

117TH CONGRESS
2D SESSION

S. 5281

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

DECEMBER 15, 2022

Mr. CASEY (for himself, Mr. VAN HOLLEN, Mr. PADILLA, Mr. BOOKER, and Mr. MENENDEZ) 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 minority backgrounds
6 attend institutions of higher education at lower rates
7 than the general public.

8 (3) Many students who are low income, first
9 generation, or minorities also have a disability.

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

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

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

23 (7) Many researchers cite lack of support, such
24 as in-class accommodations, accessible housing, and
25 accessible technology, as a significant challenge as

1 students with disabilities transition from high school
2 to postsecondary education.

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

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

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

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

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

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

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

10 **SEC. 3. PREPARING AND SUPPORTING STUDENTS WITH**
11 **DISABILITIES FOR POSTSECONDARY EDU-**
12 **CATION.**

13 Section 402A of the Higher Education Act of 1965
14 (20 U.S.C. 1070a–11) is amended—

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

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

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

1 “(i) PREPARING AND SUPPORTING STUDENTS WITH
2 DISABILITIES FOR POSTSECONDARY EDUCATION.—

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

4 “(A) IN GENERAL.—

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

19 “(ii) ELIGIBLE STUDENTS.—An eligi-
20 ble student is described in this clause if the
21 student—

22 “(I) is eligible to receive assist-
23 ance under a program authorized
24 under this chapter (except section
25 402E); and

“(II) has an individualized education program, as defined in section 602 of the Individuals with Disabilities Education Act, is covered under section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), or has other documentation establishing the student’s disability (as such term is defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)), such as—

“(aa) a cognitive or learning disability;

“(bb) a sensory disability;

“(cc) a physical or medical disability;

“(dd) a mental health disability; or

“(ee) another disability.

“(B) APPLICATION.—

“(i) IN GENERAL.—Except as provided in clause (ii), an applicant for a grant or contract for a program under this chapter (except section 402E) that desires to receive funds under this paragraph shall

1 submit an application for such funds to the
2 Secretary at the same time such applicant
3 submits an application for the grant or
4 contract for a program under this chapter
5 (except section 402E) (referred to in this
6 paragraph as the ‘associated application’).

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

16 “(iii) CONTENT OF APPLICATION.—An
17 application for funds under this paragraph
18 shall include the following:

19 “(I) A description of any pro-
20 grams being carried out under this
21 chapter by the applicant on the date
22 of the application, including the num-
23 ber of existing students served.

1 “(II) The number of eligible stu-
 2 dents proposed to be served with
 3 funds received under this paragraph.

4 “(III) The cost of serving such
 5 students proposed to be served, in-
 6 cluding a description of expenditures.

7 “(IV) An explanation of how
 8 funds received under this paragraph
 9 will be used for such students.

10 “(V) An explanation of how such
 11 students proposed to be served will be
 12 identified and enrolled.

13 “(VI) An explanation of how the
 14 program will work with disability stu-
 15 dent support services and other serv-
 16 ices that support students with dis-
 17 abilities.

18 “(C) AWARDING OF FUNDS.—

19 “(i) PRIORITY.—In awarding funds
 20 under this paragraph, the Secretary shall
 21 give priority to applicants that—

22 “(I) have established programs
 23 funded under this chapter; and

24 “(II) describe how eligible stu-
 25 dents proposed to be served will be in-

1 cluded in the established associated
2 program.

3 “(ii) AMOUNT.—The Secretary shall
4 award funds under this paragraph to an
5 applicant in an amount that maximizes the
6 number of eligible students served in a
7 manner that meets such students’ needs
8 for successful programmatic outcomes.

9 “(iii) DISTRIBUTION.—The Secretary
10 shall award funds under this paragraph—

11 “(I) to not less than 10 percent
12 of all the eligible entities that, on the
13 date of enactment of the Expanding
14 Disability Access to Higher Education
15 Act, have a grant or contract awarded
16 under this chapter (except section
17 402E); and

18 “(II) across—

19 “(aa) geographic regions;
20 and

21 “(bb) sizes of programs.

