

110TH CONGRESS  
1ST SESSION

# H. R. 3317

To amend the Higher Education Act of 1965 to improve and enhance the Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP).

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## IN THE HOUSE OF REPRESENTATIVES

AUGUST 2, 2007

Mr. FATTAH (for himself and Mr. SOUDER) introduced the following bill;  
which was referred to the Committee on Education and Labor

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## A BILL

To amend the Higher Education Act of 1965 to improve and enhance the Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP).

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; REFERENCE.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “GEAR UP Enhancement Act of 2007”.

6 (b) REFERENCES.—Except as otherwise expressly  
7 provided, whenever in this Act an amendment or repeal  
8 is expressed in terms of an amendment to, or repeal of,  
9 a section or other provision, the reference shall be consid-

1 ered to be made to a section or other provision of the  
2 Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

3 **SEC. 2. FINDINGS.**

4 Congress makes the following findings:

5 (1) In 1998, Congress created the Gaining  
6 Early Awareness and Readiness for Undergraduate  
7 Programs (GEAR UP) following the leadership and  
8 innovation of successful programs such as Say Yes  
9 to Education, 21st Century Scholars Program, Tell  
10 Them We Are Rising, “I Have a Dream” Founda-  
11 tion, Project GRAD, and others. GEAR UP, origi-  
12 nally conceived of as High Hopes, is now one of the  
13 most innovative and successful national college ac-  
14 cess programs.

15 (2) Though college has become a reality for  
16 more families now than ever before, an opportunity  
17 gap continues to exist in which low-income students  
18 are far less likely to earn a high school diploma, and  
19 enroll in and complete college. Whereas 73.9 percent  
20 of all students nationally graduate from high school,  
21 only 52.1 percent of children from low-income fami-  
22 lies achieve this educational milestone. While 76 per-  
23 cent of high-income high school graduates enroll in  
24 college or trade school, only 49 percent of low-in-  
25 come graduates do so.

1           (3) Since its enactment, GEAR UP has served  
2           approximately 2 million students in 48 states, the  
3           District of Columbia, American Samoa, Guam,  
4           Palau and Puerto Rico. The Department of Edu-  
5           cation reports that 84.4 percent of the first class of  
6           GEAR UP students graduated from high school,  
7           while only 52.1 percent of low-income students and  
8           73.9 percent all students nationally achieved this  
9           same educational milestone. An ACT study found  
10          that students from GEAR UP schools had greater  
11          changes in academic performance, were more likely  
12          to be on track to be college-ready in English and  
13          Reading, more likely to take the core high school  
14          curriculum, and more likely to have plans for college  
15          at grade 10.

16 **SEC. 3. AWARD PERIOD; PRIORITY.**

17          Section 404A(b) (20 U.S.C. 1070a–21(b)) is amend-  
18          ed by striking paragraph (2) and inserting the following:

19                 “(2) AWARD PERIOD.—The Secretary may  
20                 award a grant under this chapter to an eligible enti-  
21                 ty described in paragraphs (1) and (2) of subsection  
22                 (c) for 7 years.

23                 “(3) PRIORITY.—In making awards to eligible  
24                 entities described in subsection (c)(1), the Secretary  
25                 shall—

1 “(A) give priority to eligible entities that—

2 “(i) on the day before the date of en-  
3 actment of the GEAR UP Enhancement  
4 Act of 2007, carried out successful edu-  
5 cational opportunity programs under this  
6 chapter (as this chapter was in effect on  
7 such day); and

8 “(ii) have a prior, demonstrated com-  
9 mitment to early intervention leading to  
10 college access through collaboration and  
11 replication of successful strategies; and

12 “(B) ensure that students served under  
13 this chapter on the day before the date of en-  
14 actment of the GEAR UP Enhancement Act of  
15 2007 continue to receive assistance through the  
16 completion of secondary school.”.

17 **SEC. 4. REQUIREMENTS: CONTINUITY OF SERVICES.**

18 (a) COHORT APPROACH.—Section 404B(g)(1) (20  
19 U.S.C. 1070a–22(g)(1)) is amended—

20 (1) by striking “and” at the end of subpara-  
21 graph (A);

22 (2) in subparagraph (B)—

23 (A) by inserting “and provide the option of  
24 continued services through the student’s first

1 year of attendance at an institution of higher  
2 education” after “grade level”; and

3 (B) by striking the period at the end and  
4 inserting “; and”; and

5 (3) by adding at the end the following new sub-  
6 paragraph:

7 “(C) provide services under this chapter to  
8 students who have received services under a  
9 previous GEAR UP grant award but have not  
10 yet completed the 12th grade.”.

11 (b) EARLY INTERVENTION.—Section 404D (20  
12 U.S.C. 1070a–24) is amended—

13 (1) in subsection (a)(1)(B)—

14 (A) by striking “and” at the end of clause  
15 (ii);

16 (B) by striking the period at the end of  
17 clause (iii) and inserting “; and”; and

18 (C) by adding at the end the following new  
19 clause:

20 “(iv) the transition to college or post-  
21 secondary education through continuity of  
22 services to support students in and  
23 through the first year of attendance at an  
24 institution of higher education.”;

1           (2) in subsection (b)(2)(A), by inserting “and  
2 students in the first year of attendance at an insti-  
3 tution of higher education” after “grade 12”; and

4           (3) in subsection (c), by inserting “, and may  
5 consider students in their first year of attendance at  
6 an institution,” after “grade 12”.

