

117TH CONGRESS
2D SESSION

S. 4068

To promote and support collaboration between Hispanic-serving institutions and local educational agencies with high enrollments of Hispanic or Latino students, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 7, 2022

Mr. PADILLA (for himself, Mr. MENENDEZ, Ms. CORTEZ MASTO, Mr. HEINRICH, Mrs. FEINSTEIN, Mr. DURBIN, Mr. MURPHY, and Ms. ROSEN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To promote and support collaboration between Hispanic-serving institutions and local educational agencies with high enrollments of Hispanic or Latino students, 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 “Hispanic Educational
5 Resources and Empowerment Act of 2022”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) Hispanics and Latinos are the largest,
2 youngest, and second-fastest growing minority popu-
3 lation in the United States, accounting for half of
4 the Nation's population growth between 2010 and
5 2020.

6 (2) While Hispanics and Latinos compose 18
7 percent of the population of the United States, they
8 compose 26 percent of the prekindergarten through
9 grade 12 public school student enrollment in the
10 United States.

11 (3) Over 3,300 local educational agencies have
12 25 percent or more Hispanic and Latino enrollment
13 and those local educational agencies enroll 78 per-
14 cent of all prekindergarten through grade 12 His-
15 panic and Latino students in the United States.

16 (4) Hispanic and Latino students face dispari-
17 ties in educational outcomes, including lower grades,
18 lower scores on standardized tests, and higher drop-
19 out rates.

20 (5) Hispanic and Latino students tend to face
21 greater barriers once in college than their non-His-
22 panic and Latino peers. Seventy percent of Hispanic
23 and Latino college students are first-generation col-
24 lege students and nearly half of Hispanic and Latino

1 college students are eligible to receive a Federal Pell
2 Grant.

3 (6) Hispanics and Latinos have less access to
4 enrolling in, or graduating from, institutions of high-
5 er education.

6 (7) More Hispanics and Latinos are going to
7 college than ever before, but only slightly more than
8 half of the Hispanic and Latino students who enroll
9 earn a bachelor's degree.

10 (8) Hispanics and Latinos lag behind non-His-
11 panic Whites, Blacks, and Asian American and Na-
12 tive American Pacific Islanders in educational at-
13 tainment of high school diplomas, associate's de-
14 grees, and bachelor's degrees.

15 (9) In 2019, the median weekly earnings among
16 high school graduates with no postsecondary degree
17 were lower than such earnings for individuals hold-
18 ing associate's degrees by \$123, and for individuals
19 holding bachelor's degrees by \$635. Given this infor-
20 mation, and the growth in the Hispanic and Latino
21 population relative to the nearly stagnant population
22 growth of the Nation as a whole, gains in Hispanic
23 and Latino educational attainment are crucial to
24 economic gains for the United States.

1 (10) Hispanics and Latinos are an increasingly
 2 vital component of the workforce of the United
 3 States. The number of Hispanics and Latinos in the
 4 labor force is expected to grow by approximately
 5 6,900,000 between 2020 and 2030.

6 (11) To help ensure that the United States is
 7 prepared to meet the needs of its changing work-
 8 force, Hispanics and Latinos and the institutions
 9 that enroll them most, Hispanic-serving institutions,
 10 must be afforded the resources and support nec-
 11 essary to close the achievement and opportunity
 12 gaps.

13 **SEC. 3. COLLABORATION BETWEEN HISPANIC-SERVING IN-**
 14 **STITUTIONS AND LOCAL EDUCATIONAL**
 15 **AGENCIES.**

16 Title V of the Higher Education Act of 1965 (20
 17 U.S.C. 1101 et seq.) is amended by adding at the end
 18 the following new part:

19 **“PART D—COLLABORATION BETWEEN HISPANIC-**
 20 **SERVING INSTITUTIONS AND LOCAL EDU-**
 21 **CATIONAL AGENCIES WITH HIGH ENROLL-**
 22 **MENTS OF HISPANIC OR LATINO STUDENTS**
 23 **“SEC. 531. PURPOSES.**

24 “The purposes of this part are—

1 “(1) to promote and support opportunities for
2 academic alliances and collaborative partnerships be-
3 tween Hispanic-serving institutions and local edu-
4 cational agencies with high enrollments of Hispanic
5 or Latino students for the purpose of improving
6 postsecondary educational attainment of Hispanic
7 and Latino students; and

8 “(2) to expand and enhance the course offer-
9 ings, program quality, and overall functionality of
10 the colleges, universities, and local educational agen-
11 cies that educate the majority of Hispanic and
12 Latino students.

