

116TH CONGRESS
1ST SESSION

S. 1176

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

APRIL 11, 2019

Mr. CASEY (for himself and Mr. BROWN) 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–
6 11) with the resources necessary to support first-
7 generation or low-income students with disabilities
8 to prepare for, enroll in, and graduate from institu-
9 tions 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)),”; and

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

23 “(i) PREPARING AND SUPPORTING STUDENTS WITH
24 DISABILITIES FOR POSTSECONDARY EDUCATION.—

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

1 “(A) IN GENERAL.—

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

16 “(ii) ELIGIBLE STUDENTS.—An eligi-
17 ble student is described in this clause if the
18 student—

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

23 “(II) has an individualized edu-
24 cation program, as defined in section
25 602 of the Individuals with Disabil-

1 ities Education Act, is covered under
 2 section 504 of the Rehabilitation Act
 3 of 1973 (29 U.S.C. 794), or has other
 4 documentation establishing the stu-
 5 dent’s disability (as such term is de-
 6 fined in section 3 of the Americans
 7 with Disabilities Act of 1990 (42
 8 U.S.C. 12102)), such as—

- 9 “(aa) a sensory disability;
 10 “(bb) a physical disability;
 11 “(cc) a mental disability; or
 12 “(dd) a self-care disability.

13 “(B) APPLICATION.—

14 “(i) IN GENERAL.—Except as pro-
 15 vided in clause (ii), an applicant for a
 16 grant or contract for a program under this
 17 chapter (except section 402E) that desires
 18 to receive funds under this paragraph shall
 19 submit an application for such funds to the
 20 Secretary at the same time such applicant
 21 submits an application for the grant or
 22 contract for a program under this chapter
 23 (except section 402E) (referred to in this
 24 paragraph as the ‘associated application’).

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

10 “(iii) CONTENT OF APPLICATION.—An
11 application for funds under this paragraph
12 shall include the following:

13 “(I) A description of any pro-
14 grams being carried out under this
15 chapter by the applicant on the date
16 of the application, including the num-
17 ber of existing students served.

18 “(II) The number of eligible stu-
19 dents proposed to be served with
20 funds received under this paragraph.

21 “(III) The cost of serving such
22 students proposed to be served, in-
23 cluding a description of expenditures.

1 “(IV) An explanation of how
2 funds received under this paragraph
3 will be used for such students.

4 “(V) An explanation of how such
5 students proposed to be served will be
6 identified and enrolled.

7 “(C) AWARDING OF FUNDS.—

8 “(i) PRIORITY.—In awarding funds
9 under this paragraph, the Secretary shall
10 give priority to applicants that—

11 “(I) have established programs
12 funded under this chapter; and

13 “(II) describe how eligible stu-
14 dents proposed to be served will be in-
15 cluded in the established associated
16 program.

17 “(ii) AMOUNT.—The Secretary shall
18 award funds under this paragraph to an
19 applicant in an amount that maximizes the
20 number of eligible students served in a
21 manner that meets such students’ needs
22 for successful programmatic outcomes.

23 “(iii) DISTRIBUTION.—The Secretary
24 shall award funds under this paragraph—

1 “(I) to not less than 10 percent
2 of all the eligible entities that, on the
3 date of enactment of the Expanding
4 Disability Access to Higher Education
5 Act, have a grant or contract awarded
6 under this chapter (except section
7 402E); and

8 “(II) across—

9 “(aa) geographic regions;
10 and

11 “(bb) sizes of programs.

12 “(iv) REQUIREMENTS.—In awarding
13 funds under this paragraph, the Secretary
14 shall—

15 “(I) require an assurance that—

16 “(aa) in the case in which
17 the associated program is under
18 section 402B, not less than two-
19 thirds of the eligible students
20 who are served with the funds
21 under this paragraph be low-in-
22 come individuals who are first-
23 generation college students;

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

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 “(cc) in the case in which
18 the associated program is under
19 section 402D—

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

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

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

10 “(dd) in the case in which
11 the associated program is under
12 section 402F—

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

20 “(BB) the eligible stu-
21 dents who are served with
22 the funds under this para-
23 graph are at least nineteen
24 years of age, unless the im-
25 position of such limitation

