

114TH CONGRESS
1ST SESSION

S. 1716

To provide access to higher education for the students of the United States.

IN THE SENATE OF THE UNITED STATES

JULY 8, 2015

Ms. BALDWIN (for herself, Mr. BOOKER, Mr. BROWN, Ms. HIRONO, Mr. MURPHY, Mr. LEAHY, Mr. DURBIN, Mr. HEINRICH, Mr. CARDIN, Ms. STABENOW, Mr. MARKEY, and Mr. WHITEHOUSE) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To provide access to higher education for the students of the United States.

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 “America’s College
5 Promise Act of 2015”.

6 **SEC. 2. PURPOSE.**

7 The purpose of this Act is to help all individuals of
8 the United States earn the education and skills the indi-
9 viduals need—

1 (1) by making 2 years of community college
 2 free, through a new partnership with States and In-
 3 dian tribes to help the States and Indian tribes—

4 (A) waive resident community college tui-
 5 tion and fees for eligible students;

6 (B) maintain State and Indian tribe sup-
 7 port for higher education; and

8 (C) promote key reforms to improve stu-
 9 dent outcomes; and

10 (2) through a new partnership with minority-
 11 serving institutions to—

12 (A) encourage eligible students to enroll
 13 and successfully complete a baccalaureate de-
 14 gree at participating institutions; and

15 (B) promote key reforms to improve stu-
 16 dent outcomes.

17 **TITLE I—STATE AND INDIAN**
 18 **TRIBE GRANTS FOR COMMU-**
 19 **NITY COLLEGE**

20 **SEC. 101. IN GENERAL.**

21 From amounts appropriated under section 107(a) for
 22 any fiscal year, the Secretary shall award grants to eligible
 23 States and Indian tribes to pay the Federal share of ex-
 24 penditures needed to carry out the activities and services
 25 described in section 105.

1 **SEC. 102. FEDERAL SHARE; NON-FEDERAL SHARE.**

2 (a) FEDERAL SHARE.—

3 (1) FORMULA.—Subject to paragraph (2), the
4 Federal share of a grant under this title shall be
5 based on a formula, determined by the Secretary,
6 that—

7 (A) accounts for the State or Indian tribe's
8 share of eligible students; and

9 (B) provides, for each eligible student in
10 the State or Indian tribe, a per-student amount
11 that is—

12 (i) not less than 300 percent of the
13 per-student amount of the State or Indian
14 tribe share, determined under subsection
15 (b), subject to clause (ii); and

16 (ii) not greater than 75 percent of—

17 (I) for the 2016–2017 award
18 year, the average resident community
19 college tuition and fees per student in
20 all States for the most recent year for
21 which data are available; and

22 (II) for each subsequent award
23 year, the average resident community
24 college tuition and fees per student in
25 all States calculated under this sub-

1 clause for the preceding year, in-
 2 creased by the lesser of—

3 (aa) the percentage by which
 4 the average resident community
 5 college tuition and fees per stu-
 6 dent in all States for the most re-
 7 cent year for which data are
 8 available increased as compared
 9 to such average for the preceding
 10 year; or

11 (bb) 3 percent.

12 (2) EXCEPTION FOR CERTAIN INDIAN
 13 TRIBES.—In any case in which not less than 75 per-
 14 cent of the students at the community colleges oper-
 15 ated or controlled by an Indian tribe are low-income
 16 students, the amount of the Federal share for such
 17 Indian tribe shall be not less than 95 percent of the
 18 total amount needed to waive tuition and fees for all
 19 eligible students enrolled in such community col-
 20 leges.

21 (b) STATE OR TRIBAL SHARE.—

22 (1) FORMULA.—

23 (A) IN GENERAL.—The State or tribal
 24 share of a grant under this title for each fiscal
 25 year shall be the amount needed to pay 25 per-

1 cent of the average community college resident
2 tuition and fees per student in all States in the
3 2016–2017 award year for all eligible students
4 in the State or Indian tribe, respectively, for
5 such fiscal year, except as provided in subpara-
6 graph (B).

