

1 **TITLE V—AMERICAN**
2 **GRADUATION INITIATIVE**

3 **SEC. 501. AUTHORIZATION AND APPROPRIATION.**

4 (a) **AUTHORIZATION AND APPROPRIATION.**—There
5 are authorized to be appropriated, and there are appro-
6 priated, to carry out this title (in addition to any other
7 amounts appropriated to carry out this title and out of
8 any money in the Treasury not otherwise appropriated),
9 \$730,000,000 for each of the fiscal years 2010 through
10 2013, and \$680,000,000 for each of the fiscal years 2014
11 through 2019. The authority to award grants under this
12 title shall expire at the end of fiscal year 2019.

13 (b) **ALLOCATIONS.**—Of the amount appropriated
14 under subsection (a)—

15 (1) \$630,000,000 shall be made available for
16 each of the fiscal years 2010 through 2013 to carry
17 out section 503;

18 (2) \$630,000,000 shall be made available for
19 each of the fiscal years 2014 through 2019 to carry
20 out section 504;

21 (3) \$50,000,000 shall be made available for
22 each of the fiscal years 2010 through 2019 to carry
23 out subsection (a) of section 505; and

1 (4) \$50,000,000 shall be made available for
2 each of the fiscal years 2010 through 2013 to carry
3 out subsections (b) and (c) of section 505.

4 (c) RESPONSIBILITY.—

5 (1) IN GENERAL.—With respect to sections 503
6 and 504, the Secretary of Education shall bear the
7 responsibility for obligating and disbursing funds
8 under such sections and ensuring compliance with
9 applicable law and administrative requirements, sub-
10 ject to paragraph (2).

11 (2) INTERAGENCY AGREEMENT.—The Secretary
12 of Education and the Secretary of Labor shall joint-
13 ly administer sections 503 and 504 on such terms
14 as such Secretaries shall set forth in an interagency
15 agreement.

16 **SEC. 502. DEFINITIONS; GRANT PRIORITY.**

17 In this title:

18 (1) AREA CAREER AND TECHNICAL EDUCATION
19 SCHOOL.—The term “area career and technical edu-
20 cation school” has the meaning given such term in
21 section 3 of the Carl D. Perkins Career and Tech-
22 nical Education Act of 2006 (20 U.S.C. 2302).

23 (2) COMMUNITY COLLEGE.—The term “commu-
24 nity college” means a public institution of higher
25 education at which the highest degree that is pre-

1 dominantly awarded to students is an associate's de-
2 gree.

3 (3) ELIGIBLE ENTITY.—The term “eligible enti-
4 ty” means—

5 (A) a community college or community col-
6 lege district that has at least one articulation
7 agreement with a four-year institution of higher
8 education;

9 (B) an area career and technical education
10 school that has at least one articulation agree-
11 ment with an institution of higher education;

12 (C) a public four-year institution of higher
13 education that—

14 (i) offers two-year degrees;

15 (ii) will use funds provided under this
16 section for activities at the certificate and
17 associate degree levels; and

18 (iii) is not reasonably close, as deter-
19 mined by the Secretary, to a community
20 college;

21 (D) a Tribal College or University;

22 (E) a public four-year institution of higher
23 education that is in partnership with an eligible
24 entity described in subparagraph (A), (B), (C),
25 or (D);

1 (F) a State that—

2 (i) is in compliance with section 137
3 of the Higher Education Act of 1965 (20
4 U.S.C. 1015f);

5 (ii) has established and implemented a
6 comprehensive articulation agreement be-
7 tween or among public institutions of high-
8 er education in the State that includes out-
9 lining the acceptability of community col-
10 lege courses in transfer for credit at public
11 four-year institutions in the State; and

12 (iii) is in partnership with an eligible
13 entity described in subparagraph (A), (B),
14 (C), (D), or (E);

15 (G) a consortium of at least 2 entities de-
16 scribed in subparagraphs (A) through (F).

17 (H) at the discretion of the Secretary, a
18 private, not-for-profit, two-year institution of
19 higher education in Puerto Rico, the District of
20 Columbia, Guam, the United States Virgin Is-
21 lands, American Samoa, the Commonwealth of
22 the Northern Mariana Islands, the Republic of
23 the Marshall Islands, the Federated States of
24 Micronesia, or the Republic of Palau.

1 (4) INDUSTRY OR SECTOR PARTNERSHIP.—The
2 term “industry or sector partnership” has the mean-
3 ing given such term in section 782(f) of the Higher
4 Education Act of 1965.

5 (5) INSTITUTION OF HIGHER EDUCATION.—The
6 term “institution of higher education” has the
7 meaning given such term in section 101 of the High-
8 er Education Act of 1965 (20 U.S.C. 1001).

