

107TH CONGRESS
1ST SESSION

H. R. 1162

To increase the authorization of appropriations of programs under the Higher Education Act of 1965, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 22, 2001

Mr. GEORGE MILLER of California (for himself, Mr. GEPHARDT, Mr. OWENS, Mrs. MINK of Hawaii, Mr. HINOJOSA, Mr. CUMMINGS, Ms. SCHAKOWSKY, Mrs. JONES of Ohio, Ms. LEE, Mr. BONIOR, Mr. FROST, Mr. FARR of California, Mr. FRANK, Mr. ABERCROMBIE, Mr. FILNER, Mr. ETHERIDGE, Mr. STARK, Ms. MILLENDER-MCDONALD, Mr. BERMAN, Mr. EVANS, Mr. KUCINICH, Ms. KAPTUR, Mr. CLEMENT, Mr. UDALL of New Mexico, Ms. SOLIS, Mr. BROWN of Ohio, Ms. NORTON, Mr. PAYNE, Mr. CONYERS, Mr. SCOTT, Mr. BLAGOJEVICH, Mr. RODRIGUEZ, Mr. CROWLEY, Mr. REYES, Mr. MCINTYRE, Mr. KILDEE, Mr. THOMPSON of Mississippi, Ms. BROWN of Florida, Ms. ROYBAL-ALLARD, Ms. VELÁZQUEZ, Mr. ANDREWS, Mr. PASCRELL, Mrs. NAPOLITANO, Mr. KENNEDY of Rhode Island, Mr. BALDACCI, Ms. MCCOLLUM, Mr. ORTIZ, Mrs. MEEK of Florida, Ms. WATERS, Mrs. MCCARTHY of New York, Mr. HINCHEY, Mr. CLAY, Mr. HASTINGS of Florida, Mr. MCGOVERN, Ms. PELOSI, Mr. TOWNS, Mr. FORD, Mr. McNULTY, Ms. RIVERS, Mr. ENGEL, Mr. CLYBURN, Mr. WU, Mrs. MALONEY of New York, Ms. MCCARTHY of Missouri, Ms. CARSON of Indiana, Mr. DICKS, Mr. McDERMOTT, Mr. JOHN, Ms. DELAURO, Mr. SPRATT, Ms. WOOLSEY, Mr. UNDERWOOD, Mr. PALLONE, Mr. BLUMENAUER, Mrs. LOWEY, Mr. WATT of North Carolina, Mr. HONDA, Ms. HOOLEY of Oregon, Mr. HOEFFEL, Mr. MALONEY of Connecticut, Mrs. CHRISTENSEN, Mr. TIERNEY, Mr. ALLEN, Mr. DELAHUNT, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BECERRA, Ms. SANCHEZ, Mr. KIND, Mrs. DAVIS of California, Mr. MEEKS of New York, Mr. DINGELL, Ms. MCKINNEY, Mr. MENENDEZ, Mr. ISRAEL, Mr. BACA, Mr. SANDLIN, Mr. ACEVEDO-VILÁ, Mr. FALEOMAVAEGA, Mr. MATSUI, Mr. NEAL of Massachusetts, Mr. CAPUANO, Mr. ROEMER, Mrs. CLAYTON, Mr. JEFFERSON, and Mr. DOOLEY of California) introduced the following bill; which was referred to the Committee on Education and the Workforce, and in addition to the Committees on Energy and Commerce, and Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To increase the authorization of appropriations of programs under the Higher Education Act of 1965, 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; REFERENCE.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “21st Century Higher Education Act”.

6 (b) **REFERENCES.**—Except as otherwise expressly
7 provided, whenever in this Act an amendment or repeal
8 is expressed in terms of an amendment to, or repeal of,
9 a section or other provision, the reference shall be consid-
10 ered to be made to a section or other provision of the
11 Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

12 **TITLE I—EXPANDING HIGHER**
13 **EDUCATION OPPORTUNITIES**

14 **SEC. 101. PELL GRANTS.**

15 Section 401(b)(2)(A) (20 U.S.C. 1070a(b)(2)(A)) is
16 amended by striking clauses (iv) and (v) and inserting the
17 following:

18 “(iv) \$6,000 for academic year 2002–2003;

19 “(v) \$6,500 for academic year 2003–2004; and

20 “(vi) \$7,000 for academic year 2004–2005.”.

1 **SEC. 102. FEDERAL TRIO PROGRAMS.**

2 Section 402A(f) (20 U.S.C. 1070a–11(f)) is amended
3 by striking “\$700,000,000 for fiscal year 1999, and such
4 sums as may be necessary for each of the 4 succeeding
5 fiscal years” and inserting “\$1,000,000,000 for fiscal year
6 2002, \$1,250,000,000 for fiscal year 2003, and
7 \$1,500,000,000 for fiscal year 2004”.

8 **SEC. 103. GEAR UP.**

9 Section 404H (20 U.S.C. 1070a–28) is amended to
10 read as follows:

11 **“SEC. 404H. AUTHORIZATION OF APPROPRIATIONS.**

12 “There are authorized to be appropriated to carry out
13 this chapter—

14 “(1) \$425,000,000 for fiscal year 2002;

15 “(2) \$550,000,000 for fiscal year 2003; and

16 “(3) \$690,000,000 for fiscal year 2004.”.

17 **SEC. 104. FEDERAL SUPPLEMENTAL EDUCATIONAL OPPOR-**
18 **TUNITY GRANTS.**

19 Section 413A(b)(1) (20 U.S.C. 1070b(b)(1)) is
20 amended by striking “\$675,000,000 for fiscal year 1999
21 and such sums as may be necessary for each of the 4 suc-
22 ceeding fiscal years” and inserting “\$800,000,000 for fis-
23 cal year 2002, \$900,000,000 for fiscal year 2003, and
24 \$1,000,000,000 for fiscal year 2004”.

1 **SEC. 105. COLLEGE WORK-STUDY.**

2 Section 441(b) (20 U.S.C. 2751(b)) is amended to
3 read as follows:

4 “(b) AUTHORIZATION OF APPROPRIATIONS.—There
5 are authorized to be appropriated to carry out this part—

6 “(1) \$1,111,000,000 for fiscal year 2002;

7 “(2) \$1,211,000,000 for fiscal year 2003; and

8 “(3) \$1,311,000,000 for fiscal year 2004.”.

9 **SEC. 106. STRENGTHENING AND DEVELOPING INSTITU-**
10 **TIONS.**

11 (a) TITLE III AMENDMENTS.—Section 399(a) (20
12 U.S.C. 1068h(a)(2)) is amended—

13 (1) by striking paragraphs (1), (2), and (3) and
14 inserting the following:

15 “(1) PART A.—(A) There are authorized to be
16 appropriated to carry out part A (other than section
17 316 and 317)—

18 “(i) \$93,000,000 for fiscal year 2002;

19 “(ii) \$125,000,000 for fiscal year 2003;

20 and

21 “(iii) \$150,000,000 for fiscal year 2004.

22 “(B) There are authorized to be appropriated
23 to carry out section 316—

24 “(i) \$25,000,000 for fiscal year 2002;

25 “(ii) \$35,000,000 for fiscal year 2003; and

26 “(iii) \$45,000,000 for fiscal year 2004.

1 “(C) There are authorized to be appropriated to
2 carry out section 317—

3 “(i) \$10,000,000 for fiscal year 2002;

4 “(ii) \$15,000,000 for fiscal year 2003; and

5 “(iii) \$20,000,000 for fiscal year 2004.

6 “(2) PART B.—(A) There are authorized to be
7 appropriated to carry out part B (other than section
8 326)—

9 “(i) \$235,000,000 for fiscal year 2002;

10 “(ii) \$310,000,000 for fiscal year 2003;

11 and

12 “(iii) \$370,000,000 for fiscal year 2004.

13 “(B) There are authorized to be appropriated
14 to carry out section 326—

15 “(i) \$60,000,000 for fiscal year 2002;

16 “(ii) \$75,000,000 for fiscal year 2003; and

17 “(iii) \$90,000,000 for fiscal year 2004.

18 “(3) PART C.—There are authorized to be ap-
19 propriated to carry out part C—

20 “(A) \$100,000,000 for fiscal year 2002;

21 “(B) \$200,000,000 for fiscal year 2003;

22 and

23 “(C) \$300,000,000 for fiscal year 2004.”;

24 and

1 (2) by striking paragraph (5) and inserting the
2 following:

3 “(5) PART E.—There are authorized to be ap-
4 propriated to carry out part E—

5 “(A) \$15,000,000 for fiscal year 2002;

6 “(B) \$30,000,000 for fiscal year 2003; and

7 “(C) \$40,000,000 for fiscal year 2004.”.

8 (b) TITLE V AMENDMENT.—Section 518(a) (20
9 U.S.C. 1103g(a)) is amended to read as follows:

10 “(a) AUTHORIZATION OF APPROPRIATIONS.—There
11 are authorized to be appropriated to carry out this title—

12 “(1) \$100,000,000 for fiscal year 2002;

13 “(2) \$120,000,000 for fiscal year 2003; and

14 “(3) \$140,000,000 for fiscal year 2004.”.

15 (c) TECHNICAL AND CONFORMING AMENDMENTS.—
16 Title III is further amended—

17 (1) in section 323(a) (20 U.S.C. 1062(a)), by
18 striking “section 360(a)(2)” and inserting “section
19 399(a)(2)”;

20 (2) in section 324(d)(1) (20 U.S.C.
21 1063(d)(1)), by striking “\$500,000” and inserting
22 “\$1,000,000”;

23 (3) in section 324(d)(2) (20 U.S.C.
24 1063(d)(2)), by striking “section 360(a)(2)(A)” and
25 inserting “section 399(a)(2)(A); and

1 (4) in section 396 (20 U.S.C. 1068e), by strik-
2 ing “section 360” and inserting “section 399”.

3 **SEC. 107. BYRD HONORS TEACHER SCHOLARSHIPS.**

4 Subpart 6 of part A of title IV is amended by insert-
5 ing after section 419H (20 U.S.C. 1070d–38) the fol-
6 lowing new section:

7 **“SEC. 419I. BYRD HONORS TEACHER SCHOLARSHIPS.**

8 “(a) SPECIAL PROGRAM AUTHORIZED.—From such
9 proportion of all States allocations as the Secretary may
10 specify, a student who meets the requirements of sub-
11 section (b) may, notwithstanding section 419H, be award-
12 ed a scholarship of not more than the lesser of \$5,000,
13 or one-half the amount of the tuition of such student for
14 any of up to 5 academic years during which the student
15 is pursuing a program of teacher education or teacher
16 preparation.

