4 (1) in paragraph (2)—

5 (A) by striking “non-Federal funds” and  
6 inserting “non-Federal funds (which may in-  
7 clude gifts to the endowment fund restricted for  
8 a specific purpose)”; and

9 (B) by striking “equal to or greater than”  
10 and inserting “equal to 50 percent of”; and

11 (2) by inserting after paragraph (3) the fol-  
12 lowing:

13 “(4) SCHOLARSHIPS.—An eligible institution  
14 that uses grant funds provided under this title to es-  
15 tablish or increase an endowment fund may use the  
16 interest proceeds from such endowment to provide  
17 scholarships to students for the purposes of attend-  
18 ing such institution.”.

19 **SEC. 5002. PROMOTING POSTBACCALAUREATE OPPORTUNI-**  
20 **TIES FOR HISPANIC AMERICANS.**

21 (a) PROGRAM AUTHORITY.—Section 512 of the  
22 Higher Education Act of 1965 (20 U.S.C. 1102a) is  
23 amended by adding at the end the following:

1       “(c) MINIMUM GRANTS AWARDED.—Of the funds ap-  
2       propriated to carry out this part for a fiscal year, the Sec-  
3       retary—

4               “(1) shall—

5                       “(A) use not less than  $\frac{1}{3}$  of such funds to  
6                       award grants to carry out the activities de-  
7                       scribed in section 513(b); and

8                       “(B) use not less than  $\frac{1}{3}$  of such funds to  
9                       award grants to carry out the activities de-  
10                      scribed in section 513(c); and

11               “(2) may use any funds remaining (after using  
12       the funds in accordance with paragraph (1)) to  
13       award grants to carry out activities described in sub-  
14       section (b) or (c) of section 513.”.

15       (b) AUTHORIZED ACTIVITIES.—Section 513 of the  
16       Higher Education Act of 1965 (20 U.S.C. 1102b) is  
17       amended to read as follows:

18       **“SEC. 513. AUTHORIZED ACTIVITIES.**

19               “(a) REQUIREMENTS.—

20                       “(1) IN GENERAL.—Grants awarded under this  
21       part shall be used for—

22                       “(A) one or more of the activities described  
23       in subsection (b); or

24                       “(B) one or more of the activities de-  
25       scribed in subsection (c).



1           “(2) PROHIBITION.—A grant awarded under  
2           this part may not be used for activities under both  
3           subsections (b) and (c).

4           “(b) PPHOA ACTIVITIES.—Grants awarded under  
5           this part may be used for one or more of the following  
6           activities promoting postbaccalaureate opportunities for  
7           Hispanic Americans:

8           “(1) Purchase, rental, or lease of scientific or  
9           laboratory equipment for educational purposes, in-  
10          cluding instructional and research purposes.

11          “(2) Construction, maintenance, renovation,  
12          and improvement of classrooms, libraries, labora-  
13          tories, and other instructional facilities, including  
14          purchase or rental of telecommunications technology  
15          equipment or services.

16          “(3) Purchase of library books, periodicals,  
17          technical and other scientific journals, microfilm,  
18          microfiche, and other educational materials, includ-  
19          ing telecommunications program materials.

20          “(4) Support for low-income postbaccalaureate  
21          students including outreach, academic support serv-  
22          ices, mentoring, scholarships, fellowships, and other  
23          financial assistance to permit the enrollment of such  
24          students in postbaccalaureate certificate and  
25          postbaccalaureate degree granting programs.

1           “(5) Creating or improving facilities for Inter-  
2 net or other distance education technologies, includ-  
3 ing purchase or rental of telecommunications tech-  
4 nology equipment or services.

5           “(6) Collaboration with other institutions of  
6 higher education to expand postbaccalaureate certifi-  
7 cate and postbaccalaureate degree offerings.

8           “(7) Other activities proposed in the application  
9 submitted pursuant to section 514 that—

10           “(A) contribute to carrying out the pur-  
11 poses of this part; and

12           “(B) are approved by the Secretary as part  
13 of the review and acceptance of such applica-  
14 tion.

15           “(c) FACULTY DEVELOPMENT ACTIVITIES.—Grants  
16 awarded under this part may be used for one or more of  
17 the following activities for faculty development:

18           “(1) Support of faculty exchanges, faculty de-  
19 velopment, faculty research, curriculum development,  
20 and academic instruction.

21           “(2) Financial support to graduate students  
22 planning to pursue academic careers who desire to  
23 become faculty at Hispanic-serving institutions.

24           “(3) Career services in preparing for an aca-  
25 demic career and identifying opportunities.

1           “(4) Developing partnerships between Hispanic-  
2           serving institutions to help graduate students and  
3           hiring institutions connect with each other.

4           “(5) Faculty recruitment efforts with an em-  
5           phasis on graduates from Hispanic-serving institu-  
6           tions and other minority-serving institutions.

7           “(6) Recruitment and retention incentives to  
8           allow Hispanic-serving institutions to make competi-  
9           tive offers to potential faculty, including use of  
10          funds for student loan repayment.

11          “(7) Research support specifically for early ca-  
12          reer faculty.”.

13 **SEC. 5003. GENERAL PROVISIONS.**

14          Section 528(a) of the Higher Education Act of 1965  
15          (20 U.S.C. 1103g(a)) is amended—

16               (1) in paragraph (1), by striking  
17               “\$175,000,000” and inserting “\$210,000,000”;

18               (2) in paragraph (2), by striking  
19               “\$100,000,000” and inserting “\$115,000,000”; and

20               (3) by striking “2009” each place it appears  
21               and inserting “2019”.

1           **TITLE VI—INTERNATIONAL**  
2           **EDUCATION PROGRAMS**

3   **SEC. 6001. INTERNATIONAL EDUCATION.**

4           (a) GRADUATE AND UNDERGRADUATE LANGUAGE  
5 AND AREA CENTERS AND PROGRAMS.—Section  
6 602(b)(2)(B)(ii) of the Higher Education Act of 1965 (20  
7 U.S.C. 1122(b)(2)(B)(ii)) is amended—

8           (1) in subclause (III), by striking “or”;

9           (2) in subclause (IV), by striking the period at  
10 the end and inserting “; or”; and

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

12                           “(V) the beginning, intermediate, or  
13                           advanced study of a foreign language re-  
14                           lated to the area of specialization.”.

15          (b) INTERNATIONAL RESEARCH AND INNOVATION.—

16 Section 605 of the Higher Education Act of 1965 (20  
17 U.S.C. 1125) is amended to read as follows:

18   **“SEC. 605. INTERNATIONAL RESEARCH AND INNOVATION.**

19          “(a) PURPOSE.—It is the purpose of this section to  
20 support essential international and foreign language edu-  
21 cation research and innovation projects with the goal of  
22 assessing and strengthening international education ca-  
23 pacity, coordination, delivery, and outcomes to meet na-  
24 tional needs.

25          “(b) AUTHORITY.—

1           “(1) IN GENERAL.—From the amount provided  
2 to carry out this section, the Secretary shall carry  
3 out the following activities:

4           “(A) Conduct research and studies that  
5 contribute to the purpose described in sub-  
6 section (a), which shall include research to pro-  
7 vide a systematic understanding of our Nation’s  
8 international and foreign language education  
9 capacity, structures, and effectiveness in meet-  
10 ing growing demands by education, government,  
11 and the private sector (including business and  
12 other professions).

13           “(B) Create innovative paradigms or en-  
14 hance or scale up proven strategies and prac-  
15 tices that address systemic challenges to devel-  
16 oping and delivering international and foreign  
17 language education resources and expertise  
18 across educational disciplines, institutions, em-  
19 ployers, and other stakeholders.

20           “(C) Develop and manage a national  
21 standardized database that—

22           “(i) includes the strengths, gaps, and  
23 trends in the Nation’s international and  
24 foreign language education capacity; and

1                   “(ii) documents the outcomes of pro-  
2                   grams funded under this title for every  
3                   grant cycle.

4                   “(2) GRANTS OR CONTRACTS.—The Secretary  
5                   shall carry out activities to achieve the outcomes de-  
6                   scribed in paragraph (1)—

7                   “(A) directly; or

8                   “(B) through grants awarded under sub-  
9                   section (d) or (e).

10                  “(c) ELIGIBLE ENTITY DEFINED.—In this section,  
11 the term ‘eligible entity’ means—

12                  “(1) an institution of higher education;

13                  “(2) a public or private nonprofit library;

14                  “(3) a nonprofit educational organization;

15                  “(4) an entity that—

16                         “(A) received a grant under this title for  
17                         a preceding fiscal year; or

18                         “(B) as of the date of application for a  
19                         grant under this section is receiving a grant  
20                         under this title; or

21                  “(5) a partnership of two or more entities de-  
22                  scribed in paragraphs (1) through (4).

23                  “(d) RESEARCH GRANTS.—

24                         “(1) PROGRAM AUTHORIZED.—For any fiscal  
25                         year for which the Secretary carries out activities

1 under subsection (b)(1) through research grants  
2 under this subsection, the Secretary shall award  
3 such grants, on a competitive basis, to eligible enti-  
4 ties.

5 “(2) REQUIRED ACTIVITIES.—An eligible entity  
6 that receives a grant under this subsection shall use  
7 the grant funds for the systematic development, col-  
8 lection, analysis, publication, and dissemination of  
9 data, and other information resources in a manner  
10 that is easily understandable, made publicly avail-  
11 able, and that contributes to achieving the purposes  
12 of subsection (a) and carries out at least one activity  
13 under subsection (b)(1).

14 “(3) DISCRETIONARY ACTIVITIES.—An eligible  
15 entity that receives a grant under this subsection  
16 may use the grant to carry out the following activi-  
17 ties:

18 “(A) Assess and document international  
19 and foreign language education capacity and  
20 supply through studies or surveys that—

21 “(i) determine the number of foreign  
22 language courses, programs, and enroll-  
23 ments at all levels of education and in all  
24 languages, including a determination of

1 gaps in those deemed critical to the na-  
2 tional interest;

3 “(ii) measure the number and types of  
4 degrees or certificates awarded in area  
5 studies, global studies, foreign language  
6 studies, and international business and  
7 professional studies, including identifica-  
8 tion of gaps in those deemed critical to the  
9 national interest;

10 “(iii) measure the number of foreign  
11 language, area or international studies fac-  
12 ulty, including international business fac-  
13 ulty, and elementary school and secondary  
14 school foreign language teachers by lan-  
15 guage, degree, and world area; or

16 “(iv) measure the number of under-  
17 graduate and graduate students engaging  
18 in long- or short-term education or intern-  
19 ship abroad programs as part of their cur-  
20 riculum, including countries of destination.

21 “(B) Assess the demands for, and out-  
22 comes of, international and foreign language  
23 education and their alignment, through studies,  
24 surveys, and conferences to—



1           “(i) determine demands for increased  
2           or improved instruction in foreign lan-  
3           guage, area or global studies, or other  
4           international fields, and the demand for  
5           employees with such skills and knowledge  
6           in the education, government, and private  
7           sectors (including business and other pro-  
8           fessions);

9           “(ii) assess the employment or utiliza-  
10          tion of graduates of programs supported  
11          under this title by educational, govern-  
12          mental, and private sector organizations  
13          (including business and other professions);  
14          or

15          “(iii) assess standardized outcomes  
16          and effectiveness and benchmarking of  
17          programs supported under this title.

18          “(C) Develop and publish specialized mate-  
19          rials for use in foreign language, area, global,  
20          or other international studies, including in  
21          international business or other professional edu-  
22          cation or technical training, as appropriate.

23          “(D) Conduct studies or surveys that iden-  
24          tify and document systemic challenges and  
25          changes needed in higher education and elemen-

1            tary school and secondary school systems to  
2            make international and foreign language edu-  
3            cation available to all students as part of the  
4            basic curriculum, including challenges in cur-  
5            rent evaluation standards, entrance and gradua-  
6            tion requirements, program accreditation, stu-  
7            dent degree requirements, or teacher and fac-  
8            ulty legal workplace barriers to education and  
9            research abroad.

10            “(E) With respect to underrepresented in-  
11            stitutions of higher education (including minor-  
12            ity-serving institutions or community colleges),  
13            carry out studies or surveys that identify and  
14            document—

15                       “(i) systemic challenges and changes  
16                       and incentives and partnerships needed to  
17                       comprehensively and sustainably inter-  
18                       nationalize educational programming; or

19                       “(ii) short- and long-term outcomes of  
20                       successful internationalization strategies  
21                       and funding models.

22            “(F) Evaluate the extent to which pro-  
23            grams assisted under this title reflect diverse  
24            perspectives and a wide range of views and gen-

1           erate debate on world regions and international  
2           affairs.

3           “(e) INNOVATION GRANTS.—

4           “(1) PROGRAM AUTHORIZED.—For any fiscal  
5           year for which the Secretary carries out activities to  
6           achieve the outcomes described in subsection (b)(1)  
7           through innovation grants under this subsection, the  
8           Secretary shall award such grants, on a competitive  
9           basis, to eligible entities.

10          “(2) USES OF FUNDS.—An eligible entity that  
11          receives an innovation grant under this subsection  
12          shall use the grant funds to fund projects consistent  
13          with this section, which may include one or more of  
14          the following:

15                 “(A) Innovative paradigms to improve  
16                 communication, sharing, and delivery of re-  
17                 sources that further the purposes described in  
18                 subsection (a) including the following:

19                         “(i) Networking structures and sys-  
20                         tems to more effectively match graduates  
21                         with international and foreign language  
22                         education skills with employment needs.

23                         “(ii) Sharing international specialist  
24                         expertise across institutions of higher edu-  
25                         cation or in the workforce to pursue spe-

1 cialization or learning opportunities not  
2 available at any single institution of higher  
3 education, such as shared courses for  
4 studying less commonly taught languages,  
5 world areas or regions, international busi-  
6 ness or other professional areas, or special-  
7 ized research topics of national strategic  
8 interest.

9 “(iii) Producing, collecting, orga-  
10 nizing, preserving, and widely dissemi-  
11 nating international and foreign language  
12 education expertise, resources, courses, and  
13 other information through the use of elec-  
14 tronic technologies and other techniques.

15 “(iv) Collaborative initiatives to iden-  
16 tify, capture, and provide consistent access  
17 to, and creation of, digital global library  
18 resources that are beyond the capacity of  
19 any single eligible entity receiving a grant  
20 under this section or any single institution  
21 of higher education, including the profes-  
22 sional development of library staff.

23 “(v) Utilization of technology to cre-  
24 ate open-source resources in international,  
25 area, global, and foreign language studies

1 that are adaptable to multiple educational  
2 settings and promote interdisciplinary  
3 partnerships between technologists, cur-  
4 riculum designers, international and for-  
5 eign language education experts, language  
6 teachers, and librarians.

7 “(B) Innovative curriculum, teaching, and  
8 learning strategies, including the following:

9 “(i) New initiatives for collaborations  
10 of disciplinary programs with foreign lan-  
11 guage, area, global, and international stud-  
12 ies, and education abroad programs that  
13 address the internationalization of such  
14 disciplinary studies with the purpose of  
15 producing globally competent graduates.

16 “(ii) Innovative collaborations between  
17 established centers of international and  
18 foreign language education excellence and  
19 underrepresented institutions and popu-  
20 lations seeking to further their goals for  
21 strengthening international, area, global,  
22 and foreign language studies, including at  
23 minority-serving institutions or community  
24 colleges.

1           “(iii) Teaching and learning collabora-  
2           tions among foreign language, area, global,  
3           or other international studies with diaspora  
4           communities, including heritage students.

5           “(iv) New approaches and methods to  
6           teaching emerging global issues, cross-re-  
7           gional interactions, and underrepresented  
8           regions or countries, such as project- and  
9           team-based learning.

10          “(C) Innovative assessment and outcome  
11          tools and techniques that further the purposes  
12          described in subsection (a), including the fol-  
13          lowing:

14               “(i) International and foreign lan-  
15               guage education assessment techniques  
16               that are coupled with outcome-focused  
17               training modules, such as certificates or  
18               badges, immersion learning, or e-portfolio  
19               systems.

20               “(ii) Effective and easily accessible  
21               methods of assessing professionally useful  
22               levels of proficiency in foreign languages or  
23               competencies in area, culture, and global  
24               knowledge or other international fields in  
25               programs under this title, which may in-

1           clude use of open access online and other  
2           cost-effective tools for students and edu-  
3           cators at all educational levels and in the  
4           workplace.

5           “(f) APPLICATION.—Each eligible entity desiring a  
6 grant under this section shall submit to the Secretary an  
7 application at such time, in such manner, and containing  
8 such information as the Secretary shall require, includ-  
9 ing—

10           “(1) a description of each proposed project the  
11 eligible entity plans to carry out under this section  
12 and how such project meets the purposes described  
13 in subsection (a);

14           “(2) if applicable, a demonstration of why the  
15 entity needs a waiver or reduction of the matching  
16 requirement under subsection (g); and

17           “(3) an assurance that each such proposed  
18 project will be self-sustainable after the grant term  
19 is completed.

20           “(g) MATCHING REQUIREMENT.—

21           “(1) IN GENERAL.—The Federal share of the  
22 total cost for carrying out a project supported by a  
23 grant under this section shall be no more than 66.66  
24 percent.

1           “(2) NON-FEDERAL SHARE CONTRIBUTIONS.—

2           The non-Federal share of such cost may be provided  
3           either in-kind or in cash, from institutional and non-  
4           institutional funds, including contributions from  
5           State or private sector corporations, nonprofits, or  
6           foundations.

7           “(3) SPECIAL RULE.—The Secretary may waive  
8           or reduce the share required under paragraph (1)  
9           for eligible entities that—

10                   “(A) are minority-serving institutions or  
11                   are community colleges; or

12                   “(B) demonstrate need in an application  
13                   for such a waiver or reduction under subsection  
14                   (f)(2).

15           “(h) DATABASE AND REPORTING.—The Secretary  
16           shall directly, or through grants or contracts with an eligi-  
17           ble grant recipient—

18                   “(1) establish, curate, maintain, and update at  
19                   least every grant cycle, a web-based site which shall  
20                   showcase the results of this section and serve as a  
21                   user-friendly repository of the information, re-  
22                   sources, and best practices generated through activi-  
23                   ties conducted under this section; and

24                   “(2) prepare, publish, and disseminate to Con-  
25                   gress and the public at least once every 5 years, a



1 report that summarizes key findings and policy  
2 issues from the activities conducted under this sec-  
3 tion, including as such activities relate to inter-  
4 national and foreign language education and out-  
5 comes.”.

6 (c) DISCONTINUATION OF FOREIGN INFORMATION  
7 ACCESS PROGRAM.—Part A of title VI of the Higher Edu-  
8 cation Act of 1965 (20 U.S.C. 1121 et seq.) is further  
9 amended by striking sections 606 and 610, and redesi-  
10 gnating sections 607, 608, and 609 as sections 606, 607,  
11 and 608, respectively.

12 **SEC. 6002. GLOBAL BUSINESS AND PROFESSIONAL EDU-**  
13 **CATION PROGRAMS.**

14 (a) FINDINGS; PURPOSE.—Section 611 of the Higher  
15 Education Act of 1965 (20 U.S.C. 1130) is amended—

16 (1) in subsection (a)—

17 (A) by amending paragraph (1) to read as  
18 follows:

19 “(1) the future welfare of the United States will  
20 depend substantially on increasing international and  
21 global skills in business, educational, and other pro-  
22 fessional communities and creating an awareness  
23 among the American public of the internationaliza-  
24 tion of our economy and numerous other profes-  
25 sional areas important to the national interest;”;

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

3 “(2) concerted efforts are necessary to engage  
4 business and other professional education and tech-  
5 nical training programs, language, area, and global  
6 study programs, professional international affairs  
7 education programs, public and private sector orga-  
8 nizations, and United States business in a mutually  
9 productive relationship which benefits the Nation’s  
10 future economic and security interests;”;

11 (C) in paragraph (3), by striking “and the  
12 international” and inserting “and other profes-  
13 sional fields and the international and global”;  
14 and

15 (D) in paragraph (4)—

16 (i) by inserting “, as well as other  
17 professional organizations” after “depart-  
18 ments of commerce”; and

19 (ii) by inserting “or other professions”  
20 after “business”; and

21 (2) in subsection (b)—

22 (A) in paragraph (1)—

23 (i) by striking “and economic enter-  
24 prise” and inserting “, economic enter-  
25 prise, and security”; and

1 (ii) by inserting “and other profes-  
2 sional” before “personnel”; and

3 (B) in paragraph (2), by striking “to pros-  
4 per in an international” and inserting “and  
5 other professional fields to prosper in a global”.

6 (b) PROFESSIONAL AND TECHNICAL EDUCATION FOR  
7 GLOBAL COMPETITIVENESS.—Section 613 of the Higher  
8 Education Act of 1965 (20 U.S.C. 1130a) is amended to  
9 read as follows:

10 **“SEC. 613. PROFESSIONAL AND TECHNICAL EDUCATION**  
11 **FOR GLOBAL COMPETITIVENESS.**

12 “(a) PURPOSE.—The purpose of this section is to  
13 support innovative strategies that provide undergraduate  
14 and graduate students with the global professional com-  
15 petencies, perspectives, and skills needed to strengthen  
16 and enrich global engagement and competitiveness in a  
17 wide variety of professional and technical fields important  
18 to the national interest.

