

108TH CONGRESS  
1ST SESSION

# H. R. 3076

To amend title VII of the Higher Education Act of 1965 to ensure graduate opportunities in postsecondary education, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 11, 2003

Mr. HOEKSTRA (for himself, Mr. BOEHNER, Mr. McKEON, Mr. ISAKSON, Mr. TIBERI, Mr. WILSON of South Carolina, and Mr. COLE) introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

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,*

3 **SECTION 1. SHORT TITLE; REFERENCES; TABLE OF CON-**  
4 **TENTS.**

5 (a) SHORT TITLE.—This Act may be cited as the  
6 “Graduate Opportunities in Higher Education Act of  
7 2003”.

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

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

5 **SEC. 2. JAVITS FELLOWSHIP PROGRAM.**

6 (a) PRIORITY.—Section 701(a) (20 U.S.C. 1134(a))  
7 is amended by inserting after the second sentence the fol-  
8 lowing new sentence: “The Secretary shall provide a pri-  
9 ority for the purpose of awarding fellowships under this  
10 section to students who are in enrolled in graduate courses  
11 of study in advanced linguistics and in courses that pre-  
12 pare teachers to teach students with limited English pro-  
13 ficiency.”.

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

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

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

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

9           (d) STIPENDS.—Section 703 (20 U.S.C. 1134b(a)) is  
10          amended—

11           (1) in subsection (a)—

12                   (A) by striking “1999–2000” and inserting  
13                   “2004–2005”;

14                   (B) by striking “shall be set” and inserting  
15                   “may be set”; and

16                   (C) by striking “Foundation graduate fel-  
17                   lowships” and inserting “Foundation Graduate  
18                   Research Fellowship Program”; and

19           (2) by amending subsection (b) to read as fol-  
20          lows:

21          “(b) INSTITUTIONAL PAYMENTS.—

22                   “(1) IN GENERAL.—The Secretary shall (in ad-  
23                   dition to stipends paid to individuals under this sub-  
24                   part) pay to the institution of higher education, for  
25                   each individual awarded a fellowship under this sub-

1 part at such institution, an institutional allowance.  
2 Except as provided in paragraph (2), such allowance  
3 shall be, for 2004–2005 and succeeding academic  
4 years, the same amount as the institutional payment  
5 made for 2003–2004 adjusted for 2004–2005 and  
6 annually thereafter in accordance with inflation as  
7 determined by the Department of Labor’s Consumer  
8 Price Index for the previous calendar year.

9 “(2) REDUCTION.—The institutional allowance  
10 paid under paragraph (1) shall be reduced by the  
11 amount the institution charges and collects from a  
12 fellowship recipient for tuition and other expenses as  
13 part of the recipient’s instructional program.”.

14 (e) AUTHORIZATION OF APPROPRIATIONS.—Section  
15 705 (20 U.S.C. 1134d) is amended by striking “fiscal year  
16 1999 and such sums as may be necessary for each of the  
17 4 succeeding fiscal years” and inserting “fiscal year 2004  
18 and sums as may be necessary for each of the 5 succeeding  
19 fiscal years”.

20 **SEC. 3. GRADUATE ASSISTANCE IN AREAS OF NATIONAL**  
21 **NEED.**

22 (a) PRIORITY.—Section 711(a) (20 U.S.C. 1135(a))  
23 is amended by adding at the end the following new para-  
24 graph:

1           “(3) PRIORITY.—The Secretary shall establish  
2 a priority for grants to institutions of higher edu-  
3 cation in order to prepare math, science and special  
4 education faculty who can train highly qualified  
5 math, science and special education elementary and  
6 secondary school teachers. Such grants shall offer  
7 program assistance and graduate fellowships for—

8                   “(A) post-baccalaureate study related to  
9 teacher preparation in math, science, or special  
10 education; and

11                   “(B) support of dissertation research in  
12 math, science, or special education.”.

13           (b) DESIGNATION OF AREAS OF NATIONAL NEED.—  
14 The last sentence of section 712(b) (20 U.S.C. 1135a(b))  
15 is amended—

16                   (1) by striking “and an assessment” and insert-  
17 ing “an assessment”; and

18                   (2) by inserting before the period at the end of  
19 the following: “and the priority described in section  
20 711 (a)(3)”.

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

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

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

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

6           (d) ADDITIONAL ASSISTANCE.—Section 715(a)(1)  
7 (20 U.S.C. 1135d(a)(1)) is amended—

8           (1) by striking “1999–2000” and inserting  
9           “2004–2005”; and

10          (2) by striking “1998–1999” and inserting  
11          “2003–2004”.

12          (e) AUTHORIZATION OF APPROPRIATIONS.—Section  
13 716 (20 U.S.C. 1135e) is amended by striking “fiscal year  
14 1999 and such sums as may be necessary for each of the  
15 4 succeeding fiscal years” and inserting “fiscal year 2004  
16 and sums as may be necessary for each of the 5 succeeding  
17 fiscal years”.

