

116TH CONGRESS  
1ST SESSION

# H. R. 2006

To amend the Higher Education Act of 1965 to provide capacity-building assistance to institutions of higher education to examine and address inequities in college student access and success, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 1, 2019

Ms. SHALALA 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 provide capacity-building assistance to institutions of higher education to examine and address inequities in college student access and success, 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 “College Equity Act  
5       of 2019”.

6       **SEC. 2. SENSE OF CONGRESS.**

7       It is the sense of Congress that institutions of higher  
8       education should examine institutional policies related to

1 admissions, financial aid, remedial education, support  
 2 services, coursework, faculty, and staff that may have dif-  
 3 ferential impacts on historically underrepresented stu-  
 4 dents.

5 **SEC. 3. EQUITY GRANTS.**

6 Title VII of the Higher Education Act of 1965 (20  
 7 U.S.C. 1133 et seq.) is amended by adding at the end  
 8 the following:

9 **“PART F—EQUITY GRANTS**

10 **“SEC. 791. EQUITY PLANNING GRANTS.**

11 “(a) AUTHORIZATION.—

12 “(1) IN GENERAL.—The Secretary shall award  
 13 planning grants to institutions of higher education  
 14 to encourage institutions to conduct equity audits.

15 “(2) DURATION.—A grant award under this  
 16 section shall be 2 years in duration.

17 “(3) MINIMUM GRANT AWARD.—A grant award  
 18 under this section shall be in an amount that is not  
 19 less than \$100,000.

20 “(b) APPLICATIONS.—An institution of higher edu-  
 21 cation that desires to receive a planning grant under this  
 22 section shall submit an application to the Secretary at  
 23 such time, in such form, and containing such information,  
 24 as the Secretary may require, including not less than the  
 25 following:

1           “(1) A narrative statement with sufficient detail  
2           regarding how the institution intends to conduct the  
3           equity audit and that provides examples of certain  
4           policies, practices, and trends the institution intends  
5           to examine.

6           “(2) A description of all relevant offices and  
7           staff who will be involved in implementing the equity  
8           audit.

9           “(3) A description of what specific data and  
10          outcome measures the institution will examine and  
11          for which student populations.

12          “(c) USE OF GRANT FUNDS.—An institution of high-  
13          er education that receives a planning grant under this sec-  
14          tion to conduct an equity audit shall undertake a thorough  
15          internal review of the institution’s policies, practices, and  
16          resources to identify areas that might produce gaps in out-  
17          comes by gender, race, ethnicity, national origin, income,  
18          criminal justice background, military service history, or  
19          for first-generation students, students with disabilities,  
20          student parents, and transfer students. The equity audit  
21          shall examine, with respect to the institution of higher  
22          education, the following:

23               “(1) Admissions policies, including the demo-  
24               graphics of the State or region where the institution  
25               is located, the demographics of communities where

1 the institution recruits, the makeup of students ad-  
2 mitted through early admissions, early decision,  
3 demonstrated interest, athletic preference admis-  
4 sions, and legacy admissions, and the treatment and  
5 admission of transfer students and credit transfer  
6 policies.

7 “(2) Outreach, communication, and other inter-  
8 actions with students who accept admission to the  
9 institution to ensure they officially enroll when the  
10 school term begins.

11 “(3) The financial aid awarding policies and  
12 processes, including presentation of offer letters to  
13 students, handling student accounts if funds are de-  
14 layed due to verification, and institutional grant aid  
15 policies, including the distribution of need-based and  
16 non-need-based grants, which students receive insti-  
17 tutional support and which students lose institu-  
18 tional support and when that occurs.

19 “(4) Access to, and participation in, pre-college  
20 and first-year experience offerings, such as orienta-  
21 tion and bridge programs.

22 “(5) Educational supports, such as remedial  
23 placement and success, academic resource center  
24 usage, advisor to student ratios, and how students

1 are differentially affected by satisfactory academic  
2 progress policies.

