

108TH CONGRESS
1ST SESSION

H. R. 3076

AN ACT

To amend title VII of the Higher Education Act of 1965 to ensure graduate opportunities in postsecondary education, 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,*

1 **SECTION 1. SHORT TITLE; REFERENCES.**

2 (a) **SHORT TITLE.**—This Act may be cited as the
3 “Graduate Opportunities in Higher Education Act of
4 2003”.

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

11 **SEC. 2. JAVITS FELLOWSHIP PROGRAM.**

12 (a) **INTERRUPTIONS OF STUDY.**—Section 701(c) (20
13 U.S.C. 1134(c)) is amended by adding at the end the fol-
14 lowing new sentence: “In the case of other exceptional cir-
15 cumstances, such as active duty military service or per-
16 sonal or family member illness, the institution of higher
17 education may also permit the fellowship recipient to in-
18 terrupt periods of study for the duration of the tour of
19 duty (in the case of military service) or not more than
20 12 months (in any other case), but without payment of
21 the stipend.”.

22 (b) **ALLOCATION OF FELLOWSHIPS.**—Section
23 702(a)(1) (20 U.S.C. 1134a(a)(1)) is amended—

24 (1) in the first sentence, by inserting “from di-
25 verse geographic regions” after “higher education”;
26 and

1 (2) by adding at the end the following new sen-
2 tence: “The Secretary shall also assure that at least
3 one representative appointed to the Board represents
4 an institution that is eligible for a grant under title
5 III or V of this Act.”.

6 (c) STIPENDS.—Section 703 (20 U.S.C. 1134b(a)) is
7 amended—

8 (1) in subsection (a)—

9 (A) by striking “1999–2000” and inserting
10 “2004–2005”;

11 (B) by striking “shall be set” and inserting
12 “may be set”; and

13 (C) by striking “Foundation graduate fel-
14 lowships” and inserting “Foundation Graduate
15 Research Fellowship Program”; and

16 (2) in subsection (b), by amending paragraph
17 (1)(A) to read as follows:

18 “(1) IN GENERAL.—(A) The Secretary shall (in
19 addition to stipends paid to individuals under this
20 subpart) pay to the institution of higher education,
21 for each individual awarded a fellowship under this
22 subpart at such institution, an institutional allow-
23 ance. Except as provided in subparagraph (B), such
24 allowance shall be, for 2004–2005 and succeeding
25 academic years, the same amount as the institu-

1 tional payment made for 2003–2004 adjusted for
2 2004–2005 and annually thereafter in accordance
3 with inflation as determined by the Department of
4 Labor’s Consumer Price Index for the previous cal-
5 endar year.”.

6 (d) AUTHORIZATION OF APPROPRIATIONS.—Section
7 705 (20 U.S.C. 1134d) is amended by striking “fiscal year
8 1999 and such sums as may be necessary for each of the
9 4 succeeding fiscal years” and inserting “fiscal year 2004
10 and such sums as may be necessary for each of the 5 suc-
11 ceeding fiscal years”.

12 **SEC. 3. GRADUATE ASSISTANCE IN AREAS OF NATIONAL**
13 **NEED.**

14 (a) DESIGNATION OF AREAS OF NATIONAL NEED;
15 PRIORITY.—Section 712 (20 U.S.C. 1135a) is amended—

16 (1) in the last sentence of subsection (b)—

17 (A) by striking “and an assessment” and
18 inserting “an assessment”; and

19 (B) by inserting before the period at the
20 end the following: “, and the priority described
21 in subsection (c) of this section”; and

22 (2) by adding at the end the following new sub-
23 section:

24 “(c) PRIORITY.—The Secretary shall establish a pri-
25 ority for grants in order to prepare individuals for the pro-

1 fessoriate who will train highly-qualified elementary and
2 secondary school teachers of math, science, and special
3 education, and teachers who provide instruction for lim-
4 ited English proficient individuals. Such grants shall offer
5 program assistance and graduate fellowships for—

6 “(1) post-baccalaureate study related to teacher
7 preparation and pedagogy in math and science for
8 students who have completed a master’s degree or
9 are pursuing a doctorate of philosophy in math and
10 science;

11 “(2) post-baccalaureate study related to teacher
12 preparation and pedagogy in special education and
13 English language acquisition and academic pro-
14 ficiency for limited English proficient individuals;
15 and

16 “(3) support of dissertation research in the
17 fields of math, science, special education, or second
18 language pedagogy and second language acquisi-
19 tion.”.