17 “(b) ELIGIBLE STUDENTS.—To be eligible to receive
18 an award under this section, student shall have attained—

19 “(1) prior to either of the first 2 years of award
20 eligibility, a cumulative secondary school grade point
21 average of 3.0 (on a scale of 4), or an equivalent av-
22 erage grade as determined in accordance with regu-
23 lations prescribed by the Secretary;

24 “(2) prior to the remaining years of award eli-
25 gibility, a cumulative postsecondary grade point av-

1 erage of 3.0 (on a scale of 4), or an equivalent aver-
2 age grade as determined in accordance with such
3 regulations.”.

4 **TITLE II—BUILDING BRIDGES**
5 **AMONG COLLEGES AND UNI-**
6 **VERSITIES**

7 **PART A—DUAL DEGREE ACHIEVEMENT**

8 **SEC. 201. DUAL DEGREE ACHIEVEMENT.**

9 Title III of the Higher Education Act of 1965 (20
10 U.S.C. 1000 et seq.) is amended—

11 (1) by inserting after part F (as added by sec-
12 tion 221 of this Act) the following new part:

13 **“PART G—DUAL DEGREE ACHIEVEMENT**

14 **“SEC. 381. FINDINGS; PURPOSE.**

15 “(a) FINDINGS.—For the reasons set forth in sec-
16 tions 301, 321, 341, 350, and 501 of this Act, the Federal
17 Government—

18 “(1) has a unique relationship with, and a sub-
19 stantial investment in, the institutions that receive
20 grants under this title and title V of this Act; and

21 “(2) should continue to seek new and even more
22 effective ways to improve and strengthen those insti-
23 tutions.

24 “(b) PURPOSE.—It is the purpose of this part to—

1 “(1) strengthen curricula and enhance student
2 opportunities at minority-serving institutions;

3 “(2) increase postgraduate access, persistence,
4 and attainment of advanced degrees, including doc-
5 toral degrees, for students who attend such institu-
6 tions; and

7 “(3) increase diversity within scientific, tech-
8 nical, and other professions requiring baccalaureate
9 and postbaccalaureate study.

10 **“SEC. 382. PROGRAM AUTHORITY.**

11 “(a) IN GENERAL.—

12 “(1) From funds appropriated under section
13 399(a)(7), the Secretary shall make grants to eligi-
14 ble partnerships under subsection (b) to carry out
15 the activities described in section 383.

16 “(2) Each grant awarded under this part shall
17 be for a 5-year period.

18 “(b) ELIGIBILITY.—

19 “(1) For purposes of this part, an eligible part-
20 nership shall include—

21 “(A) one or more minority-serving institu-
22 tions that award baccalaureate degrees; and

23 “(B) one or more partner institutions.

24 “(2) Other public and private entities, including
25 minority-serving institutions that do not award bac-

1 calaureate degrees (such as community colleges),
2 community based organizations, and businesses, may
3 be included in partnerships under this section.

4 “(c) DEFINITIONS.—For purposes of this part—

5 “(1) a ‘minority-serving institution’ means an
6 institution that is eligible to apply for assistance
7 under sections 316 or 317, under part B of this
8 title, or under title V of this Act; and

9 “(2) a ‘partner institution’ means an institution
10 of higher education that offers a baccalaureate or
11 postbaccalaureate degree not awarded by the minor-
12 ity-serving institutions with which it is partnered.

13 “(d) APPLICATION REQUIREMENTS.—In addition to
14 the application requirements under section 391, an eligible
15 partnership under subsection (b)(1) shall include in its
16 application—

17 “(1) the name of each partner and a descrip-
18 tion of its responsibilities as a member of the part-
19 nership;

20 “(2) a copy of the partnership agreement, in-
21 cluding any articulation agreement between the part-
22 ners;

23 “(3) a description of—

1 “(A) the academic fields of study to be
2 covered by the project and the degrees to be
3 awarded by the partners;

4 “(B) how the project will operate, includ-
5 ing a description of how the project will build
6 on existing services and activities, if any, and
7 be coordinated with other related Federal and
8 non-Federal programs;

9 “(C) the need for the project, including, if
10 the project is to cover academic fields of study
11 that have not otherwise been published by the
12 Secretary under subsection (f), a demonstration
13 of how those fields of study are associated with
14 professions in which students who attend mi-
15 nority serving institutions are underrepresented;

16 “(D) the resources that each member of
17 the partnership will contribute to the partner-
18 ship; and

19 “(E) how the partnership will support and
20 continue its program under this part after the
21 grant has expired; and

22 “(4) assurances that—

23 “(A) each member of a partnership will
24 designate an individual at that institution to

1 serve as the primary point of contact for the
2 partnership at that institution;

3 “(B) each participating student—

4 “(i) is enrolled in an academic pro-
5 gram that leads to a five year bacca-
6 laureate or postbaccalaureate degree not
7 awarded by the minority-serving institu-
8 tion;

9 “(ii) who successfully completes the
10 program will be awarded a baccalaureate
11 degree from the minority-serving institu-
12 tion and a baccalaureate degree or a mas-
13 ter’s degree from the partner institution
14 that the student attends;

15 “(iii) at each minority-serving institu-
16 tion will be informed of, and have access
17 to, the instruction and rigorous academic
18 courses necessary to obtain dual degrees
19 and enter into their chosen field; and

20 “(iv) will maintain satisfactory aca-
21 demic progress while in the program;

22 “(C) a minority-serving institution under
23 section 382(b)(1)(A) will be the fiscal agent for
24 the partnership; and

1 “(D) each institution will use the funds
2 made available under this part only to supple-
3 ment, and not supplant, assistance that other-
4 wise would be provided to participating stu-
5 dents.

6 “(e) PUBLICATION OF STUDY FIELDS.—Each year,
7 the Secretary shall publish in the Federal Register a list
8 of baccalaureate and postbaccalaureate degree fields of
9 study that are associated with professions in which stu-
10 dents attending minority-serving institutions are under-
11 represented.

12 **“SEC. 383. USES OF FUNDS.**

13 “(a) IN GENERAL.—Grants awarded under this part
14 shall be used for—

15 “(1) support services to students participating
16 in the program, such as tutoring, mentoring, and
17 academic and personal counseling, as well as any
18 service which facilitates the transition of minority
19 students from the minority-serving institution to the
20 partner institution;

21 “(2) scholarships to students in their 4th and
22 5th years in the program;

23 “(3) reimbursement to minority-serving institu-
24 tions for the amount of tuition that they would have
25 received had participating students attended those

1 institutions during their 4th year of the program in-
2 stead of the partner institution; and

3 “(4) academic program enhancements at the
4 minority-serving institution which result in increas-
5 ing the quality of the program offered and the quan-
6 tity of student participants in the dual degree pro-
7 gram offered.

8 “(b) SCHOLARSHIPS.—

9 “(1) Scholarships awarded under this section
10 shall reflect any additional amount of tuition and
11 fees charged the participating student by the partner
12 institution compared to the amount of tuition and
13 fees charged the student by the minority-serving in-
14 stitution during the student’s 3d year in the pro-
15 gram.

16 “(2) Scholarships awarded under this section
17 shall not be considered for the purposes of awarding
18 Federal Pell Grants under subpart 1 of part A of
19 title IV, except that in no case shall the total
20 amount of student financial assistance awarded to a
21 student under this section and title IV exceed the
22 student’s cost of attendance, as defined in section
23 472.

24 “(c) SPECIAL RULE.—A majority of the funds re-
25 ceived under this part shall be expended for scholarships

1 to assist minority students in acquiring degrees from the
 2 minority-serving institution and the partner institution
 3 and reimbursement to minority-serving institutions pursu-
 4 ant to subsection (a)(3).

5 “(d) PRESERVATION OF AUTHORITY.—Nothing in
 6 this part shall be construed to impair the authority of par-
 7 ticipating institutions to make transfer credit decisions
 8 concerning their students.”; and

9 (2) in part H, as redesignated by paragraph
 10 (1)—

11 (A) in section 391(b)(1), by striking out
 12 “part C, D, or E” and inserting in lieu thereof
 13 “part C, D, E, or G”; and

14 (B) in section 399(a), by inserting after
 15 paragraph (6) (as added by section 221 of this
 16 Act) the following new paragraph:

17 “(7) PART F.—There are authorized to be ap-
 18 propriated \$40,000,000 to carry out part G for fis-
 19 cal year 2001 and such sums as may be necessary
 20 for each of the 2 succeeding fiscal years.”.

21 **PART B—COMMUNITY COLLEGE OPPORTUNITY;**

22 **COLLEGE PREPARATION**

23 **SEC. 211. PROGRAMS AUTHORIZED.**

24 Subpart 2 of part A of title IV of the Higher Edu-
 25 cation Act of 1965 is amended—

1 (1) by redesignating section 407E as section
2 406E; and

3 (2) by inserting after chapter 3 (20 U.S.C.
4 1070a–31 et seq.) the following new chapters:

5 **“CHAPTER 4—COMMUNITY COLLEGE**
6 **OPPORTUNITY**

7 **“SEC. 407A. PURPOSE.**

8 “It is the purpose of this chapter—

9 “(1) to enhance opportunities of students at 2-
10 year minority-serving institutions to transfer to 4-
11 year institutions and complete bachelor’s degrees;
12 and

13 “(2) to increase diversity within professions re-
14 quiring baccalaureate and postbaccalaureate study.

15 **“SEC. 407B. ACTIVITIES.**

16 “(a) GRANTS AUTHORIZED.—From the amounts ap-
17 propriated under section 407D, the Secretary shall award
18 grants, which may be renewed for not more than 5 years,
19 to an eligible partnership that includes—

20 “(1) 1 or more minority-serving institutions
21 that award associate’s degrees; and

22 “(2) 1 or more institutions of higher education
23 that offer a baccalaureate or postbaccalaureate de-
24 gree not awarded by the minority-serving institu-

1 tions described in paragraph (1) with which it is
2 partnered.

3 “(b) USE OF FUNDS.—Grants awarded under this
4 part shall be used for—

5 “(1) the development of policies to expand op-
6 portunities for community college students to earn
7 bachelor’s degrees, including promoting the transfer
8 of academic credits between institutions and expand-
9 ing articulation agreements;

10 “(2) support services to students participating
11 in the program, such as tutoring, mentoring, and
12 academic and personal counseling, as well as any
13 service which facilitates the transition of minority
14 students from the minority-serving institution to the
15 partner institution;

16 “(3) scholarships to students in their 3d and
17 4th years of undergraduate education; and

18 “(4) academic program enhancements at the
19 minority-serving institution which result in increas-
20 ing the quality of the program offered and the num-
21 ber of student participants in the dual degree pro-
22 gram offered.

23 “(c) APPLICATIONS.—Any minority-serving institu-
24 tion, or a consortia including at least 1 minority-serving
25 institution, that desires to obtain a grant under this sec-

1 tion shall submit to the Secretary an application at such
2 time, in such manner, and containing such information or
3 assurances as the Secretary may require.

