

109TH CONGRESS  
1ST SESSION

# H. R. 1390

To provide access and assistance to increase college attendance and completion  
by part-time students.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 17, 2005

Mr. HOLT (for himself, Mr. GEORGE MILLER of California, Mr. SIMMONS, Mr. OWENS, Mr. PAYNE, Mr. ANDREWS, Ms. WOOLSEY, Mr. HINOJOSA, Mrs. MCCARTHY, Mrs. DAVIS of California, Mr. GRIJALVA, Mr. VAN HOLLEN, Mr. BISHOP of New York, Mr. BROWN of Ohio, Ms. CORRINE BROWN of Florida, Mrs. JONES of Ohio, Ms. MILLENDER-MCDONALD, Ms. LEE, Mr. HOLDEN, Mr. DELAHUNT, Mr. RUSH, Ms. BALDWIN, Ms. CARSON, Mr. MCDERMOTT, Mr. THOMPSON of Mississippi, Ms. SLAUGHTER, and Mr. ALLEN) introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To provide access and assistance to increase college  
attendance and completion by part-time students.

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; REFERENCES.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Part-time Student Assistance Act”.

6 (b) REFERENCES.—Except as otherwise expressly  
7 provided, whenever in this Act an amendment or repeal

1 is expressed in terms of an amendment to, or repeal of,  
2 a section or other provision, the reference shall be consid-  
3 ered to be made to a section or other provision of the  
4 Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

5 **SEC. 2. SUPPORT FOR WORKING STUDENTS: INCREASES IN**  
6 **INCOME PROTECTION ALLOWANCES.**

7 (a) **DEPENDENT STUDENTS.**—Section 475(g)(2) (20  
8 U.S.C. 1087oo(g)(2)) is amended by striking subpara-  
9 graph (D) and inserting the following:

10 “(D) an income protection allowance of  
11 \$9,000;”.

12 (b) **INDEPENDENT STUDENTS WITHOUT DEPEND-**  
13 **ENTS OTHER THAN A SPOUSE.**—Section 476(b)(1)(A)  
14 (20 U.S.C. 1087pp(b)(1)(A)) is amended by striking  
15 clause (iv) and inserting the following:

16 “(iv) an income protection allowance  
17 of \$12,000;”.

18 (c) **INDEPENDENT STUDENTS WITH DEPENDENTS**  
19 **OTHER THAN A SPOUSE.**—Section 477(b) (20 U.S.C.  
20 1087qq(b)) is amended—

21 (1) in paragraph (1)—

22 (A) by striking subparagraph (D) and in-  
23 serting the following:

24 “(D) an income protection allowance of  
25 \$12,000;”; and

1 (B) in subparagraph (E), by striking  
2 “paragraph (5)” and inserting “paragraph  
3 (4)”;  
4 (2) by striking paragraph (4); and  
5 (3) by redesignating paragraph (5) as para-  
6 graph (4).

7 (d) CONFORMING AMENDMENTS.—Section 478 (20  
8 U.S.C. 1087rr) is amended—

9 (1) by striking subsection (b) and inserting the  
10 following:

11 “(b) INCOME PROTECTION ALLOWANCE.—For each  
12 academic year after academic year 1993–1994, the Sec-  
13 retary shall publish in the Federal Register a revised table  
14 of income protection allowances for the purpose of section  
15 475(c)(4). Such revised table shall be developed by in-  
16 creasing each of the dollar amounts contained in the table  
17 in such section by a percentage equal to the estimated per-  
18 centage increase in the Consumer Price Index (as deter-  
19 mined by the Secretary) between December 1992 and the  
20 December next preceding the beginning of such academic  
21 year, and rounding the result to the nearest \$10.”; and

22 (2) in subsection (h)—

23 (A) in the first sentence, by striking  
24 “477(b)(5)” and inserting “477(b)(4)”;

25 (B) in the second sentence—

1 (i) by striking “477(b)(5)(A)” and in-  
2 serting “477(b)(4)(A)”;

3 (ii) by striking “477(b)(5)(B)” and  
4 inserting “477(b)(4)(B)”.