1 with respect to any person
2 would defeat the purposes of
3 this paragraph;

4 “(II) require an assurance that
5 such eligible students who are served
6 do not have access to services from
7 another program funded under this
8 chapter;

9 “(III) require an assurance that
10 the program funded under this para-
11 graph and the associated program
12 will—

13 “(aa) be accessible to the el-
14 igible students proposed to be
15 served by the program;

16 “(bb) serve all students, in-
17 cluding eligible students;

18 “(cc) incorporate universal
19 design for learning; and

20 “(dd) ensure that accom-
21 modations are provided as needed
22 for eligible students and address
23 how the program plans to enroll
24 such students;

1 “(IV) require the program fund-
2 ed under this paragraph—

3 “(aa) to comply with all pro-
4 gram requirements of the associ-
5 ated program; and

6 “(bb) to include educational
7 assistance as determined nec-
8 essary for eligible students to
9 transition to postsecondary edu-
10 cation, such as—

11 “(AA) academic and so-
12 cial supports;

13 “(BB) student advising
14 and family engagement;

15 “(CC) college search
16 and application processes;

17 “(DD) financial plan-
18 ning; and

19 “(EE) targeted learn-
20 ing programs;

21 “(V) require an assurance that
22 the applicant will serve a number of
23 eligible students with the funds under
24 this paragraph that is not less than

1 the number determined under sub-
2 paragraph (D); and

3 “(VI) require an assurance
4 that—

5 “(aa) the funds under this
6 paragraph and funds provided
7 under the associated program
8 will be used to incorporate eligi-
9 ble students into the associated
10 program; and

11 “(bb) such eligible students
12 have access to all the program
13 services of the associated pro-
14 gram, as well as any additional
15 services they require to be full
16 participants in the associated
17 program.

18 “(D) 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 “(2) POSTBACCALAUREATE ACHIEVEMENT PRO-
9 GRAM.—

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

17 “(B) ELIGIBLE STUDENTS.—An eligible
18 student is described in this subparagraph if the
19 student—

20 “(i) is eligible to receive assistance
21 under a project assisted under section
22 402E;

23 “(ii) has an individualized education
24 program, as defined in section 602 of the
25 Individuals with Disabilities Education

1 Act, is covered under section 504 of the
2 Rehabilitation Act of 1973 (29 U.S.C.
3 794), or has other documentation estab-
4 lishing the student’s disability (as such
5 term is defined in section 3 of the Ameri-
6 cans with Disabilities Act of 1990 (42
7 U.S.C. 12102)), such as—

8 “(I) a sensory disability;

9 “(II) a physical disability;

10 “(III) a mental disability; or

11 “(IV) a self-care disability; and

12 “(iii) is registered as full time in six
13 or more credits.

14 “(C) APPLICATION.—

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

24 “(ii) APPLICATION MID-CYCLE.—An
25 applicant that desires to receive funds

1 under this paragraph that, at the time
2 such applicant desires to apply for such
3 funds, is receiving assistance for a project
4 under section 402E may submit an appli-
5 cation for such funds to the Secretary
6 independent of an associated application.

7 “(iii) CONTENT OF APPLICATION.—An
8 application for funds under this paragraph
9 shall—

10 “(I) describe identification, re-
11 cruitment, and implementation strate-
12 gies as well as programmatic elements
13 specifically for eligible students; and

14 “(II) indicate whether this is a
15 new project or will fund a project ex-
16 isting on the date of the application.

17 “(D) AWARDING OF FUNDS.—

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

1 “(ii) REQUIREMENTS.—In awarding
2 funds under this paragraph, the Secretary
3 shall require an assurance that—

4 “(I) not less than two-thirds of
5 the eligible students who are served
6 with the funds under this paragraph
7 be low-income individuals who are
8 first-generation college students; and

9 “(II) the remaining eligible stu-
10 dents who are served with the funds
11 under this paragraph be from a group
12 that is underrepresented in graduate
13 education, including—

14 “(aa) Alaska Natives, as de-
15 fined in section 6306 of the Ele-
16 mentary and Secondary Edu-
17 cation Act of 1965;

18 “(bb) Native Hawaiians, as
19 defined in section 6207 of such
20 Act; and

21 “(cc) Native American Pa-
22 cific Islanders, as defined in sec-
23 tion 320.