7 **SEC. 5. FLEXIBILITY IN MEETING MATCHING REQUIRE-**  
8 **MENTS.**

9 Section 404C (20 U.S.C. 1070a–23) is amended—

10           (1) in subsection (b)—

11                (A) in paragraph (1)(A), by inserting “and  
12 accrued over the full duration of the grant  
13 award period” after “in cash or in kind”;

14                (B) in paragraph (2), by adding at the end  
15 the following new sentence: “Eligible entities  
16 may request reduced match percentage at the  
17 time of application or by petition at any time  
18 during the grant award period.”; and

19                (C) by adding at the end the following new  
20 paragraph:

21                “(3) **ADDITIONAL SPECIAL RULE.**—To encour-  
22 age eligible entities described in 404A(e) to provide  
23 students under this chapter with financial assistance  
24 for post-secondary education, each dollar of non-  
25 Federal funds obligated under subsection (c)(1) and

1 (c)(2) shall, for purposes of paragraph (1)(A) of this  
2 subsection, be treated as 2 dollars.”; and

3 (2) in subsection (c)—

4 (A) in paragraph (1), by striking “paid to  
5 students from State, local, institutional, or pri-  
6 vate funds under this chapter” and inserting  
7 “obligated to students from state, local, institu-  
8 tional, or private funds under this chapter, in-  
9 cluding pre-existing , non-federal financial as-  
10 sistance programs”;

11 (B) by striking “and” at the end of para-  
12 graph (2);

13 (C) by striking the period at the end of  
14 paragraph (3); and

15 (D) by adding at the end the following new  
16 paragraph:

17 “(4) other resources recognized by the Sec-  
18 retary, including equipment and supplies, cash con-  
19 tribution from non-Federal sources, transportation  
20 expenses, in-kind or discounted program services, in-  
21 direct costs, and facility usage.”.

22 **SEC. 6. EARLY INTERVENTION.**

23 Section 404D (20 U.S.C. 1070a–24) is amended—

24 (1) in subsection (b)(2)(A)(ii), by striking “and  
25 academic counseling” and inserting “, academic

1 counseling, and financial literacy and economic lit-  
2 eracy education or counseling”;

3 (2) in subsection (b)(2), by adding at the end  
4 the following new subparagraphs:

5 “(F) Fostering and improving parent and  
6 family involvement in elementary and secondary  
7 education by promoting the advantages of a col-  
8 lege education, and emphasizing academic ad-  
9 mission requirements and the need to take col-  
10 lege preparation courses, through parent en-  
11 gagement and leadership activities.

12 “(G) Engaging entities described in section  
13 404A(c)(2)(C) in a collaborative manner to pro-  
14 vide matching resources and participate in  
15 other activities authorized under this section.

16 “(H) Disseminating information that pro-  
17 motes the importance of higher education, ex-  
18 plains college preparation and admission re-  
19 quirements, and raises awareness of the re-  
20 sources and services provided by the eligible en-  
21 tities described in section 404A(c) to eligible  
22 students, their families, and communities.”; and

23 (3) by adding at the end of subsection (b) the  
24 following new paragraph:

1           “(3) ADDITIONAL PERMISSIBLE ACTIVITIES FOR  
2 STATES.—In meeting the requirements of subsection  
3 (a), an eligible entity described in section 404A(c)  
4 (1) receiving funds under this chapter may, in addi-  
5 tion to the activities authorized by paragraph (2),  
6 use funds to providing technical assistance to—

7           “(A) middle schools or secondary schools  
8 that are located within the State; or

9           “(B) partnerships described in section  
10 404A(c)(2) that are located within the State.”.

11 **SEC. 7. SCHOLARSHIP COMPONENT.**

12 Section 404E (20 U.S.C. 1070a–25) is amended—

13           (1) in subsection (a)(1), by inserting “scholar-  
14 ships to students to supplement aid for which they  
15 are regularly eligible” after “shall establish or main-  
16 tain a financial assistance program that awards”;

17           (2) in subsection (a)(2), by inserting “scholar-  
18 ships to students to supplement aid for which they  
19 are regularly eligible” after “An eligible entity de-  
20 scribed in section 404A(c)(2) may award”;

21           (3) in subsection (b)(2), by striking “the max-  
22 imum Federal Pell Grant” and inserting “the min-  
23 imum Federal Pell Grant”.

1 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

2 Section 404H (20 U.S.C. 1070a-31) is amended by  
3 striking “\$200,000,000 for fiscal year 1999 and such  
4 sums as may be necessary for each of the 4 succeeding  
5 fiscal years” and inserting “\$500,000,000 for fiscal year  
6 2008 and such sums as may be necessary for each of the  
7 6 succeeding fiscal years”.

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