7 (B) EXCEPTION FOR CERTAIN INDIAN
8 TRIBES.—In a case in which not less than 5
9 percent of the students at the community col-
10 leges operated or controlled by an Indian tribe
11 are low-income students, the amount of such
12 Indian tribe’s tribal share shall not exceed 5
13 percent of the total amount needed to waive tui-
14 tion and fees for all eligible students enrolled in
15 such community colleges.

16 (2) NEED-BASED AID.—A State or Indian tribe
17 may include any need-based financial aid provided
18 through State or tribal funds to eligible students as
19 part of the State or tribal share.

20 (3) NO IN-KIND CONTRIBUTIONS.—A State or
21 Indian tribe shall not include in-kind contributions
22 for purposes of the State or tribal share described
23 in paragraph (1).

1 **SEC. 103. ELIGIBILITY.**

2 To be eligible for a grant under this title, a State
3 or Indian tribe shall agree to waive community college
4 resident tuition and fees for all eligible students for each
5 year of the grant.

6 **SEC. 104. APPLICATIONS.**

7 (a) SUBMISSION.—For each fiscal year for which a
8 State or Indian tribe desires a grant under this title, an
9 application shall be submitted to the Secretary at such
10 time, in such manner, and containing such information as
11 the Secretary may require. Such application shall be sub-
12 mitted by—

13 (1) in the case of a State, the Governor, the
14 State agency with jurisdiction over higher education,
15 or another agency designated by the Governor to ad-
16 minister the program under this title; or

17 (2) in the case of an Indian tribe, the governing
18 body of such tribe.

19 (b) CONTENTS.—Each State or Indian tribe applica-
20 tion shall include, at a minimum—

21 (1) an estimate of the number of eligible stu-
22 dents in the State or Indian tribe and the cost of
23 waiving community college resident tuition and fees
24 for all eligible students for each fiscal year covered
25 by the grant, with annual increases of an amount

1 that shall not exceed 3 percent of the prior year's
2 average resident community college tuition and fees;

3 (2) an assurance that all community colleges in
4 the State or under the jurisdiction of the Indian
5 tribe, respectively, will waive resident tuition and
6 fees for eligible students in programs that are—

7 (A) academic programs with credits that
8 can fully transfer via articulation agreement to-
9 ward a baccalaureate degree or postbaccalau-
10 reate degree at any public institution of higher
11 education in the State; or

12 (B) occupational skills training programs
13 that lead to a recognized postsecondary creden-
14 tial that is in an in-demand industry sector or
15 occupation in the State;

16 (3) a description of the promising and evidence-
17 based institutional reforms and innovative practices
18 to improve student outcomes, including completion
19 or transfer rates, that have been or will be adopted
20 by the participating community colleges, such as—

21 (A) providing comprehensive academic and
22 student support services, including mentoring
23 and advising, especially for first-generation and
24 minority students;

1 (B) providing accelerated learning opportu-
2 nities, such as dual or concurrent enrollment
3 programs;

4 (C) advancing competency-based education;

5 (D) strengthening remedial education, es-
6 pecially for low-income students, first genera-
7 tion students, adult students, and students
8 from other underrepresented groups in postsec-
9 ondary education;

10 (E) implementing course redesigns of high-
11 enrollment courses to improve student outcomes
12 and reduce cost; or

13 (F) utilizing career pathways or degree
14 pathways;

15 (4) a description of how the State or Indian
16 tribe will promote alignment between its public sec-
17 ondary school and postsecondary education systems,
18 including between 2-year and 4-year public institu-
19 tions of higher education and with minority-serving
20 institutions described in section 371 of the Higher
21 Education Act of 1965 (20 U.S.C. 1067q), to ex-
22 pand awareness of and access to postsecondary edu-
23 cation, reduce the need for remediation and repeated
24 coursework, and improve student outcomes;

1 (5) a description of how the State or Indian
2 tribe will ensure that programs leading to a recog-
3 nized postsecondary credential meet the quality cri-
4 teria established by the State under section 123(a)
5 of the Workforce Innovation and Opportunity Act
6 (29 U.S.C. 3153(a)) or other quality criteria deter-
7 mined appropriate by the State or Indian tribe;