19 “(b) PROGRAM AUTHORIZED.—The Secretary shall  
20 make grants to, or enter into contracts with eligible enti-  
21 ties to pay the Federal share of the cost of programs de-  
22 signed to—

23 “(1) establish an interdisciplinary global focus  
24 in the undergraduate and graduate curricula of busi-  
25 ness, science, technology, engineering, and other pro-

1 professional education and technical training programs  
2 to be determined by the Secretary based on national  
3 needs;

4 “(2) produce graduates with proficiencies in  
5 both the global aspects of their professional edu-  
6 cation or technical training fields and international,  
7 cross-cultural, and foreign language skills; and

8 “(3) provide appropriate services to or partner-  
9 ships with the corporate, government, and nonprofit  
10 communities in order to expand knowledge and ca-  
11 pacity for global engagement and competitiveness  
12 and provide internship or employment opportunities  
13 for students and graduates with international skills.

14 “(c) MANDATORY ACTIVITIES.—An eligible entity  
15 that receives a grant under this section shall use the grant  
16 to carry out the following:

17 “(1) With respect to undergraduate or graduate  
18 professional education and technical training cur-  
19 ricula, incorporating—

20 “(A) foreign language programs that lead  
21 to proficiency, including immersion opportuni-  
22 ties;

23 “(B) international, area, or global studies  
24 programs;

1           “(C) education, internships, or other inno-  
2           vative or technological linkages abroad; and

3           “(D) global business, economic, and trade  
4           studies, where appropriate.

5           “(2) Innovating and improving international,  
6           global, and foreign language education curricula to  
7           serve the needs of business and other professional  
8           and nonprofit communities, including development of  
9           new programs for nontraditional, mid-career, or  
10          part-time students.

11          “(3) Establishing education or internship  
12          abroad programs, domestic globally focused intern-  
13          ships, or other innovative approaches to enable un-  
14          dergraduate or graduate students in professional  
15          education or technical training to develop foreign  
16          language skills and knowledge of foreign cultures,  
17          societies, and global dimensions of their professional  
18          fields.

19          “(4) Developing collaborations between institu-  
20          tions of higher education and corporations or non-  
21          profit organizations in order to strengthen engage-  
22          ment and competitiveness in global business, trade,  
23          or other global professional activities.

1       “(d) DISCRETIONARY ACTIVITIES.—An eligible entity  
2 that receives a grant under this section may use the grant  
3 to carry out the following:

4           “(1) Developing specialized teaching materials  
5 and courses, including foreign language and area or  
6 global studies materials, and innovative technological  
7 delivery systems appropriate for professionally ori-  
8 ented students.

9           “(2) Establishing student fellowships or other  
10 innovative support opportunities, including for  
11 underrepresented populations, first generation col-  
12 lege students (defined in section 402A(h)), and her-  
13 itage learners, for education and training in global  
14 professional development activities.

15           “(3) Developing opportunities or fellowships for  
16 faculty or junior faculty of professional education or  
17 technical training (including the faculty of minority-  
18 serving institutions or community colleges) to ac-  
19 quire or strengthen international and global skills  
20 and perspectives.

21           “(4) Creating institutes that take place over  
22 academic breaks, like the summer, including through  
23 technological means, and cover foreign language,  
24 world area, global, or other international studies in  
25 learning areas of global business, science, tech-

1 nology, engineering, or other professional education  
2 and training fields.

3 “(5) Internationalizing curricula at minority-  
4 serving institutions or community colleges to further  
5 the purposes of this section.

6 “(6) Establishing international linkages or part-  
7 nerships with institutions of higher education, cor-  
8 porations, or organizations that contribute to the ob-  
9 jectives of this section.

10 “(7) Developing programs to inform the public  
11 of increasing global interdependence in professional  
12 education and technical training fields.

13 “(8) Establishing trade education programs  
14 through agreements with regional, national, global,  
15 bilateral, or multilateral trade centers, councils, or  
16 associations.

17 “(e) APPLICATION.—Each eligible entity desiring a  
18 grant under this section shall submit an application to the  
19 Secretary at such time, in such manner, and including  
20 such information as the Secretary may reasonably require,  
21 including assurances that—

22 “(1) each proposed project have reasonable and  
23 demonstrable plans for sustainability and  
24 replicability upon completion of the project;

1           “(2) the institution of higher education will use  
2 the assistance provided under this section to supple-  
3 ment and not supplant activities conducted by insti-  
4 tutions of higher education described in (b);

5           “(3) in the case of eligible entities that are con-  
6 sortia of institutions of higher education, or partner-  
7 ship described in subsection (g)(1)(C), a copy of  
8 their partnership agreement that demonstrates com-  
9 pliance with subsection (b) will be provided to the  
10 Secretary;

11           “(4) the activities funded by the grant will re-  
12 flect diverse perspectives and a wide range of views  
13 of world regions and international affairs where ap-  
14 plicable; and

15           “(5) if applicable, a demonstration of why the  
16 eligible entity needs a waiver or reduction of the  
17 matching requirement under subsection (f).

18           “(f) MATCHING REQUIREMENT.—

19           “(1) IN GENERAL.—The Federal share of the  
20 total cost for carrying out a program supported by  
21 a grant under this section shall be not more than 50  
22 percent.

23           “(2) NON-FEDERAL SHARE CONTRIBUTIONS.—  
24 The non-Federal share of such cost may be provided  
25 either in-kind or in cash, from institutional and non-



1 institutional funds, including contributions from  
2 State and private sector corporations, nonprofits, or  
3 foundations.

4 “(3) SPECIAL RULE.—The Secretary may waive  
5 or reduce the share required under paragraph (1)  
6 for eligible entities that—

7 “(A) are minority-serving institutions or  
8 are community colleges; or

9 “(B) have submitted a grant application as  
10 required by subsection (e) that demonstrates a  
11 need for such a waiver or reduction.

12 “(g) DEFINITIONS.—In this section:

13 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-  
14 tity’ means—

15 “(A) an institution of higher education;

16 “(B) a consortia of such institutions; or

17 “(C) a partnership between—

18 “(i) an institution of higher education  
19 or a consortia of such institutions; and

20 “(ii) at least one corporate or non-  
21 profit entity.

22 “(2) PROFESSIONAL EDUCATION AND TECH-  
23 NICAL TRAINING.—The term ‘professional education  
24 and technical training’ means a program at an insti-  
25 tution of higher education that offers undergraduate,

1 graduate, or postgraduate level education in a pro-  
2 fessional or technical field that is determined by the  
3 Secretary as meeting a national need for global or  
4 international competency (which may include busi-  
5 ness, science, technology, engineering, law, health,  
6 energy, environment, agriculture, transportation, or  
7 education).

8 “(h) FUNDING RULE.—Notwithstanding any other  
9 provision of this title, funds made available to the Sec-  
10 retary for a fiscal year may not be obligated or expended  
11 to carry out this section unless the funds appropriated for  
12 such fiscal year to carry out this title exceeds  
13 \$65,103,000.”.

14 (c) DISCONTINUATION OF CERTAIN AUTHORIZA-  
15 TIONS OF APPROPRIATIONS.—Part B of the Higher Edu-  
16 cation Act of 1965 (20 U.S.C. 1130 et seq.) is further  
17 amended by striking section 614.

18 **SEC. 6003. REPEAL OF ASSISTANCE PROGRAM FOR INSTI-  
19 TUTE FOR INTERNATIONAL PUBLIC POLICY.**

20 Part C of title VI of the Higher Education Act of  
21 1965 (20 U.S.C. 1131 et seq.) is repealed.

22 **SEC. 6004. GENERAL PROVISIONS.**

23 (a) DEFINITIONS.—Section 631(a) of the Higher  
24 Education Act of 1965 (20 U.S.C. 1132(a)) is amended—

1 (1) in paragraph (9), by striking “and” at the  
2 end;

3 (2) in paragraph (10), by striking the period at  
4 the end and inserting a semicolon; and

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

6 “(11) the term ‘community college’ has the  
7 meaning given the term ‘junior or community col-  
8 lege’ in section 312(f); and

9 “(12) the term ‘minority-serving institution’  
10 means an institution of higher education that is eli-  
11 gible to receive a grant under part A or B of title  
12 III or title V.”.

13 (b) MINORITY-SERVING INSTITUTIONS.—Part D of  
14 title VI of the Higher Education Act of 1965 (20 U.S.C.  
15 1132 et seq.) is amended—

16 (1) by striking section 637;

17 (2) by redesignating section 638 as section 637;

18 and

19 (3) by inserting after section 637, as so redesign-  
20 nated, the following:

21 **“SEC. 638. PRIORITY TO MINORITY-SERVING INSTITUTIONS.**

22 “(a) PRIORITY.—In seeking applications and award-  
23 ing grants under this title, the Secretary, may give priority  
24 to—

25 “(1) minority-serving institutions; or

1           “(2) institutions of higher education that apply  
2           for such grants that propose significant and sus-  
3           tained collaborative activities with one or more mi-  
4           nority-serving institutions.

5           “(b) TECHNICAL ASSISTANCE.—The Secretary shall  
6           provide technical assistance to minority-serving institu-  
7           tions to ensure maximum distribution of grants to eligible  
8           minority-serving institutions and among each category of  
9           such institutions.”.

10          (c) AUTHORIZATION OF APPROPRIATIONS.—Part D  
11          of title VI of the Higher Education Act of 1965 (20 U.S.C.  
12          1132 et seq.) is further amended by adding at the end  
13          the following new section:

14          **“SEC. 639. AUTHORIZATION OF APPROPRIATIONS.**

15                 “(a) IN GENERAL.—Subject to subsection (b), there  
16                 are authorized to be appropriated to carry out this title  
17                 \$125,000,000 for fiscal year 2019 and each of the 5 suc-  
18                 ceeding fiscal years.

19                 “(b) ADJUSTMENT FOR INFLATION.—

20                         “(1) IN GENERAL.—The amount authorized to  
21                         be appropriated under subsection (a) for fiscal year  
22                         2020 and each of the 4 succeeding fiscal years shall  
23                         be deemed increased by a percentage equal to the  
24                         annual adjustment percentage.

1           “(2) DEFINITION.—In this subsection, the term  
2           ‘annual adjustment percentage’ as applied to a fiscal  
3           year, means the estimated percentage change in the  
4           Consumer Price Index (as determined by the Sec-  
5           retary, using the definition in section 478(f)) for the  
6           most recent calendar year ending prior to the begin-  
7           ning of that fiscal year.”.

8           **TITLE VII—GRADUATE AND**  
9           **POSTSECONDARY IMPROVE-**  
10           **MENT PROGRAMS**

11           **SEC. 7001. GRADUATE EDUCATION PROGRAMS.**

12           (a) HBCU.—Section 723 of the Higher Education  
13           Act of 1965 (20 U.S.C. 1136a) is amended—

14                   (1) in subsection (b)(1), by adding at the end  
15           the following:

16                           “(S) Each institution not listed under sub-  
17                           paragraphs (A) through (R) that is eligible to  
18                           receive funds under part B of title III and that  
19                           offers a qualified masters degree program.”;

20                   (2) in subsection (e), by striking “or 724” and  
21           inserting “724, or 727.”; and

22                   (3) in subsection (f)(3)—

23                           (A) by striking “any amount in excess of  
24                           \$9,000,000” and inserting “after the applica-

1           tion of paragraph (2), the remaining amount”;  
2           and

3                   (B) by striking “(R)” and inserting “(S)”.

4           (b) PREDOMINANTLY BLACK INSTITUTIONS.—Sec-  
5           tion 724 of the Higher Education Act of 1965 (20 U.S.C.  
6           1136b) is amended—

7                   (1) in subsection (b)(1), by adding at the end  
8           the following:

9                           “(F) Each institution not listed in sub-  
10                           paragraphs (A) through (E) that is eligible to  
11                           receive funds under section 318 and that offers  
12                           a qualified masters degree program.”;

13                   (2) in subsection (e), by striking “or 724” and  
14           inserting “724, or 727.”; and

15                   (3) in subsection (f)(3)—

16                           (A) by striking “any amount in excess of  
17                           \$2,500,000” and inserting “after the applica-  
18                           tion of paragraph (2), any remaining amount”;  
19           and

20                           (B) by striking “(E)” and inserting “(F)”.

21           (c) ENHANCING SUPPORT FOR ASIAN AMERICAN AND  
22           NATIVE AMERICAN PACIFIC ISLANDER-SERVING INSTITU-  
23           TIONS.—

1           (1) GRADUATE OPPORTUNITIES.—Part A of  
2 title VII of the Higher Education Act of 1965 (20  
3 U.S.C. 1134 et seq.) is amended—

4           (A) in section 731—

5           (i) by striking “1 through 4” each  
6 place it appears and inserting “1 through  
7 5”; and

8           (ii) by striking “subpart 1, 2, 3, or 4”  
9 and inserting “subparts 1 through 5”;

10          (B) by redesignating subpart 5 as subpart  
11 6; and

12          (C) by inserting after subpart 4 the fol-  
13 lowing:

14 **“Subpart 5—Graduate Opportunities at Asian Amer-**  
15 **ican and Native American Pacific Islander-Serv-**  
16 **ing Institutions**

17 **“SEC. 726. PURPOSES.**

18        “The purposes of this subpart are—

19           “(1) to expand postbaccalaureate educational  
20 opportunities for, and improve the academic attain-  
21 ment of, Asian American and Native American Pa-  
22 cific Islander students; and

23           “(2) to expand the postbaccalaureate academic  
24 offerings and enhance the program quality in the in-  
25 stitutions of higher education that are educating

1 large numbers of Asian American and Native Amer-  
2 ican Pacific Islander students and helping low-in-  
3 come students complete postsecondary degrees.

4 **“SEC. 727. GRANT PROGRAM ESTABLISHED.**

5 “(a) IN GENERAL.—Subject to the availability of  
6 funds appropriated to carry out this subpart, the Sec-  
7 retary shall award grants, on a competitive basis, to eligi-  
8 ble institutions to enable the eligible institutions to carry  
9 out the activities described in section 729.

10 “(b) AWARD OF GRANT FUNDS.—Of the funds ap-  
11 propriated to carry out this subpart for a fiscal year, the  
12 Secretary—

13 “(1) shall reserve—

14 “(A) not less than one-third of such funds  
15 to award grants to carry out the activities de-  
16 scribed in section 729(b); and

17 “(B) not less than one-third of such funds  
18 to award grants to carry out the activities de-  
19 scribed in section 729(c); and

20 “(2) may use the amount of funds remaining  
21 after the reservation required under paragraph (1)  
22 to award grants to carry out the activities described  
23 in subsections (b) and (c) of section 729.

24 “(c) DURATION.—Grants under this part shall be  
25 awarded for a period not to exceed five years.



1       “(d) LIMITATION ON NUMBER OF AWARDS.—The  
2 Secretary may not award more than one grant under this  
3 subpart in any fiscal year to any Asian American and Na-  
4 tive American Pacific Islander-serving institutions.

5 **“SEC. 728. APPLICATIONS.**

6       “(a) APPLICATION.—Any eligible institution may  
7 apply for a grant under this subpart by submitting an ap-  
8 plication to the Secretary at such time and in such manner  
9 as the Secretary may require. Such application shall dem-  
10 onstrate how the grant funds will be used to improve  
11 postbaccalaureate education opportunities for Asian  
12 American and Native American Pacific Islander and low-  
13 income students.

14       “(b) INTERACTION WITH OTHER GRANT PRO-  
15 GRAMS.—No institution that is eligible for and receives an  
16 award under section 326, 512, 723, or 724 for a fiscal  
17 year shall be eligible to apply for a grant, or receive grant  
18 funds, under this section for the same fiscal year.

19 **“SEC. 729. USE OF FUNDS.**

20       “(a) IN GENERAL.—

21               “(1) ACTIVITIES.—An eligible institution that  
22 receives a grant under this subpart shall use such  
23 funds to carry out—

24                       “(A) one or more of the activities described  
25 in subsection (b); or

1           “(B) one or more of the activities de-  
2           scribed in subsection (c).

3           “(2) REQUIREMENT.—An eligible institution  
4           that receives a grant under this subpart may not use  
5           such funds for activities under both subsections (b)  
6           and (c).

7           “(b) GRADUATE PROGRAM ACTIVITIES.—Grants  
8           awarded under this subpart may be used for one or more  
9           of the following activities promoting postbaccalaureate op-  
10          portunities for Asian American and Native American Pa-  
11          cific Islander students:

12           “(1) Purchase, rental, or lease of scientific or  
13           laboratory equipment for educational purposes, in-  
14           cluding instructional and research purposes.

15           “(2) Construction, maintenance, renovation,  
16           and improvement of classrooms, libraries, labora-  
17           tories, and other instructional facilities, including  
18           purchase or rental of telecommunications technology  
19           equipment or services.

20           “(3) Purchase of library books, periodicals,  
21           technical and other scientific journals, microfilm,  
22           microfiche, and other educational materials, includ-  
23           ing telecommunications program materials.

24           “(4) Support for low-income postbaccalaureate  
25           students including outreach, academic support serv-

1       ices and mentoring, scholarships, fellowships, and  
2       other financial assistance to permit the enrollment of  
3       such students in postbaccalaureate certificate and  
4       postbaccalaureate degree granting programs.

5               “(5) Creating or improving facilities for Inter-  
6       net or other distance education technologies, includ-  
7       ing purchase or rental of telecommunications tech-  
8       nology equipment or services.

9               “(6) Collaboration with other institutions of  
10       higher education to expand postbaccalaureate certifi-  
11       cate and postbaccalaureate degree offerings.

12               “(7) Other activities proposed in the application  
13       submitted pursuant to section 728 that—

14                       “(A) contribute to carrying out the pur-  
15                       poses of this subpart; and

16                       “(B) are approved by the Secretary as part  
17                       of the review and acceptance of such applica-  
18                       tion.

19               “(c) FACULTY DEVELOPMENT ACTIVITIES.—Grants  
20       awarded under this subpart may be used for one or more  
21       of the following activities for faculty development:

22                       “(1) Support of faculty exchanges, faculty de-  
23                       velopment, faculty research, curriculum development,  
24                       and academic instruction.

1           “(2) Financial support to graduate students  
2           planning to pursue academic careers who desire to  
3           become faculty at Asian American and Native Amer-  
4           ican Pacific Islander-serving institutions.

5           “(3) Career services in preparing for an aca-  
6           demic career and identifying opportunities.

7           “(4) Developing partnerships between Asian  
8           American and Native American Pacific Islander-  
9           serving institutions to facilitate connections between  
10          graduate students and hiring institutions.

11          “(5) Faculty recruitment efforts with an em-  
12          phasis on graduates from Asian American and Na-  
13          tive American Pacific Islander-serving institutions  
14          and other minority-serving institutions.

15          “(6) Recruitment and retention incentives to  
16          allow Asian American and Native American Pacific  
17          Islander-serving institutions to make competitive of-  
18          fers to potential faculty, including use of funds for  
19          student loan repayment.

20          “(7) Research support for early career faculty.

21          “(8) Other activities proposed in the application  
22          submitted pursuant to section 728 that—

23                  “(A) contribute to carrying out the pur-  
24                  poses of this subpart; and

1                   “(B) are approved by the Secretary as part  
2                   of the review and acceptance of such applica-  
3                   tion.

4 **“SEC. 730. ELIGIBLE INSTITUTION DEFINED.**

5                   “For the purposes of this subpart, an ‘eligible institu-  
6                   tion’ means an institution of higher education that—

7                   “(1) is an Asian-American and Native Amer-  
8                   ican Pacific Islander-serving institution (as defined  
9                   in section 320); and

10                   “(2) offers a postbaccalaureate certificate or  
11                   postbaccalaureate degree granting program.

12 **“SEC. 730A. AUTHORIZATION OF APPROPRIATIONS.**

13                   “There is authorized to be appropriated to carry out  
14                   this subpart \$30,000,000 for fiscal year 2019 and each  
15                   of the 9 succeeding fiscal years.”.

16 **SEC. 7002. MINORITY-SERVING INSTITUTIONS INNOVATION**  
17 **FUND.**

18                   Title VII of the Higher Education Act of 1965 (20  
19                   U.S.C. 1133 et seq.) is amended by inserting after part  
20                   B the following:

21 **“PART C—FUNDING INNOVATIONS AT MINORITY-**  
22 **SERVING INSTITUTIONS**

23 **“SEC. 751. PURPOSE.**

24                   “It is the purpose of this part to assist minority-serv-  
25                   ing institutions in planning, developing, implementing,

1 validating, and replicating innovations that provide solu-  
2 tions to persistent challenges in enabling economically and  
3 educationally disadvantaged students to enroll in, persist  
4 through, and graduate from college, including innovations  
5 designed to—

6           “(1) improve student achievement at minority-  
7           serving institutions;

8           “(2) increase the successful recruitment at mi-  
9           nority-serving institutions of—

10                   “(A) students from low-income families of  
11                   all races;

12                   “(B) adults; and

13                   “(C) military-affiliated students;

14           “(3) increase the rate at which students en-  
15           rolled in minority-serving institutions make adequate  
16           or accelerated progress toward graduation, and suc-  
17           cessfully graduate from such institutions;

18           “(4) increase the number of students pursuing  
19           and completing degrees in science, technology, engi-  
20           neering, and mathematics at minority-serving insti-  
21           tutions and pursuing graduate work in such fields,  
22           including through the establishment of innovation  
23           ecosystems on the campuses of such institutions;

24           “(5) redesign course offerings and other in-  
25           structional strategies at minority-serving institutions

1 to improve student outcomes and reduce postsec-  
2 ondary education costs;

3 “(6) enhance the quality and number of tradi-  
4 tional and alternative route teacher preparation pro-  
5 grams offered by minority-serving institutions;

6 “(7) expand the effective use of technology at  
7 minority-serving institutions; and

8 “(8) strengthen postgraduate employment out-  
9 comes for students enrolled in minority-serving insti-  
10 tutions.