22 “(iv) REQUIREMENTS.—In awarding
23 funds under this paragraph, the Secretary
24 shall—

25 “(I) require an assurance that—

1 “(aa) in the case in which
2 the associated program is under
3 section 402B, not less than two-
4 thirds of the eligible students
5 who are served with the funds
6 under this paragraph be low-in-
7 come individuals who are first-
8 generation college students;

9 “(bb) in the case in which
10 the associated program is under
11 section 402C—

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

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

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

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 remaining
12 eligible students who are
13 served with the funds under
14 this paragraph be low-in-
15 come individuals or first-
16 generation college students;
17 and

18 “(dd) in the case in which
19 the associated program is under
20 section 402F—

21 “(AA) not less than
22 two-thirds of the eligible stu-
23 dents who are served with
24 the funds under this para-
25 graph be low-income individ-

1 uals who are first-generation
2 college students; and

3 “(BB) the eligible stu-
4 dents who are served with
5 the funds under this para-
6 graph are at least nineteen
7 years of age, unless the im-
8 position of such limitation
9 with respect to any person
10 would defeat the purposes of
11 this paragraph;

12 “(II) require an assurance that
13 such eligible students who are served
14 do not have access to services from
15 another program funded under this
16 chapter;

17 “(III) require an assurance that
18 the program funded under this para-
19 graph and the associated program
20 will—

21 “(aa) be accessible to the el-
22 igible students proposed to be
23 served by the program;

24 “(bb) serve all students, in-
25 cluding eligible students;

1 “(cc) incorporate universal
2 design for learning; and

3 “(dd) ensure that accom-
4 modations are provided as needed
5 for eligible students and address
6 how the program plans to enroll
7 such students;

8 “(IV) require the program fund-
9 ed under this paragraph—

10 “(aa) to comply with all pro-
11 gram requirements of the associ-
12 ated program; and

13 “(bb) to include educational
14 assistance as determined nec-
15 essary for eligible students to
16 transition to postsecondary edu-
17 cation, such as—

18 “(AA) academic and so-
19 cial supports;

20 “(BB) student advising
21 and family engagement;

22 “(CC) college search
23 and application processes;

24 “(DD) financial plan-
25 ning; and

1 “(EE) targeted learn-
2 ing programs;

3 “(V) require an assurance that
4 the applicant will serve a number of
5 eligible students with the funds under
6 this paragraph that is not less than
7 the number determined under sub-
8 paragraph (D); and

9 “(VI) require an assurance
10 that—

11 “(aa) the funds under this
12 paragraph and funds provided
13 under the associated program
14 will be used to incorporate eligi-
15 ble students into the associated
16 program; and

17 “(bb) such eligible students
18 have access to all the program
19 services of the associated pro-
20 gram, as well as any additional
21 services they require to be full
22 participants in the associated
23 program.

24 “(D) NUMBER OF ELIGIBLE STUDENTS TO
25 BE SERVED.—

1 “(i) IN GENERAL.—An applicant that
 2 receives funds under this paragraph shall
 3 use such funds to serve eligible students
 4 who are in addition to the students served
 5 through the associated program.

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

13 “(2) POSTBACCALAUREATE ACHIEVEMENT PRO-
 14 GRAM.—

15 “(A) IN GENERAL.—The Secretary shall
 16 award funds under this paragraph, on a com-
 17 petitive basis, to an eligible entity that applies
 18 for assistance for a project under section 402E
 19 and also applies for such funds under this para-
 20 graph in order to serve eligible students, as de-
 21 scribed in subparagraph (B).