8 (6) an assurance that all participating commu-
9 nity colleges in the State or under the authority of
10 the Indian tribe have entered into program partici-
11 pation agreements under section 487 of the Higher
12 Education Act of 1965 (20 U.S.C. 1094);

13 (7) an assurance that, for each year of the
14 grant, the State or Indian tribe will notify each eligi-
15 ble student of the student's remaining eligibility for
16 assistance under this title; and

17 (8) a description of how the State or Indian
18 tribe will promote the improved performance of pub-
19 lic institutions of higher education through funding
20 reform, including through the use of a performance-
21 based model that allocates a portion of the State or
22 Indian tribe's public higher education expenditures
23 based on the performance of those institutions on
24 State-specified metrics, including successful student
25 outcomes.

1 **SEC. 105. ALLOWABLE USES OF FUNDS.**

2 (a) IN GENERAL.—A State or Indian tribe shall use
3 a grant under this title only to provide funds to partici-
4 pating community colleges to waive resident tuition and
5 fees for eligible students who are enrolled in—

6 (1) academic programs with credits that can
7 fully transfer via articulation agreement toward a
8 baccalaureate degree or postbaccalaureate degree at
9 any public institution of higher education in the
10 State; or

11 (2) occupational skills training programs that
12 lead to a recognized postsecondary credential that is
13 in an in-demand industry sector or occupation in the
14 State.

15 (b) ADDITIONAL USES.—If a State or Indian tribe
16 demonstrates to the Secretary that it has grant funds re-
17 maining after meeting the demand for activities described
18 in subsection (a), the State or Indian tribe may use those
19 funds to carry out one or more of the following:

20 (1) Expanding the waiver of resident tuition
21 and fees at community college to students who are
22 returning students or otherwise not enrolling in
23 postsecondary education for the first time, and who
24 meet the student eligibility requirements of clauses
25 (i) through (v) of section 106(4)(A).

1 (2) Expanding the scope and capacity of high-
2 quality academic and occupational skills training
3 programs at community colleges.

4 (3) Improving postsecondary education readi-
5 ness in the State or Indian tribe, through outreach
6 and early intervention.

7 (4) Expanding access to dual or concurrent en-
8 rollment programs.

9 (5) Improving affordability at 4-year public in-
10 stitutions of higher education.

11 (c) USE OF FUNDS FOR ADMINISTRATIVE PUR-
12 POSES.—A State or Indian tribe that receives a grant
13 under this title may not use any funds provided under this
14 title for administrative purposes relating to the grant
15 under this title.

16 (d) MAINTENANCE OF EFFORT.—A State or Indian
17 tribe receiving a grant under this title is entitled to receive
18 its full allotment of funds under this title for a fiscal year
19 only if, for each year of the grant, the State or Indian
20 tribe provides financial support for public higher education
21 at a level equal to or exceeding the average amount pro-
22 vided per full-time equivalent student for public institu-
23 tions of higher education for the 3 consecutive preceding
24 State or Indian tribe fiscal years. In making the calcula-
25 tion under this subsection, the State or Indian tribe shall

1 exclude capital expenses and research and development
2 costs and include need-based financial aid for students
3 who attend public institutions of higher education.

4 (e) ANNUAL REPORT.—A State or Indian tribe re-
5 ceiving a grant under this title shall submit an annual re-
6 port to the Secretary—

7 (1) describing the uses of grant funds under
8 this title, the progress made in fulfilling the require-
9 ments of the grant, and the rates of graduation,
10 transfer, and attainment of a recognized postsec-
11 ondary credential for the students at participating
12 community colleges; and

13 (2) including any other information as the Sec-
14 retary may require.

15 (f) REPORTING BY SECRETARY.—The Secretary an-
16 nually shall—

17 (1) compile and analyze the information de-
18 scribed in subsection (e); and

19 (2) prepare and submit a report to the Com-
20 mittee on Health, Education, Labor, and Pensions
21 of the Senate and the Committee on Education and
22 the Workforce of the House of Representatives con-
23 taining the analysis described in paragraph (1) and
24 an identification of State and Indian tribe best prac-
25 tices for achieving the purpose of this title.

