

110TH CONGRESS
1ST SESSION

S. 1642

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

IN THE SENATE OF THE UNITED STATES

JUNE 18, 2007

Mr. KENNEDY (for himself, Mr. ENZI, Mr. BINGAMAN, Mr. BROWN, Mr. DODD, Mrs. CLINTON, Mrs. MURRAY, Mr. OBAMA, Mr. REED, and Mr. SANDERS) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To extend the authorization 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Higher Education Amendments of 2007”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. References.
- Sec. 3. General effective date.

TITLE I—GENERAL PROVISIONS

- Sec. 101. Additional definitions.
- Sec. 102. General definition of institution of higher education.
- Sec. 103. Definition of institution of higher education for purposes of title IV programs.
- Sec. 104. Protection of student speech and association rights.
- Sec. 105. Accreditation and institutional quality and integrity advisory committee.
- Sec. 106. Drug and alcohol abuse prevention.
- Sec. 107. Prior rights and obligations.
- Sec. 108. Transparency in college tuition for consumers.
- Sec. 109. Databases of student information prohibited.
- Sec. 110. Performance-based organization for the delivery of Federal student financial assistance.
- Sec. 111. Procurement flexibility.
- Sec. 112. Institution and lender reporting and disclosure requirements.

TITLE II—TEACHER QUALITY ENHANCEMENT

- Sec. 201. Teacher quality partnership grants.
- Sec. 202. General provisions.

TITLE III—INSTITUTIONAL AID

- Sec. 301. Program purpose.
- Sec. 302. Definitions; eligibility.
- Sec. 303. American Indian tribally controlled colleges and universities.
- Sec. 304. Alaska native and native Hawaiian-serving institutions.
- Sec. 305. Native American-serving, nontribal institutions.
- Sec. 306. Part B definitions.
- Sec. 307. Grants to institutions.
- Sec. 308. Allotments to institutions.
- Sec. 309. Professional or graduate institutions.
- Sec. 310. Authority of the Secretary.
- Sec. 311. Authorization of appropriations.
- Sec. 312. Technical corrections.

TITLE IV—STUDENT ASSISTANCE

PART A—GRANTS TO STUDENTS IN ATTENDANCE AT INSTITUTIONS OF HIGHER EDUCATION

- Sec. 401. Federal Pell Grants.
- Sec. 402. Academic competitiveness grants.
- Sec. 403. Federal trio programs.
- Sec. 404. Gaining early awareness and readiness for undergraduate programs.
- Sec. 405. Academic achievement incentive scholarships.
- Sec. 406. Federal supplemental educational opportunity grants.
- Sec. 407. Leveraging Educational Assistance Partnership program.
- Sec. 408. Special programs for students whose families are engaged in migrant and seasonal farmwork.
- Sec. 409. Robert C. Byrd Honors Scholarship Program.
- Sec. 410. Child care access means parents in school.
- Sec. 411. Learning anytime anywhere partnerships.

PART B—FEDERAL FAMILY EDUCATION LOAN PROGRAM

- Sec. 421. Federal payments to reduce student interest costs.

- Sec. 422. Federal Consolidation Loans.
- Sec. 423. Default Reduction Program.
- Sec. 424. Reports to consumer reporting agencies and institutions of higher education.
- Sec. 425. Common forms and formats.
- Sec. 426. Student loan information by eligible lenders.
- Sec. 427. Consumer education information.
- Sec. 428. Definition of eligible lender.
- Sec. 429. Discharge and cancellation rights in cases of disability.
- Sec. 430. Special allowances.

PART C—FEDERAL WORK-STUDY PROGRAMS

- Sec. 441. Authorization of appropriations.
- Sec. 442. Allowance for books and supplies.
- Sec. 443. Grants for Federal work-study programs.
- Sec. 444. Job location and development programs.
- Sec. 445. Work colleges.

PART D—FEDERAL PERKINS LOANS

- Sec. 451. Cancellation of loans for certain public service.

PART E—NEED ANALYSIS

- Sec. 461. Cost of attendance.
- Sec. 462. Definitions.

PART F—GENERAL PROVISIONS RELATING TO STUDENT ASSISTANCE

- Sec. 471. Definitions.
- Sec. 472. Compliance calendar.
- Sec. 473. Forms and regulations.
- Sec. 474. Student eligibility.
- Sec. 475. Statute of limitations and State court judgments.
- Sec. 476. Institutional refunds.
- Sec. 477. Institutional and financial assistance information for students.
- Sec. 478. National Student Loan Data System.
- Sec. 479. Early awareness of financial aid eligibility.
- Sec. 480. Program participation agreements.
- Sec. 481. Regulatory relief and improvement.
- Sec. 482. Transfer of allotments.
- Sec. 483. Purpose of administrative payments.
- Sec. 484. Advisory Committee on Student Financial Assistance.
- Sec. 485. Regional meetings.
- Sec. 486. Year 2000 requirements at the Department.

PART G—PROGRAM INTEGRITY

- Sec. 491. Recognition of accrediting agency or association.
- Sec. 492. Administrative capacity standard.
- Sec. 493. Program review and data.
- Sec. 494. Timely information about loans.
- Sec. 495. Auction evaluation and report.

TITLE V—DEVELOPING INSTITUTIONS

- Sec. 501. Authorized activities.

- Sec. 502. Postbaccalaureate opportunities for Hispanic Americans.
- Sec. 503. Applications.
- Sec. 504. Cooperative arrangements.
- Sec. 505. Authorization of appropriations.

TITLE VI—INTERNATIONAL EDUCATION PROGRAMS

- Sec. 601. Findings.
- Sec. 602. Graduate and undergraduate language and area centers and programs.
- Sec. 603. Undergraduate international studies and foreign language programs.
- Sec. 604. Research; studies.
- Sec. 605. Technological innovation and cooperation for foreign information access.
- Sec. 606. Selection of certain grant recipients.
- Sec. 607. American overseas research centers.
- Sec. 608. Authorization of appropriations for international and foreign language studies.
- Sec. 609. Centers for international business education.
- Sec. 610. Education and training programs.
- Sec. 611. Authorization of appropriations for business and international education programs.
- Sec. 612. Minority foreign service professional development program.
- Sec. 613. Institutional development.
- Sec. 614. Study abroad program.
- Sec. 615. Advanced degree in international relations.
- Sec. 616. Internships.
- Sec. 617. Financial assistance.
- Sec. 618. Report.
- Sec. 619. Gifts and donations.
- Sec. 620. Authorization of appropriations for the Institute for International Public Policy.
- Sec. 621. Definitions.
- Sec. 622. Assessment and enforcement.

TITLE VII—GRADUATE AND POSTSECONDARY IMPROVEMENT PROGRAMS

- Sec. 701. Purpose.
- Sec. 702. Allocation of Jacob K. Javits Fellowships.
- Sec. 703. Stipends.
- Sec. 704. Authorization of appropriations for the Jacob K. Javits Fellowship Program.
- Sec. 705. Institutional eligibility under the Graduate Assistance in Areas of National Need Program.
- Sec. 706. Awards to graduate students.
- Sec. 707. Additional assistance for cost of education.
- Sec. 708. Authorization of appropriations for the Graduate Assistance in Areas of National Need Program.
- Sec. 709. Legal educational opportunity program.
- Sec. 710. Fund for the improvement of postsecondary education.
- Sec. 711. Special projects.
- Sec. 712. Authorization of appropriations for the fund for the improvement of postsecondary education.
- Sec. 713. Repeal of the urban community service program.
- Sec. 714. Grants for students with disabilities.

- Sec. 715. Applications for demonstration projects to ensure students with disabilities receive a quality higher education.
- Sec. 716. Authorization of appropriations for demonstration projects to ensure students with disabilities receive a quality higher education.

TITLE VIII—MISCELLANEOUS

- Sec. 801. Miscellaneous.

TITLE IX—AMENDMENTS TO OTHER LAWS

PART A—EDUCATION OF THE DEAF ACT OF 1986

- Sec. 901. Laurent Clerc National Deaf Education Center.
- Sec. 902. Agreement with Gallaudet University.
- Sec. 903. Agreement for the National Technical Institute for the Deaf.
- Sec. 904. Cultural experiences grants.
- Sec. 905. Audit.
- Sec. 906. Reports.
- Sec. 907. Monitoring, evaluation, and reporting.
- Sec. 908. Liaison for educational programs.
- Sec. 909. Federal endowment programs for Gallaudet University and the National Technical Institute for the Deaf.
- Sec. 910. Oversight and effect of agreements.
- Sec. 911. International students.
- Sec. 912. Research priorities.
- Sec. 913. Authorization of appropriations.

PART B—UNITED STATES INSTITUTE OF PEACE ACT

- Sec. 921. United States Institute of Peace Act.

PART C—THE HIGHER EDUCATION AMENDMENTS OF 1998

- Sec. 931. Repeals.
- Sec. 932. Grants to States for workplace and community transition training for incarcerated youth offenders.
- Sec. 933. Underground railroad educational and cultural program.
- Sec. 934. Olympic scholarships under the Higher Education Amendments of 1992.

PART D—INDIAN EDUCATION

SUBPART 1—TRIBAL COLLEGES AND UNIVERSITIES

- Sec. 941. Reauthorization of the Tribally Controlled College or University Assistance Act of 1978.

SUBPART 2—NAVAJO HIGHER EDUCATION

- Sec. 945. Short title.
- Sec. 946. Reauthorization of Navajo Community College Act.

1 **SEC. 2. REFERENCES.**

- 2 Except as otherwise expressly provided, whenever in
- 3 this Act an amendment or repeal is expressed in terms

1 of an amendment to, or repeal of, a section or other provi-
 2 sion, the reference shall be considered to be made to a
 3 section or other provision of the Higher Education Act of
 4 1965 (20 U.S.C. 1001 et seq.).

5 **SEC. 3. GENERAL EFFECTIVE DATE.**

6 Except as otherwise provided in this Act or the
 7 amendments made by this Act, the amendments made by
 8 this Act shall take effect on July 1, 2007.

9 **TITLE I—GENERAL PROVISIONS**

10 **SEC. 101. ADDITIONAL DEFINITIONS.**

11 (a) AMENDMENT.—Section 103 (20 U.S.C. 1003) is
 12 amended—

13 (1) by redesignating paragraphs (9) through
 14 (16) as paragraphs (13) through (20); respectively;

15 (2) by redesignating paragraphs (4) through
 16 (8) as paragraphs (7) through (11), respectively;

17 (3) by redesignating paragraphs (1), (2), and
 18 (3) as paragraphs (2), (4), and (5), respectively;

19 (4) by inserting before paragraph (2) (as redesi-
 20 gnated by paragraph (2)) the following:

21 “(1) AUTHORIZING COMMITTEES.—The term
 22 ‘authorizing committees’ means the Committee on
 23 Health, Education, Labor, and Pensions of the Sen-
 24 ate and the Committee on Education and Labor of
 25 the House of Representatives.”;

1 (5) by inserting after paragraph (2) (as redesignated by paragraph (3)) the following:

2 “(3) CRITICAL FOREIGN LANGUAGE.—The term
3 ‘critical foreign language’ means each of the lan-
4 guages contained in the list of critical languages des-
5 ignated by the Secretary in the Federal Register on
6 August 2, 1985 (50 Fed. Reg. 149, 31413; enacted
7 under the authority of section 212(d) of the Edu-
8 cation for Economic Security Act (repealed by sec-
9 tion 2303 of the Augustus F. Hawkins-Robert T.
10 Stafford Elementary and Secondary School Improve-
11 ment Amendments of 1988)), except that in the im-
12 plementation of this definition with respect to a spe-
13 cific title, the Secretary may set priorities according
14 to the purposes of such title and the national secu-
15 rity, economic competitiveness, and educational
16 needs of the United States.”;

17 (6) by inserting after paragraph (5) (as redesignated by paragraph (3)) the following:

18 “(6) DISTANCE EDUCATION.—

19 “(A) IN GENERAL.—Except as otherwise
20 provided, the term ‘distance education’ means
21 education that uses 1 or more of the tech-
22 nologies described in subparagraph (B)—
23
24

1 “(i) to deliver instruction to students
2 who are separated from the instructor; and

3 “(ii) to support regular and sub-
4 stantive interaction between the students
5 and the instructor, synchronously or asyn-
6 chronously.

7 “(B) INCLUSIONS.—For the purposes of
8 subparagraph (A), the technologies used may
9 include—

10 “(i) the Internet;

11 “(ii) one-way and two-way trans-
12 missions through open broadcast, closed
13 circuit, cable, microwave, broadband lines,
14 fiber optics, satellite, or wireless commu-
15 nications devices;

16 “(iii) audio conferencing; or

17 “(iv) video cassette, DVDs, and CD-
18 ROMs, if the cassette, DVDs, and CD-
19 ROMs are used in a course in conjunction
20 with the technologies listed in clauses (i)
21 through (iii).”; and

22 (7) by inserting after paragraph (11) (as redese-
23 gnated by paragraph (2)) the following:

24 “(12) POVERTY LINE.—The term ‘poverty line’
25 means the poverty line (as defined in section 673(2)

1 of the Community Services Block Grant Act (42
2 U.S.C. 9902(2))) applicable to a family of the size
3 involved.”.

4 (b) CONFORMING AMENDMENTS.—The Act (20
5 U.S.C. 1001 et seq.) is amended—

6 (1) in section 131(a)(3)(B) (20 U.S.C.
7 1015(a)(3)(B)), by striking “Committee on Labor
8 and Human Resources of the Senate and the Com-
9 mittee on Education and the Workforce of the
10 House of Representatives” and inserting “author-
11 izing committees”;

12 (2) in section 141(d)(4)(B) (20 U.S.C.
13 1018(d)(4)(B)), by striking “Committee on Edu-
14 cation and the Workforce of the House of Rep-
15 resentatives and the Committee on Labor and
16 Human Resources of the Senate” and inserting “au-
17 thorizing committees”;

18 (3) in section 401(f)(3) (20 U.S.C.
19 1070a(f)(3)), by striking “to the Committee on Ap-
20 propriations” and all that follows through “House of
21 Representatives” and inserting “to the Committee
22 on Appropriations of the Senate, the Committee on
23 Appropriations of the House of Representatives, and
24 the authorizing committees”;

25 (4) in section 428 (20 U.S.C. 1078)—

1 (A) in subsection (c)(9)(K), by striking
2 “House Committee on Education and the
3 Workforce and the Senate Committee on Labor
4 and Human Resources” and inserting “author-
5 izing committees”;

6 (B) in the matter following paragraph (2)
7 of subsection (g), by striking “Committee on
8 Labor and Human Resources of the Senate and
9 the Committee on Education and the Workforce
10 of the House of Representatives” and inserting
11 “authorizing committees”; and

12 (C) in subsection (n)(4), by striking “Com-
13 mittee on Education and the Workforce of the
14 House of Representatives and the Committee
15 on Labor and Human Resources of the Senate”
16 and inserting “authorizing committees”;

17 (5) in section 428A(c) (20 U.S.C. 1078–1(c))—

18 (A) in the matter preceding subparagraph
19 (A) of paragraph (2), by striking “Chair-
20 person” and all that follows through “House of
21 Representatives” and inserting “members of the
22 authorizing committees”;

23 (B) in paragraph (3), by striking “Chair-
24 person” and all that follows through “House of

1 Representatives” and inserting “members of the
2 authorizing committees”; and

3 (C) in paragraph (5), by striking “Chair-
4 person” and all that follows through “House of
5 Representatives” and inserting “members of the
6 authorizing committees”;

7 (6) in section 432 (20 U.S.C. 1082)—

8 (A) in subsection (f)(1)(C), by striking
9 “the Committee on Education and the Work-
10 force of the House of Representatives or the
11 Committee on Labor and Human Resources of
12 the Senate” and inserting “either of the author-
13 izing committees”; and

14 (B) in the matter following subparagraph
15 (D) of subsection (n)(3), by striking “Com-
16 mittee on Education and the Workforce of the
17 House of Representatives and the Committee
18 on Labor and Human Resources of the Senate”
19 and inserting “authorizing committees”;

20 (7) in section 437(c)(1) (20 U.S.C. 1087(c)(1)),
21 by striking “Committee on Education and the Work-
22 force of the House of Representatives and the Com-
23 mittee on Labor and Human Resources of the Sen-
24 ate” and inserting “authorizing committees”;

25 (8) in section 439 (20 U.S.C. 1087–2)—

1 (A) in subsection (d)(1)(E)(iii), by striking
2 “advise the Chairman” and all that follows
3 through “House of Representatives” and insert-
4 ing “advise the members of the authorizing
5 committees”;

6 (B) in subsection (r)—

7 (i) in paragraph (3), by striking “in-
8 form the Chairman” and all that follows
9 through “House of Representatives,” and
10 inserting “inform the members of the au-
11 thorizing committees”;

12 (ii) in paragraph (5)(B), by striking
13 “plan, to the Chairman” and all that fol-
14 lows through “Education and Labor” and
15 inserting “plan, to the members of the au-
16 thorizing committees”;

17 (iii) in paragraph (6)(B)—

18 (I) by striking “plan, to the
19 Chairman” and all that follows
20 through “House of Representatives”
21 and inserting “plan, to the members
22 of the authorizing committees”; and

23 (II) by striking “Chairmen and
24 ranking minority members of such

1 Committees” and inserting “members
2 of the authorizing committees”;

3 (iv) in paragraph (8)(C), by striking
4 “implemented to the Chairman” and all
5 that follows through “House of Represent-
6 atives, and” and inserting “implemented to
7 the members of the authorizing commit-
8 tees, and to”; and

9 (v) in the matter preceding subpara-
10 graph (A) of paragraph (10), by striking
11 “days to the Chairman” and all that fol-
12 lows through “Education and Labor” and
13 inserting “days to the members of the au-
14 thorizing committees”; and

15 (C) in subsection (s)(2)—

16 (i) in the matter preceding clause (i)
17 of subparagraph (A), by striking “Treas-
18 ury and to the Chairman” and all that fol-
19 lows through “House of Representatives”
20 and inserting “Treasury and to the mem-
21 bers of the authorizing committees”; and

22 (ii) in subparagraph (B), by striking
23 “Treasury and to the Chairman” and all
24 that follows through “House of Represent-

1 atives” and inserting “Treasury and to the
2 members of the authorizing committees”;

3 (9) in section 455(b)(8)(B) (20 U.S.C.
4 1087e(b)(8)(B)), by striking “Committee on Labor
5 and Human Resources of the Senate and the Com-
6 mittee on Education and the Workforce of the
7 House of Representatives” and inserting “author-
8 izing committees”;

9 (10) in section 482(d) (20 U.S.C. 1089(d)), by
10 striking “Committee on Labor and Human Re-
11 sources of the Senate and the Committee on Edu-
12 cation and Labor of the House of Representatives”
13 and inserting “authorizing committees”;

14 (11) in section 483(e) (20 U.S.C. 1090(e)), by
15 striking “Committee on Labor and Human Re-
16 sources of the Senate and the Committee on Edu-
17 cation and the Workforce of the House of Rep-
18 resentatives” and inserting “authorizing commit-
19 tees”;

20 (12) in section 485 (20 U.S.C. 1092)—

21 (A) in subsection (f)(5)(A), by striking
22 “Committee on Education and the Workforce of
23 the House of Representatives and the Com-
24 mittee on Labor and Human Resources of the

1 Senate” and inserting “authorizing commit-
2 tees”; and

3 (B) in subsection (g)(4)(B), by striking
4 “Committee on Education and the Workforce of
5 the House of Representatives and the Com-
6 mittee on Labor and Human Resources of the
7 Senate” and inserting “authorizing commit-
8 tees”;

9 (13) in section 486 (20 U.S.C. 1093)—

10 (A) in subsection (e), by striking “Com-
11 mittee on Labor and Human Resources of the
12 Senate and the Committee on Education and
13 the Workforce of the House of Representatives”
14 and inserting “authorizing committees”; and

15 (B) in subsection (f)(3)—

16 (i) in the matter preceding clause (i)
17 of subparagraph (A), by striking “Com-
18 mittee on Labor and Human Resources of
19 the Senate and the Committee on Edu-
20 cation and the Workforce of the House of
21 Representatives” and inserting “author-
22 izing committees”; and

23 (ii) in the matter preceding clause (i)
24 of subparagraph (B), by striking “Com-
25 mittee on Labor and Human Resources of

1 the Senate and the Committee on Edu-
 2 cation and the Workforce of the House of
 3 Representatives” and inserting “author-
 4 izing committees”;

5 (14) in section 487A(a)(5) (20 U.S.C.
 6 1094a(a)(5)), by striking “Committee on Labor and
 7 Human Resources of the Senate and the Committee
 8 on Education and the Workforce of the House of
 9 Representatives” and inserting “authorizing commit-
 10 tees”; and

11 (15) in section 498B(d) (20 U.S.C. 1099c-
 12 2(d))—

13 (A) in paragraph (1), by striking “Com-
 14 mittee on Labor and Human Resources of the
 15 Senate and the Committee on Education and
 16 the Workforce of the House of Representatives”
 17 and inserting “authorizing committees”; and

18 (B) in paragraph (2), by striking “Com-
 19 mittee on Labor and Human Resources of the
 20 Senate and the Committee on Education and
 21 the Workforce of the House of Representatives”
 22 and inserting “authorizing committees”.

23 **SEC. 102. GENERAL DEFINITION OF INSTITUTION OF HIGH-**
 24 **ER EDUCATION.**

25 Section 101 (20 U.S.C. 1001) is amended—

1 (1) in subsection (a)(3), by inserting “, or
 2 awards a degree that is acceptable for admission to
 3 a graduate or professional degree program, subject
 4 to the review and approval by the Secretary” after
 5 “such a degree”; and

6 (2) by striking subsection (b)(2) and inserting
 7 the following:

8 “(2) a public or nonprofit private educational
 9 institution in any State that, in lieu of the require-
 10 ment in subsection (a)(1), admits as regular stu-
 11 dents persons—

12 “(A) who are beyond the age of compul-
 13 sory school attendance in the State in which the
 14 institution is located; or

15 “(B) who will be dually or concurrently en-
 16 rolled in the institution and a secondary
 17 school.”.

18 **SEC. 103. DEFINITION OF INSTITUTION OF HIGHER EDU-**
 19 **CATION FOR PURPOSES OF TITLE IV PRO-**
 20 **GRAMS.**

21 Section 102 (20 U.S.C. 1002) is amended—

22 (1) by striking subclause (II) of subsection
 23 (a)(2)(A)(i) and inserting the following:

24 “(II) the institution has or had a
 25 clinical training program that was ap-

1 proved by a State as of January 1,
 2 1992, and has continuously operated
 3 a clinical training program in not less
 4 than 1 State that is approved by such
 5 State;”;

6 (2) in subsection (b)—

7 (A) in paragraph (1)—

8 (i) in subparagraph (D), by inserting
 9 “and” after the semicolon;

10 (ii) in subparagraph (E), by striking
 11 “; and” and inserting a period; and

12 (iii) by striking subparagraph (F);
 13 and

14 (B) by striking paragraph (2) and insert-
 15 ing the following:

16 “(2) ADDITIONAL INSTITUTIONS.—The term
 17 ‘proprietary institution of higher education’ also in-
 18 cludes a proprietary educational institution in any
 19 State that, in lieu of the requirement in section
 20 101(a)(1), admits as regular students persons—

21 “(A) who are beyond the age of compul-
 22 sory school attendance in the State in which the
 23 institution is located; or

1 “(B) who will be dually or concurrently en-
 2 rolled in the institution and a secondary
 3 school.”; and

4 (3) by striking subsection (c)(2) and inserting
 5 the following:

6 “(2) **ADDITIONAL INSTITUTIONS.**—The term
 7 ‘postsecondary vocational institution’ also includes
 8 an educational institution in any State that, in lieu
 9 of the requirement in section 101(a)(1), admits as
 10 regular students persons—

11 “(A) who are beyond the age of compul-
 12 sory school attendance in the State in which the
 13 institution is located; or

14 “(B) who will be dually or concurrently en-
 15 rolled in the institution and a secondary
 16 school.”.

17 **SEC. 104. PROTECTION OF STUDENT SPEECH AND ASSOCIA-**
 18 **TION RIGHTS.**

19 Section 112 (20 U.S.C. 1011a) is amended—

20 (1) in subsection (a)—

21 (A) by inserting “(1)” before “It is the
 22 sense”; and

23 (B) by adding at the end the following:

24 “(2) It is the sense of Congress that—

1 “(A) the diversity of institutions and edu-
2 cational missions is one of the key strengths of
3 American higher education;

4 “(B) individual colleges and universities have
5 different missions and each institution should design
6 its academic program in accordance with its edu-
7 cational goals;

8 “(C) a college should facilitate the free and
9 open exchange of ideas;

10 “(D) students should not be intimidated, har-
11 assed, discouraged from speaking out, or discrimi-
12 nated against;

13 “(E) students should be treated equally and
14 fairly; and

15 “(F) nothing in this paragraph shall be con-
16 strued to modify, change, or infringe upon any con-
17 stitutionally protected religious liberty, freedom, ex-
18 pression, or association.”; and

19 (2) in subsection (b)(1), by inserting “, pro-
20 vided that the imposition of such sanction is done
21 objectively and fairly” after “higher education”.

22 **SEC. 105. ACCREDITATION AND INSTITUTIONAL QUALITY**
23 **AND INTEGRITY ADVISORY COMMITTEE.**

24 (a) IN GENERAL.—Section 114 (20 U.S.C. 1011c) is
25 amended to read as follows:

1 **“SEC. 114. ACCREDITATION AND INSTITUTIONAL QUALITY**
2 **AND INTEGRITY COMMITTEE.**

3 “(a) ESTABLISHMENT.—There is established in the
4 Department an Accreditation and Institutional Quality
5 and Integrity Advisory Committee (in this section referred
6 to as the ‘Committee’) to assess the process of accredita-
7 tion and the institutional eligibility and certification of
8 such institutions under title IV.

9 “(b) MEMBERSHIP.—

10 “(1) IN GENERAL.—The Committee shall have
11 15 members, of which—

12 “(A) 5 members shall be appointed by the
13 Secretary;

14 “(B) 5 members shall be appointed by the
15 Speaker of the House of Representatives upon
16 the recommendation of the majority leader and
17 minority leader of the House of Representa-
18 tives; and

19 “(C) 5 members shall be appointed by the
20 President pro tempore of the Senate upon the
21 recommendation of the majority leader and mi-
22 nority leader of the Senate.

23 “(2) QUALIFICATIONS.—Individuals shall be ap-
24 pointed as members of the Committee on—

1 “(A) the basis of the individuals’ experi-
2 ence, integrity, impartiality, and good judg-
3 ment;

4 “(B) from among individuals who are rep-
5 resentatives of, or knowledgeable concerning,
6 education and training beyond secondary edu-
7 cation, representatives of all sectors and types
8 of institutions of higher education (as defined
9 in section 102); and

10 “(C) on the basis of the individuals’ tech-
11 nical qualifications, professional standing, and
12 demonstrated knowledge in the fields of accredi-
13 tation and administration in higher education.

14 “(3) TERMS OF MEMBERS.—The term of office
15 of each member of the Committee shall be for 6
16 years, except that any member appointed to fill a va-
17 cancy occurring prior to the expiration of the term
18 for which the member’s predecessor was appointed
19 shall be appointed for the remainder of such term.

20 “(4) VACANCY.—A vacancy on the Committee
21 shall be filled in the same manner as the original ap-
22 pointment was made not later than 90 days after
23 the vacancy occurred. If a vacancy occurs in a posi-
24 tion to be filled by the Secretary, the Secretary shall
25 publish a Federal Register notice soliciting nomina-

1 tions for the position not later than 30 days after
2 being notified of the vacancy.

3 “(5) INITIAL TERMS.—The terms of office for
4 the initial members of the Committee shall be—

5 “(A) 2 years for members appointed under
6 paragraph (1)(A);

7 “(B) 4 years for members appointed under
8 paragraph (1)(B); and

9 “(C) 6 years for members appointed under
10 paragraph (1)(C).

11 “(6) CHAIRPERSON.—The members of the
12 Committee shall select a chairperson from among
13 the members.

14 “(c) FUNCTIONS.—The Committee shall—

15 “(1) advise the Secretary with respect to estab-
16 lishment and enforcement of the standards of ac-
17 crediting agencies or associations under subpart 2 of
18 part H of title IV;

19 “(2) advise the Secretary with respect to the
20 recognition of a specific accrediting agency or asso-
21 ciation;

22 “(3) advise the Secretary with respect to the
23 preparation and publication of the list of nationally
24 recognized accrediting agencies and associations;

1 “(4) advise the Secretary with respect to the
2 eligibility and certification process for institutions of
3 higher education under title IV, together with rec-
4 ommendations for improvements in such process;

5 “(5) advise the Secretary with respect to the re-
6 lationship between—

7 “(A) accreditation of institutions of higher
8 education and the certification and eligibility of
9 such institutions; and

10 “(B) State licensing responsibilities with
11 respect to such institutions; and

12 “(6) carry out such other advisory functions re-
13 lating to accreditation and institutional eligibility as
14 the Secretary may prescribe in regulation.