20 (b) COLLABORATION REQUIRED FOR CERTAIN AP-
21 PLICATIONS.—Section 713(b) (20 U.S.C. 1135b) is
22 amended—

23 (1) by striking “and” at the end of paragraph
24 (9);

1 (2) by redesignating paragraph (10) as para-
2 graph (11); and

3 (3) by inserting after paragraph (9) the fol-
4 lowing new paragraph:

5 “(10) in the case of an application for a grant
6 by a department, program, or unit in education or
7 teacher preparation, contain assurances that such
8 department, program, or unit collaborates with de-
9 partments, programs, or units in all content areas to
10 assure a successful combination of training in both
11 teaching and such content; and”.

12 (c) STIPENDS.—Section 714(b) (20 U.S.C. 1135c(b))
13 is amended—

14 (1) by striking “1999–2000” and inserting
15 “2004–2005”;

16 (2) by striking “shall be set” and inserting
17 “may be set”; and

18 (3) by striking “Foundation graduate fellow-
19 ships” and inserting “Foundation Graduate Re-
20 search Fellowship Program”.

21 (d) ADDITIONAL ASSISTANCE.—Section 715(a)(1)
22 (20 U.S.C. 1135d(a)(1)) is amended—

23 (1) by striking “1999–2000” and inserting
24 “2004–2005”; and

1 (2) by striking “1998–1999” and inserting
2 “2003–2004”.

3 (e) AUTHORIZATION OF APPROPRIATIONS.—Section
4 716 (20 U.S.C. 1135e) is amended by striking “fiscal year
5 1999 and such sums as may be necessary for each of the
6 4 succeeding fiscal years” and inserting “fiscal year 2004
7 and such sums as may be necessary for each of the 5 suc-
8 ceeding fiscal years”.

9 (f) TECHNICAL AMENDMENTS.—Section 714(c) (20
10 U.S.C. 1135c(c)) is amended—

11 (1) by striking “section 716(a)” and inserting
12 “section 715(a)”; and

13 (2) by striking “section 714(b)(2)” and insert-
14 ing “section 713(b)(2)”.

15 **SEC. 4. THURGOOD MARSHALL LEGAL EDUCATIONAL OP-**
16 **PORTUNITY PROGRAM.**

17 (a) CONTRACT AND GRANT PURPOSES.—Section
18 721(e) (20 U.S.C. 1136(e)) is amended—

19 (1) by amending paragraph (2) to read as fol-
20 lows:

21 “(2) to prepare such students for study at ac-
22 credited law schools and assist them with the devel-
23 opment of analytical skills and study methods to en-
24 hance their success and promote completion of law
25 school;”;

1 (2) by striking “and” at the end of paragraph
2 (4);

3 (3) by striking the period at the end of para-
4 graph (5) and inserting “; and”; and

5 (4) by adding at the end the following new
6 paragraph:

7 “(6) to award Thurgood Marshall Fellowships
8 to eligible law school students—

9 “(A) who participated in summer institutes
10 authorized by subsection (d) and who are en-
11 rolled in an accredited law school; or

12 “(B) who are eligible law school students
13 who have successfully completed a comparable
14 summer institute program certified by the
15 Council on Legal Educational Opportunity.”.

16 (b) SERVICES PROVIDED.—Section 721(d)(1)(D) (20
17 U.S.C. 1136(d)(1)(D)) is amended by inserting “in ana-
18 lytical skills and study methods” after “courses”.

19 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
20 721(h) (20 U.S.C. 1136(h)) is amended by striking “1999
21 and each of the 4 succeeding fiscal years” and inserting
22 “2004 and each of the 5 succeeding fiscal years”.

23 (d) GENERAL PROVISIONS.—Subsection (e) of section
24 731 (20 U.S.C. 1137(e)) is repealed.

1 **SEC. 5. FUND FOR THE IMPROVEMENT OF POSTSEC-**
2 **ONDARY EDUCATION.**

3 (a) **CONTRACT AND GRANT PURPOSES.**—Section
4 741(a) (20 U.S.C. 1138(a)) is amended—

5 (1) by amending paragraph (1) to read as fol-
6 lows:

7 “(1) the encouragement of the reform and im-
8 provement of, and innovation in, postsecondary edu-
9 cation and the provision of educational opportunity
10 for all, especially for the non-traditional student pop-
11 ulations;”;

12 (2) in paragraph (2), by inserting before the
13 semicolon at the end the following: “for postsec-
14 ondary students, especially those that provide aca-
15 demic credit for programs”;

16 (3) by amending paragraph (3) to read as fol-
17 lows:

18 “(3) the establishment of institutions and pro-
19 grams based on the technology of communications,
20 including delivery by distance education;” and

21 (4) by amending paragraph (6) to read as fol-
22 lows:

23 “(6) the introduction of institutional reforms
24 designed to expand individual opportunities for en-
25 tering and reentering postsecondary institutions and

1 pursuing programs of postsecondary study tailored
2 to individual needs;”.

