

115TH CONGRESS
2D SESSION

S. 3783

To direct the Secretary of Education to establish and carry out a grant program to make grants to eligible institutions to plan and implement programs that provide comprehensive support services and resources designed to increase transfer and graduation rates at community colleges, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 19, 2018

Mr. SCHATZ (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 direct the Secretary of Education to establish and carry out a grant program to make grants to eligible institutions to plan and implement programs that provide comprehensive support services and resources designed to increase transfer and graduation rates at community colleges, and for other purposes.

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 “Community College
5 Student Success Act”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) COMMUNITY COLLEGE STUDENT SUCCESS
4 PROGRAM.—The term “community college student
5 success program” means a program carried out by
6 an eligible institution under which the institution
7 carries out the following:

8 (A) Provides eligible students participating
9 in such program with an amount that covers
10 the cost of tuition and fees that are not covered
11 by any Federal, State, or institutional financial
12 assistance received by the student.

13 (B) Requires eligible students participating
14 in such program to—

15 (i) be enrolled in the eligible institu-
16 tion and carry a full-time academic work-
17 load during each fall and spring semester
18 (or equivalent terms) during which the stu-
19 dent participates in such program;

20 (ii) if the eligible student is referred
21 to remedial courses or on academic proba-
22 tion, meet, on at least a weekly basis, with
23 a tutor, except that in the case of an eligi-
24 ble student who is academically struggling,
25 but who is not referred to remedial courses
26 or on academic probation, the student may

1 meet with a tutor as often as the program
2 advisor for such student requires;

3 (iii) meet with a program advisor—

4 (I) twice each month during the
5 first semester (or equivalent term) of
6 participation in such program; and

7 (II) as directed by the program
8 advisor in subsequent semesters (or
9 equivalent terms) under subparagraph
10 (C)(ii); and

11 (iv) meet with an on-campus career
12 advisor or participate in a career services
13 event once each semester (or equivalent
14 term).

15 (C) Provides a program advisor to each eli-
16 gible student participating in such program
17 who—

18 (i) provides comprehensive academic
19 and personal advising to the eligible stu-
20 dent, including—

21 (I) the creation and implementa-
22 tion of an academic plan for the stu-
23 dent to graduate from a program of
24 study at the eligible institution within

1 150 percent of the normal time for
2 graduation from such program;

3 (II) if an eligible student is re-
4 ferred to remedial courses, encour-
5 aging such student to complete such
6 courses as quickly as possible; and

7 (III) assisting the eligible student
8 with developing and achieving aca-
9 demic goals, including creating strong
10 transfer pathways that demonstrate
11 programmatic transfer for students
12 interested in transferring to a 4-year
13 institution of higher education;

14 (ii) after the eligible student partici-
15 pating in such program completes a semes-
16 ter (or equivalent term), creates for the eli-
17 gible student a needs-based advising sched-
18 ule that indicates, based on the eligible
19 student's academic performance, the fre-
20 quency with which such eligible student
21 shall be required to meet with a program
22 advisor for each subsequent semester (or
23 equivalent term) of program participation;

24 (iii) has a caseload of not more than
25 150 eligible students;

1 (iv) tracks the attendance of the eligi-
2 ble student at the meetings described in
3 clauses (ii), (iii), and (iv) of subparagraph
4 (B);

5 (v) monitors the academic progress of
6 the eligible student; and

7 (vi) provides each eligible student who
8 meets the requirements of subparagraph
9 (B), on at least a monthly basis, with fi-
10 nancial incentives, such as a transportation
11 pass or a gas card.

12 (D) Provides free tutoring and career serv-
13 ices to eligible students participating in such
14 program, and may reserve places in select
15 courses for such eligible students in order to
16 create community within cohorts of eligible stu-
17 dents.

18 (2) ELIGIBLE INSTITUTION.—The term “eligi-
19 ble institution” means a public 2-year institution of
20 higher education.