15 “(d) MEETING PROCEDURES.—

16 “(1) SCHEDULE.—

17 “(A) BIENNIAL MEETINGS.—The Com-
18 mittee shall meet not less often than twice each
19 year, at the call of the Chairperson.

20 “(B) PUBLICATION OF DATE.—The Com-
21 mittee shall submit the date and location of
22 each meeting in advance to the Secretary, and
23 the Secretary shall publish such information in
24 the Federal Register not later than 30 days be-
25 fore the meeting.

1 “(2) AGENDA.—

2 “(A) ESTABLISHMENT.—The agenda for a
3 meeting of the Committee shall be established
4 by the Chairperson and shall be submitted to
5 the members of the Committee upon notifica-
6 tion of the meeting.

7 “(B) OPPORTUNITY FOR PUBLIC COM-
8 MENT.—The agenda shall include, at a min-
9 imum, opportunity for public comment during
10 the Committee’s deliberations.

11 “(3) SECRETARY’S DESIGNEE.—

12 “(A) ATTENDANCE AT MEETING.—The
13 Chairperson shall invite the Secretary’s des-
14 ignee to attend all meetings of the Committee.

15 “(B) ROLE OF DESIGNEE.—The Sec-
16 retary’s designee may be present at a Com-
17 mittee meeting to facilitate the exchange and
18 free flow of information between the Secretary
19 and the Committee. The designee shall have no
20 authority over the agenda of the meeting, the
21 items on that agenda, or on the resolution of
22 any agenda item.

23 “(4) FEDERAL ADVISORY COMMITTEE ACT.—

24 The provisions of the Federal Advisory Committee

1 Act (5 U.S.C. App.) shall apply to the Committee,
2 except that section 14 of such Act shall not apply.

3 “(e) REPORT AND NOTICE.—

4 “(1) NOTICE.—The Secretary shall annually
5 publish in the Federal Register—

6 “(A) a list containing, for each member of
7 the Committee—

8 “(i) the member’s name;

9 “(ii) the date of the expiration of the
10 member’s term of office; and

11 “(iii) the individual described in sub-
12 section (b)(1) who appointed the member;

13 and

14 “(B) a solicitation of nominations for each
15 expiring term of office on the Committee of a
16 member appointed by the Secretary.

17 “(2) REPORT.—Not later than September 30 of
18 each year, the Committee shall make an annual re-
19 port to the Secretary, the authorizing committees,
20 and the public. The annual report shall contain—

21 “(A) a detailed summary of the agenda
22 and activities of, and the findings and rec-
23 ommendations made by, the Committee during
24 the preceding fiscal year;

1 “(B) a list of the date and location of each
2 meeting during the preceding fiscal year;

3 “(C) a list of the members of the Com-
4 mittee and appropriate contact information;
5 and

6 “(D) a list of the functions of the Com-
7 mittee, including any additional functions estab-
8 lished by the Secretary through regulation.

9 “(f) TERMINATION.—The Committee shall terminate
10 on September 30, 2012.”.

11 (b) TERMINATION OF NACIQI.—The National Advi-
12 sory Committee on Institutional Quality and Integrity, es-
13 tablished under section 114 of the Higher Education Act
14 of 1965 (as such section was in effect the day before the
15 date of enactment of this Act) shall terminate 90 days
16 after such date.

17 **SEC. 106. DRUG AND ALCOHOL ABUSE PREVENTION.**

18 Section 120(a)(2) (20 U.S.C. 1011i(a)(2)) is amend-
19 ed—

20 (1) in subparagraph (A), by striking “and”
21 after the semicolon;

22 (2) by redesignating subparagraph (B) as sub-
23 paragraph (D); and

24 (3) by inserting after subparagraph (A) (as
25 amended by paragraph (1)) the following:

1 “(B) determine the number of drug and al-
2 cohol-related incidents and fatalities that—

3 “(i) occur on the institution’s property
4 or as part of any of the institution’s activi-
5 ties; and

6 “(ii) are reported to the institution;

7 “(C) determine the number and type of
8 sanctions described in paragraph (1)(E) that
9 are imposed by the institution as a result of
10 drug and alcohol-related incidents and fatalities
11 on the institution’s property or as part of any
12 of the institution’s activities; and”.

13 **SEC. 107. PRIOR RIGHTS AND OBLIGATIONS.**

14 Section 121(a) (20 U.S.C. 1011j(a)) is amended—

15 (1) in paragraph (1), by striking “1999 and for
16 each of the 4 succeeding fiscal years” and inserting
17 “2008 and for each succeeding fiscal year”; and

18 (2) in paragraph (2), by striking “1999 and for
19 each of the 4 succeeding fiscal years” and inserting
20 “2008 and for each succeeding fiscal year”.

21 **SEC. 108. TRANSPARENCY IN COLLEGE TUITION FOR CON-**
22 **SUMERS.**

23 Part C of title I (20 U.S.C. 1015) is amended by
24 adding at the end the following:

1 **“SEC. 132. TRANSPARENCY IN COLLEGE TUITION FOR CON-**
2 **SUMERS.**

3 “(a) NET PRICE.—In this section, the term ‘net
4 price’ means the average yearly tuition and fees paid by
5 a full-time undergraduate student at an institution of
6 higher education, after discounts and grants from the in-
7 stitution, Federal Government, or a State have been ap-
8 plied to the full price of tuition and fees at the institution.

9 “(b) HIGHER EDUCATION PRICE INDEX.—

10 “(1) IN GENERAL.—Not later than 1 year after
11 the date of enactment of the Higher Education
12 Amendments of 2007, the Commission of the Bu-
13 reau of Labor Statistics, in consultation with the
14 Commissioner of Education Statistics and represent-
15 atives of institutions of higher education, shall de-
16 velop higher education price indices that accurately
17 reflect the annual change in tuition and fees for un-
18 dergraduate students in the categories of institutions
19 listed in paragraph (2). Such indices shall be up-
20 dated annually.

21 “(2) DEVELOPMENT.—The higher education
22 price index under paragraph (1) shall be developed
23 for each of the following categories:

24 “(A) 4-year public degree-granting institu-
25 tions of higher education.

1 “(B) 4-year private degree-granting insti-
2 tutions of higher education.

3 “(C) 2-year public degree-granting institu-
4 tions of higher education.

5 “(D) 2-year private degree-granting insti-
6 tutions of higher education.

7 “(E) Less than 2-year institutions of high-
8 er education.

9 “(F) All types of institutions described in
10 subparagraphs (A) through (E).

11 “(3) AUTHORIZATION OF APPROPRIATIONS.—

12 There are authorized to be appropriated to carry out
13 this subsection such sums as may be necessary.

14 “(c) REPORTING.—

15 “(1) IN GENERAL.—The Secretary shall annu-
16 ally report, in a national list and in a list for each
17 State, a ranking of institutions of higher education
18 according to such institutions’ change in tuition and
19 fees over the preceding 2 years. The purpose of such
20 lists is to provide consumers with general informa-
21 tion on pricing trends among institutions of higher
22 education nationally and in each State.

23 “(2) COMPILATION.—

1 “(A) IN GENERAL.—The lists described in
2 paragraph (1) shall be compiled according to
3 the following categories:

4 “(i) 4-year public institutions of high-
5 er education.

6 “(ii) 4-year private, nonprofit institu-
7 tions of higher education.

8 “(iii) 4-year private, for-profit institu-
9 tions of higher education.

10 “(iv) 2-year public institutions of
11 higher education.

12 “(v) 2-year private, nonprofit institu-
13 tions of higher education.

14 “(vi) 2-year private, for-profit institu-
15 tions of higher education.

16 “(vii) Less than 2-year public institu-
17 tions of higher education.

18 “(viii) Less than 2-year private, non-
19 profit institutions of higher education.

20 “(ix) Less than 2-year private, for-
21 profit institutions of higher education.

22 “(B) PERCENTAGE AND DOLLAR
23 CHANGE.—The lists described in paragraph (1)
24 shall include 2 lists for each of the categories
25 under subparagraph (A) as follows:

1 “(i) 1 list in which data is compiled
2 by percentage change in tuition and fees
3 over the preceding 2 years.

4 “(ii) 1 list in which data is compiled
5 by dollar change in tuition and fees over
6 the preceding 2 years.

7 “(3) HIGHER EDUCATION PRICE INCREASE
8 WATCH LISTS.—Upon completion of the development
9 of the higher education price indices described in
10 paragraph (1), the Secretary shall annually report,
11 in a national list, and in a list for each State, a
12 ranking of each institution of higher education
13 whose tuition and fees outpace such institution’s ap-
14 plicable higher education price index described in
15 subsection (b). Such lists shall—

16 “(A) be known as the ‘Higher Education
17 Price Increase Watch Lists’;

18 “(B) report the full price of tuition and
19 fees at the institution and the net price;

20 “(C) where applicable, report the average
21 price of room and board for students living on
22 campus at the institution, except that such
23 price shall not be used in determining whether
24 an institution’s cost outpaces such institution’s
25 applicable higher education price index; and

1 “(D) be compiled by the Secretary in a
2 public document to be widely published and dis-
3 seminated in paper form and through the
4 website of the Department.

5 “(4) STATE HIGHER EDUCATION APPROPRIA-
6 TIONS CHART.—The Secretary shall annually report,
7 in charts for each State—

8 “(A) a comparison of the percentage
9 change in State appropriations per enrolled stu-
10 dent in a public institution of higher education
11 in the State to the percentage change in tuition
12 and fees for each public institution of higher
13 education in the State for each of the previous
14 5 years; and

15 “(B) the total amount of need-based and
16 merit-based aid provided by the State to stu-
17 dents enrolled in a public institution of higher
18 education in the State.

19 “(5) SHARING OF INFORMATION.—The Sec-
20 retary shall share the information under paragraphs
21 (1) through (4) with private sector college guidebook
22 publishers.

23 “(d) NET PRICE CALCULATOR.—

24 “(1) DEVELOPMENT.—Not later than 1 year
25 after the date of enactment of the Higher Education

1 Amendments of 2007, the Secretary shall, in con-
2 sultation with institutions of higher education, de-
3 velop and make several model net price calculators
4 to help students, families, and consumers determine
5 the net price of an institution of higher education,
6 which institutions of higher education may, at their
7 discretion, elect to use pursuant to paragraph (3).

8 “(2) CATEGORIES.—The model net price cal-
9 culators described in paragraph (1) shall be devel-
10 oped for each of the following categories:

11 “(A) 4-year public institutions of higher
12 education.

13 “(B) 4-year private, nonprofit institutions
14 of higher education.

15 “(C) 4-year private, for-profit institutions
16 of higher education.

17 “(D) 2-year public institutions of higher
18 education.

19 “(E) 2-year private, nonprofit institutions
20 of higher education.

21 “(F) 2-year private, for-profit institutions
22 of higher education.

23 “(G) Less than 2-year public institutions
24 of higher education.

1 “(H) Less than 2-year private, nonprofit
2 institutions of higher education.

3 “(I) Less than 2-year private, for-profit in-
4 stitutions of higher education.

5 “(3) USE OF NET PRICE CALCULATOR BY IN-
6 STITUTIONS.—Not later than 3 years after the date
7 of enactment of the Higher Education Amendments
8 of 2007, each institution of higher education that re-
9 ceives Federal funds under this Act shall adopt and
10 use a net price calculator to help students, families,
11 and other consumers determine the net price of such
12 institution of higher education. Such calculator may
13 be—

14 “(A) based on a model calculator developed
15 by the Department; or

16 “(B) developed by the institution of higher
17 education.

18 “(4) AUTHORIZATION OF APPROPRIATIONS.—
19 There are authorized to be appropriated to carry out
20 this subsection such sums as may be necessary.

21 “(e) NET PRICE REPORTING IN APPLICATION INFOR-
22 MATION.—An institution of higher education that receives
23 Federal funds under this Act shall include, in the mate-
24 rials accompanying an application for admission to the in-
25 stitution, the most recent information regarding the net

1 price of the institution, calculated for each quartile of stu-
2 dents based on the income of either the students' parents
3 or, in the case of independent students (as such term is
4 described in section 480), of the students, for each of the
5 2 academic years preceding the academic year for which
6 the application is produced.

7 “(f) ENHANCED COLLEGE INFORMATION
8 WEBSITE.—

9 “(1) IN GENERAL.—

10 “(A) IN GENERAL.—Not later than 90
11 days after the date of enactment of the Higher
12 Education Amendments of 2007, the Secretary
13 shall contract with an independent organization
14 with demonstrated experience in the develop-
15 ment of consumer-friendly websites to develop
16 improvements to the website known as the Col-
17 lege Opportunities On-Line (COOL) so that it
18 better meets the needs of students, families,
19 and consumers for accurate and appropriate in-
20 formation on institutions of higher education.

21 “(B) IMPLEMENTATIONS.—Not later than
22 1 year after the date of enactment of the High-
23 er Education Amendments of 2007, the Sec-
24 retary shall implement the improvements devel-
25 oped by the independent organization described

1 under subparagraph (A) to the college informa-
2 tion website.

3 “(2) UNIVERSITY AND COLLEGE ACCOUNT-
4 ABILITY NETWORK.—Not later than 1 year after the
5 date of enactment of the Higher Education Amend-
6 ments of 2007, the Secretary shall develop a model
7 document for annually reporting basic information
8 about an institution of higher education that chooses
9 to participate, to be posted on the college informa-
10 tion website and made available to institutions of
11 higher education, students, families, and other con-
12 sumers. Such document shall be known as the ‘Uni-
13 versity and College Accountability Network’ (U-
14 CAN), and shall include, the following information
15 about the institution of higher education for the
16 most recent academic year for which the institution
17 has available data, presented in a consumer-friendly
18 manner:

19 “(A) A statement of the institution’s mis-
20 sion and specialties.

21 “(B) The total number of undergraduate
22 students who applied, were admitted, and en-
23 rolled at the institution.

24 “(C) Where applicable, reading, writing,
25 mathematics, and combined scores on the SAT

1 or ACT for the middle 50 percent range of the
2 institution's freshman class.

3 “(D) Enrollment of full-time, part-time,
4 and transfer students at the institution, at the
5 undergraduate and (where applicable) graduate
6 levels.

7 “(E) Percentage of male and female un-
8 dergraduate students enrolled at the institution.

9 “(F) Percentage of enrolled undergraduate
10 students from the State in which the institution
11 is located, from other States, and from other
12 countries.

13 “(G) Percentage of enrolled undergraduate
14 students at the institution by race and ethnic
15 background.

16 “(H) Retention rates for full-time and
17 part-time first-time first-year undergraduate
18 students enrolled at the institution.

19 “(I) Average time to degree or certificate
20 completion for first-time, first-year under-
21 graduate students enrolled at the institution.

22 “(J) Percentage of enrolled undergraduate
23 students who graduate within 2 years (in the
24 case of 2-year institutions), and 4, 5 and 6
25 years (in the case of 2 and 4-year institutions).

1 “(K) Number of students who obtained a
2 certificate or an associate’s, bachelor’s, mas-
3 ter’s, or doctoral degree at the institution.

4 “(L) The undergraduate major areas of
5 study with the highest number of degrees
6 awarded.

7 “(M) The student-faculty ratio, and num-
8 ber of full-time, part-time, and adjunct faculty
9 at the institution.

10 “(N) Percentage of faculty at the institu-
11 tion with the highest degree in their field.

12 “(O) The percentage change in total price
13 in tuition and fees and the net price for an un-
14 dergraduate at the institution in each of the
15 preceding 5 academic years.

16 “(P) The total average yearly cost of tui-
17 tion and fees, room and board, and books and
18 other related costs for an undergraduate stu-
19 dent enrolled at the institution, for—

20 “(i) full-time undergraduate students
21 living on campus;

22 “(ii) full-time undergraduate students
23 living off-campus; and

24 “(iii) in the case of students attending
25 a public institution of higher education,

1 such costs for in-State and out-of-State
2 students living on and off-campus.

3 “(Q) The average yearly grant amount (in-
4 cluding Federal, State, and institutional aid)
5 for a student enrolled at the institution.

6 “(R) The average yearly amount of Fed-
7 eral student loans, and other loans provided
8 through the institution, to undergraduate stu-
9 dents enrolled at the institution.

10 “(S) The total yearly grant aid available to
11 undergraduate students enrolled at the institu-
12 tion, from the Federal Government, a State, the
13 institution, and other sources.

14 “(T) The percentage of undergraduate stu-
15 dents enrolled at the institution receiving Fed-
16 eral, State, and institutional grants, student
17 loans, and any other type of student financial
18 assistance provided publicly or through the in-
19 stitution, such as Federal work-study funds.

20 “(U) The average net price for all under-
21 graduate students enrolled at the institution.

22 “(V) The percentage of first-year under-
23 graduate students enrolled at the institution
24 who live on campus and off campus.

1 “(W) Information on the policies of the in-
2 stitution related to transfer of credit from other
3 institutions.

4 “(X) Information on campus safety re-
5 quired to be collected under section 485(f).

6 “(Y) Links to the appropriate sections of
7 the institution’s website that provide informa-
8 tion on student activities offered by the institu-
9 tion, such as intercollegiate sports, student or-
10 ganizations, study abroad opportunities, intra-
11 mural and club sports, specialized housing op-
12 tions, community service opportunities, cultural
13 and arts opportunities on campus, religious and
14 spiritual life on campus, and lectures and out-
15 side learning opportunities.

16 “(Z) Links to the appropriate sections of
17 the institution’s website that provide informa-
18 tion on services offered by the institution to
19 students during and after college, such as in-
20 ternship opportunities, career and placement
21 services, and preparation for further education.

22 “(3) CONSULTATION.—The Secretary shall en-
23 sure that current and prospective college students,
24 family members of such students, and institutions of

1 higher education are consulted in carrying out para-
2 graphs (1) and (2).

3 “(4) AUTHORIZATION OF APPROPRIATIONS.—

4 There are authorized to be appropriated to carry out
5 this subsection such sums as may be necessary.

6 “(g) GAO REPORT.—The Comptroller General of the
7 United States shall—

8 “(1) conduct a study on the time and cost bur-
9 dens to institutions of higher education associated
10 with completing the Integrated Postsecondary Edu-
11 cation Data System (IPEDS), which study shall—

12 “(A) report on the time and cost burden of
13 completing the IPEDS survey for 4-year, 2-
14 year, and less than 2-year institutions of higher
15 education; and

16 “(B) present recommendations for reduc-
17 ing such burden;

18 “(2) not later than 1 year after the date of en-
19 actment of the Higher Education Amendments of
20 2007, submit to Congress a preliminary report re-
21 garding the findings of the study described in para-
22 graph (1); and

23 “(3) not later than 2 years after the date of en-
24 actment of the Higher Education Amendments of

1 2007, submit to Congress a final report regarding
 2 such findings.”.

3 **SEC. 109. DATABASES OF STUDENT INFORMATION PROHIB-**
 4 **ITED.**

5 Part C of title I (20 U.S.C. 1015), as amended by
 6 section 108, is further amended by adding at the end the
 7 following:

8 **“SEC. 133. DATABASE OF STUDENT INFORMATION PROHIB-**
 9 **ITED.**

10 “(a) PROHIBITION.—Except as described in (b),
 11 nothing in this Act shall be construed to authorize the de-
 12 velopment, implementation, or maintenance of a Federal
 13 database of personally identifiable information on individ-
 14 uals receiving assistance under this Act, attending institu-
 15 tions receiving assistance under this Act, or otherwise in-
 16 volved in any studies or other collections of data under
 17 this Act, including a student unit record system, an edu-
 18 cation bar code system, or any other system that tracks
 19 individual students over time.

20 “(b) EXCEPTION.—The provisions of subsection (a)
 21 shall not affect the loan obligation enforcement activities
 22 described in section 485B.

23 “(c) STATE DATABASES.—Nothing in this Act shall
 24 prohibit a State or a consortium of States from devel-
 25 oping, implementing, or maintaining State-developed data-

1 bases that track individuals over time, including student
2 unit record systems that contain information related to en-
3 rollment, attendance, graduation and retention rates, stu-
4 dent financial assistance, and graduate employment out-
5 comes.”.

6 **SEC. 110. PERFORMANCE-BASED ORGANIZATION FOR THE**
7 **DELIVERY OF FEDERAL STUDENT FINANCIAL**
8 **ASSISTANCE.**

9 Section 141 (20 U.S.C. 1018) is amended—

10 (1) in subsection (a)—

11 (A) in paragraph (1), by striking “oper-
12 ational” and inserting “administrative and
13 oversight”; and

14 (B) in paragraph (2)(D), by striking “of
15 the operational functions” and inserting “and
16 administration”;

17 (2) in subsection (b)—

18 (A) in paragraph (1)—

19 (i) in subparagraph (A), by striking
20 “the information systems administered by
21 the PBO, and other functions performed
22 by the PBO” and inserting “the Federal
23 student financial assistance programs au-
24 thorized under title IV”; and

1 (ii) by striking subparagraph (C) and
2 inserting the following:

3 “(C) assist the Chief Operating Officer in
4 identifying goals for—

5 “(i) the administration of the systems
6 used to administer the Federal student fi-
7 nancial assistance programs authorized
8 under title IV; and

9 “(ii) the updating of such systems to
10 current technology.”; and

11 (B) in paragraph (2)—

12 (i) in the matter preceding subpara-
13 graph (A), by striking “administration of
14 the information and financial systems that
15 support” and inserting “the administration
16 of Federal”;

17 (ii) in subparagraph (A)—

18 (I) in the matter preceding clause
19 (i), by striking “of the delivery system
20 for Federal student assistance” and
21 inserting “for the Federal student as-
22 sistance programs authorized under
23 title IV”;

24 (II) by striking clauses (i) and
25 (ii) and inserting the following:

1 “(i) the collection, processing, and
2 transmission of data to students, institu-
3 tions, lenders, State agencies, and other
4 authorized parties;

5 “(ii) the design and technical speci-
6 fications for software development and pro-
7 curement for systems supporting the stu-
8 dent financial assistance programs author-
9 ized under title IV;”;

10 (III) in clause (iii), by striking
11 “delivery” and inserting “administra-
12 tion”;

13 (IV) in clause (iv)—

14 (aa) by inserting “the” after
15 “supporting”; and

16 (bb) by striking “and” after
17 the semicolon;

18 (V) in clause (v), by striking
19 “systems that support those pro-
20 grams.” and inserting “the adminis-
21 tration of the Federal student assist-
22 ance programs authorized under title
23 IV; and”; and

24 (VI) by adding at the end the fol-
25 lowing:

1 “(vi) ensuring the integrity of the stu-
2 dent assistance programs authorized under
3 title IV.”; and

4 (iii) in subparagraph (B), by striking
5 “operations and services” and inserting
6 “activities and functions”; and

7 (3) in subsection (c)—

8 (A) in the subsection heading, by striking
9 “PERFORMANCE PLAN AND REPORT” and in-
10 sserting “PERFORMANCE PLAN, REPORT, AND
11 BRIEFING”;

12 (B) in paragraph (1)(C)—

13 (i) in clause (iii), by striking “infor-
14 mation and delivery”; and

15 (ii) in clause (iv)—

16 (I) by striking “Developing an”
17 and inserting “Developing”; and

18 (II) by striking “delivery and in-
19 formation system” and inserting “sys-
20 tems”;

21 (C) in paragraph (2)—

22 (i) in subparagraph (A), by inserting
23 “the” after “PBO and”; and

24 (ii) in subparagraph (B), by striking
25 “Officer” and inserting “Officers”;

1 (D) in paragraph (3), by inserting “stu-
2 dents,” after “consult with”; and

3 (E) by adding at the end the following:

4 “(4) BRIEFING ON ENFORCEMENT OF STUDENT
5 LOAN PROVISIONS.—The Chief Operating Officer
6 shall provide an annual briefing to the members of
7 the authorizing committees on the steps the PBO
8 has taken and is taking to ensure that lenders are
9 providing the information required under clauses
10 (iii) and (iv) of section 428(c)(3)(C) and sections
11 428(b)(1)(Z) and 428C(b)(1)(F).”;

12 (4) in subsection (d)—

13 (A) in paragraph (1), by striking the sec-
14 ond sentence; and

15 (B) in paragraph (5)—

16 (i) in subparagraph (B), by striking
17 “paragraph (2)” and inserting “paragraph
18 (4)”; and

19 (ii) in subparagraph (C), by striking
20 “this”;

21 (5) in subsection (f)—

22 (A) in paragraph (2), by striking “to bor-
23 rowers” and inserting “to students, bor-
24 rowers,”; and

- 1 (B) in paragraph (3)(A), by striking
2 “(1)(A)” and inserting “(1)”;
3 (6) in subsection (g)(3), by striking “not more
4 than 25”;
5 (7) in subsection (h), by striking “organiza-
6 tional effectiveness” and inserting “effectiveness”;
7 (8) by striking subsection (i);
8 (9) by redesignating subsection (j) as sub-
9 section (i); and
10 (10) in subsection (i) (as redesignated by para-
11 graph (9)), by striking “, including transition costs”.

12 **SEC. 111. PROCUREMENT FLEXIBILITY.**

13 Section 142 (20 U.S.C. 1018a) is amended—

14 (1) in subsection (b)—

15 (A) in paragraph (1)—

16 (i) by striking “for information sys-
17 tems supporting the programs authorized
18 under title IV”; and

19 (ii) by striking “and” after the semi-
20 colon;

21 (B) in paragraph (2), by striking the pe-
22 riod at the end and inserting “; and”; and

23 (C) by adding at the end the following:

24 “(3) through the Chief Operating Officer—

1 “(A) to the maximum extent practicable,
2 utilize procurement systems that streamline op-
3 erations, improve internal controls, and enhance
4 management; and

5 “(B) assess the efficiency of such systems
6 and assess such systems’ ability to meet PBO
7 requirements.”;

8 (2) by striking subsection (c)(2) and inserting
9 the following:

10 “(2) FEE FOR SERVICE ARRANGEMENTS.—The
11 Chief Operating Officer shall, when appropriate and
12 consistent with the purposes of the PBO, acquire
13 services related to the functions set forth in section
14 141(b)(2) from any entity that has the capability
15 and capacity to meet the requirements set by the
16 PBO. The Chief Operating Officer is authorized to
17 pay fees that are equivalent to those paid by other
18 entities to an organization that provides services
19 that meet the requirements of the PBO, as deter-
20 mined by the Chief Operating Officer.”;

21 (3) in subsection (d)(2)(B), by striking “on
22 Federal Government contracts”;

23 (4) in subsection (g)—

24 (A) in paragraph (4)(A)—

1 (i) in the subparagraph heading, by
2 striking “SOLE SOURCE.—” and inserting
3 “SINGLE-SOURCE BASIS.—”; and

4 (ii) by striking “sole-source” and in-
5 serting “single-source”; and

6 (B) in paragraph (7), by striking “sole-
7 source” and inserting “single-source”;

8 (5) in subsection (h)(2)(A), by striking “sole-
9 source” and inserting “single-source”; and

10 (6) in subsection (l), by striking paragraph (3)
11 and inserting the following:

12 “(3) SINGLE-SOURCE BASIS.—The term ‘single-
13 source basis’, with respect to an award of a contract,
14 means that the contract is awarded to a source after
15 soliciting an offer or offers from, and negotiating
16 with, only such source (although such source is not
17 the only source in the marketplace capable of meet-
18 ing the need) because such source is the most advan-
19 tageous source for purposes of the award.”.

20 **SEC. 112. INSTITUTION AND LENDER REPORTING AND DIS-**
21 **CLOSURE REQUIREMENTS.**

22 Title I (20 U.S.C. 1001 et seq.) is amended by adding
23 at the end the following:

1 **“PART E—LENDER AND INSTITUTION REQUIRE-**
2 **MENTS RELATING TO EDUCATIONAL LOANS**

3 **“SEC. 151. DEFINITIONS.**

4 “In this part:

5 “(1) **COST OF ATTENDANCE.**—The term ‘cost of
6 attendance’ has the meaning given the term in sec-
7 tion 472.

8 “(2) **COVERED INSTITUTION.**—The term ‘cov-
9 ered institution’—

10 “(A) means any educational institution
11 that offers a postsecondary educational degree,
12 certificate, or program of study (including any
13 institution of higher education, as such term is
14 defined in section 102) and receives any Fed-
15 eral funding or assistance; and

16 “(B) includes any employee or agent of the
17 educational institution or any organization or
18 entity affiliated with, or directly or indirectly
19 controlled by, such institution.

20 “(3) **EDUCATIONAL LOAN.**—The term ‘edu-
21 cational loan’ means any loan made, insured, or
22 guaranteed under title IV.