11 **“SEC. 752. DEFINITION.**

12 “In this part:

13 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-  
14 tity’ means—

15 “(A) a minority-serving institution; or

16 “(B) a consortium of a minority-serving in-  
17 stitution and—

18 “(i) one or more other institutions of  
19 higher education;

20 “(ii) a private nonprofit organization;

21 “(iii) a local educational agency; or

22 “(iv) any combination of the entities  
23 described in clauses (i) through (iii).

24 “(2) MINORITY SERVING INSTITUTION.—The  
25 term ‘minority serving institution’ means an institu-

1       tion of higher education described in paragraph (1),  
2       (2), (3), (4), (5), (6), or (7) of section 371(a).

3       **“SEC. 753. GRANTS AUTHORIZED.**

4       “(a) IN GENERAL.—Except as provided in subsection  
5 (b)(2), with the funds made available for this part under  
6 section 757, the Secretary shall make competitive planning  
7 and implementation grants, as described in subsections (b)  
8 and (c), to eligible entities to enable such entities to plan  
9 for the implementation of, in the case of a planning grant,  
10 and implement, in the case of an implementation grant,  
11 innovations described in section 751 and to support the  
12 planning, development, implementation, validation, scaling  
13 up, and replication of such innovations.

14       “(b) PLANNING GRANTS.—

15               “(1) IN GENERAL.—Except as provided in para-  
16 graph (2), with the funds made available under sec-  
17 tion 757 for a fiscal year, the Secretary shall use not  
18 more than 5 percent or \$42,500,000 (whichever is  
19 greater) to award, on a competitive basis, planning  
20 grants to enable eligible entities to plan, design, and  
21 develop innovations described in section 751.

22               “(2) SECTORS.—Planning grants shall be  
23 awarded to each sector of a minority-serving institu-  
24 tion in proportion to the allocations made in sub-  
25 paragraphs (A) through (G) of section 757(1).



1           “(3) DURATION.—A planning grant authorized  
2           under this subsection shall be for the duration of 1  
3           year.

4           “(4) GRANT AMOUNTS.—Each planning grant  
5           authorized under this subsection shall be in an  
6           amount that is not more than \$150,000.

7           “(c) IMPLEMENTATION GRANTS.—

8           “(1) IN GENERAL.—With funds made available  
9           for this part under section 757, the Secretary shall  
10          award implementation grants to enable eligible enti-  
11          ties to further develop, pilot, field-test, implement,  
12          document, validate, and, as applicable, scale up and  
13          replicate, innovations described in section 751.

14          “(2) DURATION.—An implementation grant au-  
15          thorized under this subsection shall be for a dura-  
16          tion of 5 years, except that the Secretary may not  
17          continue providing funds under the grant after year  
18          3 of the grant period unless the eligible entity dem-  
19          onstrates that the entity has achieved satisfactory  
20          progress toward carrying out the educational innova-  
21          tions, activities, and projects described in their appli-  
22          cation pursuant to section 754(d), as determined by  
23          the Secretary.

24          “(3) GRANT AMOUNT.—Each implementation  
25          grant authorized under this subsection shall be in an

1 amount sufficient to enable the eligible entity to  
2 achieve the purposes of its proposed activities and  
3 projects, but shall not exceed \$10,000,000.

4 “(d) SPECIAL RULES FOR CONSORTIUMS.—

5 “(1) FISCAL AGENT.—

6 “(A) IN GENERAL.—In the case of an eligi-  
7 ble entity applying for a grant under this part  
8 as a consortium, each member of the consor-  
9 tium shall agree on 1 such member of such eli-  
10 gibility entity to serve as a fiscal agent of such  
11 entity.

12 “(B) RESPONSIBILITIES.—The fiscal agent  
13 of an eligible entity, as described in subpara-  
14 graph (A), shall act on behalf of such entity in  
15 performing the financial duties of such entity  
16 under this part.

17 “(C) WRITTEN AGREEMENT.—The agree-  
18 ment described in subparagraph (A) shall be in  
19 writing and signed by each member of the con-  
20 sortium.

21 “(2) SUBGRANTS.—In the case of an eligible  
22 entity applying for a grant under this part as a con-  
23 sortium, the fiscal agent for such entity (as de-  
24 scribed in paragraph (1)) may use the funds pro-

1 vided by the grant to make subgrants to members  
2 of the consortium.

3 **“SEC. 754. APPLICATIONS.**

4 “(a) IN GENERAL.—An eligible entity desiring to re-  
5 ceive a grant under this part shall submit an application  
6 to the Secretary at such time, in such manner, and con-  
7 taining such information as the Secretary may reasonably  
8 require.

9 “(b) CONSORTIUM ENTITIES.—An application under  
10 this section which is submitted by an eligible entity apply-  
11 ing as a consortium shall include the written agreement  
12 described in section 753(d)(1)(C).

13 “(c) PLANNING GRANTS.—The Secretary shall en-  
14 sure that the application requirements under this section  
15 for a planning grant authorized under section 753(b) in-  
16 clude, in addition to the requirement in subsection (b) (if  
17 applicable), only those minimal requirements that are nec-  
18 essary to review the proposed process of an eligible entity  
19 for the planning, design, and development of one or more  
20 of the innovations described in section 751.

21 “(d) IMPLEMENTATION GRANTS.—An application  
22 under this section for an innovation grant authorized  
23 under section 753(e) shall include, in addition to the re-  
24 quirement under subsection (b) (if applicable), descrip-  
25 tions of—

1           “(1) each innovation described in section 751  
2           that the eligible entity would implement using the  
3           funds made available by such grant, including, as  
4           applicable, a description of the evidence base sup-  
5           porting such innovation;

6           “(2) how each such innovation will address the  
7           purpose of this part, as described in section 751,  
8           and how each such innovation will further the insti-  
9           tutional or organizational mission of the minority-  
10          serving institution that is part of the eligible entity;

11          “(3) the specific activities that the eligible enti-  
12          ty will carry out with funds made available by such  
13          grant, including, in the case of an eligible entity ap-  
14          plying as a consortium, a description of the activities  
15          that each member of the consortium will carry out  
16          and a description of the capacity of each such mem-  
17          ber to carry out those activities;

18          “(4) the performance measures that the eligible  
19          entity will use to track its progress in implementing  
20          each such innovation, including a description of how  
21          the entity will implement those performance meas-  
22          ures and use information on performance to make  
23          adjustments and improvements to its implementa-  
24          tion activities, as needed, over the course of the  
25          grant period;

1           “(5) how the eligible entity will provide for an  
2 independent evaluation of the implementation and  
3 impact of the projects funded by such grant, includ-  
4 ing—

5                   “(A) an interim report (evaluating the  
6 progress made in the first 3 years of the grant);  
7 and

8                   “(B) a final report (completed at the end  
9 of the grant period); and

10           “(6) the plan of the eligible entity for con-  
11 tinuing each proposed innovation after the grant has  
12 ended.

13 **“SEC. 755. PRIORITY.**

14           “(a) **PLANNING GRANTS.**—In awarding planning  
15 grants under this part, the Secretary shall give priority  
16 to applications that were submitted in 2019, but did not  
17 receive a planning grant due to the circumstances de-  
18 scribed in section 753(b)(2).

19           “(b) **IMPLEMENTATION GRANTS.**—In awarding im-  
20 plementation grants under this part, the Secretary shall  
21 give—

22                   “(1) first priority to applications for programs  
23 at minority-serving institutions that have not pre-  
24 viously received an implementation grant under this  
25 part; and

1           “(2) second priority to applications that address  
2 issues of major national need, including—

3           “(A) educational innovations designed to  
4 increase the rate of postsecondary degree at-  
5 tainment for populations within minority groups  
6 that have low relative rates of postsecondary de-  
7 gree attainment;

8           “(B) innovative partnerships between mi-  
9 nority-serving institutions and local educational  
10 agencies that are designed to increase the en-  
11 rollment and successful completion of histori-  
12 cally underrepresented populations in higher  
13 education;

14           “(C) educational innovations that support  
15 developing programs and initiatives in minority-  
16 serving institutions to enhance undergraduate  
17 and graduate programs in science, technology,  
18 engineering, and mathematics;

19           “(D) innovative partnerships between mi-  
20 nority-serving institutions and other organiza-  
21 tions to establish innovation ecosystems in sup-  
22 port of economic development, entrepreneur-  
23 ship, and the commercialization of technology  
24 supported by research funded through this  
25 grant;

1           “(E) educational innovations that enhance  
2           the quality and number of traditional and alter-  
3           native route teacher preparation programs at  
4           minority-serving institutions to enable teachers  
5           to be highly effective in the classroom and to  
6           enable such programs to meet the demands for  
7           diversity and accountability in teacher edu-  
8           cation; and

9           “(F) educational innovations that strength-  
10          en postgraduate employment outcomes of mi-  
11          nority-serving institutions through the imple-  
12          mentation of comprehensive and strategic ca-  
13          reer pathways for students.

14 **“SEC. 756. USES OF FUNDS.**

15          “(a) PLANNING GRANTS.—An eligible entity receiv-  
16          ing a planning grant under section 753(b) shall use funds  
17          made available by such grant to conduct an institutional  
18          planning process that includes—

19                 “(1) an assessment of the needs of the minor-  
20                 ity-serving institution;

21                 “(2) research on educational innovations de-  
22                 scribed in section 751 that will meet the needs de-  
23                 scribed in paragraph (1);

24                 “(3) the selection of one or more such edu-  
25                 cational innovations for implementation;

1           “(4) an assessment of the capacity of the mi-  
2           nority-serving institution to implement such edu-  
3           cational innovation; and

4           “(5) activities to further develop such capacity.

5           “(b) IMPLEMENTATION GRANTS.—An eligible entity  
6           receiving an implementation grant under section 753(c)  
7           shall use the funds made available by such grant to further  
8           develop, pilot, field-test, implement, document, validate,  
9           and, as applicable, scale up, and replicate innovations de-  
10          scribed in section 751, such as innovations designed to—

11           “(1) improve student achievement, such as  
12           through activities designed to increase the number  
13           or percentage of students who successfully complete  
14           developmental or remedial coursework (which may  
15           be accomplished through the evidence-based redesign  
16           of such coursework) and pursue and succeed in post-  
17           secondary studies;

18           “(2) improve and expand institutional recruit-  
19           ment, postsecondary school awareness, and postsec-  
20           ondary school preparation efforts targeting students,  
21           including high-achieving students from low-income  
22           families, such as through activities undertaken in  
23           partnership with local educational agencies and non-  
24           profit organizations (including the introduction of  
25           dual-enrollment programs and the implementation of



1 activities designed to enable more students to enter  
2 college without the need for remediation);

3 “(3) increase the number of minority males who  
4 attain a postsecondary degree, such as through evi-  
5 dence-based interventions that integrate academic  
6 advising with social and cultural supports and assist-  
7 ance with job placement;

8 “(4) increase the number or percentage of stu-  
9 dents who make satisfactory or accelerated progress  
10 toward graduation from postsecondary school and  
11 the number or percentage who graduate from post-  
12 secondary school on time, such as through the provi-  
13 sion of comprehensive academic and nonacademic  
14 student support services;

15 “(5) increase the number or percentage of stu-  
16 dents, particularly students who are members of his-  
17 torically underrepresented populations, who enroll in  
18 science, technology, engineering, and mathematics  
19 courses, graduate with degrees in such fields, and  
20 pursue advanced studies in such fields;

21 “(6) develop partnerships between minority-  
22 serving institutions and other organizations to estab-  
23 lish innovation ecosystems in support of economic  
24 development, entrepreneurship, and the commer-

1 cialization of technology supported by funded re-  
2 search;

3 “(7) implement evidence-based improvements to  
4 courses, particularly high-enrollment courses, to im-  
5 prove student outcomes and reduce education costs  
6 for students, including costs of remedial courses;

7 “(8) enhance the quality and number of tradi-  
8 tional and alternative route teacher and school lead-  
9 er preparation programs at minority-serving institu-  
10 tions that enable graduates to be profession-ready  
11 and highly effective in the classroom and to enable  
12 such programs to meet the demands for diversity  
13 and accountability in educator preparation;

14 “(9) expand the effective use of technology in  
15 higher education, such as through collaboration be-  
16 tween institutions on implementing technology-en-  
17 abled delivery models (including hybrid models) or  
18 through the use of open educational resources and  
19 digital content;

20 “(10) strengthen postgraduate employment out-  
21 comes through the implementation of comprehensive  
22 and strategic career pathways for students, which  
23 may include aligning curricula with workforce needs,  
24 experiential learning, integration of career services,

1 and developing partnerships with employers and  
2 business organizations; and

3 “(11) provide a continuum of solutions by in-  
4 corporating activities that address multiple objec-  
5 tives described in paragraphs (1) through (10).

6 **“SEC. 757. AUTHORIZATION OF APPROPRIATIONS.**

7 “There are authorized to be appropriated to carry out  
8 activities under this part \$850,000,000 for fiscal year  
9 2019 and each of the 5 succeeding fiscal years, to be allo-  
10 cated as follows:

11 “(1) for institutions described in paragraph (1)  
12 of section 371(a), \$224,987,083;

13 “(2) for institutions described in paragraph (2)  
14 of section 371(a), \$214,446,428;

15 “(3) for institutions described in paragraph (3)  
16 of section 371(a), \$78,056,743;

17 “(4) for institutions described in paragraph (4)  
18 of section 371(a), \$20,662,079;

19 “(5) for institutions described in paragraph (5)  
20 of section 371(a), \$130,859,834;

21 “(6) for institutions described in paragraph (6)  
22 of section 371(a), \$122,305,533; and

23 “(7) for institutions described in paragraph (7)  
24 of section 371(a), \$58,682,300.”.

1 **SEC. 7003. DEFINITIONS.**

2 Section 760 of the Higher Education Act of 1965 (20  
3 U.S.C. 1140) is amended to read as follows:

4 **“SEC. 760. DEFINITIONS.**

5 “In this part:

6 “(1) COMPREHENSIVE TRANSITION AND POST-  
7 SECONDARY PROGRAM FOR STUDENTS WITH INTEL-  
8 LECTUAL DISABILITIES.—The term ‘comprehensive  
9 transition and postsecondary program for students  
10 with intellectual disabilities’ means a program that  
11 leads to a recognized educational credential or recog-  
12 nized postsecondary credential issued by an institu-  
13 tion of higher education that meets each of the fol-  
14 lowing requirements:

15 “(A) Is offered by an institution of higher  
16 education.

17 “(B) Is designed to support students with  
18 intellectual disabilities who are seeking to con-  
19 tinue academic, career and technical, or inde-  
20 pendent living instruction at an institution of  
21 higher education in order to prepare for com-  
22 petitive integrated employment.

23 “(C) Includes student advising and a pro-  
24 gram of study.

25 “(D) Requires students with intellectual  
26 disabilities to participate on not less than a

1 half-time basis as determined by the institution,  
2 with such participation focusing on academic  
3 and career development components and occur-  
4 ring through 1 or more of the following activi-  
5 ties:

6 “(i) Regular enrollment in credit-bear-  
7 ing courses with students without disabil-  
8 ities that are offered by the institution.

9 “(ii) Auditing or participating in  
10 courses with students without disabilities  
11 that are offered by the institution and for  
12 which the student does not receive regular  
13 academic credit.

14 “(iii) Enrollment in noncredit-bearing,  
15 nondegree courses with students without  
16 disabilities.

17 “(iv) Participation in internships, ap-  
18 prenticeships, or work-based experiences in  
19 competitive integrated settings for a se-  
20 mester, or multiple semesters.

21 “(E) Requires students with intellectual  
22 disabilities to be socially and academically inte-  
23 grated with students without disabilities to the  
24 maximum extent practicable.

1           “(2) DISABILITY.—The term ‘disability’ has the  
2 meaning given such term in section 3 of the Ameri-  
3 cans with Disabilities Act of 1990 (42 U.S.C.  
4 12102).

5           “(3) INSTITUTION OF HIGHER EDUCATION.—  
6 The term ‘institution of higher education’ has the  
7 meaning given such term in section 101.

8           “(4) OFFICE OF ACCESSIBILITY.—The term  
9 ‘Office of Accessibility’ has the meaning given to the  
10 office of disability services of the institution or  
11 equivalent office.

12           “(5) RECOGNIZED POSTSECONDARY CREDEN-  
13 TIAL.—The term ‘recognized postsecondary creden-  
14 tial’ has the meaning given the term in section 101  
15 of the Workforce Innovation and Opportunity Act  
16 (29 U.S.C. 3101).

17           “(6) STUDENT WITH INTELLECTUAL DIS-  
18 ABILITY.—The term ‘student with an intellectual  
19 disability’ means a student—

20                   “(A)(i) with a cognitive impairment, char-  
21 acterized by significant limitations in—

22                           “(I) intellectual and cognitive func-  
23 tioning; and

1           “(II) adaptive behavior as expressed  
2           in conceptual, social, and practical adapt-  
3           ive skills; and

4           “(ii) who is currently, or was formerly, eli-  
5           gible for a free appropriate public education  
6           under the Individuals with Disabilities Edu-  
7           cation Act (20 U.S.C. 1400 et seq.); or

8           “(B) in the case of a student who has not  
9           currently or formerly been found eligible for a  
10          free appropriate education under the Individ-  
11          uals with Disabilities Education Act (20 U.S.C.  
12          1400 et seq.), or a student who has not pre-  
13          viously been found eligible as a student with an  
14          intellectual disability under such Act, docu-  
15          mentation establishing that the student has an  
16          intellectual disability, such as—

17               “(i) a documented comprehensive and  
18               individualized psycho-educational evalua-  
19               tion and diagnosis of an intellectual dis-  
20               ability by a psychologist or other qualified  
21               professional; or

22               “(ii) a record of the disability from a  
23               local or State educational agency, or gov-  
24               ernment agency, such as the Social Secu-  
25               rity Administration or a vocational reha-

1                   bilitation agency, that identifies the intel-  
2                   lectual disability.

3                   “(7) UNIVERSAL DESIGN FOR LEARNING.—The  
4                   term ‘universal design for learning’ means a scientif-  
5                   ically valid framework for guiding educational prac-  
6                   tice that—

7                   “(A) provides flexibility in the ways infor-  
8                   mation is presented, in the ways students re-  
9                   spond or demonstrate knowledge and skills, and  
10                  in the ways students are engaged; and

11                  “(B) reduces barriers in instruction, pro-  
12                  vides appropriate accommodations, supports,  
13                  and challenges and maintains high achievement  
14                  expectations for all students, including students  
15                  with disabilities and students who are limited  
16                  English proficient.”.

17 **SEC. 7004. SUPPORTING POSTSECONDARY FACULTY, STAFF,**  
18 **AND ADMINISTRATORS IN PROVIDING ACCES-**  
19 **SIBLE EDUCATION.**

20                  (a) GRANTS.—Section 762 of the Higher Education  
21 Act of 1965 (20 U.S.C. 1140b) is amended to read as  
22 follows:



1 **“SEC. 762. GRANTS AUTHORIZED.**

2 “(a) COMPETITIVE GRANTS AUTHORIZED TO SUP-  
3 PORT POSTSECONDARY FACULTY, STAFF, AND ADMINIS-  
4 TRATORS IN PROVIDING AN ACCESSIBLE EDUCATION.—

5 “(1) IN GENERAL.—From amounts appro-  
6 priated under section 765C, the Secretary shall  
7 award grants, on a competitive basis, to institutions  
8 of higher education to enable the institutions to  
9 carry out the activities under subsection (b).

10 “(2) AWARDS FOR PROFESSIONAL DEVELOP-  
11 MENT AND TECHNICAL ASSISTANCE.—Not less than  
12 5 grants shall be awarded to institutions of higher  
13 education that provide professional development and  
14 technical assistance in order to improve access to  
15 and completion of postsecondary education for stu-  
16 dents, including students with disabilities.

17 “(b) DURATION; ACTIVITIES.—

18 “(1) DURATION.—A grant under this subpart  
19 shall be awarded for a period of 5 years.

20 “(2) AUTHORIZED ACTIVITIES.—A grant  
21 awarded under this subpart shall be used to carry  
22 out one or more of the following activities:

23 “(A) TEACHING METHODS AND STRATE-  
24 GIES.—The development and implementation of  
25 training to provide innovative, effective, and evi-  
26 dence-based teaching methods and strategies,

1 consistent with the principles of universal de-  
2 sign for learning, to provide postsecondary fac-  
3 ulty, staff, and administrators with the skills  
4 and supports necessary to teach and meet the  
5 academic and programmatic needs of students  
6 (including students with disabilities) in order to  
7 improve the retention of such students in, and  
8 the completion by such students of, postsec-  
9 ondary education. Such methods and strategies  
10 may include in-service training, professional de-  
11 velopment, customized and general technical as-  
12 sistance, workshops, summer institutes, dis-  
13 tance learning, and training in the use of assist-  
14 ive and educational technology.

15 “(B) IMPLEMENTING ACCOMMODATIONS.—  
16 The development and implementation of train-  
17 ing to provide postsecondary faculty, staff, and  
18 administrators methods and strategies of pro-  
19 viding appropriate accommodations for students  
20 with disabilities, including descriptions of the  
21 legal obligations of the university to provide  
22 such accommodations.

23 “(C) EFFECTIVE TRANSITION PRAC-  
24 TICES.—The development and implementation  
25 of innovative, effective, and evidence-based

1 teaching methods and strategies to provide  
2 postsecondary faculty, staff, and administrators  
3 with the skills and supports necessary to ensure  
4 the successful and smooth transition of stu-  
5 dents with disabilities from secondary school to  
6 postsecondary education. The teaching methods  
7 and strategies may include supporting students  
8 in the development of self-advocacy skills to im-  
9 prove transition to, and completion of, postsec-  
10 ondary education.