3 (b) AREAS OF NATIONAL NEED.—Section 744(c) (20
4 U.S.C. 1138c(c)) is amended by striking paragraph (4)
5 and inserting the following:

6 “(4) International cooperation, partnerships, or
7 student exchange among postsecondary educational
8 institutions in the United States and abroad.

9 “(5) Establishment of academic programs in-
10 cluding graduate and undergraduate courses, semi-
11 nars and lectures, support of research, and develop-
12 ment of teaching materials for the purpose of sup-
13 porting faculty and academic programs that teach
14 traditional American history (including significant
15 constitutional, political, intellectual, economic, diplo-
16 matic, and foreign policy trends, issues, and docu-
17 ments; the history, nature, and development of
18 democratic institutions of which American democ-
19 racy is a part; and significant events and individuals
20 in the history of the United States).

21 “(6) Support for planning, applied research,
22 training, resource exchanges or technology transfers,
23 the delivery of services, or other activities the pur-
24 pose of which is to design and implement programs
25 to enable institutions of higher education to work

1 with private and civic organizations to assist commu-
2 nities to meet and address their pressing and severe
3 problems, including economic development, commu-
4 nity infrastructure and housing, crime prevention,
5 education, healthcare, self sufficiency, and workforce
6 preparation.”.

7 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
8 745 (20 U.S.C. 1138d) is amended by striking
9 “\$30,000,000 for fiscal year 1999 and such sums as may
10 be necessary for each of the 4 succeeding fiscal years” and
11 inserting “\$40,000,000 for fiscal year 2004 and such
12 sums as may be necessary for each of the 5 succeeding
13 fiscal years” .

14 **SEC. 6. URBAN COMMUNITY SERVICE.**

15 Part C of title VII (20 U.S.C. 1139 et seq.) is re-
16 pealed.

17 **SEC. 7. DEMONSTRATION PROJECTS TO ENSURE STUDENTS**

18 **WITH DISABILITIES RECEIVE A QUALITY**

19 **HIGHER EDUCATION.**

20 (a) SERVING ALL STUDENTS WITH DISABILITIES.—

21 Section 762(a) (20 U.S.C. 1140a(a)) is amended by strik-
22 ing “students with learning disabilities” and inserting
23 “students with disabilities”.

24 (b) AUTHORIZED ACTIVITIES.—

1 (1) AMENDMENT.—Section 762(b)(2) is
2 amended—

3 (A) in subparagraph (A), by inserting “in
4 order to improve retention and completion”
5 after “disabilities”;

6 (B) by redesignating subparagraphs (B)
7 and (C) as subparagraphs (C) and (E), respec-
8 tively;

9 (C) by inserting after subparagraph (A)
10 the following new subparagraph:

11 “(B) EFFECTIVE TRANSITION PRAC-
12 TICES.—The development of innovative, effec-
13 tive, and efficient teaching methods and strate-
14 gies to ensure the smooth transition of students
15 with disabilities from high school to postsec-
16 ondary education.”; and

17 (D) by inserting after subparagraph (C)
18 (as redesignated by subparagraph (B) of this
19 paragraph) the following new subparagraph:

20 “(D) DISTANCE LEARNING.—The develop-
21 ment of innovative, effective, and efficient
22 teaching methods and strategies to provide fac-
23 ulty and administrators with the ability to pro-
24 vide accessible distance education programs or
25 classes that would enhance access of students

1 with disabilities to higher education, including
2 the use of electronic communication for instruc-
3 tion and advisement.”.

4 (2) CONFORMING AMENDMENT.—Section
5 762(b)(3) is amended by striking “subparagraphs
6 (A) through (C)” and inserting “subparagraphs (A)
7 through (E)”.

8 (c) APPLICATIONS.—Section 763 (20 U.S.C. 1140b)
9 is amended—

10 (1) by amending paragraph (1) to read as fol-
11 lows:

12 “(1) a description of how such institution plans
13 to address the activities allowed under this part;”;

14 (2) by striking “and” at the end of paragraph
15 (2);

16 (3) by striking the period at the end of para-
17 graph (3) and inserting “; and”; and

18 (4) by adding at the end the following new
19 paragraph:

20 “(4) a description of the extent to which an in-
21 stitution will work to replicate the best practices of
22 institutions of higher education with demonstrated
23 success in serving students with disabilities.”.

24 (d) AUTHORIZATION OF APPROPRIATIONS.—Section
25 765 (20 U.S.C. 1140d) is amended by striking “fiscal year

1 1999 and such sums as may be necessary for each of the
2 4 succeeding fiscal years” and inserting “fiscal year 2004
3 and such sums as may be necessary for each of the 5 suc-
4 ceeding fiscal years”.

Passed the House of Representatives October 21,
2003.

Attest:

Clerk.

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