9 (6) PHILANTHROPIC ORGANIZATION.—The term
10 “philanthropic organization” has the meaning given
11 such term in section 781(i) of the Higher Education
12 Act of 1965 (20 U.S.C. 1141(i)).

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

15 (8) STATE.—The term “State” has the mean-
16 ing given such term in section 103 of the Higher
17 Education Act of 1965 (20 U.S.C. 1003).

18 (9) STATE PUBLIC EMPLOYMENT SERVICE.—
19 The term “State public employment service” refers
20 to a State public employment service established
21 under the Wagner-Peyser Act (29 U.S.C. 49 et
22 seq.).

23 (10) STATE WORKFORCE INVESTMENT BOARD;
24 LOCAL WORKFORCE INVESTMENT BOARD.—The
25 terms “State workforce investment board” and

1 “local workforce investment board” refer to a State
2 workforce investment board established under sec-
3 tion 111 of the Workforce Investment Act (29
4 U.S.C. 2821) and a local workforce investment
5 board established under section 117 of such Act (29
6 U.S.C. 2832), respectively.

7 (11) SUPPORTIVE SERVICES.—The term “sup-
8 portive services” has the meaning given such term in
9 section 101(46) of the Workforce Investment Act of
10 1998 (29 U.S.C. 2801(46)).

11 (12) TRIBAL COLLEGE OR UNIVERSITY.—The
12 term “Tribal College or University” has the meaning
13 given such term in section 316 of the Higher Edu-
14 cation Act of 1965 (20 U.S.C. 1059c).

15 **SEC. 503. GRANTS TO ELIGIBLE ENTITIES FOR COMMUNITY**
16 **COLLEGE REFORM.**

17 (a) PROGRAM AUTHORIZATION.—

18 (1) GRANTS AUTHORIZED.—

19 (A) IN GENERAL.—Subject to paragraph
20 (2), from the amount appropriated to carry out
21 this section, the Secretary, in coordination with
22 the Secretary of Labor, shall award grants to
23 eligible entities, on a competitive basis, to es-
24 tablish and support programs described in sub-
25 paragraph (B) at eligible entities described in

1 subparagraphs (A) through (E) of section
2 502(a)(3).

3 (B) PROGRAMS.—The programs to be es-
4 tablished and supported with grants under sub-
5 paragraph (A) (and carried out through activi-
6 ties described in subsection (f)) shall be pro-
7 grams—

8 (i) that are—

9 (I) innovative programs; or

10 (II) programs of demonstrated
11 effectiveness, based on the evaluations
12 of similar programs funded by the De-
13 partment of Education or the Depart-
14 ment of Labor, or other research of
15 similar programs; and

16 (ii) that lead to the completion of a
17 postsecondary degree, certificate, or indus-
18 try-recognized credential leading to a
19 skilled occupation in a high-demand indus-
20 try.

21 (2) LIMITATION.—For each fiscal year for
22 which funds are appropriated to carry out this sec-
23 tion, the aggregate amount of the grants awarded to
24 eligible entities that are States, or consortia that in-
25 clude a State, shall be not more than 50 percent of

1 the total amount appropriated under section
2 501(b)(1) for such fiscal year.

3 (3) PROHIBITION.—The Secretary shall not
4 award a grant to an eligible entity for the same spe-
5 cific activities that are being supported by other
6 Federal grant funds.

7 (b) GRANT DURATION AND AMOUNT.—

8 (1) DURATION.—A grant under this section
9 shall be awarded to an eligible entity for a 4-year pe-
10 riod, except that if the Secretary determines that the
11 eligible entity has not made demonstrable progress
12 in achieving the benchmarks developed pursuant to
13 subsection (g) by the end of the third year of such
14 grant period, no further grant funds shall be made
15 available to the entity after the date of such deter-
16 mination.

17 (2) AMOUNT.—The minimum amount of a total
18 grant award under this section over the 4-year pe-
19 riod of the award shall be \$750,000.

20 (c) PRIORITY.—In awarding grants under this sec-
21 tion, the Secretary shall give priority to eligible entities
22 that—

23 (1) enter into partnerships with—

1 (A) philanthropic or research organizations
2 with expertise in meeting the goals of this sec-
3 tion;

4 (B) businesses or industry or sector part-
5 nerships that—

6 (i) design and implement programs
7 described in subsection (a)(1)(B);

8 (ii) pay a portion of the costs of such
9 programs; and

10 (iii) agree to collaborate with one or
11 more eligible entities to hire individuals
12 who have completed a particular postsec-
13 ondary degree, certificate, or credential
14 program;

15 (C) labor organizations that provide tech-
16 nical expertise for occupationally specific edu-
17 cation necessary for an industry-recognized cre-
18 dential leading to a skilled occupation in a high-
19 demand industry;

20 (2) are institutions of higher education eligible
21 for assistance under title III or V of the Higher
22 Education Act of 1965, or consortia that include
23 such an institution;

24 (3) are focused on serving low-income, non-tra-
25 ditional students (as defined in section 803(j) of the

1 Higher Education Act of 1965 (20 U.S.C.
2 1161c(j))), students who are dislocated workers, or
3 students who are veterans, who do not have a bach-
4 elor's degree;

5 (4) are focused on serving low-income, non-
6 traditional students (as defined in section 803(j) of
7 the Higher Education Act of 1965 (20 U.S.C.
8 1161c(j))), who do not have a bachelor's degree; or

9 (5) are community colleges located in areas
10 with high unemployment rates.