22 “(B) ELIGIBLE STUDENTS.—An eligible
 23 student is described in this subparagraph if the
 24 student—

1 “(i) is eligible to receive assistance
 2 under a project assisted under section
 3 402E;

4 “(ii) has an individualized education
 5 program, as defined in section 602 of the
 6 Individuals with Disabilities Education
 7 Act, is covered under section 504 of the
 8 Rehabilitation Act of 1973 (29 U.S.C.
 9 794), or has other documentation estab-
 10 lishing the student’s disability (as such
 11 term is defined in section 3 of the Ameri-
 12 cans with Disabilities Act of 1990 (42
 13 U.S.C. 12102)), such as—

14 “(I) a cognitive or learning dis-
 15 ability;

16 “(II) a sensory disability;

17 “(III) a physical or medical dis-
 18 ability;

19 “(IV) a mental health disability;

20 or

21 “(V) another disability; and

22 “(iii) is registered as full time in six
 23 or more credits.

24 “(C) APPLICATION.—

1 “(i) IN GENERAL.—Except as pro-
 2 vided in clause (ii), an applicant for assist-
 3 ance for a project under section 402E that
 4 desires to receive funds under this para-
 5 graph shall submit an application for such
 6 funds to the Secretary at the same time
 7 such applicant submits an application
 8 under section 402E (referred to in this
 9 paragraph as the ‘associated application’).

10 “(ii) APPLICATION MID-CYCLE.—An
 11 applicant that desires to receive funds
 12 under this paragraph that, at the time
 13 such applicant desires to apply for such
 14 funds, is receiving assistance for a project
 15 under section 402E may submit an appli-
 16 cation for such funds to the Secretary
 17 independent of an associated application.

18 “(iii) CONTENT OF APPLICATION.—An
 19 application for funds under this paragraph
 20 shall—

21 “(I) describe identification, re-
 22 cruitment, and implementation strate-
 23 gies as well as programmatic elements
 24 specifically for eligible students; and

1 “(II) indicate whether this is a
 2 new project or will fund a project ex-
 3 isting on the date of the application.

4 “(D) AWARDING OF FUNDS.—

5 “(i) IN GENERAL.—The Secretary
 6 shall award funds under this paragraph to
 7 an applicant in an amount that maximizes
 8 the number of eligible students served in a
 9 manner that meets such students’ needs
 10 for successful programmatic outcomes.

11 “(ii) REQUIREMENTS.—In awarding
 12 funds under this paragraph, the Secretary
 13 shall require an assurance that—

14 “(I) not less than two-thirds of
 15 the eligible students who are served
 16 with the funds under this paragraph
 17 be low-income individuals who are
 18 first-generation college students; and

19 “(II) the remaining eligible stu-
 20 dents who are served with the funds
 21 under this paragraph be from a group
 22 that is underrepresented in graduate
 23 education, including—

24 “(aa) Alaska Natives, as de-
 25 fined in section 6306 of the Ele-

1 elementary and Secondary Edu-
2 cation Act of 1965;

3 “(bb) Native Hawaiians, as
4 defined in section 6207 of such
5 Act; and

6 “(cc) Native American Pa-
7 cific Islanders, as defined in sec-
8 tion 320.

9 “(E) NUMBER OF ELIGIBLE STUDENTS TO
10 BE SERVED.—

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

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

23 “(3) SUPPLEMENT, NOT SUPPLANT.—Funds
24 awarded under this subsection shall be used to sup-

1 plement, and not supplant, other funds available to
 2 carry out the activities described in this subsection.

3 “(4) AUTHORIZATION OF APPROPRIATIONS.—
 4 There are authorized to be appropriated to carry out
 5 this subsection \$50,000,000 for each of fiscal years
 6 2023 through 2027.”.

