

115TH CONGRESS  
2D SESSION

# H. R. 5481

To reform the GEAR UP program.

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IN THE HOUSE OF REPRESENTATIVES

APRIL 12, 2018

Mr. HURD (for himself and Mrs. DAVIS of California) introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To reform the GEAR UP program.

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 “GEAR UP for Success  
5 Act of 2018”.

6 **SEC. 2. GAINING EARLY AWARENESS AND READINESS FOR**  
7 **UNDERGRADUATE PROGRAMS AMENDMENTS.**

8 Chapter 2 of part A of title IV of the Higher Edu-  
9 cation Act of 1965 (20 U.S.C. 1070a–21 et seq.) is  
10 amended—

11 (1) in section 404A (20 U.S.C. 1070a–21)—

1 (A) in the matter preceding subparagraph  
2 (A) of subsection (a)(1), by inserting “for col-  
3 lege readiness” after “academic support”; and  
4 (B) in subsection (b)—

5 (i) by striking paragraph (3) and in-  
6 serting the following:

7 “(3) PRIORITY.—In making awards to eligible  
8 entities described in subsection (c), the Secretary—

9 “(A) may give a competitive priority—

10 “(i) to eligible entities that—

11 “(I) on the day before the date of  
12 enactment of the GEAR UP for Suc-  
13 cess Act of 2018, carried out success-  
14 ful educational opportunity programs  
15 under this chapter (as this chapter  
16 was in effect on such day); and

17 “(II) have a prior, demonstrated  
18 commitment to early intervention  
19 leading to college access and readiness  
20 through collaboration and replication  
21 of successful strategies;

22 “(ii) to eligible entities that ensure  
23 that students served under this chapter on  
24 the day before the date of enactment of the  
25 GEAR UP for Success Act of 2018 con-

1           tinue to receive assistance through the  
2           completion of secondary school; or

3                   “(iii) to eligible entities that meet the  
4           requirements of clauses (i) and (ii); and

5                   “(B) shall not give a competitive priority  
6           on any other basis.”; and

7                   (ii) by adding at the end the fol-  
8           lowing:

9                   “(4) MULTIPLE AWARD PROHIBITION.—Any eli-  
10          gible entity described in subsection (c)(1) that re-  
11          ceives a grant under this chapter shall not be eligible  
12          to receive an additional grant under this chapter  
13          until after the date on which the initial grant period  
14          expires.”;

15                  (2) in section 404B(d)(1) (20 U.S.C. 1070a-  
16          22(d)(1))—

17                   (A) in subparagraph (A), by inserting  
18          “and” after the semicolon;

19                   (B) in subparagraph (B), by striking “;  
20          and” and inserting a period; and

21                   (C) by striking subparagraph (C);

22                  (3) in section 404C (20 U.S.C. 1070a-23)—

23                   (A) in subsection (b)(1)(A)—

24                           (i) by inserting “matching funds”  
25          after “will provide”;

1 (ii) by inserting “equaling” after “pri-  
2 vate funds,”; and

3 (iii) by striking “the cost of the pro-  
4 gram, which matching funds” and insert-  
5 ing “total Federal grant award, which”;  
6 and

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

9 “(d) PEER REVIEW PANELS AND COMPETITIONS.—  
10 The Secretary—

11 “(1) shall convene peer review panels to assist  
12 in making determinations regarding the awarding of  
13 grants under this chapter; and

14 “(2) shall host a grant competition to make  
15 new awards under this chapter in any year in which  
16 there are funds available to make new awards.”;

17 (4) in section 404D (20 U.S.C. 1070a–24)—

18 (A) in subsection (b)—

19 (i) in paragraph (1), by striking “or  
20 former participants of a program under  
21 this chapter” and inserting “, former par-  
22 ticipants of a program under this chapter,  
23 or peers and near peers” after “adults”;

1 (ii) in paragraph (3), by inserting  
2 “academic, social, and postsecondary plan-  
3 ning” after “supportive”;

4 (iii) in paragraph (10)—

5 (I) by redesignating subpara-  
6 graphs (E) through (K) as subpara-  
7 graphs (F) through (L), respectively;

8 (II) by inserting after subpara-  
9 graph (D) the following:

10 “(E) counseling or referral services to ad-  
11 dress the behavioral, social-emotional, and men-  
12 tal health needs of at-risk students;”;

13 (III) in subparagraph (I), as re-  
14 designated by subclause (I), by insert-  
15 ing “, cognitive, non-cognitive, and  
16 credit-by-examination” after “skills”;

17 (IV) in subparagraph (K), as re-  
18 designated by subclause (I), by strik-  
19 ing “and” after the semicolon;

20 (V) in subparagraph (L), as re-  
21 designated by subclause (I), by strik-  
22 ing the period at the end and insert-  
23 ing “; and”; and

24 (VI) by adding at the end the fol-  
25 lowing:

1           “(M) capacity building activities that cre-  
2           ate college-going cultures in participating  
3           schools and local educational agencies.”; and

4                       (iv) by adding at the end the fol-  
5           lowing:

6           “(16) Creating or expanding secondary school  
7           drop-out recovery programs that allow students who  
8           have dropped out of secondary school to complete a  
9           regular secondary school diploma and begin college-  
10          level work.

