

118TH CONGRESS
2D SESSION

S. 4380

To amend the Higher Education Act of 1965 to promote the matriculation, and increase in the graduation rates, of individuals with disabilities within higher education.

IN THE SENATE OF THE UNITED STATES

MAY 21, 2024

Mr. CASEY (for himself, Ms. BUTLER, Mr. VAN HOLLEN, Mr. PADILLA, 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 promote the matriculation, and increase in the graduation rates, of individuals with disabilities within higher education.

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 “Expanding Disability
5 Access to Higher Education Act”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—Congress finds the following:

1 (1) Students who are low income attend institu-
2 tions of higher education at a rate significantly
3 lower than middle- and high-income students.

4 (2) Similarly, students who are first-generation
5 college students or are from racial or ethnic minority
6 backgrounds attend institutions of higher education
7 at lower rates than the general public.

8 (3) In the last decade, both high school and
9 postsecondary graduation rates for students with
10 disabilities were significantly lower than for students
11 without disabilities.

12 (4) In 2015, approximately 65 percent of the
13 total population of adults 25 to 34 years old had
14 completed some postsecondary education compared
15 with approximately 44 percent of adults with disabili-
16 ties in the same age range.

17 (5) For students with disabilities who do attend
18 an institution of higher education, only half will re-
19 ceive a diploma compared to 72 percent of students
20 without disabilities.

21 (6) Students with disabilities who are also first-
22 generation college students, are low income, or are
23 from racial or ethnic minority backgrounds may face
24 even greater barriers to secondary education success.

1 (7) Many researchers cite lack of support, such
2 as in-class accommodations, accessible housing, and
3 accessible technology, as a significant challenge as
4 students with disabilities transition from high school
5 to postsecondary education.

6 (8) As with their peers without disabilities who
7 are first-generation students or come from low-in-
8 come backgrounds, students who are first-generation
9 or low-income students with disabilities who receive
10 mentoring and support services can successfully pre-
11 pare for, enroll in, and graduate from postsecondary
12 education programs and gain greater economic con-
13 trol of their lives.

14 (b) SENSE OF CONGRESS.—It is the sense of Con-
15 gress that individuals with disabilities, particularly those
16 who are low income or first generation, should be able to
17 attend institutions of higher education at the same rate
18 as their peers in the general population.

19 (c) PURPOSES.—The purposes of this Act are the fol-
20 lowing:

21 (1) To provide first-generation or low-income
22 students with disabilities with information, support,
23 and resources to matriculate and complete a course
24 of study at an institution of higher education.

1 (2) To encourage and support first-generation
2 or low-income students with disabilities to achieve
3 postsecondary credentials that benefit them and
4 their communities both socially and economically.

5 (3) To increase the number of faculty with dis-
6 abilities in institutions of higher education.

7 (4) To provide programs authorized under
8 chapter 1 of subpart 2 of part A of title IV of the
9 Higher Education Act of 1965 (20 U.S.C. 1070a–11
10 et seq.) with the resources necessary to support
11 first-generation or low-income students with disabili-
12 ties to prepare for, enroll in, and graduate from in-
13 stitutions of higher education.

14 **SEC. 3. PREPARING AND SUPPORTING STUDENTS WITH**
15 **DISABILITIES FOR POSTSECONDARY EDU-**
16 **CATION.**

17 Section 402A of the Higher Education Act of 1965
18 (20 U.S.C. 1070a–11) is amended—

19 (1) in subsection (c)(4)(A), by striking “, and
20 Native American Pacific Islanders (including Native
21 Hawaiians),” and inserting “, Native American Pa-
22 cific Islanders (including Native Hawaiians), and in-
23 dividuals with a disability (as defined in section 3 of
24 the Americans with Disabilities Act of 1990 (42
25 U.S.C. 12102)),”;

1 (2) in subsection (g), by inserting “(except sub-
2 section (i))” after “For the purpose of making
3 grants and contracts under this chapter”; and

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

5 “(i) PREPARING AND SUPPORTING STUDENTS WITH
6 DISABILITIES FOR POSTSECONDARY EDUCATION.—

7 “(1) FUNDS FOR FEDERAL TRIO PROGRAMS.—

8 “(A) IN GENERAL.—

9 “(i) AUTHORIZATION.—The Secretary
10 shall award funds under this paragraph,
11 on a competitive basis, to an eligible entity
12 that applies for a grant or contract for a
13 program under this chapter (except section
14 402E) and also applies for such funds
15 under this paragraph in order to serve eli-
16 gible students, as described in clause (ii).
17 The period for such award of funds under
18 this paragraph shall be the same period for
19 the associated grant or contract for a pro-
20 gram under this chapter (except section
21 402E) (referred to in this paragraph as
22 the ‘associated program’).