1 (g) TECHNICAL ASSISTANCE.—The Secretary shall
2 provide technical assistance to eligible States and Indian
3 tribes concerning best practices regarding the promising
4 and evidence-based institutional reforms and innovative
5 practices to improve student outcomes as described in sec-
6 tion 104(b)(3) and shall disseminate such best practices
7 among the States and Indian tribes.

8 (h) CONTINUATION OF FUNDING.—

9 (1) IN GENERAL.—A State or Indian tribe re-
10 ceiving a grant under this title for a fiscal year may
11 continue to receive funding under this title for fu-
12 ture fiscal years conditioned on the availability of
13 budget authority and on meeting the requirements
14 of the grant, as determined by the Secretary.

15 (2) DISCONTINUATION.—The Secretary may
16 discontinue funding of the Federal share of a grant
17 under this title if the State or Indian tribe has vio-
18 lated the terms of the grant or is not making ade-
19 quate progress in implementing the reforms de-
20 scribed in the application submitted under section
21 104.

22 **SEC. 106. DEFINITIONS.**

23 In this title:

24 (1) CAREER PATHWAY.—The term “career
25 pathway” has the meaning given the term in section

1 3 of the Workforce Innovation and Opportunity Act
2 (29 U.S.C. 3102).

3 (2) COMMUNITY COLLEGE.—The term “commu-
4 nity college” means a public institution of higher
5 education at which the highest degree that is pre-
6 dominantly awarded to students is an associate’s de-
7 gree, including 2-year tribally controlled colleges
8 under section 316 of the Higher Education Act of
9 1965 (20 U.S.C. 1059c) and public 2-year State in-
10 stitutions of higher education.

11 (3) DUAL OR CONCURRENT ENROLLMENT PRO-
12 GRAM.—The term “dual or concurrent enrollment
13 program” means an academic program through
14 which a secondary school student is able simulta-
15 neously to earn credit toward a secondary school di-
16 ploma and a postsecondary degree or other recog-
17 nized postsecondary credential, including an early
18 college high school program.

19 (4) ELIGIBLE STUDENT.—

20 (A) DEFINITION.—The term “eligible stu-
21 dent” means a student who—

22 (i)(I) enrolls in a community college
23 for the first time, regardless of age, after
24 the date of enactment of this Act; or

1 (II) is enrolled in a community col-
2 lege, for the first time, as of the date of
3 enactment of this Act;

4 (ii) attends the community college on
5 not less than a half-time basis;

6 (iii) is maintaining satisfactory
7 progress, as defined in section 484(c) of
8 the Higher Education Act of 1965 (20
9 U.S.C. 1091(c)), in the student's course of
10 study;

11 (iv) qualifies for resident tuition, as
12 determined by the State or Indian tribe;
13 and

14 (v) is enrolled in an eligible program
15 described in section 104(b)(2).

16 (B) SPECIAL RULE.—An otherwise eligible
17 student shall lose eligibility 3 calendar years
18 after first receiving benefits under this title.

19 (5) IN-DEMAND INDUSTRY SECTOR OR OCCUPA-
20 TION.—The term “in-demand industry sector or oc-
21 cupation” has the meaning given the term in section
22 3 of the Workforce Innovation and Opportunity Act
23 (29 U.S.C. 3102).

24 (6) INDIAN TRIBE.—The term “Indian tribe”
25 has the meaning given the term in section 102 of the

1 Federally Recognized Indian Tribe List Act of 1994
2 (25 U.S.C. 479a).

3 (7) INSTITUTION OF HIGHER EDUCATION.—The
4 term “institution of higher education” has the
5 meaning given the term in section 101 of the Higher
6 Education Act of 1965 (20 U.S.C. 1001).

7 (8) RECOGNIZED POSTSECONDARY CREDEN-
8 TIAL.—The term “recognized postsecondary creden-
9 tial” has the meaning as described in section 3 of
10 the Workforce Innovation and Opportunity Act (29
11 U.S.C. 3102).