13 **“SEC. 532. PROGRAM AUTHORITY, APPLICATION, AND ELI-**
14 **GIBILITY.**

15 “(a) PROGRAM AUTHORITY.—Subject to the avail-
16 ability of funds appropriated to carry out this part, the
17 Secretary shall award grants, on a competitive basis, to
18 Hispanic-serving institutions serving as grant recipient
19 and fiscal agent for an eligible entity, to enable the eligible
20 entity to carry out activities described under section 533
21 to improve and expand the capacity to develop innovative
22 collaboration agreements between local educational agen-
23 cies and institutions of higher education to better serve
24 Hispanic and Latino students.

1 “(b) ELIGIBLE ENTITY.—The term ‘eligible entity’
 2 means a partnership that—

3 “(1) shall include—

4 “(A) one or more Hispanic-serving institu-
 5 tions, one of which shall serve as the grant re-
 6 cipient and fiscal agent for the eligible entity;
 7 and

8 “(B) one or more local educational agen-
 9 cies with high enrollments of Hispanic or
 10 Latino students; and

11 “(2) may include—

12 “(A) one or more emerging Hispanic-serv-
 13 ing institutions;

14 “(B) one or more local educational agen-
 15 cies with high enrollments of Hispanic or
 16 Latino students; and

17 “(C) one or more nonprofit or community-
 18 based organizations, or public or private non-
 19 profit entities with a demonstrated record of
 20 success in implementing activities similar to the
 21 activities authorized under section 533.

22 “(c) APPLICATION.—An eligible entity that desires to
 23 receive a grant under this part shall—

24 “(1) designate a Hispanic-serving institution
 25 that is a member of the eligible entity to serve as

1 the grant applicant, grant recipient, and fiscal agent
2 for the eligible entity; and

3 “(2) through such designated Hispanic-serving
4 institution, submit an application to the Secretary at
5 such time, in such manner, and accompanied by
6 such information as the Secretary may require under
7 part C and this part.

8 **“SEC. 533. AUTHORIZED ACTIVITIES.**

9 “An eligible entity that receives a grant under this
10 part shall use the grant funds for 1 or more of the fol-
11 lowing activities to support eligible students:

12 “(1) Creating a college-bound culture among
13 students, which may include activities to promote
14 the early exposure of such students and their fami-
15 lies to the opportunities and requirements of post-
16 secondary education, and other evidence-based serv-
17 ices, including services determined to have proven
18 positive outcomes by the What Works Clearinghouse
19 maintained by the Institute of Education Sciences.

20 “(2) Improvements to school-based and institu-
21 tional practices to prepare students for postsec-
22 ondary education, and provide high quality postsec-
23 ondary supports when necessary, which may in-
24 clude—

1 “(A) aligning high school coursework and
2 high school graduation requirements with the
3 requirements for entrance into credit-bearing
4 coursework at 4-year institutions of higher edu-
5 cation, including Hispanic-serving institutions;

6 “(B) early identification and support for
7 students at risk of not graduating from high
8 school within 4 years, or at risk of requiring re-
9 mediation upon enrolling in postsecondary edu-
10 cation;

11 “(C) developing and implementing path-
12 ways to postsecondary education that—

13 “(i) provide students with advanced
14 coursework and result in a recognized post-
15 secondary credential, as defined in section
16 3 of the Workforce Innovation and Oppor-
17 tunity Act (29 U.S.C. 3102); or

18 “(ii) integrate rigorous and chal-
19 lenging career and technical education,
20 work-based learning, and advanced
21 coursework or other academic instruction
22 aligned with the challenging State aca-
23 demic standards adopted by the State in
24 which the eligible entity is located under
25 section 1111(b)(1) of the Elementary and

1 Secondary Education Act of 1965 (20
2 U.S.C. 6311(b)(1));

3 “(D) co-requisite courses;

4 “(E) technology-enhanced diagnostics and
5 delivery of remedial education;

6 “(F) use of multiple measures by institu-
7 tions of higher education for the purposes of
8 placement;

9 “(G) analysis of a given placement ap-
10 proach and how the approach affected equity;

11 “(H) faculty development to ensure effec-
12 tive instruction; and

13 “(I) practices to teach college success
14 skills.