4 “(d) REGULATIONS.—The Secretary shall prescribe
5 such regulations as may be necessary to carry out this
6 section.

7 **“SEC. 407C. SCHOLARSHIPS.**

8 “(a) AMOUNTS.—Scholarships awarded under this
9 chapter shall, to the extent possible from the funds avail-
10 able, provide the additional amount of tuition and fees
11 charged the participating student by the partner institu-
12 tion in excess of the amount of tuition and fees charged
13 the student by the minority-serving institution during the
14 student’s 2d year in the program.

15 “(b) EFFECT ON OTHER AID.—Scholarships award-
16 ed under this chapter shall not be considered for the pur-
17 poses of awarding Federal Pell Grants under subpart 1
18 of part A of title IV, except that in no case shall the total
19 amount of student financial assistance awarded to a stu-
20 dent under this chapter and title IV exceed the student’s
21 cost of attendance, as defined in section 472.

22 **“SEC. 407D. DEFINITION.**

23 “As used in this part, the term ‘minority-serving in-
24 stitution means’ an institution that is—

1 “(1) a historically Black college or university
2 that is a part B institution, as defined in section
3 322(2) of the Higher Education Act of 1965 (20
4 U.S.C. 1061(2)), an institution described in section
5 326(e)(1)(A), (B), or (C) of that Act (20 U.S.C.
6 1063b(e)(1)(A), (B), or (C)), or a consortium of in-
7 stitutions described in this subparagraph;

8 “(2) a Hispanic-serving institution, as defined
9 in section 502(a)(5) of the Higher Education Act of
10 1965 (20 U.S.C. 1101a(a)(5));

11 “(3) a tribally controlled college or university,
12 as defined in section 316(b)(3) of the Higher Edu-
13 cation Act of 1965 (20 U.S.C. 1059c(b)(3));

14 “(4) an Alaska Native-serving institution under
15 section 317(b) of the Higher Education Act of 1965
16 (20 U.S.C. 1059d(b));

17 “(5) a Native Hawaiian-serving institution
18 under section 317(b) of the Higher Education Act of
19 1965 (20 U.S.C. 1059d(b)); or

20 “(6) an institution determined by the Secretary
21 to have enrolled a substantial number of minority,
22 low-income students during the previous academic
23 year who received assistance under subpart I of part
24 A of title IV of the Higher Education Act of 1965
25 (20 U.S.C. 1070a et seq.) for that year.

1 **“SEC. 407E. AUTHORIZATION OF APPROPRIATIONS.**

2 “There are authorized to be appropriated
3 \$40,000,000 to carry out this chapter for fiscal year 2001
4 and such sums as may be necessary for each of the 2 suc-
5 ceeding fiscal years.

6 **“CHAPTER 5—COLLEGE PREPARATION**

7 **“SEC. 408A. PROGRAM AUTHORIZED.**

8 “From the amounts appropriated pursuant to section
9 408C, the Secretary shall award competitive grants to con-
10 sortia composed of a local educational agency and one or
11 more institutions of higher education to provide intensive
12 college-preparatory academic enrichment programs for
13 secondary and postsecondary students, including adults
14 who were formerly secondary school dropouts.

15 **“SEC. 408B. APPLICATIONS; GRANTS.**

16 “(a) APPLICATIONS.—Any consortia that desires to
17 obtain a grant under this chapter shall submit to the Sec-
18 retary an application at such time, in such manner, and
19 containing such information or assurances as the Sec-
20 retary may require.

21 “(b) REGULATIONS.—The Secretary shall prescribe
22 such regulations as may be necessary to carry out this
23 chapter.

1 **“SEC. 408C. AUTHORIZATION OF APPROPRIATIONS.**

2 “There are authorized to be appropriated to carry out
3 this chapter \$10,000,000 for each of the fiscal years 2002,
4 2003, and 2004.”.

5 **PART C—PROMOTING POSTBACCALAUREATE**
6 **OPPORTUNITIES FOR HISPANIC AMERICANS**

7 **SEC. 221. PROMOTING POSTBACCALAUREATE OPPORTUNI-**
8 **TIES FOR HISPANIC AMERICANS.**

9 Title V of the Higher Education Act is amended—

10 (1) by redesignating part B as part C; and

11 (2) by inserting after section 505 (20 U.S.C.
12 1101d) the following new part:

13 **“PART B—PROMOTING POSTBACCALAUREATE**
14 **OPPORTUNITIES FOR HISPANIC AMERICANS**

15 **“SEC. 506. PROGRAM AUTHORIZED.**

16 “(a) AWARDS AUTHORIZED.—Subject to the avail-
17 ability of funds appropriated to carry out this part, the
18 Secretary shall award grants to Hispanic-serving institu-
19 tions that offer postbaccalaureate certifications or degrees.

20 “(b) DURATION.—Grants under this part shall be
21 awarded for a period not to exceed 5 years.

22 “(c) USES OF FUNDS.—A grant under this section
23 may be used for—

24 “(1) purchase, rental, or lease of scientific or
25 laboratory equipment for educational purposes, in-
26 cluding instructional and research purposes;

1 “(2) construction, maintenance, renovation, and
2 improvement in classroom, library, laboratory, and
3 other instructional facilities, including purchase or
4 rental of telecommunications technology equipment
5 or services;

6 “(3) purchase of library books, periodicals,
7 technical and other scientific journals, microfilm,
8 microfiche, and other educational materials, includ-
9 ing telecommunications program materials;

10 “(4) scholarships, fellowships, and other finan-
11 cial assistance for needy postbaccalaureate students
12 to permit the enrollment of the students in
13 postbaccalaureate certificate and degree granting
14 programs;

15 “(5) establishment or improvement of a devel-
16 opment office to strengthen and increase contribu-
17 tions from alumni and the private sector; and

18 “(6) funds and administrative management,
19 and the acquisition of equipment, including software,
20 for use in strengthening funds management and
21 management information systems.

22 “(d) APPLICATION.—Any institution eligible for a
23 grant under this part shall submit an application to the
24 Secretary at such time and in such manner as determined
25 by the Secretary, which demonstrates how the grant funds

1 will be used to improve postbaccalaureate education oppor-
2 tunities for Hispanic and low-income students and will
3 lead to greater financial independence.

4 “(e) ELIGIBILITY.—For the purposes of this part, an
5 ‘eligible institution’ means—

6 “(1) an institution of higher education that is
7 eligible under section 502; and

8 “(2) offers a postbaccalaureate certificate or de-
9 gree granting program.

10 “(f) LIMITATIONS.—

11 “(1) NEW PROGRAMS.—An institution may use
12 an amount equal to not more than 10 percent of the
13 institution’s grant under this part for the develop-
14 ment of new postbaccalaureate certification or de-
15 gree granting programs.

16 “(2) 1 GRANT PER INSTITUTION.—The Sec-
17 retary shall not award more than 1 grant under this
18 part in any fiscal year to any Hispanic-serving insti-
19 tution.

20 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
21 are authorized to carry out this part—

22 “(1) \$60,000,000 for fiscal year 2002;

23 “(2) \$75,000,000 for fiscal year 2003; and

24 “(3) \$90,000,000 for fiscal year 2004.”

1 **TITLE III—TEACHER PREPARA-**
2 **TION AND RECRUITMENT**

3 **PART A—TEACHER PREPARATION**

4 **SEC. 301. PROGRAM AUTHORIZED.**

5 Title II of the Higher Education Act of 1965 (20
6 U.S.C. 1021 et seq.) is amended—

7 (1) by striking the heading of such title and in-
8 sserting the following:

9 **“TITLE II—TEACHER PREPARA-**
10 **TION AND DEVELOPMENT**

11 **“PART A—TEACHER QUALITY ENHANCEMENT**
12 **GRANTS FOR STATES AND PARTNERSHIPS”;**

13 (2) by striking “this title” each place it ap-
14 pears; and

15 (3) by adding at the end the following new
16 parts:

17 **“PART B—TEACHER SHORTAGES**

18 **“SEC. 221. PURPOSE.**

19 “The purposes of this part are—

20 “(1) to help recruit and prepare more teachers
21 to meet the national demand for a qualified teacher
22 in every classroom; and

23 “(2) to increase opportunities for Americans of
24 all educational, ethnic, class, and geographic back-
25 grounds to become teachers.

1 **“SEC. 222. COLLABORATIVE CENTERS OF EXCELLENCE IN**
2 **TEACHER PREPARATION.**

3 “(a) PROGRAM AUTHORIZED.—From the amounts
4 appropriated pursuant to section 225(a), the Secretary
5 shall award competitive grants to eligible institutions to
6 establish collaborative centers as part of their teacher edu-
7 cation and teacher preparation programs.

8 “(b) USE OF FUNDS.—Grants provided by the Sec-
9 retary under this section may be used by an eligible insti-
10 tution, through a collaborative center, to research and test
11 best practices in strengthening teacher recruitment and
12 preparation by—

13 “(1) conducting curriculum assessment with the
14 aim of—

15 “(A) defining more effective and efficient
16 ways to prepare teachers and principals from
17 pre-school through secondary school education;
18 and

19 “(B) meeting contemporary teacher and
20 principal certification requirements;

21 “(2) improving the use of technology in pre-
22 paring teachers; and

23 “(3) applying the findings of the assessment
24 under paragraph (1) to strengthen on-campus teach-
25 er preparation programs.

1 “(c) APPLICATION.—Any eligible institution desiring
2 a grant under this section shall submit an application to
3 the Secretary at such time, in such manner, and accom-
4 panied by such information as the Secretary may reason-
5 ably require.

6 “(d) REGULATIONS.—The Secretary shall prescribe
7 such regulations as may be necessary to carry out this
8 section.

9 **“SEC. 223. DEMONSTRATION PROGRAM IN RECRUITING**
10 **AND PREPARING TEACHERS.**

11 “(a) PROGRAM AUTHORIZED.—From the amounts
12 appropriated pursuant to section 225(b), the Secretary
13 shall award grants to eligible institutions, which may be
14 renewed for not more than 3 years, to test effective prac-
15 tices in teacher recruitment and preparation, including—

16 “(1) using current teachers as mentors;

17 “(2) additional student aid, including teacher
18 loan forgiveness;

19 “(3) faculty development for education school
20 instructors; and

21 “(4) supplemental assistance and preparation
22 for teacher certification exams.

23 “(b) APPLICATION.—Any eligible institution desiring
24 a grant under this section shall submit an application to
25 the Secretary at such time, in such manner, and accom-

1 panied by such information as the Secretary may reason-
2 ably require.

3 “(c) EVALUATION.—At the end of three years of re-
4 ceiving funds under this section, each eligible institution
5 shall submit an evaluation report to the Secretary con-
6 taining such information and analyses as the Secretary
7 may prescribe.