5 **SEC. 3. EXEMPTING EARNED INCOME CREDITS FROM THE**  
6 **CALCULATION OF INCOME.**

7 Section 480(a)(2) (20 U.S.C. 1087vv(a)(2)) is  
8 amended by inserting “or section 32” after “section 25A”.

9 **SEC. 4. CHILD CARE MEANS PARENTS IN SCHOOL.**

10 (a) **MINIMUM GRANT.**—Section 419N(b)(2)(B) (20  
11 U.S.C. 1070e(b)(2)(B)) is amended by striking “\$10,000”  
12 and inserting “\$30,000”.

13 (b) **ELIGIBLE INSTITUTIONS.**—Section 419N(b)(4) is  
14 amended by striking “\$350,000” and inserting  
15 “\$250,000”.

16 (c) **INCOME ELIGIBILITY.**—Section 419N(b)(7) is  
17 amended by striking “who is eligible to receive” and in-  
18 serting “whose income qualifies for eligibility for”.

19 (d) **PUBLICITY.**—Section 419N(b) is further amend-  
20 ed by adding at the end the following new paragraph:

21 “(8) **PUBLICITY.**—The Secretary shall publicize  
22 the availability of grants under this section in appro-  
23 priate periodicals in addition to publication in the  
24 Federal Register, and shall inform appropriate edu-  
25 cational organizations of such availability.”.

1 (e) AUTHORIZATION OF APPROPRIATIONS.—Section  
2 419N(g) is amended by striking “\$45,000,000 for fiscal  
3 year 1999” and inserting “\$75,000,000 for fiscal year  
4 2006”.

5 **SEC. 5. YEAR-ROUND PELL GRANTS.**

6 Section 401 (20 U.S.C. 1070a) is amended by adding  
7 at the end the following new subsection:

8 “(k) YEAR-ROUND PELL GRANTS.—

9 “(1) PILOT PROGRAM ESTABLISHED.—The Sec-  
10 retary shall establish in accordance with this sub-  
11 section a year-round Pell grant pilot program. Any  
12 institution of higher education that desires to par-  
13 ticipate in the program under this subsection shall  
14 submit an application to the Secretary at such time  
15 and containing or accompanied by such information  
16 and assurances as the Secretary may require. The  
17 Secretary may select not more than 200 institutions  
18 of higher education for participation in the program.  
19 The Secretary shall give preference in such selection  
20 to those associate’s and bachelor’s degree-granting  
21 institutions that, as determined under paragraph  
22 (3), have the highest completion and graduation  
23 rates, respectively.

24 “(2) PROGRAM ELEMENTS.—With respect to  
25 students enrolled in institutions participating in the

1 program under this subsection, the Secretary is au-  
2 thorized—

3 “(A) to award such students two Pell  
4 grants in one calendar year to permit such stu-  
5 dents to accelerating progress towards their de-  
6 gree or certificate objectives by enrolling in aca-  
7 demic programs for 12 rather than 9 months of  
8 the year at participating institutions; and

9 “(B) to award such two Pell grants to  
10 such students in a total amount up to 133 per-  
11 cent of the maximum Pell under subsection  
12 (b)(2)(A) that is applicable for the academic  
13 year.

14 “(3) LIMITATION.—The Secretary shall limit  
15 the awarding of additional Pell grants under this  
16 subsection in a single calendar year to students who  
17 attend associate’s and bachelor’s degree-granting in-  
18 stitutions with the following characteristics:

19 “(A) In the case of an associate’s degree-  
20 granting institution, the completion rate for the  
21 institution of higher education reported by the  
22 Integrated Postsecondary Education Data Sys-  
23 tem for the preceding 3 academic years has im-  
24 proved by a total of at least 10 percent.