15 “(3) Support for students for high school com-
16 pletion and transition to postsecondary education,
17 which may include—

18 “(A) assistance with the college application
19 process;

20 “(B) assistance with applying for financial
21 aid; and

22 “(C) assistance with selecting institutions
23 of higher education to which a student should
24 apply based on the needs and attributes of the

1 student, available degree programs, and out-
 2 comes of the institutions.

3 “(4) Addressing non-academic needs that are
 4 barriers to college enrollment, persistence, and com-
 5 pletion for students, which may include—

6 “(A) activities to address the comprehen-
 7 sive needs of students, including child care,
 8 housing and food insecurity, finances, health
 9 issues, and transportation; and

10 “(B) activities to promote a positive cam-
 11 pus climate at institutions of higher education
 12 and to increase the sense of belonging among
 13 students, including through first year support
 14 programs such as mentoring and peer networks
 15 and advisories.

16 “(5) Developing and offering ‘grow your own’
 17 programs that encourage students to pursue careers
 18 in education and that provide pathways to meet ap-
 19 plicable certification and licensure requirements in
 20 the State such program is operating in, including
 21 any requirements for certification obtained through
 22 alternative routes to certification, which may in-
 23 clude—

24 “(A) opportunities for students to take
 25 dual credit courses in education, where such

1 courses align with the regular high school di-
2 ploma (as defined in section 8101 of the Ele-
3 mentary and Secondary Education Act of 1965)
4 and count for credit at the institution of higher
5 education;

6 “(B) opportunities for students to engage
7 in work-based learning opportunities in the field
8 of education;

9 “(C) experiential learning that supports
10 the success of students and increases students’
11 interest in pursuing a teaching career;

12 “(D) providing direct supports, including
13 wrap-around services, for students to enroll and
14 be successful in postsecondary enrollment op-
15 tions for courses that would meet degree re-
16 quirements for teacher licensure; and

17 “(E) scholarships to students who have
18 completed a secondary school diploma or its
19 recognized equivalent to enroll in teacher prepa-
20 ration programs.

21 **“SEC. 534. REPORTING.**

22 “Each eligible entity receiving a grant under this part
23 shall, through the Hispanic-serving institution designated
24 under section 532(b), submit to the Secretary, at the end
25 of each grant period, a report that includes information

1 the Secretary may require. Such report shall include infor-
 2 mation on the outcomes of the activities carried out by
 3 the eligible entity, before and after such activities were
 4 funded under this part, on the number and percentage of
 5 students entering, persisting, and completing postsec-
 6 ondary education. Such information shall be disaggregated
 7 to measure the specific impact on economically disadvan-
 8 taged students, students from each major racial and eth-
 9 nic group, students with disabilities, English learners, stu-
 10 dents of different genders, and migrant students.

11 **“SEC. 535. TECHNICAL ASSISTANCE AND EVALUATION.**

12 “(a) RESERVATIONS.—From the total amount appro-
 13 priated for this part under section 528(a) for a fiscal year,
 14 the Secretary shall reserve not more than the lesser of 5
 15 percent or \$5,000,000 for—

16 “(1) providing technical assistance to eligible
 17 entities, directly or through grants, contracts, or co-
 18 operative agreements, by qualified experts on using
 19 practices grounded in evidence to improve the out-
 20 comes of programs funded under this part; and

21 “(2) conducting the evaluation described in sub-
 22 section (b).