11          “(17) Establishing data collection and data  
12          sharing agreements to obtain, analyze, and report  
13          postsecondary outcome data for eligible students for  
14          a period of not more than 72 months after the end  
15          of the grant award period, which may include post-  
16          secondary enrollment, persistence, and completion  
17          data.

18          “(18) Establishing or maintaining an agree-  
19          ment with a consortium of eligible entities described  
20          in section 404A(c) to—

21                       “(A) foster collaborative approaches to re-  
22                       search and evaluation;

23                       “(B) improve the quality of data collection,  
24                       data sharing, analysis and reporting; and

1           “(C) apply evidence to improve programs  
2           and evaluation under this chapter.

3           “(19) Providing services under this chapter to  
4           students who have received services under a previous  
5           grant award under this chapter but have not yet  
6           completed grade 12.”;

7           (B) in subsection (c)—

8                 (i) in paragraph (3), by inserting  
9                 “and technical assistance” after “support”;  
10                and

11               (ii) by striking paragraph (9); and

12           (C) in subsection (d)—

13                 (i) in paragraph (3), by striking “or”;

14                 (ii) by redesignating paragraph (4) as  
15                 paragraph (5); and

16                 (iii) by inserting after paragraph (3)

17                 the following:

18                 “(4) eligible for free or reduced-price lunch  
19                 under the Richard B Russell National School Lunch  
20                 Act; or”;

21           (5) in section 404E (20 U.S.C. 1070a–25)—

22                 (A) in subsection (a)—

23                         (i) by redesignating paragraphs (1)

24                         and (2) as paragraphs (2) and (3), respec-

25                         tively;

1 (ii) by inserting before paragraph (2),  
2 as redesignated by clause (i), the following:

3 “(1) APPLICATION REQUIREMENTS.—

4 “(A) PLAN FOR MAINTENANCE OF FINAN-  
5 CIAL ASSISTANCE.—An eligible entity proposing  
6 to establish or maintain a financial assistance  
7 program providing scholarships for students as-  
8 sisted by the program of the eligible entity  
9 under this chapter shall include a plan regard-  
10 ing the financial application program with the  
11 application submitted under section 404C.

12 “(B) SCHOLARSHIP DETAILS.—Under a  
13 plan described in subparagraph (A), an eligible  
14 entity—

15 “(i) may elect to offer one or more  
16 types of scholarships; and

17 “(ii) shall describe, for each type of  
18 scholarship—

19 “(I) the minimum and maximum  
20 awards for the scholarships, consistent  
21 with section 404E(d), based on cri-  
22 teria and disbursement priorities es-  
23 tablished by the eligible entity;



1           “(II) the duration of the scholar-  
2           ships, which may be single-year or  
3           multi-year awards;

4           “(III) the enrollment require-  
5           ments for participating students,  
6           which may include providing scholar-  
7           ships for participating students who  
8           are enrolled in an institution of higher  
9           education on less than a full-time  
10          basis during any award year; and

11          “(IV) notwithstanding subsection  
12          (g), any additional student eligibility  
13          criteria established by the eligible en-  
14          tity for earning and maintaining  
15          scholarships under this section, in-  
16          cluding—

17                 “(aa) financial need;

18                 “(bb) meeting participation  
19                 milestones in the activities of-  
20                 fered by the eligible entity under  
21                 section 404D;

22                 “(cc) meeting and maintain-  
23                 ing satisfactory academic mile-  
24                 stones; and

1                   “(dd) other criteria aligned  
2                   with State and local goals to  
3                   incentivize postsecondary readi-  
4                   ness, access, and success.”; and  
5                   (iii) in paragraph (3), as redesignated  
6                   by clause (i), by striking “may award” and  
7                   inserting “may use not less than 10 per-  
8                   cent and not more than 50 percent of  
9                   funds made available under this chapter to  
10                  award”;  
11                  (B) in subsection (b)—  
12                   (i) in the subsection heading, by in-  
13                   serting “STATE” before “LIMITATION”;  
14                   and  
15                   (ii) in paragraph (2), by striking “eli-  
16                   gible entity demonstrates” and all that fol-  
17                   lows through the period at the end and in-  
18                   serting the following: “eligible entity—  
19                   “(I) demonstrates that the eligi-  
20                   ble entity has another means of pro-  
21                   viding the students with the financial  
22                   assistance described in this section or  
23                   eligible students have reasonable ac-  
24                   cess to State and local financial as-  
25                   sistance programs; and