24 “(E) 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 “(3) SUPPLEMENT, NOT SUPPLANT.—Funds
 14 awarded under this subsection shall be used to sup-
 15 plement, and not supplant, other funds available to
 16 carry out the activities described in this subsection.

17 “(4) AUTHORIZATION OF APPROPRIATIONS.—
 18 There are authorized to be appropriated to carry out
 19 this subsection \$50,000,000 for each of fiscal years
 20 2020 through 2024.”.

21 **SEC. 4. STAFF DEVELOPMENT ACTIVITIES.**

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

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

3 (2) in section 762—

4 (A) in subsection (b)(2)—

5 (i) in subparagraph (A), by inserting
6 “and application” after “The develop-
7 ment”; and

8 (ii) in subparagraph (B), by inserting
9 “and application” after “The develop-
10 ment”; and

11 (B) by striking subsection (d) and insert-
12 ing the following:

13 “(d) REPORTS.—

14 “(1) INITIAL REPORT.—Not later than 1 year
15 after the date of enactment of the Expanding Dis-
16 ability Access to Higher Education Act, the Sec-
17 retary shall prepare and submit to the authorizing
18 committees, and make available to the public, a re-
19 port on all projects awarded grants under this part
20 for any of fiscal years 2021 through 2026, including
21 a review of the activities and program performance
22 of such projects based on existing information as of
23 the date of the report.

24 “(2) SUBSEQUENT REPORT.—Not later than 3
25 years after the date of the first award of a grant

1 under this subpart after the date of enactment of
2 the Expanding Disability Access to Higher Edu-
3 cation Act, the Secretary shall prepare and submit
4 to the authorizing committees, and make available to
5 the public, a report that—

6 “(A) reviews the activities and program
7 performance of the projects authorized under
8 this subpart; and

9 “(B) provides guidance and recommenda-
10 tions on how effective projects can be rep-
11 licated.”.

12 **SEC. 5. OFFICES OF TRAINING, TECHNICAL ASSISTANCE,**
13 **AND ACCOMMODATIONS GRANT PROGRAM.**

14 (a) **AUTHORIZATION OF GRANT PROGRAM.**—The
15 Secretary of Education shall award grants, on a competi-
16 tive basis, to institutions of higher education to enable the
17 institutions to establish an Office of Accessibility at the
18 institution.

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

23 (c) **APPLICATION.**—An institution of higher edu-
24 cation that desires to receive a grant under this section
25 shall submit an application to the Secretary at such time,

1 in such manner, and containing such information as the
2 Secretary may require, including an explanation of how
3 the institution will sustain the Office of Accessibility after
4 the grant period ends.

5 (d) AWARDING OF GRANTS.—

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

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

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

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

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

25 (1) shall—

1 (A) serve as a site for confidential requests
2 for accommodations for faculty members with
3 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 2020 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 (dd) 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 (B) in paragraph (3)—

9 (i) in subparagraph (C)(iii), by insert-
10 ing “(and, if the entity received funds
11 under subsection (i), to a total number of
12 eligible students as described in such sub-
13 section)” after “students,”;

14 (ii) in subparagraph (D)(i), by insert-
15 ing “(and, if the entity received funds
16 under subsection (i), to a total number of
17 eligible students as described in such sub-
18 section)” after “program,”; and

19 (iii) by adding at the end the fol-
20 lowing:

21 “(F) For—

22 “(i) programs authorized under this
23 chapter for which funds are awarded under
24 subsection (i), the number of eligible stu-

1 dents (as defined in subsection
 2 (i)(2)(A)(ii)) served with such funds; and
 3 “(ii) each of subparagraphs (A)
 4 through (E), the extent to which the pro-
 5 grams described in each of such subpara-
 6 graphs served individuals with disabilities
 7 (as defined in section 3 of the Americans
 8 with Disabilities Act of 1990 (42 U.S.C.
 9 12102)).”.