23 “(4) **EDUCATIONAL LOAN ARRANGEMENT.**—The
24 term ‘educational loan arrangement’ means an ar-
25 rangement or agreement between a lender and a cov-
26 ered institution—

1 “(A) under which arrangement or agree-
2 ment a lender provides or otherwise issues edu-
3 cational loans to the students attending the cov-
4 ered institution or the parents of such students;
5 and

6 “(B) which arrangement or agreement—

7 “(i) relates to the covered institution
8 recommending, promoting, endorsing, or
9 using educational loans of the lender; and

10 “(ii) involves the payment of any fee
11 or provision of other material benefit by
12 the lender to the institution or to groups of
13 students who attend the institution.

14 “(5) LENDER.—The term ‘lender’—

15 “(A) means—

16 “(i) any lender—

17 “(I) of a loan made, insured, or
18 guaranteed under part B or D of title
19 IV; and

20 “(II) that is a financial institu-
21 tion, as such term is defined in sec-
22 tion 509 of the Gramm-Leach-Bliley
23 Act (15 U.S.C. 6809); and

1 “(ii) in the case of any loan issued or
2 provided to a student under part D of title
3 IV, the Secretary; and

4 “(B) includes any individual, group, or en-
5 tity acting on behalf of the lender in connection
6 with an educational loan.

7 “(6) OFFICER.—The term ‘officer’ includes a
8 director or trustee of an institution.

9 **“SEC. 152. REQUIREMENTS FOR LENDERS AND INSTITU-**
10 **TIONS PARTICIPATING IN EDUCATIONAL**
11 **LOAN ARRANGEMENTS.**

12 “(a) USE OF LENDER NAME.—A covered institution
13 that enters into an educational loan arrangement has a
14 duty to disclose the name of the lender in documentation
15 related to the loan.

16 “(b) DISCLOSURES.—

17 “(1) DISCLOSURES BY LENDERS.—Before a
18 lender issues or otherwise provides an educational
19 loan to a student, the lender shall provide the stu-
20 dent, in writing, with the disclosures described in
21 paragraph (2).

22 “(2) DISCLOSURES.—The disclosures required
23 by this paragraph shall include a clear and promi-
24 nent statement—

1 “(A) of the interest rates of the edu-
2 cational loan being offered;

3 “(B) showing sample educational loan
4 costs, disaggregated by type;

5 “(C) that describes, with respect to each
6 type of educational loan being offered—

7 “(i) the types of repayment plans that
8 are available;

9 “(ii) whether, and under what condi-
10 tions, early repayment may be made with-
11 out penalty;

12 “(iii) when and how often interest on
13 the loan will be capitalized;

14 “(iv) the terms and conditions of
15 deferments or forbearance;

16 “(v) all available repayment benefits,
17 the percentage of all borrowers who qualify
18 for such benefits, and the percentage of
19 borrowers who received such benefits in the
20 preceding academic year, for each type of
21 loan being offered;

22 “(vi) the collection practices in the
23 case of default;

1 “(vii) all fees that the borrower may
2 be charged, including late payment pen-
3 alties and associated fees; and

4 “(viii) whether the amount of all loans
5 issued by the lender to the borrower ex-
6 ceeds the student’s cost of attendance; and

7 “(D) of such other information as the Sec-
8 retary may require.

9 “(c) DISCLOSURES TO THE SECRETARY BY LEND-
10 ER.—

11 “(1) IN GENERAL.—Each lender shall, on an
12 annual basis, report to the Secretary any reasonable
13 expenses paid or given under section 435(d)(5)(D),
14 487(a)(21)(A)(ii), or 487(a)(21)(A)(iv) to any em-
15 ployee who is employed in the financial aid office of
16 a covered institution, or who otherwise has respon-
17 sibilities with respect to educational loans or other
18 financial aid of the institution. Such reports shall in-
19 clude—

20 “(A) the amount of each specific instance
21 in which the lender provided such reimburse-
22 ment;

23 “(B) the name of the financial aid official
24 or other employee to whom the reimbursement
25 was made;

1 “(C) the dates of the activity for which the
2 reimbursement was made; and

3 “(D) a brief description of the activity for
4 which the reimbursement was made.

5 “(2) REPORT TO CONGRESS.—The Secretary
6 shall compile the information in paragraph (1) in a
7 report and transmit such report to the authorizing
8 committees annually.

9 **“SEC. 153. INTEREST RATE REPORT FOR INSTITUTIONS**
10 **AND LENDERS PARTICIPATING IN EDU-**
11 **CATIONAL LOAN ARRANGEMENTS.**

12 “(a) SECRETARY DUTIES.—

13 “(1) REPORT AND MODEL FORMAT.—Not later
14 than 180 days after the date of enactment of the
15 Higher Education Amendments of 2007, the Sec-
16 retary shall—

17 “(A) prepare a report on the adequacy of
18 the information provided to students and the
19 parents of such students about educational
20 loans, after consulting with students, represent-
21 atives of covered institutions (including finan-
22 cial aid administrators, registrars, and business
23 officers), lenders, loan servicers, and guaranty
24 agencies;

1 “(B) include in the report a model format,
2 based on the report’s findings, to be used by
3 lenders and covered institutions in carrying out
4 subsections (b) and (c)—

5 “(i) that provides information on the
6 applicable interest rates and other terms
7 and conditions of the educational loans
8 provided by a lender to students attending
9 the institution, or the parents of such stu-
10 dents, disaggregated by each type of edu-
11 cational loans provided to such students or
12 parents by the lender, including—

13 “(I) the interest rate and terms
14 and conditions of the loans offered by
15 the lender for the upcoming academic
16 year;

17 “(II) with respect to such loans,
18 any benefits that are contingent on
19 the repayment behavior of the bor-
20 rower;

21 “(III) the average amount bor-
22 rowed from the lender by students en-
23 rolled in the institution who obtain
24 loans of such type from the lender for
25 the preceding academic year;

1 “(IV) the average interest rate
2 on such loans provided to such stu-
3 dents for the preceding academic year;
4 and

5 “(V) the amount that the bor-
6 rower may repay in interest, based on
7 the standard repayment period of a
8 loan, on the average amount borrowed
9 from the lender by students enrolled
10 in the institution who obtain loans of
11 such type from the lender for the pre-
12 ceding academic year; and

13 “(ii) which format shall be easily usa-
14 ble by lenders, institutions, guaranty agen-
15 cies, loan servicers, parents, and students;
16 and

17 “(C)(i) submit the report and model for-
18 mat to the authorizing committees; and

19 “(ii) make the report and model format
20 available to covered institutions, lenders, and
21 the public.

22 “(2) USE OF FORM.—The Secretary shall take
23 such steps as necessary to make the model format
24 available to covered institutions and to encourage—

1 “(A) lenders subject to subsection (b) to
2 use the model format in providing the informa-
3 tion required under subsection (b); and

4 “(B) covered institutions to use such for-
5 mat in preparing the information report under
6 subsection (c).

7 “(b) LENDER DUTIES.—Each lender that has an
8 educational loan arrangement with a covered institution
9 shall annually, by a date determined by the Secretary, pro-
10 vide to the covered institution and to the Secretary the
11 information included on the model format for each type
12 of educational loan provided by the lender to students at-
13 tending the covered institution, or the parents of such stu-
14 dents, for the preceding academic year.

15 “(c) COVERED INSTITUTION DUTIES.—Each covered
16 institution shall—

17 “(1) prepare and submit to the Secretary an
18 annual report, by a date determined by the Sec-
19 retary, that includes, for each lender that has an
20 educational loan arrangement with the covered insti-
21 tution and that has submitted to the institution the
22 information required under subsection (b)—

23 “(A) the information included on the
24 model format for each type of educational loan
25 provided by the lender to students attending the

1 covered institution, or the parents of such stu-
 2 dents; and

3 “(B) a detailed explanation of why the cov-
 4 ered institution believes the terms and condi-
 5 tions of each type of educational loan provided
 6 pursuant to the agreement are beneficial for
 7 students attending the covered institution, or
 8 the parents of such students; and

9 “(2) ensure that the report required under
 10 paragraph (1) is made available to the public and
 11 provided to students attending or planning to attend
 12 the covered institution, and the parents of such stu-
 13 dents, in time for the student or parent to take such
 14 information into account before applying for or se-
 15 lecting an educational loan.”.

16 **TITLE II—TEACHER QUALITY**
 17 **ENHANCEMENT**

18 **SEC. 201. TEACHER QUALITY PARTNERSHIP GRANTS.**

19 Part A of title II (20 U.S.C. 1021 et seq.) is amended
 20 to read as follows:

21 **“PART A—TEACHER QUALITY PARTNERSHIP**
 22 **GRANTS**

23 **“SEC. 201. PURPOSES; DEFINITIONS.**

24 “(a) PURPOSES.—The purposes of this part are to—

25 “(1) improve student achievement;

1 “(2) improve the quality of the current and fu-
2 ture teaching force by improving the preparation of
3 prospective teachers and enhancing professional de-
4 velopment activities;

5 “(3) hold institutions of higher education ac-
6 countable for preparing highly qualified teachers;
7 and

8 “(4) recruit qualified individuals, including mi-
9 norities and individuals from other occupations, into
10 the teaching force.

11 “(b) DEFINITIONS.—In this part:

12 “(1) ARTS AND SCIENCES.—The term ‘arts and
13 sciences’ means—

14 “(A) when referring to an organizational
15 unit of an institution of higher education, any
16 academic unit that offers 1 or more academic
17 majors in disciplines or content areas cor-
18 responding to the academic subject matter
19 areas in which teachers provide instruction; and

20 “(B) when referring to a specific academic
21 subject area, the disciplines or content areas in
22 which academic majors are offered by the arts
23 and sciences organizational unit.

24 “(2) CHILDREN FROM LOW-INCOME FAMI-
25 LIES.—The term ‘children from low-income families’

1 means children as described in section 1124(c)(1)(A)
2 of the Elementary and Secondary Education Act of
3 1965.

4 “(3) CORE ACADEMIC SUBJECTS.—The term
5 ‘core academic subjects’ has the meaning given the
6 term in section 9101 of the Elementary and Sec-
7 ondary Education Act of 1965.

8 “(4) EARLY CHILDHOOD EDUCATION PRO-
9 GRAM.—The term ‘early childhood education pro-
10 gram’ means—

11 “(A) a Head Start program or an Early
12 Head Start program carried out under the
13 Head Start Act (42 U.S.C. 9831 et seq.);

14 “(B) a State licensed or regulated child
15 care program or school; or

16 “(C) a State prekindergarten program that
17 serves children from birth through kindergarten
18 and that addresses the children’s cognitive (in-
19 cluding language, early literacy, and pre-
20 numeracy), social, emotional, and physical de-
21 velopment.

22 “(5) EARLY CHILDHOOD EDUCATOR.—The
23 term ‘early childhood educator’ means an individual
24 with primary responsibility for the education of chil-
25 dren in an early childhood education program.

1 “(6) EDUCATIONAL SERVICE AGENCY.—The
2 term ‘educational service agency’ has the meaning
3 given the term in section 9101 of the Elementary
4 and Secondary Education Act of 1965.

5 “(7) ELIGIBLE PARTNERSHIP.—The term ‘eligi-
6 ble partnership’ means an entity that—

7 “(A) shall include—

8 “(i) a high-need local educational
9 agency;

10 “(ii) a high-need school or a consor-
11 tium of high-need schools served by the
12 high-need local educational agency or, as
13 applicable, a high-need early childhood
14 education program;

15 “(iii) a partner institution;

16 “(iv) a school, department, or pro-
17 gram of education within such partner in-
18 stitution; and

19 “(v) a school or department of arts
20 and sciences within such partner institu-
21 tion; and

22 “(B) may include any of the following:

23 “(i) The Governor of the State.

24 “(ii) The State educational agency.

25 “(iii) The State board of education.

1 “(iv) The State agency for higher edu-
2 cation.

3 “(v) A business.

4 “(vi) A public or private nonprofit
5 educational organization.

6 “(vii) An educational service agency.

7 “(viii) A teacher organization.

8 “(ix) A high-performing local edu-
9 cational agency, or a consortium of such
10 local educational agencies, that can serve
11 as a resource to the partnership.

12 “(x) A charter school (as defined in
13 section 5210 of the Elementary and Sec-
14 ondary Education Act of 1965).

15 “(xi) A school or department within
16 the partner institution that focuses on psy-
17 chology and human development.

18 “(xii) A school or department within
19 the partner institution with comparable ex-
20 pertise in the disciplines of teaching, learn-
21 ing, and child and adolescent development.

22 “(8) ESSENTIAL COMPONENTS OF READING IN-
23 STRUCTION.—The term ‘essential components of
24 reading instruction’ has the meaning given such

1 term in section 1208 of the Elementary and Sec-
2 ondary Education Act of 1965.

3 “(9) EXEMPLARY TEACHER.—The term ‘exem-
4 plary teacher’ has the meaning given such term in
5 section 9101 of the Elementary and Secondary Edu-
6 cation Act of 1965.

7 “(10) HIGH-NEED EARLY CHILDHOOD EDU-
8 CATION PROGRAM.—The term ‘high-need early child-
9 hood education program’ means an early childhood
10 education program that is among the highest 25
11 percent of early childhood programs in the geo-
12 graphic area served by the local educational agency
13 in the partnership, in terms of the percentage of stu-
14 dents from families with incomes below the poverty
15 line.

16 “(11) HIGH-NEED LOCAL EDUCATIONAL AGEN-
17 CY.—The term ‘high-need local educational agency’
18 means a local educational agency—

19 “(A)(i) for which not less than 20 percent
20 of the children served by the agency are chil-
21 dren from low-income families;

22 “(ii) that serves not fewer than 10,000
23 children from low-income families; or

24 “(iii) with a total of less than 600 students
25 in average daily attendance at the schools that

1 are served by the agency and all of whose
2 schools are designated with a school locale code
3 of 6, 7, or 8, as determined by the Secretary;
4 and

5 “(B)(i) for which there is a high percent-
6 age of teachers not teaching in the academic
7 subject areas or grade levels in which the teach-
8 ers were trained to teach; or

9 “(ii) for which there is a high teacher
10 turnover rate or a high percentage of teachers
11 with emergency, provisional, or temporary cer-
12 tification or licensure.

13 “(12) HIGH-NEED SCHOOL.—The term ‘high-
14 need school’ means a public elementary school or
15 public secondary school that—

16 “(A) is among the highest 25 percent of
17 schools served by the local educational agency
18 that serves the school, in terms of the percent-
19 age of students from families with incomes
20 below the poverty line; or

21 “(B) is designated with a school locale
22 code of 6, 7, or 8, as determined by the Sec-
23 retary.

1 “(13) HIGHLY COMPETENT.—The term ‘highly
2 competent’, when used with respect to an early
3 childhood educator, means an educator—

4 “(A) with specialized education and train-
5 ing in development and education of young chil-
6 dren from birth until entry into kindergarten;

7 “(B) with—

8 “(i) a baccalaureate degree in an aca-
9 demic major in the arts and sciences; or

10 “(ii) an associate’s degree in a related
11 educational area; and

12 “(C) who has demonstrated a high level of
13 knowledge and use of content and pedagogy in
14 the relevant areas associated with quality early
15 childhood education.

16 “(14) HIGHLY QUALIFIED.—The term ‘highly
17 qualified’ has the meaning given such term in sec-
18 tion 9101 of the Elementary and Secondary Edu-
19 cation Act of 1965 and, with respect to special edu-
20 cation teachers, in section 602 of the Individuals
21 with Disabilities Education Act.

22 “(15) INDUCTION PROGRAM.—The term ‘induc-
23 tion program’ means a formalized program for new
24 teachers during not less than the teachers’ first 2
25 years of teaching that is designed to provide support

1 for, and improve the professional performance and
2 advance the retention in the teaching field of, begin-
3 ning teachers. Such program shall promote effective
4 teaching skills and shall include the following compo-
5 nents:

6 “(A) High-quality teacher mentoring.

7 “(B) Periodic, structured time for collabo-
8 ration with teachers in the same department or
9 field, as well as time for information-sharing
10 among teachers, principals, administrators, and
11 participating faculty in the partner institution.

12 “(C) The application of empirically based
13 practice and scientifically valid research on in-
14 structional practices.

15 “(D) Opportunities for new teachers to
16 draw directly upon the expertise of teacher
17 mentors, faculty, and researchers to support the
18 integration of empirically based practice and
19 scientifically valid research with practice.

20 “(E) The development of skills in instruc-
21 tional and behavioral interventions derived from
22 empirically based practice and, where applica-
23 ble, scientifically valid research.

24 “(F) Faculty who—

1 “(i) model the integration of research
2 and practice in the classroom; and

3 “(ii) assist new teachers with the ef-
4 fective use and integration of technology in
5 the classroom.

6 “(G) Interdisciplinary collaboration among
7 exemplary teachers, faculty, researchers, and
8 other staff who prepare new teachers on the
9 learning process and the assessment of learn-
10 ing.

11 “(H) Assistance with the understanding of
12 data, particularly student achievement data,
13 and the data’s applicability in classroom in-
14 struction.

15 “(I) Regular evaluation of the new teacher.

16 “(16) LIMITED ENGLISH PROFICIENT.—The
17 term ‘limited English proficient’ has the meaning
18 given such term in section 9101 of the Elementary
19 and Secondary Education Act of 1965.

20 “(17) PARTNER INSTITUTION.—The term ‘part-
21 ner institution’ means an institution of higher edu-
22 cation, which may include a 2-year institution of
23 higher education offering a dual program with a 4-
24 year institution of higher education, participating in

1 an eligible partnership that has a teacher prepara-
2 tion program—

3 “(A) whose graduates exhibit strong per-
4 formance on State-determined qualifying assess-
5 ments for new teachers through—

6 “(i) demonstrating that 80 percent or
7 more of the graduates of the program who
8 intend to enter the field of teaching have
9 passed all of the applicable State qualifica-
10 tion assessments for new teachers, which
11 shall include an assessment of each pro-
12 spective teacher’s subject matter knowledge
13 in the content area in which the teacher in-
14 tends to teach; or

15 “(ii) being ranked among the highest-
16 performing teacher preparation programs
17 in the State as determined by the State—

18 “(I) using criteria consistent with
19 the requirements for the State report
20 card under section 205(b); and

21 “(II) using the State report card
22 on teacher preparation required under
23 section 205(b), after the first publica-
24 tion of such report card and for every
25 year thereafter; or

1 “(B) that requires—

2 “(i) each student in the program to
3 meet high academic standards and partici-
4 pate in intensive clinical experience;

5 “(ii) each student in the program pre-
6 paring to become a teacher to become
7 highly qualified; and

8 “(iii) each student in the program
9 preparing to become an early childhood ed-
10 ucator to meet degree requirements, as es-
11 tablished by the State, and become highly
12 competent.

13 “(18) PRINCIPLES OF SCIENTIFIC RESEARCH.—

14 The term ‘principles of scientific research’ means re-
15 search that—

16 “(A) applies rigorous, systematic, and ob-
17 jective methodology to obtain reliable and valid
18 knowledge relevant to education activities and
19 programs;

20 “(B) presents findings and makes claims
21 that are appropriate to and supported by the
22 methods that have been employed; and

23 “(C) includes, appropriate to the research
24 being conducted—

1 “(i) use of systematic, empirical meth-
2 ods that draw on observation or experi-
3 ment;

4 “(ii) use of data analyses that are
5 adequate to support the general findings;

6 “(iii) reliance on measurements or ob-
7 servational methods that provide reliable
8 and generalizable findings;

9 “(iv) claims of causal relationships
10 only in research designs that substantially
11 eliminate plausible competing explanations
12 for the obtained results, which may include
13 but shall not be limited to random-assign-
14 ment experiments;

15 “(v) presentation of studies and meth-
16 ods in sufficient detail and clarity to allow
17 for replication or, at a minimum, to offer
18 the opportunity to build systematically on
19 the findings of the research;

20 “(vi) acceptance by a peer-reviewed
21 journal or critique by a panel of inde-
22 pendent experts through a comparably rig-
23 orous, objective, and scientific review; and

1 “(vii) use of research designs and
2 methods appropriate to the research ques-
3 tion posed.

4 “(19) PROFESSIONAL DEVELOPMENT.—The
5 term ‘professional development’ has the meaning
6 given the term in section 9101 of the Elementary
7 and Secondary Education Act of 1965.

8 “(20) SCIENTIFICALLY VALID RESEARCH.—The
9 term ‘scientifically valid research’ includes applied
10 research, basic research, and field-initiated research
11 in which the rationale, design, and interpretation are
12 soundly developed in accordance with accepted prin-
13 ciples of scientific research.

14 “(21) TEACHER MENTORING.—The term
15 ‘teacher mentoring’ means the mentoring of new or
16 prospective teachers through a new or established
17 program that—

18 “(A) includes clear criteria for the selec-
19 tion of teacher mentors who will provide role
20 model relationships for mentees, which criteria
21 shall be developed by the eligible partnership
22 and based on measures of teacher effectiveness;

23 “(B) provides high-quality training for
24 such mentors, including instructional strategies
25 for literacy instruction;

1 “(C) provides regular and ongoing oppor-
2 tunities for mentors and mentees to observe
3 each other’s teaching methods in classroom set-
4 tings during the day in a high-need school in
5 the high-need local educational agency in the el-
6 igible partnership;

7 “(D) provides mentoring to each mentee by
8 a colleague who teaches in the same field,
9 grade, or subject as the mentee;

10 “(E) promotes empirically based practice
11 of, and scientifically valid research on, where
12 applicable—

13 “(i) teaching and learning;

14 “(ii) assessment of student learning;

15 “(iii) the development of teaching
16 skills through the use of instructional and
17 behavioral interventions; and

18 “(iv) the improvement of the mentees’
19 capacity to measurably advance student
20 learning; and

21 “(F) includes—

22 “(i) common planning time or regu-
23 larly scheduled collaboration for the men-
24 tor and mentee; and

1 “(ii) joint professional development
2 opportunities.

3 “(22) TEACHING SKILLS.—The term ‘teaching
4 skills’ means skills that enable a teacher to—

5 “(A) increase student learning, achieve-
6 ment, and the ability to apply knowledge;

7 “(B) effectively convey and explain aca-
8 demic subject matter;

9 “(C) employ strategies grounded in the
10 disciplines of teaching and learning that—

11 “(i) are based on empirically based
12 practice and scientifically valid research,
13 where applicable, on teaching and learning;

14 “(ii) are specific to academic subject
15 matter; and

16 “(iii) focus on the identification of
17 students’ specific learning needs, particu-
18 larly students with disabilities, students
19 who are limited English proficient, stu-
20 dents who are gifted and talented, and stu-
21 dents with low literacy levels, and the tai-
22 loring of academic instruction to such
23 needs;

24 “(D) conduct an ongoing assessment of
25 student learning;

1 “(E) effectively manage a classroom;

2 “(F) communicate and work with parents
3 and guardians, and involve parents and guard-
4 ians in their children’s education; and

5 “(G) use age-appropriate strategies and
6 practices for children, including in early child-
7 hood education programs.

8 “(23) TEACHING RESIDENCY PROGRAM.—The
9 term ‘teaching residency program’ means a school-
10 based teacher preparation program in which a pro-
11 spective teacher—

12 “(A) for 1 academic year, teaches along-
13 side a mentor teacher, who is the teacher of
14 record;

15 “(B) receives concurrent instruction during
16 the year described in subparagraph (A) from
17 the partner institution, which courses may be
18 taught by local educational agency personnel or
19 residency program faculty, in the teaching of
20 the content area in which the teacher will be-
21 come certified or licensed;

22 “(C) acquires effective teaching skills; and

23 “(D) prior to completion of the program,
24 earns a master’s degree, attains full State

1 teacher certification or licensure, and becomes
2 highly qualified.

3 **“SEC. 202. PARTNERSHIP GRANTS.**

4 “(a) PROGRAM AUTHORIZED.—From amounts made
5 available under section 208, the Secretary is authorized
6 to award grants, on a competitive basis, to eligible part-
7 nerships, to enable the eligible partnerships to carry out
8 the activities described in subsection (c).

9 “(b) APPLICATION.—Each eligible partnership desir-
10 ing a grant under this section shall submit an application
11 to the Secretary at such time, in such manner, and accom-
12 panied by such information as the Secretary may require.
13 Each such application shall contain—

14 “(1) a needs assessment of all the partners in
15 the eligible partnership with respect to the prepara-
16 tion, ongoing training, professional development, and
17 retention, of general and special education teachers,
18 principals, and, as applicable, early childhood edu-
19 cators;

20 “(2) a description of the extent to which the
21 program prepares prospective and new teachers with
22 strong teaching skills;

23 “(3) a description of the extent to which the
24 program will prepare prospective and new teachers

1 to understand research and data and the applica-
2 bility of research and data in the classroom;

3 “(4) a description of how the partnership will
4 coordinate strategies and activities assisted under
5 the grant with other teacher preparation or profes-
6 sional development programs, including those funded
7 under the Elementary and Secondary Education Act
8 of 1965 and the Individuals with Disabilities Edu-
9 cation Act, and through the National Science Foun-
10 dation, and how the activities of the partnership will
11 be consistent with State, local, and other education
12 reform activities that promote student achievement;

13 “(5) a resource assessment that describes the
14 resources available to the partnership, including—

15 “(A) the integration of funds from other
16 related sources;

17 “(B) the intended use of the grant funds;

18 “(C) the commitment of the resources of
19 the partnership to the activities assisted under
20 this section, including financial support, faculty
21 participation, and time commitments, and to
22 the continuation of the activities when the grant
23 ends;

24 “(6) a description of—

1 “(A) how the partnership will meet the
2 purposes of this part;

3 “(B) how the partnership will carry out
4 the activities required under subsection (d) or
5 (e) based on the needs identified in paragraph
6 (1), with the goal of improving student achieve-
7 ment;

8 “(C) the partnership’s evaluation plan
9 under section 204(a);

10 “(D) how the partnership will align the
11 teacher preparation program with the—

12 “(i) early learning standards for early
13 childhood education programs, as applica-
14 ble, of the State in which the partnership
15 is located; and

16 “(ii) the student academic achieve-
17 ment standards and academic content
18 standards under section 1111(b)(2) of the
19 Elementary and Secondary Education Act
20 of 1965, established by the State in which
21 the partnership is located;

22 “(E) how faculty at the partner institution
23 will work with, during the term of the grant,
24 highly qualified teachers in the classrooms of
25 schools served by the high-need local edu-

1 cational agency in the partnership to provide
2 high-quality professional development activities;

3 “(F) how the partnership will design, im-
4 plement, or enhance a year-long, rigorous, and
5 enriching teaching preservice clinical program
6 component;

7 “(G) the in-service professional develop-
8 ment strategies and activities to be supported;
9 and

10 “(H) how the partnership will collect, ana-
11 lyze, and use data on the retention of all teach-
12 ers and early childhood educators in schools
13 and early childhood programs located in the ge-
14 ographic area served by the partnership to
15 evaluate the effectiveness of the partnership’s
16 teacher and educator support system; and

17 “(7) with respect to the induction program re-
18 quired as part of the activities carried out under this
19 section—

20 “(A) a demonstration that the schools and
21 departments within the institution of higher
22 education that are part of the induction pro-
23 gram have relevant and essential roles in the ef-
24 fective preparation of teachers, including con-
25 tent expertise and expertise in teaching;

1 “(B) a demonstration of the partnership’s
2 capability and commitment to the use of empiri-
3 cally based practice and scientifically valid re-
4 search on teaching and learning, and the acces-
5 sibility to and involvement of faculty;

6 “(C) a description of how the teacher prep-
7 aration program will design and implement an
8 induction program to support all new teachers
9 through not less than the first 2 years of teach-
10 ing in the further development of the new
11 teachers’ teaching skills, including the use of
12 mentors who are trained and compensated by
13 such program for the mentors’ work with new
14 teachers; and

15 “(D) a description of how faculty involved
16 in the induction program will be able to sub-
17 stantially participate in an early childhood edu-
18 cation program or an elementary or secondary
19 school classroom setting, as applicable, includ-
20 ing release time and receiving workload credit
21 for such participation.

22 “(c) REQUIRED USE OF GRANT FUNDS.—An eligible
23 partnership that receives a grant under this part shall use
24 grant funds to carry out a program for the pre-bacca-
25 laureate preparation of teachers under subsection (d), a

1 teaching residency program under subsection (e), or both
2 such programs.

3 “(d) PARTNERSHIP GRANTS FOR PRE-BACCA-
4 LAUREATE PREPARATION OF TEACHERS.—An eligible
5 partnership that receives a grant to carry out an effective
6 program for the pre-baccalaureate preparation of teachers
7 shall carry out a program that includes all of the following:

8 “(1) REFORMS.—

9 “(A) IN GENERAL.—Implementing re-
10 forms, described in subparagraph (B), within
11 each teacher preparation program and, as appli-
12 cable, each preparation program for early child-
13 hood education programs, of the eligible part-
14 nership that is assisted under this section, to
15 hold each program accountable for—

16 “(i) preparing—

17 “(I) current or prospective teach-
18 ers to be highly qualified (including
19 teachers in rural school districts who
20 may teach multiple subjects, special
21 educators, and teachers of students
22 who are limited English proficient
23 who may teach multiple subjects);

24 “(II) such teachers and, as appli-
25 cable, early childhood educators, to

1 understand empirically based practice
2 and scientifically valid research on
3 teaching and learning and its applica-
4 bility, and to use technology effec-
5 tively, including the use of instruc-
6 tional techniques to improve student
7 achievement; and

8 “(III) as applicable, early child-
9 hood educators to be highly com-
10 petent; and

11 “(ii) promoting strong teaching skills
12 and, as applicable, techniques for early
13 childhood educators to improve children’s
14 cognitive, social, emotional, and physical
15 development.