8 “(d) REGULATIONS.—The Secretary shall prescribe
9 such regulations as may be necessary to carry out this
10 section.

11 **“SEC. 224. DEFINITION OF ELIGIBLE INSTITUTION.**

12 “As used in this part, the term ‘eligible institution’
13 means an institution that has a teacher education or
14 teacher preparation program of instruction and that is—

15 “(1) a historically black college or university
16 that is a part B institution, as defined in section
17 322(2) of the Higher Education Act of 1965 (20
18 U.S.C. 1061(2)), an institution described in section
19 326(e)(1)(A), (B), or (C) of that Act (20 U.S.C.
20 1063b(e)(1)(A), (B), or (C)), or a consortium of in-
21 stitutions described in this subparagraph;

22 “(2) a Hispanic-serving institution, as defined
23 in section 502(a)(5) of the Higher Education Act of
24 1965 (20 U.S.C. 1101a(a)(5));

1 “(3) a tribally controlled college or university,
2 as defined in section 316(b)(3) of the Higher Edu-
3 cation Act of 1965 (20 U.S.C. 1059e(b)(3));

4 “(4) an Alaska Native-serving institution under
5 section 317(b) of the Higher Education Act of 1965
6 (20 U.S.C. 1059d(b));

7 “(5) a Native Hawaiian-serving institution
8 under section 317(b) of the Higher Education Act of
9 1965 (20 U.S.C. 1059d(b)); or

10 “(6) an institution determined by the Secretary
11 to have enrolled a substantial number of minority,
12 low-income students during the previous academic
13 year who received assistance under subpart I of part
14 A of title IV of the Higher Education Act of 1965
15 (20 U.S.C. 1070a et seq.) for that year.

16 **“SEC. 225. AUTHORIZATION OF APPROPRIATIONS.**

17 “(a) COLLABORATIVE CENTERS.—There are author-
18 ized to be appropriated to carry out section 222
19 \$30,000,000 for fiscal year 2002 and each of the two suc-
20 ceeding fiscal years.

21 “(b) DEMONSTRATION PROGRAMS.—There are au-
22 thorized to be appropriated to carry out section 223
23 \$20,000,000 for fiscal year 2002 and each of the two suc-
24 ceeding fiscal years.”.

1 **PART B—LOAN FORGIVENESS**

2 **SEC. 311. LOAN REPAYMENT OR CANCELLATION FOR INDI-**
3 **VIDUALS WHO TEACH IN TRIBAL COLLEGES**
4 **OR UNIVERSITIES.**

5 (a) **SHORT TITLE.**—This Act may be cited as the
6 “Tribal College or University Teacher Loan Forgiveness
7 Act”.

8 (b) **PERKINS LOANS.**—

9 (1) **AMENDMENT.**—Section 465(a) of the High-
10 er Education Act of 1965 (20 U.S.C. 1087ee(a)) is
11 amended—

12 (A) in paragraph (2)—

13 (i) in subparagraph (H), by striking
14 “or” after the semicolon;

15 (ii) in subparagraph (I), by striking
16 the period and inserting “; or”; and

17 (iii) by adding at the end the fol-
18 lowing:

19 “(J) as a full-time teacher at a Tribal College
20 or University as defined in section 316(b).”; and

21 (B) in paragraph (3)(A)(i), by striking “or
22 (I)” and inserting “(I), or (J)”.

23 (2) **EFFECTIVE DATE.**—The amendments made
24 by paragraph (1) shall be effective for service per-
25 formed during academic year 1998–1999 and suc-
26 ceeding academic years, notwithstanding any con-

1 trary provision of the promissory note under which
2 a loan under part E of title IV of the Higher Edu-
3 cation Act of 1965 (20 U.S.C. 1087aa et seq.) was
4 made.

5 (c) FFEL AND DIRECT LOANS.—Part G of title IV
6 of the Higher Education Act of 1965 (20 U.S.C. 1088
7 et seq.) is amended by adding at the end the following:
8 **“SEC. 493C. LOAN REPAYMENT OR CANCELLATION FOR IN-**
9 **DIVIDUALS WHO TEACH IN TRIBAL COL-**
10 **LEGES OR UNIVERSITIES.**

11 “(a) PROGRAM AUTHORIZED.—The Secretary shall
12 carry out a program, through the holder of a loan, of as-
13 suming or canceling the obligation to repay a qualified
14 loan amount, in accordance with subsection (b), for any
15 new borrower on or after the date of enactment of the
16 Tribal College or University Teacher Loan Forgiveness
17 Act, who—

18 “(1) has been employed as a full-time teacher
19 at a Tribal College or University as defined in sec-
20 tion 316(b); and

21 “(2) is not in default on a loan for which the
22 borrower seeks repayment or cancellation.

23 “(b) QUALIFIED LOAN AMOUNTS.—

1 “(1) PERCENTAGES.—Subject to paragraph (2),
2 the Secretary shall assume or cancel the obligation
3 to repay under this section—

4 “(A) 15 percent of the amount of all loans
5 made, insured, or guaranteed after the date of
6 enactment of the Tribal College or University
7 Teacher Loan Forgiveness Act to a student
8 under part B or D, for the first or second year
9 of employment described in subsection (a)(1);

10 “(B) 20 percent of such total amount, for
11 the third or fourth year of such employment;
12 and

13 “(C) 30 percent of such total amount, for
14 the fifth year of such employment.

15 “(2) MAXIMUM.—The Secretary shall not repay
16 or cancel under this section more than \$15,000 in
17 the aggregate of loans made, insured, or guaranteed
18 under parts B and D for any student.

19 “(3) TREATMENT OF CONSOLIDATION LOANS.—
20 A loan amount for a loan made under section 428C
21 may be a qualified loan amount for the purposes of
22 this subsection only to the extent that such loan
23 amount was used to repay a loan made, insured, or
24 guaranteed under part B or D for a borrower who
25 meets the requirements of subsection (a), as deter-

1 mined in accordance with regulations prescribed by
2 the Secretary.

3 “(c) REGULATIONS.—The Secretary is authorized to
4 issue such regulations as may be necessary to carry out
5 the provisions of this section.

6 “(d) CONSTRUCTION.—Nothing in this section shall
7 be construed to authorize any refunding of any repayment
8 of a loan.

9 “(e) PREVENTION OF DOUBLE BENEFITS.—No bor-
10 rower may, for the same service, receive a benefit under
11 both this section and subtitle D of title I of the National
12 and Community Service Act of 1990 (42 U.S.C. 12571
13 et seq.).

14 “(f) DEFINITION.—For purposes of this section, the
15 term ‘year’, when applied to employment as a teacher,
16 means an academic year as defined by the Secretary.”.

17 **TITLE IV—COLLEGE** 18 **PREPARATION**

19 **PART A—ADVANCED PLACEMENT PROGRAMS**

20 **SEC. 401. ADVANCED PLACEMENT PROGRAMS.**

21 Title X of the Elementary and Secondary Education
22 Act of 1965 (20 U.S.C. 8001 et seq.) is amended by add-
23 ing at the end the following:

1 **“PART L—ADVANCED PLACEMENT PROGRAMS**

2 **“SEC. 10995A. SHORT TITLE.**

3 “‘This part may be cited as the ‘Access to High
4 Standards Act’.

5 **“SEC. 10995B. FINDINGS AND PURPOSES.**

6 “(a) FINDINGS.—Congress finds that—

7 “(1) far too many students are not being pro-
8 vided sufficient academic preparation in secondary
9 school, which results in limited employment opportu-
10 nities, college dropout rates of over 25 percent for
11 the first year of college, and remediation for almost
12 one-third of incoming college freshmen;

13 “(2) there is a growing consensus that raising
14 academic standards, establishing high academic ex-
15 pectations, and showing concrete results are at the
16 core of improving public education;

17 “(3) modeling academic standards on the well-
18 known program of advanced placement courses is an
19 approach that many education leaders and almost
20 half of all States have endorsed;

21 “(4) advanced placement programs already are
22 providing 30 different college-level courses, serving
23 almost 60 percent of all secondary schools, reaching
24 over 1,000,000 students (of whom 80 percent attend
25 public schools, 55 percent are females, and 30 per-
26 cent are minorities), and providing test scores that

1 are accepted for college credit at over 3,000 colleges
2 and universities, every university in Germany,
3 France, and Austria, and most institutions in Can-
4 ada and the United Kingdom;

5 “(5) 24 States are now funding programs to in-
6 crease participation in advanced placement pro-
7 grams, including 19 States that provide funds for
8 advanced placement teacher professional develop-
9 ment, 3 States that require that all public secondary
10 schools offer advanced placement courses, 10 States
11 that pay the fees for advanced placement tests for
12 some or all students, and 4 States that require that
13 their public universities grant uniform academic
14 credit for scores of 3 or better on advanced place-
15 ment tests; and

16 “(6) the State programs described in paragraph
17 (5) have shown the responsiveness of schools and
18 students to such programs, raised the academic
19 standards for both students participating in such
20 programs and other children taught by teachers who
21 are involved in advanced placement courses, and
22 shown tremendous success in increasing enrollment,
23 achievement, and minority participation in advanced
24 placement programs.

25 “(b) PURPOSES.—The purposes of this part are—

1 “(1) to make advanced placement programs
2 available in every secondary school by 2004, which
3 are still often distributed unevenly among regions,
4 States, and even secondary schools within the same
5 school district, while also increasing and diversifying
6 student participation in the programs;

7 “(2) to encourage more of the 600,000 students
8 who take advanced placement courses but do not
9 take advanced placement exams each year to dem-
10 onstrate their achievements through taking the
11 exams;

12 “(3) to build on the many benefits of advanced
13 placement programs for students, which benefits
14 may include the acquisition of skills that are impor-
15 tant to many employers, Scholastic Aptitude Tests
16 (SAT) scores that are 100 points above the national
17 averages, and the achievement of better grades in
18 secondary school and in college than the grades of
19 students who have not participated in the programs;

20 “(4) to support State and local efforts to raise
21 academic standards through advanced placement
22 programs, and thus further increase the number of
23 students who participate and succeed in advanced
24 placement programs;

1 “(5) to build on the State programs described
2 in subsection (a)(5) and demonstrate that larger and
3 more diverse groups of students can participate and
4 succeed in advanced placement programs;

5 “(6) to provide greater access to advanced
6 placement courses for low-income and other dis-
7 advantaged students;

8 “(7) to provide access to advanced placement
9 courses for secondary school juniors at schools that
10 do not offer advanced placement programs, increase
11 the rate of secondary school juniors and seniors who
12 participate in advanced placement courses to 25 per-
13 cent of the secondary school student population, and
14 increase the numbers of students who receive ad-
15 vanced placement test scores for which college aca-
16 demic credit is awarded; and

17 “(8) to increase the participation of low-income
18 individuals in taking advanced placement tests
19 through the payment or partial payment of the costs
20 of the advanced placement test fees.