11 “(D) DISTANCE LEARNING.—The develop-  
12 ment and implementation of training to provide  
13 innovative, effective, and evidence-based teach-  
14 ing methods and strategies to enable postsec-  
15 ondary faculty, staff, and administrators to pro-  
16 vide accessible distance education programs or  
17 classes that would enhance the access of stu-  
18 dents (including students with disabilities) to  
19 postsecondary education, including the use of  
20 accessible curricula and electronic communica-  
21 tion for instruction and advising.

22 “(E) CAREER PATHWAY GUIDANCE.—The  
23 development and implementation of effective  
24 and evidence-based teaching methods and strat-  
25 egies to provide postsecondary faculty, staff,

1 and administrators with the ability to advise  
2 students with disabilities with respect to their  
3 chosen career pathway, which shall include—

4 “(i) supporting internships, appren-  
5 ticeships, or work-based learning opportu-  
6 nities;

7 “(ii) counseling on coursework to meet  
8 the recognized educational credential or  
9 recognized postsecondary credential appro-  
10 priate for the field chosen;

11 “(iii) developing self-advocacy skills to  
12 advocate for appropriate accommodations  
13 once in the workplace; or

14 “(iv) supporting the student in select-  
15 ing a career pathway that leads to com-  
16 petitive, integrated employment.

17 “(3) MANDATORY EVALUATION AND DISSEMI-  
18 NATION.—An institution of higher education award-  
19 ed a grant under this subpart shall evaluate and dis-  
20 seminate to other institutions of higher education  
21 the information obtained through the activities de-  
22 scribed in subparagraphs (A) through (E) of para-  
23 graph (2).

24 “(c) CONSIDERATIONS IN MAKING AWARDS.—In  
25 awarding grants, contracts, or cooperative agreements

1 under this subpart, the Secretary shall consider the fol-  
2 lowing:

3           “(1) GEOGRAPHIC DISTRIBUTION.—Providing  
4 an equitable geographic distribution of such awards.

5           “(2) RURAL AND URBAN AREAS.—Distributing  
6 such awards to urban and rural areas.

7           “(3) RANGE AND TYPE OF INSTITUTION.—En-  
8 suring that the activities to be assisted are developed  
9 for a range of types and sizes of institutions of high-  
10 er education.

11          “(d) REPORTS.—

12           “(1) INITIAL REPORT.—Not later than one year  
13 after the date of enactment of the this Act, the Sec-  
14 retary shall prepare and submit to the authorizing  
15 committees, and make available to the public, a re-  
16 port on all projects awarded grants under this part,  
17 including a review of the activities and program per-  
18 formance of such projects based on existing informa-  
19 tion as of the date of the report.

20           “(2) SUBSEQUENT REPORT.—Not later than  
21 five years after the date of the first award of a grant  
22 under this subpart after the date of enactment of  
23 this section, the Secretary shall prepare and submit  
24 to the authorizing committees, and make available to  
25 the public, a report that—

1           “(A) reviews the activities and program  
2 performance of the projects authorized under  
3 this subpart; and

4           “(B) provides guidance and recommenda-  
5 tions on how effective projects can be rep-  
6 licated.

7           “(e) AUTHORIZATION OF APPROPRIATIONS.—

8           “(1) IN GENERAL.—Subject to paragraph (2),  
9 there are authorized to be appropriated to carry out  
10 this section \$10,000,000 for fiscal year 2019 and  
11 each of the 5 succeeding fiscal years.

12           “(2) ADJUSTMENT FOR INFLATION.—

13           “(A) IN GENERAL.—The amount author-  
14 ized to be appropriated under paragraph (1) for  
15 fiscal year 2020 and each of the 4 succeeding  
16 fiscal years shall be deemed increased by the  
17 annual adjustment percentage.

18           “(B) DEFINITION.—In this paragraph, the  
19 term ‘annual adjustment percentage’, as applied  
20 to a fiscal year, means the estimated percentage  
21 change in the Consumer Price Index (as deter-  
22 mined by the Secretary, using the definition in  
23 section 478(f)) for the most recent calendar  
24 year ending before the beginning of that fiscal  
25 year.”.

1 (b) APPLICATIONS.—Section 763 of the Higher Edu-  
2 cation Act of 1965 (20 U.S.C. 1140c) is amended to read  
3 as follows:

4 **“SEC. 763. APPLICATIONS.**

5 “Each institution of higher education desiring to re-  
6 ceive a grant under this subpart shall submit an applica-  
7 tion to the Secretary at such time, in such manner, and  
8 accompanied by such information as the Secretary may  
9 require. Each application shall include—

10 “(1) a description of the activities authorized  
11 under this subpart that the institution proposes to  
12 carry out, and how such institution plans to conduct  
13 such activities in order to further the purpose of this  
14 subpart;

15 “(2) a description of how the institution con-  
16 sulted with a broad range of people, including indi-  
17 viduals with expertise in disability supports or spe-  
18 cial education, within the institution to develop ac-  
19 tivities for which assistance is sought;

20 “(3) a description of how the institution will co-  
21 ordinate and collaborate with the office of accessi-  
22 bility; and

23 “(4) a description of the extent to which the in-  
24 stitution will work to replicate the research-based  
25 and best practices of institutions of higher education

1 with demonstrated effectiveness in serving students  
2 with disabilities.”.

3 **SEC. 7005. OFFICE OF ACCESSIBILITY.**

4 Subpart 1 of part D of title VII of the Higher Edu-  
5 cation Act of 1965 (20 U.S.C. 1440a et seq.) is amend-  
6 ed—

7 (1) by redesignating section 765 as section  
8 765C;

9 (2) by inserting after section 764 the following:

10 **“SEC. 765A. OFFICE OF ACCESSIBILITY.**

11 “(a) ESTABLISHMENT.—Each institution of higher  
12 education shall establish an office of accessibility to de-  
13 velop and implement policies to support students who  
14 enter postsecondary education with disabilities and stu-  
15 dents who acquire a disability while enrolled in an institu-  
16 tion of higher education.

17 “(b) DUTIES.—Each office of accessibility shall—

18 “(1) inform students, during student orienta-  
19 tion, about services provided at the institution of  
20 higher education, and continually update such infor-  
21 mation through the accessibility office’s website and  
22 other communications to improve accessibility of  
23 such services;

24 “(2) provide information to students regarding  
25 accommodations and modifications provided by the



1 institution of higher education with respect to in-  
2 ternships, practicums, work-based learning, appren-  
3 ticeships, or other work-related environments that—

4 “(A) the student may engage in through  
5 courses; or

6 “(B) are necessary for completion of a rec-  
7 ognized educational credential or recognized  
8 postsecondary credential;

9 “(3) provide information to students regarding  
10 their legal rights under the Americans with Disabil-  
11 ities Act of 1990 (42 U.S.C. 12101 et seq.) and sec-  
12 tion 504 of the Rehabilitation Act (29 U.S.C. 794);  
13 and

14 “(4) in order to provide appropriate accom-  
15 modations to students with disabilities, carry out the  
16 following:

17 “(A) Adopt policies that, at a minimum,  
18 make any of the following documentation sub-  
19 mitted by a student sufficient to establish that  
20 such student is an individual with a disability:

21 “(i) Documentation that the indi-  
22 vidual has had an individualized education  
23 program in accordance with section 614(d)  
24 of the Individuals with Disabilities Edu-  
25 cation Act (20 U.S.C. 1414(d)), including

1 an individualized education program that  
2 may be not current or past-date on the  
3 date of the determination.

4 “(ii) Documentation that the indi-  
5 vidual has had a plan prepared under sec-  
6 tion 504 of the Rehabilitation Act of 1973  
7 (29 U.S.C. 794).

8 “(iii) A plan or record of service for  
9 the individual from a private school, a local  
10 educational agency, a State educational  
11 agency, or an institution of higher edu-  
12 cation provided in accordance with the  
13 Americans with Disabilities Act of 1990  
14 (42 U.S.C. 12101 et seq.).

15 “(iv) A record or evaluation from a li-  
16 censed professional finding that the indi-  
17 vidual has a disability.

18 “(v) A plan or record of disability  
19 from another institution of higher edu-  
20 cation.

21 “(vi) Documentation of a disability  
22 due to service in the uniformed services, as  
23 defined in section 484C(a).

24 “(B) Adopt policies that are transparent  
25 and explicit regarding the process by which the

1 institution determines eligibility for accom-  
2 modations.

3 “(C) Disseminate the information de-  
4 scribed in subparagraph (B) to students, par-  
5 ents, and faculty—

6 “(i) in an accessible format;

7 “(ii) during student orientation; and

8 “(iii) by making such information  
9 readily available on a public website of the  
10 institution.

11 “(D) If applicable, provide accommoda-  
12 tions to students with mental health disabilities.

13 **“SEC. 765B. COMPETITIVE GRANT FOR INNOVATION AND**  
14 **ACCESSIBILITY.**

15 “(a) GRANTS AUTHORIZED.—

16 “(1) IN GENERAL.—From amounts appro-  
17 priated under section 765C, the Secretary may  
18 award grants on a competitive basis to institutions  
19 of higher education to enable the institutions to  
20 carry out the activities described under subsection  
21 (c).

22 “(2) DURATION.—A grant under this subpart  
23 shall be awarded for a period of 5 years.

1           “(3) CONSIDERATION IN MAKING AWARDS.—In  
2           awarding grants under this subsection, the Secretary  
3           shall consider the following:

4                   “(A) Providing an equitable geographic  
5                   distribution of such awards.

6                   “(B) Ensuring that the activities to be as-  
7                   sisted are developed for a range of types and  
8                   sizes of institutions of higher education.

9           “(b) APPLICATION.—Each institution of higher edu-  
10          cation desiring to receive a grant under this subsection  
11          shall submit an application to the Secretary at such time,  
12          in such manner, and accompanied by such information as  
13          the Secretary may require. Each application shall in-  
14          clude—

15                   “(1) a description of how the institution will  
16                   carry out the activities under this section;

17                   “(2) a description of the consultation the insti-  
18                   tution has had with a broad range of people within  
19                   the institution, including individuals with expertise  
20                   in disability supports or special education, in devel-  
21                   oping the information under paragraph (1);

22                   “(3) a plan for the sustainability of the pro-  
23                   gram after the end of the grant period; and

1           “(4) a written business plan for revenue and ex-  
2           penditures to be provided to the Department under  
3           subsection (d).

4           “(c) ACTIVITIES.—A grant awarded under this sec-  
5           tion shall be used to—

6           “(1) develop and implement across the institu-  
7           tion of higher education, a universal design for  
8           learning framework for course design and instruc-  
9           tional materials to improve campus-wide accessibility  
10          to instruction, materials, and the learning environ-  
11          ment; or

12          “(2) develop or improve distance education  
13          courses consistent with the principles of universal  
14          design for learning to improve accessibility of in-  
15          struction and materials.

16          “(d) REPORTS.—

17          “(1) GRANT RECIPIENT REPORTS.—An institu-  
18          tion of higher education awarded a grant under this  
19          subpart shall evaluate and disseminate to other in-  
20          stitutions of higher education, the information ob-  
21          tained through the activities described in subsection  
22          (c).

23          “(2) INITIAL REPORT BY SECRETARY.—Not  
24          later than one year after the date of the enactment  
25          of this section, the Secretary shall prepare and sub-

1 mit to the authorizing committees, and make avail-  
2 able to the public, a report on all projects awarded  
3 grants under this part, including a review of the ac-  
4 tivities and program performance of such projects  
5 based on existing information as of the date of the  
6 report.

7 “(3) FINAL REPORT BY SECRETARY.—Not later  
8 than 6 years after the date of the first award of a  
9 grant under subsection (a), the Secretary shall pre-  
10 pare and submit to the authorizing committees, and  
11 make available to the public, a report that—

12 “(A) reviews the activities and program  
13 performance of the projects authorized under  
14 this subsection; and

15 “(B) provides guidance and recommenda-  
16 tions on how effective projects can be rep-  
17 licated.”; and

18 (3) by amending section 765C, as so redesign-  
19 nated, to read as follows:

20 **“SEC. 765C. AUTHORIZATION OF APPROPRIATIONS.**

21 “(a) IN GENERAL.—Subject to subsection (b), there  
22 are authorized to be appropriated to carry out section  
23 765B \$10,000,000 for fiscal year 2019 and each of the  
24 5 succeeding fiscal years.

25 “(b) ADJUSTMENT FOR INFLATION.—

1           “(1) IN GENERAL.—The amount authorized to  
2           be appropriated under paragraph (1) for fiscal year  
3           2020 and each of the 4 succeeding fiscal years shall  
4           be deemed increased by the annual adjustment per-  
5           centage.

6           “(2) DEFINITION.—In this paragraph, the term  
7           ‘annual adjustment percentage’, as applied to a fis-  
8           cal year, means the estimated percentage change in  
9           the Consumer Price Index (as determined by the  
10          Secretary, using the definition in section 478(f)) for  
11          the most recent calendar year ending before the be-  
12          ginning of that fiscal year.”.

13 **SEC. 7006. POSTSECONDARY PROGRAMS FOR STUDENTS**  
14 **WITH INTELLECTUAL DISABILITIES.**

15          (a) PURPOSE.—Section 766 of the Higher Education  
16 Act of 1965 (20 U.S.C. 1140f) is amended to read as fol-  
17 lows:

18 **“SEC. 766. PURPOSE.**

19          “It is the purpose of this subpart to support inclusive  
20 programs that promote the successful transition of stu-  
21 dents with intellectual disabilities into higher education  
22 and the earning of a recognized educational credential or  
23 recognized postsecondary credential issued by the institu-  
24 tion of higher education.”.

1 (b) PROGRAMS FOR STUDENTS WITH INTELLECTUAL  
2 DISABILITIES.—Section 767 of the Higher Education Act  
3 of 1965 (20 U.S.C. 1140g) is amended to read as follows:

4 **“SEC. 767. INCLUSIVE HIGHER EDUCATION PROGRAMS FOR**  
5 **STUDENTS WITH INTELLECTUAL DISABIL-**  
6 **ITIES.**

7 “(a) GRANTS AUTHORIZED.—

8 “(1) IN GENERAL.—From amounts appro-  
9 priated under section 769(a), the Secretary shall an-  
10 nually award grants, on a competitive basis, to insti-  
11 tutions of higher education (or consortia of institu-  
12 tions of higher education), to enable the institutions  
13 or consortia to create or expand high-quality, inclu-  
14 sive higher education programs for students with in-  
15 tellectual disabilities.

16 “(2) ADMINISTRATION.—The program under  
17 this section shall be administered by the office in the  
18 Department that administers other postsecondary  
19 education programs in consultation with the Office  
20 of Special Education and Rehabilitative Services of  
21 the Department of Education.

22 “(3) DURATION OF GRANTS.—A grant under  
23 this section shall be awarded for a period of 5 years.

24 “(b) APPLICATION.—An institution of higher edu-  
25 cation or a consortium desiring a grant under this section



1 shall submit an application to the Secretary at such time,  
2 in such manner, and containing such information as the  
3 Secretary may require.

4 “(c) AWARD BASIS.—In awarding grants under this  
5 section, the Secretary shall—

6 “(1) provide for an equitable geographic dis-  
7 tribution of such grants;

8 “(2) provide grant funds for inclusive higher  
9 education programs for students with intellectual  
10 disabilities that will serve areas that are underserved  
11 by programs of this type;

12 “(3) in the case of an institution of higher edu-  
13 cation that provides institutionally owned or oper-  
14 ated housing for students attending the institution,  
15 award grants only to such institutions that integrate  
16 students with intellectual disabilities into the hous-  
17 ing offered to students without disabilities or to in-  
18 stitutions that provide such integrated housing  
19 through providing supports to students directly or  
20 through partnerships with other organizations;

21 “(4) provide grant funds to encourage involve-  
22 ment of students attending institutions of higher  
23 education in the fields of special education, general  
24 education, vocational rehabilitation, assistive tech-  
25 nology, or related fields in the program;

1 “(5) select applications that—

2 “(A) demonstrate an existing comprehen-  
3 sive transition and postsecondary education  
4 program for students with intellectual disabili-  
5 ties that is title IV eligible; or

6 “(B) agree to establish such a program;  
7 and

8 “(6) give preference to applications submitted  
9 under subsection (b) that agree to incorporate into  
10 the inclusive higher education program for students  
11 with intellectual disabilities carried out under the  
12 grant one or more of the following elements:

13 “(A) The formation of a partnership with  
14 any relevant agency serving students with intel-  
15 lectual disabilities, such as a vocational rehabili-  
16 tation agency.

17 “(B) Applications that represent geo-  
18 graphically underserved States.

19 “(d) USE OF FUNDS; REQUIREMENTS.—An institu-  
20 tion of higher education or consortium receiving a grant  
21 under this section shall—

22 “(1) use the grant funds to establish an inclu-  
23 sive higher education program for students with in-  
24 tellectual disabilities that—

1           “(A) serves students with intellectual dis-  
2 abilities;

3           “(B) provides individual supports and serv-  
4 ices for the academic and social inclusion of  
5 students with intellectual disabilities in aca-  
6 demic courses, extracurricular activities, and  
7 other aspects of the regular postsecondary pro-  
8 gram;

9           “(C) with respect to the students with in-  
10 tellectual disabilities participating in the pro-  
11 gram, provides a focus on—

12                   “(i) academic and career development;

13                   “(ii) socialization and inclusion with  
14 the general student population;

15                   “(iii) independent living skills, includ-  
16 ing self-advocacy skills; and

17                   “(iv) integrated work experiences and  
18 career skills that lead to competitive inte-  
19 grated employment;

20           “(D) integrates person-centered planning  
21 in the development of the course of study for  
22 each student with an intellectual disability par-  
23 ticipating in the program;

24           “(E) plans for the sustainability of the  
25 program after the end of the grant period, with

1 a written business plan for revenue and expend-  
2 itures to be provided to the Department by the  
3 end of year 3; and

4 “(F) awards a recognized educational cre-  
5 dential or recognized postsecondary credential  
6 for students with intellectual disabilities upon  
7 the completion of the program;

8 “(2) in the case of an institution of higher edu-  
9 cation that provides institutionally owned or oper-  
10 ated housing for students attending the institution  
11 or integrated housing through providing supports to  
12 students directly or through partnerships with other  
13 organizations, provide for the integration of students  
14 with intellectual disabilities into housing offered to  
15 students without disabilities;

16 “(3) participate with the coordinating center es-  
17 tablished under section 777(b) in the evaluation of  
18 the program, including by regularly submitting data  
19 on experiences and outcomes of individual students  
20 participating in the program; and

21 “(4) partner with one or more local educational  
22 agencies to support students with intellectual disabil-  
23 ities participating in the program who are eligible  
24 for special education and related services under the  
25 Individuals with Disabilities Education Act (20

1 U.S.C. 1400 et seq.), including the use of funds  
2 available under part B of such Act (20 U.S.C. 1411  
3 et seq.) to support the participation of such students  
4 in the program.

5 “(e) MATCHING REQUIREMENT.—An institution of  
6 higher education (or consortium) that receives a grant  
7 under this section shall provide matching funds toward the  
8 cost of the inclusive higher education program for students  
9 with intellectual disabilities carried out under the grant.  
10 Such matching funds may be provided in cash or in-kind,  
11 and shall be in an amount of not less than 25 percent  
12 of the amount of such costs.

13 “(f) DATA COLLECTION AND TRANSMISSION.—

14 “(1) IN GENERAL.—An institution or consor-  
15 tium receiving a grant under this section shall col-  
16 lect and transmit to the coordinating center estab-  
17 lished under section 777(b) on an annual basis for  
18 each student who is enrolled in the program, stu-  
19 dent-level information related to the experiences and  
20 outcomes of students who participate in the inclusive  
21 higher education program for students with intellec-  
22 tual disabilities.

23 “(2) LONGITUDINAL DATA.—Each grantee shall  
24 collect longitudinal outcome data from each student  
25 participating in the program and transmit such data

1 to the coordinating center established under section  
2 777(b). Such longitudinal data shall be collected for  
3 every student each year for 5 years after the student  
4 graduates from, or otherwise exits, the program.

5 “(3) DATA TO BE COLLECTED.—The program-  
6 level information and data and student-level infor-  
7 mation and data to be collected under this sub-  
8 section shall include—

9 “(A) the number and type of postsec-  
10 ondary education courses taken and completed  
11 by the student;

12 “(B) credits the student earned and wheth-  
13 er or not the student earned a recognized edu-  
14 cational credential or recognized postsecondary  
15 credential issued by the institution of higher  
16 education;

17 “(C) academic outcomes;

18 “(D) competitive, integrated employment  
19 outcomes;

20 “(E) independent living outcomes; and

21 “(F) social outcomes.

22 “(g) REPORT.—Not later than 5 years after the date  
23 of the first grant awarded under this section, the Sec-  
24 retary shall prepare and disseminate a report to the au-  
25 thorizing committees and to the public that—

1           “(1) reviews the activities of the inclusive high-  
2           er education programs for students with intellectual  
3           disabilities funded under this section; and

4           “(2) provides guidance and recommendations  
5           on how effective programs can be replicated.”.

6           (c) AUTHORIZATION OF APPROPRIATIONS.—Section  
7           769(a) of the Higher Education Act of 1965 (20 U.S.C.  
8           1140i) is amended to read as follows:

9           “(a) AUTHORIZATION OF APPROPRIATIONS.—

10           “(1) IN GENERAL.—Subject to paragraph (2),  
11           there are authorized to be appropriated to carry out  
12           this subpart \$15,000,000 for fiscal year 2019 and  
13           each of the 5 succeeding fiscal years.