11 (d) FEDERAL AND NON-FEDERAL SHARE; SUPPLE-
12 MENT, NOT SUPPLANT.—

13 (1) FEDERAL SHARE.—The amount of the Fed-
14 eral share under this section for a fiscal year shall
15 be not greater than $\frac{1}{2}$ of the costs of the programs,
16 services, and policies described in subsection (f) that
17 are carried out under the grant.

18 (2) NON-FEDERAL SHARE.—

19 (A) IN GENERAL.—The amount of the
20 non-Federal share under this section for a fiscal
21 year shall be not less than $\frac{1}{2}$ of the costs of the
22 programs, services, and policies described in
23 subsection (f) that are carried out under the
24 grant. The non-Federal share may be in cash or
25 in kind, and may be provided from State re-

1 sources, local resources, contributions from pri-
2 vate organizations, or a combination thereof.

3 (B) FINANCIAL HARDSHIP WAIVER.—The
4 Secretary may waive or reduce the non-Federal
5 share of an eligible entity that has submitted an
6 application under this section if the entity dem-
7 onstrates a need for such waiver or reduction
8 due to extreme financial hardship, as defined by
9 the Secretary by regulation.

10 (3) SUPPLEMENT, NOT SUPPLANT.—The Fed-
11 eral and non-Federal shares required by this section
12 shall be used to supplement, and not supplant, State
13 and private resources that would otherwise be ex-
14 pended to establish and support programs described
15 in subsection (a)(1)(B) at eligible entities.

16 (4) EXCEPTION.—This subsection shall not
17 apply to Tribal Colleges and Universities.

18 (e) APPLICATION.—An eligible entity seeking to re-
19 ceive a grant under this section shall submit to the Sec-
20 retary an application at such time, in such manner, and
21 containing such information as the Secretary may require.
22 Such application shall describe the programs under sub-
23 section (a)(1)(B) that the eligible entity will carry out
24 using the grant funds, (including the programs, services,
25 and policies under subsection (f)), including—

1 (1) the goals of such programs, services, and
2 policies;

3 (2) how the eligible entity will allocate grant
4 funds for such programs, services, and policies;

5 (3) how such programs, services, and policies,
6 and the resources of the eligible entity, will enable
7 the eligible entity to meet the benchmarks developed
8 pursuant to subsection (g), and how the eligible enti-
9 ty will track and report the entity's progress in
10 reaching such benchmarks;

11 (4) how the eligible entity will use such pro-
12 grams, services, and policies to establish quantifiable
13 targets for improving graduation rates and employ-
14 ment-related outcomes;

15 (5) how the eligible entity will serve high-need
16 populations through such programs, services, and
17 policies;

18 (6) how the eligible entity will partner with in-
19 dustry or sector partnerships in the State, the State
20 public employment service, and State or local work-
21 force investment boards in carrying out such pro-
22 grams, services, and policies;

23 (7) an assurance that the eligible entity will
24 share information with the Learning and Earning

1 Research Center established under section 505(b),
2 once such Center is established;

3 (8) an assurance that the eligible entity will
4 participate in the evaluation of such programs, serv-
5 ices, and policies under subsection (i);

6 (9) the potential for such programs, services,
7 and policies to be replicated at other institutions of
8 higher education; and

9 (10) how the eligible entity will incorporate and
10 support faculty and staff of the institution in meet-
11 ing the goals of such programs, services, and poli-
12 cies.

13 (f) USES OF FUNDS.—An eligible entity receiving a
14 grant under this section shall use the grant funds to carry
15 out the programs described in subsection (a)(1)(B), which
16 shall include at least 2 of the following activities:

17 (1) Developing and implementing policies and
18 programs to expand opportunities for students at eli-
19 gible entities described in subparagraphs (A)
20 through (E) of section 502(a)(3) to earn bachelor's
21 degrees by—

22 (A) facilitating the transfer of academic
23 credits between institutions of higher education,
24 including the transfer of academic credits for
25 courses in the same field of study; and

1 (B) expanding articulation agreements and
2 guaranteed transfer agreements between such
3 institutions, including through common course
4 numbering and general core curriculum.