7 **SEC. 4. STAFF DEVELOPMENT ACTIVITIES.**

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

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

13 (2) in section 762—

14 (A) in subsection (b)(2)—

15 (i) in subparagraph (A), by inserting
 16 “and application” after “The develop-
 17 ment”; and

18 (ii) in subparagraph (B), by inserting
 19 “and application” after “The develop-
 20 ment”; and

21 (B) by striking subsection (d) and insert-
 22 ing the following:

23 “(d) REPORTS.—

24 “(1) INITIAL REPORT.—Not later than 1 year
 25 after the date of enactment of the Expanding Dis-

1 ability Access to Higher Education Act, the Sec-
 2 retary shall prepare and submit to the authorizing
 3 committees, and make available to the public, a re-
 4 port on all projects awarded grants under this part
 5 for any of fiscal years 2024 through 2029, including
 6 a review of the activities and program performance
 7 of such projects based on existing information as of
 8 the date of the report.

9 “(2) SUBSEQUENT REPORT.—Not later than 3
 10 years after the date of the first award of a grant
 11 under this subpart after the date of enactment of
 12 the Expanding Disability Access to Higher Edu-
 13 cation Act, the Secretary shall prepare and submit
 14 to the authorizing committees, and make available to
 15 the public, a report that—

16 “(A) reviews the activities and program
 17 performance of the projects authorized under
 18 this subpart; and

19 “(B) provides guidance and recommenda-
 20 tions on how effective projects can be rep-
 21 licated.”.

22 **SEC. 5. OFFICES OF TRAINING, TECHNICAL ASSISTANCE,**
 23 **AND ACCOMMODATIONS GRANT PROGRAM.**

24 (a) AUTHORIZATION OF GRANT PROGRAM.—The
 25 Secretary of Education shall award grants, on a competi-

1 tive basis, to institutions of higher education to enable the
2 institutions to establish an Office of Accessibility at the
3 institution.

4 (b) DURATION AND AMOUNT.—A grant under this
5 section shall be 5 years in duration and in an amount
6 equal to not less than \$30,000 and not more than \$80,000
7 for each year.

8 (c) APPLICATION.—An institution of higher edu-
9 cation that desires to receive a grant under this section
10 shall submit an application to the Secretary at such time,
11 in such manner, and containing such information as the
12 Secretary may require, including an explanation of how
13 the institution will sustain the Office of Accessibility after
14 the grant period ends.

15 (d) AWARDING OF GRANTS.—

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

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

22 (B) institutions of higher education (as de-
23 fined in section 101 of the Higher Education
24 Act of 1965 (20 U.S.C. 1001)) that intend to

1 hire individuals with disabilities as staff at the
2 Office of Accessibility.

3 (2) DIVERSITY.—In awarding grants under this
4 section, the Secretary shall ensure geographic, insti-
5 tutional, and urban or rural award distribution di-
6 versity.

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

11 (1) shall—

12 (A) serve as a site for confidential requests
13 for accommodations for faculty members with
14 disabilities;

15 (B) include an accommodations officer who
16 has demonstrated expertise in addressing the
17 needs of individuals with disabilities and who is
18 trained to serve, and provide outreach to, fac-
19 ulty members with disabilities, staff with dis-
20 abilities, and students with disabilities; and

21 (C) provide training and technical assist-
22 ance for faculty and staff on rights and accom-
23 modations for individuals with disabilities, in-
24 cluding protecting the civil rights of individuals

1 with disabilities on campus and in classrooms;
 2 and

3 (2) may—

4 (A) develop professional development ac-
 5 tivities for faculty and staff about rights and
 6 accommodations for individuals with disabilities;

7 (B) create a website, that is accessible to
 8 individuals with disabilities, to serve as a clear-
 9 inghouse of information for individuals with dis-
 10 abilities; and

11 (C) carry out other activities that the insti-
 12 tution determines appropriate.

13 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
 14 authorized to be appropriated to carry out this section
 15 \$10,000,000 for fiscal year 2023 and each of the 4 suc-
 16 ceeding fiscal years.