21 (3) ELIGIBLE STUDENT.—The term “eligible
22 student” means a student enrolled at an eligible in-
23 stitution who—

24 (A) on the date such eligible student would
25 begin participation in a community college stu-

1 dent success program at such eligible institu-
 2 tion—

3 (i) is enrolled in a program of study
 4 leading to an associate degree;

5 (ii) is enrolled at such institution and
 6 carrying a full-time academic workload
 7 during each fall and spring semester (or
 8 equivalent terms) during which the student
 9 participates in such program;

10 (iii) is—

11 (I) a first-time undergraduate
 12 student; or

13 (II) a continuing or transfer stu-
 14 dent with not more than 15 credits
 15 and a minimum grade point average
 16 of 2.0 (or its equivalent); and

17 (iv) is considered by the eligible insti-
 18 tution to need no more than 2 remedial
 19 courses;

20 (B) if the student is eligible for financial
 21 aid under title IV of the Higher Education Act
 22 of 1965 (20 U.S.C. 1070 et seq.), has com-
 23 pleted the Free Application for Federal Student
 24 Aid or other common financial reporting form

1 under section 483(a) of such Act (20 U.S.C.
2 1090(a)); and

3 (C) meets any other requirements estab-
4 lished by the institution.

5 (4) FULL-TIME ACADEMIC WORKLOAD.—The
6 term “full-time academic workload”, when used with
7 respect to an semester or equivalent term, means
8 not less than 12 credits (or the equivalent).

9 (5) INSTITUTION OF HIGHER EDUCATION.—The
10 term “institution of higher education” has the
11 meaning given the term under section 101 of the
12 Higher Education Act of 1965 (20 U.S.C. 1001).

13 (6) SECRETARY.—The term “Secretary” means
14 the Secretary of Education.

15 (7) TRANSFER RATE.—The term “transfer
16 rate”, when used with respect to students enrolled in
17 a program of study at an eligible institution, means
18 the rate at which such students transfer to a 4-year
19 institution of higher education.

20 **SEC. 3. COMMUNITY COLLEGE STUDENT SUCCESS GRANT**
21 **PROGRAM AUTHORIZED.**

22 From the amounts appropriated under section 10, the
23 Secretary of Education shall establish and carry out the
24 community college student success grant program to
25 award grants under sections 4 and 5, on a competitive

1 basis, to eligible institutions to plan and implement com-
 2 munity college student success programs designed to in-
 3 crease—

4 (1) the rate at which eligible students graduate
 5 from a program of study at such eligible institution
 6 within 150 percent of the normal time for gradua-
 7 tion; and

8 (2) transfer rates of eligible students.

9 **SEC. 4. GRANTS TO PLAN COMMUNITY COLLEGE STUDENT**
 10 **SUCCESS PROGRAMS.**

11 (a) PLANNING GRANTS AUTHORIZED.—From the
 12 amounts appropriated to carry out this section under sec-
 13 tion 10 for a fiscal year, the Secretary shall award plan-
 14 ning grants for such fiscal year, on a competitive basis,
 15 to eligible institutions to develop plans for community col-
 16 lege student success programs.

17 (b) DURATION.—A grant awarded under this section
 18 shall be for a 1-year period.

19 (c) PEER REVIEW PROCESS; PRIORITY.—In award-
 20 ing grants under this section for a fiscal year, the Sec-
 21 retary shall—

22 (1) carry out a peer review process that—

23 (A) requires that each application sub-
 24 mitted under subsection (d) be peer reviewed by

1 a panel of readers composed of individuals se-
2 lected by the Secretary, which shall include—

3 (i) not less than 50 percent of read-
4 ers—

5 (I) who are not employees of the
6 Federal Government; and

7 (II) who have relevant research
8 or practical experience with respect to
9 student support programs designed to
10 increase graduation rates and transfer
11 rates at public 2-year institutions of
12 higher education; and

13 (ii) to the maximum extent prac-
14 ticable, individuals who are members of
15 groups underrepresented in higher edu-
16 cation, including African Americans, His-
17 panics, Native Americans, Alaska Natives,
18 Asian Americans, and Native American
19 Pacific Islanders (including Native Hawai-
20 ians); and

21 (B) ensures that no individual assigned
22 under subparagraph (A) to review an applica-
23 tion has any conflict of interest with regard to
24 that application that may make the individual
25 unable to impartially conduct such review; and

1 (2) give priority to eligible institutions that are
2 eligible to receive funding under title III or V of the
3 Higher Education Act of 1965 (20 U.S.C. 1051 et
4 seq.; 20 U.S.C. 1101 et seq.).