12 (9) SECRETARY.—The term “Secretary” means
13 the Secretary of Education.

14 (10) STATE.—The term “State” has the mean-
15 ing given the term in section 103 of the Higher
16 Education Act of 1965 (20 U.S.C. 1003).

17 **SEC. 107. APPROPRIATIONS.**

18 (a) AUTHORIZATION AND APPROPRIATIONS.—For
19 the purpose of making grants under this title, there are
20 authorized to be appropriated, and there are appro-
21 priated—

22 (1) \$1,365,000,000 for fiscal year 2016;

23 (2) \$3,020,000,000 for fiscal year 2017;

24 (3) \$3,854,000,000 for fiscal year 2018;

25 (4) \$5,395,000,000 for fiscal year 2019;

- 1 (5) \$7,061,000,000 for fiscal year 2020;
2 (6) \$8,085,000,000 for fiscal year 2021;
3 (7) \$10,182,000,000 for fiscal year 2022;
4 (8) \$13,019,000,000 for fiscal year 2023;
5 (9) \$13,583,000,000 for fiscal year 2024; and
6 (10) \$14,171,000,000 for fiscal year 2025 and
7 each succeeding fiscal year.

8 (b) AVAILABILITY.—Funds appropriated under sub-
9 section (a) shall remain available to the Secretary until
10 expended.

11 (c) INSUFFICIENT FUNDS.—If the amount appro-
12 priated under subsection (a) for a fiscal year is not suffi-
13 cient to award each participating State and Indian tribe
14 a grant under this title that is equal to the minimum
15 amount of the Federal share described in section 102(a),
16 the Secretary may ratably reduce the amount of each such
17 grant or take other actions necessary to ensure an equi-
18 table distribution of such amount.

1 **TITLE II—GRANTS TO HISTORI-**
2 **CALLY BLACK COLLEGES AND**
3 **UNIVERSITIES, HISPANIC-**
4 **SERVING INSTITUTIONS,**
5 **ASIAN AMERICAN AND NA-**
6 **TIVE AMERICAN PACIFIC IS-**
7 **LANDER-SERVING INSTITU-**
8 **TIONS, TRIBAL COLLEGES**
9 **AND UNIVERSITIES, ALASKA**
10 **NATIVE-SERVING INSTITU-**
11 **TIONS, NATIVE HAWAIIAN-**
12 **SERVING INSTITUTIONS, PRE-**
13 **DOMINANTLY BLACK INSTI-**
14 **TUTIONS, AND NATIVE AMER-**
15 **ICAN-SERVING NONTRIBAL**
16 **INSTITUTIONS**

17 **SEC. 201. PATHWAYS TO STUDENT SUCCESS FOR HISTORI-**
18 **CALLY BLACK COLLEGES AND UNIVERSITIES.**

19 (a) **IN GENERAL.**—From amounts appropriated
20 under section 204(a) for any fiscal year, the Secretary
21 shall award grants to participating 4-year historically
22 black colleges or universities that meet the requirements
23 of subsection (b) to—

1 (1) encourage students to enroll as first-time
2 students and successfully complete a bachelor's de-
3 gree at participating institutions;

4 (2) provide incentives to community college stu-
5 dents to transfer to participating institutions
6 through strong transfer pathways to complete a
7 bachelor's degree program; and

8 (3) support participating institutions to better
9 serve new and existing students by engaging in re-
10 forms and innovations designed to improve comple-
11 tion rates and other student outcomes.

12 (b) ELIGIBILITY.—To be eligible to receive a grant
13 under the program under this section, an institution shall
14 be a historically black college or university that—

15 (1) has a student body of which not less than
16 35 percent are low-income students;

17 (2) commits to maintaining or adopting and im-
18 plementing promising and evidence-based institu-
19 tional reforms and innovative practices to improve
20 the completion rates and other student outcomes,
21 such as—

22 (A) providing comprehensive academic and
23 student support services, including mentoring
24 and advising;

1 (B) providing accelerated learning opportu-
2 nities and degree pathways, such as dual enroll-
3 ment and pathways to graduate and profes-
4 sional degree programs;