14           “(2) ADJUSTMENT FOR INFLATION.—

15           “(A) IN GENERAL.—The amount author-  
16           ized to be appropriated under paragraph (1) for  
17           fiscal year 2020 and each of the 4 succeeding  
18           fiscal years shall be deemed increased by the  
19           annual adjustment percentage.

20           “(B) DEFINITION.—In this paragraph, the  
21           term ‘annual adjustment percentage’, as applied  
22           to a fiscal year, means the estimated percentage  
23           change in the Consumer Price Index (as deter-  
24           mined by the Secretary, using the definition in  
25           section 478(f)) for the most recent calendar

1           year ending before the beginning of that fiscal  
2           year.”.

3 **SEC. 7007. NATIONAL TECHNICAL ASSISTANCE CENTER**  
4                   **AND NATIONAL COORDINATING CENTER FOR**  
5                   **INCLUSION OF STUDENTS WITH INTELLEC-**  
6                   **TUAL DISABILITIES.**

7           (a) IN GENERAL.—Section 777 of the Higher Edu-  
8 cation Act of 1965 (20 U.S.C. 1140q) is amended to read  
9 as follows:

10 **“SEC. 777. NATIONAL TECHNICAL ASSISTANCE CENTER**  
11                   **AND COORDINATING CENTER FOR INCLU-**  
12                   **SION OF STUDENTS WITH INTELLECTUAL**  
13                   **DISABILITIES.**

14           “(a) NATIONAL TECHNICAL ASSISTANCE CENTER.—

15                   “(1) IN GENERAL.—From amounts appro-  
16 priated under paragraph (5), the Secretary shall  
17 award a grant to, or enter into a contract or cooper-  
18 ative agreement with, an eligible entity to provide  
19 for the establishment and support of a National  
20 Technical Assistance Center. The National Technical  
21 Assistance Center shall carry out the duties set forth  
22 in paragraph (4).

23                   “(2) ADMINISTRATION.—The program under  
24 this section shall be administered by the office in the  
25 Department that administers other postsecondary



1 education programs in consultation with the Office  
2 of Special Education and Rehabilitative Services.

3 “(3) ELIGIBLE ENTITY.—In this subpart, the  
4 term ‘eligible entity’ means an institution of higher  
5 education, a nonprofit organization, or partnership  
6 of two or more such institutions or organizations,  
7 with demonstrated expertise in—

8 “(A) transitioning students with disabil-  
9 ities from secondary school to postsecondary  
10 education;

11 “(B) supporting students with disabilities  
12 in postsecondary education;

13 “(C) technical knowledge necessary for the  
14 dissemination of information in accessible for-  
15 mats; and

16 “(D) working with diverse types of institu-  
17 tions of higher education, including community  
18 colleges.

19 “(4) DUTIES.—The duties of the National  
20 Technical Assistance Center shall include the fol-  
21 lowing:

22 “(A) ASSISTANCE TO STUDENTS AND FAM-  
23 ILIES.—The National Technical Assistance  
24 Center shall provide information and technical  
25 assistance to students with disabilities and the

1 families of students with disabilities to support  
2 students across the broad spectrum of disabili-  
3 ties, including—

4 “(i) information to assist individuals  
5 with disabilities who are prospective stu-  
6 dents of an institution of higher education  
7 in planning for postsecondary education  
8 while the students are in secondary school;

9 “(ii) information and technical assist-  
10 ance provided to individualized education  
11 program teams (as defined in section  
12 614(d)(1) of the Individuals with Disabil-  
13 ities Education Act) for secondary school  
14 students with disabilities, and to early out-  
15 reach and student services programs, in-  
16 cluding programs authorized under sub-  
17 parts 2, 4, and 5 of part A of title IV, to  
18 support students across a broad spectrum  
19 of disabilities with the successful transition  
20 to postsecondary education;

21 “(iii) research-based supports, serv-  
22 ices, and accommodations which are avail-  
23 able in postsecondary settings, including  
24 services provided by other agencies such as  
25 vocational rehabilitation;

1           “(iv) information on student men-  
2           toring and networking opportunities for  
3           students with disabilities; and

4           “(v) effective recruitment and transi-  
5           tion programs at postsecondary edu-  
6           cational institutions.

7           “(B) ASSISTANCE TO INSTITUTIONS OF  
8           HIGHER EDUCATION.—The National Technical  
9           Assistance Center shall provide information and  
10          technical assistance to faculty, staff, and ad-  
11          ministrators of institutions of higher education  
12          to improve the services provided to, the accom-  
13          modations for, the retention rates of, and the  
14          completion rates of, students with disabilities in  
15          higher education settings, which may include—

16               “(i) collection and dissemination of  
17               best and promising practices and materials  
18               for accommodating and supporting stu-  
19               dents with disabilities, including practices  
20               and materials supported by the grants,  
21               contracts, or cooperative agreements au-  
22               thorized under subparts 1, 2, and 3;

23               “(ii) development and provision of  
24               training modules for higher education fac-  
25               ulty on exemplary practices for accommo-

1 dating and supporting postsecondary stu-  
2 dents with disabilities across a range of  
3 academic fields, which may include uni-  
4 versal design for learning and practices  
5 supported by the grants, contracts, or co-  
6 operative agreements authorized under  
7 subparts 1, 2, and 3; and

8 “(iii) development of technology-based  
9 tutorials for higher education faculty and  
10 staff, including new faculty and graduate  
11 students, on best and promising practices  
12 related to support and retention of stu-  
13 dents with disabilities in postsecondary  
14 education.

15 “(C) INFORMATION COLLECTION AND DIS-  
16 SEMINATION.—The National Technical Assist-  
17 ance Center shall be responsible for building,  
18 maintaining, and updating a database of dis-  
19 ability support services information with respect  
20 to institutions of higher education, or for ex-  
21 panding and updating an existing database of  
22 disabilities support services information with re-  
23 spect to institutions of higher education. Such  
24 database shall be available to the general public  
25 through a website built to high technical stand-

1           ards of accessibility practicable for the broad  
2           spectrum of individuals with disabilities. Such  
3           database and website shall include available in-  
4           formation on—

5                   “(i) disability documentation require-  
6                   ments;

7                   “(ii) support services available;

8                   “(iii) links to financial aid;

9                   “(iv) accommodations policies;

10                  “(v) accessible instructional materials;

11                  “(vi) other topics relevant to students  
12                  with disabilities; and

13                  “(vii) the information in the report  
14                  described in subparagraph (E).

15                  “(D) DISABILITY SUPPORT SERVICES.—

16                  The National Technical Assistance Center shall  
17                  work with organizations and individuals with  
18                  proven expertise related to disability support  
19                  services for postsecondary students with disabili-  
20                  ties to evaluate, improve, and disseminate in-  
21                  formation related to the delivery of high-quality  
22                  disability support services at institutions of  
23                  higher education.

24                  “(E) REVIEW AND REPORT.—Not later  
25                  than three years after the establishment of the

1 National Technical Assistance Center, and  
2 every two years thereafter, the National Tech-  
3 nical Assistance Center shall prepare and dis-  
4 seminate a report to the Secretary and the au-  
5 thorizing committees analyzing the condition of  
6 postsecondary success for students with disabili-  
7 ties. Such report shall include—

8 “(i) a review of the activities and the  
9 effectiveness of the programs authorized  
10 under this part;

11 “(ii) annual enrollment and gradua-  
12 tion rates of students with disabilities in  
13 institutions of higher education from pub-  
14 licly reported data;

15 “(iii) recommendations for effective  
16 postsecondary supports and services for  
17 students with disabilities, and how such  
18 supports and services may be widely imple-  
19 mented at institutions of higher education;

20 “(iv) recommendations on reducing  
21 barriers to full participation for students  
22 with disabilities in higher education; and

23 “(v) a description of strategies with a  
24 demonstrated record of effectiveness in im-

1           proving the success of such students in  
2           postsecondary education.

3           “(F) STAFFING OF THE CENTER.—In hir-  
4           ing employees of the National Technical Assist-  
5           ance Center, the National Technical Assistance  
6           Center shall consider the expertise and experi-  
7           ence of prospective employees in providing  
8           training and technical assistance to practi-  
9           tioners.

10          “(5) AUTHORIZATION OF APPROPRIATIONS.—  
11          There is authorized to be appropriated to carry out  
12          this subsection \$10,000,000.

13          “(b) THE NATIONAL COORDINATING CENTER FOR  
14          INCLUSION OF STUDENTS WITH INTELLECTUAL DISABIL-  
15          ITIES.—

16          “(1) DEFINITION OF ELIGIBLE ENTITY.—In  
17          this subsection, the term ‘eligible entity’ means an  
18          entity, or a partnership of entities, that has dem-  
19          onstrated expertise in the fields of—

20                 “(A) higher education;

21                 “(B) the education of students with intel-  
22                 lectual disabilities;

23                 “(C) the development of inclusive higher  
24                 education programs for students with intellec-  
25                 tual disabilities; and

1                   “(D) evaluation and technical assistance.

2                   “(2) IN GENERAL.—From amounts appro-  
3                   priated under paragraph (7), the Secretary shall  
4                   enter into a cooperative agreement, on a competitive  
5                   basis, with an eligible entity for the purpose of es-  
6                   tablishing a coordinating center for institutions of  
7                   higher education that offer inclusive higher edu-  
8                   cation programs for students with intellectual dis-  
9                   abilities, including institutions participating in  
10                  grants authorized under subpart 2, to provide tech-  
11                  nical assistance and evaluations for such programs,  
12                  including systematic collection of annual student and  
13                  program data and facilitation of outcomes data of  
14                  students with intellectual disabilities.

15                  “(3) ADMINISTRATION.—The program under  
16                  this subsection shall be administered by the office in  
17                  the Department that administers other postsec-  
18                  ondary education programs in consultation with the  
19                  Office of Special Education and Rehabilitative Serv-  
20                  ices.

21                  “(4) DURATION.—The Secretary shall enter  
22                  into a cooperative agreement under this subsection  
23                  for a period of five years.

24                  “(5) REQUIREMENTS OF COOPERATIVE AGREE-  
25                  MENT.—The eligible entity entering into a coopera-



1       tive agreement under this subsection shall establish  
2       and maintain a coordinating center that shall—

3               “(A) serve as the technical assistance enti-  
4               ty for all inclusive higher education programs  
5               and comprehensive transition and postsec-  
6               ondary programs for students with intellectual  
7               disabilities;

8               “(B) provide technical assistance regarding  
9               the development, evaluation, and continuous im-  
10              provement of such programs;

11              “(C) evaluate such programs using quali-  
12              tative and quantitative methodologies for meas-  
13              uring program strengths in the areas of aca-  
14              demic access, academic enrichment, socializa-  
15              tion, competitive integrated employment, attain-  
16              ment of a recognized educational credential or  
17              recognized postsecondary credential, and inde-  
18              pendent living;

19              “(D) create and maintain a database of  
20              student and program level data reflecting imple-  
21              mentation of the inclusive higher education pro-  
22              gram that receives a grant under this subpart;

23              “(E) create and maintain a mechanism to  
24              consolidate follow up data on student outcomes

1 collected by inclusive higher education programs  
2 funded through previous grant cycles;

3 “(F) assist recipients of grants under sub-  
4 part 2 in efforts to award a recognized edu-  
5 cational credential or recognized postsecondary  
6 credential to students with intellectual disabil-  
7 ities upon the completion of such programs;

8 “(G) identify model memoranda of agree-  
9 ment for use between or among institutions of  
10 higher education and State and local agencies  
11 providing funding for such programs;

12 “(H) develop recommendations for the nec-  
13 essary components of such programs, such as—

14 “(i) academic, career and technical,  
15 social, and independent living skills;

16 “(ii) evaluation of student progress;

17 “(iii) program administration and  
18 evaluation;

19 “(iv) student eligibility;

20 “(v) issues regarding the equivalency  
21 of a student’s participation in such pro-  
22 grams to semester, trimester, quarter,  
23 credit, or clock hours at an institution of  
24 higher education, as the case may be; and

1           “(vi) access to student housing for  
2           students participating in the inclusive  
3           higher education programs, including ac-  
4           commodations and services that support  
5           independent living;

6           “(I) review and analyze—

7                 “(i) policy impact of inclusive higher  
8                 education on Federal and State legislation;  
9                 and

10                “(ii) funding streams for such pro-  
11                grams;

12                “(J) provide recommendations regarding  
13                the funding streams described in subparagraph  
14                (H)(ii);

15                “(K) develop mechanisms for regular com-  
16                munication, outreach and dissemination of in-  
17                formation about inclusive higher education pro-  
18                grams for students with intellectual disabilities  
19                under subpart 2 between or among such pro-  
20                grams and to families and prospective students;

21                “(L) host a meeting of all recipients of  
22                grants under subpart 2 not less often than once  
23                each year; and

24                “(M) convene a work group to continue the  
25                development of and recommendations for model

1 criteria, standards, and components of inclusive  
2 higher education programs and comprehensive  
3 transition and postsecondary programs for stu-  
4 dents with intellectual disabilities, that are ap-  
5 propriate for the development of accreditation  
6 standards—

7 “(i) which work group shall include—

8 “(I) an expert in higher edu-  
9 cation;

10 “(II) an expert in special edu-  
11 cation;

12 “(III) a disability organization  
13 that represents students with intellec-  
14 tual disabilities;

15 “(IV) a representative from the  
16 National Advisory Committee on In-  
17 stitutional Quality and Integrity; and

18 “(V) a representative of a re-  
19 gional or national accreditation agen-  
20 cy or association; and

21 “(ii) the work group will carry out the  
22 following activities—

23 “(I) conduct outreach to accred-  
24 iting agencies;

1                   “(II) develop a technical guid-  
2                   ance document to support implemen-  
3                   tation of the model standards;

4                   “(III) develop and conduct a pro-  
5                   tocol for field testing and imple-  
6                   menting the model standards; and

7                   “(IV) update recommendations  
8                   for the model standards, criteria, and  
9                   components of such programs, as ap-  
10                  plicable.

11                 “(6) REPORT.—Not later than 5 years after the  
12                 date of the establishment of the coordinating center  
13                 under this subsection, the coordinating center shall  
14                 report to the Secretary, the authorizing committees,  
15                 and the National Advisory Committee on Institu-  
16                 tional Quality and Integrity on the activities de-  
17                 scribed in paragraph (5).

18                 “(7) AUTHORIZATION OF APPROPRIATIONS.—

19                   “(A) IN GENERAL.—Subject to subpara-  
20                   graph (B), there are authorized to be appro-  
21                   priated to carry out this subsection \$2,500,000  
22                   for fiscal year 2019 and each of the 5 suc-  
23                   ceeding fiscal years.

24                   “(B) ADJUSTMENT FOR INFLATION.—

1                   “(i) IN GENERAL.—The amount au-  
2                   thorized to be appropriated under subpara-  
3                   graph (A) for fiscal year 2020 and each of  
4                   the 4 succeeding fiscal years shall be  
5                   deemed increased by the annual adjust-  
6                   ment percentage.

7                   “(ii) DEFINITION.—In this paragraph,  
8                   the term ‘annual adjustment percentage’,  
9                   as applied to a fiscal year, means the esti-  
10                  mated percentage change in the Consumer  
11                  Price Index (as determined by the Sec-  
12                  retary, using the definition in section  
13                  478(f)) for the most recent calendar year  
14                  ending before the beginning of that fiscal  
15                  year.”.

16                  (b) AUTHORIZATION OF APPROPRIATIONS.—Section  
17                  778 of the Higher Education Act of 1965 (20 U.S.C.  
18                  1140r) is repealed.

19                  **SEC. 7008. ACCESSIBLE INSTRUCTIONAL MATERIALS AND**  
20                  **TECHNOLOGY.**

21                  Part D of title VII of the Higher Education Act of  
22                  1965 (20 U.S.C. 1140 et seq.) is amended by adding at  
23                  the end the following:



1           “(2) compile and annotate such accessibility  
2 standards as an additional information resource for  
3 institutions of higher education and companies that  
4 service the higher education market.

5           “(c) MEMBERSHIP.—

6           “(1) STAKEHOLDER GROUPS.—The commission  
7 shall be composed of representatives from the fol-  
8 lowing categories:

9           “(A) Communities of persons with disabil-  
10 ities for whom the accessibility of postsecondary  
11 electronic instructional materials and related  
12 technologies is a significant factor in ensuring  
13 equal participation in higher education, and  
14 nonprofit organizations that provide accessible  
15 electronic materials to these communities.

16           “(B) Higher education leadership, includ-  
17 ing university presidents, provosts, deans, vice  
18 presidents or deans of libraries, chief informa-  
19 tion officers, and other senior institutional ex-  
20 ecutives.

21           “(C) Developers of postsecondary elec-  
22 tronic instructional materials and manufactur-  
23 ers of related technologies.

24           “(2) APPOINTMENT OF MEMBERS.—The com-  
25 mission members shall be appointed as follows:



1           “(A) 6 members, 2 from each category de-  
2           scribed in paragraph (1), shall be appointed by  
3           the Speaker of the House of Representatives, 3  
4           of whom shall be appointed on the rec-  
5           ommendation of the majority leader of the  
6           House of Representatives and 3 of whom shall  
7           be appointed on the recommendation of the mi-  
8           nority leader of the House of Representatives,  
9           with the Speaker ensuring that 1 developer of  
10          postsecondary electronic instructional materials  
11          and 1 manufacturer of related technologies are  
12          appointed. The Speaker shall also appoint 2 ad-  
13          ditional members, 1 student with a disability  
14          and 1 faculty member from an institution of  
15          higher education.

16          “(B) 6 members, 2 from each category de-  
17          scribed in paragraph (1), shall be appointed by  
18          the President pro tempore of the Senate, 3 of  
19          whom shall be appointed on the recommenda-  
20          tion of the majority leader of the Senate and 3  
21          of whom shall be appointed on the rec-  
22          ommendation of the minority leader of the Sen-  
23          ate, with the President pro tempore ensuring  
24          that 1 developer of postsecondary electronic in-  
25          structional materials and 1 manufacturer of re-

1           lated technologies are appointed. The President  
2           pro tempore shall also appoint 2 additional  
3           members, 1 student with a disability and 1 fac-  
4           ulty member from an institution of higher edu-  
5           cation.

6           “(C) 3 members, each of whom must pos-  
7           sess extensive, demonstrated technical expertise  
8           in the development and implementation of ac-  
9           cessible postsecondary electronic instructional  
10          materials, shall be appointed by the Secretary  
11          of Education. 1 of these members shall rep-  
12          resent postsecondary students with disabilities,  
13          1 shall represent higher education leadership,  
14          and 1 shall represent developers of postsec-  
15          ondary electronic instructional materials.

16          “(3) ELIGIBILITY TO SERVE AS A MEMBER.—  
17          Federal employees are ineligible for appointment to  
18          the commission. An appointee to a volunteer or advi-  
19          sory position with a Federal agency or related advi-  
20          sory body may be appointed to the commission so  
21          long as his or her primary employment is with a  
22          non-Federal entity and he or she is not otherwise  
23          engaged in financially compensated work on behalf  
24          of the Federal Government, exclusive of any stand-

1       ard expense reimbursement or grant-funded activi-  
2       ties.

3       “(d) AUTHORITY AND ADMINISTRATION.—

4               “(1) AUTHORITY.—The commission’s execution  
5       of its duties shall be independent of the Secretary of  
6       Education, the Attorney General, and the head of  
7       any other agency or department of the Federal Gov-  
8       ernment with regulatory or standard setting author-  
9       ity in the areas addressed by the commission.

10              “(2) ADMINISTRATION.—

11                      “(A) STAFFING.—There shall be no per-  
12       manent staffing for the commission.

13                      “(B) LEADERSHIP.—Commission members  
14       shall elect a chairperson from among the ap-  
15       pointees to the commission.

16                      “(C) ADMINISTRATIVE SUPPORT.—The  
17       Commission shall be provided administrative  
18       support, as needed, by the Secretary of Edu-  
19       cation through the Office of Postsecondary  
20       Education of the Department of Education.