5 (d) APPLICATION.—An eligible institution desiring a
6 grant under this section shall submit an application to the
7 Secretary at such time, in such manner, and containing
8 such information as the Secretary may require, which shall
9 include—

10 (1) the graduation rate and transfer rate for
11 the most recent academic year for which data are
12 available for eligible students and all students, re-
13 spectively;

14 (2) an analysis of how implementing a commu-
15 nity college student success program may improve
16 the graduation rate or transfer rate for eligible stu-
17 dents; and

18 (3) an analysis of the methods the eligible insti-
19 tution has previously used to improve the graduation
20 rate or transfer rate with respect to eligible students
21 and all students, respectively.

22 (e) USE OF FUNDS.—An eligible institution that re-
23 ceives a grant under this section shall use the grant to
24 develop a plan to implement a community college student
25 success program at the eligible institution.

1 (f) REPORT.—Not later than 1 year after the date
2 on which an eligible institution receives a grant under this
3 section, such eligible institution shall submit to the Sec-
4 retary a report that includes—

5 (1) a plan for implementing a community col-
6 lege student success program at the eligible institu-
7 tion, including—

8 (A) the ambitious outcome goals for
9 achieving significant improvements in gradua-
10 tion rates and transfer rates for eligible stu-
11 dents and all students, respectively, as such
12 rates are defined by the eligible institution, in
13 consultation with the Secretary, before the end
14 of the grant period;

15 (B) the number of such eligible students
16 who will participate in such program, including
17 how such eligible students will be identified, re-
18 ferred, and selected, in cases where the interest
19 in the program is larger than the budget for the
20 program;

21 (C) the demographics (including income,
22 race, and gender) of such eligible students;

23 (D) based on the most recent academic
24 year for which data are available, disaggregated
25 by eligible students and all students—

- 1 (i) graduation rates;
- 2 (ii) transfer rates;
- 3 (iii) retention rates;
- 4 (iv) rates of completion of remedial
- 5 courses for students required to complete
- 6 such courses; and
- 7 (v) average number of credits at-
- 8 tempted and average number of credits
- 9 earned;
- 10 (E) an analysis of the financial needs of
- 11 the eligible students described in subparagraph
- 12 (B);
- 13 (F) an analysis of how the eligible institu-
- 14 tion will collaborate across departments at the
- 15 institution and with external partners to imple-
- 16 ment a community college student success pro-
- 17 gram, including the detailed roles and respon-
- 18 sibilities of each potential external partner (in-
- 19 cluding each investor, State or local government
- 20 entity, or other stakeholder);
- 21 (G) a description of how the eligible insti-
- 22 tution will effectively staff a community college
- 23 student success program; and
- 24 (H) a timeline for the implementation of
- 25 such program;

1 (2) a budgetary analysis that includes—

2 (A) a description of how the eligible insti-
3 tution will—

4 (i) provide non-Federal funds for such
5 program under subsection (d) of section 5;
6 and

7 (ii) meet the requirement of sub-
8 section (b)(3) of such section; and

9 (B) a description of how the eligible insti-
10 tution will continue to fund such program after
11 the end of the grant period for the grant
12 awarded to the institution under section 5;

13 (3) a description of the data system the eligible
14 institution will use to track and evaluate the
15 progress of eligible students participating in such
16 program;

17 (4) an analysis of the institutional barriers that
18 may hinder implementing such program at such eli-
19 gible institution; and

20 (5) such other information as the Secretary
21 may require.

22 **SEC. 5. GRANTS TO IMPLEMENT COMMUNITY COLLEGE**
23 **STUDENT SUCCESS PROGRAMS.**

24 (a) IMPLEMENTATION GRANTS AUTHORIZED.—

1 (1) IN GENERAL.—From the amounts appro-
 2 priated to carry out this section under section 10 for
 3 a fiscal year, the Secretary shall award grants for
 4 such fiscal year, on a competitive basis, to—

5 (A) eligible institutions that were awarded
 6 a grant under section 4 to implement commu-
 7 nity college student success programs; or

8 (B) eligible institutions that have imple-
 9 mented community college student success pro-
 10 grams prior to the date of enactment of this
 11 Act.

