

118TH CONGRESS
2D SESSION

S. 4379

To amend the Higher Education Act of 1965 to change certain grant requirements for certain students with disabilities, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 21, 2024

Mr. CASEY (for himself, Mr. VAN HOLLEN, and Mr. BOOKER) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Higher Education Act of 1965 to change certain grant requirements for certain students with disabilities, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Higher Education
5 Grant Flexibility Act”.

6 **SEC. 2. FEDERAL PELL GRANTS.**

7 Section 401(b)(2) of the Higher Education Act of
8 1965 (20 U.S.C. 1070a(b)(2)), as amended by section 703

1 of division FF of the Consolidated Appropriations Act,
2 2021 (Public Law 116–260), is amended—

3 (1) by striking “In any case” and inserting the
4 following:

5 “(A) REDUCTION.—Except as provided in
6 subparagraph (B), in any case”; and

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

8 “(B) STUDENTS WITH DISABILITIES.—

9 “(i) IN GENERAL.—In the case of a
10 student with a disability (as defined in sec-
11 tion 3 of the Americans with Disabilities
12 Act of 1990 (42 U.S.C. 12102)) for whom
13 a reduced course load has been approved
14 as a reasonable accommodation under sec-
15 tion 504 of the Rehabilitation Act of 1973
16 (29 U.S.C. 794) or the Americans with
17 Disabilities Act of 1990 (42 U.S.C. 12101
18 et seq.), the student’s enrollment in the re-
19 duced course load or 5 credits (or the
20 equivalent), whichever is greater, shall be
21 deemed to be enrollment on a full-time
22 basis for purposes of calculating the ele-
23 ments of cost of attendance for such stu-
24 dent under paragraphs (2) through (14) of
25 section 472(a) for purposes of determining

1 the amount of the Federal Pell Grant to
2 which the student is entitled. Subsection
3 (b) of section 472 shall not apply with re-
4 spect to such student.

5 “(ii) LIMITED APPLICATION.—A de-
6 termination under clause (i) shall not be
7 used in the calculation of Federal Pell
8 Grant semester eligibility under subsection
9 (d)(5).”.

10 **SEC. 3. FEDERAL SUPPLEMENTAL EDUCATIONAL OPPOR-**
11 **TUNITY GRANTS.**

12 Section 413B(a) of the Higher Education Act of
13 1965 (20 U.S.C. 1070b–2(d)) is amended by adding at
14 the end the following:

15 “(4) Notwithstanding any other provision of
16 this subpart or part F of this title, in the case of
17 a student with a disability (as defined in section 3
18 of the Americans with Disabilities Act of 1990 (42
19 U.S.C. 12102)) for whom a reduced course load has
20 been approved as a reasonable accommodation under
21 section 504 of the Rehabilitation Act of 1973 (29
22 U.S.C. 794) or the Americans with Disabilities Act
23 of 1990 (42 U.S.C. 12101 et seq.), the student’s en-
24 rollment in the reduced course load or 5 credits (or
25 the equivalent), whichever is greater, shall be

1 deemed to be enrollment on a full-time basis for pur-
 2 poses of calculating the elements of cost of attend-
 3 ance for such student under paragraphs (2) through
 4 (14) of section 472(a) for purposes of determining
 5 the amount of the supplemental grant to which the
 6 student is entitled in accordance with the provisions
 7 of part F of this title. Subsection (b) of section 472
 8 shall not apply with respect to such student.”.

9 **SEC. 4. TEACH GRANTS.**

10 Section 420M(c) of the Higher Education Act of
 11 1965 (20 U.S.C. 1070g–1(c)) is amended—

12 (1) in paragraph (1), by striking “In any case”
 13 and inserting “Subject to paragraph (3), in any
 14 case”; and

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

16 “(3) **TEACHER CANDIDATES WITH A DIS-**
 17 **ABILITY.**—In the case of a teacher candidate with a
 18 disability (as defined in section 3 of the Americans
 19 with Disabilities Act of 1990 (42 U.S.C. 12102)) for
 20 whom a reduced course load has been approved as
 21 a reasonable accommodation under section 504 of
 22 the Rehabilitation Act of 1973 (29 U.S.C. 794) or
 23 the Americans with Disabilities Act of 1990 (42
 24 U.S.C. 12101 et seq.), the teacher candidate’s en-
 25 rollment in the reduced course load or 5 credits (or

1 the equivalent), whichever is greater, shall be
2 deemed to be enrollment on a full-time basis for pur-
3 poses of calculating the elements of cost of attend-
4 ance for such student under paragraphs (2) through
5 (14) of section 472(a) for purposes of determining
6 the amount of the grant under this subpart to which
7 the teacher candidate is entitled. Subsection (b) of
8 section 472 shall not apply with respect to such
9 teacher candidate.”.

10 **SEC. 5. EFFECTIVE DATE.**

11 The amendments made by this section shall take ef-
12 fect as if included in section 703 of division FF of the
13 Consolidated Appropriations Act, 2021 (Public Law 116–
14 260) and subject to the effective date of section 701(b)
15 of such FAFSA Simplification Act, as amended by section
16 102(a) of the FAFSA Simplification Act Technical Cor-
17 rections Act (division R of Public Law 117–103) (includ-
18 ing the authorization provided under section 102(c)(1)(A)
19 of such Act).

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