23 “(ii) ELIGIBLE STUDENTS.—An eligi-
24 ble student is described in this clause if the
25 student—

1 “(I) is eligible to receive assist-
2 ance under a program authorized
3 under this chapter (except section
4 402E); and

5 “(II) has an individualized edu-
6 cation program, as defined in section
7 602 of the Individuals with Disabil-
8 ities Education Act, is covered under
9 section 504 of the Rehabilitation Act
10 of 1973 (29 U.S.C. 794), or has other
11 documentation establishing the stu-
12 dent’s disability (as such term is de-
13 fined in section 3 of the Americans
14 with Disabilities Act of 1990 (42
15 U.S.C. 12102)), such as—

16 “(aa) a cognitive disability;

17 “(bb) a developmental dis-
18 ability;

19 “(cc) a learning disability;

20 “(dd) a sensory disability;

21 “(ee) a physical or medical
22 disability;

23 “(ff) a mental health dis-
24 ability; or

25 “(gg) another disability.

1 “(B) APPLICATION.—

2 “(i) IN GENERAL.—Except as pro-
3 vided in clause (ii), an applicant for a
4 grant or contract for a program under this
5 chapter (except section 402E) that desires
6 to receive funds under this paragraph shall
7 submit an application for such funds to the
8 Secretary at the same time such applicant
9 submits an application for the grant or
10 contract for a program under this chapter
11 (except section 402E) (referred to in this
12 paragraph as the ‘associated application’).

13 “(ii) APPLICATION MID-CYCLE.—An
14 applicant that desires to receive funds
15 under this paragraph that, at the time
16 such applicant desires to apply for such
17 funds, has a grant or contract for a pro-
18 gram under this chapter (except section
19 402E) that is in existence may submit an
20 application for such funds to the Secretary
21 independent of an associated application.

22 “(iii) CONTENT OF APPLICATION.—An
23 application for funds under this paragraph
24 shall include the following:

1 “(I) A description of any pro-
2 grams being carried out under this
3 chapter by the applicant on the date
4 of the application, including the num-
5 ber of existing students served.

6 “(II) The number of eligible stu-
7 dents proposed to be served with
8 funds received under this paragraph.

9 “(III) The cost of serving such
10 students proposed to be served, in-
11 cluding a description of expenditures.

12 “(IV) An explanation of how
13 funds received under this paragraph
14 will be used for such students.

15 “(V) An explanation of how such
16 students proposed to be served will be
17 identified and enrolled.

18 “(VI) An explanation of how the
19 program will work with disability ac-
20 cessibility and services offices and
21 other services that support students
22 with disabilities.

23 “(C) AWARDING OF FUNDS.—

1 “(i) PRIORITY.—In awarding funds
2 under this paragraph, the Secretary shall
3 give priority to applicants that—

4 “(I) have established programs
5 funded under this chapter; and

6 “(II) describe how eligible stu-
7 dents proposed to be served will be in-
8 cluded in the established associated
9 program.

10 “(ii) AMOUNT.—The Secretary shall
11 award funds under this paragraph to an
12 applicant in an amount that maximizes the
13 number of eligible students served in a
14 manner that meets such students’ needs
15 for successful programmatic outcomes.

16 “(iii) DISTRIBUTION.—The Secretary
17 shall award funds under this paragraph—

18 “(I) to not less than 10 percent
19 of all the eligible entities that, on the
20 date of enactment of the Expanding
21 Disability Access to Higher Education
22 Act, have a grant or contract awarded
23 under this chapter (except section
24 402E); and

25 “(II) across—

1 “(aa) geographic regions;
2 and

3 “(bb) sizes of programs.