5 (2) Expanding, enhancing, or creating academic
6 programs or training programs, which shall be car-
7 ried out with industry or sector partnerships or in
8 partnership with employers and may include other
9 relevant partners, that provide relevant job-skill
10 training (including apprenticeships and worksite
11 learning and training opportunities) for skilled occu-
12 pations in high-demand industries.

13 (3) Providing student support services, includ-
14 ing—

15 (A) intensive career and academic advising;

16 (B) labor market information and job
17 counseling;

18 (C) transitional job support, supportive
19 services, or assistance in connecting students
20 with community resources; and

21 (D) library services, including information
22 literacy activities, to—

23 (i) help increase postsecondary degree,
24 certificate, and industry-recognized creden-
25 tial completion rates, particularly with re-

1 spect to groups underrepresented in higher
2 education; and

3 (ii) assist individuals with obtaining
4 and retaining employment.

5 (4) Creating workforce programs that provide a
6 sequence of education and occupational training that
7 leads to industry-recognized credentials, including
8 programs that—

9 (A) blend basic skills, information literacy,
10 and occupational training that lead to industry-
11 recognized credentials;

12 (B) integrate developmental education cur-
13 ricula and instruction with for-credit
14 coursework toward degree or certificate path-
15 ways; or

16 (C) advance individuals on a career path
17 toward high-wage occupations in high-demand
18 industries.

19 (5) Building or enhancing linkages, including
20 the development of dual enrollment programs and
21 early college high schools, between—

22 (A) secondary education or adult education
23 programs (including programs established
24 under the Carl D. Perkins Career and Tech-
25 nical Education Act of 2006 and title II of the

1 Workforce Investment Act of 1998 (29 U.S.C.
2 9201 et seq.)); and

3 (B) eligible entities described in subpara-
4 graphs (A) through (E) of section 502(a)(3).

5 (6) Implementing other innovative programs,
6 services, and policies designed to—

7 (A) increase postsecondary degree, certifi-
8 cate, and industry-recognized credential comple-
9 tion rates, particularly with respect to groups
10 underrepresented in higher education, at eligible
11 entities described in subparagraphs (A) through
12 (E) of section 502(a)(3); and

13 (B) increase the provision of training for
14 students, including students who are veterans
15 or members of the National Guard or Reserves,
16 to enter skilled occupations in high-demand in-
17 dustries.

18 (7) Creating, in a timely and efficient manner,
19 degree, certificate, and industry-recognized creden-
20 tial programs at eligible entities described in sub-
21 paragraphs (A) through (E) of section 502(a)(3)
22 that—

23 (A) reflect and respond to regional labor
24 market developments and trends;

1 (B) effectively address the workforce needs
2 of employers in the State; and

3 (C) are designed in consultation with such
4 employers.

5 (8) Providing information technology training
6 for students and members of the public seeking to
7 improve their computer literacy and information
8 technology skills through public accessibility to—

9 (A) community college computer labs; and

10 (B) information technology training pro-
11 vided on weeknights and weekends by an em-
12 ployee of a community college who is capable of
13 basic computer instruction.

14 (9) Expanding, enhancing, or creating academic
15 programs or training programs that focus on pre-
16 paring students for skilled occupations in energy-re-
17 lated fields, which may be carried out in partnership
18 with employers and may include other relevant part-
19 ners, that provide relevant job-skill training (includ-
20 ing apprenticeships and worksite learning and train-
21 ing opportunities) for skilled occupations in high-de-
22 mand industries.

23 (10) Expanding, enhancing, or creating aca-
24 demic programs or training programs that prepare
25 students for occupations critical to serving veterans,

1 including occupations within the Department of Vet-
2 erans Affairs health care system.

3 (g) BENCHMARKS.—

4 (1) IN GENERAL.—Each eligible entity receiving
5 a grant under this section shall develop quantifiable
6 benchmarks on the following indicators (where appli-
7 cable to the institution’s use of funds provided under
8 this section), to be approved by the Secretary:

9 (A) Closing gaps in enrollment and com-
10 pletion rates for—

11 (i) groups underrepresented in higher
12 education; and

13 (ii) groups of students enrolled at the
14 eligible entity (or at an institution of high-
15 er education under the jurisdiction of the
16 eligible entity, in the case of an entity that
17 is not an institution) who have the lowest
18 enrollment and completion rates.

19 (B) Addressing local and regional work-
20 force needs.

21 (C) Establishing articulation agreements
22 between two-year and four-year public institu-
23 tions of higher education within a State.