21 **“SEC. 10995C. FUNDING DISTRIBUTION RULE.**

22 “From amounts appropriated under section 10995H
23 for a fiscal year, the Secretary shall give first priority to
24 funding activities under section 10995F, and shall dis-

1 tribute any remaining funds not so applied according to
2 the following ratio:

3 “(1) Seventy percent of the remaining funds
4 shall be available to carry out section 10995D.

5 “(2) Thirty percent of the remaining funds
6 shall be available to carry out section 10995E.

7 **“SEC. 10995D. ADVANCED PLACEMENT PROGRAM GRANTS.**

8 “(a) GRANTS AUTHORIZED.—

9 “(1) IN GENERAL.—From amounts appro-
10 priated under section 10995H and made available
11 under section 10995C(1) for a fiscal year, the Sec-
12 retary shall award grants, on a competitive basis, to
13 eligible entities to enable the eligible entities to carry
14 out the authorized activities described in subsection
15 (c).

16 “(2) DURATION AND PAYMENTS.—

17 “(A) DURATION.—The Secretary shall
18 award a grant under this section for a period
19 of 3 years.

20 “(B) PAYMENTS.—The Secretary shall
21 make grant payments under this section on an
22 annual basis.

23 “(3) DEFINITION OF ELIGIBLE ENTITY.—In
24 this section, the term ‘eligible entity’ means a State

1 educational agency, or a local educational agency, in
2 the State.

3 “(b) PRIORITY.—In awarding grants under this sec-
4 tion the Secretary shall give priority to eligible entities
5 submitting applications under subsection (d) that
6 demonstrate—

7 “(1) a pervasive need for access to advanced
8 placement incentive programs;

9 “(2) the involvement of business and commu-
10 nity organizations in the activities to be assisted;

11 “(3) the availability of matching funds from
12 State or local sources to pay for the cost of activities
13 to be assisted;

14 “(4) a focus on developing or expanding ad-
15 vanced placement programs and participation in the
16 core academic areas of English, mathematics, and
17 science; and

18 “(5)(A) in the case of an eligible entity that is
19 a State educational agency, the State educational
20 agency carries out programs in the State that
21 target—

22 “(i) local educational agencies serving
23 schools with a high concentration of low-income
24 students; or

1 “(ii) schools with a high concentration of
2 low-income students; or

3 “(B) in the case of an eligible entity that is a
4 local educational agency, the local educational agen-
5 cy serves schools with a high concentration of low-
6 income students.

7 “(c) AUTHORIZED ACTIVITIES.—An eligible entity
8 may use grant funds under this section to expand access
9 for low-income individuals to advanced placement incen-
10 tive programs that involve—

11 “(1) teacher training;

12 “(2) pre-advanced placement course develop-
13 ment;

14 “(3) curriculum coordination and articulation
15 between grade levels that prepare students for ad-
16 vanced placement courses;

17 “(4) curriculum development;

18 “(5) books and supplies; and

19 “(6) any other activity directly related to ex-
20 panding access to and participation in advanced
21 placement incentive programs particularly for low-in-
22 come individuals.

23 “(d) APPLICATION.—Each eligible entity desiring a
24 grant under this section shall submit an application to the

1 Secretary at such time, in such manner, and accompanied
2 by such information as the Secretary may require.

3 “(e) DATA COLLECTION AND REPORTING.—

4 “(1) DATA COLLECTION.—Each eligible entity
5 receiving a grant under this section shall annually
6 report to the Secretary—

7 “(A) the number of students taking ad-
8 vanced placement courses who are served by the
9 eligible entity;

10 “(B) the number of advanced placement
11 tests taken by students served by the eligible
12 entity;

13 “(C) the scores on the advanced placement
14 tests; and

15 “(D) demographic information regarding
16 individuals taking the advanced placement
17 courses and tests disaggregated by race, eth-
18 nicity, sex, English proficiency status, and so-
19 cioeconomic status.

20 “(2) REPORT.—The Secretary shall annually
21 compile the information received from each eligible
22 entity under paragraph (1) and report to Congress
23 regarding the information.

1 **“SEC. 10995E. ONLINE ADVANCED PLACEMENT COURSES.**

2 “(a) GRANTS AUTHORIZED.—From amounts appro-
3 priated under section 10995H and made available under
4 section 10995C(2) for a fiscal year, the Secretary shall
5 award grants to State educational agencies to enable such
6 agencies to award grants to local educational agencies to
7 provide students with online advanced placement courses.

8 “(b) STATE EDUCATIONAL AGENCY APPLICA-
9 TIONS.—

10 “(1) APPLICATION REQUIRED.—Each State
11 educational agency desiring a grant under this sec-
12 tion shall submit an application to the Secretary at
13 such time, in such manner, and accompanied by
14 such information as the Secretary may require.

15 “(2) AWARD BASIS.—The Secretary shall award
16 grants under this section on a competitive basis.

17 “(c) GRANTS TO LOCAL EDUCATIONAL AGENCIES.—
18 Each State educational agency receiving a grant award
19 under subsection (b) shall award grants to local edu-
20 cational agencies within the State to carry out activities
21 described in subsection (e). In awarding grants under this
22 subsection, the State educational agency shall give priority
23 to local educational agencies that—

24 “(1) serve high concentrations of low-income
25 students;

26 “(2) serve rural areas; and

1 “(3) the State educational agency determines
2 will not have access to online advanced placement
3 courses without assistance provided under this sec-
4 tion.

5 “(d) CONTRACTS.—A local educational agency that
6 receives a grant under this section may enter into a con-
7 tract with a nonprofit or for-profit organization to provide
8 the online advanced placement courses, including con-
9 tracting for necessary support services.

10 “(e) USES.—Grant funds provided under this section
11 may be used to purchase the online curriculum, to train
12 teachers with respect to the use of online curriculum, or
13 to purchase course materials.

14 **“SEC. 10995F. ADVANCED PLACEMENT INCENTIVE PRO-**
15 **GRAM.**

16 “(a) GRANTS AUTHORIZED.—From amounts appro-
17 priated under section 10995H and made available under
18 section 10995C for a fiscal year, the Secretary shall award
19 grants to State educational agencies having applications
20 approved under subsection (c) to enable the State edu-
21 cational agencies to reimburse low-income individuals to
22 cover part or all of the costs of advanced placement test
23 fees, if the low-income individuals—

24 “(1) are enrolled in an advanced placement
25 class; and

1 “(2) plan to take an advanced placement test.

2 “(b) AWARD BASIS.—In determining the amount of
3 the grant awarded to each State educational agency under
4 this section for a fiscal year, the Secretary shall consider
5 the number of children eligible to be counted under section
6 1124(c) in the State in relation to the number of such
7 children so counted in all the States.

8 “(c) INFORMATION DISSEMINATION.—A State edu-
9 cational agency shall disseminate information regarding
10 the availability of advanced placement test fee payments
11 under this section to eligible individuals through secondary
12 school teachers and guidance counselors.

13 “(d) APPLICATIONS.—Each State educational agency
14 desiring a grant under this section shall submit an appli-
15 cation to the Secretary at such time, in such manner, and
16 accompanied by such information as the Secretary may
17 require. At a minimum, each State educational agency ap-
18 plication shall—

19 “(1) describe the advanced placement test fees
20 the State educational agency will pay on behalf of
21 low-income individuals in the State from grant funds
22 made available under this section;

23 “(2) provide an assurance that any grant funds
24 received under this section, other than funds used in

1 accordance with subsection (e), shall be used only to
2 pay for advanced placement test fees; and

3 “(3) contain such information as the Secretary
4 may require to demonstrate that the State will en-
5 sure that a student is eligible for payments under
6 this section, including documentation required under
7 chapter 1 of subpart 2 of part A of title IV of the
8 Higher Education Act of 1965.

9 “(e) ADDITIONAL USES OF FUNDS.—If each eligible
10 low-income individual in a State pays not more than a
11 nominal fee to take an advanced placement test in a core
12 subject, then a State educational agency may use grant
13 funds made available under this section that remain after
14 advanced placement test fees have been paid on behalf of
15 all eligible low-income individuals in the State, for activi-
16 ties directly related to increasing—

17 “(1) the enrollment of low-income individuals in
18 advanced placement courses;

19 “(2) the participation of low-income individuals
20 in advanced placement courses; and

21 “(3) the availability of advanced placement
22 courses in schools serving high-poverty areas.

23 “(f) SUPPLEMENT, NOT SUPPLANT.—Grant funds
24 provided under this section shall supplement, and not sup-
25 plant, other non-Federal funds that are available to assist

1 low-income individuals in paying for the cost of advanced
2 placement test fees.

3 “(g) REGULATIONS.—The Secretary shall prescribe
4 such regulations as are necessary to carry out this section.

5 “(h) REPORT.—Each State educational agency annu-
6 ally shall report to the Secretary information regarding—

7 “(1) the number of low-income individuals in
8 the State who received assistance under this section;
9 and

10 “(2) any activities carried out pursuant to sub-
11 section (e).

12 “(i) DEFINITIONS.—In this section:

13 “(1) ADVANCED PLACEMENT TEST.—The term
14 ‘advanced placement test’ includes only an advanced
15 placement test approved by the Secretary for the
16 purposes of this section.

17 “(2) LOW-INCOME INDIVIDUAL.—The term
18 ‘low-income individual’ has the meaning given the
19 term in section 402A(g)(2) of the Higher Education
20 Act of 1965.

21 **“SEC. 10995G. DEFINITIONS.**

22 “In this part:

23 “(1) ADVANCED PLACEMENT INCENTIVE PRO-
24 GRAM.—The term ‘advanced placement incentive
25 program’ means a program that provides advanced

1 placement activities and services to low-income indi-
2 viduals.

3 “(2) **ADVANCED PLACEMENT TEST.**—The term
4 ‘advanced placement test’ means an advanced place-
5 ment test administered by the College Board or ap-
6 proved by the Secretary.

7 “(3) **HIGH CONCENTRATION OF LOW-INCOME**
8 **STUDENTS.**—The term ‘high concentration of low-in-
9 come students’, used with respect to a State edu-
10 cational agency, local educational agency or school,
11 means an agency or school, as the case may be, that
12 serves a student population 40 percent or more of
13 whom are from families with incomes below the pov-
14 erty level, as determined in the same manner as the
15 determination is made under section 1124(c)(2).

16 “(4) **LOW-INCOME INDIVIDUAL.**—The term
17 ‘low-income individual’ means, other than for pur-
18 poses of section 10995F, a low-income individual (as
19 defined in section 402A(g)(2) of the Higher Edu-
20 cation Act of 1965 who is academically prepared to
21 take successfully an advanced placement test as de-
22 termined by a school teacher or advanced placement
23 coordinator taking into consideration factors such as
24 enrollment and performance in an advanced place-
25 ment course or superior academic ability.