4 “(iv) REQUIREMENTS.—In awarding
5 funds under this paragraph, the Secretary
6 shall—

7 “(I) require an assurance that—

8 “(aa) in the case in which
9 the associated program is under
10 section 402B, not less than two-
11 thirds of the eligible students
12 who are served with the funds
13 under this paragraph be low-in-
14 come individuals who are first-
15 generation college students;

16 “(bb) in the case in which
17 the associated program is under
18 section 402C—

19 “(AA) not less than
20 two-thirds of the eligible stu-
21 dents who are served with
22 the funds under this para-
23 graph be low-income individ-
24 uals who are first-generation
25 college students; and

1 “(BB) the remaining
2 eligible students who are
3 served with the funds under
4 this paragraph be low-in-
5 come individuals or first-
6 generation college students;

7 “(cc) in the case in which
8 the associated program is under
9 section 402D—

10 “(AA) not less than
11 two-thirds of the eligible stu-
12 dents who are served with
13 the funds under this para-
14 graph be low-income individ-
15 uals who are first-generation
16 college students; and

17 “(BB) the remaining
18 eligible students who are
19 served with the funds under
20 this paragraph be low-in-
21 come individuals or first-
22 generation college students;
23 and

1 “(dd) in the case in which
2 the associated program is under
3 section 402F—

4 “(AA) not less than
5 two-thirds of the eligible stu-
6 dents who are served with
7 the funds under this para-
8 graph be low-income individ-
9 uals who are first-generation
10 college students; and

11 “(BB) the eligible stu-
12 dents who are served with
13 the funds under this para-
14 graph are at least nineteen
15 years of age, unless the im-
16 position of such limitation
17 with respect to any person
18 would defeat the purposes of
19 this paragraph;

20 “(II) require an assurance that
21 such eligible students who are served
22 do not have access to services from
23 another program funded under this
24 chapter;

1 “(III) require an assurance that
2 the program funded under this para-
3 graph and the associated program
4 will—

5 “(aa) be accessible to the el-
6 igible students proposed to be
7 served by the program;

8 “(bb) serve all students, in-
9 cluding eligible students;

10 “(cc) incorporate universal
11 design for learning; and

12 “(dd) ensure that accom-
13 modations are provided as needed
14 for eligible students and address
15 how the program plans to enroll
16 such students;

17 “(IV) require the program fund-
18 ed under this paragraph—

19 “(aa) to comply with all pro-
20 gram requirements of the associ-
21 ated program; and

22 “(bb) to include educational
23 assistance as determined nec-
24 essary for eligible students to

1 transition to postsecondary edu-
2 cation, such as—

3 “(AA) academic and so-
4 cial supports;

5 “(BB) student advising
6 and family engagement;

7 “(CC) college search
8 and application processes;

9 “(DD) financial plan-
10 ning; and

11 “(EE) targeted learn-
12 ing programs;

13 “(V) require an assurance that
14 the applicant will serve a number of
15 eligible students with the funds under
16 this paragraph that is not less than
17 the number determined under sub-
18 paragraph (D); and

19 “(VI) require an assurance
20 that—

21 “(aa) the funds under this
22 paragraph and funds provided
23 under the associated program
24 will be used to incorporate eligi-

1 ble students into the associated
2 program; and

3 “(bb) such eligible students
4 have access to all the program
5 services of the associated pro-
6 gram, as well as any additional
7 services they require to be full
8 participants in the associated
9 program.

10 “(D) NUMBER OF ELIGIBLE STUDENTS TO
11 BE SERVED.—

12 “(i) IN GENERAL.—An applicant that
13 receives funds under this paragraph shall
14 use such funds to serve eligible students
15 who are in addition to the students served
16 through the associated program.

17 “(ii) NUMBER OF STUDENTS TO BE
18 SERVED.—The number of eligible students
19 to be served with funds under this para-
20 graph shall be the number that maximizes
21 the number of eligible students served in a
22 manner that meets such students’ needs
23 for successful programmatic outcomes.

24 “(2) POSTBACCALAUREATE ACHIEVEMENT PRO-
25 GRAM.—

1 “(A) IN GENERAL.—The Secretary shall
2 award funds under this paragraph, on a com-
3 petitive basis, to an eligible entity that applies
4 for assistance for a project under section 402E
5 and also applies for such funds under this para-
6 graph in order to serve eligible students, as de-
7 scribed in subparagraph (B).