12 (2) CONSULTATION.—In awarding grants under
 13 this section for a fiscal year, the Secretary shall con-
 14 sult with the independent evaluator described in sec-
 15 tion 6(a) before finalizing which eligible institutions
 16 will receive such a grant for such fiscal year.

17 (b) REQUIREMENTS FOR SELECTION.—To be eligible
 18 to receive a grant under this section, an eligible institution
 19 shall meet the following requirements:

20 (1) The eligible institution—

21 (A) was awarded a grant under section 4
 22 at least 1 year before such eligible institution
 23 submits an application under subsection (e); or

1 (B) has implemented a community college
2 student success program prior to the date of
3 enactment of this Act.

4 (2) The eligible institution submits an applica-
5 tion under subsection (e).

6 (3) The eligible institution demonstrates, on the
7 date of the application described in subsection (e),
8 the availability of non-Federal funding for the
9 matching funds required under subparagraphs (A),
10 (B), and (C) of subsection (d)(1).

11 (c) DURATION.—A grant awarded under this section
12 shall be for a 5-year period.

13 (d) NON-FEDERAL CONTRIBUTION.—

14 (1) IN GENERAL.—Except as provided in para-
15 graph (2), an eligible institution awarded a grant
16 under this section shall contribute in cash from non-
17 Federal sources, the following:

18 (A) For the second year of the grant pe-
19 riod, an amount equal to 20 percent of the cost
20 of carrying out the community college student
21 success program at the institution for such
22 year.

23 (B) For the third year of the grant period,
24 an amount equal to 40 percent of the cost of
25 carrying out such program for such year.

1 (C) For the fourth year of the grant pe-
 2 riod, an amount equal to 60 percent of the cost
 3 of carrying out such program for such year.

4 (D) For the fifth year of the grant period,
 5 an amount equal to 80 percent of the cost of
 6 carrying out such program for such year.

7 (2) EXCEPTION.—

8 (A) IN GENERAL.—Notwithstanding para-
 9 graph (1), with respect to an exempt institution
 10 awarded a grant under this section, for each
 11 year of the grant period beginning with the sec-
 12 ond year through the fifth year, the Secretary
 13 shall not require the institution to make a cash
 14 contribution from non-Federal sources in an
 15 amount that is greater than the amount equal
 16 to 5 percent of the cost of carrying out the
 17 community college student success program at
 18 the institution for such year.

19 (B) DEFINITIONS.—For purposes of this
 20 paragraph:

21 (i) EXEMPT INSTITUTION.—The term
 22 “exempt institution” means an eligible in-
 23 stitution that is—

24 (I) a Tribal College or Univer-
 25 sity; or

1 (II) an institution located in the
 2 Commonwealth of Puerto Rico, Guam,
 3 American Samoa, the United States
 4 Virgin Islands, the Commonwealth of
 5 the Northern Mariana Islands, the
 6 Republic of the Marshall Islands, the
 7 Federated States of Micronesia, or the
 8 Republic of Palau.

9 (ii) TRIBAL COLLEGE OR UNIVER-
 10 SITY.—The term “Tribal College or Uni-
 11 versity” has the meaning given the term in
 12 section 316 of the Higher Education Act
 13 of 1965 (20 U.S.C. 1059c).

14 (e) APPLICATION.—

15 (1) IN GENERAL.—An eligible institution desir-
 16 ing a grant under this section shall submit an appli-
 17 cation to the Secretary at such time, in such man-
 18 ner, and containing such information as the Sec-
 19 retary may require, which shall include a copy of the
 20 report described in section 4(f) if applicable.

21 (2) REQUIREMENTS FOR ELIGIBLE INSTITU-
 22 TIONS THAT REAPPLY.—An institution that submits
 23 an application under paragraph (1) that is not the
 24 first application submitted by such institution under

1 such paragraph shall include the following in such
2 application:

3 (A) The number of applications such eligi-
4 ble institution has submitted under paragraph
5 (1) and the dates on which such applications
6 were submitted.