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

18 (a) DATA COLLECTION AND REPORTING.—

19 (1) OUTCOME CRITERIA.—Section 402A(f) of
 20 the Higher Education Act of 1965 (20 U.S.C.
 21 1070a–11(f)) is amended—

22 (A) by striking paragraph (2) and insert-
 23 ing the following:

24 “(2) DISAGGREGATION OF RELEVANT DATA.—

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

“(B) EXCEPTION.—Disaggregation under subparagraph (A) shall not be required in a case in which the number of students in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student.”;

(B) in paragraph (3)—

(i) in subparagraph (C)(iii), by inserting “(and, if the entity received funds under subsection (i), to a total number of eligible students as described in such subsection)” after “students,”;

(ii) in subparagraph (D)(i), by inserting “(and, if the entity received funds under subsection (i), to a total number of eligible students as described in such subsection)” after “program,”; and

(iii) by adding at the end the following:

“(F) For—

“(i) programs authorized under this chapter for which funds are awarded under subsection (i), the number of eligible students (as defined in subsection (i)(2)(A)(ii)) served with such funds; and

“(ii) each of subparagraphs (A) through (E), the extent to which the programs described in each of such subparagraphs served individuals with disabilities (as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)).”.

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

(A) in subsection (a)—

(i) in the subsection heading, by striking “TO THE AUTHORIZING COMMITTEES”;

(ii) in paragraph (1)(E), by inserting “(including for each of the categories of such students described in items (aa) through (dd) of section 402A(i)(1)(A)(ii)(II))” after “disabilities”; and

(iii) by adding at the end the following:

“(3) ANNUAL REPORT.—

“(A) IN GENERAL.—Each entity that receives a grant or contract under this chapter shall submit an annual report to the Secretary on activities assisted and students served under the program funded under this chapter, including information on—

“(i) student persistence in the program;

“(ii) student enrollment in challenging courses;

“(iii) graduation rates;

“(iv) postsecondary enrollment rates;

“(v) the types of services and supports provided to enrolled students; and

1 “(vi) any other information requested
2 by the Secretary.

3 “(B) DISAGGREGATION.—

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

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

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

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

4 “(e) DATA COLLECTION AND REPORTING.—

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

10 “(A) student persistence in the program;

11 “(B) student enrollment in challenging
12 courses;

13 “(C) graduation rates;

14 “(D) postsecondary enrollment rates;

15 “(E) the types of services and supports
16 provided to enrolled students; and

17 “(F) any other information requested by
18 the Secretary.

19 “(2) DISAGGREGATION AND AVAILABILITY.—

20 “(A) IN GENERAL.—Information contained
21 in the annual report described in paragraph (1)
22 shall be—

23 “(i) except as provided in subpara-
24 graph (B), disaggregated by low-income
25 student status, first-generation college stu-

1 dent status, disability status (including for
 2 each of the categories described in items
 3 (aa) through (dd) of section
 4 402A(i)(1)(A)(ii)(II)), gender, race and
 5 ethnicity, language status, and delayed en-
 6 rollment in postsecondary education after
 7 high school;

8 “(ii) cross-tabulated; and

9 “(iii) made publicly available without
 10 personally identifiable information.

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

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

20 (b) GAO REPORT.—

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

1 (A) what is known about the population of
2 students with disabilities, including by subcat-
3 egories of disability, who attend institutions of
4 higher education;

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

12 (i) any information related to whether
13 and how students disclose if they have a
14 disability;

15 (ii) what, if any, transition services
16 are provided to students with disabilities
17 between high school and postsecondary
18 education; and

19 (iii) how such Federal TRIO pro-
20 grams work with other campus and non-
21 campus based services that support stu-
22 dents with disabilities; and

23 (C) what information is reported by the
24 Department of Education about services for

1 students with disabilities through such Federal
2 TRIO programs.

3 (2) REPORT.—The Comptroller General of the
4 United States shall submit to the appropriate con-
5 gressional committees a report on the review con-
6 ducted under paragraph (1).

○