21       “(e) DUTIES.—

22               “(1) GUIDELINES.—Not later than 18 months  
23       after the date of enactment of this Act, subject to  
24       a 6-month extension that it may exercise at its dis-  
25       cretion, the commission shall—

1           “(A) develop and issue guidelines for ac-  
2           cessible postsecondary electronic instructional  
3           materials, and related technologies; and

4           “(B) in developing the guidelines, the com-  
5           mission shall—

6                   “(i) establish a technical panel pursu-  
7                   ant to paragraph (4) to support the com-  
8                   mission in developing the guidelines;

9                   “(ii) develop criteria for determining  
10                  which materials and technologies constitute  
11                  postsecondary electronic instructional ma-  
12                  terials and related technologies;

13                  “(iii) identify existing national and  
14                  international accessibility standards that  
15                  are relevant to student use of postsec-  
16                  ondary electronic instructional materials  
17                  and related technologies at institutions of  
18                  higher education;

19                  “(iv) identify and address any unique  
20                  pedagogical and accessibility requirements  
21                  of postsecondary electronic instructional  
22                  materials and related technologies that are  
23                  not addressed, or not adequately ad-  
24                  dressed, by the identified, relevant existing  
25                  accessibility standards;

1           “(v) identify those aspects of accessi-  
2           bility, and types of postsecondary instruc-  
3           tional materials and related technologies,  
4           for which the commission cannot produce  
5           guidelines or which cannot be addressed by  
6           existing accessibility standards due to—

7                       “(I) inherent limitations of com-  
8                       mercially available technologies; or

9                       “(II) the challenges posed by a  
10                      specific category of disability that cov-  
11                      ers a wide spectrum of impairments  
12                      and capabilities which makes it dif-  
13                      ficult to assess the benefits from par-  
14                      ticular guidelines on a categorical  
15                      basis;

16           “(vi) ensure that the guidelines are  
17           consistent with the requirements of section  
18           504 of the Rehabilitation Act of 1973 (29  
19           U.S.C. 794) and titles II and III of the  
20           Americans with Disabilities Act (42 U.S.C.  
21           12131 et seq.; 42 U.S.C. 12181 et seq.);

22           “(vii) ensure that the guidelines are  
23           consistent, to the extent feasible and ap-  
24           propriate, with the technical and functional  
25           performance criteria included in the na-

1 tional and international accessibility stand-  
2 ards identified by the commission as rel-  
3 evant to student use of postsecondary elec-  
4 tronic instructional materials and related  
5 technologies;

6 “(viii) allow for the use of an alter-  
7 native design or technology that results in  
8 substantially equivalent or greater accessi-  
9 bility and usability by individuals with dis-  
10 abilities than would be provided by compli-  
11 ance with the guidelines; and

12 “(ix) provide that where electronic in-  
13 structional materials, or related tech-  
14 nologies, that comply fully with the guide-  
15 lines are not commercially available, or  
16 where such compliance is not technically  
17 feasible, the institution may select the  
18 product that best meets the guidelines con-  
19 sistent with the institution’s business and  
20 pedagogical needs.

21 “(2) ANNOTATED LIST OF INFORMATION TECH-  
22 NOLOGY STANDARDS.—Not later than 18 months  
23 after the date of the enactment of this Act, subject  
24 to a 6-month extension that it may exercise at its  
25 discretion, the commission established in section 2

1 shall, with the assistance of the technical panel es-  
2 tablished under paragraph (4), develop and issue an  
3 annotated list of information technology standards.

4 “(3) APPROVAL.—Issuance of the guidelines  
5 and annotated list of information technology stand-  
6 ards shall require approval of at least 75 percent of  
7 the members of the commission.

8 “(4) TECHNICAL PANEL.—Not later than 1  
9 month after first meeting, the Commission shall ap-  
10 point and convene a panel of 12 technical experts,  
11 each of whom shall have extensive, demonstrated  
12 technical experience in developing, researching, or  
13 implementing accessible postsecondary electronic in-  
14 structional materials, or related technologies. The  
15 commission has discretion to determine a process for  
16 nominating, vetting, and confirming a panel of ex-  
17 perts that fairly represents the stakeholder commu-  
18 nities on the commission. The technical panel shall  
19 include a representative from the United States Ac-  
20 cess Board.

21 “(f) REVIEW OF GUIDELINES.—Not later than 5  
22 years after issuance of the guidelines and annotated list  
23 of information technology standards described in sub-  
24 sections (a) and (b), and every 5 years thereafter, the Sec-  
25 retary of Education shall publish a notice in the Federal

1 Register requesting public comment about whether there  
2 is a need to reconstitute the commission to update the  
3 guidelines and annotated list of information technology  
4 standards to reflect technological advances, changes in  
5 postsecondary electronic instructional materials and re-  
6 lated technologies, or updated national and international  
7 accessibility standards. The Secretary shall then submit  
8 a report and recommendation to Congress regarding  
9 whether the Commission should be reconstituted.

10 “(g) RULE OF APPLICATION.—

11 “(1) NONCONFORMING POSTSECONDARY ELEC-  
12 TRONIC INSTRUCTIONAL MATERIALS OR RELATED  
13 TECHNOLOGIES.—Nothing in this section shall be  
14 construed to require an institution of higher edu-  
15 cation to require, provide, or both recommend and  
16 provide, postsecondary electronic instructional mate-  
17 rials or related technologies that conform to the  
18 guidelines. However, an institution that selects or  
19 uses nonconforming postsecondary electronic instruc-  
20 tional materials or related technologies must other-  
21 wise comply with existing obligations under section  
22 504 of the Rehabilitation Act of 1973 (29 U.S.C.  
23 794) and titles II and III of the Americans with  
24 Disabilities Act (42 U.S.C. 12131 et seq.; 42 U.S.C.  
25 12181 et seq.) to provide access to the educational



1 benefit afforded by such materials and technologies  
2 through provision of appropriate and reasonable  
3 modification, accommodation, and auxiliary aids or  
4 services.

5 “(2) RELATIONSHIP TO EXISTING LAWS AND  
6 REGULATIONS.—With respect to the Americans with  
7 Disabilities Act of 1990 (42 U.S.C. 12101 et seq.)  
8 and the Rehabilitation Act of 1973 (29 U.S.C. 701  
9 et seq.), nothing in this Act may be construed—

10 “(A) to authorize or require conduct pro-  
11 hibited under the Americans with Disabilities  
12 Act of 1990 and the Rehabilitation Act of  
13 1973, including the regulations issued pursuant  
14 to those laws;

15 “(B) to expand, limit, or alter the remedies  
16 or defenses under the Americans with Disabil-  
17 ities Act of 1990 and the Rehabilitation Act of  
18 1973;

19 “(C) to supersede, restrict, or limit the ap-  
20 plication of the Americans with Disabilities Act  
21 of 1990 and the Rehabilitation Act of 1973; or

22 “(D) to limit the authority of Federal  
23 agencies to issue regulations pursuant to the  
24 Americans with Disabilities Act of 1990 and  
25 the Rehabilitation Act of 1973.

1 “(h) DEFINITIONS.—In this section:

2 “(1) ANNOTATED LIST OF INFORMATION TECH-  
3 NOLOGY STANDARDS.—the term ‘annotated list of  
4 information technology standards’ means a list of  
5 existing national and international accessibility  
6 standards relevant to student use of postsecondary  
7 electronic instructional materials and related tech-  
8 nologies, and to other types of information tech-  
9 nology common to institutions of higher education,  
10 such as institutional websites or registration sys-  
11 tems, annotated by the commission established pur-  
12 suant to this section. The annotated list of informa-  
13 tion technology standards is intended to serve solely  
14 as a reference tool to inform any consideration of  
15 the relevance of such standards in higher education  
16 contexts.

17 “(2) POSTSECONDARY ELECTRONIC INSTRUCC-  
18 TIONAL MATERIALS.—The term ‘postsecondary elec-  
19 tronic instructional materials’ means digital cur-  
20 ricular content that is required, provided, or both  
21 recommended and provided by an institution of high-  
22 er education for use in a postsecondary instructional  
23 program.

24 “(3) RELATED TECHNOLOGIES.—The term ‘re-  
25 lated technologies’ refers to any software, applica-

1 tions, learning management or content management  
2 systems, and hardware that an institution of higher  
3 education requires, provides, or both recommends  
4 and provides for student access to and use of post-  
5 secondary electronic instructional materials in a  
6 postsecondary instructional program.

7 “(4) TECHNICAL PANEL.—The term ‘technical  
8 panel’ means a group of experts with extensive, dem-  
9 onstrated technical experience in the development  
10 and implementation of accessibility features for post-  
11 secondary electronic instructional materials and re-  
12 lated technologies, established by the Commission  
13 pursuant to subsection (e)(4), which will assist the  
14 commission in the development of the guidelines and  
15 annotated list of information technology standards  
16 authorized under this Act.”.

17 **SEC. 7009. FORMULA GRANTS TO STATES TO IMPROVE**  
18 **HIGHER EDUCATION OPPORTUNITIES FOR**  
19 **FOSTER YOUTH AND HOMELESS YOUTH.**

20 Title VII of the Higher Education Act of 1965 (20  
21 U.S.C. 1133 et seq.) is further amended by adding at the  
22 end the following new part:

1 **“PART F—GRANTS FOR IMPROVING ACCESS TO**  
2 **AND SUCCESS IN HIGHER EDUCATION FOR**  
3 **FOSTER YOUTH AND HOMELESS YOUTH**

4 **“SEC. 791. DEFINITIONS.**

5 “In this part:

6 “(1) FOSTER YOUTH.—The term ‘foster  
7 youth’—

8 “(A) means an individual whose care and  
9 placement is the responsibility of the State or  
10 tribal agency that administers a State or tribal  
11 plan under part B or E of title IV of the Social  
12 Security Act (42 U.S.C. 621 et seq.; 670 et  
13 seq.), without regard to whether foster care  
14 maintenance payments are made under section  
15 472 of such Act (42 U.S.C. 672) on behalf of  
16 the individual; and

17 “(B) includes any individual—

18 “(i) whose care and placement was  
19 the responsibility of such a State or tribal  
20 agency when, or at any time after, the in-  
21 dividual attained 13 years of age, without  
22 regard to whether foster care maintenance  
23 payments were made under section 472 of  
24 such Act (42 U.S.C. 672) on behalf of the  
25 individual; and

1                   “(ii) who is no longer under the care  
2                   and responsibility of such a State or tribal  
3                   agency, without regard to any subsequent  
4                   adoption of the individual.

5                   “(2) HOMELESS YOUTH.—The term ‘homeless  
6                   youth’ has the meaning given the term ‘homeless  
7                   children and youths’ in section 725 of the McKin-  
8                   ney-Vento Homeless Assistance Act (42 U.S.C.  
9                   11434a).

10                  “(3) INDIAN TRIBE; TRIBAL ORGANIZATION.—  
11                  The terms ‘Indian Tribe’ and ‘tribal organization’  
12                  have the meanings given the terms in section 4 of  
13                  the Indian Self-Determination and Education Assist-  
14                  ance Act (25 U.S.C. 450).

15                  “(4) INSTITUTION OF HIGHER EDUCATION.—  
16                  The term ‘institution of higher education’ has the  
17                  meaning given the term in section 101.

18                  “(5) STATE.—The term ‘State’ means each of  
19                  the several States and the District of Columbia.

20                  “(6) TERRITORY.—The term ‘territory’ means  
21                  Puerto Rico, United States Virgin Islands, Guam,  
22                  American Samoa, and the Commonwealth of the  
23                  Northern Mariana Islands, the Republic of the Mar-  
24                  shall Islands, the Federated States of Micronesia,  
25                  and the Republic of Palau.

1 **“SEC. 792. FORMULA GRANTS TO STATES TO IMPROVE AC-**  
2 **CESS TO AND SUCCESS IN HIGHER EDU-**  
3 **CATION FOR FOSTER YOUTH AND HOMELESS**  
4 **YOUTH.**

5 “(a) GRANT PROGRAM ESTABLISHED.—From the  
6 amount appropriated under subsection (h), the Secretary  
7 shall make allotments under subsection (b), to States hav-  
8 ing applications approved under subsection (c), to enable  
9 each State to—

10 “(1) carry out the Statewide transition initia-  
11 tive described in subsection (d); and

12 “(2) make subgrants described in subsection  
13 (e).

14 “(b) ALLOCATIONS.—

15 “(1) FORMULA.—

16 “(A) RESERVATION FOR INDIAN TRIBES  
17 AND TERRITORIES.—

18 “(i) IN GENERAL.—From the amount  
19 appropriated under subsection (h) for a  
20 fiscal year and subject to clause (ii), the  
21 Secretary shall reserve—

22 “(I) not more than 3 percent for  
23 grants to Indian Tribes, consortia of  
24 Indian Tribes, or Tribal organiza-  
25 tions; and

1                   “(II) not more than 2 percent for  
2                   grants to territories.

3                   “(ii) REQUIREMENTS.—In awarding  
4                   grants under this subparagraph, the Sec-  
5                   retary—

6                   “(I) shall not award a grant  
7                   under subclause (I) or (II) of clause  
8                   (i) for a fiscal year for which no In-  
9                   dian Tribe (or consortium of Indian  
10                  Tribes) or Tribal organization, or ter-  
11                  ritory, respectively, submits a satisfac-  
12                  tory application for a grant under  
13                  such subclause;

14                  “(II) shall require that any In-  
15                  dian Tribe, consortium, Tribal organi-  
16                  zation, or territory that receives a  
17                  grant under this subparagraph pro-  
18                  vide an assurance of a partnership  
19                  among relevant education, child wel-  
20                  fare, and homeless agencies or organi-  
21                  zations; and

22                  “(III) may determine any other  
23                  requirements with respect to such  
24                  grants (including the allocation, appli-  
25                  cation, and use of fund requirements),

1           which to the extent possible, shall be  
2           consistent with the requirements for  
3           States under this part, except that ap-  
4           propriate adjustments shall be made  
5           based on the needs and size of popu-  
6           lations served by the Indian Tribe,  
7           consortium, Tribal organization, or  
8           territory applying for the grant.

9           “(B) RESERVATION FOR DEPARTMENT AC-  
10          TIVITIES.—From the amount appropriated  
11          under subsection (h) for a fiscal year, the Sec-  
12          retary may reserve—

13                 “(i) not more than 7 percent to—

14                         “(I) provide technical assistance,  
15                         in consultation with Secretary of  
16                         Health and Human Services, to  
17                         States carrying out activities under  
18                         this section; and

19                         “(II) complete the evaluations re-  
20                         quired by subsection (g)(1); and

21                         “(ii) not more than 3 percent for ad-  
22                         ministrative expenses.

23          “(C) ALLOCATIONS.—From the amount  
24          appropriated under subsection (h) for a fiscal  
25          year and remaining after the Secretary reserves



1 funds under subparagraphs (A) and (B), the  
2 Secretary shall allocate to each State the great-  
3 er of—

4 “(i) \$500,000; or

5 “(ii) the amount that bears the same  
6 proportion to the remaining appropriated  
7 amount for such fiscal year as the number  
8 of foster youth and homeless youth in the  
9 State bears to the number of foster youth  
10 and homeless youth in all States.

11 “(D) RATABLE REDUCTION.—If the  
12 amount appropriated under subsection (h) for a  
13 fiscal year and remaining after the Secretary  
14 reserves funds under subparagraphs (A) and  
15 (B) is less than the amount required to be allo-  
16 cated to States under subparagraph (C), then  
17 the amount of the allocation to each State shall  
18 be ratably reduced.

19 “(2) STATE RESERVATION.—From the amounts  
20 awarded a State under paragraph (1)(C) for a fiscal  
21 year, the State may reserve not more than 5 percent  
22 for administrative expenses.

23 “(3) TEMPORARY INELIGIBILITY FOR SUBSE-  
24 QUENT PAYMENTS.—

1           “(A) IN GENERAL.—The Secretary shall  
2 determine a State to be temporarily ineligible to  
3 receive a grant payment under this subsection  
4 for a fiscal year if—

5                   “(i) the State fails to submit an an-  
6 nual report under subsection (f) for the  
7 preceding fiscal year; or

8                   “(ii) the Secretary determines, based  
9 on information in such annual report, that  
10 the State is not effectively—

11                           “(I) meeting the outcomes de-  
12 scribed in the application of such  
13 State under subsection (c)(2)(C), and  
14 does not have a plan to improve the  
15 outcomes;

16                           “(II) monitoring and evaluating  
17 the activities under subsections (d)  
18 and (e); or

19                           “(III) using funds as required  
20 under subsections (d) and (e).

21           “(B) REINSTATEMENT.—If the Secretary  
22 determines that a State is ineligible under sub-  
23 paragraph (A), the Secretary may enter into an  
24 agreement with the State setting forth the  
25 terms and conditions under which the State

1           may regain eligibility to receive payments under  
2           this section.

3           “(c) APPLICATIONS.—

4           “(1) IN GENERAL.—For each fiscal year for  
5           which a State desires an allotment under subsection  
6           (b), the State shall submit an application to the Sec-  
7           retary at such time, in such manner, and containing  
8           the information described in paragraph (2).

9           “(2) INFORMATION REQUIRED.—An application  
10          submitted under paragraph (1) shall include the fol-  
11          lowing:

12                 “(A) A plan for how the State will carry  
13                 out the activities under subsections (d) and (e).

14                 “(B) A description of the State’s capacity  
15                 to carry out such activities.

16                 “(C) A description of intended outcomes  
17                 for such activities.

18                 “(D) A plan for how the State will monitor  
19                 and evaluate such activities, including how the  
20                 State will use data to continually update and  
21                 improve such activities.

22                 “(E) A description of how students will be  
23                 identified and recruited for participation in the  
24                 Statewide transition initiative under subsection  
25                 (d).

1           “(F) An estimate of the number and char-  
2           acteristics of the populations targeted for par-  
3           ticipation in the Statewide transition initiative  
4           under subsection (d) with attention to the di-  
5           verse needs of homeless youth and foster youth  
6           in the State.

7           “(G) A description of how the State will  
8           coordinate services provided under the grant  
9           with services provided to foster youth and  
10          homeless youth under the McKinney-Vento  
11          Homeless Assistance Act (42 U.S.C. 11301 et  
12          seq.), the Elementary and Secondary Education  
13          Act of 1965 (20 U.S.C. 6301 et seq.), the Run-  
14          away and Homeless Youth Act (42 U.S.C. 5701  
15          et seq.), and other services provided to foster  
16          youth and homeless youth by the State.

17          “(H) An assurance that the State will  
18          comply with subtitle B of title VII of the  
19          McKinney-Vento Homeless Assistance Act (42  
20          U.S.C. 11431 et seq.).

21          “(I) An assurance that the State will part-  
22          ner with State educational agencies, local edu-  
23          cational agencies, institutions of higher edu-  
24          cation, State and local child welfare authorities,

1 and other relevant organizations that serve fos-  
2 ter youth or homeless youth.

3 “(J) An assurance that the State will sub-  
4 mit the annual report required under subsection  
5 (f).

6 “(K) A budgetary analysis of the use of  
7 funds awarded under this section.

8 “(L) Such other information as the Sec-  
9 retary may require.

10 “(d) STATEWIDE TRANSITION INITIATIVE.—

11 “(1) USE OF FUNDS.—Subject to subsection  
12 (b)(2), and in consultation and coordination with the  
13 entities described in paragraph (2) of this sub-  
14 section, a State receiving a grant award under this  
15 section shall use not less than 25 percent of the  
16 funds to—

17 “(A) provide intensive outreach and sup-  
18 port to foster youth and homeless youth to—

19 “(i) improve the understanding and  
20 preparation of such youth for enrollment in  
21 institutions of higher education;

22 “(ii) increase the number of applica-  
23 tions to institutions of higher education  
24 submitted by such youth; and

1           “(iii) increase the number of enroll-  
2           ments at institutions of higher education;

3           “(B) provide education to foster youth and  
4           homeless youth with respect to—

5           “(i) the benefits and opportunities of  
6           postsecondary education;

7           “(ii) planning for postsecondary edu-  
8           cation;

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) Collect, review, and monitor data for  
20           program improvement.

21           “(4) RELIANCE ON INSTITUTIONAL AID.—Any  
22           institutional aid provided to a student under para-  
23           graph (3)(D) by an eligible institution during the  
24           grant period of the institution’s grant under this  
25           section shall continue to be provided during the stu-

1       dent’s continuous enrollment at the institution, with-  
2       out regard to whether the grant period ends during  
3       such enrollment.

4           “(5) DEFINITIONS.—In this subsection:

5               “(A) ADMINISTERING STATE AGENCY.—

6       The term ‘administering State agency’ means a  
7       State agency—

8               “(i) designated by the Governor or ex-  
9               ecutive of the State to administer the sub-  
10              grants under this subsection; and

11              “(ii) that, with respect to such State,  
12              has jurisdiction over—

13                      “(I) foster youth;

14                      “(II) homeless youth;

15                      “(III) elementary and secondary  
16              education; or

17                      “(IV) higher education.

18           “(B) ELIGIBLE INSTITUTION.—The term  
19       ‘eligible institution’ means an institution of  
20       higher education—

21              “(i) that is in partnership with—

22                      “(I) the State child welfare agen-  
23              cy that is responsible for the adminis-  
24              tration of the State plan under part B  
25              or E of title IV of the Social Security

1 Act (42 U.S.C. 621 et seq.; 670 et  
2 seq.); and

3 “(II) an organization that serves  
4 homeless youth (such as a youth shel-  
5 ter or outreach program); and

6 “(ii) that may partner with any other  
7 provider, agency, official, or entity that  
8 serves foster youth and homeless youth, or  
9 former foster youth and homeless youth.

10 “(f) STATE REPORTS.—For each year in which a  
11 State receives an allotment under subsection (b), the State  
12 shall prepare and submit a report to the Secretary that  
13 includes—

14 “(1) each activity or service that was carried  
15 out under this section;

16 “(2) the cost of providing each such activity or  
17 service;

18 “(3) the number of students who received each  
19 activity or service disaggregated by race, as defined  
20 in section 153(a)(3) of the Education Sciences Re-  
21 form Act of 2002 (20 U.S.C. 9543(a)(3)) and each  
22 subgroup of students described in subclauses (II)  
23 through (VI) of section 1111(b)(2)(B)(xi) of the El-  
24 elementary and Secondary Education Act of 1965 (20  
25 U.S.C. 6311(b)(2)(B)(xi));

1           “(4) using qualitative and quantitative analysis,  
2           how the State—

3                   “(A) improved access to higher education  
4                   for foster youth and homeless youth; and

5                   “(B) measured youth satisfaction with ac-  
6                   tivities carried out under this part;

7           “(5) an analysis of the implementation and  
8           progress of the Statewide transition initiative under  
9           subsection (d), including challenges and changes  
10          made to the initiative throughout the preceding year;

11          “(6) if, based on the analysis under paragraph  
12          (5), the State determines that the program is not on  
13          track to meet the intended outcomes described in the  
14          application of the State under subsection (c)(2)(C),  
15          a description of how the State plans to meet such  
16          intended outcomes; and

17          “(7) information on the eligible institutions re-  
18          ceiving subgrants, including how such institutions  
19          used subgrant funds to carry out the activities de-  
20          scribed in subsection (e)(3).