5 (C) advancing distance and competency-
6 based education;

7 (D) partnering with employers, industry,
8 not-for-profit associations, and other groups to
9 provide opportunities to advance learning out-
10 side the classroom, including work-based learn-
11 ing opportunities such as internships or appren-
12 ticeships or programs designed to improve
13 inter-cultural development and personal growth,
14 such as foreign exchange and study abroad pro-
15 grams;

16 (E) reforming remedial education, espe-
17 cially for low-income students, first generation
18 college students, adult students, and other
19 underrepresented students; or

20 (F) implementing course redesigns of high-
21 enrollment courses to improve student outcomes
22 and reduce cost;

23 (3) sets performance goals for improving stu-
24 dent outcomes for the duration of the grant; and

1 (4) if receiving a grant for transfer students,
2 has articulation agreements with community colleges
3 at the national, State, or local level to ensure that
4 community college credits can fully transfer to the
5 participating institution.

6 (c) GRANT AMOUNT.—

7 (1) INITIAL AMOUNT.—For the first year that
8 an eligible institution participates in the grant pro-
9 gram under this section and subject to paragraph
10 (3), such eligible institution shall receive a grant in
11 an amount based on the product of—

12 (A) the actual cost of tuition and fees at
13 the eligible institution in such year (referred to
14 in this section as the per-student rebate); multi-
15 plied by

16 (B) the number of eligible students en-
17 rolled in the eligible institution for the pre-
18 ceding year.

19 (2) SUBSEQUENT INCREASES.—For each suc-
20 ceeding year after the first year of the grant pro-
21 gram under this section, each participating eligible
22 institution shall receive a grant in the amount deter-
23 mined under paragraph (1) for such year, except
24 that in no case shall the amount of the per-student
25 rebate for an eligible institution increase by more

1 than 3 percent as compared to the amount of such
2 rebate for the preceding year.

3 (3) LIMITATIONS.—

4 (A) MAXIMUM PER-STUDENT REBATE.—

5 No eligible institution participating in the grant
6 program under this section shall receive a per-
7 student rebate amount for any year that is
8 greater than the national average of annual tui-
9 tion and fees at public 4-year institutions of
10 higher education for such year, as determined
11 by the Secretary.

12 (B) FIRST YEAR TUITION AND FEES.—

13 During the first year of participation in the
14 grant program under this section, no eligible in-
15 stitution may increase tuition and fees at a rate
16 greater than any annual increase at the eligible
17 institution in the previous 5 years.

18 (d) APPLICATION.—An eligible institution that de-
19 sires a grant under this section shall submit an application
20 to the Secretary at such time, in such manner, and con-
21 taining such information as the Secretary may require.

22 (e) USE OF FUNDS.—Funds awarded under this sec-
23 tion to a participating eligible institution shall be—

24 (1) applied in their entirety to student ac-
25 counts; and

1 (2) used to waive or significantly reduce tuition
 2 and fees for eligible students in an amount of not
 3 more than up to the annual per-student rebate
 4 amount for each student, for not more than the first
 5 60 credits an eligible student enrolls in the partici-
 6 pating eligible institution.

7 **SEC. 202. PATHWAYS TO STUDENT SUCCESS FOR HISPANIC-**
 8 **SERVING INSTITUTIONS, ASIAN AMERICAN**
 9 **AND NATIVE AMERICAN PACIFIC ISLANDER-**
 10 **SERVING INSTITUTIONS, TRIBAL COLLEGES**
 11 **AND UNIVERSITIES, ALASKA NATIVE-SERV-**
 12 **ING INSTITUTIONS, NATIVE HAWAIIAN-SERV-**
 13 **ING INSTITUTIONS, PREDOMINANTLY BLACK**
 14 **INSTITUTIONS, AND NATIVE AMERICAN-SERV-**
 15 **ING NONTRIBAL INSTITUTIONS.**

16 (a) IN GENERAL.—From amounts appropriated
 17 under section 204(a) for any fiscal year, the Secretary
 18 shall award grants to participating 4-year minority-serving
 19 institutions to—

20 (1) encourage students to enroll as first-time
 21 students and successfully complete a bachelor's de-
 22 gree at participating institutions;

23 (2) provide incentives to community college stu-
 24 dents to transfer to participating institutions

1 through strong transfer pathways to complete a
2 bachelor's degree program; and

3 (3) support participating institutions to better
4 serve new and existing students by engaging in re-
5 forms and innovations designed to improve comple-
6 tion rates and other student outcomes.