1 (D) Improving comprehensive employment
2 and educational outcomes for postsecondary
3 education and training programs, including—

4 (i) student persistence from one aca-
5 demic year to the following academic year;

6 (ii) the number of credits students
7 earn toward a certificate or an associate's
8 degree;

9 (iii) the number of students in devel-
10 opmental education courses who subse-
11 quently enroll in credit bearing coursework;

12 (iv) transfer of general education
13 credits, including education credits earned
14 while serving in the Armed Forces, be-
15 tween institutions of higher education, as
16 applicable;

17 (v) completion of industry-recognized
18 credentials or associate's degrees to work
19 in skilled occupations in high-demand in-
20 dustries;

21 (vi) transfers to four-year institutions
22 of higher education; and

23 (vii) job placement related to skills
24 training or associate's degree completion.

1 (2) REPORT.—The eligible entity receiving such
2 a grant shall annually measure and report to the
3 Secretary the progress of the entity in achieving the
4 benchmarks developed pursuant to paragraph (1).

5 (h) PROVISION OF TRANSFER OF CREDIT INFORMA-
6 TION IN COMMUNITY COLLEGE COURSE SCHEDULES.—
7 To the maximum extent practicable, each community col-
8 lege receiving a grant under this section shall include in
9 each electronic and printed publication of the college’s
10 course schedule, in a manner of the college’s choosing, for
11 each course listed in the college’s course schedule, whether
12 such course is transferable for credit toward the comple-
13 tion of a 4-year baccalaureate degree at a public institu-
14 tion of higher education in the State in which the college
15 is located.

16 (i) EVALUATION.—The Secretary shall allocate not
17 more than two percent of the funds appropriated under
18 section 501(b)(1) to the Institute of Education Sciences
19 to conduct evaluations, ending not later than January 30,
20 2014, that—

21 (1) assess the effectiveness of the grant pro-
22 grams carried out by each eligible entity receiving
23 such a grant in—

1 (A) improving postsecondary education
2 completion rates (disaggregated by age, race,
3 ethnicity, sex, income, and disability);

4 (B) improving employment-related out-
5 comes for students served by such programs;

6 (C) serving high-need populations; and

7 (D) building or enhancing working part-
8 nerships with the State public employment serv-
9 ice or State or local workforce investment
10 boards; and

11 (2) include any other information or assess-
12 ments the Secretary may require.

13 (j) REPORT.—The Secretary shall submit to the
14 Committee on Health, Education, Labor, and Pensions of
15 the Senate and the Committee on Education and Labor
16 of the House of Representatives an annual report on
17 grants awarded under this section, including—

18 (1) the amount awarded to each eligible entity
19 under this section;

20 (2) a description of the activities conducted by
21 each eligible entity receiving a grant under this sec-
22 tion; and

23 (3) a summary of the results of the evaluations
24 submitted to the Secretary under subsection (i) and

1 the progress each eligible entity made toward achiev-
2 ing the benchmarks developed under subsection (g).

3 **SEC. 504. GRANTS TO ELIGIBLE STATES FOR COMMUNITY**
4 **COLLEGE PROGRAMS.**

5 (a) PROGRAM AUTHORIZATION.—From the amount
6 appropriated to carry out this section, the Secretary, in
7 coordination with the Secretary of Labor, shall award
8 grants to eligible States, on a competitive basis, to imple-
9 ment the systematic reform of community colleges located
10 in the State by carrying out programs, services, and poli-
11 cies that demonstrated effectiveness under the evaluation
12 described in section 503(i).

13 (b) ELIGIBLE STATE.—In this section, the term “eli-
14 gible State” means a State that demonstrates to the Sec-
15 retary in the application submitted pursuant to subsection
16 (f) that the State—

17 (1) has a plan under section 782 of the Higher
18 Education Act of 1965 to increase the State’s rate
19 of persistence in and completion of postsecondary
20 education that takes into consideration and involves
21 community colleges located in such State;

22 (2) has a statewide longitudinal data system
23 that includes data with respect to community col-
24 leges;

1 (3) has an articulation agreement pursuant to
2 section 486A of the Higher Education Act of 1965
3 (20 U.S.C. 1093a);

4 (4) is in compliance with section 137 of such
5 Act (20 U.S.C. 1015f); and

6 (5) meets any other requirements the Secretary
7 may require.

8 (c) GRANT DURATION; RENEWAL.—A grant awarded
9 under this section shall be awarded to an eligible State
10 for a 6-year period, except that if the Secretary determines
11 that the eligible State has not made demonstrable progress
12 in achieving the benchmarks developed pursuant to sub-
13 section (h) by the end of the third year of the grant period,
14 no further grant funds shall be made available to the en-
15 tity after the date of such determination.

16 (d) PRIORITY.—In awarding grants under this sec-
17 tion, the Secretary shall give priority to applications fo-
18 cused on serving low-income, nontraditional students (as
19 defined in section 803(j) of the Higher Education Act of
20 1965 (20 U.S.C. 1161c(j))), students who are dislocated
21 workers, or students who are veterans, who do not have
22 a bachelor's degree.

