

117TH CONGRESS
2D SESSION

S. 4772

To require institutions of higher education participating in Federal financial aid programs to pay a percentage of the cost of attendance for each enrolled full-time student, based on the endowment fund of the institution, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 4, 2022

Mr. SCOTT of Florida introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To require institutions of higher education participating in Federal financial aid programs to pay a percentage of the cost of attendance for each enrolled full-time student, based on the endowment fund of the institution, 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 “Changing Our Learn-
5 ing, Loans, Endowments, and Graduation Expectations
6 Act” or the “COLLEGE Act”.

1 **SEC. 2. COST MATCH REQUIREMENT.**

2 Part G of title IV of the Higher Education Act of
3 1965 (20 U.S.C. 1088 et seq.) is amended by adding at
4 the end the following:

5 **“SEC. 494A. COST MATCH REQUIREMENT AND COST AND**
6 **ENDOWMENT REPORT.**

7 “(a) COST MATCH REQUIREMENT.—

8 “(1) IN GENERAL.—For each award year, each
9 institution of higher education participating in a
10 program under this title that has an endowment
11 fund that is maintained for the purpose of gener-
12 ating income for the support of the institution and
13 is greater than \$1,000,000,000 shall pay the covered
14 percentage of the cost of attendance for each full-
15 time student enrolled at the institution of higher
16 education.

17 “(2) COVERED PERCENTAGE.—The covered
18 percentage shall be:

19 “(A) In the case of an institution of higher
20 education that has an endowment fund that is
21 greater than \$1,000,000,000, but less than
22 \$5,000,000,000, 25 percent.

23 “(B) In the case of an institution of higher
24 education that has an endowment fund that is
25 \$5,000,000,000 or greater, but less than
26 \$10,000,000,000, 50 percent.

1 “(C) In the case of an institution of higher
 2 education that has an endowment fund that is
 3 \$10,000,000,000 or greater, 75 percent.

4 “(b) COST AND ENDOWMENT REPORT.—Not later
 5 than July 1 of each year, each institution of higher edu-
 6 cation participating in a program under this title shall
 7 submit a report to the Secretary containing the following
 8 information:

9 “(1) The total cost of attendance for a full-time
 10 student for the upcoming award year.

11 “(2) If the total cost of attendance for the up-
 12 coming award year is greater than the cost of at-
 13 tendance for the prior award year—

14 “(A) the amount of the increase in the cost
 15 of attendance from the prior award year; and

16 “(B) an explanation of the basis for such
 17 increase.

18 “(3) A statement of whether the institution of
 19 higher education has an endowment fund, and if
 20 so—

21 “(A) the amount of the endowment fund
 22 as of the date the report is submitted; and

23 “(B) the total increase in the amount of
 24 the endowment fund over the preceding 4 fiscal

1 quarters, specifying the growth attributable
2 to—

3 “(i) contributions to the endowment
4 fund, including charitable donations, gifts,
5 bequests, and similar contributions of
6 money or assets; and

7 “(ii) investments of amounts in the
8 endowment fund, including bonds, securi-
9 ties, asset acquisitions or sales, and similar
10 financial investments and transactions.”.

11 **SEC. 3. PROGRAM PARTICIPATION AGREEMENT.**

12 Section 487(a) of the Higher Education Act of 1965
13 (20 U.S.C. 1094(a)) is amended by adding at the end the
14 following:

15 “(30) The institution will—

16 “(A) pay the covered percentage of the
17 cost of attendance for each full-time enrolled
18 student, as described in section 494A(a); and

19 “(B) annually submit the cost and endow-
20 ment report described in section 494A(b).”.

21 **SEC. 4. RISK-SHARING PAYMENTS FOR FEDERAL DIRECT**
22 **LOANS.**

23 Section 454 of the Higher Education Act of 1965 (20
24 U.S.C. 1087d(a)) is amended—

25 (1) in subsection (a)—

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

3 (B) by redesignating paragraph (6) as
 4 paragraph (8); and

5 (C) by inserting after paragraph (5) the
 6 following:

7 “(6) provide that the institution accepts the in-
 8 stitutional risk-sharing requirements under sub-
 9 section (d);” and

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

11 “(d) INSTITUTIONAL RISK-SHARING BASED ON
 12 LOAN DEFAULT.—

13 “(1) IN GENERAL.—Beginning with the first
 14 fiscal year that begins after the date of enactment
 15 of the COLLEGE Act, and each succeeding fiscal
 16 year, each institution of higher education partici-
 17 pating in the direct student loan program under this
 18 part shall remit to the Secretary, at such times as
 19 the Secretary may specify, an institutional risk-shar-
 20 ing payment, as determined under paragraph (2).