1           “(B) In the case of a bachelor’s degree-  
2           granting institution—

3                   “(i) the graduation rate for the insti-  
4                   tution of higher education reported by the  
5                   Integrated Postsecondary Education Data  
6                   System for the preceding 5 academic years  
7                   is at least 50 percent; and

8                   “(ii) the average time of enrollment  
9                   required to complete a degree at the insti-  
10                  tution among students who enter as fresh-  
11                  man and earn bachelor’s degrees is 14 or  
12                  fewer quarters, or 9 or fewer semesters or  
13                  the equivalent.

14                  “(4) TERMINATION; EVALUATION.—The author-  
15                  ity of the Secretary under this subsection shall cease  
16                  to be effective on October 1, 2009. Not later than  
17                  October 1, 2008, the Secretary shall conduct an  
18                  evaluation of the program under this subsection and  
19                  submit to the Congress a report on the results of  
20                  such evaluation.”.

21 **SEC. 6. ADDITIONAL FIPSE PROGRAM.**

22                  (a) PURPOSE.—It is the purpose of this section—

23                          (1) to allow a demonstration program that is  
24                          strictly monitored by the Department of Education

1 to test creative measure for improving the avail-  
2 ability of higher education for part-time students;

3 (2) to provide for increased access for part-time  
4 students; and

5 (3) to help determine the most effective assist-  
6 ance for part-time students.

7 (b) NEW PROGRAM AUTHORIZED.—Section 741(a)  
8 (20 U.S.C. 1138(a)) is amended—

9 (1) by striking “and” at the end of paragraph  
10 (7);

11 (2) by striking the period at the end of para-  
12 graph (8); and

13 (3) by adding at the end the following new  
14 paragraph:

15 “(9) creating a program to create a holistic ap-  
16 proach to addressing the needs of part-time students  
17 at not more than 150 associates and bachelors de-  
18 gree-granting institutions that would include grants,  
19 leveraging funds from non-Federal sources, com-  
20 prehensive child care, and better tailored remedial  
21 course programs.”.

22 (c) NOTIFICATION AND REPORTS.—Section 743 (20  
23 U.S.C. 1138b) is amended by adding at the end the fol-  
24 lowing new subsections:



1       “(c) PROCEDURES AND AUTHORIZATION FOR PART-  
2 TIME STUDENT PROGRAM.—

3               “(1) APPLICATION.—An eligible entity that de-  
4 sires to receive a grant under subsection (b)(9) shall  
5 submit an application to the Secretary in such man-  
6 ner and form, containing such information and as-  
7 surances, as the Secretary may reasonably require.

8               “(2) SELECTION PROCEDURES.—The Secretary  
9 shall by regulation develop a formal procedure for  
10 the submissions of applications for grants under  
11 subsection (b)(9) and shall publish in the Federal  
12 Register an announcement of that procedure and the  
13 availability of funds under such part.

14               “(3) EVALUATION.—The Secretary shall evalu-  
15 ate the program authorized under subsection (b)(9)  
16 on an annual basis. Such evaluations specifically  
17 shall review —

18                       “(A) the extent to which the institution  
19 has met the goals set forth in its application to  
20 the Secretary;

21                       “(B) the number of students participating  
22 in the programs offered, including the progress  
23 of such students toward recognized certificates  
24 or degrees; and

1           “(C) what changes, if any, in law would fa-  
2           cilitate both the participation of part-time stu-  
3           dents in higher education and increased gradua-  
4           tion rates amongst these students.

5           “(4) SEPARATE AUTHORIZATIONS OF APPRO-  
6           PRIATIONS.—There are authorized to be appro-  
7           priated to carry out the program authorized by sub-  
8           section (b)(9), \$100,000,000 for fiscal year 2006  
9           and such sums as may be necessary for each of the  
10          five succeeding fiscal years.”.

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