8 “(B) ELIGIBLE STUDENTS.—An eligible
9 student is described in this subparagraph if the
10 student—

11 “(i) is eligible to receive assistance
12 under a project assisted under section
13 402E;

14 “(ii) has an individualized education
15 program, as defined in section 602 of the
16 Individuals with Disabilities Education
17 Act, is covered under section 504 of the
18 Rehabilitation Act of 1973 (29 U.S.C.
19 794), or has other documentation estab-
20 lishing the student’s disability (as such
21 term is defined in section 3 of the Ameri-
22 cans with Disabilities Act of 1990 (42
23 U.S.C. 12102)), such as—

24 “(I) a cognitive disability;

25 “(II) a developmental disability;

1 “(III) a learning disability;

2 “(IV) a sensory disability;

3 “(V) a physical or medical dis-
4 ability;

5 “(VI) a mental health disability;

6 or

7 “(VII) another disability; and

8 “(iii) is registered as full time in 5 or
9 more credits.

10 “(C) APPLICATION.—

11 “(i) IN GENERAL.—Except as pro-
12 vided in clause (ii), an applicant for assist-
13 ance for a project under section 402E that
14 desires to receive funds under this para-
15 graph shall submit an application for such
16 funds to the Secretary at the same time
17 such applicant submits an application
18 under section 402E (referred to in this
19 paragraph as the ‘associated application’).

20 “(ii) APPLICATION MID-CYCLE.—An
21 applicant that desires to receive funds
22 under this paragraph that, at the time
23 such applicant desires to apply for such
24 funds, is receiving assistance for a project
25 under section 402E may submit an appli-

1 cation for such funds to the Secretary
2 independent of an associated application.

3 “(iii) CONTENT OF APPLICATION.—An
4 application for funds under this paragraph
5 shall—

6 “(I) describe identification, re-
7 cruitment, and implementation strate-
8 gies as well as programmatic elements
9 specifically for eligible students; and

10 “(II) indicate whether this is a
11 new project or will fund a project ex-
12 isting on the date of the application.

13 “(D) AWARDING OF FUNDS.—

14 “(i) IN GENERAL.—The Secretary
15 shall award funds under this paragraph to
16 an applicant in an amount that maximizes
17 the number of eligible students served in a
18 manner that meets such students’ needs
19 for successful programmatic outcomes.

20 “(ii) REQUIREMENTS.—In awarding
21 funds under this paragraph, the Secretary
22 shall require an assurance that—

23 “(I) not less than two-thirds of
24 the eligible students who are served
25 with the funds under this paragraph

1 be low-income individuals who are
2 first-generation college students; and

3 “(II) the remaining eligible stu-
4 dents who are served with the funds
5 under this paragraph be from a group
6 that is underrepresented in graduate
7 education, including—

8 “(aa) Alaska Natives, as de-
9 fined in section 6306 of the Ele-
10 mentary and Secondary Edu-
11 cation Act of 1965;

12 “(bb) Native Hawaiians, as
13 defined in section 6207 of such
14 Act; and

15 “(cc) Native American Pa-
16 cific Islanders, as defined in sec-
17 tion 320.

18 “(E) NUMBER OF ELIGIBLE STUDENTS TO
19 BE SERVED.—

20 “(i) IN GENERAL.—An applicant that
21 receives funds under this paragraph shall
22 use such funds to serve eligible students
23 who are in addition to the students served
24 through the associated program.

1 “(ii) NUMBER OF STUDENTS TO BE
2 SERVED.—The number of eligible students
3 to be served with funds under this para-
4 graph shall be the number that maximizes
5 the number of eligible students served in a
6 manner that meets such students’ needs
7 for successful programmatic outcomes.

8 “(3) SUPPLEMENT, NOT SUPPLANT.—Funds
9 awarded under this subsection shall be used to sup-
10 plement, and not supplant, other funds available to
11 carry out the activities described in this subsection.

12 “(4) AUTHORIZATION OF APPROPRIATIONS.—
13 There are authorized to be appropriated to carry out
14 this subsection \$50,000,000 for each of fiscal years
15 2025 through 2029.”.