3 “(6) Student support services, including demo-  
4 graphics of staff and students served by academic or  
5 career advising, child care centers, mentoring pro-  
6 grams, and mental health and counseling services.

7 “(7) Access to, and participation in, small aca-  
8 demic programs, STEM programs, study abroad,  
9 and undergraduate research opportunities.

10 “(8) Diversity among administrators, advisers,  
11 faculty overall, adjunct faculty, and teachers of core  
12 and introductory-level courses, and the demographics  
13 of faculty teaching historically underrepresented stu-  
14 dents.

15 “(9) Physical accessibility on the grounds of the  
16 institution and programmatic accessibility of campus  
17 services, activities, and programs.

18 “(10) Demographics of students hired by em-  
19 ployers who recruit on campus or that the institu-  
20 tion has partnerships with in work-based programs.

21 “(11) Any other policy, practice, or trend the  
22 institution deems relevant to identify areas that  
23 might produce gaps in access or outcomes.

24 “(d) REPORTING REQUIREMENT.—An institution of  
25 higher education that receives a grant under this section

1 shall submit a report to the Secretary detailing findings  
2 of the equity audit not later than 90 days after the date  
3 that the grant period ends.

4 **“SEC. 792. EQUITY IMPLEMENTATION GRANTS.**

5 “(a) DEFINITIONS.—In this section:

6 “(1) EDUCATIONAL AND RELATED EXPENDI-  
7 TURES.—

8 “(A) IN GENERAL.—The term ‘educational  
9 and related expenditures’ means, with respect  
10 to an institution of higher education for an aca-  
11 demic year, the total amount that is equal to  
12 the sum of—

13 “(i) the amount expended by the insti-  
14 tution of higher education in the academic  
15 year for instruction and student services;  
16 and

17 “(ii) the amount determined under  
18 subparagraph (B) with respect to the insti-  
19 tution of higher education for the academic  
20 year.

21 “(B) EDUCATION SHARE.—With respect to  
22 an institution of higher education for an aca-  
23 demic year, the amount determined under this  
24 subparagraph is equal to the product of—

25 “(i) the percentage that is equal to—

1 “(I) the amount expended by the  
2 institution of higher education in the  
3 academic year for instruction and stu-  
4 dent services; divided by

5 “(II) the amount expended by  
6 the institution of higher education in  
7 the academic year for instruction, stu-  
8 dent services, research, and public  
9 service; and

10 “(ii) the amount expended by the in-  
11 stitution of higher education in the aca-  
12 demic year for instruction, student serv-  
13 ices, and operation maintenance.

14 “(2) ELIGIBLE ENTITY.—The term ‘eligible en-  
15 tity’ means an institution of higher education that  
16 has received an equity planning grant under section  
17 791.

18 “(3) FULL-TIME EQUIVALENT UNDER-  
19 GRADUATE STUDENTS.—The term ‘full-time equiva-  
20 lent undergraduate students’ means the sum of the  
21 number of undergraduate students enrolled full time  
22 at an institution of higher education, plus the full-  
23 time equivalent of the number of undergraduate stu-  
24 dents enrolled part time (determined on the basis of  
25 the quotient of the sum of the credit hours of all

1 part-time students divided by 12) at such institu-  
2 tion.

3 “(b) AUTHORIZATION OF GRANTS.—

4 “(1) IN GENERAL.—The Secretary shall award,  
5 on a competitive basis, implementation grants to en-  
6 able eligible entities to develop and execute an im-  
7 provement plan to address the findings of the equity  
8 audit.

9 “(2) DETERMINATION OF GRANT SIZE.—The  
10 Secretary shall award implementation grants under  
11 this section in an amount based on—

12 “(A) the eligible entity’s enrollment size;  
13 and

14 “(B) the severity of equity audit findings,  
15 including low overall performance outcomes or  
16 large performance gaps between groups of stu-  
17 dents.