1 “(5) INSTITUTION OF HIGHER EDUCATION.—
2 The term ‘institution of higher education’ has the
3 meaning given the term in section 101(a) of the
4 Higher Education Act of 1965.

5 “(6) STATE.—The term ‘State’ means each of
6 the several States of the United States, the District
7 of Columbia, the Commonwealth of Puerto Rico,
8 Guam, American Samoa, the United States Virgin
9 Islands, the Republic of the Marshall Islands, the
10 Federated States of Micronesia, and the Republic of
11 Palau.

12 **“SEC. 10995H. AUTHORIZATION OF APPROPRIATIONS.**

13 “For the purpose of carrying out this part, there are
14 authorized to be appropriated \$50,000,000 for fiscal year
15 2001, and such sums as may be necessary for each of the
16 4 succeeding fiscal years.”.

17 **PART B—DROPOUT PREVENTION**

18 **SEC. 411. ASSISTANCE TO ADDRESS SCHOOL DROPOUT**
19 **PROBLEMS.**

20 Part D of title I of the Elementary and Secondary
21 Education Act of 1965 (20 U.S.C. 6421 et seq.) is amend-
22 ed by adding at the end the following:

1 **“Subpart 4—Assistance to Address School Dropout**

2 **Problems**

3 **“SEC. 1441. SHORT TITLE.**

4 “‘This subpart may be cited as the ‘Dropout Preven-

5 tion Act’.

6 **“SEC. 1442. PURPOSE.**

7 “The purpose of this subpart is to provide for school

8 dropout prevention and reentry and to raise academic

9 achievement levels by providing grants, to schools through

10 State educational agencies, that—

11 “(1) challenge all children to attain their high-

12 est academic potential; and

13 “(2) ensure that all students have substantial

14 and ongoing opportunities to do so through

15 schoolwide programs proven effective in school drop-

16 out prevention.

17 **“Chapter 1—Coordinated National Strategy**

18 **“SEC. 1451. NATIONAL ACTIVITIES.**

19 “(a) IN GENERAL.—The Secretary is authorized—

20 “(1) to collect systematic data on the participa-

21 tion in the programs described in paragraph (2)(C)

22 of individuals disaggregated within each State, local

23 educational agency, and school by gender, by each

24 major racial and ethnic group, by English pro-

25 ficiency status, by migrant status, by students with

26 disabilities as compared to nondisabled students, and

1 by economically disadvantaged students as compared
2 to students who are not economically disadvantaged;

3 “(2) to establish and to consult with an inter-
4 agency working group which shall—

5 “(A) address inter- and intra-agency pro-
6 gram coordination issues at the Federal level
7 with respect to school dropout prevention and
8 middle school and secondary school reentry, as-
9 sess the targeting of existing Federal services to
10 students who are most at risk of dropping out
11 of school, and the cost-effectiveness of various
12 programs and approaches used to address
13 school dropout prevention;

14 “(B) describe the ways in which State and
15 local agencies can implement effective school
16 dropout prevention programs using funds from
17 a variety of Federal programs, including the
18 programs under title I and the School-to-Work
19 Opportunities Act of 1994; and

20 “(C) address all Federal programs with
21 school dropout prevention or school reentry ele-
22 ments or objectives, programs under title I of
23 this Act, the School-to-Work Opportunities Act
24 of 1994, subtitle C of title I of the Workforce

1 Investment Act of 1998, and other programs;
2 and

3 “(3) carry out a national recognition program
4 in accordance with subsection (b) that recognizes
5 schools that have made extraordinary progress in
6 lowering school dropout rates under which a public
7 middle school or secondary school from each State
8 will be recognized.

9 “(b) RECOGNITION PROGRAM.—

10 “(1) NATIONAL GUIDELINES.—The Secretary
11 shall develop uniform national guidelines for the re-
12 cognition program which shall be used to recognize
13 schools from nominations submitted by State edu-
14 cational agencies.

15 “(2) ELIGIBLE SCHOOLS.—The Secretary may
16 recognize under the recognition program any public
17 middle school or secondary school (including a char-
18 ter school) that has implemented comprehensive re-
19 forms regarding the lowering of school dropout rates
20 for all students at that school.

21 “(3) SUPPORT.—The Secretary may make mon-
22 etary awards to schools recognized under the re-
23 cognition program in amounts determined by the Sec-
24 retary. Amounts received under this section shall be

1 used for dissemination activities within the school
2 district or nationally.

3 “(c) CAPACITY BUILDING.—

4 “(1) IN GENERAL.—The Secretary, through a
5 contract with a non-Federal entity, may conduct a
6 capacity building and design initiative in order to in-
7 crease the types of proven strategies for dropout
8 prevention and reentry that address the needs of an
9 entire school population rather than a subset of stu-
10 dents.

11 “(2) NUMBER AND DURATION.—

12 “(A) NUMBER.—The Secretary may award
13 not more than 5 contracts under this sub-
14 section.

15 “(B) DURATION.—The Secretary may
16 award a contract under this subsection for a pe-
17 riod of not more than 5 years.

18 “(d) SUPPORT FOR EXISTING REFORM NET-
19 WORKS.—

20 “(1) IN GENERAL.—The Secretary may provide
21 appropriate support to eligible entities to enable the
22 eligible entities to provide training, materials, devel-
23 opment, and staff assistance to schools assisted
24 under this chapter.

1 “(2) DEFINITION OF ELIGIBLE ENTITY.—In
2 this subsection, the term ‘eligible entity’ means an
3 entity that, prior to the date of enactment of the
4 Dropout Prevention Act—

5 “(A) provided training, technical assist-
6 ance, and materials to 100 or more elementary
7 schools or secondary schools; and

8 “(B) developed and published a specific
9 educational program or design for use by the
10 schools.

11 **“Chapter 2—National School Dropout Prevention**
12 **Initiative**

13 **“SEC. 1461. PROGRAM AUTHORIZED.**

14 “(a) GRANTS.—

15 “(1) DISCRETIONARY GRANTS.—If the sum ap-
16 propriated under section 1472 for a fiscal year is
17 less than \$250,000,000, then the Secretary shall use
18 such sum to award grants, on a competitive basis,
19 to State educational agencies to enable the State
20 educational agencies to award grants under sub-
21 section (b).

22 “(2) FORMULA.—If the sum appropriated
23 under section 1472 for a fiscal year equals or ex-
24 ceeds \$250,000,000, then the Secretary shall use
25 such sum to make an allotment to each State in an

1 amount that bears the same relation to the sum as
2 the amount the State received under part A of title
3 I for the preceding fiscal year bears to the amount
4 received by all States under such part for the pre-
5 ceding fiscal year.

6 “(3) DEFINITION OF STATE.—In this chapter,
7 the term ‘State’ means each of the several States of
8 the United States, the District of Columbia, the
9 Commonwealth of Puerto Rico, the United States
10 Virgin Islands, Guam, American Samoa, the Com-
11 monwealth of the Northern Mariana Islands, the Re-
12 public of the Marshall Islands, the Federated States
13 of Micronesia, and the Republic of Palau.

14 “(b) GRANTS.—From amounts made available to a
15 State under subsection (a), the State educational agency
16 may award grants to local educational agencies on behalf
17 of public middle schools or secondary schools that serve
18 students in grades 6 through 12, that have school dropout
19 rates which are the highest of all school dropout rates in
20 the State, to enable local educational agencies on behalf
21 of such schools to pay only the startup and implementa-
22 tion costs of effective, sustainable, coordinated, and whole
23 school dropout prevention programs that involve activities
24 such as—

25 “(1) professional development;

- 1 “(2) obtaining curricular materials;
- 2 “(3) release time for professional staff;
- 3 “(4) planning and research;
- 4 “(5) remedial education;
- 5 “(6) reduction in pupil-to-teacher ratios;
- 6 “(7) efforts to meet State student achievement
- 7 standards;
- 8 “(8) counseling and mentoring for at-risk stu-
- 9 dents; and
- 10 “(9) comprehensive school reform models.
- 11 “(c) AMOUNT.—
- 12 “(1) IN GENERAL.—Subject to subsection (d)
- 13 and except as provided in paragraph (2), a grant
- 14 under this chapter shall be awarded—
- 15 “(A) in the first year based on factors such
- 16 as—
- 17 “(i) school size;
- 18 “(ii) costs of the model or set of pre-
- 19 vention and reentry strategies being imple-
- 20 mented; and
- 21 “(iii) local cost factors such as poverty
- 22 rates;
- 23 “(B) in the second such year, in an
- 24 amount that is not less than 75 percent of the

1 amount received under this chapter in the first
2 such year;

3 “(C) in the third year, in an amount that
4 is not less than 50 percent of the amount re-
5 ceived under this chapter in the first such year;
6 and

7 “(D) in each succeeding year in an amount
8 that is not less than 30 percent of the amount
9 received under this chapter in the first such
10 year.

11 “(2) INCREASES.—The Secretary shall increase
12 the amount awarded under this chapter by 10 per-
13 cent if the local educational agency on behalf of the
14 school creates smaller learning communities within
15 such school and the creation is certified by the State
16 educational agency.

17 “(d) DURATION.—A grant under this chapter shall
18 be awarded for a period of 3 years, and may be continued
19 for a period of 2 additional years if the State educational
20 agency determines, based on the annual reports described
21 in section 1467(a), that significant progress has been
22 made in lowering the school dropout rate for students par-
23 ticipating in the program assisted under this chapter com-
24 pared to students at similar schools who are not partici-
25 pating in the program.

1 **“SEC. 1462. STRATEGIES AND CAPACITY BUILDING.**

2 “Each local educational agency on behalf of a school
3 receiving a grant under this chapter shall implement re-
4 search-based, sustainable, and widely replicated, strategies
5 for school dropout prevention and reentry that address the
6 needs of an entire school population rather than a subset
7 of students. The strategies may include—

8 “(1) specific strategies for targeted purposes,
9 such as effective early intervention programs de-
10 signed to identify at-risk students, effective pro-
11 grams encompassing traditionally underserved stu-
12 dents, including racial and ethnic minorities and
13 pregnant and parenting teenagers, designed to pre-
14 vent such students from dropping out of school, and
15 effective programs to identify and encourage youth
16 who have already dropped out of school to reenter
17 school and complete their secondary education; and

18 “(2) approaches such as breaking larger schools
19 down into smaller learning communities and other
20 comprehensive reform approaches, creating alter-
21 native school programs, developing clear linkages to
22 career skills and employment, and addressing spe-
23 cific gatekeeper hurdles that often limit student re-
24 tention and academic success.