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

13 (A) in subsection (a)—

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

16 (ii) in paragraph (1)(E), by inserting
 17 “(including for each of the categories of
 18 such students described in items (aa)
 19 through (dd) of sec-
 20 tion 402A(i)(1)(A)(ii)(II))” after “disabil-
 21 ities”; and

22 (iii) by adding at the end the fol-
 23 lowing:

24 “(3) ANNUAL REPORT.—

1 “(A) IN GENERAL.—Each entity that re-
2 ceives a grant or contract under this chapter
3 shall submit an annual report to the Secretary
4 on activities assisted and students served under
5 the program funded under this chapter, includ-
6 ing information on—

7 “(i) student persistence in the pro-
8 gram;

9 “(ii) student enrollment in challenging
10 courses;

11 “(iii) graduation rates;

12 “(iv) postsecondary enrollment rates;

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

15 “(vi) any other information requested
16 by the Secretary.

17 “(B) DISAGGREGATION.—

18 “(i) IN GENERAL.—Except as pro-
19 vided in clause (ii), the information pro-
20 vided under subparagraph (A) shall be
21 disaggregated by low-income student sta-
22 tus, first-generation college student status,
23 disability status (including for each of the
24 categories described in items (aa) through
25 (dd) of section 402A(i)(1)(A)(ii)(II)), gen-

1 der, race and ethnicity, language status,
2 and delayed enrollment in postsecondary
3 education after high school.

4 “(ii) EXCEPTION.—Disaggregation
5 under clause (i) shall not be required in a
6 case in which the number of students in a
7 category is insufficient to yield statistically
8 reliable information or the results would
9 reveal personally identifiable information
10 about an individual student.”; and

11 (B) in subsection (b)(2)(A)(i), by striking
12 “and first-generation college students” and in-
13 serting “, first-generation college students, and
14 students with disabilities”.

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

18 “(e) DATA COLLECTION AND REPORTING.—

19 “(1) IN GENERAL.—Each eligible entity receiv-
20 ing a grant under this chapter shall submit an an-
21 nual report to the Secretary on activities assisted
22 and students served under the program funded
23 under this chapter, including information on—

24 “(A) student persistence in the program;

1 “(B) student enrollment in challenging
2 courses;

3 “(C) graduation rates;

4 “(D) postsecondary enrollment rates;

5 “(E) the types of services and supports
6 provided to enrolled students; and

7 “(F) any other information requested by
8 the Secretary.

9 “(2) DISAGGREGATION AND AVAILABILITY.—

10 “(A) IN GENERAL.—Information contained
11 in the annual report described in paragraph (1)
12 shall be—

13 “(i) except as provided in subpara-
14 graph (B), disaggregated by low-income
15 student status, first-generation college stu-
16 dent status, disability status (including for
17 each of the categories described in items
18 (aa) through (dd) of sec-
19 tion 402A(i)(1)(A)(ii)(II)), gender, race
20 and ethnicity, language status, and delayed
21 enrollment in postsecondary education
22 after high school;

23 “(ii) cross-tabulated; and

24 “(iii) made publicly available without
25 personally identifiable information.

1 “(B) EXCEPTION.—Disaggregation under
2 subparagraph (A)(i) 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 “(3) PUBLIC AVAILABILITY.—The Secretary
9 shall make such report publicly available online.”.

10 (b) GAO REPORT.—

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

15 (A) what is known about the population of
16 students with disabilities, including by subcat-
17 egories of disability, who attend institutions of
18 higher education;

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

1 (i) any information related to whether
2 and how students disclose if they have a
3 disability;

4 (ii) what, if any, transition services
5 are provided to students with disabilities
6 between high school and postsecondary
7 education; and

8 (iii) how such Federal TRIO pro-
9 grams work with other campus and non-
10 campus based services that support stu-
11 dents with disabilities; and

12 (C) what information is reported by the
13 Department of Education about services for
14 students with disabilities through such Federal
15 TRIO programs.

16 (2) REPORT.—The Comptroller General of the
17 United States shall submit to the appropriate con-
18 gressional committees a report on the review con-
19 ducted under paragraph (1).

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