

1 Title: To amend the Higher Education Act of 1965 to provide students with disabilities and their
2 families with access to critical information needed to select the right college and succeed once
3 enrolled.
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6 Be it enacted by the Senate and House of Representatives of the United States of America in
7 Congress assembled,

8 SECTION 1. SHORT TITLE.

9 This Act may be cited as the “Respond, Innovate, Succeed, and Empower Act of 2016” or the
10 “RISE Act of 2016”.

11 SEC. 2. PERFECTING AMENDMENT TO THE DEFINITION 12 OF DISABILITY.

13 Section 103(6) of the Higher Education Act of 1965 (20 U.S.C. 1003(6)) is amended by
14 striking “section 3(2)” and inserting “section 3”.

15 SEC. 3. SUPPORTING STUDENTS WITH DISABILITIES TO 16 SUCCEED ONCE ENROLLED IN COLLEGE.

17 Section 487(a) of the Higher Education Act of 1965 (20 U.S.C. 1094(a)) is amended by adding
18 at the end the following:

19 “(30) The institution will carry out the following:

20 “(A) Adopt policies that, at a minimum, make the following documentation
21 submitted by an individual sufficient to establish that such individual is an individual
22 with a disability:

23 “(i) Documentation that the individual has had an individualized education
24 program (IEP) in accordance with section 614(d) of the Individuals with
25 Disabilities Education Act, including an IEP that may not be current or up-to-date
26 on the date of the determination. The institution may ask for additional
27 documentation from an individual who had an IEP who was found ineligible for
28 services or exited from eligibility under such Act during elementary school.

29 “(ii) Documentation that the individual has had a plan prepared under section
30 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).

31 “(iii) A plan or record of service for the individual from a private school, a
32 local educational agency, a State educational agency, or an institution of higher
33 education provided in accordance with the Americans with Disabilities Act of
34 1990 (42 U.S.C. 12101 et seq.).

35 “(iv) A record or evaluation from a relevant licensed professional finding that
36 the individual has a disability.

37 “(v) A plan or record of disability from another institution of higher education.

1 “(vi) Documentation of a disability due to service in the uniformed services, as
2 defined in section 484C(a).

3 “(B) Adopt policies that are transparent and explicit regarding information about the
4 process by which the institution determines eligibility for accommodations.

5 “(C) Disseminate such information to students, parents, and faculty in an accessible
6 format, including during any student orientation and making such information readily
7 available on a public website of the institution.”.

8 **SEC. 4. AUTHORIZATION OF FUNDS FOR THE**
9 **NATIONAL CENTER FOR INFORMATION AND**
10 **TECHNICAL SUPPORT FOR POSTSECONDARY**
11 **STUDENTS WITH DISABILITIES.**

12 Section 777(a) of the Higher Education Act of 1965 (20 U.S.C. 1140q(a)) is amended—

13 (1) in paragraph (1), by striking “From amounts appropriated under section 778,” and
14 inserting “From amounts appropriated under paragraph (5),”; and

15 (2) by adding at the end the following:

16 “(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to
17 carry out this subsection \$10,000,000.”.

18 **SEC. 5. INCLUSION OF INFORMATION ON STUDENTS**
19 **WITH DISABILITIES.**

20 Section 487(a) of the Higher Education Act of 1965 (20 U.S.C. 1094(a)), as amended by
21 section 3, is further amended by adding at the end the following:

22 “(31) The institution will submit, for inclusion in the Integrated Postsecondary Education
23 Data System (IPEDS) or any other Federal postsecondary institution data collection effort,
24 key data related to undergraduate students enrolled at the institution who are formally
25 registered as students with disabilities with the institution’s office of disability services (or
26 the equivalent office), including graduation rates for students with disabilities and the
27 number and percentage of students with disabilities accessing or receiving accommodations
28 at the institution. An institution shall not be required to submit the information described in
29 the preceding sentence if the number of such students is equal to or less than 10, so as not to
30 reveal personally identifiable information about an individual student.”.

31 **SEC. 6. RULE OF CONSTRUCTION.**

32 None of the amendments made by this Act shall be construed to affect the meaning of the
33 terms “reasonable accommodation” or “record of impairment” under the Americans with
34 Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) or the rights or remedies provided under such
35 Act.
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