23 “(b) EVALUATION.—The Secretary, in partnership
 24 with the Director of the Institute of Education Sciences,
 25 shall contract with a third party to conduct an inde-

1 pendent evaluation of the activities funded under this part.
 2 Such evaluation shall include the impact of the policies
 3 and services resulting from such activities on the number
 4 and percentage of students entering, persisting, and com-
 5 pleting postsecondary education. The data collected by
 6 such evaluation shall be disaggregated to measure the spe-
 7 cific impact on economically disadvantaged students, stu-
 8 dents from each major racial and ethnic group, students
 9 with disabilities, English learners, students of different
 10 genders, and migrant students.

11 **“SEC. 536. DEFINITIONS.**

12 “In this part:

13 “(1) **ADVANCED COURSEWORK.**—The term ‘ad-
 14 vanced coursework’ means coursework designed for
 15 students to earn postsecondary credit upon success-
 16 ful completion of the coursework while still in sec-
 17 ondary school, such as Advanced Placement, Inter-
 18 national Baccalaureate, dual or concurrent enroll-
 19 ment programs, and early college high school pro-
 20 grams.

21 “(2) **CO-REQUISITE COURSES.**—The term ‘co-
 22 requisite courses’ means courses designed for stu-
 23 dents at institutions of higher education that com-
 24 bine credit-bearing postsecondary-level coursework

1 with supplemental instruction or additional academic
2 support.

3 “(3) DUAL OR CONCURRENT ENROLLMENT
4 PROGRAM.—The term ‘dual or concurrent enrollment
5 program’ has the meaning given the term in section
6 8101 of the Elementary and Secondary Education
7 Act of 1965 (20 U.S.C. 7801).

8 “(4) EARLY COLLEGE HIGH SCHOOL.—The
9 term ‘early college high school’ has the meaning
10 given the term in section 8101 of the Elementary
11 and Secondary Education Act of 1965 (20 U.S.C.
12 7801).

13 “(5) ELIGIBLE STUDENT.—The term ‘eligible
14 student’ means—

15 “(A) any student who is enrolled or eligible
16 to enroll in a secondary school that is served by
17 a local educational agency with high enroll-
18 ments of Hispanic or Latino students; and

19 “(B) any student who is enrolled or has
20 been accepted for enrollment at a Hispanic-
21 serving institution or an emerging Hispanic-
22 serving institution.

23 “(6) EMERGING HISPANIC-SERVING INSTITU-
24 TION.—The term ‘emerging Hispanic-serving institu-
25 tion’ means an institution of higher education that—

1 “(A) is an eligible institution, as defined in
2 section 502; and

3 “(B) has an enrollment of undergraduate
4 full-time equivalent students that is at least 15
5 percent but less than 25 percent Hispanic stu-
6 dents at the end of the award year immediately
7 preceding the date of the application for a
8 grant under this part.

9 “(7) LOCAL EDUCATIONAL AGENCY WITH HIGH
10 ENROLLMENTS OF HISPANIC OR LATINO STU-
11 DENTS.—The term ‘local educational agency with
12 high enrollments of Hispanic or Latino students’
13 means a local educational agency—

14 “(A) in which at least 25 percent of the
15 students served by the local educational agency
16 are Hispanic or Latino students, as determined
17 by the enrollment data of the local educational
18 agency no later than the date by which student
19 membership data is collected annually by State
20 educational agencies for submission to the Na-
21 tional Center for Education Statistics under
22 section 153 of the Education Sciences Reform
23 Act of 2002 (20 U.S.C. 9543); and

24 “(B) in which at least 50 percent of the
25 students served by the local educational agency

1 meet a measure of poverty described in section
2 1113(a)(5) of the Elementary and Secondary
3 Education Act of 1965 (20 U.S.C.
4 6313(a)(5)).”.

5 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

6 Section 528(a) of the Higher Education Act of 1965
7 (20 U.S.C. 1103g(a)) is amended by adding at the end
8 the following new paragraph:

9 “(3) PART D.—There are authorized to be ap-
10 propriated to carry out part D \$150,000,000 for fis-
11 cal year 2023 and such sums as may be necessary
12 for each of the 5 succeeding fiscal years.”.

○