7 (b) INSTITUTIONAL ELIGIBILITY.—To be eligible to
8 participate and receive a grant under this section, an insti-
9 tution shall be a minority-serving institution that—

10 (1) has a student body of which not less than
11 35 percent are low-income students;

12 (2) commits to maintaining or adopting and im-
13 plementing promising and evidence-based institu-
14 tional reforms and innovative practices to improve
15 the completion rates and other student outcomes,
16 such as—

17 (A) providing comprehensive academic and
18 student support services, including mentoring
19 and advising;

20 (B) providing accelerated learning opportu-
21 nities and degree pathways, such as dual enroll-
22 ment and pathways to graduate and profes-
23 sional degree programs;

24 (C) advancing distance and competency-
25 based education;

1 (D) partnering with employers, industry,
2 not-for-profit associations, and other groups to
3 provide opportunities to advance learning out-
4 side the classroom, including work-based learn-
5 ing opportunities such as internships or appren-
6 ticeships or programs designed to improve
7 inter-cultural development and personal growth,
8 such as foreign exchange and study abroad pro-
9 grams;

10 (E) reforming remedial education, espe-
11 cially for low-income students, first generation
12 college students, adult students, and other
13 underrepresented students; and

14 (F) implementing course redesigns of high-
15 enrollment courses to improve student outcomes
16 and reduce cost;

17 (3) sets performance goals for improving stu-
18 dent outcomes for the duration of the grant; and

19 (4) if receiving a grant for transfer students,
20 has articulation agreements with community colleges
21 at the national, State, or local levels to ensure that
22 community college credits can fully transfer to the
23 participating institution.

24 (c) GRANT AMOUNT.—

1 (1) INITIAL AMOUNT.—For the first year that
2 an eligible institution participates in the grant pro-
3 gram under this section and subject to paragraph
4 (3), such participating eligible institution shall re-
5 ceive a grant in an amount based on the product
6 of—

7 (A) the actual cost of tuition and fees at
8 the eligible institution in such year (referred to
9 in this section as the per-student rebate); multi-
10 plied by

11 (B) the number of eligible students en-
12 rolled in the eligible institution for the pre-
13 ceding year.

14 (2) SUBSEQUENT INCREASES.—For each suc-
15 ceeding year after the first year of the grant pro-
16 gram under this section, each participating eligible
17 institution shall receive a grant in the amount deter-
18 mined under paragraph (1) for such year, except
19 that in no case shall the amount of the per-student
20 rebate increase by more than 3 percent as compared
21 to the amount of such rebate for the preceding year.

22 (3) LIMITATIONS.—

23 (A) MAXIMUM PER-STUDENT REBATE.—
24 No eligible institution participating in the grant
25 program under this section shall receive a per-

1 student rebate amount for a grant year greater
2 than the national average of public four-year in-
3 stitutional tuition and fees, as determined by
4 the Secretary.

5 (B) FIRST YEAR TUITION AND FEES.—
6 During the first year of participation in the
7 grant program under this section, no eligible in-
8 stitution may increase tuition and fees at a rate
9 greater than any annual increase made by the
10 institution in the previous 5 years.

11 (d) APPLICATION.—An eligible institution shall sub-
12 mit an application to the Secretary at such time, in such
13 a manner, and containing such information as determined
14 by the Secretary.

15 (e) USE OF FUNDS.—Funds awarded under this sec-
16 tion to a participating eligible institution shall be—

17 (1) applied in their entirety to student ac-
18 counts; and

19 (2) used to waive or significantly reduce tuition
20 and fees for eligible students in an amount of not
21 more than up to the annual per-student rebate
22 amount for each student, for not more than the first
23 60 credits an eligible student enrolls in the partici-
24 pating eligible institution.