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

20          (1) by striking “section 716(a)” and inserting  
21          “section 715(a)”; and

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

1 **SEC. 4. THURGOOD MARSHALL LEGAL EDUCATIONAL OP-**  
2 **PORTUNITY PROGRAM.**

3 (a) CONTRACT AND GRANT PURPOSES.—Section  
4 721(c) (20 U.S.C. 1136(c)) is amended—

5 (1) by amending paragraph (2) to read as fol-  
6 lows:

7 “(2) to prepare such students for study at ac-  
8 credited law schools and assist them with the devel-  
9 opment of analytical skills and study methods to en-  
10 hance their success and promote completion of law  
11 school;”;

12 (2) by striking “and” at the end of paragraph  
13 (4);

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

16 (4) by adding at the end the following new  
17 paragraph:

18 “(6) to award Thurgood Marshall Fellowships  
19 to eligible law school students—

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

23 “(B) who are eligible law school students  
24 who have successfully completed a comparable  
25 summer institute program certified by the  
26 Council on Legal Educational Opportunity.”.

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

4 (c) AUTHORIZATION OF APPROPRIATIONS.—Section  
5 721(h) (20 U.S.C. 1136(h)) is amended by striking “1999  
6 and each of the 4 succeeding fiscal years” and inserting  
7 “2004 and each of the 5 succeeding fiscal years”.

8 (d) GENERAL PROVISIONS.—Subsection (e) of section  
9 731 (20 U.S.C. 1137(e)) is repealed.

10 **SEC. 5. FUND FOR THE IMPROVEMENT OF POSTSEC-**  
11 **ONDARY EDUCATION.**

12 (a) CONTRACT AND GRANT PURPOSES.—Section  
13 741(a) (20 U.S.C. 1138(a)) is amended—

14 (1) by amending paragraph (1) to read as fol-  
15 lows:

16 “(1) the encouragement of the reform and im-  
17 provement of, and innovation in, postsecondary edu-  
18 cation and the provision of educational opportunity  
19 for all, especially for the non-traditional student pop-  
20 ulations;”;

21 (2) in paragraph (2), by inserting before the  
22 semicolon at the end the following: “for postsec-  
23 ondary students, especially those that provide aca-  
24 demic credit for programs”;



1           (3) by amending paragraph (3) to read as fol-  
2           lows:

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

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

8           “(6) the introduction of institutional reforms  
9           designed to expand individual opportunities for en-  
10          tering and reentering postsecondary institutions and  
11          pursuing programs of postsecondary study tailored  
12          to individual needs;”.

13          (b) SPECIAL PROJECTS.—Paragraph (4) of section  
14          744(c) (20 U.S.C. 1138c(c)(4)) is amended to read as fol-  
15          lows:

16          “(4) International cooperation, partnerships, or  
17          student exchange among postsecondary educational  
18          institutions in the United States and abroad.”.

19          (c) AUTHORIZATION OF APPROPRIATIONS.—Section  
20          745 (20 U.S.C. 1138d) is amended by striking  
21          “\$30,000,000 for fiscal year 1999 and such sums as may  
22          be necessary for each of the 4 succeeding fiscal years” and  
23          inserting “\$40,000,000 for fiscal year 2004 and such  
24          sums as may be necessary for each of the 5 succeeding  
25          fiscal years” .

1 **SEC. 6. URBAN COMMUNITY SERVICE.**

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

4 **SEC. 7. DEMONSTRATION PROJECTS TO ENSURE STUDENTS**  
5 **WITH DISABILITIES RECEIVE A QUALITY**  
6 **HIGHER EDUCATION.**

7 (a) SERVING ALL STUDENTS WITH DISABILITIES.—  
8 Section 762(a) (20 U.S.C. 1140a(a)) is amended by strik-  
9 ing “students with learning disabilities” and inserting  
10 “students with disabilities”.

11 (b) AUTHORIZED ACTIVITIES.—

12 (1) AMENDMENT.—Section 762(b)(2) is amend-  
13 ed—

14 (A) in subparagraph (A), by inserting “in  
15 order to improve retention and completion”  
16 after “disabilities”;

17 (B) by redesignating subparagraphs (B)  
18 and (C) as subparagraphs (C) and (E), respec-  
19 tively;

20 (C) by inserting after subparagraph (A)  
21 the following new subparagraph:

22 “(B) EFFECTIVE TRANSITION PRAC-  
23 TICES.—The development of innovative, effec-  
24 tive, and efficient teaching methods and strate-  
25 gies to ensure the smooth transition of students

1 with disabilities from high school to postsec-  
2 ondary education.”; and

3 (D) by inserting after subparagraph (C)  
4 (as redesignated by subparagraph (B) of this  
5 paragraph) the following new subparagraph:

6 “(D) DISTANCE LEARNING.—The develop-  
7 ment of innovative, effective, and efficient  
8 teaching methods and strategies to provide fac-  
9 ulty and administrators with the ability to pro-  
10 vide accessible distance education programs or  
11 classes that would enhance access of students  
12 with disabilities to higher education, including  
13 the use of electronic communication for instruc-  
14 tion and advisement.”.

15 (2) CONFORMING AMENDMENT.—Section  
16 762(b)(3) is amended by striking “subparagraphs  
17 (A) through (C)” and inserting “subparagraphs (A)  
18 through (E)”.

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

21 (1) by amending paragraph (1) to read as fol-  
22 lows:

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

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

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

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

7           “(4) a description of the extent to which an in-  
8           stitution will work to replicate the best practices of  
9           institutions of higher education with demonstrated  
10          success in serving students with disabilities.”.

11          (d) AUTHORIZATION OF APPROPRIATIONS.—Section  
12          765 (20 U.S.C. 1140d) is amended by striking “fiscal year  
13          1999 and such sums as may be necessary for each of the  
14          4 succeeding fiscal years” and inserting “fiscal year 2004  
15          and such sums as may be necessary for each of the 5 suc-  
16          ceeding fiscal years”.

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