25 **“SEC. 1463. SELECTION.**

26 “(a) APPLICATION.—

1 “(1) IN GENERAL.—A local educational agency
2 on behalf of a school desiring a grant under this
3 chapter shall submit an application to the State edu-
4 cational agency at such time, in such manner, and
5 accompanied by such information as the State edu-
6 cational agency may require.

7 “(2) CONTENTS.—Each application submitted
8 under paragraph (1) shall—

9 “(A) contain a certification from the local
10 educational agency that—

11 “(i) the school has the highest number
12 or rates of school dropouts in the age
13 group served by the local educational agen-
14 cy;

15 “(ii) the local educational agency is
16 committed to providing ongoing oper-
17 ational support, for the school’s com-
18 prehensive reform plan to address the
19 problem of school dropouts, for a period of
20 5 years; and

21 “(iii) the local educational agency will
22 support the plan, including—

23 “(I) release time for teacher
24 training;

1 “(II) efforts to coordinate activi-
2 ties for feeder schools; and

3 “(III) encouraging other schools
4 served by the local educational agency
5 to participate in the plan;

6 “(B) demonstrate that the faculty and ad-
7 ministration of the school have agreed to apply
8 for assistance under this chapter, and provide
9 evidence of the school’s willingness and ability
10 to use the funds under this chapter, including
11 providing an assurance of the support of 80
12 percent or more of the professional staff at the
13 school;

14 “(C) describe the instructional strategies
15 to be implemented, how the strategies will serve
16 all students, and the effectiveness of the strate-
17 gies;

18 “(D) describe a budget and timeline for
19 implementing the strategies;

20 “(E) contain evidence of coordination with
21 existing resources;

22 “(F) provide an assurance that funds pro-
23 vided under this chapter will supplement and
24 not supplant other Federal, State, and local
25 funds;

1 “(G) describe how the activities to be as-
2 sisted conform with research-based knowledge
3 about school dropout prevention and reentry;
4 and

5 “(H) demonstrate that the school and local
6 educational agency have agreed to conduct a
7 schoolwide program under section 1114.

8 “(b) STATE AGENCY REVIEW AND AWARD.—The
9 State educational agency shall review applications and
10 award grants to local educational agencies on behalf of
11 schools under subsection (a) according to a review by a
12 panel of experts on school dropout prevention.

13 “(c) ELIGIBILITY.—A local educational agency on be-
14 half of a school is eligible to receive a grant under this
15 chapter if the school is—

16 “(1) a public school (including a public alter-
17 native school)—

18 “(A) that is eligible to receive assistance
19 under part A of title I, including a comprehen-
20 sive secondary school, a vocational or technical
21 secondary school, or a charter school; and

22 “(B)(i) that serves students 50 percent or
23 more of whom are low-income individuals; or

24 “(ii) with respect to which the feeder
25 schools that provide the majority of the incom-

1 ing students to the school serve students 50
2 percent or more of whom are low-income indi-
3 viduals; or

4 “(2) participating in a schoolwide program
5 under section 1114 during the grant period.

6 “(d) COMMUNITY-BASED ORGANIZATIONS.—A local
7 educational agency on behalf of a school that receives a
8 grant under this chapter may use the grant funds to se-
9 cure necessary services from a community-based organiza-
10 tion, including private sector entities, if—

11 “(1) the school approves the use;

12 “(2) the funds are used to provide school drop-
13 out prevention and reentry activities related to
14 schoolwide efforts; and

15 “(3) the community-based organization has
16 demonstrated the organization’s ability to provide ef-
17 fective services as described in section 122 of the
18 Workforce Investment Act of 1998.

19 “(e) COORDINATION.—Each local educational agency
20 that receives a grant under this chapter shall coordinate
21 the activities assisted under this chapter with other Fed-
22 eral programs, such as programs assisted under chapter
23 1 of subpart 2 of part A of title IV of the Higher Edu-
24 cation Act of 1965 and the School-to-Work Opportunities
25 Act of 1994.

1 **“SEC. 1464. DISSEMINATION ACTIVITIES.**

2 “Each local educational agency that receives a grant
3 under this chapter shall provide information and technical
4 assistance to other schools within the school district, in-
5 cluding presentations, document-sharing, and joint staff
6 development.

7 **“SEC. 1465. PROGRESS INCENTIVES.**

8 “Notwithstanding any other provision of law, each
9 local educational agency that receives funds under title I
10 shall use such funding to provide assistance to schools
11 served by the agency that have not made progress toward
12 lowering school dropout rates after receiving assistance
13 under this chapter for 2 fiscal years.

14 **“SEC. 1466. SCHOOL DROPOUT RATE CALCULATION.**

15 “For purposes of calculating a school dropout rate
16 under this chapter, a local educational agency shall use—

17 “(1) the annual event school dropout rate for
18 students leaving a school in a single year determined
19 in accordance with the National Center for Edu-
20 cation Statistics’ Common Core of Data, if available;
21 or

22 “(2) in other cases, a standard method for cal-
23 culating the school dropout rate as determined by
24 the State educational agency.

1 **“SEC. 1467. REPORTING AND ACCOUNTABILITY.**

2 “(a) REPORTING.—In order to receive funding under
3 this chapter for a fiscal year after the first fiscal year a
4 local educational agency on behalf of a school receives
5 funding under this chapter, the local educational agency
6 shall provide, on an annual basis, to the Secretary and
7 the State educational agency a report regarding the status
8 of the implementation of activities funded under this chap-
9 ter, the outcome data for students at schools assisted
10 under this chapter disaggregated in the same manner as
11 information under section 1451(a) (including dropout
12 rates for students in grades 7 through 12 as a group),
13 and certification of progress from the eligible entity whose
14 strategies the school is implementing.

15 “(b) ACCOUNTABILITY.—On the basis of the reports
16 submitted under subsection (a), the Secretary shall evalu-
17 ate the effect of the activities assisted under this chapter
18 on school dropout prevention compared to a control group.

19 **“SEC. 1468. STATE RESPONSIBILITIES.**

20 “(a) UNIFORM DATA COLLECTION.—Within 1 year
21 after the date of enactment of the Dropout Prevention
22 Act, a State educational agency that receives funds under
23 this chapter shall report to the Secretary and statewide,
24 all school district and school data regarding school drop-
25 out rates in the State disaggregated in the same manner
26 as information under section 1451(a), according to proce-

1 dures that conform with the National Center for Edu-
2 cation Statistics' Common Core of Data.

3 “(b) ATTENDANCE-NEUTRAL FUNDING POLICIES.—

4 Within 2 years after the date of enactment of the Dropout
5 Prevention Act, a State educational agency that receives
6 funds under this chapter shall develop and implement edu-
7 cation funding formula policies for public schools that pro-
8 vide appropriate incentives to retain students in school
9 throughout the school year, such as—

10 “(1) a student count methodology that does not
11 determine annual budgets based on attendance on a
12 single day early in the academic year; and

13 “(2) specific incentives for retaining enrolled
14 students throughout each year.

15 “(c) SUSPENSION AND EXPULSION POLICIES.—With-

16 in 2 years after the date of enactment of the Dropout Pre-
17 vention Act, a State educational agency that receives
18 funds under this chapter shall develop uniform, long-term
19 suspension and expulsion policies (that in the case of a
20 child with a disability are consistent with the suspension
21 and expulsion policies under the Individuals with Disabil-
22 ities Education Act) for serious infractions resulting in
23 more than 10 days of exclusion from school per academic
24 year so that similar violations result in similar penalties.

1 “(d) REGULATIONS.—The Secretary shall promul-
2 gate regulations implementing subsections (a) through (c).

3 **“Chapter 3—Definitions; Authorization of**
4 **Appropriations**

5 **“SEC. 1471. DEFINITIONS.**

6 “In this subpart:

7 “(1) LOW-INCOME.—The term ‘low-income’,
8 used with respect to an individual, means an indi-
9 vidual determined to be low-income in accordance
10 with measures described in section 1113(a)(5).

11 “(2) SCHOOL DROPOUT.—The term ‘school
12 dropout’ has the meaning given the term in section
13 4(17) of the School-to-Work Opportunities Act of
14 1994.

15 **“SEC. 1472. AUTHORIZATION OF APPROPRIATIONS.**

16 “There are authorized to be appropriated to carry out
17 this subpart, \$250,000,000 for fiscal year 2001 and such
18 sums as may be necessary for each of the 4 succeeding
19 fiscal years, of which—

20 “(1) 10 percent shall be available to carry out
21 chapter 1; and

22 “(2) 90 percent shall be available to carry out
23 chapter 2.”.

1 **TITLE V—BUILDING EDUCATION**
2 **INFRASTRUCTURE**

3 **PART A—DIGITAL NETWORKS**

4 **SEC. 501. SHORT TITLE.**

5 This part may be cited as the “NTIA Digital Net-
6 work Technology Program Act”.

7 **SEC. 502. ESTABLISHMENT OF PROGRAM.**

8 The National Telecommunications and Information
9 Administration Organization Act (47 U.S.C. 901 et seq.)
10 is amended by adding at the end the following:

11 **“PART D—DIGITAL NETWORK TECHNOLOGY**
12 **PROGRAM**

13 **“SEC. 171. PROGRAM AUTHORIZED.**

14 “The Secretary shall establish, within the NTIA’s
15 Technology Opportunities Program a digital network tech-
16 nologies program to strengthen the capacity of eligible in-
17 stitutions to provide instruction in digital network tech-
18 nologies by providing grants to, or executing contracts or
19 cooperative agreements with, those institutions to provide
20 such instruction.

21 **“SEC. 172. ACTIVITIES SUPPORTED.**

22 “An eligible institution shall use a grant, contract,
23 or cooperative agreement awarded under this part—

24 “(1) to acquire the equipment, instrumentation,
25 networking capability, hardware and software, dig-

1 ital network technology, and infrastructure necessary
2 to teach students and teachers about technology in
3 the classroom;

4 “(2) to develop and provide educational serv-
5 ices, including faculty development, to prepare stu-
6 dents or faculty seeking a degree or certificate that
7 is approved by the State, or a regional accrediting
8 body recognized by the Secretary of Education;

9 “(3) to provide teacher education, library and
10 media specialist training, and preschool and teacher
11 aid certification to individuals who seek to acquire or
12 enhance technology skills in order to use technology
13 in the classroom or instructional process;

14 “(4) implement a joint project to provide edu-
15 cation regarding technology in the classroom with a
16 State or State education agency, local education
17 agency, community-based organization, national non-
18 profit organization, or business, including minority
19 business or a business located in HUB zones, as de-
20 fined by the Small Business Administration; or

21 “(5) provide leadership development to adminis-
22 trators, board members, and faculty of eligible insti-
23 tutions with institutional responsibility for tech-
24 nology education.