21          “(g) DEPARTMENT ACTIVITIES.—

22                  “(1) EVALUATIONS.—Beginning on the date on  
23                  which funds are first allotted under subsection (b),  
24                  and annually thereafter, the Secretary shall evaluate  
25                  recipients of allotments and subgrants under this

1 section. The results of such evaluations shall be  
2 made publicly available on the website of the De-  
3 partment.

4 “(2) REPORT TO CONGRESS.—Not later than 1  
5 year after the date on which funds are first allocated  
6 under subsection (b), and annually thereafter, the  
7 Secretary shall submit a report to Congress that in-  
8 cludes—

9 “(A) the amount of each allotment under  
10 subsection (b);

11 “(B) the amount of each subgrant under  
12 subsection (e); and

13 “(C) with respect to the year for which  
14 such report is made, the results of the evalua-  
15 tions under paragraph (1).

16 “(h) AUTHORIZATION OF APPROPRIATIONS.—

17 “(1) IN GENERAL.—Subject to paragraph (2),  
18 there are authorized to be appropriated to carry out  
19 this part \$150,000,000 for fiscal year 2019 and  
20 each of the 5 succeeding fiscal years.

21 “(2) ADJUSTMENT FOR INFLATION.—

22 “(A) IN GENERAL.—The amount author-  
23 ized to be appropriated under paragraph (1) for  
24 fiscal year 2020 and each of the 4 succeeding

1 fiscal years shall be deemed increased by the  
2 annual adjustment percentage.

3 “(B) DEFINITION.—In this paragraph, the  
4 term ‘annual adjustment percentage’, as applied  
5 to a fiscal year, means the estimated percentage  
6 change in the Consumer Price Index (as deter-  
7 mined by the Secretary, using the definition in  
8 section 478(f)) for the most recent calendar  
9 year ending before the beginning of that fiscal  
10 year.”.

## 11 **TITLE VIII—ADDITIONAL** 12 **PROGRAMS**

### 13 **SEC. 8001. TEACH FOR AMERICA.**

14 Subparagraph (C) of section 806(f)(1) (20 U.S.C.  
15 1161f(f)(1)) is amended to read as follows:

16 “(C) \$30,000,000 for fiscal year 2019 and  
17 each of the 5 succeeding fiscal years.”.

### 18 **SEC. 8002. PATSY T. MINK FELLOWSHIP PROGRAM.**

19 Subsection (f) of section 807 (20 U.S.C. 1161g) is  
20 amended to read as follows:

21 “(f) AUTHORIZATION OF APPROPRIATIONS.—There  
22 is authorized to be appropriated to carry out this section  
23 \$10,000,000 for fiscal year 2019 and each of the 5 suc-  
24 ceeding fiscal years.”.

1 **SEC. 8003. IMPROVING SCIENCE, TECHNOLOGY, ENGINEER-**  
2 **ING, AND MATHEMATICS EDUCATION WITH A**  
3 **FOCUS ON ALASKA NATIVE AND NATIVE HA-**  
4 **WAIAN STUDENTS.**

5 Subsection (i) of section 819 (20 U.S.C. 1161j) is  
6 amended to read as follows:

7 “(i) AUTHORIZATION OF APPROPRIATIONS.—There is  
8 authorized to be appropriated to carry out this section  
9 \$5,000,000 for fiscal year 2019 and each of the 5 suc-  
10 ceeding fiscal years.”.

11 **SEC. 8004. GRANTS FOR RURAL-SERVING INSTITUTIONS OF**  
12 **HIGHER EDUCATION.**

13 Subsection (g) of section 861 (20 U.S.C. 1161q) is  
14 amended to read as follows:

15 “(g) AUTHORIZATION OF APPROPRIATIONS.—There  
16 is authorized to be appropriated to carry out this section  
17 \$20,000,000 for fiscal year 2019 and each of the 5 suc-  
18 ceeding fiscal years.”.

19 **SEC. 8005. TRAINING FOR REALTIME WRITERS TO PROVIDE**  
20 **CLOSED CAPTIONING AND COURT REPORT-**  
21 **ING SERVICES.**

22 Section 872(e) (20 U.S.C. 1161s(e)) is amended by  
23 striking “2009” and inserting “2019”.



1 **SEC. 8006. GRANT PROGRAM TO ESTABLISH, MAINTAIN,**  
2 **AND IMPROVE VETERAN STUDENT CENTERS.**

3 (a) IN GENERAL.—Title VIII (20 U.S.C. 1161a et  
4 seq.) is amended by striking part T (20 U.S.C. 1161t)  
5 and inserting the following:

6 **“PART T—GRANTS FOR VETERAN STUDENT**  
7 **CENTERS**

8 **“SEC. 873. GRANTS FOR VETERAN STUDENT CENTERS.**

9 “(a) GRANTS AUTHORIZED.—Subject to the avail-  
10 ability of appropriations under subsection (i), the Sec-  
11 retary shall award grants to institutions of higher edu-  
12 cation or consortia of institutions of higher education to  
13 assist in the establishment, maintenance, improvement,  
14 and operation of Veteran Student Centers. The Secretary  
15 shall award not more than 30 grants in a fiscal year under  
16 this subsection.

17 “(b) ELIGIBILITY.—

18 “(1) APPLICATION.—An institution or consor-  
19 tium seeking a grant under subsection (a) shall sub-  
20 mit to the Secretary an application at such time, in  
21 such manner, and containing such information as  
22 the Secretary may require.

23 “(2) CRITERIA.—The Secretary may award a  
24 grant under subsection (a) to an institution or a  
25 consortium if the institution or consortium meets  
26 each of the following criteria:

1           “(A) The institution or consortium enrolls  
2           in undergraduate or graduate courses—

3                   “(i) a significant number of veteran  
4                   students, members of the Armed Forces  
5                   serving on active duty, and members of a  
6                   reserve component of the Armed Forces; or

7                   “(ii) a significant percentage of vet-  
8                   eran students, as measured by comparing  
9                   the overall enrollment of the institution or  
10                  consortium to the number, for the most re-  
11                  cent academic year for which data are  
12                  available, of veteran students, members of  
13                  the Armed Forces serving on active duty,  
14                  and members of a reserve component of  
15                  the Armed Forces who are enrolled in un-  
16                  dergraduate or graduate courses at the in-  
17                  stitution or consortium.

18           “(B) The institution or consortium pre-  
19           sents a sustainability plan to demonstrate that  
20           the Veteran Student Center of such institution  
21           or consortium will be maintained and will con-  
22           tinue operations upon conclusion of the grant  
23           period under subsection (a).

24           “(3) ADDITIONAL CRITERIA.—

1           “(A) MANDATORY CONSIDERATIONS.—In  
2           awarding grants under subsection (a), the Sec-  
3           retary shall consider institutions or consortia  
4           representing a broad spectrum of sectors and  
5           sizes, including institutions or consortia from  
6           urban, suburban, and rural regions of the  
7           United States.

8           “(B) DISCRETIONARY CRITERIA.—In  
9           awarding grants under subsection (a), the Sec-  
10          retary may provide consideration to institutions  
11          or consortia that meet one or more of the fol-  
12          lowing criteria:

13               “(i) The institution or consortium is  
14               located in a region or community that has  
15               a significant population of veterans.

16               “(ii) The institution or consortium  
17               carries out programs or activities that as-  
18               sist veterans in the local community and  
19               the spouses of veteran students.

20               “(iii) The institution or consortium  
21               partners in its veteran-specific program-  
22               ming with nonprofit veteran service organi-  
23               zations, local workforce development orga-  
24               nizations, or institutions of higher edu-  
25               cation.

1           “(iv) The institution or consortium  
2           commits to hiring staff at the Veteran Stu-  
3           dent Center that includes veterans (includ-  
4           ing veteran student volunteers and veteran  
5           students participating in a Federal work-  
6           study program under part C of title IV, a  
7           work-study program administered by the  
8           Secretary of Veteran Affairs, or a State  
9           work-study program).

10           “(v) The institution or consortium  
11           commits to using a portion of the grant re-  
12           ceived under this section to develop and  
13           implement an early-warning veteran stu-  
14           dent retention program designed to alert  
15           staff at the Veteran Student Center that a  
16           veteran student may be facing difficulties  
17           that could lead to the non-completion of  
18           the course of study of such veteran.

19           “(vi) The institution or consortium  
20           commits to providing mental health coun-  
21           seling to its veteran students and their  
22           spouses.

23           “(vii) The institution or consortium  
24           carries out programs or activities that as-  
25           sist individuals pursuing a course of edu-

1                    cation using educational assistance under  
2                    chapter 31 of title 38, United States Code.

3           “(c) USE OF FUNDS.—

4                   “(1) IN GENERAL.—An institution or consor-  
5                   tium that is awarded a grant under subsection (a)  
6                   shall use such grant to establish, maintain, improve,  
7                   or operate a Veteran Student Center.

8                   “(2) OTHER ALLOWABLE USES.—An institution  
9                   or consortium receiving a grant under subsection (a)  
10                  may use a portion of such funds to carry out sup-  
11                  portive instruction services for student veterans, in-  
12                  cluding—

13                   “(A) assistance with special admissions  
14                   and transfer of credit from previous postsec-  
15                   ondary education or experience; and

16                   “(B) any other support services the insti-  
17                   tution or consortium determines to be necessary  
18                   to ensure the success of veterans on campus in  
19                   achieving education and career goals.

20           “(d) AMOUNTS AWARDED.—

21                   “(1) DURATION.—Each grant awarded under  
22                   subsection (a) shall be for a 4-year period.

23                   “(2) TOTAL AMOUNT OF GRANT AND SCHED-  
24                   ULE.—Each grant awarded under subsection (a)  
25                   may not exceed a total of \$500,000. The Secretary

1 shall disburse to an institution or consortium the  
2 amounts awarded under the grant in such amounts  
3 and at such times during the grant period as the  
4 Secretary determines appropriate.

5 “(e) REPORT.—From the amounts appropriated to  
6 carry out this section, and not later than 3 years after  
7 the date on which the first grant is awarded under sub-  
8 section (a), the Secretary shall submit to Congress a re-  
9 port on the grant program established under subsection  
10 (a), including—

11 “(1) the number of grants awarded;

12 “(2) the institutions of higher education and  
13 consortia that have received grants;

14 “(3) with respect to each such institution of  
15 higher education and consortium—

16 “(A) the amounts awarded;

17 “(B) how such institution or consortium  
18 used such amounts;

19 “(C) a description of the students to whom  
20 services were offered as a result of the award;  
21 and

22 “(D) data enumerating whether the use of  
23 the amounts awarded helped veteran students  
24 at the institution or consortium toward comple-  
25 tion of a degree, certificate, or credential;

1           “(4) best practices for veteran student success,  
2           identified by reviewing data provided by institutions  
3           and consortia that received a grant under this sec-  
4           tion; and

5           “(5) a determination by the Secretary with re-  
6           spect to whether the grant program under this sec-  
7           tion should be extended or expanded.

8           “(f) TERMINATION.—The authority of the Secretary  
9           to carry out the grant program established under sub-  
10          section (a) shall terminate on the date that is 4 years after  
11          the date on which the first grant is awarded under sub-  
12          section (a).

13          “(g) DEPARTMENT OF EDUCATION BEST PRACTICES  
14          WEBSITE.—Subject to the availability of appropriations  
15          under subsection (i) and not later than 3 years after the  
16          date on which the first grant is awarded under subsection  
17          (a), the Secretary shall develop and implement a website  
18          for veteran student services at institutions of higher edu-  
19          cation, which details best practices for serving veteran stu-  
20          dents at institutions of higher education.

21          “(h) DEFINITIONS.—In this section:

22                  “(1) INSTITUTION OF HIGHER EDUCATION.—  
23                  The term ‘institution of higher education’ has the  
24                  meaning given the term in section 101.

1           “(2) VETERAN STUDENT CENTER.—The term  
2 ‘Veteran Student Center’ means a dedicated space  
3 on a campus of an institution of higher education  
4 that provides students who are veterans or members  
5 of the Armed Forces with the following:

6           “(A) A lounge or meeting space for such  
7 veteran students, their spouses or partners, and  
8 veterans in the community.

9           “(B) A centralized office for veteran serv-  
10 ices that—

11           “(i) is a single point of contact to co-  
12 ordinate comprehensive support services  
13 for veteran students;

14           “(ii) is staffed by trained employees  
15 and volunteers, which includes veterans  
16 and at least one full-time employee or vol-  
17 unteer who is trained as a veterans’ bene-  
18 fits counselor;

19           “(iii) provides veteran students with  
20 assistance relating to—

21           “(I) transitioning from the mili-  
22 tary to student life;

23           “(II) transitioning from the mili-  
24 tary to the civilian workforce;



1 “(III) networking with other vet-  
2 eran students and veterans in the  
3 community;

4 “(IV) understanding and obtain-  
5 ing benefits provided by the institu-  
6 tion of higher education, Federal Gov-  
7 ernment, and State for which such  
8 students may be eligible;

9 “(V) understanding how to suc-  
10 ceed in the institution of higher edu-  
11 cation, including by understanding  
12 academic policies, the course selection  
13 process, and institutional policies and  
14 practices related to the transfer of  
15 academic credits; and

16 “(VI) understanding their dis-  
17 ability-related rights and protections  
18 under the Americans with Disabilities  
19 Act of 1990 (42 U.S.C. 12101 et seq.)  
20 and section 504 of the Rehabilitation  
21 Act of 1973 (29 U.S.C. 794); and

22 “(iv) provides comprehensive academic  
23 and tutoring services for veteran students,  
24 including peer-to-peer tutoring and aca-  
25 demic mentorship.

1       “(i) AUTHORIZATION OF APPROPRIATIONS.—There  
2 are authorized to be appropriated to carry out this part  
3 \$15,000,000 for fiscal year 2019 and each of the 5 suc-  
4 ceeding fiscal years.”.

5       (b) CONTINUATION OF AWARDS.—An institution of  
6 higher education that received a grant under section 873  
7 of the Higher Education Act of 1965 (20 U.S.C. 1161t)  
8 before the date of enactment of this Act, as such section  
9 873 (20 U.S.C. 1161t) was in effect on the day before  
10 the date of enactment of this Act, shall continue to receive  
11 funds in accordance with the terms and conditions of such  
12 grant.

13 **SEC. 8007. MODELING AND SIMULATION.**

14       Subsection (e) of section 891 (20 U.S.C. 1161v) is  
15 amended, in the matter preceding paragraph (1), by strik-  
16 ing the first sentence and inserting the following: “There  
17 is authorized to be appropriated to carry out this section  
18 \$75,000,000 for fiscal year 2019 and each of the 5 suc-  
19 ceeding fiscal years.”.

20 **SEC. 8008. CONFORMING AMENDMENTS.**

21       Section       894(f)(2)(C)(ii)(I)       (20       U.S.C.  
22 1161y(f)(2)(C)(ii)(I)) is amended by striking “section  
23 401(b)(2)(A)” and inserting “section 401(b)(1)”.

1 **SEC. 8009. MANDATORY FUNDING FOR MASTERS AND**  
2 **POSTBACCALAUREATE PROGRAMS.**

3 (a) MASTERS DEGREE PROGRAMS.—Section 897 (20  
4 U.S.C. 1161aa) is amended by striking “\$11,500,000 for  
5 fiscal year 2009 and for each of the five succeeding fiscal  
6 years” and inserting “\$13,500,000 for fiscal year 2019  
7 and each succeeding fiscal year”.

8 (b) POSTBACCALAUREATE PROGRAMS.—Section 898  
9 (20 U.S.C. 1161aa–1) is amended—

10 (1) by striking “In addition” and inserting “(a)  
11 ADDITIONAL APPROPRIATIONS FOR PART B OF  
12 TITLE V.—In addition”;

13 (2) by striking “\$11,500,000 for fiscal year  
14 2009 and for each of the five succeeding fiscal  
15 years” and inserting “\$21,000,000 for fiscal year  
16 2019 and each succeeding fiscal year”; and

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

18 “(b) ADDITIONAL APPROPRIATIONS FOR PART A OF  
19 TITLE VII.—In addition to any amounts appropriated  
20 under subpart 5 of part 4 of title VII, there are authorized  
21 to be appropriated, and there are appropriated, out of any  
22 funds in the Treasury not otherwise appropriated,  
23 \$13,000,000 for fiscal year 2019 and each of the 5 suc-  
24 ceeding fiscal years to carry out subpart 5 of part A of  
25 title VII.”.

1 **SEC. 8010. FUNDS FOR ACCESS TO OPEN EDUCATIONAL RE-**  
2 **SOURCES.**

3 Title VIII (20 U.S.C. 1161a et seq.) is amended by  
4 adding at the end the following:

5 **“PART BB—ACCESS TO OPEN EDUCATIONAL**  
6 **RESOURCES**

7 **“SEC. 899. AFFORDABLE COLLEGE TEXTBOOKS.**

8 “(a) DEFINITIONS.—In this section:

9 “(1) EDUCATIONAL RESOURCE.—The term  
10 ‘educational resource’ means a print or digital edu-  
11 cational material that can be used in postsecondary  
12 instruction, including textbooks and other written or  
13 audiovisual works.

14 “(2) OPEN EDUCATIONAL RESOURCE.—The  
15 term ‘open educational resource’ means a print or  
16 digital educational resource that either resides in the  
17 public domain or has been released under an intel-  
18 lectual property license that permits its free use,  
19 reuse, modification, and sharing with others.

20 “(3) OPEN TEXTBOOK.—The term ‘open text-  
21 book’ means an open educational resource or set of  
22 open educational resources that either is a textbook  
23 or can be used in place of a textbook for a postsec-  
24 ondary course at an institution of higher education.

25 “(4) RELEVANT FACULTY.—The term ‘relevant  
26 faculty’ means both tenure track and contingent fac-

1       ulty members who may be involved in the creation  
2       of open educational resources or the use of open  
3       educational resources created as part of the grant  
4       application.

5       “(b) GRANT PROGRAM.—

6               “(1) GRANTS AUTHORIZED.—From the  
7       amounts appropriated under paragraph (9), the Sec-  
8       retary shall make grants, on a competitive basis, to  
9       eligible entities to support projects that expand the  
10      use of high-quality open textbooks in order to  
11      achieve savings for students while improving instruc-  
12      tion and student learning outcomes.

13              “(2) ELIGIBLE ENTITY.—In this section, the  
14      term ‘eligible entity’ means an institution of higher  
15      education or group of institutions of higher edu-  
16      cation.

17              “(3) APPLICATIONS.—

18                      “(A) IN GENERAL.—Each eligible entity  
19      desiring a grant under this subsection, after  
20      consultation with relevant faculty, shall submit  
21      an application to the Secretary at such time, in  
22      such manner, and accompanied by such infor-  
23      mation as the Secretary may reasonably re-  
24      quire.

1           “(B) CONTENTS.—Each application sub-  
2           mitted under subparagraph (A) shall include a  
3           description of the project to be completed with  
4           grant funds and—

5                   “(i) a plan for promoting and track-  
6                   ing the use of open textbooks in postsec-  
7                   ondary courses offered by the eligible enti-  
8                   ty, including an estimate of the projected  
9                   savings that will be achieved for students;

10                   “(ii) a plan for evaluating, before cre-  
11                   ating new open educational resources,  
12                   whether existing open educational re-  
13                   sources could be used or adapted for the  
14                   same purpose;

15                   “(iii) a plan for quality review (includ-  
16                   ing peer review) and review of accuracy of  
17                   any open educational resources to be cre-  
18                   ated or adapted through the grant;

19                   “(iv) a plan for assessing the impact  
20                   of open textbooks on instruction and stu-  
21                   dent learning outcomes at the eligible enti-  
22                   ty;

23                   “(v) a plan for review of accessibility  
24                   of any open educational resources to be  
25                   created or adapted through the grant;

1           “(vi) a plan for disseminating infor-  
2           mation about the results of the project to  
3           institutions of higher education outside of  
4           the eligible entity, including promoting the  
5           adoption of any open textbooks created or  
6           adapted through the grant;

7           “(vii) a statement on consultation  
8           with relevant faculty, including those en-  
9           gaged in the creation of open educational  
10          resources, in the development of the appli-  
11          cation; and

12          “(viii) an assurance that open edu-  
13          cational resources utilized, developed, or  
14          researched will be available in accessible  
15          formats, which may include braille, audio  
16          books, closed captioning, and audio de-  
17          scriptions.

18          “(4) SPECIAL CONSIDERATION.—In awarding  
19          grants under this section, the Secretary shall give  
20          special consideration to applications that dem-  
21          onstrate the greatest potential to—

22                 “(A) achieve the highest level of savings  
23                 for students through sustainable expanded use  
24                 of high-quality open textbooks in postsecondary  
25                 courses offered by the eligible entity;

1           “(B) achieve improvements in student  
2 learning and student outcomes;

3           “(C) expand the use of open textbooks at  
4 institutions of higher education outside of the  
5 eligible entity; and

6           “(D) produce—

7               “(i) the highest quality and most ac-  
8 cessible open textbooks;

9               “(ii) open textbooks that can be most  
10 easily utilized and adapted by faculty  
11 members at institutions of higher edu-  
12 cation;

13               “(iii) open textbooks that correspond  
14 to the highest enrollment courses at insti-  
15 tutions of higher education;

16               “(iv) open textbooks created or adapt-  
17 ed in partnership with entities, including  
18 campus bookstores, that will assist in mar-  
19 keting and distribution of the open text-  
20 book; and

21               “(v) open textbooks that conform with  
22 national accessibility standards.