16 **SEC. 4. STAFF DEVELOPMENT ACTIVITIES.**

17 Subpart 1 of part D of title VII of the Higher Edu-
18 cation Act of 1965 (20 U.S.C. 1140a et seq.) is amend-
19 ed—

20 (1) in section 761, by striking “model dem-
21 onstration”; and

22 (2) in section 762—

23 (A) in subsection (b)(2)—

1 (i) in subparagraph (A), by inserting
2 “and application” after “The develop-
3 ment”; and

4 (ii) in subparagraph (B), by inserting
5 “and application” after “The develop-
6 ment”; and

7 (B) by striking subsection (d) and insert-
8 ing the following:

9 “(d) REPORTS.—

10 “(1) INITIAL REPORT.—Not later than 1 year
11 after the date of enactment of the Expanding Dis-
12 ability Access to Higher Education Act, the Sec-
13 retary shall prepare and submit to the authorizing
14 committees, and make available to the public, a re-
15 port on all projects awarded grants under this part
16 for any of fiscal years 2025 through 2029, including
17 a review of the activities and program performance
18 of such projects based on existing information as of
19 the date of the report.

20 “(2) SUBSEQUENT REPORT.—Not later than 3
21 years after the date of the first award of a grant
22 under this subpart after the date of enactment of
23 the Expanding Disability Access to Higher Edu-
24 cation Act, the Secretary shall prepare and submit

1 to the authorizing committees, and make available to
2 the public, a report that—

3 “(A) reviews the activities and program
4 performance of the projects authorized under
5 this subpart; and

6 “(B) provides guidance and recommenda-
7 tions on how effective projects can be rep-
8 licated.”.

9 **SEC. 5. OFFICES OF TRAINING, TECHNICAL ASSISTANCE,**
10 **AND ACCOMMODATIONS GRANT PROGRAM.**

11 (a) **AUTHORIZATION OF GRANT PROGRAM.**—The
12 Secretary of Education shall award grants, on a competi-
13 tive basis, only to institutions of higher education that do
14 not already have a designated disability services office and
15 staff to enable such institutions to establish an Office of
16 Accessibility at the institution.

17 (b) **DURATION AND AMOUNT.**—A grant under this
18 section shall be 5 years in duration and in an amount
19 equal to not less than \$50,000 and not more than
20 \$100,000 for each year.

21 (c) **APPLICATION.**—An institution of higher edu-
22 cation that desires to receive a grant under this section
23 shall submit an application to the Secretary at such time,
24 in such manner, and containing such information as the
25 Secretary may require, including an explanation of how

1 the institution will sustain the Office of Accessibility after
2 the grant period ends.

3 (d) AWARDING OF GRANTS.—

4 (1) PREFERENCE.—In awarding grants under
5 this section, the Secretary shall give preference to—

6 (A) 2-year institutions of higher education
7 (as defined in section 101(a) of the Higher
8 Education Act of 1965 (20 U.S.C. 1001(a)));

9 (B) racial or ethnic minority-serving insti-
10 tutions; and

11 (C) institutions of higher education (as de-
12 fined in section 101 of the Higher Education
13 Act of 1965 (20 U.S.C. 1001)) that intend to
14 hire individuals with disabilities as staff at the
15 Office of Accessibility.

16 (2) DIVERSITY.—In awarding grants under this
17 section, the Secretary shall ensure geographic, insti-
18 tutional, and urban or rural award distribution di-
19 versity.

20 (e) USE OF FUNDS.—An institution of higher edu-
21 cation that receives a grant under this section shall estab-
22 lish an Office of Accessibility at the institution, which Of-
23 fice—

24 (1) shall—

1 (A) serve as a site for confidential requests
2 for accommodations for students and faculty
3 members with disabilities;

4 (B) include an accommodations officer who
5 has demonstrated expertise in addressing the
6 needs of individuals with disabilities and who is
7 trained to serve, and provide outreach to, fac-
8 ulty members with disabilities, staff with dis-
9 abilities, and students with disabilities; and

10 (C) provide training and technical assist-
11 ance for faculty and staff on rights and accom-
12 modations for individuals with disabilities, in-
13 cluding protecting the civil rights of individuals
14 with disabilities on campus and in classrooms;
15 and

16 (2) may—

17 (A) develop professional development ac-
18 tivities for faculty and staff about rights and
19 accommodations for individuals with disabilities;

20 (B) create a website, that is accessible to
21 individuals with disabilities, to serve as a clear-
22 inghouse of information for individuals with dis-
23 abilities; and

24 (C) carry out other activities that the insti-
25 tution determines appropriate.