1 **SEC. 203. DEFINITIONS.**

2 In this title:

3 (1) **ELIGIBLE STUDENT.**—4 (A) **DEFINITION.**—The term “eligible stu-
5 dent” means a student, regardless of age,
6 who—7 (i)(I) enrolls in a historically black
8 college or university, or minority-serving
9 institution, for the first time; or10 (II) transfers from a community col-
11 lege into a historically black college or uni-
12 versity, or minority-serving institution, for
13 the first time;14 (ii) attends the historically black col-
15 lege or university, or minority serving in-
16 stitution, on at least a half-time basis;17 (iii) maintains satisfactory academic
18 progress; and

19 (iv) is a low-income student.

20 (B) **SPECIAL RULES.**—21 (i) **FIRST 3 YEARS.**—An otherwise eli-
22 gible student shall lose eligibility 3 cal-
23 endar years after first receiving benefits
24 under this title.25 (ii) **SPECIAL RULE FOR CERTAIN STU-**
26 **DENTS.**—Notwithstanding subparagraph

1 (A)(i), an otherwise eligible student whose
2 parent or guardian was denied a PLUS
3 loan after November 2011 and before
4 March 29, 2015, and who subsequently
5 withdrew from a historically black college
6 or university, or minority-serving institu-
7 tion, and has not yet completed a program
8 of study at such historically black college
9 or university or minority-serving institu-
10 tion, shall be eligible to participate under
11 section 201 or 202 in order to complete
12 such program of study, subject to all other
13 requirements of section 201 or 202 (as the
14 case may be).

15 (2) HISTORICALLY BLACK COLLEGE OR UNI-
16 VERSITY.—The term “historically black college or
17 university” means a part B institution described in
18 section 322(2) of the Higher Education Act of 1965
19 (20 U.S.C. 1061(2)).

20 (3) LOW-INCOME STUDENT.—The term “low-in-
21 come student” has the meaning given such term by
22 the Secretary, except that such term shall not ex-
23 clude any student eligible for a Federal Pell Grant
24 under section 401 of the Higher Education Act of
25 1965 (20 U.S.C. 1070a).

1 (4) MINORITY-SERVING INSTITUTION.—The
2 term “minority-serving institution” means any pub-
3 lic or not-for-profit institution of higher education—

4 (A) described in paragraphs (2) through
5 (7) of section 371(a) of the Higher Education
6 Act of 1965 (20 U.S.C. 1067q); and

7 (B) designated as a minority-serving insti-
8 tution by the Secretary.

9 **SEC. 204. APPROPRIATIONS.**

10 (a) AUTHORIZATION AND APPROPRIATIONS FOR
11 HBCU AND MSI GRANTS.—For the purpose of carrying
12 out sections 201 and 202, there are authorized to be ap-
13 propriated, and there are appropriated—

- 14 (1) \$55,000,000 for fiscal year 2016;
15 (2) \$180,000,000 for fiscal year 2017;
16 (3) \$1,072,000,000 for fiscal year 2018;
17 (4) \$1,115,000,000 for fiscal year 2019;
18 (5) \$1,160,000,000 for fiscal year 2020;
19 (6) \$1,206,000,000 for fiscal year 2021;
20 (7) \$1,225,000,000 for fiscal year 2022;
21 (8) \$1,306,000,000 for fiscal year 2023;
22 (9) \$1,359,000,000 for fiscal year 2024; and
23 (10) \$1,414,000,000 for fiscal year 2025 and
24 each succeeding fiscal year.

1 (b) AVAILABILITY.—Funds appropriated under sub-
2 section (a) are to remain available to the Secretary until
3 expended.

4 (c) INSUFFICIENT FUNDS.—If the amount appro-
5 priated under subsection (a) for a fiscal year is not suffi-
6 cient to award each participating institution in the grant
7 programs under sections 201 and 202 a grant under this
8 part equal to 100 percent of the grant amount determined
9 under section 201(c), the Secretary may ratably reduce
10 the amount of each such grant or take other actions nec-
11 essary to ensure an equitable distribution of such amount.

○