1 “(II) describes such means or ac-  
2 cess in the application submitted  
3 under section 404C.”;

4 (C) in subsection (e)—

5 (i) by striking paragraph (1) and in-  
6 serting the following:

7 “(1) IN GENERAL.—

8 “(A) SCHOLARSHIP PLAN.—Each eligible  
9 entity described in section 404A(c)(1) that re-  
10 ceives a grant under this chapter shall hold in  
11 reserve, for the students served by such grant  
12 as described in section 404B(d)(1)(A) or  
13 404D(d), an estimated amount that is based on  
14 the eligible entity’s scholarship plan described  
15 in subsection (a)(1).

16 “(B) INTEREST USE.—Interest earned on  
17 funds held in reserve under subparagraph (A)  
18 may be used by the eligible entity to administer  
19 the scholarship program during the award pe-  
20 riod and through the post-award period de-  
21 scribed in paragraph (4).”;

22 (ii) in paragraph (2)(B), by inserting  
23 “, or been accepted for enrollment,” after  
24 “enrolled”; and

25 (iii) in paragraph (3)—

1 (I) in subparagraph (A), by strik-  
2 ing “and” after the semicolon;

3 (II) by redesignating subpara-  
4 graph (B) as subparagraph (C); and

5 (III) by inserting after subpara-  
6 graph (A) the following:

7 “(B) the costs associated with enrolling in  
8 an institution of higher education; and”; and

9 (D) in subsection (g)—

10 (i) in paragraph (3)—

11 (I) by inserting “ or, if the eligi-  
12 ble entity chooses, in another program  
13 of study or credential program for  
14 which an individual could use funds  
15 received under a Federal Pell Grant  
16 to attend,” before “that is located”;  
17 and

18 (II) by striking “except that, at  
19 the State’s option” and inserting “ex-  
20 cept that, at the eligible entity’s op-  
21 tion”; and

22 (ii) in paragraph (4), by inserting  
23 “and qualifies for an award, consistent  
24 with the eligible entity’s scholarship plan

1 as described in subsection (a)(1)” after  
2 “404D(a)”;

3 (6) in section 404G (20 U.S.C. 1070a–27)—

4 (A) in subsection (b)—

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

7 (ii) in paragraph (2), by striking the  
8 period at the end and inserting “; and”;  
9 and

10 (iii) by inserting after paragraph (2)  
11 the following:

12 “(3) include the following metrics:

13 “(A) The number of students completing  
14 the Free Application for Federal Student Aid  
15 under section 483.

16 “(B) If applicable, the number of students  
17 receiving a scholarship under section 404E.

18 “(C) The graduation rate of participating  
19 students from high school.

20 “(D) The enrollment of participating stu-  
21 dents into postsecondary education.

22 “(E) Such other metrics as the Secretary  
23 may require.”; and

24 (B) in subsection (c)—

1 (i) in the subsection heading, by in-  
2 serting “AND TECHNICAL ASSISTANCE”  
3 after “FEDERAL EVALUATION”;

4 (ii) in the matter preceding paragraph  
5 (1)—

6 (I) by inserting “after consulta-  
7 tion with the community of eligible  
8 entities receiving grants under this  
9 chapter and” after “Secretary shall,”;

10 (II) by striking “0.75” and in-  
11 serting “1”; and

12 (III) by striking “evaluate the ef-  
13 fectiveness of the program and, as ap-  
14 propriate, disseminate the results of  
15 the evaluation. Such evaluation shall  
16 include a separate analysis of”;

17 (iii) by redesignating paragraphs (1)  
18 and (2) as subparagraphs (A) and (B), re-  
19 spectively, and indenting the margins ap-  
20 propriately; and

21 (iv) before subparagraph (A) (as re-  
22 designated by clause (iii)), by inserting the  
23 following:

24 “(1) provide pre-application technical assistance  
25 workshops for eligible entities and potential appli-

1 cants in any year in which new awards are expected  
2 to be made;

3 “(2) support initiatives designed to improve the  
4 research, data collection and infrastructure, and  
5 evaluation capacity of eligible entities; and

6 “(3) evaluate the effectiveness of the program  
7 and, as appropriate, disseminate the results of the  
8 evaluation. Such evaluation may include a separate  
9 analysis of—”; and

10 (7) in section 408H (20 U.S.C. 1070a–28), by  
11 striking “2009” and inserting “2019”.

○