16 “(B) REQUIRED REFORMS.—The reforms
17 described in subparagraph (A) shall include—

18 “(i) implementing teacher preparation
19 program curriculum changes that improve,
20 evaluate, and assess how well all prospec-
21 tive and new teachers develop teaching
22 skills;

23 “(ii) using empirically based practice
24 and scientifically valid research, where ap-
25 plicable, about the disciplines of teaching

1 and learning so that all prospective teach-
2 ers and, as applicable, early childhood edu-
3 cators—

4 “(I) can understand and imple-
5 ment research-based teaching prac-
6 tices in classroom-based instruction;

7 “(II) have knowledge of student
8 learning methods;

9 “(III) possess skills to analyze
10 student academic achievement data
11 and other measures of student learn-
12 ing and use such data and measures
13 to improve instruction in the class-
14 room;

15 “(IV) possess teaching skills and
16 an understanding of effective instruc-
17 tional strategies across all applicable
18 content areas that enable the teachers
19 and early childhood educators to—

20 “(aa) meet the specific
21 learning needs of all students, in-
22 cluding students with disabilities,
23 students who are limited English
24 proficient, students who are gift-
25 ed and talented, students with

1 low literacy levels and, as appli-
2 cable, children in early childhood
3 education programs; and

4 “(bb) differentiate instruc-
5 tion for such students; and

6 “(V) can successfully employ ef-
7 fective strategies for reading instruc-
8 tion using the essential components of
9 reading instruction;

10 “(iii) ensuring collaboration with de-
11 partments, programs, or units of a partner
12 institution outside of the teacher prepara-
13 tion program in all academic content areas
14 to ensure that new teachers receive train-
15 ing in both teaching and relevant content
16 areas in order to become highly qualified;

17 “(iv) developing and implementing an
18 induction program; and

19 “(v) developing admissions goals and
20 priorities with the hiring objectives of the
21 high-need local educational agency in the
22 eligible partnership.

23 “(2) CLINICAL EXPERIENCE AND INTER-
24 ACTION.—Developing and improving a sustained and
25 high-quality pre-service clinical education program to

1 further develop the teaching skills of all prospective
2 teachers and, as applicable, early childhood edu-
3 cators, involved in the program. Such program shall
4 do the following:

5 “(A) Incorporate year-long opportunities
6 for enrichment activity or a combination of ac-
7 tivities, including—

8 “(i) clinical learning in classrooms in
9 high-need schools served by the high-need
10 local educational agency in the eligible
11 partnership and identified by the eligible
12 partnership; and

13 “(ii) closely supervised interaction be-
14 tween faculty and new and experienced
15 teachers, principals, and other administra-
16 tors at early childhood education programs
17 (as applicable), elementary schools, or sec-
18 ondary schools, and providing support for
19 such interaction.

20 “(B) Integrate pedagogy and classroom
21 practice and promote effective teaching skills in
22 academic content areas.

23 “(C) Provide high-quality teacher men-
24 toring.

1 “(D)(i) Be offered over the course of a
2 program of teacher preparation;

3 “(ii) be tightly aligned with course work
4 (and may be developed as a 5th year of a teach-
5 er preparation program); and

6 “(iii) where feasible, allow prospective
7 teachers to learn to teach in the same school
8 district in which the teachers will work, learn-
9 ing the instructional initiatives and curriculum
10 of that district.

11 “(E) Provide support and training for
12 those individuals participating in an activity for
13 prospective teachers described in this paragraph
14 or paragraph (1) or (2), and for those who
15 serve as mentors for such teachers, based on
16 each individual’s experience. Such support may
17 include—

18 “(i) with respect to a prospective
19 teacher or a mentor, release time for such
20 individual’s participation;

21 “(ii) with respect to a faculty member,
22 receiving course workload credit and com-
23 pensation for time teaching in the eligible
24 partnership’s activities; and

1 “(iii) with respect to a mentor, a sti-
2 pend.

3 “(3) INDUCTION PROGRAMS FOR NEW TEACH-
4 ERS.—Creating an induction program for new teach-
5 ers, or, in the case of an early childhood education
6 program, providing mentoring or coaching for new
7 early childhood educators.

8 “(4) SUPPORT AND TRAINING FOR PARTICI-
9 PANTS IN EARLY CHILDHOOD EDUCATION PRO-
10 GRAMS.—In the case of an eligible partnership fo-
11 cusing on early childhood educator preparation, im-
12 plementing initiatives that increase compensation for
13 early childhood educators who attain associate or
14 baccalaureate degrees in early childhood education.

15 “(5) TEACHER RECRUITMENT.—Developing and
16 implementing effective mechanisms to ensure that
17 the eligible partnership is able to recruit qualified in-
18 dividuals to become highly qualified teachers through
19 the activities of the eligible partnership.

20 “(e) PARTNERSHIP GRANTS FOR THE ESTABLISH-
21 MENT OF TEACHING RESIDENCY PROGRAMS.—

22 “(1) IN GENERAL.—An eligible partnership re-
23 ceiving a grant to carry out an effective teaching
24 residency program shall carry out a program that
25 includes all of the following activities:

1 “(A) Supporting a teaching residency pro-
2 gram described in paragraph (2) for high-need
3 subjects and areas, as determined by the needs
4 of the high-need local educational agency in the
5 partnership.

6 “(B) Modifying staffing procedures to pro-
7 vide greater flexibility for local educational
8 agency and school leaders to establish effective
9 school-level staffing in order to facilitate place-
10 ment of graduates of the teaching residency
11 program in cohorts that facilitate professional
12 collaboration, both among graduates of the
13 teaching residency program and between such
14 graduates and mentor teachers in the receiving
15 school.

16 “(C) Ensuring that teaching residents that
17 participated in the teaching residency program
18 receive—

19 “(i) effective preservice preparation as
20 described in paragraph (2);

21 “(ii) teacher mentoring;

22 “(iii) induction through the induction
23 program as the teaching residents enter
24 the classroom as new teachers; and

1 “(iv) the preparation described in sub-
2 paragraphs (A), (B), and (C) of subsection
3 (d)(2).

4 “(2) TEACHING RESIDENCY PROGRAMS.—

5 “(A) ESTABLISHMENT AND DESIGN.—A
6 teaching residency program under this para-
7 graph shall be a program based upon models of
8 successful teaching residencies that serves as a
9 mechanism to prepare teachers for success in
10 the high-need schools in the eligible partner-
11 ship, and shall be designed to include the fol-
12 lowing characteristics of successful programs:

13 “(i) The integration of pedagogy,
14 classroom practice, and teacher mentoring.

15 “(ii) Engagement of teaching resi-
16 dents in rigorous graduate-level coursework
17 to earn a master’s degree while under-
18 taking a guided teaching apprenticeship.

19 “(iii) Experience and learning oppor-
20 tunities alongside a trained and experi-
21 enced mentor teacher—

22 “(I) whose teaching shall com-
23 plement the residency program so that
24 classroom clinical practice is tightly
25 aligned with coursework;

1 “(II) who shall have extra re-
2 sponsibilities as a teacher leader of
3 the teaching residency program, as a
4 mentor for residents, and as a teacher
5 coach during the induction program
6 for novice teachers, and for estab-
7 lishing, within the program, a learn-
8 ing community in which all individuals
9 are expected to continually improve
10 their capacity to advance student
11 learning; and

12 “(III) who may have full relief
13 from teaching duties as a result of
14 such additional responsibilities.

15 “(iv) The establishment of clear cri-
16 teria for the selection of mentor teachers
17 based on measures of teacher effectiveness
18 and the appropriate subject area knowl-
19 edge. Evaluation of teacher effectiveness
20 shall be based on observations of such do-
21 mains of teaching as the following:

22 “(I) Planning and preparation,
23 including demonstrated knowledge of
24 content, pedagogy, and assessment,

1 including the use of formative assess-
2 ments to improve student learning.

3 “(II) Appropriate instruction
4 that engages students with different
5 learning styles.

6 “(III) Collaboration with col-
7 leagues to improve instruction.

8 “(IV) Analysis of gains in stu-
9 dent learning, based on multiple
10 measures, that, when feasible, may in-
11 clude valid and reliable objective
12 measures of the influence of teachers
13 on the rate of student academic
14 progress.

15 “(V) In the case of mentor can-
16 didates who will be mentoring current
17 or future literacy and mathematics
18 coaches or instructors, appropriate
19 skills in the essential components of
20 reading instruction, teacher training
21 in literacy instructional strategies
22 across core subject areas, and teacher
23 training in mathematics instructional
24 strategies, as appropriate.

1 “(v) Grouping of teaching residents in
2 cohorts to facilitate professional collabora-
3 tion among such residents.

4 “(vi) The development of admissions
5 goals and priorities aligned with the hiring
6 objectives of the local educational agency
7 partnering with the program, as well as
8 the instructional initiatives and curriculum
9 of the agency, in exchange for a commit-
10 ment by the agency to hire graduates from
11 the teaching residency program.

12 “(vii) Support for residents, once the
13 teaching residents are hired as teachers of
14 record, through an induction program, pro-
15 fessional development, and networking op-
16 portunities to support the residents
17 through not less than the residents’ first 2
18 years of teaching.

19 “(B) SELECTION OF INDIVIDUALS AS
20 TEACHER RESIDENTS.—

21 “(i) ELIGIBLE INDIVIDUAL.—In order
22 to be eligible to be a teacher resident in a
23 teaching residency program under this
24 paragraph, an individual shall—

1 “(I) be a recent graduate of a 4-
2 year institution of higher education or
3 a mid-career professional from outside
4 the field of education possessing
5 strong content knowledge or a record
6 of professional accomplishment; and

7 “(II) submit an application to
8 the teaching residency program.

9 “(ii) SELECTION CRITERIA.—An eligi-
10 ble partnership carrying out a teaching
11 residency program under this subpara-
12 graph shall establish criteria for the selec-
13 tion of eligible individuals to participate in
14 the teaching residency program based on
15 the following characteristics:

16 “(I) Strong content knowledge or
17 record of accomplishment in the field
18 or subject area to be taught.

19 “(II) Strong verbal and written
20 communication skills, which may be
21 demonstrated by performance on ap-
22 propriate tests.

23 “(III) Other attributes linked to
24 effective teaching, which may be de-
25 termined by interviews or performance

1 assessments, as specified by the eligi-
2 ble partnership.

3 “(C) STIPEND AND SERVICE REQUIRE-
4 MENT.—

5 “(i) STIPEND.—A teaching residency
6 program under this paragraph shall pro-
7 vide a 1-year living stipend or salary to
8 teaching residents during the 1-year teach-
9 ing residency program.

10 “(ii) SERVICE REQUIREMENT.—As a
11 condition of receiving a stipend under this
12 subparagraph, a teaching resident shall
13 agree to teach in a high-need school served
14 by the high-need local educational agency
15 in the eligible partnership for a period of
16 3 or more years after completing the 1-
17 year teaching residency program.

18 “(iii) REPAYMENT.—If a teaching
19 resident who received a stipend under this
20 subparagraph does not complete the serv-
21 ice requirement described in clause (ii),
22 such individual shall repay to the high-
23 need local educational agency a pro rata
24 portion of the stipend amount for the

1 amount of teaching time that the indi-
2 vidual did not complete.

3 “(f) CONSULTATION.—

4 “(1) IN GENERAL.—Members of an eligible
5 partnership that receives a grant under this section
6 shall engage in regular consultation throughout the
7 development and implementation of programs and
8 activities under this section.

9 “(2) REGULAR COMMUNICATION.—To ensure
10 timely and meaningful consultation, regular commu-
11 nication shall occur among all members of the eligi-
12 ble partnership, including the high-need local edu-
13 cational agency. Such communication shall continue
14 throughout the implementation of the grant and the
15 assessment of programs and activities under this
16 section.

17 “(3) WRITTEN CONSENT.—The Secretary may
18 approve changes in grant activities of a grant under
19 this section only if a written consent signed by all
20 members of the eligible partnership is submitted to
21 the Secretary.

22 “(g) CONSTRUCTION.—Nothing in this section shall
23 be construed to prohibit an eligible partnership from using
24 grant funds to coordinate with the activities of eligible
25 partnerships in other States or on a regional basis through

1 Governors, State boards of education, State educational
2 agencies, State agencies responsible for early childhood
3 education, local educational agencies, or State agencies for
4 higher education.

5 “(h) SUPPLEMENT, NOT SUPPLANT.—Funds made
6 available under this section shall be used to supplement,
7 and not supplant, other Federal, State, and local funds
8 that would otherwise be expended to carry out activities
9 under this section.

10 **“SEC. 203. ADMINISTRATIVE PROVISIONS.**

11 “(a) DURATION; NUMBER OF AWARDS; PAY-
12 MENTS.—

13 “(1) DURATION.—A grant awarded under this
14 part shall be awarded for a period of 5 years.

15 “(2) NUMBER OF AWARDS.—An eligible part-
16 nership may not receive more than 1 grant during
17 a 5-year period. Nothing in this title shall be con-
18 strued to prohibit an individual member, that can
19 demonstrate need, of an eligible partnership that re-
20 ceives a grant under this title from entering into an-
21 other eligible partnership consisting of new members
22 and receiving a grant with such other eligible part-
23 nership before the 5-year period described in the
24 preceding sentence applicable to the eligible partner-

1 ship with which the individual member has first
2 partnered has expired.

3 “(3) PAYMENTS.—The Secretary shall make
4 annual payments of grant funds awarded under this
5 part.

6 “(b) PEER REVIEW.—

7 “(1) PANEL.—The Secretary shall provide the
8 applications submitted under this part to a peer re-
9 view panel for evaluation. With respect to each ap-
10 plication, the peer review panel shall initially rec-
11 ommend the application for funding or for dis-
12 approval.

13 “(2) PRIORITY.—In recommending applications
14 to the Secretary for funding under this part, the
15 panel shall give priority—

16 “(A) to applications from broad-based eli-
17 gible partnerships that involve businesses and
18 community organizations; and

19 “(B) to eligible partnerships so that the
20 awards promote an equitable geographic dis-
21 tribution of grants among rural and urban
22 areas.

23 “(3) SECRETARIAL SELECTION.—The Secretary
24 shall determine, based on the peer review process,
25 which applications shall receive funding and the

1 amounts of the grants. In determining the grant
2 amount, the Secretary shall take into account the
3 total amount of funds available for all grants under
4 this part and the types of activities proposed to be
5 carried out by the eligible partnership.

6 “(c) MATCHING REQUIREMENTS.—

7 “(1) IN GENERAL.—Each eligible partnership
8 receiving a grant under this part shall provide, from
9 non-Federal sources, an amount equal to 100 per-
10 cent of the amount of the grant, which may be pro-
11 vided in cash or in-kind, to carry out the activities
12 supported by the grant.

13 “(2) WAIVER.—The Secretary may waive all or
14 part of the matching requirement described in para-
15 graph (1) for any fiscal year for an eligible partner-
16 ship, if the Secretary determines that applying the
17 matching requirement to the eligible partnership
18 would result in serious hardship or an inability to
19 carry out the authorized activities described in this
20 part.

21 “(d) LIMITATION ON ADMINISTRATIVE EXPENSES.—

22 An eligible partnership that receives a grant under this
23 part may use not more than 2 percent of the grant funds
24 for purposes of administering the grant.

1 **“SEC. 204. ACCOUNTABILITY AND EVALUATION.**

2 “(a) **ELIGIBLE PARTNERSHIP EVALUATION.**—Each
3 eligible partnership submitting an application for a grant
4 under this part shall establish and include in such applica-
5 tion, an evaluation plan that includes strong performance
6 objectives. The plan shall include objectives and measures
7 for increasing—

8 “(1) student achievement for all students as
9 measured by the eligible partnership;

10 “(2) teacher retention in the first 3 years of a
11 teacher’s career;

12 “(3) improvement in the pass rates and scaled
13 scores for initial State certification or licensure of
14 teachers; and

15 “(4)(A) the percentage of highly qualified
16 teachers hired by the high-need local educational
17 agency participating in the eligible partnership;

18 “(B) the percentage of such teachers who are
19 members of under represented groups;

20 “(C) the percentage of such teachers who teach
21 high-need academic subject areas (such as reading,
22 mathematics, science, and foreign language, includ-
23 ing less commonly taught languages and critical for-
24 eign languages);

25 “(D) the percentage of such teachers who teach
26 in high-need areas (including special education, lan-

1 guage instruction educational programs for limited
2 English proficient students, and early childhood edu-
3 cation);

4 “(E) the percentage of such teachers in high-
5 need schools, disaggregated by the elementary, mid-
6 dle, and high school levels; and

7 “(F) as applicable, the percentage of early
8 childhood education program classes in the geo-
9 graphic area served by the eligible partnership
10 taught by early childhood educators who are highly
11 competent.

12 “(b) INFORMATION.—An eligible partnership receiv-
13 ing a grant under this part shall ensure that teachers,
14 principals, school superintendents, and faculty and leader-
15 ship at institutions of higher education located in the geo-
16 graphic areas served by the eligible partnership under this
17 part are provided information about the activities carried
18 out with funds under this part, including through elec-
19 tronic means.

20 “(c) REVOCATION OF GRANT.—If the Secretary de-
21 termines that an eligible partnership receiving a grant
22 under this part is not making substantial progress in
23 meeting the purposes, goals, objectives, and measures, as
24 appropriate, of the grant by the end of the third year of
25 a grant under this part, then the Secretary shall require

1 such eligible partnership to submit a revised application
 2 that identifies the steps the partnership will take to make
 3 substantial progress to meet the purposes, goals, objec-
 4 tives, and measures, as appropriate, of this part.

5 “(d) EVALUATION AND DISSEMINATION.—The Sec-
 6 retary shall evaluate the activities funded under this part
 7 and report the Secretary’s findings regarding the activities
 8 to the authorizing committees. The Secretary shall broadly
 9 disseminate—

10 “(1) successful practices developed by eligible
 11 partnerships under this part; and

12 “(2) information regarding such practices that
 13 were found to be ineffective.

14 **“SEC. 205. ACCOUNTABILITY FOR PROGRAMS THAT PRE-**
 15 **PARE TEACHERS.**

16 “(a) INSTITUTIONAL AND PROGRAM REPORT CARDS
 17 ON THE QUALITY OF TEACHER PREPARATION.—

18 “(1) REPORT CARD.—Each institution of higher
 19 education that conducts a traditional teacher prepa-
 20 ration program or alternative routes to State certifi-
 21 cation or licensure program and that enrolls stu-
 22 dents receiving Federal assistance under this Act
 23 shall report annually to the State and the general
 24 public, in a uniform and comprehensible manner
 25 that conforms with the definitions and methods es-

1 tablished by the Secretary, both for traditional
2 teacher preparation programs and alternative routes
3 to State certification or licensure programs, the fol-
4 lowing information:

5 “(A) PASS RATES AND SCALED SCORES.—

6 For the most recent year for which the informa-
7 tion is available for those students who took the
8 assessments and are enrolled in the traditional
9 teacher preparation program or alternative
10 routes to State certification or licensure pro-
11 gram, and for those who have taken the assess-
12 ments and have completed the traditional teach-
13 er preparation program or alternative routes to
14 State certification or licensure program during
15 the 2-year period preceding such year, for each
16 of the assessments used for teacher certification
17 or licensure by the State in which the program
18 is located—

19 “(i) the percentage of students who
20 have completed 100 percent of the nonclin-
21 ical coursework and taken the assessment
22 who pass such assessment;

23 “(ii) the percentage of all such stu-
24 dents who passed each such assessment;

1 “(iii) the percentage of students tak-
2 ing an assessment who completed the
3 teacher preparation program after enroll-
4 ing in the program, which shall be made
5 available widely and publicly by the State;

6 “(iv) the average scaled score for all
7 students who took each such assessment;

8 “(v) a comparison of the program’s
9 pass rates with the average pass rates for
10 programs in the State; and

11 “(vi) a comparison of the program’s
12 average scaled scores with the average
13 scaled scores for programs in the State.

14 “(B) PROGRAM INFORMATION.—The cri-
15 teria for admission into the program, the num-
16 ber of students in the program (disaggregated
17 by race and gender), the average number of
18 hours of supervised clinical experience required
19 for those in the program, the number of full-
20 time equivalent faculty and students in the su-
21 pervised clinical experience, and the total num-
22 ber of students who have been certified or li-
23 censed as teachers, disaggregated by subject
24 and area of certification or licensure.

1 “(C) STATEMENT.—In States that require
2 approval or accreditation of teacher preparation
3 programs, a statement of whether the institu-
4 tion’s program is so approved or accredited,
5 and by whom.

6 “(D) DESIGNATION AS LOW-PER-
7 FORMING.—Whether the program has been des-
8 igned as low-performing by the State under
9 section 207(a).

10 “(E) USE OF TECHNOLOGY.—A descrip-
11 tion of the activities that prepare teachers to ef-
12 fectively integrate technology into curricula and
13 instruction and effectively use technology to col-
14 lect, manage, and analyze data in order to im-
15 prove teaching, learning, and decisionmaking
16 for the purpose of increasing student academic
17 achievement.

18 “(2) REPORT.—Each eligible partnership re-
19 ceiving a grant under section 202 shall report annu-
20 ally on the progress of the eligible partnership to-
21 ward meeting the purposes of this part and the ob-
22 jectives and measures described in section 204(a).

23 “(3) FINES.—The Secretary may impose a fine
24 not to exceed \$25,000 on an institution of higher
25 education for failure to provide the information de-

1 scribed in this subsection in a timely or accurate
2 manner.

3 “(4) SPECIAL RULE.—In the case of an institu-
4 tion of higher education that conducts a traditional
5 teacher preparation program or alternative routes to
6 State certification or licensure program and has
7 fewer than 10 scores reported on any single initial
8 teacher certification or licensure assessment during
9 an academic year, the institution shall collect and
10 publish information, as required under paragraph
11 (1)(A), with respect to an average pass rate and
12 scaled score on each State certification or licensure
13 assessment taken over a 3-year period.

14 “(b) STATE REPORT CARD ON THE QUALITY OF
15 TEACHER PREPARATION.—

16 “(1) IN GENERAL.—Each State that receives
17 funds under this Act shall provide to the Secretary,
18 annually, in a uniform and comprehensible manner
19 that conforms with the definitions and methods es-
20 tablished by the Secretary, a State report card on
21 the quality of teacher preparation in the State, both
22 for traditional teacher preparation programs and for
23 alternative routes to State certification or licensure
24 programs, which shall include not less than the fol-
25 lowing:

1 “(A) A description of reliability and valid-
2 ity of the teacher certification and licensure as-
3 sessments, and any other certification and licen-
4 sure requirements, used by the State.

5 “(B) The standards and criteria that pro-
6 spective teachers must meet in order to attain
7 initial teacher certification or licensure and to
8 be certified or licensed to teach particular aca-
9 demic subject areas or in particular grades
10 within the State.

11 “(C) A description of how the assessments
12 and requirements described in subparagraph
13 (A) are aligned with the State’s challenging
14 academic content standards required under sec-
15 tion 1111(b)(1) of the Elementary and Sec-
16 ondary Education Act of 1965 and State early
17 learning standards for early childhood education
18 programs.

19 “(D) For each of the assessments used by
20 the State for teacher certification or licensure—

21 “(i) for each institution of higher edu-
22 cation located in the State and each entity
23 located in the State that offers an alter-
24 native route for teacher certification or li-
25 censure, the percentage of students at such

1 institution or entity who have completed
2 100 percent of the nonclinical coursework
3 and taken the assessment who pass such
4 assessment;

5 “(ii) the percentage of all such stu-
6 dents at all such institutions taking the as-
7 sessment who pass such assessment; and

8 “(iii) the percentage of students tak-
9 ing an assessment who completed the
10 teacher preparation program after enroll-
11 ing in the program, which shall be made
12 available widely and publicly by the State.

13 “(E) A description of alternative routes to
14 State certification or licensure in the State (in-
15 cluding any such routes operated by entities
16 that are not institutions of higher education), if
17 any, including, for each of the assessments used
18 by the State for teacher certification or licen-
19 sure—

20 “(i) the percentage of individuals par-
21 ticipating in such routes, or who have com-
22 pleted such routes during the 2-year period
23 preceding the date of the determination,
24 who passed each such assessment; and

1 “(ii) the average scaled score of indi-
2 viduals participating in such routes, or who
3 have completed such routes during the pe-
4 riod preceding the date of the determina-
5 tion, who took each such assessment.

6 “(F) A description of the State’s criteria
7 for assessing the performance of teacher prepa-
8 ration programs within institutions of higher
9 education in the State. Such criteria shall in-
10 clude indicators of the academic content knowl-
11 edge and teaching skills of students enrolled in
12 such programs.

13 “(G) For each teacher preparation pro-
14 gram in the State, the criteria for admission
15 into the program, the number of students in the
16 program, disaggregated by race and gender (ex-
17 cept that such disaggregation shall not be re-
18 quired in a case in which the number of stu-
19 dents in a category is insufficient to yield sta-
20 tistically reliable information or the results
21 would reveal personally identifiable information
22 about an individual student), the average num-
23 ber of hours of supervised clinical experience re-
24 quired for those in the program, and the num-
25 ber of full-time equivalent faculty, adjunct fac-

1 ulty, and students in supervised clinical experi-
2 ence.

3 “(H) For the State as a whole, and for
4 each teacher preparation program in the State,
5 the number of teachers prepared, in the aggre-
6 gate and reported separately by—

7 “(i) area of certification or licensure;

8 “(ii) academic major; and

9 “(iii) subject area for which the teach-
10 er has been prepared to teach.

11 “(I) Using the data generated under sub-
12 paragraphs (G) and (H), a description of the
13 extent to which teacher preparation programs
14 are helping to address shortages of highly quali-
15 fied teachers, by area of certification or licen-
16 sure, subject, and specialty, in the State’s pub-
17 lic schools.

18 “(J) A description of the activities that
19 prepare teachers to effectively integrate tech-
20 nology into curricula and instruction and effec-
21 tively use technology to collect, manage, and
22 analyze data in order to improve teaching,
23 learning, and decisionmaking for the purpose of
24 increasing student academic achievement.

1 “(2) PROHIBITION AGAINST CREATING A NA-
2 TIONAL LIST.—The Secretary shall not create a na-
3 tional list or ranking of States, institutions, or
4 schools using the scaled scores provided under this
5 subsection.

6 “(c) REPORT OF THE SECRETARY ON THE QUALITY
7 OF TEACHER PREPARATION.—

8 “(1) REPORT CARD.—The Secretary shall pro-
9 vide to Congress, and publish and make widely avail-
10 able, a report card on teacher qualifications and
11 preparation in the United States, including all the
12 information reported in subparagraphs (A) through
13 (J) of subsection (b)(1). Such report shall identify
14 States for which eligible partnerships received a
15 grant under this part. Such report shall be so pro-
16 vided, published, and made available annually.

17 “(2) REPORT TO CONGRESS.—The Secretary
18 shall prepare and submit a report to Congress that
19 contains the following:

20 “(A) A comparison of States’ efforts to im-
21 prove the quality of the current and future
22 teaching force.

23 “(B) A comparison of eligible partnerships’
24 efforts to improve the quality of the current
25 and future teaching force.

1 “(C) The national mean and median scaled
2 scores and pass rate on any standardized test
3 that is used in more than 1 State for teacher
4 certification or licensure.

5 “(3) SPECIAL RULE.—In the case of a teacher
6 preparation program with fewer than 10 scores re-
7 ported on any single initial teacher certification or li-
8 censure assessment during an academic year, the
9 Secretary shall collect and publish information, and
10 make publicly available, with respect to an average
11 pass rate and scaled score on each State certification
12 or licensure assessment taken over a 3-year period.

13 “(d) COORDINATION.—The Secretary, to the extent
14 practicable, shall coordinate the information collected and
15 published under this part among States for individuals
16 who took State teacher certification or licensure assess-
17 ments in a State other than the State in which the indi-
18 vidual received the individual’s most recent degree.

19 **“SEC. 206. STATE FUNCTIONS.**

20 “(a) STATE ASSESSMENT.—In order to receive funds
21 under this Act, a State shall have in place a procedure
22 to identify and assist, through the provision of technical
23 assistance, low-performing programs of teacher prepara-
24 tion. Such State shall provide the Secretary an annual list
25 of such low-performing teacher preparation programs that

1 includes an identification of those programs at risk of
2 being placed on such list. Such levels of performance shall
3 be determined solely by the State and may include criteria
4 based on information collected pursuant to this part. Such
5 assessment shall be described in the report under section
6 205(b).