23 (e) FEDERAL AND NON-FEDERAL SHARE; SUPPLE-
24 MENT, NOT SUPPLANT.—

1 (1) FEDERAL SHARE.—The amount of the Fed-
2 eral share under this section for a fiscal year shall
3 be not greater than $\frac{1}{2}$ of the costs of the reform de-
4 scribed in subsection (g) that is carried out with the
5 grant.

6 (2) NON-FEDERAL SHARE.—

7 (A) IN GENERAL.—The amount of the
8 Non-Federal share under this section for a fis-
9 cal year shall be not less than $\frac{1}{2}$ of the costs
10 of the reform described in subsection (g) that is
11 carried out with the grant. The non-Federal
12 share may be in cash or in kind, and may be
13 provided from State resources, local resources,
14 contributions from private organizations, or a
15 combination thereof.

16 (B) FINANCIAL HARDSHIP WAIVER.—The
17 Secretary may waive or reduce the non-Federal
18 share of an eligible State that has submitted an
19 application under this section if the State dem-
20 onstrates a need for such waiver or reduction
21 due to extreme financial hardship, as defined by
22 the Secretary by regulation.

23 (3) SUPPLEMENT, NOT SUPPLANT.—The Fed-
24 eral and non-Federal share required by this section
25 shall be used to supplement, and not supplant, State

1 and private resources that would otherwise be ex-
2 pended to carry out the systematic reform of com-
3 munity colleges in a State.

4 (f) APPLICATION.—An eligible State desiring to re-
5 ceive a grant under this section shall submit to the Sec-
6 retary an application at such time, in such manner, and
7 containing such information as the Secretary may require.
8 Such application shall describe the programs, service, and
9 policies to be used by the State to achieve the systematic
10 reform described in subsection (g), including—

11 (1) the goals of such programs, services, and
12 policies;

13 (2) how the State will allocate grant funds to
14 carry out such programs, services, and policies, in-
15 cluding identifying any State or private entity that
16 will administer such programs, services, and policies;

17 (3) how such programs, services, and policies
18 will enable the State to—

19 (A) meet the benchmarks developed pursu-
20 ant to subsection (h), and how the State will
21 track and report the State's progress in reach-
22 ing such benchmarks; and

23 (B) benefit students attending all commu-
24 nity colleges within the State;

1 (4) how the State will use such programs, serv-
2 ices, and policies to establish quantifiable targets for
3 improving graduation rates and employment-related
4 outcomes;

5 (5) how the State will serve high-need popu-
6 lations through such programs, services, and poli-
7 cies;

8 (6) how the State will partner with the State
9 public employment service and State or local work-
10 force investment boards in carrying out such pro-
11 grams, services, and policies;

12 (7) how the State will evaluate such programs,
13 services, and policies, which may include participa-
14 tion in national evaluations; and

15 (8) how the State will involve community col-
16 leges and community college faculty in the planning,
17 implementation, and evaluation of such programs,
18 services, and policies.

19 (g) USES OF FUNDS.—An eligible State receiving a
20 grant under this section shall use the grant funds to im-
21 plement the systematic reform of community colleges lo-
22 cated in the State by carrying out programs, services, and
23 policies that the Secretary has determined to have dem-
24 onstrated effectiveness based on the results of the evalua-
25 tion described in section 503(i). States shall allocate not

1 less than 90 percent of such grant funds to community
2 colleges within the State.

3 (h) BENCHMARKS.—

4 (1) IN GENERAL.—Each eligible State receiving
5 a grant under this section shall, in consultation with
6 the Secretary, develop quantifiable benchmarks on
7 the indicators identified in section 503(g)(1).

8 (2) PROGRESS.—An eligible State receiving
9 such a grant shall annually measure and report to
10 the Secretary progress in achieving the benchmarks
11 developed pursuant to paragraph (1).

12 (i) REPORT.—

13 (1) REPORTS TO THE SECRETARY.—Each eligi-
14 ble State receiving a grant under this section shall
15 annually submit to the Secretary and the Secretary
16 of Labor a report on such grant, including—

17 (A) a description of the systematic reform
18 carried out by the State using such grant; and

19 (B) the outcome of such reform, including
20 the State's progress in achieving the bench-
21 marks developed under subsection (h).

22 (2) REPORTS TO CONGRESS.—Not later than 6
23 months after the end of the grant period, the Sec-
24 retary shall submit to the Committee on Health,
25 Education, Labor, and Pensions of the Senate and

1 the Committee on Education and Labor of the
2 House of Representatives a summary of the reports
3 submitted under paragraph (1) with respect to such
4 grant period.

5 (j) SENSE OF CONGRESS.—It is the sense of Con-
6 gress that—

7 (1) community colleges play an important role
8 in preparing and training students seeking to enter
9 the workforce;

10 (2) it is vital that all States have access to the
11 resources and assistance needed to compete for
12 grants authorized under this section; and

13 (3) in executing the grant program authorized
14 under this section, the Secretary should make avail-
15 able any and all assistance, guidance, and support to
16 States seeking to compete for grants authorized
17 under this section and should work to ensure that
18 such grants are distributed in a fair and equitable
19 manner.