21 “(2) DETERMINATION OF RISK-SHARING PAY-
 22 MENTS.—

23 “(A) DETERMINATION OF COHORT LOAN
 24 BALANCE.—The cohort loan balance of an insti-
 25 tution for a fiscal year equals the total principal

1 amount of all loans made under this part to at-
2 tend such institution for the cohort of bor-
3 rowers who entered repayment, deferment, or
4 forbearance on such loans in the third pre-
5 ceding fiscal year for which the determination is
6 made.

7 “(B) DETERMINATION OF COHORT NON-
8 REPAYMENT LOAN BALANCE.—The cohort non-
9 repayment loan balance of an institution for a
10 fiscal year equals, from the total amount of the
11 loans described in subparagraph (A), the total
12 loan balance of those borrowers who have gone
13 into default in the 3 consecutive fiscal years
14 since their loans entered repayment, deferment,
15 or forbearance.

16 “(C) DETERMINATION OF PAYMENT.—The
17 risk-sharing payment of an institution for a fis-
18 cal year shall equal, for the first fiscal year
19 after the date of enactment of the COLLEGE
20 Act through the twenty-fifth fiscal year after
21 such date, an amount equal to 1 percent of the
22 cohort nonrepayment loan balance determined
23 under subparagraph (B) through 25 percent of
24 that balance, respectively, for each year.”.

1 **SEC. 5. PROGRAM INTEGRITY.**

2 (a) INSTITUTIONAL REPORTING.—Section 454 of the
3 Higher Education Act of 1965 (20 U.S.C. 1087d), as
4 amended by section 4, is further amended—

5 (1) in subsection (a), by inserting after para-
6 graph (6) (as added by section 4), the following:

7 “(7) provide that the institution will collect and
8 by July 1 of each year report to the Secretary data,
9 in the aggregate and disaggregated by academic
10 major, regarding—

11 “(A) the 4-year graduation rate for each
12 academic program offered at the institution;

13 “(B) the percentage of graduates who are
14 employed full-time or continuing their education
15 full-time 1, 3, and 5 years after graduating;

16 “(C) the median full-time wages of grad-
17 uates for each academic program 1, 3, and 5
18 years after graduating;

19 “(D) the total cost of tuition and fees for
20 the mandatory credit hours necessary to grad-
21 uate with a degree for each academic program;

22 “(E) the cost to graduate with a degree for
23 each academic program by major (including tui-
24 tion, fees, room and board, and books and sup-
25 plies);

1 “(F) the average monthly payment due for
2 loans made under part B, D, or E, for grad-
3 uates of each academic program;

4 “(G) the average total student loan debt of
5 graduates for each academic program; and

6 “(H) the average 3-year student loan de-
7 fault rate of graduates for each academic pro-
8 gram; and”; and

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

10 “(e) PUBLICLY AVAILABLE INFORMATION.—The
11 Secretary shall publish and make publicly available the
12 data described in subsection (a)(7).”.

13 (b) PROGRAM REVIEW AND DATA.—Section
14 498A(a)(1) of the Higher Education Act of 1965 (20
15 U.S.C. 1099c–1(a)(1)) is amended by striking “title;” and
16 inserting “title, which shall include annually collecting and
17 reporting, for each institution—

18 “(A) the average amount of Federal stu-
19 dent loan debt owed for an individual student
20 on the date of graduation from that institution;
21 and

22 “(B) the rate of loan deferment, rate of
23 forbearance, rate of default, and rate of delin-
24 quency (each expressed separately) for bor-
25 rowers of all Federal student loans, 5, 7, and

- 1 10 years after the borrowers' date of gradua-
- 2 tion from the institution;”.