7 “(b) TERMINATION OF ELIGIBILITY.—Any program
8 of teacher preparation from which the State has with-
9 drawn the State’s approval, or terminated the State’s fi-
10 nancial support, due to the low performance of the pro-
11 gram based upon the State assessment described in sub-
12 section (a)—

13 “(1) shall be ineligible for any funding for pro-
14 fessional development activities awarded by the De-
15 partment;

16 “(2) shall not be permitted to accept or enroll
17 any student that receives aid under title IV in the
18 institution’s teacher preparation program; and

19 “(3) shall provide transitional support, includ-
20 ing remedial services if necessary, for students en-
21 rolled at the institution at the time of termination
22 of financial support or withdrawal of approval.

23 “(c) NEGOTIATED RULEMAKING.—If the Secretary
24 develops any regulations implementing subsection (b)(2),
25 the Secretary shall submit such proposed regulations to

1 a negotiated rulemaking process, which shall include rep-
2 resentatives of States, institutions of higher education,
3 and educational and student organizations.

4 “(d) APPLICATION OF THE REQUIREMENTS.—The
5 requirements of this section shall apply to both traditional
6 teacher preparation programs and alternative routes to
7 State certification and licensure programs.

8 **“SEC. 207. GENERAL PROVISIONS.**

9 “(a) METHODS.—In complying with sections 205 and
10 206, the Secretary shall ensure that States and institu-
11 tions of higher education use fair and equitable methods
12 in reporting and that the reporting methods do not allow
13 identification of individuals.

14 “(b) SPECIAL RULE.—For each State that does not
15 use content assessments as a means of ensuring that all
16 teachers teaching in core academic subjects within the
17 State are highly qualified, as required under section 1119
18 of the Elementary and Secondary Education Act of 1965
19 and in accordance with the State plan submitted or revised
20 under section 1111 of such Act, and that each person em-
21 ployed as a special education teacher in the State who
22 teaches elementary school, middle school, or secondary
23 school is highly qualified by the deadline, as required
24 under section 612(a)(14)(C) of the Individuals with Dis-
25 abilities Education Act—

1 “(1) the Secretary shall, to the extent prac-
2 ticable, collect data comparable to the data required
3 under this part from States, local educational agen-
4 cies, institutions of higher education, or other enti-
5 ties that administer such assessments to teachers or
6 prospective teachers; and

7 “(2) notwithstanding any other provision of this
8 part, the Secretary shall use such data to carry out
9 requirements of this part related to assessments,
10 pass rates, and scaled scores.

11 “(c) RELEASE OF INFORMATION TO TEACHER PREP-
12 ARATION PROGRAMS.—

13 “(1) IN GENERAL.—For the purpose of improv-
14 ing teacher preparation programs, a State edu-
15 cational agency that receives funds under this Act,
16 or that participates as a member of a partnership,
17 consortium, or other entity that receives such funds,
18 shall provide to a teacher preparation program, upon
19 the request of the teacher preparation program, any
20 and all pertinent education-related information
21 that—

22 “(A) may enable the teacher preparation
23 program to evaluate the effectiveness of the
24 program’s graduates or the program itself; and

1 “(B) is possessed, controlled, or accessible
2 by the State educational agency.

3 “(2) CONTENT OF INFORMATION.—The infor-
4 mation described in paragraph (1)—

5 “(A) shall include an identification of spe-
6 cific individuals who graduated from the teach-
7 er preparation program to enable the teacher
8 preparation program to evaluate the informa-
9 tion provided to the program from the State
10 educational agency with the program’s own
11 data about the specific courses taken by, and
12 field experiences of, the individual graduates;
13 and

14 “(B) may include—

15 “(i) kindergarten through grade 12
16 academic achievement and demographic
17 data, without revealing personally identifi-
18 able information about an individual stu-
19 dent, for students who have been taught by
20 graduates of the teacher preparation pro-
21 gram; and

22 “(ii) teacher effectiveness evaluations
23 for teachers who graduated from the teach-
24 er preparation program.

1 **“SEC. 208. AUTHORIZATION OF APPROPRIATIONS.**

2 “There are authorized to be appropriated to carry out
3 this part such sums as may be necessary for fiscal year
4 2008 and each of the 5 succeeding fiscal years.”.

5 **SEC. 202. GENERAL PROVISIONS.**

6 Title II (20 U.S.C. 1021 et seq.) is amended by add-
7 ing at the end the following:

8 **“PART C—GENERAL PROVISIONS**

9 **“SEC. 231. LIMITATIONS.**

10 “(a) **FEDERAL CONTROL PROHIBITED.**—Nothing in
11 this title shall be construed to permit, allow, encourage,
12 or authorize any Federal control over any aspect of any
13 private, religious, or home school, whether or not a home
14 school is treated as a private school or home school under
15 State law. This section shall not be construed to prohibit
16 private, religious, or home schools from participation in
17 programs or services under this title.

18 “(b) **NO CHANGE IN STATE CONTROL ENCOURAGED**
19 **OR REQUIRED.**—Nothing in this title shall be construed
20 to encourage or require any change in a State’s treatment
21 of any private, religious, or home school, whether or not
22 a home school is treated as a private school or home school
23 under State law.

24 “(c) **NATIONAL SYSTEM OF TEACHER CERTIFI-**
25 **CATION OR LICENSURE PROHIBITED.**—Nothing in this
26 title shall be construed to permit, allow, encourage, or au-

1 thorize the Secretary to establish or support any national
2 system of teacher certification or licensure.”.

3 **TITLE III—INSTITUTIONAL AID**

4 **SEC. 301. PROGRAM PURPOSE.**

5 Section 311 (20 U.S.C. 1057) is amended—

6 (1) in subsection (b)—

7 (A) in paragraph (1), by striking “351”
8 and inserting “391”; and

9 (B) in paragraph (3)(F), by inserting “,
10 including services that will assist in the edu-
11 cation of special populations” before the period;
12 and

13 (2) in subsection (c)—

14 (A) in paragraph (6), by inserting “, in-
15 cluding innovative, customized, remedial edu-
16 cation and English language instruction courses
17 designed to help retain students and move the
18 students rapidly into core courses and through
19 program completion” before the period;

20 (B) by redesignating paragraphs (7)
21 through (12) as paragraphs (8) through (13),
22 respectively;

23 (C) by inserting after paragraph (6) the
24 following:

1 “(7) Education or counseling services designed
2 to improve the financial literacy and economic lit-
3 eracy of students or the students’ parents.”;

4 (D) in paragraph (12) (as redesignated by
5 subparagraph (B)), by striking “distance learn-
6 ing academic instruction capabilities” and in-
7 serting “distance education technologies”; and

8 (E) in the matter preceding subparagraph
9 (A) of paragraph (13) (as redesignated by sub-
10 paragraph (B)), by striking “subsection (c)”
11 and inserting “subsection (b) and section 391”.

12 **SEC. 302. DEFINITIONS; ELIGIBILITY.**

13 Section 312 (20 U.S.C. 1058) is amended—

14 (1) in subsection (b)(1)(A), by striking “sub-
15 section (c) of this section” and inserting “subsection
16 (d)”;

17 (2) in subsection (d)(2), by striking “subdivi-
18 sion” and inserting “paragraph”.

19 **SEC. 303. AMERICAN INDIAN TRIBALLY CONTROLLED COL-**
20 **LEGES AND UNIVERSITIES.**

21 Section 316 (20 U.S.C. 1059c) is amended—

22 (1) by striking subsection (b)(3) and inserting
23 the following:

1 “(3) TRIBAL COLLEGE OR UNIVERSITY.—The
2 term ‘Tribal College or University’ means an institu-
3 tion that—

4 “(A) qualifies for funding under the Trib-
5 ally Controlled College or University Assistance
6 Act of 1978 (25 U.S.C. 1801 et seq.) or the
7 Navajo Community College Assistance Act of
8 1978 (25 U.S.C. 640a note); or

9 “(B) is cited in section 532 of the Equity
10 in Educational Land-Grant Status Act of 1994
11 (7 U.S.C. 301 note).”;

12 (2) in subsection (c)(2)—

13 (A) in subparagraph (B), by inserting be-
14 fore the semicolon at the end the following:
15 “and the acquisition of real property adjacent
16 to the campus of the institution”;

17 (B) by redesignating subparagraphs (G),
18 (H), (I), (J), (K), and (L) as subparagraphs
19 (H), (I), (J), (K), (L), and (N), respectively;

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

22 “(G) education or counseling services de-
23 signed to improve the financial literacy and eco-
24 nomic literacy of students or the students’ par-
25 ents;”;

1 (D) in subparagraph (L) (as redesignated
2 by subparagraph (B)), by striking “and” after
3 the semicolon;

4 (E) by inserting after subparagraph (L)
5 (as redesignated by subparagraph (B)) the fol-
6 lowing:

7 “(M) developing or improving facilities for
8 Internet use or other distance education tech-
9 nologies; and”;

10 (F) in subparagraph (N) (as redesignated
11 by subparagraph (B)), by striking “subpara-
12 graphs (A) through (K)” and inserting “sub-
13 paragraphs (A) through (M)”;

14 (3) by striking subsection (d) and inserting the
15 following:

16 “(d) APPLICATION, PLAN, AND ALLOCATION.—

17 “(1) INSTITUTIONAL ELIGIBILITY.—To be eligi-
18 ble to receive assistance under this section, a Tribal
19 College or University shall be an eligible institution
20 under section 312(b).

21 “(2) APPLICATION.—

22 “(A) IN GENERAL.—A Tribal College or
23 University desiring to receive assistance under
24 this section shall submit an application to the

1 Secretary at such time, and in such manner, as
2 the Secretary may reasonably require.

3 “(B) STREAMLINED PROCESS.—The Sec-
4 retary shall establish application requirements
5 in such a manner as to simplify and streamline
6 the process for applying for grants.

7 “(3) ALLOCATIONS TO INSTITUTIONS.—

8 “(A) CONSTRUCTION GRANTS.—

9 “(i) IN GENERAL.—Of the amount ap-
10 propriated to carry out this section for any
11 fiscal year, the Secretary may reserve 30
12 percent for the purpose of awarding 1-year
13 grants of not less than \$1,000,000 to ad-
14 dress construction, maintenance, and ren-
15 ovation needs at eligible institutions.

16 “(ii) PREFERENCE.—In providing
17 grants under clause (i), the Secretary shall
18 give preference to eligible institutions that
19 have not yet received an award under this
20 section.

21 “(B) ALLOTMENT OF REMAINING
22 FUNDS.—

23 “(i) IN GENERAL.—Except as pro-
24 vided in clause (ii), the Secretary shall dis-
25 tribute the remaining funds appropriated

1 for any fiscal year to each eligible institu-
2 tion as follows:

3 “(I) 60 percent of the remaining
4 appropriated funds shall be distrib-
5 uted among the eligible Tribal Col-
6 leges and Universities on a pro rata
7 basis, based on the respective Indian
8 student counts (as defined in section
9 2(a) of the Tribally Controlled College
10 or University Assistance Act of 1978
11 (25 U.S.C. 1801(a)) of the Tribal
12 Colleges and Universities; and

13 “(II) the remaining 40 percent
14 shall be distributed in equal shares to
15 the eligible Tribal Colleges and Uni-
16 versities.

17 “(ii) MINIMUM GRANT.—The amount
18 distributed to a Tribal College or Univer-
19 sity under clause (i) shall not be less than
20 \$500,000.

21 “(4) SPECIAL RULES.—

22 “(A) CONCURRENT FUNDING.—For the
23 purposes of this part, no Tribal College or Uni-
24 versity that is eligible for and receives funds
25 under this section shall concurrently receive

1 funds under other provisions of this part or
2 part B.

3 “(B) EXEMPTION.—Section 313(d) shall
4 not apply to institutions that are eligible to re-
5 ceive funds under this section.”.

6 **SEC. 304. ALASKA NATIVE AND NATIVE HAWAIIAN-SERVING**
7 **INSTITUTIONS.**

8 Section 317(c)(2) (20 U.S.C. 1059d(c)(2)) is amend-
9 ed—

10 (1) in subparagraph (G), by striking “and”
11 after the semicolon;

12 (2) in subparagraph (H), by striking the period
13 and inserting “; and”; and

14 (3) by adding at the end the following:

15 “(I) education or counseling services de-
16 signed to improve the financial literacy and eco-
17 nomic literacy of students or the students’ par-
18 ents.”.

19 **SEC. 305. NATIVE AMERICAN-SERVING, NONTRIBAL INSTI-**
20 **TUTIONS.**

21 (a) GRANT PROGRAM AUTHORIZED.—Part A of title
22 III (20 U.S.C. 1057 et seq.) is amended by adding at the
23 end the following:

1 **“SEC. 318. NATIVE AMERICAN-SERVING, NONTRIBAL INSTI-**
2 **TUTIONS.**

3 “(a) PROGRAM AUTHORIZED.—The Secretary shall
4 provide grants and related assistance to Native American-
5 serving, nontribal institutions to enable such institutions
6 to improve and expand their capacity to serve Native
7 Americans.

8 “(b) DEFINITIONS.—In this section:

9 “(1) NATIVE AMERICAN.—The term ‘Native
10 American’ means an individual who is of a tribe,
11 people, or culture that is indigenous to the United
12 States.

13 “(2) NATIVE AMERICAN-SERVING, NONTRIBAL
14 INSTITUTION.—The term ‘Native American-serving,
15 nontribal institution’ means an institution of higher
16 education that, at the time of application—

17 “(A) has an enrollment of undergraduate
18 students that is not less than 10 percent Native
19 American students; and

20 “(B) is not a Tribal College or University
21 (as defined in section 316).

22 “(c) AUTHORIZED ACTIVITIES.—

23 “(1) TYPES OF ACTIVITIES AUTHORIZED.—
24 Grants awarded under this section shall be used by
25 Native American-serving, nontribal institutions to
26 assist such institutions to plan, develop, undertake,

1 and carry out activities to improve and expand such
2 institutions' capacity to serve Native Americans.

3 “(2) EXAMPLES OF AUTHORIZED ACTIVITIES.—

4 Such programs may include—

5 “(A) the purchase, rental, or lease of sci-
6 entific or laboratory equipment for educational
7 purposes, including instructional and research
8 purposes;

9 “(B) renovation and improvement in class-
10 room, library, laboratory, and other instruc-
11 tional facilities;

12 “(C) support of faculty exchanges, and fac-
13 ulty development and faculty fellowships to as-
14 sist faculty in attaining advanced degrees in the
15 faculty's field of instruction;

16 “(D) curriculum development and aca-
17 demic instruction;

18 “(E) the purchase of library books, peri-
19 odicals, microfilm, and other educational mate-
20 rials;

21 “(F) funds and administrative manage-
22 ment, and acquisition of equipment for use in
23 strengthening funds management;

24 “(G) the joint use of facilities such as lab-
25 oratories and libraries; and

1 “(H) academic tutoring and counseling
2 programs and student support services.

3 “(d) APPLICATION PROCESS.—

4 “(1) INSTITUTIONAL ELIGIBILITY.—A Native
5 American-serving, nontribal institution desiring to
6 receive assistance under this section shall submit to
7 the Secretary such enrollment data as may be nec-
8 essary to demonstrate that the institution is a Na-
9 tive American-serving, nontribal institution, along
10 with such other information and data as the Sec-
11 retary may by regulation require.

12 “(2) APPLICATIONS.—

13 “(A) PERMISSION TO SUBMIT APPLICA-
14 TIONS.—Any institution that is determined by
15 the Secretary to be a Native American-serving,
16 nontribal institution may submit an application
17 for assistance under this section to the Sec-
18 retary.

19 “(B) SIMPLIFIED AND STREAMLINED FOR-
20 MAT.—The Secretary shall, to the extent pos-
21 sible, prescribe a simplified and streamlined for-
22 mat for applications under this section that
23 takes into account the limited number of insti-
24 tutions that are eligible for assistance under
25 this section.

1 “(C) CONTENT.—An application submitted
2 under subparagraph (A) shall include—

3 “(i) a 5-year plan for improving the
4 assistance provided by the Native Amer-
5 ican-serving, nontribal institution to Native
6 Americans; and

7 “(ii) such other information and as-
8 surances as the Secretary may require.

9 “(3) SPECIAL RULES.—

10 “(A) ELIGIBILITY.—No Native American-
11 serving, nontribal institution that receives funds
12 under this section shall concurrently receive
13 funds under other provisions of this part or
14 part B.

15 “(B) EXEMPTION.—Section 313(d) shall
16 not apply to institutions that are eligible to re-
17 ceive funds under this section.

18 “(C) DISTRIBUTION.—In awarding grants
19 under this section, the Secretary shall, to the
20 extent possible and consistent with the competi-
21 tive process under which such grants are
22 awarded, ensure maximum and equitable dis-
23 tribution among all eligible institutions.”.

1 (b) MINIMUM GRANT AMOUNT.—Section 399 (20
2 U.S.C. 1068h) is amended by adding at the end the fol-
3 lowing:

4 “(c) MINIMUM GRANT AMOUNT.—The minimum
5 amount of a grant under this title shall be \$200,000.”.

6 **SEC. 306. PART B DEFINITIONS.**

7 Section 322(4) (20 U.S.C. 1061(4)) is amended by
8 inserting “, in consultation with the Commissioner for
9 Education Statistics” before “and the Commissioner”.

10 **SEC. 307. GRANTS TO INSTITUTIONS.**

11 Section 323(a) (20 U.S.C. 1062(a)) is amended—

12 (1) in the matter preceding paragraph (1), by
13 striking “360(a)(2)” and inserting “399(a)(2)”;

14 (2) by redesignating paragraphs (7) through
15 (12) as paragraphs (8) through (13), respectively;
16 and

17 (3) by inserting after paragraph (6) the fol-
18 lowing:

19 “(7) Education or counseling services designed
20 to improve the financial literacy and economic lit-
21 eracy of students or the students’ parents.”.

22 **SEC. 308. ALLOTMENTS TO INSTITUTIONS.**

23 Section 324 (20 U.S.C. 1063) is amended by adding
24 at the end the following:

1 “(h) SPECIAL RULE ON ELIGIBILITY.—Notwith-
2 standing any other provision of this section, a part B insti-
3 tution shall not receive an allotment under this section un-
4 less the part B institution provides, on an annual basis,
5 data indicating that the part B institution—

6 “(1) enrolled Federal Pell Grant recipients in
7 the preceding academic year;

8 “(2) in the preceding academic year, has grad-
9 uated students from a program of academic study
10 that is licensed or accredited by a nationally recog-
11 nized accrediting agency or association recognized by
12 the Secretary pursuant to part H of title IV where
13 appropriate; and

14 “(3) where appropriate, has graduated students
15 who, within the past 5 years, enrolled in graduate or
16 professional school.”.

17 **SEC. 309. PROFESSIONAL OR GRADUATE INSTITUTIONS.**

18 Section 326 (20 U.S.C. 1063b) is amended—

19 (1) in subsection (c)—

20 (A) in paragraph (2), by inserting “, and
21 for the acquisition and development of real
22 property that is adjacent to the campus for
23 such construction, maintenance, renovation, or
24 improvement” after “services”;

1 (B) by redesignating paragraphs (5)
2 through (7) as paragraphs (7) through (9), re-
3 spectively;

4 (C) by inserting after paragraph (4) the
5 following:

6 “(5) tutoring, counseling, and student service
7 programs designed to improve academic success;

8 “(6) education or counseling services designed
9 to improve the financial literacy and economic lit-
10 eracy of students or the students’ parents;”;

11 (D) in paragraph (7) (as redesignated by
12 subparagraph (B)), by striking “establish or
13 improve” and inserting “establishing or improv-
14 ing”;

15 (E) in paragraph (8) (as redesignated by
16 subparagraph (B))—

17 (i) by striking “assist” and inserting
18 “assisting”; and

19 (ii) by striking “and” after the semi-
20 colon;

21 (F) in paragraph (9) (as redesignated by
22 subparagraph (B)), by striking the period and
23 inserting “; and”; and

24 (G) by adding at the end the following:

1 “(10) other activities proposed in the applica-
2 tion submitted under subsection (d) that—

3 “(A) contribute to carrying out the pur-
4 poses of this part; and

5 “(B) are approved by the Secretary as part
6 of the review and acceptance of such applica-
7 tion.”;

8 (2) in subsection (e)—

9 (A) in paragraph (1)—

10 (i) by inserting a colon after “the fol-
11 lowing”;

12 (ii) in subparagraph (Q), by striking
13 “and” at the end;

14 (iii) in subparagraph (R), by striking
15 the period and inserting a semicolon; and

16 (iv) by adding at the end the fol-
17 lowing:

18 “(S) Alabama State University qualified
19 graduate program;

20 “(T) Coppin State University qualified
21 graduate program;

22 “(U) Prairie View A & M University quali-
23 fied graduate program;

24 “(V) Fayetteville State University qualified
25 graduate program;

1 “(W) Delaware State University qualified
2 graduate program;

3 “(X) Langston University qualified grad-
4 uate program; and

5 “(Y) West Virginia State University quali-
6 fied graduate program.”;

7 (B) in paragraph (2)(A)—

8 (i) by inserting “in law or” after “in-
9 struction”; and

10 (ii) by striking “mathematics, or” and
11 inserting “mathematics, psychometrics,
12 or”;

13 (C) in paragraph (3)—

14 (i) by striking “1998” and inserting
15 “2007”; and

16 (ii) by striking “(Q) and (R)” and in-
17 serting “(S), (T), (U), (V), (W), (X), and
18 (Y)”;

19 (3) in subsection (f)—

20 (A) in paragraph (1), by striking “(P)”
21 and inserting “(R)”;

22 (B) in paragraph (2), by striking “(Q) and
23 (R)” and inserting “(S), (T), (U), (V), (W),
24 (X), and (Y)”;

25 (C) in paragraph (3)—

1 (i) by striking subparagraphs (A) and
2 (B) and inserting the following:

3 “(A) The amount of non-Federal funds for
4 the fiscal year for which the determination is
5 made that the institution or program listed in
6 subsection (e)—

7 “(i) allocates from institutional re-
8 sources;

9 “(ii) secures from non-Federal
10 sources, including amounts appropriated
11 by the State and amounts from the private
12 sector; and

13 “(iii) will utilize to match Federal
14 funds awarded for the fiscal year for which
15 the determination is made under this sec-
16 tion to the institution or program.

17 “(B) The number of students enrolled in
18 the qualified graduate programs of the eligible
19 institution or program, for which the institution
20 or program received and allocated funding
21 under this section in the preceding year.”;

22 (ii) in subparagraph (C), by striking
23 “(or the equivalent) enrolled in the eligible
24 professional or graduate school” and all
25 that follows through the period and insert-

1 ing “enrolled in the qualified programs or
2 institutions listed in paragraph (1).”;

3 (iii) in subparagraph (D)—

4 (I) by striking “students” and in-
5 serting “Black American students or
6 minority students”; and

7 (II) by striking “institution” and
8 inserting “institution or program”;
9 and

10 (iv) by striking subparagraph (E) and
11 inserting the following:

12 “(E) The percentage that the total number
13 of Black American students and minority stu-
14 dents who receive their first professional, mas-
15 ter’s, or doctoral degrees from the institution or
16 program in the academic year preceding the
17 academic year for which the determination is
18 made, represents of the total number of Black
19 American students and minority students in the
20 United States who receive their first profes-
21 sional, master’s, or doctoral degrees in the pro-
22 fessions or disciplines related to the course of
23 study at such institution or program, respec-
24 tively, in the preceding academic year.”; and

1 (4) in subsection (g), by striking “1998” and
2 inserting “2007”.

3 **SEC. 310. AUTHORITY OF THE SECRETARY.**

4 Section 345 (20 U.S.C. 1066d) is amended—

5 (1) in paragraph (6), by striking “and” after
6 the semicolon;

7 (2) in paragraph (7), by striking the period at
8 the end and inserting “; and”; and

9 (3) by adding at the end the following:

10 “(8) not later than 90 days after the date of
11 enactment of the Higher Education Amendments of
12 2007, shall submit to the authorizing committees a
13 report on the progress of the Department in imple-
14 menting the recommendations made by the Govern-
15 ment Accountability Office in October 2006 for im-
16 proving the Historically Black College and Univer-
17 sities Capital Financing Program.”.

18 **SEC. 311. AUTHORIZATION OF APPROPRIATIONS.**

19 Subsection (a) of section 399 (20 U.S.C. 1068h) is
20 amended to read as follows:

21 “(a) AUTHORIZATIONS.—

22 “(1) PART A.—(A) There are authorized to be
23 appropriated to carry out part A (other than sec-
24 tions 316, 317, and 318) such sums as may be nec-

1 essary for fiscal year 2008 and each of the 5 suc-
2 ceeding fiscal years.

3 “(B) There are authorized to be appropriated
4 to carry out section 316 such sums as may be nec-
5 essary for fiscal year 2008 and each of the 5 suc-
6 ceeding fiscal years.

7 “(C) There are authorized to be appropriated to
8 carry out section 317 such sums as may be nec-
9 essary for fiscal year 2008 and each of the 5 suc-
10 ceeding fiscal years.

11 “(D) There are authorized to be appropriated
12 to carry out section 318 such sums as may be nec-
13 essary for fiscal year 2008 and each of the 5 suc-
14 ceeding fiscal years.

15 “(2) PART B.—(A) There are authorized to be
16 appropriated to carry out part B (other than section
17 326) such sums as may be necessary for fiscal year
18 2008 and each of the 5 succeeding fiscal years.

19 “(B) There are authorized to be appropriated
20 to carry out section 326 such sums as may be nec-
21 essary for fiscal year 2008 and each of the 5 suc-
22 ceeding fiscal years.

23 “(3) PART C.—There are authorized to be ap-
24 propriated to carry out part C such sums as may be

1 necessary for fiscal year 2008 and each of the 5 suc-
2 ceeding fiscal years.

3 “(4) PART D.—(A) There are authorized to be
4 appropriated to carry out part D (other than section
5 345(7), but including section 347) such sums as
6 may be necessary for fiscal year 2008 and each of
7 the 5 succeeding fiscal years.

8 “(B) There are authorized to be appropriated
9 to carry out section 345(7) such sums as may be
10 necessary for fiscal year 2008 and each of the 5 suc-
11 ceeding fiscal years.

12 “(5) PART E.—There are authorized to be ap-
13 propriated to carry out part E such sums as may be
14 necessary for fiscal year 2008 and each of the 5 suc-
15 ceeding fiscal years.”

16 **SEC. 312. TECHNICAL CORRECTIONS.**

17 Title III (20 U.S.C. 1051 et seq.) is further amend-
18 ed—

19 (1) in section 342(5)(C) (20 U.S.C.
20 1066a(5)(C)), by striking “,” and inserting “,”;

21 (2) in section 343(e) (20 U.S.C. 1066b(e)), by
22 inserting “SALE OF QUALIFIED BONDS.—” before
23 “Notwithstanding”;

1 (3) in the matter preceding clause (i) of section
2 365(9)(A) (20 U.S.C. 1067k(9)(A)), by striking
3 “support” and inserting “supports”;

4 (4) in section 391(b)(7)(E) (20 U.S.C.
5 1068(b)(7)(E)), by striking “subparagraph (E)” and
6 inserting “subparagraph (D)”;

7 (5) in the matter preceding subparagraph (A)
8 of section 392(b)(2) (20 U.S.C. 1068a(b)(2)), by
9 striking “eligible institutions under part A institu-
10 tions” and inserting “eligible institutions under part
11 A”; and

12 (6) in the matter preceding paragraph (1) of
13 section 396 (20 U.S.C. 1068e), by striking “360”
14 and inserting “399”.