20 **SEC. 505. NATIONAL ACTIVITIES.**

21 (a) OPEN ONLINE EDUCATION.—From the amount
22 appropriated to carry out this section, the Secretary is au-
23 thorized to make competitive grants to, or enter into con-
24 tracts with, institutions of higher education, philanthropic
25 organizations, and other appropriate entities to develop,

1 evaluate, and disseminate freely-available high-quality on-
2 line courses, including instructional materials, for training
3 and postsecondary education readiness and success. Enti-
4 ties receiving funds under this subsection shall ensure that
5 electronic and information technology activities meet the
6 access standards established under section 508 of the Re-
7 habilitation Act of 1973 (29 U.S.C. 794d).

8 (b) LEARNING AND EARNING RESEARCH CENTER.—

9 (1) IN GENERAL.—From the amount appro-
10 priated to carry out this section, the Director of the
11 Institute of Education Sciences is authorized to
12 award a grant to, or enter into a contract with, an
13 organization with demonstrated expertise in the re-
14 search and evaluation of community colleges to es-
15 tablish and operate the Learning and Earning Re-
16 search Center (in this section referred to as the
17 “Center”).

18 (2) GRANT TERM.—The grant or contract
19 awarded under this section shall be awarded for a
20 period of not more than 4 years.

21 (3) BOARD.—The Center shall have an inde-
22 pendent advisory board of 9 individuals who—

23 (A) are appointed by the Secretary, based
24 on recommendations from the organization re-

1 ceiving the grant or contract under this section;
2 and

3 (B) who have demonstrated expertise in—

4 (i) data collection;

5 (ii) data analysis; and

6 (iii) econometrics, postsecondary edu-
7 cation, and workforce development re-
8 search.

9 (4) CENTER ACTIVITIES.—The Center shall—

10 (A) develop—

11 (i) peer-reviewed metrics to help con-
12 sumers make sound education and training
13 choices, and to help students, faculty,
14 workers, schools, businesses, researchers,
15 and policymakers assess the effectiveness
16 of community colleges, and courses of
17 study at such colleges, in meeting edu-
18 cation and employment objectives and serv-
19 ing groups that are underrepresented in
20 postsecondary education;

21 (ii) common metrics and data ele-
22 ments to measure the education and em-
23 ployment outcomes of students attending
24 community colleges;

1 (B) coordinate with the Institute of Edu-
2 cation Sciences and States receiving a grant
3 under subsection (c) to develop—

4 (i) standardized data elements, defini-
5 tions, and data-sharing protocols to make
6 it possible for data systems related to post-
7 secondary education to be linked and inter-
8 operable, and for best practices to be
9 shared among States;

10 (ii) standards and processes for facili-
11 tating sharing of data in a manner that
12 safeguards student privacy;

13 (C) develop and make widely available ma-
14 terials analyzing best practices and research on
15 successful postsecondary education and training
16 efforts;

17 (D) make the data and metrics developed
18 pursuant to subparagraph (A) available to the
19 public in a transparent, user-friendly format
20 that is accessible to individuals with disabilities;
21 and

22 (E) consult with representatives from
23 States with respect to the activities of the Cen-
24 ter.

25 (c) STATE SYSTEMS.—

1 (1) IN GENERAL.—From the amount appro-
2 priated to carry out this section, the Secretary is au-
3 thorized to award grants to States or consortia of
4 States to establish cooperative agreements to de-
5 velop, implement, and expand interoperable state-
6 wide longitudinal data systems that—

7 (A) collect, maintain, disaggregate (by in-
8 stitution, income, race, ethnicity, sex, disability,
9 and age), and analyze student data from com-
10 munity colleges, including data on the programs
11 of study and education and employment out-
12 comes for particular students, tracked over
13 time; and

14 (B) can be linked to other data systems, as
15 applicable, including elementary and secondary
16 education and workforce data systems.

17 (2) SUPPLEMENT, NOT SUPPLANT.—Funds ap-
18 propriated to carry out this subsection shall be used
19 to supplement, and not supplant, other Federal and
20 State resources that would otherwise be expended to
21 carry out statewide longitudinal data systems, in-
22 cluding funding appropriated for State Longitudinal
23 Data Systems in the American Recovery and Rein-
24 vestment Act of 2009 (Public Law 111–5; 123 Stat.
25 115).