1 **“SEC. 173. APPLICATION AND REVIEW PROCEDURE.**

2 “(a) IN GENERAL.—To be eligible to receive a grant,
3 contract, or cooperative agreement under this part, an eli-
4 gible institution shall submit an application to the Sec-
5 retary at such time, in such manner, and accompanied by
6 such information as the Secretary may reasonably require.
7 The Secretary, in consultation with the panel described
8 in subsection (b), shall establish a procedure by which to
9 accept such applications and publish an announcement of
10 such procedure, including a statement regarding the avail-
11 ability of funds, in the Federal Register.

12 “(b) PEER REVIEW PANEL.—The Secretary shall es-
13 tablish a peer review panel to aid the Secretary in estab-
14 lishing the application procedure described in subsection
15 (a) and selecting applicants to receive grants, contracts,
16 and cooperative agreements under section 171. In select-
17 ing the members for such panel, the Secretary may consult
18 with appropriate cabinet-level officials (such as the Secre-
19 taries of Education and Labor), representatives of non-
20 Federal organizations, and representatives of eligible insti-
21 tutions to ensure that the membership of such panel re-
22 flects membership of the minority higher education com-
23 munity, including Federal agency personnel and other in-
24 dividuals who are knowledgeable about issues regarding
25 minority education institutions.

1 **“SEC. 174. MATCHING REQUIREMENT.**

2 “The Secretary may not award a grant, contract, or
3 cooperative agreement to an eligible institution under this
4 part unless such institution agrees that, with respect to
5 the costs to be incurred by the institution in carrying out
6 the program for which the grant, contract, or cooperative
7 agreement was awarded, such institution will make avail-
8 able (directly or through donations from public or private
9 entities) non-Federal contributions in an amount equal to
10 $\frac{1}{4}$ of the amount of the grant, contract, or cooperative
11 agreement awarded by the Secretary, or \$500,000, which-
12 ever is the lesser amount. The Secretary shall waive the
13 matching requirement for any institution or consortium
14 with no endowment, or an endowment that has a current
15 dollar value lower than \$50,000,000.

16 **“SEC. 175. LIMITATION.**

17 “An eligible institution that receives a grant, con-
18 tract, or cooperative agreement under this part that ex-
19 ceeds \$2,500,000, shall not be eligible to receive another
20 grant, contract, or cooperative agreement under this part
21 until every other eligible institution has received a grant,
22 contract, or cooperative agreement under this part.

23 **“SEC. 176. ANNUAL REPORT AND EVALUATION.**

24 “(a) ANNUAL REPORT REQUIRED FROM RECIPI-
25 ENTS.—Each institution that receives a grant, contract,
26 or cooperative agreement under this part shall provide an

1 annual report to the Secretary on its use of the grant,
2 contract, or cooperative agreement.

3 “(b) EVALUATION BY SECRETARY.—The Secretary,
4 in consultation with the Secretary of Education, shall—

5 “(1) review the reports provided under sub-
6 section (a) each year;

7 “(2) evaluate the program authorized by section
8 171 on the basis of those reports; and

9 “(3) conduct a final evaluation at the end of
10 the third year

11 “(c) CONTENTS OF EVALUATION.—The Secretary, in
12 the evaluation, shall describe the activities undertaken by
13 those institutions and shall assess the short-range and
14 long-range impact of activities carried out under the
15 grant, contract, or cooperative agreement on the students,
16 faculty, and staff of the institutions.

17 “(d) REPORT TO CONGRESS.—The Secretary shall
18 submit a report to the Congress based on the final evalua-
19 tion within 1 year after conducting the final evaluation.
20 In the report, the Secretary shall include such rec-
21 ommendations, including recommendations concerning the
22 continuing need for Federal support of the program, as
23 may be appropriate.”.

1 **SEC. 503. DEFINITIONS.**

2 Section 102(a) of the National Telecommunications
3 and Information Administration Organization Act (47
4 U.S.C. 901(a)) is amended by adding at the end the fol-
5 lowing:

6 “(6) ELIGIBLE INSTITUTION DEFINED.—The
7 term ‘eligible institution’ means an institution that
8 is—

9 “(A) a historically black college or univer-
10 sity that is a part B institution, as defined in
11 section 322(2) of the Higher Education Act of
12 1965 (20 U.S.C. 1061(2)), an institution de-
13 scribed in section 326(e)(1)(A), (B), or (C) of
14 that Act (20 U.S.C. 1063b(e)(1)(A), (B), or
15 (C)), or a consortium of institutions described
16 in this subparagraph;

17 “(B) a Hispanic-serving institution, as de-
18 fined in section 502(a)(5) of the Higher Edu-
19 cation Act of 1965 (20 U.S.C. 1101a(a)(5));

20 “(C) a tribally controlled college or univer-
21 sity, as defined in section 316(b)(3) of the
22 Higher Education Act of 1965 (20 U.S.C.
23 1059c(b)(3));

24 “(D) an Alaska Native-serving institution
25 under section 317(b) of the Higher Education
26 Act of 1965 (20 U.S.C. 1059d(b));

1 “(E) a Native Hawaiian-serving institution
 2 under section 317(b) of the Higher Education
 3 Act of 1965 (20 U.S.C. 1059d(b)); or

4 “(F) an institution determined by the Sec-
 5 retary, in consultation with the Secretary of
 6 Education, to have enrolled a substantial num-
 7 ber of minority, low-income students during the
 8 previous academic year who received assistance
 9 under subpart I of part A of title IV of the
 10 Higher Education Act of 1965 (20 U.S.C.
 11 1070a et seq.) for that year.”.

12 **SEC. 504. AUTHORIZATION OF APPROPRIATIONS.**

13 There are authorized to be appropriated to the Sec-
 14 retary of Commerce not more than \$250,000,000 for fiscal
 15 year 2002, and such sums as may be necessary for fiscal
 16 years 2003 through 2007, to carry out part D of the Na-
 17 tional Telecommunications and Information Administra-
 18 tion Organization Act.

19 **PART B—PRESERVATION OF HISTORIC HBCU**

20 **BUILDINGS**

21 **SEC. 521. PROGRAM AUTHORIZED.**

22 Section 507 of division I of the Omnibus Parks and
 23 Public Lands Management Act of 1996 (110 Stat. 4156;
 24 16 U.S.C. 470a note) is amended to read as follows:

1 **“SEC. 507. HISTORICALLY BLACK COLLEGES AND UNIVER-**
2 **SITIES HISTORIC BUILDING RESTORATION**
3 **AND PRESERVATION.**

4 “(a) PURPOSE.—The purpose of this section is to es-
5 tablish a program for ensuring the protection and preser-
6 vation of all historic properties on the campuses of the
7 Nation’s historically black colleges and universities, and
8 to authorize a comprehensive identification and cost as-
9 sessment process with respect to such historic properties.

10 “(b) IN GENERAL.—The Secretary of the Interior
11 shall implement, through the National Parks Service, sub-
12 ject to subsections (c), (d), and (e), a program for allo-
13 cating historic preservation grant funds to institutions of
14 higher education eligible for assistance under section
15 322(2) of the Higher Education Act of 1965, as amended,
16 for the preservation and restoration of historic buildings
17 and structures based on the need criteria in subsection
18 (d).

19 “(c) COMPREHENSIVE ASSESSMENT OF HBCU HIS-
20 TORIC PRESERVATION PROPERTIES.—Within 1 year after
21 the date of enactment of this Act, the Secretary shall carry
22 out through the National Trust for Historic
23 Preservation—

24 “(1) a comprehensive assessment of all historic
25 properties listed on the National Register of Historic
26 Places on historically black college and university

1 campuses, and those historic properties eligible to be
2 placed on the National Register; and

3 “(2) an independent estimate of the complete
4 cost of completing such renovation, restoration, or
5 rehabilitation at each institution (including compli-
6 ance with all applicable Federal laws and regula-
7 tions), and the fiscal capability of such institution to
8 complete the required preservation work, including
9 the institution’s ability to meet the matching re-
10 quirement in subsection (f).

11 “(d) GRANTS TO ELIGIBLE HISTORICALLY BLACK
12 COLLEGES AND UNIVERSITIES BASED ON NEED.—From
13 the amounts made available to carry out the National His-
14 toric Preservation Act pursuant to this section, the Sec-
15 retary of the Interior shall make not less than 15 grants
16 each year to eligible historically black colleges and univer-
17 sities based on the comprehensive assessment of the need
18 to preserve the property based on the threat to the historic
19 value and status of the property required by subsection
20 (c), including—

21 “(1) physical deterioration due to lack of use
22 and inadequate maintenance;

23 “(2) demand for use of the land on which the
24 structure is located or the structure itself due to the

1 pressure of campus growth or outside encroachment;
2 and

3 “(3) lack of institutional resources to assess the
4 need for and pay the cost of renovation, restoration,
5 or rehabilitation of historic properties on campus.

6 “(e) GRANT CONDITIONS.—Grants made under this
7 section shall not exceed the cost of completing work on
8 1 property and shall be subject to the condition that the
9 grantee covenants for the period of time specified by the
10 Secretary, that—

11 “(1) no alteration will be made in the property
12 with respect to which the grant is made without the
13 concurrence of the Secretary;

14 “(2) reasonable public access to the property
15 with respect to which the grant is made will be per-
16 mitted by the grantee for interpretive and edu-
17 cational purposes; and

18 “(3) the grantee agrees not to receive any other
19 funds under the National Historic Preservation Act
20 until each historically black college or university has
21 received at least 1 grant under this section.

22 “(f) MATCHING REQUIREMENT FOR BUILDINGS AND
23 STRUCTURES LISTED ON THE NATIONAL REGISTER OF
24 HISTORIC PLACES.—

1 “(1) Except as provided by paragraph (2), the
2 Secretary may obligate funds in accord with sub-
3 section (d) for a grant with respect to a building or
4 structure listed on, or eligible for listing on, the Na-
5 tional Register of Historic Places only if the grantee
6 agrees to match, from funds derived from non-Fed-
7 eral sources, an amount equal to one-quarter of the
8 grant made available by the Secretary.

9 “(2) The Secretary may waive paragraph (1)
10 with respect to a grant if the Secretary determines
11 from circumstances that an extreme emergency ex-
12 ists or that such a waiver is in the public interest
13 to assure the preservation of historically significant
14 resources.

15 “(g) FUNDING PROVISION.—Pursuant to section 108
16 of the National Historic Preservation Act, the Secretary
17 shall make available \$60,000,000 each year to carry out
18 the purposes of this section. Of the amounts made avail-
19 able pursuant to this section, the Secretary shall make a
20 grant to each historically black college or university, in
21 rank order based on the assessment required by subsection
22 (c), in an amount equal to not less than \$3,000,000 per
23 project, or three-quarters of the total cost (or the Federal
24 share) of the project, whichever is greater, until each his-

- 1 torically black college or university has received a grant
- 2 under this section.”.

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