1 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
2 authorized to be appropriated to carry out this section
3 \$10,000,000 for fiscal year 2025 and each of the 4 suc-
4 ceeding fiscal years.

5 **SEC. 6. DATA COLLECTION AND REPORTING.**

6 (a) DATA COLLECTION AND REPORTING.—

7 (1) OUTCOME CRITERIA.—Section 402A(f) of
8 the Higher Education Act of 1965 (20 U.S.C.
9 1070a–11(f)) is amended—

10 (A) by striking paragraph (2) and insert-
11 ing the following:

12 “(2) DISAGGREGATION OF RELEVANT DATA.—

13 “(A) IN GENERAL.—Except as provided in
14 subparagraph (B), the outcome criteria under
15 this subsection shall be disaggregated by low-in-
16 come students, first-generation college students,
17 individuals with disabilities (including for each
18 of the categories described in items (aa)
19 through (gg) of subsection (i)(1)(A)(ii)(II)),
20 gender, race and ethnicity, language status, and
21 delayed enrollment in postsecondary education
22 after high school, in the schools and institutions
23 of higher education served by the program to be
24 evaluated.

1 “(B) EXCEPTION.—Disaggregation under
2 subparagraph (A) shall not be required in a
3 case in which the number of students in a cat-
4 egory is insufficient to yield statistically reliable
5 information or the results would reveal person-
6 ally identifiable information about an individual
7 student.

8 “(C) USE OF SAME DATA CATEGORIES.—
9 The Secretary shall provide a definition for
10 each of the categories for which outcome cri-
11 teria shall be disaggregated under subpara-
12 graph (A) and such definition shall be used in
13 each program to be evaluated to facilitate the
14 comparison of outcome criteria across different
15 programs authorized under this chapter.”;

16 (B) in paragraph (3)—

17 (i) in subparagraph (C)(iii), by insert-
18 ing “(and, if the entity received funds
19 under subsection (i), to a total number of
20 eligible students as described in such sub-
21 section)” after “students,”;

22 (ii) in subparagraph (D)(i), by insert-
23 ing “(and, if the entity received funds
24 under subsection (i), to a total number of

1 eligible students as described in such sub-
 2 section)” after “program,”; and

3 (iii) by adding at the end the fol-
 4 lowing:

5 “(F) For—

6 “(i) programs authorized under this
 7 chapter for which funds are awarded under
 8 subsection (i), the number of eligible stu-
 9 dents (as defined in subsection
 10 (i)(2)(A)(ii)) served with such funds; and

11 “(ii) each of subparagraphs (A)
 12 through (E), the extent to which the pro-
 13 grams described in each of such subpara-
 14 graphs served individuals with disabilities
 15 (as defined in section 3 of the Americans
 16 with Disabilities Act of 1990 (42 U.S.C.
 17 12102)).”.

18 (2) REPORTS.—Section 402H of the Higher
 19 Education Act of 1965 (20 U.S.C. 1070a–18) is
 20 amended—

21 (A) in subsection (a)—

22 (i) in the subsection heading, by strik-
 23 ing “TO THE AUTHORIZING COMMITTEES”;

24 (ii) in paragraph (1)(E), by inserting
 25 “(including for each of the categories of

1 such students described in items (aa)
2 through (gg) of section
3 402A(i)(1)(A)(ii)(II)” after “disabilities”;
4 and

5 (iii) by adding at the end the fol-
6 lowing:

7 “(3) ANNUAL REPORT.—

8 “(A) IN GENERAL.—Each entity that re-
9 ceives a grant or contract under this chapter
10 shall submit an annual report to the Secretary
11 on activities assisted and students served under
12 the program funded under this chapter, includ-
13 ing information on—

14 “(i) student persistence in the pro-
15 gram;

16 “(ii) student enrollment in challenging
17 courses;

18 “(iii) graduation rates;

19 “(iv) postsecondary enrollment rates;

20 “(v) the types of services and sup-
21 ports provided to enrolled students; and

22 “(vi) any other information requested
23 by the Secretary.