23           “(5) USE OF FUNDS.—An eligible entity that  
24 receives a grant under this section shall use the



1 grant funds to carry out the following activities to  
2 expand the use of open textbooks:

3 “(A) Professional development for any fac-  
4 ulty and staff members at institutions of higher  
5 education, including the search for and review  
6 of open textbooks.

7 “(B) Creation or adaptation of high-qual-  
8 ity open educational resources that conform to  
9 accessibility standards, especially open text-  
10 books, and the quality assurance of such open  
11 educational resources.

12 “(C) Development or improvement of tools  
13 and informational resources that support the  
14 use of open textbooks, including improving ac-  
15 cessible instructional materials for students  
16 with disabilities that are consistent with na-  
17 tional accessibility standards.

18 “(D) Research evaluating the efficacy of  
19 the use of open textbooks for achieving savings  
20 for students and the impact on instruction and  
21 student learning outcomes.

22 “(6) LICENSE.—

23 “(A) IN GENERAL.—Educational content  
24 created under paragraph (5) shall be licensed  
25 under a nonexclusive, irrevocable license to the

1 public to exercise any of the rights under copy-  
2 right conditioned only on the requirement that  
3 attribution be given as directed by the copyright  
4 owner.

5 “(B) LIMITATION.—In this paragraph, the  
6 term education content does not include the  
7 technology or platform used to develop such  
8 content.

9 “(7) ACCESS AND DISTRIBUTION.—The full and  
10 complete digital content of each educational resource  
11 created or adapted under paragraph (5) shall be  
12 made available free of charge to the public—

13 “(A) on an easily accessible and interoper-  
14 able website, which shall be identified to the  
15 Secretary by the eligible entity;

16 “(B) in a machine readable, digital format  
17 that anyone can directly download, edit with at-  
18 tribution, and redistribute; and

19 “(C) in a fully accessible format in compli-  
20 ance with the Americans with Disabilities Act  
21 of 1990 (42 U.S.C. 12101 et seq.) and section  
22 508 of the Rehabilitation Act of 1973 (29  
23 U.S.C. 794d).

24 “(8) REPORT.—Upon an eligible entity’s com-  
25 pletion of a project supported under this section, the

1 eligible entity shall prepare and submit a report to  
2 the Secretary regarding—

3 “(A) the effectiveness of the project in ex-  
4 panding the use of high-quality open textbooks  
5 and in achieving savings for students;

6 “(B) the impact of the project on expand-  
7 ing the use of open textbooks at institutions of  
8 higher education outside of the eligible entity;

9 “(C) educational resources created or  
10 adapted under the grant, including instructions  
11 on where the public can access each educational  
12 resource under the terms of paragraph (7);

13 “(D) information about the quality review  
14 process that was used to ensure quality and ac-  
15 curacy;

16 “(E) the impact of the project on instruc-  
17 tion and student learning outcomes; and

18 “(F) all project costs, including the value  
19 of any volunteer labor and institutional capital  
20 used for the project.

21 “(9) AUTHORIZATION OF APPROPRIATIONS.—

22 There are authorized to be appropriated to carry out  
23 this section \$5,000,000 for fiscal year 2019 and  
24 each of the 5 succeeding fiscal years.

1       “(c) REPORT TO CONGRESS.—Not later than 2 years  
2 after the date of enactment of this subsection, the Sec-  
3 retary shall prepare and submit a report to authorizing  
4 committees detailing—

5           “(1) the high-quality open textbooks created or  
6 adapted under this section;

7           “(2) the adoption of such open textbooks;

8           “(3) the savings generated for students, States,  
9 territories, and the Federal Government through the  
10 use of open textbooks; and

11          “(4) the impact of open textbooks on instruc-  
12 tion and student learning outcomes.

13       “(d) GAO REPORT.—Not later than 3 years after the  
14 date of enactment of this subsection, the Comptroller Gen-  
15 eral of the United States shall prepare and submit a re-  
16 port to the authorizing committees on the cost of text-  
17 books to students at institutions of higher education. The  
18 report shall particularly examine—

19           “(1) the change of the cost of textbooks;

20           “(2) the factors that have contributed to the  
21 change of the cost of textbooks, including the impact  
22 of open textbooks on the cost;

23           “(3) the extent to which open textbooks are  
24 used at institutions of higher education compared to

1 the use of open textbooks before the date of the en-  
2 actment of this subsection;

3 “(4) how institutions are tracking the impact of  
4 open textbooks on instruction and student learning  
5 outcomes;

6 “(5) the availability of accessible forms of open  
7 textbooks and the barriers faced by students with  
8 disabilities in accessing accessible forms of open edu-  
9 cational resources compared to the barriers faced in  
10 accessing traditional educational materials; and

11 “(6) the barriers faced by other student popu-  
12 lations, including low-income students, in accessing  
13 high-quality open educational resources compared to  
14 the barriers faced in accessing traditional edu-  
15 cational materials.”.

## 16 **TITLE IX—AMENDMENTS TO** 17 **OTHER LAWS**

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

#### 19 **SEC. 9001. COMPOSITION OF BOARD OF TRUSTEES.**

20 Section 103(a)(1) of the Education of the Deaf Act  
21 of 1986 (20 U.S.C. 4303(a)(1)) is amended—

22 (1) by striking “twenty-one” and inserting  
23 “twenty-three”;

24 (2) in subparagraph (A)—

1 (A) by striking “three” and inserting  
2 “four”; and

3 (B) in clause (i)—

4 (i) by striking “one” and inserting  
5 “two”; and

6 (ii) by striking “Senator” and insert-  
7 ing “Senators”; and

8 (3) in subparagraph (B), by striking “eighteen”  
9 and inserting “nineteen”.

10 **SEC. 9002. ADMINISTRATIVE REQUIREMENTS OF LAURENT**  
11 **CLERC NATIONAL DEAF EDUCATION CENTER.**

12 Section 104(b)(5) of the Education of the Deaf Act  
13 of 1986 (20 U.S.C. 4304(b)(5)) is amended—

14 (1) in subparagraph (A)—

15 (A) by amending clause (i) to read as fol-  
16 lows:

17 “(i) select challenging State academic  
18 standards adopted and implemented under  
19 section 1111(b)(1) of the Elementary and  
20 Secondary Education Act of 1965 (20  
21 U.S.C. 6311(b)(1));”;

22 (B) by redesignating clause (ii) as clause  
23 (iii);

24 (C) by inserting after clause (i) the fol-  
25 lowing:

1           “(ii) implement, through a contract or  
2           other arrangement with a State, nationally  
3           recognized entity, or other agreement ap-  
4           proved by the Secretary, a set of high-qual-  
5           ity student academic assessments that  
6           align with the challenging State academic  
7           standards under clause (i) and are con-  
8           sistent with the requirements of section  
9           1111(b)(2) of the Elementary and Sec-  
10          ondary Education Act of 1965 (20 U.S.C.  
11          6311(b)(2)); and”;

12          (D) in clause (iii), as so redesignated, by  
13          striking “2016–2017” and inserting “2018–  
14          2019”;

15          (2) by amending subparagraph (B) to read as  
16          follows:

17          “(B) develop and implement an accountability  
18          system consistent with section 1111(c) of the Ele-  
19          mentary and Secondary Education Act of 1965 (20  
20          U.S.C. 6311(c)) that annually measures the aca-  
21          demic achievement of all students; and”.

1 **SEC. 9003. FEDERAL ENDOWMENT PROGRAMS FOR GAL-**  
2 **LAUDET UNIVERSITY AND THE NATIONAL**  
3 **TECHNICAL INSTITUTE FOR THE DEAF.**

4 Section 207 of the Education of the Deaf Act of 1986  
5 (20 U.S.C. 4357) is amended—

6 (1) in subsection (e), by striking “(and its non-  
7 Federal match)”; and

8 (2) in subsection (g)(1), by striking “amounts  
9 contributed to the fund from non-Federal sources,  
10 and” and inserting “and the related”.

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

13 **SEC. 9101. TRIBALLY CONTROLLED COLLEGES AND UNI-**  
14 **VERSITIES ASSISTANCE ACT OF 1978.**

15 (a) DEFINITIONS.—Section 2 of the Tribally Con-  
16 trolled Colleges and Universities Assistance Act of 1978  
17 (25 U.S.C. 1801) is amended—

18 (1) in subsection (a)—

19 (A) in paragraph (7), by adding “and” at  
20 the end;

21 (B) in paragraph (8), by striking “; and”  
22 and inserting a period; and

23 (C) by striking paragraph (9); and

24 (2) in subsection (b)—

25 (A) by amending paragraph (1) to read as  
26 follows:



1           “(1) Such number shall be calculated based on  
2           the number of Indian students who are enrolled—

3                   “(A) at the conclusion of the third week of  
4                   each academic term; or

5                   “(B) on the fifth day of a shortened pro-  
6                   gram beginning after the conclusion of the third  
7                   full week of an academic term.”;

8                   (B) in paragraph (3), by striking “for pur-  
9                   poses of obtaining” and inserting “solely for the  
10                  purpose of obtaining”; and

11                  (C) by inserting after paragraph (5), the  
12                  following:

13                  “(6) Enrollment data from the prior-prior aca-  
14                  demic year shall be used.”.

15           (b) **AUTHORIZATION OF APPROPRIATIONS.**—The  
16           Tribally Controlled Colleges and Universities Assistance  
17           Act of 1978 (25 U.S.C. 1801 et seq.) is amended by in-  
18           serting after section 2 (25 U.S.C. 1801), the following:

19           **“SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

20                   “(a) **TITLES I AND IV.**—There are authorized to be  
21                   appropriated \$57,412,000 for fiscal year 2019 and each  
22                   of the 5 succeeding fiscal years to carry out titles I and  
23                   IV.

1       “(b) TITLE V.—There are authorized to be appro-  
2       priated \$7,414,000 for fiscal year 2019 and each of the  
3       5 succeeding fiscal years to carry out title V.”.

4       (c) ELIGIBLE GRANT RECIPIENTS.—Section 103 of  
5       the Tribally Controlled Colleges and Universities Assist-  
6       ance Act of 1978 (25 U.S.C. 1801 et seq.). (20 U.S.C.  
7       1804) is amended by striking paragraph (3) and inserting  
8       the following:

9               “(3) the majority of students who are enrolled  
10       in courses offered on campus are Indians.”.

11       (d) TECHNICAL ASSISTANCE; ELIGIBILITY STUD-  
12       IES.—

13               (1) TECHNICAL ASSISTANCE CONTRACTS.—Sec-  
14       tion 105(a)(2) of the Tribally Controlled Colleges  
15       and Universities Assistance Act of 1978 (20 U.S.C.  
16       1805(a)(2)) is amended by striking “college or uni-  
17       versity” and inserting “colleges and universities”.

18               (2) ELIGIBILITY STUDIES.—Section 106 of the  
19       Tribally Controlled Colleges and Universities Assist-  
20       ance Act of 1978 (25 U.S.C. 1806) is amended—

21                       (A) in subsection (a), by striking “Indian  
22                       Affairs” and inserting “Indian Education”;

23                       (B) in subsection (b), by striking “for the  
24                       fiscal year succeeding” and inserting “for the  
25                       second fiscal year succeeding”; and

1 (C) in subsection (c)(2), by striking “5 per  
2 centum” and inserting “1 percent”.

3 (e) REPEAL OF PLANNING GRANTS.—Section 104 of  
4 the Tribally Controlled Colleges and Universities Assist-  
5 ance Act of 1978 (25 U.S.C. 1804a) is repealed.

6 (f) GRANTS TO TRIBALLY CONTROLLED COLLEGES  
7 AND UNIVERSITIES.—Section 107 of the Tribally Con-  
8 trolled Colleges and Universities Assistance Act of 1978  
9 (25 U.S.C. 1807) is amended—

10 (1) by striking subsection (c);

11 (2) by redesignating subsection (d) as sub-  
12 section (c); and

13 (3) in subsection (c), as so redesignated, by in-  
14 serting “higher education” after “national Indian”  
15 both places it appears.

16 (g) AMOUNT OF GRANTS.—Section 108(b)(1) of the  
17 Tribally Controlled Colleges and Universities Assistance  
18 Act of 1978 (25 U.S.C. 1808(b)(1)) is amended—

19 (1) by striking “of the funds available for allot-  
20 ment by October 15 or no later than 14 days after  
21 appropriations become available” and inserting “of  
22 the amounts appropriated for any fiscal year on or  
23 before July 1 of that fiscal year”; and

24 (2) by striking “January 1” and inserting  
25 “September 30”.

1 (h) AUTHORIZATION OF APPROPRIATIONS.—Section  
2 110(a) of the Tribally Controlled Colleges and Universities  
3 Assistance Act of 1978 (25 U.S.C. 1810(a)) is amended  
4 by striking “2009” each time it appears and inserting  
5 “2019”.

6 (i) RULES AND REGULATIONS.—The Tribally Con-  
7 trolled Colleges and Universities Assistance Act of 1978  
8 (25 U.S.C. 1801 et seq.) is amended by striking section  
9 115 (25 U.S.C. 1815).

10 (j) REPEAL OF ENDOWMENT PROGRAM.—

11 (1) REPEAL.—Title III of the Tribally Con-  
12 trolled Colleges and Universities Assistance Act of  
13 1978 (25 U.S.C. 1831 et seq.) is repealed.

14 (2) TRANSITION.—

15 (A) IN GENERAL.—Subject to subpara-  
16 graph (B), title III of the Tribally Controlled  
17 Colleges and Universities Assistance Act of  
18 1978 (25 U.S.C. 1831 et seq.), as such title  
19 was in effect on the day before the date of en-  
20 actment of this Act, shall apply with respect to  
21 any endowment fund established or funded  
22 under such title before such date of enactment,  
23 except that the Secretary of the Interior may  
24 not make any grants or Federal capital con-  
25 tributions under such title after such date.

1           (B) TERMINATION.—Subparagraph (A)  
2           shall terminate on the date that is 20 years  
3           after the date of enactment of this Act. On or  
4           after such date, a tribally controlled college or  
5           university may use the corpus (including the  
6           Federal and institutional capital contribution)  
7           of any endowment fund described in such sub-  
8           paragraph to pay any expenses relating to the  
9           operation or academic programs of such college  
10          or university.

11          (k) TRIBAL ECONOMIC DEVELOPMENT; AUTHORIZA-  
12          TION OF APPROPRIATIONS.—Section 403 of the Tribally  
13          Controlled Colleges and Universities Assistance Act of  
14          1978 (25 U.S.C. 1852) is amended by striking “for fiscal  
15          year 2009” and all that follows through the period at the  
16          end and inserting “from the amount made available under  
17          section 3(a) for each fiscal year.”.

18          (l) TRIBALLY CONTROLLED POSTSECONDARY CA-  
19          REER AND TECHNICAL INSTITUTIONS.—Section 504 of  
20          the Tribally Controlled Colleges and Universities Assist-  
21          ance Act of 1978 (25 U.S.C. 1864) is amended by striking  
22          “for fiscal year 2009” and all that follows through the  
23          period at the end and inserting “from the amount made  
24          available under section 3(b) for each fiscal year.”.

1 (m) CLERICAL AMENDMENTS.—The Tribally Con-  
2 trolled Colleges and Universities Assistance Act of 1978  
3 (25 U.S.C. 1801 et seq.), as amended by subsections (a)  
4 through (l), is further amended—

5 (1) by striking “Bureau of Indian Affairs” each  
6 place it appears and inserting “Bureau of Indian  
7 Education”;

8 (2) by striking “Navajo Community College  
9 Act” each place it appears and inserting “Diné Col-  
10 lege Act”;

11 (3) by striking “colleges or universities” each  
12 place it appears, including in headings, and inserting  
13 “colleges and universities”; and

14 (4) in section 109 (25 U.S.C. 1809), by redesi-  
15 gnating the second subsection (c) as subsection (d).

16 **PART C—CARL D. PERKINS CAREER AND TECH-**  
17 **NICAL EDUCATION ACT OF 2006 AMEND-**  
18 **MENTS**

19 **SEC. 9201. ADDITIONAL AUTHORIZATION OF APPROPRIA-**  
20 **TIONS.**

21 (a) POSTSECONDARY EDUCATION PROGRAMS.—Sec-  
22 tion 132 of the Carl D. Perkins Career and Technical  
23 Education Act of 2006 (20 U.S.C. 2352) is amended by  
24 adding at the end the following:

1       “(d) ADDITIONAL AUTHORIZATION OF APPROPRIA-  
2 TIONS.—

3           “(1) IN GENERAL.—In addition to the amounts  
4 appropriated under section 9, there is authorized to  
5 be appropriated to carry out this section  
6 \$181,000,000 for fiscal year 2019 and each of the  
7 5 succeeding fiscal years.

8           “(2) ALLOTMENT FORMULA.—From the  
9 amount appropriated pursuant to paragraph (1), the  
10 Secretary shall make allotments to a State for the  
11 fiscal year in accordance with subparagraphs (A)  
12 through (D) of section 111(a)(2).”.

13       (b) ASSISTANCE FOR OUTLYING AREAS.—Section  
14 115 of the Carl D. Perkins Career and Technical Edu-  
15 cation Act of 2006 (20 U.S.C. 2325) is amended—

16           (1) in subsection (b)(2), by inserting “from the  
17 funds appropriated pursuant to subsection (e) and”  
18 before “of the remainder”; and

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

20       “(e) ADDITIONAL AUTHORIZATION OF APPROPRIA-  
21 TIONS.—In addition to the amounts reserved pursuant to  
22 section 111(a)(1)(A), there is authorized to be appro-  
23 priated to carry out this section \$1,000,000 for fiscal year  
24 2019 and each of the 5 succeeding fiscal years.”.

1 (c) ASSISTANCE FOR TRIBALLY CONTROLLED POST-  
2 SECONDARY CAREER AND TECHNICAL INSTITUTIONS.—  
3 Section 117(i) of the Carl D. Perkins Career and Tech-  
4 nical Education Act of 2006 (20 U.S.C. 2327(i)) is  
5 amended to read as follows:

6 “(i) AUTHORIZATION OF APPROPRIATIONS.—

7 “(1) IN GENERAL.—There is authorized to be  
8 appropriated to carry out this section \$9,469,000 for  
9 fiscal year 2019 and each of the 5 succeeding fiscal  
10 years.

11 “(2) ADDITIONAL AMOUNT.—In addition to the  
12 amounts appropriated under paragraph (1), there is  
13 authorized to be appropriated to carry out this sec-  
14 tion \$1,000,000 for fiscal year 2019 and each of the  
15 5 succeeding fiscal years.”.

16 **PART D—GENERAL EDUCATION PROVISIONS ACT**

17 **SEC. 9301. SPECIAL ASSISTANT FOR EQUITY AND INCLU-**  
18 **SION.**

19 Section 202(b) of the Department of Education Or-  
20 ganization Act (20 U.S.C. 3412(b)) is amended—

21 (1) by redesignating paragraph (4) as para-  
22 graph (5); and

23 (2) by inserting after paragraph (3), the fol-  
24 lowing:



1           “(4) Not later than 60 days after the date of  
2           enactment of the Aim Higher Act, the Secretary  
3           shall appoint a Special Assistant for Equity and In-  
4           clusion who shall, with respect to the activities of the  
5           Department—

6                   “(A) promote, coordinate, and evaluate eq-  
7                   uity and inclusion programs, including the dis-  
8                   semination of information, technical assistance,  
9                   and coordination of research activities; and

10                   “(B) advise the Secretary and Deputy Sec-  
11                   retary on all matters relating to equity and in-  
12                   clusion in a manner consistent with title VI of  
13                   the Civil Rights Act of 1964 (42 U.S.C. 2000d  
14                   et seq.).”.

15 **SEC. 9302. RELEASE OF EDUCATION RECORDS TO FACILI-**  
16 **TATE THE AWARD OF A RECOGNIZED POST-**  
17 **SECONDARY CREDENTIAL.**

18           Section 444(b) of the General Education Provisions  
19 Act (20 U.S.C. 1232g(b)) is amended—

20                   (1) in paragraph (1)—

21                           (A) in subparagraph (K)(ii), by striking “;  
22                           and” and inserting a semicolon; and

23                           (B) in subparagraph (L), by striking the  
24                           period at the end and inserting “; and”; and

1           (2) by inserting after subparagraph (L) the fol-  
2           lowing:

3           “(M) an institution of postsecondary education  
4           in which the student was previously enrolled, to  
5           which records of postsecondary coursework and cred-  
6           its are sent for the purpose of applying such  
7           coursework and credits toward completion of a rec-  
8           ognized postsecondary credential (as that term is de-  
9           fined in section 3 of the Workforce Innovation and  
10          Opportunity Act (29 U.S.C. 3102)), upon condition  
11          that the student provides written consent prior to re-  
12          ceiving such credential.”.

13   **PART E—EDUCATION SCIENCES REFORM ACT OF**  
14   **2002**

15   **SEC. 9401. INCLUSION OF RACIAL SUBGROUPS IN IPEDS**  
16   **DATA.**

17          Section 153(a)(3) of the Education Sciences Reform  
18   Act of 2002 (20 U.S.C. 9543(a)(3)) is amended—

19           (1) by striking “feasible, information” and in-  
20           serting the following: “feasible—

21                           “(A) information”;

22           (2) by inserting “and” after the semicolon; and

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

24                           “(B) information, with respect to the Inte-  
25           grated Postsecondary Education Data Survey,

1           that is disaggregated by race in a manner that  
2           captures all the racial groups specified in the  
3           U.S. Census Bureau's American Community  
4           Survey;”.

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