18 “(3) DURATION.—A grant award under this  
19 section shall be 5 years in duration.

20 “(c) APPLICATION.—

21 “(1) IN GENERAL.—An eligible entity that de-  
22 sires to receive an implementation grant under this  
23 section shall submit an application to the Secretary  
24 at such time, in such form, and containing such in-  
25 formation, as the Secretary may require.



1           “(2) CONTENTS.—Each application submitted  
2           under paragraph (1) shall include the following:

3                   “(A) Demographic information and data  
4                   about the eligible entity, including a description  
5                   of the entity’s mission, history, enrollment size,  
6                   the student population it serves, and edu-  
7                   cational and related expenditures.

8                   “(B) A description of equity audit find-  
9                   ings, including the gaps in outcomes identified  
10                  and for which group of students.

11                  “(C) An improvement plan that includes a  
12                  description of the specific activities the eligible  
13                  entity will carry out with the funds made avail-  
14                  able by such grant to address the specific gaps  
15                  or problems identified by the equity audit.

16                  “(D) A description of how the eligible enti-  
17                  ty will annually monitor and assess its progress  
18                  in closing achievement gaps.

19                  “(E) A description of the level of institu-  
20                  tional commitment and which institutional lead-  
21                  ers and offices will be involved in the planning,  
22                  improvement, and assessment process.

23           “(3) PRIORITY.—An application submitted  
24           under paragraph (1) shall receive priority based on  
25           the following:

1           “(A) The average educational and related  
2           expenditures per full-time equivalent under-  
3           graduate student of the eligible entity is low in  
4           comparison with the average educational and  
5           related expenditures per full-time equivalent un-  
6           dergraduate student of institutions that offer  
7           similar instruction.

8           “(B) The eligible entity demonstrates low  
9           overall performance outcomes or large perform-  
10          ance gaps between groups of students and sub-  
11          mits additional written statements from select  
12          executive-level institutional leaders, including  
13          members of any governing board of trustees, to  
14          demonstrate their interest and commitment to  
15          executing the improvement plan.

16          “(C) The eligible entity has an enrollment  
17          of students not less than 30 percent of whom  
18          are eligible to receive a Federal Pell Grant.

19          “(d) REPORTING REQUIREMENTS.—

20               “(1) PROGRESS REPORTS.—An eligible entity  
21               awarded an implementation grant under this section  
22               shall submit a report detailing progress on its im-  
23               provement plan to the Secretary not later than 3  
24               years after being awarded the grant and again not  
25               later than 5 years after being awarded the grant.

1           “(2) FINAL REPORT.—Not later than 90 days  
2           after the date a grant period awarded under this  
3           section ends, the Secretary shall submit to Congress  
4           a report detailing the grantee’s initial equity audit  
5           findings and progress in addressing identified equity  
6           gaps.

7   **“SEC. 793. AUTHORIZATION OF APPROPRIATIONS.**

8           “‘There are authorized to be appropriated to carry out  
9           this part such sums as may be necessary for fiscal year  
10          2019 and each succeeding fiscal year.’”.

11   **SEC. 4. ACCREDITATION.**

12          Section 496(a) of the Higher Education Act of 1965  
13          (20 U.S.C. 1099b(a)) is amended—

14                (1) in paragraph (7), by striking “and” after  
15          the semicolon;

16                (2) in paragraph (8), by striking the period at  
17          the end and inserting “; and”; and

18                (3) by adding at the end the following:

19                “(9) such agency or association shall—

20                       “(A) assess findings from an equity audit  
21                       conducted under section 791 of any institution  
22                       of higher education the agency or association  
23                       accredits; and

24                       “(B) provide ongoing feedback and tech-  
25                       nical assistance to help such institutions ad-

- 1 dress the findings from the equity audit and
- 2 share best practices from the equity audits.”.