24 “(B) DISAGGREGATION.—

1 “(i) IN GENERAL.—Except as pro-
2 vided in clause (ii), the information pro-
3 vided under subparagraph (A) shall be
4 disaggregated by low-income student sta-
5 tus, first-generation college student status,
6 disability status (including for each of the
7 categories described in items (aa) through
8 (gg) of section 402A(i)(1)(A)(ii)(II)), gen-
9 der, race and ethnicity, language status,
10 and delayed enrollment in postsecondary
11 education after high school.

12 “(ii) EXCEPTION.—Disaggregation
13 under clause (i) shall not be required in a
14 case in which the number of students in a
15 category is insufficient to yield statistically
16 reliable information or the results would
17 reveal personally identifiable information
18 about an individual student.”; and

19 (B) in subsection (b)(2)(A)(i), by striking
20 “and first-generation college students” and in-
21 serting “, first-generation college students, and
22 students with disabilities”.

23 (3) GEAR UP.—Section 404G of the Higher
24 Education Act of 1965 (20 U.S.C. 1070a–27) is
25 amended by adding at the end the following:

1 “(e) DATA COLLECTION AND REPORTING.—

2 “(1) IN GENERAL.—Each eligible entity receiv-
3 ing a grant under this chapter shall submit an an-
4 nual report to the Secretary on activities assisted
5 and students served under the program funded
6 under this chapter, including information on—

7 “(A) student persistence in the program;

8 “(B) student enrollment in challenging
9 courses;

10 “(C) graduation rates;

11 “(D) postsecondary enrollment rates;

12 “(E) the types of services and supports
13 provided to enrolled students; and

14 “(F) any other information requested by
15 the Secretary.

16 “(2) DISAGGREGATION AND AVAILABILITY.—

17 “(A) IN GENERAL.—Information contained
18 in the annual report described in paragraph (1)
19 shall be—

20 “(i) except as provided in subpara-
21 graph (B), disaggregated by low-income
22 student status, first-generation college stu-
23 dent status, disability status (including for
24 each of the categories described in items
25 (aa) through (gg) of section

1 402A(i)(1)(A)(ii)(II)), gender, race and
2 ethnicity, language status, and delayed en-
3 rollment in postsecondary education after
4 high school;

5 “(ii) cross-tabulated; and

6 “(iii) made publicly available without
7 personally identifiable information.

8 “(B) EXCEPTION.—Disaggregation under
9 subparagraph (A)(i) shall not be required in a
10 case in which the number of students in a cat-
11 egory is insufficient to yield statistically reliable
12 information or the results would reveal person-
13 ally identifiable information about an individual
14 student.

15 “(3) PUBLIC AVAILABILITY.—The Secretary
16 shall make such report publicly available online.”.

17 (b) GAO REPORT.—

18 (1) IN GENERAL.—Not later than 180 days
19 after the date of enactment of this Act, the Comp-
20 troller General of the United States shall begin a re-
21 view that examines—

22 (A) what is known about the population of
23 students with disabilities, including by subcat-
24 egories of disability, who attend institutions of
25 higher education;

1 (B) how students with disabilities are iden-
2 tified and supported by the Department of Edu-
3 cation and grantee agencies through all Federal
4 TRIO programs under chapter 1 of subpart 2
5 of part A of title IV of the Higher Education
6 Act of 1965 (20 U.S.C. 1070a–11 et seq.), in-
7 cluding—

8 (i) any information related to whether
9 and how students disclose if they have a
10 disability;

11 (ii) what, if any, transition services
12 are provided to students with disabilities
13 between high school and postsecondary
14 education; and

15 (iii) how such Federal TRIO pro-
16 grams work with other campus and non-
17 campus based services that support stu-
18 dents with disabilities; and

19 (C) what information is reported by the
20 Department of Education about services for
21 students with disabilities through such Federal
22 TRIO programs.

23 (2) REPORT.—The Comptroller General of the
24 United States shall submit to the appropriate con-

- 1 gressional committees a report on the review con-
- 2 ducted under paragraph (1).

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