1 (3) PRIVACY AND ACCESS TO DATA.—

2 (A) IN GENERAL.—Each State or consortia
3 that receives a grant under this subsection or
4 any other provision of this Act shall implement
5 measures to—

6 (i) ensure that the statewide longitu-
7 dinal data system under this subsection
8 and any other data system the State or
9 consortia is operating for the purposes of
10 this Act meet the requirements of section
11 444 of the General Education Provisions
12 Act (20 U.S.C. 1232g) (commonly known
13 as the “Family Educational Rights and
14 Privacy Act of 1974”);

15 (ii) limit the use of information in any
16 such data system by governmental agencies
17 in the State, including State agencies,
18 State educational authorities, local edu-
19 cational agencies, community colleges, and
20 institutions of higher education, to edu-
21 cation and workforce related activities
22 under this Act or education and workforce
23 related activities otherwise permitted by
24 Federal or State law;

1 (iii) prohibit the disclosure of person-
2 ally identifiable information except as per-
3 mitted under section 444 of the General
4 Education Provisions Act and any addi-
5 tional limitations set forth in State law;

6 (iv) keep an accurate accounting of
7 the date, nature, and purpose of each dis-
8 closure of personally identifiable informa-
9 tion in any such data system, a description
10 of the information disclosed, and the name
11 and address of the person, agency, institu-
12 tion, or entity to whom the disclosure is
13 made, which accounting shall be made
14 available on request to parents of any stu-
15 dent whose information has been disclosed;

16 (v) notwithstanding section 444 of the
17 General Education Provisions Act, require
18 any non-governmental party obtaining per-
19 sonally identifiable information to sign a
20 data use agreement prior to disclosure
21 that—

22 (I) prohibits the party from fur-
23 ther disclosing the information;

24 (II) prohibits the party from
25 using the information for any purpose

1 other than the purpose specified in
2 the agreement; and

3 (III) requires the party to de-
4 stroy the information when the pur-
5 pose for which the disclosure was
6 made is accomplished;

7 (vi) maintain adequate security meas-
8 ures to ensure the confidentiality and in-
9 tegrity of any such data system, such as
10 protecting a student record from identifica-
11 tion by a unique identifier;

12 (vii) where rights are provided to par-
13 ents under this clause, provide those rights
14 to the student instead of the parent if the
15 student has reached the age of 18 or is en-
16 rolled in a postsecondary educational insti-
17 tution; and

18 (viii) ensure adequate enforcement of
19 the requirements of this paragraph.

20 (B) USE OF UNIQUE IDENTIFIERS.—It
21 shall be unlawful for any Federal, State, or
22 local governmental agency to—

23 (i) use the unique identifiers employed
24 in such data systems for any purpose other

1 than as authorized by Federal or State
2 law; or

3 (ii) deny any individual any right,
4 benefit, or privilege provided by law be-
5 cause of such individual's refusal to dis-
6 close the individual's unique identifier.

7 (d) EVALUATION.—From the amounts appropriated
8 to carry out this section, the Secretary shall, not later
9 than 30 days after the date of the enactment of this Act,
10 allocate not less than \$1,000,000 for the contract with,
11 and report by, the National Research Council required
12 under section 1107(c)(2) of the Higher Education Oppor-
13 tunity Act (Public Law 110–315).

14 (e) MODEL TO DETERMINE CREDIT TRANSFER-
15 ABILITY.—From the amounts appropriated to carry out
16 this section, the Secretary may develop a model, which
17 leverages existing technologies if appropriate, of a service
18 that enables students to determine the transferability of
19 credits between institutions of higher education voluntarily
20 participating in such service.

21 (f) REPORT.—The Secretary shall submit to the
22 Committee on Health, Education, Labor, and Pensions of
23 the Senate and the Committee on Education and Labor
24 of the House of Representatives an annual report on the
25 amounts awarded to entities receiving grants or contracts

1 under this section, and the activities carried out by such
2 entities under such grants and contracts.

3 **TITLE VI—DEFUND ACORN ACT**

4 **SEC. 601. SHORT TITLE.**

5 This title may be cited as the “Defund ACORN Act”.

6 **SEC. 602. PROHIBITIONS ON FEDERAL FUNDS AND OTHER** 7 **ACTIVITIES WITH RESPECT TO CERTAIN IN-** 8 **DICTED ORGANIZATIONS.**

9 (a) PROHIBITIONS.—With respect to any covered or-
10 ganization, the following prohibitions apply:

11 (1) No Federal contract, grant, cooperative
12 agreement, or any other form of agreement (includ-
13 ing a memorandum of understanding) may be
14 awarded to or entered into with the organization.

15 (2) No Federal funds in any other form may be
16 provided to the organization.

17 (3) No Federal employee or contractor may
18 promote in any way (including recommending to a
19 person or referring to a person for any purpose) the
20 organization.

21 (b) COVERED ORGANIZATION.—In this section, the
22 term “covered organization” means any of the following:

23 (1) Any organization that has been indicted for
24 a violation under any Federal or State law governing
25 the financing of a campaign for election for public