15 **TITLE IV—STUDENT ASSISTANCE**

16 **PART A—GRANTS TO STUDENTS IN ATTENDANCE**

17 **AT INSTITUTIONS OF HIGHER EDUCATION**

18 **SEC. 401. FEDERAL PELL GRANTS.**

19 Section 401 (20 U.S.C. 1070a) is amended—

20 (1) in subsection (a)(1)—

21 (A) in the first sentence, by striking
22 “2004” and inserting “2013”; and

23 (B) in the second sentence, by striking “,”
24 and inserting “,”;

25 (2) in subsection (b)—

1 (A) by striking paragraph (2)(A) and in-
2 serting the following:

3 “(2)(A) The amount of the Federal Pell Grant for
4 a student eligible under this part shall be—

5 “(i) \$5,400 for academic year 2008–2009;

6 “(ii) \$5,700 for academic year 2009–2010;

7 “(iii) \$6,000 for academic year 2010–2011; and

8 “(iv) \$6,300 for academic year 2011–2012,

9 less an amount equal to the amount determined to be the
10 expected family contribution with respect to that student
11 for that year.”;

12 (B) by striking paragraph (3);

13 (C) by redesignating paragraphs (4)
14 through (8) as paragraphs (3) through (7), re-
15 spectively;

16 (D) in paragraph (4) (as redesignated by
17 subparagraph (C)), by striking “\$400, except”
18 and all that follows through the period and in-
19 serting “10 percent of the maximum basic
20 grant level specified in the appropriate Approp-
21 riation Act for such academic year, except that
22 a student who is eligible for a Federal Pell
23 Grant in an amount that is equal to or greater
24 than 5 percent of such level but less than 10
25 percent of such level shall be awarded a Federal

1 Pell grant in the amount of 10 percent of such
2 level.”; and

3 (E) by striking paragraph (5) (as redesignated by subparagraph (C)) and inserting the
4 following:
5

6 “(5) In the case of a student who is enrolled, on at
7 least a half-time basis and for a period of more than 1
8 academic year in a 2-year or 4-year program of instruction
9 for which an institution of higher education awards an as-
10 sociate or baccalaureate degree, the Secretary shall allow
11 such student to receive not more than 2 Federal Pell
12 Grants during a single award year to permit such student
13 to accelerate the student’s progress toward a degree by
14 attending additional sessions. In the case of a student re-
15 ceiving more than 1 Federal Pell Grant in a single award
16 year, the total amount of Federal Pell Grants awarded to
17 such student for the award year may exceed the maximum
18 basic grant level specified in the appropriate Appropria-
19 tion Act for such award year.”; and

20 (3) in subsection (c), by adding at the end the
21 following:

22 “(5) The period of time during which a student may
23 receive Federal Pell Grants shall not exceed 18 semesters,
24 or an equivalent period of time as determined by the Sec-
25 retary pursuant to regulations, which period shall—

1 “(A) be determined without regard to whether
2 the student is enrolled on a full-time basis during
3 any portion of the period of time; and

4 “(B) include any period of time for which the
5 student received a Federal Pell Grant prior to the
6 date of enactment of the Higher Education Amend-
7 ments of 2007.”.

8 **SEC. 402. ACADEMIC COMPETITIVENESS GRANTS.**

9 Section 401A (20 U.S.C. 1070a–1) is amended—

10 (1) by striking subsection (a) and inserting the
11 following:

12 “(a) ACADEMIC COMPETITIVENESS GRANT PROGRAM
13 AUTHORIZED.—The Secretary shall award grants, in the
14 amounts specified in subsection (d)(1), to eligible students
15 to assist the eligible students in paying their college edu-
16 cation expenses.”;

17 (2) in subsection (b)—

18 (A) in paragraph (1), by striking “aca-
19 demic”; and

20 (B) in paragraph (2), by striking “third or
21 fourth academic” and inserting “third, fourth,
22 or fifth”;

23 (3) in subsection (c)—

24 (A) in the matter preceding paragraph (1),
25 by striking “full-time” and all that follows

1 through “is made” and inserting “student
2 who”;

3 (B) by striking paragraph (1) and insert-
4 ing the following:

5 “(1) is eligible for a Federal Pell Grant for the
6 award year in which the determination of eligibility
7 is made for a grant under this section;”;

8 (C) by striking paragraph (2) and insert-
9 ing the following:

10 “(2) is enrolled or accepted for enrollment in an
11 institution of higher education on not less than a
12 half-time basis; and”;

13 (D) in paragraph (3)—

14 (i) by striking subparagraph (A) and
15 inserting the following:

16 “(A) the first year of a program of under-
17 graduate education at a 2- or 4-year degree-
18 granting institution of higher education (includ-
19 ing a program of not less than 1 year for which
20 the institution awards a certificate), has suc-
21 cessfully completed, after January 1, 2006, a
22 rigorous secondary school program of study es-
23 tablished by a State or local educational agency
24 and recognized as such by the Secretary;”;

25 (ii) in subparagraph (B)—

1 (I) in the matter preceding clause
2 (i), by striking “academic” and all
3 that follows through “higher edu-
4 cation” and inserting “year of a pro-
5 gram of undergraduate education at a
6 2- or 4-year degree-granting institu-
7 tion of higher education (including a
8 program of not less than 2 years for
9 which the institution awards a certifi-
10 cate)”; and

11 (II) in clause (ii)—

12 (aa) by striking “academic”;

13 and

14 (bb) by striking “or” after
15 the semicolon at the end;

16 (iii) in subparagraph (C)—

17 (I) by striking “academic”;

18 (II) by striking “four” and in-
19 serting “4”;

20 (III) by striking clause (i)(II)
21 and inserting the following:

22 “(II) a critical foreign language;
23 and”; and

1 (IV) in clause (ii), by striking the
2 period at the end and inserting a
3 semicolon; and

4 (iv) by adding at the end the fol-
5 lowing:

6 “(D) the third or fourth year of a program
7 of undergraduate education at an institution of
8 higher education (as defined in section 101(a))
9 that demonstrates, to the satisfaction of the
10 Secretary, that the institution—

11 “(i) offers a single liberal arts cur-
12 riculum leading to a baccalaureate degree,
13 under which students are not permitted by
14 the institution to declare a major in a par-
15 ticular subject area, but do study, in such
16 years, a subject described in subparagraph
17 (C)(i) that is at least equal to the require-
18 ments for an academic major at an institu-
19 tion of higher education that offers a bac-
20 calaureate degree in such subject, as cer-
21 tified by the appropriate official of the
22 demonstrating institution; and

23 “(ii) offered such curriculum prior to
24 February 8, 2006; or

1 “(E) the fifth year of a program of under-
 2 graduate education that requires 5 full years of
 3 coursework for which a baccalaureate degree is
 4 awarded by a degree-granting institution of
 5 higher education, as certified by the appropriate
 6 official of such institution—

7 “(i) is pursuing a major in—

8 “(I) the physical, life, or com-
 9 puter sciences, mathematics, tech-
 10 nology, or engineering (as determined
 11 by the Secretary pursuant to regula-
 12 tions); or

13 “(II) a critical foreign language;

14 and

15 “(ii) has obtained a cumulative grade
 16 point average of at least 3.0 (or the equiv-
 17 alent as determined under regulations pre-
 18 scribed by the Secretary) in the coursework
 19 required for the major described in clause
 20 (i).”;

21 (4) in subsection (d)—

22 (A) in paragraph (1)—

23 (i) in subparagraph (A)—

24 (I) by striking “The” and insert-
 25 ing “IN GENERAL.—The”;

1 (II) in clause (ii), by striking
2 “or” after the semicolon at the end;

3 (III) in clause (iii), by striking
4 “subsection (c)(3)(C).” and inserting
5 “subparagraph (C) or (D) of sub-
6 section (c)(3), for each of the 2 years
7 described in such subparagraphs; or”;
8 and

9 (IV) by adding at the end the fol-
10 lowing:

11 “(iv) \$4,000 for an eligible student
12 under subsection (c)(3)(E).”; and

13 (ii) in subparagraph (B)—

14 (I) by striking “Notwith-
15 standing” and inserting “LIMITATION;
16 RATABLE REDUCTION.—Notwith-
17 standing”;

18 (II) by redesignating clauses (i),
19 (ii), and (iii), as clauses (ii), (iii), and
20 (iv), respectively; and

21 (III) by inserting before clause
22 (ii), as redesignated under subclause
23 (II), the following:

24 “(i) in any case in which a student at-
25 tends an institution of higher education on

1 less than a full-time basis, the amount of
2 the grant to which such student is eligible
3 shall be reduced in the same manner as a
4 Federal Pell Grant is reduced under sec-
5 tion 401(b)(2)(B);”;

6 (B) by striking paragraph (2) and insert-
7 ing the following:

8 “(2) LIMITATIONS.—

9 “(A) NO GRANTS FOR PREVIOUS CRED-
10 IT.—The Secretary may not award a grant
11 under this section to any student for a year of
12 a program of undergraduate education de-
13 scribed in subparagraph (A), (B), (C), (D), or
14 (E) of subsection (c)(3) for which the student
15 received credit before the date of enactment of
16 the Higher Education Reconciliation Act of
17 2005.

18 “(B) NUMBER OF GRANTS.—

19 “(i) FIRST YEAR.—In the case of a
20 student described in subsection (c)(3)(A),
21 the Secretary may not award more than 1
22 grant to such student for such first year of
23 study.

24 “(ii) SECOND YEAR.—In the case of a
25 student described in subsection (c)(3)(B),

1 the Secretary may not award more than 1
2 grant to such student for such second year
3 of study.

4 “(iii) THIRD AND FOURTH YEARS.—
5 In the case of a student described in sub-
6 paragraph (C) or (D) of subsection (e)(3),
7 the Secretary may not award more than 1
8 grant to such student for each of the third
9 and fourth years of study.

10 “(iv) FIFTH YEAR.—In the case of a
11 student described in subsection (e)(3)(E),
12 the Secretary may not award more than 1
13 grant to such student for such fifth year of
14 study.”; and

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

16 “(3) CALCULATION OF GRANT PAYMENTS.—An
17 institution of higher education shall make payments
18 for a grant awarded under this section in the same
19 manner, using the same payment periods, as such
20 institution makes payments for Federal Pell Grants
21 under section 401.”;

22 (5) by striking subsection (e)(2) and inserting
23 the following:

1 “(2) AVAILABILITY OF FUNDS.—Funds made
2 available under paragraph (1) for a fiscal year shall
3 remain available for the succeeding fiscal year.”;

4 (6) in subsection (f)—

5 (A) by striking “at least one” and insert-
6 ing “not less than 1”; and

7 (B) by striking “subsection (c)(3)(A) and
8 (B)” and inserting “subparagraphs (A) and (B)
9 of subsection (c)(3)”; and

10 (7) in subsection (g), by striking “academic”
11 and inserting “award”.

12 **SEC. 403. FEDERAL TRIO PROGRAMS.**

13 (a) PROGRAM AUTHORITY; AUTHORIZATION OF AP-
14 PROPRIATIONS.—Section 402A (20 U.S.C. 1070a–11) is
15 amended—

16 (1) in subsection (b)—

17 (A) in paragraph (2)—

18 (i) in the matter preceding subpara-
19 graph (A), by striking “4” and inserting
20 “5”;

21 (ii) by striking subparagraph (A); and

22 (iii) by redesignating subparagraphs
23 (B) and (C) as subparagraphs (A) and
24 (B), respectively; and

1 (B) by striking paragraph (3) and insert-
2 ing the following:

3 “(3) MINIMUM GRANTS.—Unless the institution
4 or agency requests a smaller amount, an individual
5 grant authorized under this chapter shall be award-
6 ed in an amount that is not less than \$200,000, ex-
7 cept that an individual grant authorized under sec-
8 tion 402G shall be awarded in an amount that is not
9 less than \$170,000.”;

10 (2) in subsection (c)—

11 (A) in paragraph (2), by striking “service
12 delivery” and inserting “high quality service de-
13 livery, as determined under subsection (f),”;

14 (B) in paragraph (3)(B), by striking “is
15 not required to” and inserting “shall not”; and

16 (C) in paragraph (5), by striking “cam-
17 puses” and inserting “different campuses”;

18 (3) in subsection (e), by striking “(g)(2)” each
19 place the term occurs and inserting “(h)(4)”;

20 (4) by redesignating subsections (f) and (g) as
21 subsections (g) and (h), respectively;

22 (5) by inserting after subsection (e) the fol-
23 lowing:

24 “(f) OUTCOME CRITERIA.—

1 “(1) USE FOR PRIOR EXPERIENCE DETERMINA-
2 TION.—The Secretary shall use the outcome criteria
3 described in paragraphs (2) and (3) to evaluate the
4 programs provided by a recipient of a grant under
5 this chapter, and the Secretary shall determine an
6 eligible entity’s prior experience of high quality serv-
7 ice delivery, as required under subsection (c)(2),
8 based on the outcome criteria.

9 “(2) DISAGGREGATION OF RELEVANT DATA.—
10 The outcome criteria under this subsection shall be
11 disaggregated by low-income students, first genera-
12 tion college students, and individuals with disabil-
13 ities, in the schools and institutions of higher edu-
14 cation served by the program to be evaluated.

15 “(3) CONTENTS OF OUTCOME CRITERIA.—The
16 outcome criteria under this subsection shall measure,
17 annually and for longer periods, the quality and ef-
18 fectiveness of programs authorized under this chap-
19 ter and shall include the following:

20 “(A) For programs authorized under sec-
21 tion 402B, the extent to which the eligible enti-
22 ty met or exceeded the entity’s objectives estab-
23 lished in the entity’s application for such pro-
24 gram regarding—

1 “(i) the delivery of service to a total
2 number of students served by the program;

3 “(ii) the continued secondary school
4 enrollment of such students;

5 “(iii) the graduation of such students
6 from secondary school;

7 “(iv) the enrollment of such students
8 in an institution of higher education; and

9 “(v) to the extent practicable, the
10 postsecondary education completion of
11 such students.

12 “(B) For programs authorized under sec-
13 tion 402C, the extent to which the eligible enti-
14 ty met or exceeded the entity’s objectives for
15 such program regarding—

16 “(i) the delivery of service to a total
17 number of students served by the program,
18 as agreed upon by the entity and the Sec-
19 retary for the period;

20 “(ii) such students’ school perform-
21 ance, as measured by the grade point aver-
22 age, or its equivalent;

23 “(iii) such students’ academic per-
24 formance, as measured by standardized

1 tests, including tests required by the stu-
2 dents' State;

3 “(iv) the retention in, and graduation
4 from, secondary school of such students;
5 and

6 “(v) the enrollment of such students
7 in an institution of higher education.

8 “(C) For programs authorized under sec-
9 tion 402D—

10 “(i) the extent to which the eligible
11 entity met or exceeded the entity's objec-
12 tives regarding the retention in postsec-
13 ondary education of the students served by
14 the program;

15 “(ii)(I) in the case of an entity that is
16 an institution of higher education offering
17 a baccalaureate degree, the extent to which
18 the entity met or exceeded the entity's ob-
19 jectives regarding such students' comple-
20 tion of the degree programs in which such
21 students were enrolled; or

22 “(II) in the case of an entity that is
23 an institution of higher education that does
24 not offer a baccalaureate degree, the extent

1 to which the entity met or exceeded the en-
2 tity’s objectives regarding—

3 “(aa) the completion of a degree
4 or certificate by such students; and

5 “(bb) the transfer of such stu-
6 dents to institutions of higher edu-
7 cation that offer baccalaureate de-
8 grees;

9 “(iii) the extent to which the entity
10 met or exceeded the entity’s objectives re-
11 garding the delivery of service to a total
12 number of students, as agreed upon by the
13 entity and the Secretary for the period;
14 and

15 “(iv) the extent to which the entity
16 met or exceeded the entity’s objectives re-
17 garding such students remaining in good
18 academic standing.

19 “(D) For programs authorized under sec-
20 tion 402E, the extent to which the entity met
21 or exceeded the entity’s objectives for such pro-
22 gram regarding—

23 “(i) the delivery of service to a total
24 number of students, as agreed upon by the
25 entity and the Secretary for the period;

1 “(ii) the provision of appropriate
2 scholarly and research activities for the
3 students served by the program;

4 “(iii) the acceptance and enrollment
5 of such students in graduate programs;
6 and

7 “(iv) the continued enrollment of such
8 students in graduate study and the attain-
9 ment of doctoral degrees by former pro-
10 gram participants.

11 “(E) For programs authorized under sec-
12 tion 402F, the extent to which the entity met
13 or exceeded the entity’s objectives for such pro-
14 gram regarding—

15 “(i) the enrollment of students with-
16 out a secondary school diploma or its rec-
17 ognized equivalent, who were served by the
18 program, in programs leading to such di-
19 ploma or equivalent;

20 “(ii) the enrollment of secondary
21 school graduates who were served by the
22 program in programs of postsecondary
23 education;

24 “(iii) the delivery of service to a total
25 number of students, as agreed upon by the

1 entity and the Secretary for the period;
2 and

3 “(iv) the provision of assistance to
4 students served by the program in com-
5 pleting financial aid applications and col-
6 lege admission applications.

7 “(4) MEASUREMENT OF PROGRESS.—In order
8 to determine the extent to which an outcome cri-
9 terion described in paragraphs (2) or (3) is met or
10 exceeded, an eligible entity receiving assistance
11 under this chapter shall compare the eligible entity’s
12 target for the criterion, as established in the eligible
13 entity’s application, with the results for the cri-
14 terion, measured as of the last day of the applicable
15 time period for the determination.”;

16 (6) in subsection (g) (as redesignated by para-
17 graph (4))—

18 (A) in the first sentence, by striking
19 “\$700,000,000 for fiscal year 1999” and all
20 that follows through the period and inserting
21 “such sums as may be necessary for fiscal year
22 2008 and each of the 5 succeeding fiscal
23 years.”; and

24 (B) by striking the fourth sentence; and

1 (7) in subsection (h) (as redesignated by para-
2 graph (4))—

3 (A) by redesignating paragraphs (1)
4 through (4) as paragraphs (3) through (6), re-
5 spectively;

6 (B) by inserting before paragraph (3) (as
7 redesignated by subparagraph (A)) the fol-
8 lowing:

9 “(1) DIFFERENT CAMPUS.—The term ‘different
10 campus’ means a site of an institution of higher edu-
11 cation that—

12 “(A) is geographically apart from the main
13 campus of the institution;

14 “(B) is permanent in nature; and

15 “(C) offers courses in educational pro-
16 grams leading to a degree, certificate, or other
17 recognized educational credential.

18 “(2) DIFFERENT POPULATION.—The term ‘dif-
19 ferent population’ means a group of individuals, with
20 respect to whom an eligible entity desires to serve
21 through an application for a grant under this chap-
22 ter, that—

23 “(A) is separate and distinct from any
24 other population that the entity has applied for
25 a grant under this chapter to serve; or

1 “(B) while sharing some of the same needs
2 as another population that the eligible entity
3 has applied for a grant under this chapter to
4 serve, has distinct needs for specialized serv-
5 ices.”;

6 (C) in paragraph (5) (as redesignated by
7 subparagraph (A))—

8 (i) in subparagraph (A), by striking
9 “or” after the semicolon;

10 (ii) in subparagraph (B), by striking
11 the period at the end and inserting “; or”;
12 and

13 (iii) by adding at the end the fol-
14 lowing:

15 “(C) was a member of a reserve component
16 of the Armed Forces called to active duty for a
17 period of more than 180 days.”; and

18 (D) in paragraph (6), by striking “sub-
19 paragraph (A) or (B) of paragraph (3)” and in-
20 serting “subparagraph (A), (B), or (C) of para-
21 graph (5)”.

22 (b) TALENT SEARCH.—Section 402B (20 U.S.C.
23 1070a–12) is amended—

24 (1) in subsection (a)—

1 (A) in paragraph (1), by striking “to iden-
2 tify qualified youths with potential for edu-
3 cation at the postsecondary level and to encour-
4 age such youths” and inserting “to encourage
5 eligible youths”;

6 (B) in paragraph (2), by inserting “, and
7 facilitate the application for,” after “the avail-
8 ability of”; and

9 (C) in paragraph (3), by striking “, but
10 who have the ability to complete such programs,
11 to reenter” and inserting “to enter or reenter,
12 and complete”;

13 (2) by redesignating subsection (c) as sub-
14 section (d);

15 (3) by striking subsection (b) and inserting the
16 following:

17 “(b) REQUIRED SERVICES.—Any project assisted
18 under this section shall provide—

19 “(1) academic tutoring, or connections to high
20 quality academic tutoring services, to enable stu-
21 dents to complete secondary or postsecondary
22 courses, which may include instruction in reading,
23 writing, study skills, mathematics, science, and other
24 subjects;

1 “(2) advice and assistance in secondary course
2 selection and, if applicable, initial postsecondary
3 course selection;

4 “(3) assistance in preparing for college entrance
5 examinations and completing college admission ap-
6 plications;

7 “(4)(A) information on both the full range of
8 Federal student financial aid programs (including
9 Federal Pell Grant awards and loan forgiveness) and
10 resources for locating public and private scholar-
11 ships; and

12 “(B) assistance in completing financial aid ap-
13 plications, including the Free Application for Fed-
14 eral Student Aid described in section 483(a);

15 “(5) guidance on and assistance in—

16 “(A) secondary school reentry;

17 “(B) alternative education programs for
18 secondary school dropouts that lead to the re-
19 ceipt of a regular secondary school diploma;

20 “(C) entry into general educational devel-
21 opment (GED) programs; or

22 “(D) postsecondary education; and

23 “(6) education or counseling services designed
24 to improve the financial literacy and economic lit-

1 eracy of students or the students' parents, including
2 financial planning for postsecondary education.

3 “(c) PERMISSIBLE SERVICES.—Any project assisted
4 under this section may provide services such as—

5 “(1) personal and career counseling or activi-
6 ties;

7 “(2) information and activities designed to ac-
8 quaint youths with the range of career options avail-
9 able to the youths;

10 “(3) exposure to the campuses of institutions of
11 higher education, as well as cultural events, aca-
12 demic programs, and other sites or activities not
13 usually available to disadvantaged youth;

14 “(4) workshops and counseling for families of
15 students served;

16 “(5) mentoring programs involving elementary
17 or secondary school teachers or counselors, faculty
18 members at institutions of higher education, stu-
19 dents, or any combination of such persons; and

20 “(6) programs and activities as described in
21 subsection (b) or paragraphs (1) through (5) of this
22 subsection that are specially designed for students
23 who are limited English proficient, students with
24 disabilities, students who are homeless children and
25 youths (as such term is defined in section 725 of the

1 McKinney-Vento Homeless Assistance Act (42
2 U.S.C. 11434a)), or students who are in foster care
3 or are aging out of the foster care system.”; and

4 (4) in the matter preceding paragraph (1) of
5 subsection (d) (as redesignated by paragraph (2)),
6 by striking “talent search projects under this chap-
7 ter” and inserting “projects under this section”.

8 (c) UPWARD BOUND.—Section 402C (20 U.S.C.
9 1070a–13) is amended—

10 (1) by striking subsection (b) and inserting the
11 following:

12 “(b) REQUIRED SERVICES.—Any project assisted
13 under this section shall provide—

14 “(1) academic tutoring to enable students to
15 complete secondary or postsecondary courses, which
16 may include instruction in reading, writing, study
17 skills, mathematics, science, and other subjects;

18 “(2) advice and assistance in secondary and
19 postsecondary course selection;

20 “(3) assistance in preparing for college entrance
21 examinations and completing college admission ap-
22 plications;

23 “(4)(A) information on both the full range of
24 Federal student financial aid programs (including
25 Federal Pell Grant awards and loan forgiveness) and

1 resources for locating public and private scholar-
2 ships; and

3 “(B) assistance in completing financial aid ap-
4 plications, including the Free Application for Fed-
5 eral Student Aid described in section 483(a);

6 “(5) guidance on and assistance in—

7 “(A) secondary school reentry;

8 “(B) alternative education programs for
9 secondary school dropouts that lead to the re-
10 ceipt of a regular secondary school diploma;

11 “(C) entry into general educational devel-
12 opment (GED) programs; or

13 “(D) postsecondary education; and

14 “(6) education or counseling services designed
15 to improve the financial literacy and economic lit-
16 eracy of students or the students’ parents, including
17 financial planning for postsecondary education.”;

18 (2) in subsection (c)—

19 (A) in the subsection heading, by striking
20 “REQUIRED SERVICES” and inserting “ADDI-
21 TIONAL REQUIRED SERVICES FOR MULTIPLE-
22 YEAR GRANT RECIPIENTS”; and

23 (B) by striking “upward bound project as-
24 sisted under this chapter” and inserting
25 “project assisted under this section”;

1 (3) by redesignating subsections (d) and (e) as
2 subsections (f) and (g), respectively;

3 (4) by inserting after subsection (c) the fol-
4 lowing:

5 “(d) PERMISSIBLE SERVICES.—Any project assisted
6 under this section may provide such services as—

7 “(1) exposure to cultural events, academic pro-
8 grams, and other activities not usually available to
9 disadvantaged youth;

10 “(2) information, activities and instruction de-
11 signed to acquaint youths participating in the
12 project with the range of career options available to
13 the youths;

14 “(3) on-campus residential programs;

15 “(4) mentoring programs involving elementary
16 school or secondary school teachers or counselors,
17 faculty members at institutions of higher education,
18 students, or any combination of such persons;

19 “(5) work-study positions where youth partici-
20 pating in the project are exposed to careers requir-
21 ing a postsecondary degree;

22 “(6) special services to enable veterans to make
23 the transition to postsecondary education; and

24 “(7) programs and activities as described in
25 subsection (b), subsection (c), or paragraphs (1)

1 through (6) of this subsection that are specially de-
2 signed for students who are limited English pro-
3 ficient, students with disabilities, students who are
4 homeless children and youths (as such term is de-
5 fined in section 725 of the McKinney-Vento Home-
6 less Assistance Act (42 U.S.C. 11434a)), or students
7 who are in foster care or are aging out of the foster
8 care system.

9 “(e) PRIORITY.—In providing assistance under this
10 section the Secretary—

11 “(1) shall give priority to projects assisted
12 under this section that select not less than 30 per-
13 cent of all first-time participants in the projects
14 from students who have a high academic risk for
15 failure; and

16 “(2) shall not deny participation in a project
17 assisted under this section to a student because the
18 student will enter the project after the 9th grade.”;

19 (5) in the matter preceding paragraph (1) of
20 subsection (f) (as redesignated by paragraph (3)), by
21 striking “upward bound projects under this chapter”
22 and inserting “projects under this section”; and

23 (6) in subsection (g) (as redesignated by para-
24 graph (3))—

1 (A) by striking “during June, July, and
2 August” each place the term occurs and insert-
3 ing “during the summer school recess, for a pe-
4 riod not to exceed 3 months”; and

5 (B) by striking “(b)(10)” and inserting
6 “(d)(5)”.

7 (d) STUDENT SUPPORT SERVICES.—Section 402D
8 (20 U.S.C. 1070a–14) is amended—

9 (1) in subsection (a)—

10 (A) in paragraph (2), by striking “and”
11 after the semicolon;

12 (B) by striking paragraph (3) and insert-
13 ing the following:

14 “(3) to foster an institutional climate sup-
15 portive of the success of low-income and first gen-
16 eration college students, students with disabilities,
17 students who are limited English proficient, students
18 who are homeless children and youths (as such term
19 is defined in section 725 of the McKinney-Vento
20 Homeless Assistance Act (42 U.S.C. 11434a)), and
21 students who are in foster care or are aging out of
22 the foster care system.”; and

23 (C) by adding at the end the following:

24 “(4) to improve the financial literacy and eco-
25 nomic literacy of students, including—

1 “(A) basic personal income, household
2 money management, and financial planning
3 skills; and

4 “(B) basic economic decisionmaking
5 skills.”;

6 (2) by redesignating subsections (c) and (d) as
7 subsections (d) and (e);

8 (3) by striking subsection (b) and inserting the
9 following:

10 “(b) REQUIRED SERVICES.—A project assisted under
11 this section shall provide—

12 “(1) academic tutoring to enable students to
13 complete postsecondary courses, which may include
14 instruction in reading, writing, study skills, mathe-
15 matics, science, and other subjects;

16 “(2) advice and assistance in postsecondary
17 course selection;

18 “(3)(A) information on both the full range of
19 Federal student financial aid programs (including
20 Federal Pell Grant awards and loan forgiveness) and
21 resources for locating public and private scholar-
22 ships; and

23 “(B) assistance in completing financial aid ap-
24 plications, including the Free Application for Fed-
25 eral Student Aid described in section 483(a);

1 “(4) education or counseling services designed
2 to improve the financial literacy and economic lit-
3 eracy of students, including financial planning for
4 postsecondary education;

5 “(5) activities designed to assist students par-
6 ticipating in the project in securing college admis-
7 sion and financial assistance for enrollment in grad-
8 uate and professional programs; and

9 “(6) activities designed to assist students en-
10 rolled in 2-year institutions of higher education in
11 securing admission and financial assistance for en-
12 rollment in a 4-year program of postsecondary edu-
13 cation.

14 “(c) PERMISSIBLE SERVICES.—A project assisted
15 under this section may provide services such as—

16 “(1) consistent, individualized personal, career,
17 and academic counseling, provided by assigned coun-
18 selors;

19 “(2) information, activities, and instruction de-
20 signed to acquaint youths participating in the
21 project with the range of career options available to
22 the students;

23 “(3) exposure to cultural events and academic
24 programs not usually available to disadvantaged stu-
25 dents;

1 “(4) activities designed to acquaint students
2 participating in the project with the range of career
3 options available to the students;

4 “(5) mentoring programs involving faculty or
5 upper class students, or a combination thereof;

6 “(6) securing temporary housing during breaks
7 in the academic year for students who are homeless
8 children and youths (as such term is defined in sec-
9 tion 725 of the McKinney-Vento Homeless Assist-
10 ance Act (42 U.S.C. 11434a)) or were formerly
11 homeless children and youths and students who are
12 in foster care or are aging out of the foster care sys-
13 tem; and

14 “(7) programs and activities as described in
15 subsection (b) or paragraphs (1) through (5) of this
16 subsection that are specially designed for students
17 who are limited English proficient, students with
18 disabilities, students who are homeless children and
19 youths (as such term is defined in section 725 of the
20 McKinney-Vento Homeless Assistance Act (42
21 U.S.C. 11434a)) or were formerly homeless children
22 and youths, or students who are in foster care or are
23 aging out of the foster care system.”;

1 (4) in subsection (d)(1) (as redesignated by
2 paragraph (2)), by striking “subsection (b)” and in-
3 serting “subsection (c)”; and

4 (5) in the matter preceding paragraph (1) of
5 subsection (e) (as redesignated by paragraph (2)),
6 by striking “student support services projects under
7 this chapter” and inserting “projects under this sec-
8 tion”.

