

Union Calendar No. 184

108TH CONGRESS
1ST SESSION

H. R. 3076

[Report No. 108-307]

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

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

OCTOBER 8, 2003

Additional sponsor: Mr. UPTON

OCTOBER 8, 2003

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on September 11, 2003]

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.**

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

7 (b) *REFERENCES.*—*Except as otherwise expressly pro-*
8 *vided, whenever in this Act an amendment or repeal is ex-*
9 *pressed in terms of an amendment to, or repeal of, a section*
10 *or other provision, the reference shall be considered to be*
11 *made to a section or other provision of the Higher Edu-*
12 *cation Act of 1965 (20 U.S.C. 1001 et seq.).*

13 **SEC. 2. JAVITS FELLOWSHIP PROGRAM.**

14 (a) *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 personal*
18 *or family member illness, the institution of higher education*
19 *may also permit the fellowship recipient to interrupt peri-*
20 *ods of study for the duration of the tour of duty (in the*
21 *case of military service) or not more than 12 months (in*
22 *any other case), but without payment of the stipend.”.*

23 (b) *ALLOCATION OF FELLOWSHIPS.*—*Section*
24 *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 (c) *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) *in subsection (b), by amending paragraph*
20 *(1)(A) to read as follows:*

21 “(1) *IN GENERAL.—(A) The Secretary shall (in*
22 *addition to stipends paid to individuals under this*
23 *subpart) pay to the institution of higher education,*
24 *for each individual awarded a fellowship under this*
25 *subpart at such institution, an institutional allow-*

1 *ance. Except as provided in subparagraph (B), such*
2 *allowance shall be, for 2004–2005 and succeeding aca-*
3 *ademic years, the same amount as the institutional*
4 *payment made for 2003–2004 adjusted for 2004–2005*
5 *and annually thereafter in accordance with inflation*
6 *as determined by the Department of Labor’s Con-*
7 *sumer Price Index for the previous calendar year.”.*

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

14 **SEC. 3. GRADUATE ASSISTANCE IN AREAS OF NATIONAL**
15 **NEED.**

16 (a) *DESIGNATION OF AREAS OF NATIONAL NEED; PRI-*
17 *ORITY.—Section 712 (20 U.S.C. 1135a) is amended—*

18 (1) *in the last sentence of subsection (b)—*

19 (A) *by striking “and an assessment” and*
20 *inserting “an assessment”; and*

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

24 (2) *by adding at the end the following new sub-*
25 *section:*

1 “(c) *PRIORITY.*—*The Secretary shall establish a pri-*
2 *ority for grants in order to prepare individuals for the pro-*
3 *fessoriate who will train highly-qualified elementary and*
4 *secondary school teachers of math, science, and special edu-*
5 *cation, and teachers who provide instruction for limited*
6 *English proficient individuals. Such grants shall offer pro-*
7 *gram assistance and graduate fellowships for—*

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

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

18 “(3) *support of dissertation research in the fields*
19 *of math, science, special education, or second lan-*
20 *guage pedagogy and second language acquisition.”.*

21 (b) *COLLABORATION REQUIRED FOR CERTAIN APPLI-*
22 *CATIONS.*—*Section 713(b) (20 U.S.C. 1135b) is 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 de-
8 partment, program, or unit collaborates with depart-
9 ments, programs, or units in all content areas to as-
10 sure 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 “may
17 be set”; and

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

21 (d) *ADDITIONAL ASSISTANCE*.—Section 715(a)(1) (20
22 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 inserting
14 “section 713(b)(2)”.

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

17 (a) *CONTRACT AND GRANT PURPOSES.*—Section
18 721(c) (20 U.S.C. 1136(c)) 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 develop-
23 ment 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 para-*
6 *graph:*

7 “(6) *to award Thurgood Marshall Fellowships to*
8 *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 Coun-*
15 *cil 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 analyt-*
18 *ical 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 POSTSECONDARY**
2 **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 postsecondary*
14 *students, especially those that provide academic credit*
15 *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, in-*
20 *cluding delivery by distance education;”;* and

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

23 “(6) *the introduction of institutional reforms de-*
24 *signed to expand individual opportunities for enter-*
25 *ing and reentering postsecondary institutions and*

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

3 **(b) AREAS OF NATIONAL NEED.**—Section 744(c) (20
4 *U.S.C. 1138c(c)) is amended by striking paragraph (4) and*
5 *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 demo-*
18 *cratic institutions of which American democracy is a*
19 *part; and significant events and individuals in the*
20 *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 purpose*
24 *of which is to design and implement programs to en-*
25 *able institutions of higher education to work with pri-*

1 *vate and civic organizations to assist communities to*
 2 *meet and address their pressing and severe problems,*
 3 *including economic development, community infra-*
 4 *structure and housing, crime prevention, education,*
 5 *healthcare, self sufficiency, and workforce prepara-*
 6 *tion.”.*

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

13 **SEC. 6. URBAN COMMUNITY SERVICE.**

14 *Part C of title VII (20 U.S.C. 1139 et seq.) is repealed.*

15 **SEC. 7. DEMONSTRATION PROJECTS TO ENSURE STUDENTS**
 16 **WITH DISABILITIES RECEIVE A QUALITY**
 17 **HIGHER EDUCATION.**

18 *(a) SERVING ALL STUDENTS WITH DISABILITIES.—*
 19 *Section 762(a) (20 U.S.C. 1140a(a)) is amended by striking*
 20 *“students with learning disabilities” and inserting “stu-*
 21 *dents with disabilities”.*

22 *(b) AUTHORIZED ACTIVITIES.—*

23 *(1) AMENDMENT.—Section 762(b)(2) is amend-*
 24 *ed—*

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

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

7 (C) by inserting after subparagraph (A) the
8 following new subparagraph:

9 “(B) *EFFECTIVE TRANSITION PRACTICES.*—
10 *The development of innovative, effective, and effi-*
11 *cient teaching methods and strategies to ensure*
12 *the smooth transition of students with disabil-*
13 *ities from high school to postsecondary edu-*
14 *cation.”; and*

15 (D) by inserting after subparagraph (C) (as
16 redesignated by subparagraph (B) of this para-
17 graph) the following new subparagraph:

18 “(D) *DISTANCE LEARNING.*—*The develop-*
19 *ment of innovative, effective, and efficient teach-*
20 *ing methods and strategies to provide faculty*
21 *and administrators with the ability to provide*
22 *accessible distance education programs or classes*
23 *that would enhance access of students with dis-*
24 *abilities to higher education, including the use of*

1 *electronic communication for instruction and ad-*
2 *visement.”.*

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

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

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

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

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

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

17 (4) *by adding at the end the following new para-*
18 *graph:*

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

23 (d) *AUTHORIZATION OF APPROPRIATIONS.—Section*
24 *765 (20 U.S.C. 1140d) is amended by striking “fiscal year*
25 *1999 and such sums as may be necessary for each of the*

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

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