7 (B) A description of the changes the eligi-
8 ble institution has made since the most recent
9 application submitted under paragraph (1) to
10 improve the plan to implement a community
11 college student success program at such eligible
12 institution.

13 (3) REVIEW.—Not later than 60 days after re-
14 ceiving an application under this subsection, the Sec-
15 retary shall approve or deny such application.

16 (f) REQUIRED USE OF FUNDS.—An eligible institu-
17 tion that receives a grant under this section shall use the
18 grant funds to—

19 (1) implement a community college student suc-
20 cess program or continue implementing a community
21 college student success program;

22 (2) regularly review—

23 (A) data to monitor the academic progress
24 of eligible students participating in such pro-
25 gram; and

1 (B) the meeting and program participation
2 requirements described in section 2(1); and

3 (3) cover the employment of administrators for
4 the program whose sole job shall be to administer
5 the program, without regard to whether the employ-
6 ment is full-time or less than full-time.

7 (g) PERMISSIBLE USE OF FUNDS.—An eligible insti-
8 tution that receives a grant under this section may use
9 the grant to—

10 (1) establish or expand a data tracking system
11 that includes early alerts to complete the regular re-
12 views required under subsection (f)(2);

13 (2) provide eligible students participating in the
14 community college student success program for
15 which the grant is awarded with financial assistance
16 to cover the costs described in paragraph (2), (3), or
17 (8) of section 472 of the Higher Education Act of
18 1965 (20 U.S.C. 1087ll);

19 (3) establish or expand career development
20 services for such students, such as career workshops
21 or career counseling;

22 (4) establish or expand tutoring services for
23 such students; and

24 (5) provide financial support for eligible stu-
25 dents participating in such program to enroll in

1 courses offered during enrollment periods that are
 2 outside the fall and spring semesters (or equivalent
 3 terms).

4 (h) REPORTS.—An eligible institution that receives a
 5 grant under this section shall—

6 (1) not less than once for each year of the
 7 grant period, submit to the Secretary an annual per-
 8 formance report for such year of the grant period,
 9 and when data is available, that compares such year
 10 with the each of the 2 years preceding the date on
 11 which the grant was awarded—

12 (A) the demographics of the eligible stu-
 13 dents participating in the community college
 14 student success program;

15 (B) the average number of credits at-
 16 tempted and average number of credits earned,
 17 rate of retention, rate of degree completion, and
 18 transfer rates of such eligible students;

19 (C) the graduation rate of such eligible
 20 students within—

21 (i) 100 percent of the normal time for
 22 graduation;

23 (ii) 150 percent of the normal time
 24 for graduation; and

1 (iii) 200 percent of the normal time
2 graduation;

3 (D) if the eligible institution received a
4 planning grant under section 4—

5 (i) an analysis of the implementation
6 and progress of such program based on the
7 ambitious outcome goals described in the
8 report submitted by the institution under
9 section 4(f)(1)(A), including challenges to
10 and changes made to such program; and

11 (ii) if, according to that analysis, the
12 program is not on track to meet such am-
13 bitious outcome goals, a description of the
14 plans to adjust the program to improve the
15 performance of the program;

16 (E) the participation of such eligible stu-
17 dents in tutoring, career services, and meetings
18 with program advisors;

19 (F) for the report for the third year of the
20 grant period, the plan to meet the non-Federal
21 contribution requirement under subsection
22 (d)(1)(C); and

23 (G) for the report for the fourth year of
24 the grant period, a description of—

1 (i) the source of the funds to meet the
2 non-Federal contribution requirement
3 under subsection (d)(1)(D);

4 (ii) the plans to continue to fund such
5 program after the grant period ends; and

6 (iii) the plans to use this program as
7 a catalyst for institution-wide reform with
8 respect to graduation rates and transfer
9 rates for all students; and

10 (2) not later than 6 years after the date on
11 which the eligible institution received such grant,
12 submit a final report to the Secretary that includes
13 an analysis of—

14 (A) the factors that contributed to the suc-
15 cess or failure of the community college student
16 success program, including, if applicable, the
17 failure or success in meeting the ambitious out-
18 come goals described in the report submitted by
19 the institution under section 4(f)(1)(A);

20 (B) the challenges faced in attempting to
21 implement such program;

22 (C) information on how to improve such
23 program;

24 (D) whether the program has created an
25 institution-wide reform with respect to graduate

1 rates and transfer rates for all students, and if
 2 so, how such reform was created; and

3 (E) how the eligible institution will con-
 4 tinue to fund such program after the end of the
 5 grant period.