9 (e) POSTBACCALAUREATE ACHIEVEMENT PROGRAM
10 AUTHORITY.—Section 402E (20 U.S.C. 1070a–15) is
11 amended—

12 (1) in subsection (b)—

13 (A) in the subsection heading, by inserting
14 “REQUIRED” before “SERVICES”;

15 (B) in the matter preceding paragraph (1),
16 by striking “A postbaccalaureate achievement
17 project assisted under this section may provide
18 services such as—” and inserting “A project as-
19 sisted under this section shall provide—”;

20 (C) in paragraph (5), by inserting “and”
21 after the semicolon;

22 (D) in paragraph (6), by striking the semi-
23 colon and inserting a period; and

24 (E) by striking paragraphs (7) and (8);

1 (2) by redesignating subsections (e) through (f)
2 as subsections (d) through (g), respectively;

3 (3) by inserting after subsection (b) the fol-
4 lowing:

5 “(c) PERMISSIBLE SERVICES.—A project assisted
6 under this section may provide services such as—

7 “(1) education or counseling services designed
8 to improve the financial literacy and economic lit-
9 eracy of students, including financial planning for
10 postsecondary education;

11 “(2) mentoring programs involving faculty
12 members at institutions of higher education, stu-
13 dents, or any combination of such persons; and

14 “(3) exposure to cultural events and academic
15 programs not usually available to disadvantaged stu-
16 dents.”;

17 (4) in the matter preceding paragraph (1) of
18 subsection (d) (as redesignated by paragraph (2)),
19 by striking “postbaccalaureate achievement”;

20 (5) in the matter preceding paragraph (1) of
21 subsection (f) (as redesignated by paragraph (2)), by
22 striking “postbaccalaureate achievement project”
23 and inserting “project under this section”; and

24 (6) in subsection (g) (as redesignated by para-
25 graph (2))—

1 (A) by striking “402A(f)” and inserting
2 “402A(g)”;

3 (B) by striking “1993 through 1997” and
4 inserting “2007 through 2012”.

5 (f) EDUCATIONAL OPPORTUNITY CENTERS.—Section
6 402F (20 U.S.C. 1070a–16) is amended—

7 (1) in subsection (a)—

8 (A) in paragraph (1), by striking “and”
9 after the semicolon;

10 (B) in paragraph (2), by striking the pe-
11 riod at the end and inserting “; and”;

12 (C) by adding at the end the following:

13 “(3) to improve the financial literacy and eco-
14 nomic literacy of students, including—

15 “(A) basic personal income, household
16 money management, and financial planning
17 skills; and

18 “(B) basic economic decisionmaking
19 skills.”;

20 (2) in subsection (b)—

21 (A) by redesignating paragraphs (5)
22 through (10) as paragraphs (6) through (11),
23 respectively;

24 (B) by inserting after paragraph (4) the
25 following:

1 “(5) education or counseling services designed
2 to improve the financial literacy and economic lit-
3 eracy of students;”;

4 (C) by striking paragraph (7) (as redesign-
5 ated by subparagraph (A)) and inserting the
6 following:

7 “(7) individualized personal, career, and aca-
8 demic counseling;”;

9 (D) by striking paragraph (11) (as redesign-
10 ated by subparagraph (A)) and inserting the
11 following:

12 “(11) programs and activities as described in
13 paragraphs (1) through (10) that are specially de-
14 signed for students who are limited English pro-
15 ficient, students with disabilities, or students who
16 are homeless children and youths (as such term is
17 defined in section 725 of the McKinney-Vento
18 Homeless Assistance Act (42 U.S.C. 11434a)), or
19 programs and activities for students who are in fos-
20 ter care or are aging out of the foster care system.”.

21 (g) STAFF DEVELOPMENT ACTIVITIES.—Section
22 402G(b)(3) (20 U.S.C. 1070a–17(b)(3)) is amended by in-
23 serting “, including strategies for recruiting and serving
24 students who are homeless children and youths (as such
25 term is defined in section 725 of the McKinney-Vento

1 Homeless Assistance Act (42 U.S.C. 11434a)) and stu-
2 dents who are in foster care or are aging out of the foster
3 care system” before the period at the end.

4 (h) REPORTS, EVALUATIONS, AND GRANTS FOR
5 PROJECT IMPROVEMENT AND DISSEMINATION.—Section
6 402H (20 U.S.C. 1070a–18) is amended—

7 (1) by striking the section heading and insert-
8 ing “**REPORTS, EVALUATIONS, AND GRANTS**
9 **FOR PROJECT IMPROVEMENT AND DISSEMINA-**
10 **TION.**”;

11 (2) by redesignating subsections (a) through (c)
12 as subsections (b) through (d), respectively;

13 (3) by inserting before subsection (b) (as redesi-
14 gnated by paragraph (2)) the following:

15 “(a) REPORTS TO THE AUTHORIZING COMMIT-
16 TEES.—The Secretary shall submit annually, to the au-
17 thorizing committees, a report that documents the per-
18 formance of all programs funded under this chapter. The
19 report shall—

20 “(1) be submitted not later than 24 months
21 after the eligible entities receiving funds under this
22 chapter are required to report their performance to
23 the Secretary;

1 “(2) focus on the programs’ performance on the
2 relevant outcome criteria determined under section
3 402A(f)(4);

4 “(3) aggregate individual project performance
5 data on the outcome criteria in order to provide na-
6 tional performance data for each program;

7 “(4) include, when appropriate, descriptive
8 data, multi-year data, and multi-cohort data; and

9 “(5) include comparable data on the perform-
10 ance nationally of low-income students, first-genera-
11 tion students, and students with disabilities.”; and

12 (4) in subsection (b) (as redesignated by para-
13 graph (2)), by striking paragraph (2) and inserting
14 the following:

15 “(2) PRACTICES.—

16 “(A) IN GENERAL.—The evaluations de-
17 scribed in paragraph (1) shall identify institu-
18 tional, community, and program or project
19 practices that are particularly effective in—

20 “(i) enhancing the access of low-in-
21 come individuals and first-generation col-
22 lege students to postsecondary education;

23 “(ii) the preparation of the individuals
24 and students for postsecondary education;
25 and

1 “(iii) fostering the success of the indi-
2 viduals and students in postsecondary edu-
3 cation.

4 “(B) PRIMARY PURPOSE.—Any evaluation
5 conducted under this chapter shall have as its
6 primary purpose the identification of particular
7 practices that further the achievement of the
8 outcome criteria determined under section
9 402A(f)(4).

10 “(C) DISSEMINATION AND USE OF EVAL-
11 UATION FINDINGS.—The Secretary shall dis-
12 seminate to eligible entities and make available
13 to the public the practices identified under sub-
14 paragraph (B). The practices may be used by
15 eligible entities that receive assistance under
16 this chapter after the dissemination.

17 “(3) EVALUATION SPECIAL RULES.—

18 “(A) RECRUITMENT.—The Secretary shall
19 not require an eligible entity desiring to receive
20 assistance under this chapter to recruit stu-
21 dents to serve as a control group for purposes
22 of evaluating any program or project assisted
23 under this chapter.

24 “(B) PERMISSIBLE PRIORITY.—If the Sec-
25 retary elects to provide for the conduct of an

1 evaluation of a program or project under this
 2 chapter using a control group, then the Sec-
 3 retary may give priority in providing assistance
 4 under this chapter, subject to section 402C(e),
 5 to an eligible entity that elects to participate in
 6 such an evaluation.”.

7 **SEC. 404. GAINING EARLY AWARENESS AND READINESS**
 8 **FOR UNDERGRADUATE PROGRAMS.**

9 (a) **EARLY INTERVENTION AND COLLEGE AWARE-**
 10 **NESS PROGRAM AUTHORIZED.**—Section 404A (20 U.S.C.
 11 1070a–21) is amended—

12 (1) by striking subsection (a) and inserting the
 13 following:

14 “(a) **PROGRAM AUTHORIZED.**—The Secretary is au-
 15 thorized, in accordance with the requirements of this chap-
 16 ter, to establish a program that encourages eligible entities
 17 to provide support to eligible low-income students to assist
 18 the students in obtaining a secondary school diploma (or
 19 its recognized equivalent) and to prepare for and succeed
 20 in postsecondary education, by providing—

21 “(1) financial assistance, academic support, ad-
 22 ditional counseling, mentoring, outreach, and sup-
 23 portive services to middle school and secondary
 24 school students to reduce—

1 “(A) the risk of such students dropping
2 out of school; or

3 “(B) the need for remedial education for
4 such students at the postsecondary level; and

5 “(2) information to students and their parents
6 about the advantages of obtaining a postsecondary
7 education and the college financing options for the
8 students and their parents.”;

9 (2) by striking subsection (b)(2)(A) and insert-
10 ing the following:

11 “(A) give priority to eligible entities that
12 have a prior, demonstrated commitment to
13 early intervention leading to college access
14 through collaboration and replication of suc-
15 cessful strategies;”;

16 (3) by striking subsection (c)(2) and inserting
17 the following:

18 “(2) a partnership—

19 “(A) consisting of—

20 “(i) 1 or more local educational agen-
21 cies; and

22 “(ii) 1 or more degree granting insti-
23 tutions of higher education; and

24 “(B) which may include not less than 2
25 other community organizations or entities, such

1 as businesses, professional organizations, State
2 agencies, institutions or agencies sponsoring
3 programs authorized under subpart 4, or other
4 public or private agencies or organizations.”.

5 (b) REQUIREMENTS.—Section 404B (20 U.S.C.
6 1070a–22) is amended—

7 (1) by striking subsection (a) and inserting the
8 following: —

9 “(a) FUNDING RULES.—

10 “(1) DISTRIBUTION.—In awarding grants from
11 the amount appropriated under section 404G for a
12 fiscal year, the Secretary shall take into consider-
13 ation—

14 “(A) the geographic distribution of such
15 awards; and

16 “(B) the distribution of such awards be-
17 tween urban and rural applicants.

18 “(2) SPECIAL RULE.—The Secretary shall an-
19 nually reevaluate the distribution of funds described
20 in paragraph (1) based on number, quality, and
21 promise of the applications.”;

22 (2) by striking subsections (b), (e), and (f);

23 (3) by redesignating subsections (c), (d), and
24 (g) as subsections (b), (c), and (d), respectively; and

25 (4) by adding at the end the following:

1 “(e) SUPPLEMENT, NOT SUPPLANT.—Grant funds
2 awarded under this chapter shall be used to supplement,
3 and not supplant, other Federal, State, and local funds
4 that would otherwise be expended to carry out activities
5 assisted under this chapter.”.

6 (c) APPLICATION.—Section 404C (20 U.S.C. 1070a–
7 23) is amended—

8 (1) in the section heading, by striking “**ELIGI-**
9 **BLE ENTITY PLANS**” and inserting “**APPLICA-**
10 **TIONS**”;

11 (2) in subsection (a)—

12 (A) in the subsection heading, by striking
13 “PLAN” and inserting “APPLICATION”;

14 (B) in paragraph (1)—

15 (i) by striking “a plan” and inserting
16 “an application”; and

17 (ii) by striking the second sentence;

18 and

19 (C) by striking paragraph (2) and insert-
20 ing the following:

21 “(2) CONTENTS.—Each application submitted
22 pursuant to paragraph (1) shall be in such form,
23 contain or be accompanied by such information or
24 assurances, and be submitted at such time as the

1 Secretary may require. Each such application shall,
2 at a minimum—

3 “(A) describe the activities for which as-
4 sistance under this chapter is sought, including
5 how the eligible entity will carry out the re-
6 quired activities described in section 404D(a);

7 “(B) describe how the eligible agency will
8 meet the requirements of section 404E;

9 “(C) provide assurances that adequate ad-
10 ministrative and support staff will be respon-
11 sible for coordinating the activities described in
12 section 404D;

13 “(D) ensure that activities assisted under
14 this chapter will not displace an employee or
15 eliminate a position at a school assisted under
16 this chapter, including a partial displacement
17 such as a reduction in hours, wages or employ-
18 ment benefits;

19 “(E) describe, in the case of an eligible en-
20 tity described in section 404A(c)(2), how the el-
21 igible entity will define the cohorts of the stu-
22 dents served by the eligible entity pursuant to
23 section 404B(d), and how the eligible entity will
24 serve the cohorts through grade 12, including—

1 “(i) how vacancies in the program
2 under this chapter will be filled; and

3 “(ii) how the eligible entity will serve
4 students attending different secondary
5 schools;

6 “(F) describe how the eligible entity will
7 coordinate programs with other existing Fed-
8 eral, State, or local programs to avoid duplica-
9 tion and maximize the number of students
10 served;

11 “(G) provide such additional assurances as
12 the Secretary determines necessary to ensure
13 compliance with the requirements of this chap-
14 ter; and

15 “(H) provide information about the activi-
16 ties that will be carried out by the eligible enti-
17 ty to support systemic changes from which fu-
18 ture cohorts of students will benefit.”;

19 (3) in the matter preceding subparagraph (A)
20 of subsection (b)(1)—

21 (A) by striking “a plan” and inserting “an
22 application”; and

23 (B) by striking “such plan” and inserting
24 “such application”; and

1 (4) in subsection (c)(1), by striking the semi-
2 colon at the end and inserting “including—

3 “(A) the amount contributed to a student
4 scholarship fund established under section
5 404E; and

6 “(B) the amount of the costs of admin-
7 istering the scholarship program under section
8 404E;”.

9 (d) **ACTIVITIES.**—Section 404D (20 U.S.C. 1070a-
10 24) is amended to read as follows:

11 **“SEC. 404D. ACTIVITIES.**

12 “(a) **REQUIRED ACTIVITIES.**—Each eligible entity re-
13 ceiving a grant under this chapter shall carry out the fol-
14 lowing:

15 “(1) Provide information regarding financial
16 aid for postsecondary education to participating stu-
17 dents in the cohort described in subsection
18 404B(d)(1)(A).

19 “(2) Encourage student enrollment in rigorous
20 and challenging curricula and coursework, in order
21 to reduce the need for remedial coursework at the
22 postsecondary level.

23 “(3) Support activities designed to improve the
24 number of participating students who—

1 “(A) obtain a secondary school diploma;
2 and

3 “(B) complete applications for and enroll
4 in a program of postsecondary education.

5 “(4) In the case of an eligible entity described
6 in section 404A(c)(1), provide for the scholarships
7 described in section 404E.

8 “(b) OPTIONAL ACTIVITIES FOR STATES AND PART-
9 NERSHIPS.—An eligible entity that receives a grant under
10 this chapter may use grant funds to carry out 1 or more
11 of the following activities:

12 “(1) Providing tutoring and supporting men-
13 tors, including adults or former participants of a
14 program under this chapter, for eligible students.

15 “(2) Conducting outreach activities to recruit
16 priority students described in subsection (d) to par-
17 ticipate in program activities.

18 “(3) Providing supportive services to eligible
19 students.

20 “(4) Supporting the development or implemen-
21 tation of rigorous academic curricula, which may in-
22 clude college preparatory, Advanced Placement, or
23 International Baccalaureate programs, and providing
24 participating students access to rigorous core

1 courses that reflect challenging State academic
2 standards.

3 “(5) Supporting dual or concurrent enrollment
4 programs between the secondary school and institu-
5 tion of higher education partners of an eligible entity
6 described in section 404A(c)(2), and other activities
7 that support participating students in—

8 “(A) meeting challenging academic stand-
9 ards;

10 “(B) successfully applying for postsec-
11 ondary education;

12 “(C) successfully applying for student fi-
13 nancial aid; and

14 “(D) developing graduation and career
15 plans.

16 “(6) Providing support for scholarships de-
17 scribed in section 404E.

18 “(7) Introducing eligible students to institutions
19 of higher education, through trips and school-based
20 sessions.

21 “(8) Providing an intensive extended school
22 day, school year, or summer program that offers—

23 “(A) additional academic classes; or

24 “(B) assistance with college admission ap-
25 plications.

1 “(9) Providing other activities designed to en-
2 sure secondary school completion and postsecondary
3 education enrollment of at-risk children, such as—

4 “(A) the identification of at-risk children;

5 “(B) after-school and summer tutoring;

6 “(C) assistance to at-risk children in ob-
7 taining summer jobs;

8 “(D) academic counseling;

9 “(E) volunteer and parent involvement;

10 “(F) encouraging former or current par-
11 ticipants of a program under this chapter to
12 serve as peer counselors;

13 “(G) skills assessments;

14 “(H) personal counseling;

15 “(I) family counseling and home visits;

16 “(J) staff development; and

17 “(K) programs and activities described in
18 this subsection that are specially designed for
19 students who are limited English proficient.

20 “(10) Enabling eligible students to enroll in Ad-
21 vanced Placement or International Baccalaureate
22 courses, or college entrance examination preparation
23 courses.

24 “(11) Providing services to eligible students in
25 the participating cohort described in section

1 404B(d)(1)(A), through the first year of attendance
2 at an institution of higher education.

3 “(c) ADDITIONAL OPTIONAL ACTIVITIES FOR
4 STATES.—In addition to the required activities described
5 in subsection (a) and the optional activities described in
6 subsection (b), an eligible entity described in section
7 404A(c)(1) receiving funds under this chapter may use
8 grant funds to carry out 1 or more of the following activi-
9 ties:

10 “(1) Providing technical assistance to—

11 “(A) middle schools or secondary schools
12 that are located within the State; or

13 “(B) partnerships described in section
14 404A(c)(2) that are located within the State.

15 “(2) Providing professional development oppor-
16 tunities to individuals working with eligible cohorts
17 of students described in section 404B(d)(1)(A).

18 “(3) Providing strategies and activities that
19 align efforts in the State to prepare eligible students
20 for attending and succeeding in postsecondary edu-
21 cation, which may include the development of grad-
22 uation and career plans.

23 “(4) Disseminating information on the use of
24 scientifically based research and best practices to
25 improve services for eligible students.

1 “(5)(A) Disseminating information on effective
2 coursework and support services that assist students
3 in obtaining the goals described in subparagraph
4 (B)(ii).

5 “(B) Identifying and disseminating information
6 on best practices with respect to—

7 “(i) increasing parental involvement; and

8 “(ii) preparing students, including students
9 with disabilities and students who are limited
10 English proficient, to succeed academically in,
11 and prepare financially for, postsecondary edu-
12 cation.

13 “(6) Working to align State academic standards
14 and curricula with the expectations of postsecondary
15 institutions and employers.

16 “(7) Developing alternatives to traditional sec-
17 ondary school that give students a head start on at-
18 taining a recognized postsecondary credential (in-
19 cluding an industry certificate, an apprenticeship, or
20 an associate’s or a bachelor’s degree), including
21 school designs that give students early exposure to
22 college-level courses and experiences and allow stu-
23 dents to earn transferable college credits or an asso-
24 ciate’s degree at the same time as a secondary
25 school diploma.

1 “(8) Creating community college programs for
2 drop-outs that are personalized drop-out recovery
3 programs that allow drop-outs to complete a regular
4 secondary school diploma and begin college-level
5 work.

6 “(d) PRIORITY STUDENTS.—For eligible entities not
7 using a cohort approach, the eligible entity shall treat as
8 priority students any student in middle or secondary
9 school who is eligible—

10 “(1) to be counted under section 1124(c) of the
11 Elementary and Secondary Education Act of 1965;

12 “(2) for free or reduced price meals under the
13 Richard B. Russell National School Lunch Act;

14 “(3) for assistance under a State program
15 funded under part A or E of title IV of the Social
16 Security Act (42 U.S.C. 601 et seq., 670 et seq.);
17 or

18 “(4) for assistance under subtitle B of title VII
19 of the McKinney-Vento Homeless Assistance Act (42
20 U.S.C. 11431 et seq.).

21 “(e) ALLOWABLE PROVIDERS.—In the case of eligible
22 entities described in section 404A(c)(1), the activities re-
23 quired by this section may be provided by service providers
24 such as community-based organizations, schools, institu-
25 tions of higher education, public and private agencies,

1 nonprofit and philanthropic organizations, businesses, in-
2 stitutions and agencies sponsoring programs authorized
3 under subpart 4, and other organizations the State deter-
4 mines appropriate.”.

5 (e) SCHOLARSHIP COMPONENT.—Section 404E (20
6 U.S.C. 1070a–25) is amended—

7 (1) by striking subsections (e) and (f);

8 (2) by redesignating subsections (b), (c), and
9 (d) as subsections (d), (f), and (g), respectively;

10 (3) by inserting after subsection (a) the fol-
11 lowing:

12 “(b) LIMITATION.—

13 “(1) IN GENERAL.—Subject to paragraph (2),
14 each eligible entity described in section 404A(c)(1)
15 that receives a grant under this chapter shall use
16 not less than 25 percent and not more than 50 per-
17 cent of the grant funds for activities described in
18 section 404D (except for the activity described in
19 subsection (a)(4) of such section), with the remain-
20 der of such funds to be used for a scholarship pro-
21 gram under this section in accordance with such
22 subsection.

23 “(2) EXCEPTION.—Notwithstanding paragraph
24 (1), the Secretary may allow an eligible entity to use
25 more than 50 percent of grant funds received under

1 this chapter for such activities, if the eligible entity
2 demonstrates that the eligible entity has another
3 means of providing the students with the financial
4 assistance described in this section and describes
5 such means in the application submitted under sec-
6 tion 404C.

7 “(c) NOTIFICATION OF ELIGIBILITY.—Each eligible
8 entity providing scholarships under this section shall pro-
9 vide information on the eligibility requirements for the
10 scholarships to all participating students upon the stu-
11 dents’ entry into the programs assisted under this chap-
12 ter.”;

13 (4) in subsection (d) (as redesignated by para-
14 graph (2)), by striking “the lesser of” and all that
15 follows through the period at the end of paragraph
16 (2) and inserting “the minimum Federal Pell Grant
17 award under section 401 for such award year.”;

18 (5) by inserting after subsection (d) (as redesign-
19 ated by paragraph (2) and amended by paragraph
20 (4)) the following:

21 “(e) PORTABILITY OF ASSISTANCE.—

22 “(1) IN GENERAL.—Each eligible entity de-
23 scribed in section 404A(c)(1) that receives a grant
24 under this chapter shall create or organize a trust
25 for each cohort described in section 404B(d)(1)(A)

1 for which the grant is sought in the application sub-
2 mitted by the entity, which trust shall be an amount
3 that is not less than the minimum scholarship
4 amount described in subsection (d), multiplied by
5 the number of students participating in the cohort.

6 “(2) REQUIREMENT FOR PORTABILITY.—Funds
7 contributed to the trust for a cohort shall be avail-
8 able to a student in the cohort when the student
9 has—

10 “(A) completed a secondary school di-
11 ploma, its recognized equivalent, or other recog-
12 nized alternative standard for individuals with
13 disabilities; and

14 “(B) enrolled in an institution of higher
15 education.

16 “(3) QUALIFIED EDUCATIONAL EXPENSES.—
17 Funds available to an eligible student from a trust
18 may be used for—

19 “(A) tuition, fees, books, supplies, and
20 equipment required for the enrollment or at-
21 tendance of the eligible student at an institution
22 of higher education; and

23 “(B) in the case of an eligible student with
24 special needs, expenses for special needs serv-

1 ices which are incurred in connection with such
2 enrollment or attendance.

3 “(4) RETURN OF FUNDS.—

4 “(A) REDISTRIBUTION.—

5 “(i) IN GENERAL.—Trust funds that
6 are not used by an eligible student within
7 6 years of the student’s scheduled comple-
8 tion of secondary school may be redistrib-
9 uted by the eligible entity to other eligible
10 students.

11 “(ii) RETURN OF EXCESS TO THE
12 SECRETARY.—If, after meeting the require-
13 ments of paragraph (1) and, if applicable,
14 redistributing excess funds in accordance
15 with clause (i), an eligible entity has funds
16 remaining, the eligible entity shall return
17 excess funds to the Secretary for distribu-
18 tion to other grantees under this chapter.

19 “(B) NONPARTICIPATING ENTITY.—Not-
20 withstanding subparagraph (A), in the case of
21 an eligible entity described in section
22 404A(c)(1)(A) that does not receive assistance
23 under this subpart for 6 fiscal years, the eligi-
24 ble entity shall return any trust funds not
25 awarded or obligated to eligible students to the

1 Secretary for distribution to other grantees
2 under this chapter.”; and

3 (6) in subsection (g) (as redesignated by para-
4 graph (2))—

5 (A) in paragraph (2), by striking “1993”
6 and inserting “2001”; and

7 (B) in paragraph (4), by striking “early
8 intervention component required under section
9 404D” and inserting “activities required under
10 section 404D(a)”.

11 (f) REPEAL OF 21ST CENTURY SCHOLAR CERTIFI-
12 CATES.—Chapter 2 of subpart 2 of part A of title IV (20
13 U.S.C. 1070a–21 et seq.) is further amended—

14 (1) by striking section 404F; and

15 (2) by redesignating sections 404G and 404H
16 as sections 404F and 404G, respectively.

17 (g) AUTHORIZATION OF APPROPRIATIONS.—Section
18 404G (as redesignated by subsection (f)) (20 U.S.C.
19 1070a–28) is amended by striking “\$200,000,000 for fis-
20 cal year 1999” and all that follows through the period and
21 inserting “such sums as may be necessary for fiscal year
22 2008 and each of the 5 succeeding fiscal years.”.

23 (h) CONFORMING AMENDMENTS.—Chapter 2 of sub-
24 part 2 of part A of title IV (20 U.S.C. 1070a–21 et seq.)
25 is further amended—

1 (1) in section 404A(b)(1), by striking “404H”
2 and inserting “404G”;

3 (2) in section 404B(a)(1), by striking “404H”
4 and inserting “404G”; and

5 (3) in section 404F(e) (as redesignated by sub-
6 section (f)(2)), by striking “404H” and inserting
7 “404G”.

8 **SEC. 405. ACADEMIC ACHIEVEMENT INCENTIVE SCHOLAR-**
9 **SHIPS.**

10 Chapter 3 of subpart 2 of part A of title IV (20
11 U.S.C. 1070a–31 et seq.) is repealed.

12 **SEC. 406. FEDERAL SUPPLEMENTAL EDUCATIONAL OPPOR-**
13 **TUNITY GRANTS.**

14 (a) **APPROPRIATIONS AUTHORIZED.**—Section
15 413A(b)(1) (20 U.S.C. 1070b(b)(1)) is amended by strik-
16 ing “\$675,000,000 for fiscal year 1999” and all that fol-
17 lows through the period and inserting “such sums as may
18 be necessary for fiscal year 2008 and each of the 5 suc-
19 ceeding fiscal years.”.

20 (b) **ALLOCATION OF FUNDS.**—

21 (1) **ALLOCATION OF FUNDS.**—Section 413D
22 (20 U.S.C. 1070b–3) is amended—

23 (A) by striking subsection (a)(4); and

24 (B) in subsection (c)(3)(D), by striking
25 “\$450” and inserting “\$600”.

1 (2) TECHNICAL CORRECTION.—Section
2 413D(a)(1) (20 U.S.C. 1070b–3(a)(1)) is amended
3 by striking “such institution” and all that follows
4 through the period and inserting “such institution
5 received under subsections (a) and (b) of this section
6 for fiscal year 1999 (as such subsections were in ef-
7 fect with respect to allocations for such fiscal
8 year).”.

9 **SEC. 407. LEVERAGING EDUCATIONAL ASSISTANCE PART-**
10 **NERSHIP PROGRAM.**

11 (a) APPROPRIATIONS AUTHORIZED.—Section
12 415A(b)(1) (20 U.S.C. 1070c(b)(1)) is amended to read
13 as follows:

14 “(1) IN GENERAL.—There are authorized to be
15 appropriated to carry out this subpart such sums as
16 may be necessary for fiscal year 2008 and each of
17 the 5 succeeding fiscal years.”.

18 (b) APPLICATIONS.—Section 415C(b) (20 U.S.C.
19 1070c–2(b)) is amended—

20 (1) in the matter preceding subparagraph (A)
21 of paragraph (2), by striking “not in excess of
22 \$5,000 per academic year” and inserting “not to ex-
23 ceed the lesser of \$12,500 or the student’s cost of
24 attendance per academic year”; and

1 (2) by striking paragraph (10) and inserting
2 the following:

3 “(10) provides notification to eligible students
4 that such grants are—

5 “(A) Leveraging Educational Assistance
6 Partnership grants; and

7 “(B) funded by the Federal Government,
8 the State, and other contributing partners.”.