6 **SEC. 6. EVALUATIONS.**

7 (a) INDEPENDENT EVALUATIONS.—Before finalizing
 8 which eligible institutions will receive grants under section
 9 5 for a fiscal year, the Secretary, acting through the Di-
 10 rector of the Institute of Education Sciences, shall enter
 11 into a contract with an independent evaluator—

12 (1) to consult with the Secretary on which eligi-
 13 ble institutions should receive the grants; and

14 (2) to use the What Works Clearinghouse
 15 Standards (without reservations) to evaluate,
 16 throughout the duration of the grant period of such
 17 grants—

18 (A) each community college student suc-
 19 cess program for which such grant is awarded,
 20 including, if applicable, whether the program
 21 met its ambitious outcome goals described in
 22 the report submitted by the institution under
 23 section 4(f)(1)(A);

1 (B) the average impact of community col-
2 lege student success programs on graduation
3 rates and transfer rates for eligible students;

4 (C) the variation in program impacts
5 across eligible institutions with respect to such
6 rates; and

7 (D) whether such programs lead to higher
8 graduation rates and transfer rates of eligible
9 students per dollar spent for such students by
10 such institutions compared with such rates at
11 eligible institutions without such programs.

12 (b) RESULTS OF EVALUATIONS.—The results of the
13 evaluations under subsection (a) shall be made publicly
14 available on the website of the Department of Education.

15 (c) FUNDING FOR EVALUATIONS.—The Secretary
16 may reserve not more than 15 percent of the funds appro-
17 priated under section 10 for a fiscal year to carry out this
18 section for such fiscal year.

19 **SEC. 7. OUTREACH AND TECHNICAL ASSISTANCE.**

20 (a) OUTREACH.—The Secretary shall conduct out-
21 reach activities to notify eligible institutions of the avail-
22 ability of grants under this Act.

23 (b) TECHNICAL ASSISTANCE.—The Secretary shall
24 provide technical assistance—

1 (1) to eligible institutions that may be inter-
2 ested in applying for grants under this Act, includ-
3 ing assistance with applications for such grants; and

4 (2) to eligible institutions awarded grants under
5 this Act, including assistance with—

6 (A) establishing ambitious outcome goals
7 described in section 4(f)(1)(A); and

8 (B) the implementation of a community
9 college student success program.

10 (c) **FUNDING FOR TECHNICAL ASSISTANCE FOR**
11 **EVALUATIONS.**—The Secretary may reserve not more
12 than 7 percent of the funds appropriated under section
13 10 for a fiscal year for technical assistance under this sec-
14 tion for such fiscal year.

15 **SEC. 8. REPORT TO CONGRESS.**

16 Not later than 1 year after the date on which the
17 Secretary receives the final evaluation results under sec-
18 tion 6 for eligible institutions that were awarded grants
19 under section 5 for the same fiscal year, the Secretary
20 shall submit to Congress a report that includes—

21 (1) the total number of grants awarded under
22 this Act and the total amount of those grants;

23 (2) the number of institutions receiving grants
24 under both section 4 and section 5, and the total
25 amount of grants given to those institutions;

1 (3) the number of institutions receiving grants
2 under section 5 only, and the total amount of grants
3 given to those institutions; and

4 (4) such final evaluation results.

5 **SEC. 9. SUPPLEMENT, NOT SUPPLANT.**

6 Funds awarded to an eligible institution under this
7 Act shall be used only to supplement the amount of funds
8 that would, in the absence of the Federal funds provided
9 under this Act, be made available from non-Federal
10 sources or other Federal sources to carry out the activities
11 under this Act, and not to supplant such funds.

12 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

13 There are authorized to be appropriated to carry out
14 this Act \$10,000,000,000 for fiscal years 2019 through
15 2029, to be available until expended.

○