9 (c) GRANTS FOR ACCESS AND PERSISTENCE.—Sec-
10 tion 415E (20 U.S.C. 1070e-3a) is amended to read as
11 follows:

12 **“SEC. 415E. GRANTS FOR ACCESS AND PERSISTENCE.**

13 “(a) PURPOSE.—It is the purpose of this section to
14 expand college access and increase college persistence by
15 making allotments to States to enable the States to—

16 “(1) expand and enhance partnerships with in-
17 stitutions of higher education, early information and
18 intervention, mentoring, or outreach programs, pri-
19 vate corporations, philanthropic organizations, and
20 other interested parties in order to—

21 “(A) carry out activities under this section;
22 and

23 “(B) provide coordination and cohesion
24 among Federal, State, and local governmental
25 and private efforts that provide financial assist-

1 ance to help low-income students attend an in-
2 stitution of higher education;

3 “(2) provide need-based grants for access and
4 persistence to eligible low-income students;

5 “(3) provide early notification to low-income
6 students of the students’ eligibility for financial aid;
7 and

8 “(4) encourage increased participation in early
9 information and intervention, mentoring, or outreach
10 programs.

11 “(b) ALLOTMENTS TO STATES.—

12 “(1) IN GENERAL.—

13 “(A) AUTHORIZATION.—From sums re-
14 served under section 415A(b)(2) for each fiscal
15 year, the Secretary shall make an allotment to
16 each State that submits an application for an
17 allotment in accordance with subsection (c) to
18 enable the State to pay the Federal share, as
19 described in paragraph (2), of the cost of car-
20 rying out the activities under subsection (d).

21 “(B) DETERMINATION OF ALLOTMENT.—
22 In making allotments under subparagraph (A),
23 the Secretary shall consider the following:

24 “(i) CONTINUATION OF AWARD.—If a
25 State continues to meet the specifications

1 established in such State's application
2 under subsection (c), the Secretary shall
3 make an allotment to such State that is
4 not less than the allotment made to such
5 State for the previous fiscal year.

6 “(ii) PRIORITY.—The Secretary shall
7 give priority in making allotments to
8 States that meet the requirements de-
9 scribed in paragraph (2)(A)(ii).

10 “(2) FEDERAL SHARE.—

11 “(A) IN GENERAL.—The Federal share
12 under this section shall be determined in ac-
13 cordance with the following:

14 “(i) If a State applies for an allot-
15 ment under this section in partnership
16 with—

17 “(I) any number of degree grant-
18 ing institutions of higher education in
19 the State whose combined full-time
20 enrollment represents less than a ma-
21 jority of all students attending institu-
22 tions of higher education in the State;
23 and

1 “(II)(aa) philanthropic organiza-
2 tions that are located in, or that pro-
3 vide funding in, the State; or

4 “(bb) private corporations that
5 are located in, or that do business in,
6 the State,

7 then the Federal share of the cost of car-
8 rying out the activities under subsection
9 (d) shall be equal to 50 percent.

10 “(ii) If a State applies for an allot-
11 ment under this section in partnership
12 with—

13 “(I) any number of degree grant-
14 ing institutions of higher education in
15 the State whose combined full-time
16 enrollment represents a majority of all
17 students attending institutions of
18 higher education in the State; and

19 “(II)(aa) philanthropic organiza-
20 tions that are located in, or that pro-
21 vide funding in, the State; or

22 “(bb) private corporations that
23 are located in, or that do business in,
24 the State,

1 then the Federal share of the cost of car-
2 rying out the activities under subsection
3 (d) shall be equal to 57 percent.

4 “(B) NON-FEDERAL SHARE.—

5 “(i) IN GENERAL.—The non-Federal
6 share under this section may be provided
7 in cash or in kind, fully evaluated and in
8 accordance with this subparagraph.

9 “(ii) IN KIND CONTRIBUTION.—For
10 the purpose of calculating the non-Federal
11 share under this section, an in kind con-
12 tribution is a non-cash award that has
13 monetary value, such as provision of room
14 and board and transportation passes, and
15 that helps a student meet the cost of at-
16 tendance.

17 “(iii) EFFECT ON NEED ANALYSIS.—
18 For the purpose of calculating a student’s
19 need in accordance with part F of this
20 title, an in-kind contribution described in
21 clause (ii) shall not be considered an asset
22 or income.

23 “(c) APPLICATION FOR ALLOTMENT.—

24 “(1) IN GENERAL.—

1 “(A) SUBMISSION.—A State that desires
2 to receive an allotment under this section on be-
3 half of a partnership described in paragraph (3)
4 shall submit an application to the Secretary at
5 such time, in such manner, and containing such
6 information as the Secretary may require.

7 “(B) CONTENT.—An application submitted
8 under subparagraph (A) shall include the fol-
9 lowing:

10 “(i) A description of the State’s plan
11 for using the allotted funds.

12 “(ii) Assurances that the State will
13 provide the non-Federal share from State,
14 institutional, philanthropic, or private
15 funds, of not less than the required share
16 of the cost of carrying out the activities
17 under subsection (d), as determined under
18 subsection (b), in accordance with the fol-
19 lowing:

20 “(I) The State shall specify the
21 methods by which non-Federal share
22 funds will be paid and include provi-
23 sions designed to ensure that funds
24 provided under this section will be
25 used to supplement, and not supplant,

1 Federal and non-Federal funds avail-
2 able for carrying out the activities
3 under this title.

4 “(II) A State that uses non-Fed-
5 eral funds to create or expand existing
6 partnerships with nonprofit organiza-
7 tions or community-based organiza-
8 tions in which such organizations
9 match State funds for student schol-
10 arships, may apply such matching
11 funds from such organizations toward
12 fulfilling the State’s non-Federal
13 share obligation under this clause.

14 “(iii) Assurances that early informa-
15 tion and intervention, mentoring, or out-
16 reach programs exist within the State or
17 that there is a plan to make such pro-
18 grams widely available.

19 “(iv) A description of the organiza-
20 tional structure that the State has in place
21 to administer the activities under sub-
22 section (d), including a description of the
23 system the State will use to track the par-
24 ticipation of students who receive grants
25 under this section to degree completion.

1 “(v) Assurances that the State has a
2 method in place, such as acceptance of the
3 automatic zero expected family contribu-
4 tion determination described in section
5 479, to identify eligible low-income stu-
6 dents and award State grant aid to such
7 students.

8 “(vi) Assurances that the State will
9 provide notification to eligible low-income
10 students that grants under this section
11 are—

12 “(I) Leveraging Educational As-
13 sistance Partnership Grants; and

14 “(II) funded by the Federal Gov-
15 ernment, the State, and other contrib-
16 uting partners.

17 “(2) STATE AGENCY.—The State agency that
18 submits an application for a State under section
19 415C(a) shall be the same State agency that sub-
20 mits an application under paragraph (1) for such
21 State.

22 “(3) PARTNERSHIP.—In applying for an allot-
23 ment under this section, the State agency shall apply
24 for the allotment in partnership with—

1 “(A) not less than 1 public and 1 private
2 degree granting institution of higher education
3 that are located in the State, if applicable;

4 “(B) new or existing early information and
5 intervention, mentoring, or outreach programs
6 located in the State; and

7 “(C) not less than 1—

8 “(i) philanthropic organization located
9 in, or that provides funding in, the State;
10 or

11 “(ii) private corporation located in, or
12 that does business in, the State.

13 “(4) ROLES OF PARTNERS.—

14 “(A) STATE AGENCY.—A State agency
15 that is in a partnership receiving an allotment
16 under this section—

17 “(i) shall—

18 “(I) serve as the primary admin-
19 istrative unit for the partnership;

20 “(II) provide or coordinate non-
21 Federal share funds, and coordinate
22 activities among partners;

23 “(III) encourage each institution
24 of higher education in the State to
25 participate in the partnership;

1 “(IV) make determinations and
2 early notifications of assistance as de-
3 scribed under subsection (d)(2); and

4 “(V) annually report to the Sec-
5 retary on the partnership’s progress
6 in meeting the purpose of this section;
7 and

8 “(ii) may provide early information
9 and intervention, mentoring, or outreach
10 programs.

11 “(B) DEGREE GRANTING INSTITUTIONS OF
12 HIGHER EDUCATION.—A degree granting insti-
13 tution of higher education that is in a partner-
14 ship receiving an allotment under this section—

15 “(i) shall—

16 “(I) recruit and admit partici-
17 pating qualified students and provide
18 such additional institutional grant aid
19 to participating students as agreed to
20 with the State agency;

21 “(II) provide support services to
22 students who receive grants for access
23 and persistence under this section and
24 are enrolled at such institution; and

1 “(III) assist the State in the
2 identification of eligible students and
3 the dissemination of early notifica-
4 tions of assistance as agreed to with
5 the State agency; and

6 “(ii) may provide funding for early in-
7 formation and intervention, mentoring, or
8 outreach programs or provide such services
9 directly.

10 “(C) PROGRAMS.—An early information
11 and intervention, mentoring, or outreach pro-
12 gram that is in a partnership receiving an allot-
13 ment under this section shall provide direct
14 services, support, and information to partici-
15 pating students.

16 “(D) PHILANTHROPIC ORGANIZATION OR
17 PRIVATE CORPORATION.—A philanthropic orga-
18 nization or private corporation that is in a part-
19 nership receiving an allotment under this sec-
20 tion shall provide funds for grants for access
21 and persistence for participating students, or
22 provide funds or support for early information
23 and intervention, mentoring, or outreach pro-
24 grams.

25 “(d) AUTHORIZED ACTIVITIES.—

1 “(1) IN GENERAL.—

2 “(A) ESTABLISHMENT OF PARTNER-
3 SHIP.—Each State receiving an allotment under
4 this section shall use the funds to establish a
5 partnership to award grants for access and per-
6 sistence to eligible low-income students in order
7 to increase the amount of financial assistance
8 such students receive under this subpart for un-
9 dergraduate education expenses.

10 “(B) AMOUNT OF GRANTS.—

11 “(i) PARTNERSHIPS WITH INSTITU-
12 TIONS SERVING LESS THAN A MAJORITY
13 OF STUDENTS IN THE STATE.—

14 “(I) IN GENERAL.—In the case
15 where a State receiving an allotment
16 under this section is in a partnership
17 described in subsection (b)(2)(A)(i),
18 the amount of a grant for access and
19 persistence awarded by such State
20 shall be not less than the amount that
21 is equal to the average undergraduate
22 tuition and mandatory fees at 4-year
23 public institutions of higher education
24 in the State where the student resides
25 (less any other Federal or State spon-

1 sored grant amount, work study
2 amount, and scholarship amount re-
3 ceived by the student), and such
4 amount shall be used toward the cost
5 of attendance at an institution of
6 higher education located in the State.

7 “(II) COST OF ATTENDANCE.—A
8 State that has a program, apart from
9 the partnership under this section, of
10 providing eligible low-income students
11 with grants that are equal to the aver-
12 age undergraduate tuition and man-
13 datory fees at 4-year public institu-
14 tions of higher education in the State,
15 may increase the amount of grants for
16 access and persistence awarded by
17 such State up to an amount that is
18 equal to the average cost of attend-
19 ance at 4-year public institutions of
20 higher education in the State (less
21 any other Federal or State sponsored
22 grant amount, work study amount,
23 and scholarship amount received by
24 the student).

1 “(ii) PARTNERSHIPS WITH INSTITU-
2 TIONS SERVING THE MAJORITY OF STU-
3 DENTS IN THE STATE.—In the case where
4 a State receiving an allotment under this
5 section is in a partnership described in
6 subsection (b)(2)(A)(ii), the amount of a
7 grant for access and persistence awarded
8 by such State shall be not more than an
9 amount that is equal to the average cost of
10 attendance at 4-year public institutions of
11 higher education in the State where the
12 student resides (less any other Federal or
13 State sponsored grant amount, college
14 work study amount, and scholarship
15 amount received by the student), and such
16 amount shall be used by the student to at-
17 tend an institution of higher education lo-
18 cated in the State.

19 “(C) SPECIAL RULES.—

20 “(i) PARTNERSHIP INSTITUTIONS.—A
21 State receiving an allotment under this
22 section may restrict the use of grants for
23 access and persistence under this section
24 by awarding the grants only to students

1 attending institutions of higher education
2 that are participating in the partnership.

3 “(ii) OUT-OF-STATE INSTITUTIONS.—

4 If a State provides grants through another
5 program under this subpart to students at-
6 tending institutions of higher education lo-
7 cated in another State, such agreement
8 may also apply to grants awarded under
9 this section.

10 “(2) EARLY NOTIFICATION.—

11 “(A) IN GENERAL.—Each State receiving
12 an allotment under this section shall annually
13 notify low-income students, such as students
14 who are eligible to receive a free lunch under
15 the school lunch program established under the
16 Richard B. Russell National School Lunch Act,
17 in grade 7 through grade 12 in the State, of
18 the students’ potential eligibility for student fi-
19 nancial assistance, including a grant for access
20 and persistence, to attend an institution of
21 higher education.

22 “(B) CONTENT OF NOTICE.—The notifica-
23 tion under subparagraph (A)—

24 “(i) shall include—

1 “(I) information about early in-
2 formation and intervention, men-
3 toring, or outreach programs available
4 to the student;

5 “(II) information that a stu-
6 dent’s candidacy for a grant for ac-
7 cess and persistence is enhanced
8 through participation in an early in-
9 formation and intervention, men-
10 toring, or outreach program;

11 “(III) an explanation that stu-
12 dent and family eligibility and partici-
13 pation in other Federal means-tested
14 programs may indicate eligibility for a
15 grant for access and persistence and
16 other student aid programs;

17 “(IV) a nonbinding estimation of
18 the total amount of financial aid a
19 low-income student with a similar in-
20 come level may expect to receive, in-
21 cluding an estimation of the amount
22 of a grant for access and persistence
23 and an estimation of the amount of
24 grants, loans, and all other available

1 types of aid from the major Federal
2 and State financial aid programs;

3 “(V) an explanation that in order
4 to be eligible for a grant for access
5 and persistence, at a minimum, a stu-
6 dent shall—

7 “(aa) meet the requirement
8 under paragraph (3);

9 “(bb) graduate from sec-
10 ondary school; and

11 “(cc) enroll at an institution
12 of higher education that is a
13 partner in the partnership or
14 qualifies under subsection
15 (d)(1)(C)(ii);

16 “(VI) information on any addi-
17 tional requirements (such as a student
18 pledge detailing student responsibil-
19 ities) that the State may impose for
20 receipt of a grant for access and per-
21 sistence under this section; and

22 “(VII) instructions on how to
23 apply for a grant for access and per-
24 sistence and an explanation that a
25 student is required to file a Free Ap-

1 plication for Federal Student Aid au-
2 thorized under section 483(a) to be el-
3 igible for such grant and assistance
4 from other Federal and State finan-
5 cial aid programs; and

6 “(ii) may include a disclaimer that
7 grant awards for access and persistence
8 are contingent upon—

9 “(I) a determination of the stu-
10 dent’s financial eligibility at the time
11 of the student’s enrollment at an in-
12 stitution of higher education that is a
13 partner in the partnership or qualifies
14 under subsection (d)(1)(C)(ii);

15 “(II) annual Federal and State
16 appropriations; and

17 “(III) other aid received by the
18 student at the time of the student’s
19 enrollment at such institution of high-
20 er education.

21 “(3) ELIGIBILITY.—In determining which stu-
22 dents are eligible to receive grants for access and
23 persistence, the State shall ensure that each such
24 student meets not less than 1 of the following:

1 “(A) Meets not less than 2 of the following
2 criteria, with priority given to students meeting
3 all of the following criteria:

4 “(i) Has an expected family contribu-
5 tion equal to zero (as described in section
6 479) or a comparable alternative based
7 upon the State’s approved criteria in sec-
8 tion 415C(b)(4).

9 “(ii) Has qualified for a free lunch, or
10 at the State’s discretion a reduced price
11 lunch, under the school lunch program es-
12 tablished under the Richard B. Russell Na-
13 tional School Lunch Act.

14 “(iii) Qualifies for the State’s max-
15 imum undergraduate award, as authorized
16 under section 415C(b).

17 “(iv) Is participating in, or has par-
18 ticipated in, a Federal, State, institutional,
19 or community early information and inter-
20 vention, mentoring, or outreach program,
21 as recognized by the State agency admin-
22 istering activities under this section.

23 “(B) Is receiving, or has received, a grant
24 for access and persistence under this section, in
25 accordance with paragraph (5).

1 “(4) GRANT AWARD.—Once a student, includ-
2 ing those students who have received early notifica-
3 tion under paragraph (2) from the State, applies for
4 admission to an institution that is a partner in the
5 partnership, files a Free Application for Federal
6 Student Aid and any related existing State form,
7 and is determined eligible by the State under para-
8 graph (3), the State shall—

9 “(A) issue the student a preliminary award
10 certificate for a grant for access and persistence
11 with tentative award amounts; and

12 “(B) inform the student that payment of
13 the grant for access and persistence award
14 amounts is subject to certification of enrollment
15 and award eligibility by the institution of higher
16 education.

17 “(5) DURATION OF AWARD.—An eligible stu-
18 dent that receives a grant for access and persistence
19 under this section shall receive such grant award for
20 each year of such student’s undergraduate education
21 in which the student remains eligible for assistance
22 under this title, including pursuant to section
23 484(c), and remains financially eligible as deter-
24 mined by the State, except that the State may im-
25 pose reasonable time limits to degree completion.

1 “(e) USE OF FUNDS FOR ADMINISTRATIVE COSTS
2 PROHIBITED.—A State that receives an allotment under
3 this section shall not use any of the allotted funds to pay
4 administrative costs associated with any of the authorized
5 activities described in subsection (d).

6 “(f) STATUTORY AND REGULATORY RELIEF FOR IN-
7 STITUTIONS OF HIGHER EDUCATION.—The Secretary
8 may grant, upon the request of an institution of higher
9 education that is in a partnership described in subsection
10 (b)(2)(A)(ii) and that receives an allotment under this sec-
11 tion, a waiver for such institution from statutory or regu-
12 latory requirements that inhibit the ability of the institu-
13 tion to successfully and efficiently participate in the activi-
14 ties of the partnership.

15 “(g) APPLICABILITY RULE.—The provisions of this
16 subpart which are not inconsistent with this section shall
17 apply to the program authorized by this section.

18 “(h) MAINTENANCE OF EFFORT REQUIREMENT.—
19 Each State receiving an allotment under this section for
20 a fiscal year shall provide the Secretary with an assurance
21 that the aggregate amount expended per student or the
22 aggregate expenditures by the State, from funds derived
23 from non-Federal sources, for the authorized activities de-
24 scribed in subsection (d) for the preceding fiscal year were
25 not less than the amount expended per student or the ag-

1 gregate expenditure by the State for the activities for the
2 second preceding fiscal year.

3 “(i) SPECIAL RULE.—Notwithstanding subsection
4 (h), for purposes of determining a State’s share of the cost
5 of the authorized activities described in subsection (d), the
6 State shall consider only those expenditures from non-
7 Federal sources that exceed the State’s total expenditures
8 for need-based grants, scholarships, and work-study as-
9 sistance for fiscal year 1999 (including any such assist-
10 ance provided under this subpart).

11 “(j) CONTINUATION AND TRANSITION.—For the 2-
12 year period that begins on the date of enactment of the
13 Higher Education Amendments of 2007, the Secretary
14 shall continue to award grants under section 415E of the
15 Higher Education Act of 1965 as such section existed on
16 the day before the date of enactment of such Act to States
17 that choose to apply for grants under such predecessor
18 section.

19 “(k) REPORTS.—Not later than 3 years after the
20 date of enactment of the Higher Education Amendments
21 of 2007 and annually thereafter, the Secretary shall sub-
22 mit a report describing the activities and the impact of
23 the partnerships under this section to the authorizing
24 committees.”.

1 **SEC. 408. SPECIAL PROGRAMS FOR STUDENTS WHOSE FAM-**
2 **ILIES ARE ENGAGED IN MIGRANT AND SEA-**
3 **SONAL FARMWORK.**

4 Section 418A (20 U.S.C. 1070d-2) is amended—

5 (1) in subsection (b)—

6 (A) in paragraph (1)(B)(i), by striking
7 “parents” and inserting “immediate family”;

8 (B) in paragraph (3)(B), by inserting “(in-
9 cluding preparation for college entrance exami-
10 nations)” after “college program”;

11 (C) in paragraph (5), by striking “weekly”;

12 (D) in paragraph (7), by striking “and”
13 after the semicolon;

14 (E) in paragraph (8)—

15 (i) by inserting “(such as transpor-
16 tation and child care)” after “services”;
17 and

18 (ii) by striking the period at the end
19 and inserting “; and”; and

20 (F) by adding at the end the following:

21 “(9) other activities to improve persistence and
22 retention in postsecondary education.”;

23 (2) in subsection (c)—

24 (A) in paragraph (1)—

25 (i) in subparagraph (A), by striking
26 “parents” and inserting “family”;

1 (ii) in subparagraph (B)—

2 (I) in the matter preceding clause
3 (i), by inserting “to improve place-
4 ment, persistence, and retention in
5 postsecondary education” after “serv-
6 ices”; and

7 (II) in clause (i), by striking
8 “and career” and inserting “career,
9 and economic education or personal fi-
10 nance”;

11 (iii) in subparagraph (E), by striking
12 “and” after the semicolon;

13 (iv) by redesignating subparagraph
14 (F) as subparagraph (G);

15 (v) by inserting after subparagraph
16 (E) the following:

17 “(F) internships; and”; and

18 (vi) in subparagraph (G) (as redesign-
19 ated by clause (iv)), by striking “support
20 services” and inserting “essential sup-
21 portive services (such as transportation
22 and child care)”; and

23 (B) in paragraph (2)—

24 (i) in subparagraph (A), by striking
25 “and” after the semicolon;

1 (ii) in subparagraph (B), by striking
2 the period at the end and inserting “, and
3 coordinating such services, assistance, and
4 aid with other non-program services, as-
5 sistance, and aid, including services, assist-
6 ance, and aid provided by community-
7 based organizations, which may include
8 mentoring and guidance; and”;

9 (iii) by adding at the end the fol-
10 lowing:

11 “(C) for students attending 2-year institutions
12 of higher education, encouraging the students to
13 transfer to 4-year institutions of higher education,
14 where appropriate, and monitoring the rate of trans-
15 fer of such students.”;

16 (3) in subsection (e), by striking “section
17 402A(c)(1)” and inserting “section 402A(c)(2)”;

18 (4) in subsection (f)—

19 (A) in paragraph (1), by striking
20 “\$150,000” and inserting “\$180,000”; and

21 (B) in paragraph (2), by striking
22 “\$150,000” and inserting “\$180,000”;

23 (5) by redesignating subsections (g) and (h) as
24 subsections (h) and (i), respectively;

1 (6) by inserting after subsection (f) the fol-
2 lowing:

3 “(g) RESERVATION OF FUNDS.—From the amounts
4 made available under subsection (i), the Secretary may re-
5 serve not more than a total of $\frac{1}{2}$ of 1 percent for outreach
6 activities, technical assistance, and professional develop-
7 ment programs relating to the programs under subsection
8 (a).”;

9 (7) by striking subsection (h) (as redesignated
10 by paragraph (5)) and inserting the following:

11 “(h) DATA COLLECTION.—The Commissioner for
12 Education Statistics shall—

13 “(1) annually collect data on persons receiving
14 services authorized under this subpart regarding
15 such persons’ rates of secondary school graduation,
16 entrance into postsecondary education, and comple-
17 tion of postsecondary education;

18 “(2) not less often than once every 2 years, pre-
19 pare and submit a report based on the most recently
20 available data under paragraph (1) to the author-
21 izing committees; and

22 “(3) make such report available to the public.”;
23 and

24 (8) in subsection (i) (as redesignated by para-
25 graph (5))—

1 (A) in paragraph (1), by striking
2 “\$15,000,000 for fiscal year 1999” and all that
3 follows through the period and inserting “such
4 sums as may be necessary for fiscal year 2008
5 and each of the 5 succeeding fiscal years.”; and

6 (B) in paragraph (2), by striking
7 “\$5,000,000 for fiscal year 1999” and all that
8 follows through the period and inserting “such
9 sums as may be necessary for fiscal year 2008
10 and each of the 5 succeeding fiscal years.”.

11 **SEC. 409. ROBERT C. BYRD HONORS SCHOLARSHIP PRO-**
12 **GRAM.**

13 (a) ELIGIBILITY OF SCHOLARS.—Section 419F(a)
14 (20 U.S.C. 1070d–36(a)) is amended by inserting “(or a
15 home school, whether treated as a home school or a private
16 school under State law)” after “public or private sec-
17 ondary school”.

18 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
19 419K (20 U.S.C. 1070d–41) is amended by striking
20 “\$45,000,000 for fiscal year 1999” and all that follows
21 through the period and inserting “such sums as may be
22 necessary for fiscal year 2008 and each of the 5 suc-
23 ceeding fiscal years.”.

1 **SEC. 410. CHILD CARE ACCESS MEANS PARENTS IN**
2 **SCHOOL.**

3 (a) **MINIMUM GRANT.**—Section 419N(b)(2)(B) (20
4 U.S.C. 1070e(b)(2)(B)) is amended—

5 (1) by striking “A grant” and inserting the fol-
6 lowing:

7 “(i) **IN GENERAL.**—Except as pro-
8 vided in clause (ii), a grant”; and

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

10 “(ii) **INCREASE TRIGGER.**—For any
11 fiscal year for which the amount appro-
12 priated under the authority of subsection
13 (g) is equal to or greater than
14 \$20,000,000, a grant under this section
15 shall be awarded in an amount that is not
16 less than \$30,000.”.

17 (b) **DEFINITION OF LOW-INCOME STUDENT.**—Para-
18 graph (7) of section 419N(b) (20 U.S.C. 1070e(b)) is
19 amended to read as follows:

20 “(7) **DEFINITION OF LOW-INCOME STUDENT.**—

21 For the purpose of this section, the term ‘low-income
22 student’ means a student who—

23 “(A) is eligible to receive a Federal Pell
24 Grant for the fiscal year for which the deter-
25 mination is made; or

1 “(B) would otherwise be eligible to receive
2 a Federal Pell Grant for the fiscal year for
3 which the determination is made, except that
4 the student fails to meet the requirements of—

5 “(i) section 401(c)(1) because the stu-
6 dent is enrolled in a graduate or first pro-
7 fessional course of study; or

8 “(ii) section 484(a)(5) because the
9 student is in the United States for a tem-
10 porary purpose.”.

11 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
12 419N(g) (20 U.S.C. 1070e(g)) is amended by striking
13 “\$45,000,000 for fiscal year 1999” and all that follows
14 through the period and inserting “such sums as may be
15 necessary for fiscal year 2008 and each of the 5 suc-
16 ceeding fiscal years.”.

17 **SEC. 411. LEARNING ANYTIME ANYWHERE PARTNERSHIPS.**

18 Subpart 8 of part A of title IV (20 U.S.C. 1070f et
19 seq.) is repealed.

20 **PART B—FEDERAL FAMILY EDUCATION LOAN**
21 **PROGRAM**

22 **SEC. 421. FEDERAL PAYMENTS TO REDUCE STUDENT IN-**
23 **TEREST COSTS.**

24 Section 428 (as amended by this Act) (20 U.S.C.
25 1078) is further amended—

1 (1) in subsection (b)—

2 (A) in paragraph (1)—

3 (i) in subparagraph (X), by striking
4 “and” after the semicolon;

5 (ii) in subparagraph (Y)—

6 (I) by striking clause (i) and in-
7 serting the following:

8 “(i) the lender shall determine the eli-
9 gibility of a borrower for a deferment de-
10 scribed in subparagraph (M)(i) based on—

11 “(I) receipt of a request for
12 deferment from the borrower and doc-
13 umentation of the borrower’s eligi-
14 bility for the deferment;

15 “(II) receipt of a newly com-
16 pleted loan application that docu-
17 ments the borrower’s eligibility for a
18 deferment;

19 “(III) receipt of student status
20 information received by the lender
21 that the borrower is enrolled on at
22 least a half-time basis; or

23 “(IV) the lender’s confirmation
24 of the borrower’s half-time enrollment
25 status through use of the National

1 Student Loan Data System, if the
2 confirmation is requested by the insti-
3 tution of higher education.”; and

4 (II) in clause (ii), by striking the
5 period at the end and inserting “;
6 and”; and

7 (iii) by adding at the end the fol-
8 lowing:

9 “(Z) provides that the lender shall, at the
10 time the lender grants a deferment to a bor-
11 rower who received a loan under section 428H
12 and is eligible for a deferment under section
13 428(b)(1)(M), provide information to the bor-
14 rower to enable the borrower to understand the
15 impact of capitalization of interest on the bor-
16 rower’s loan principal and total amount of in-
17 terest to be paid during the life of the loan.”;

18 (B) in paragraph (2)(F)—

19 (i) in clause (i)—

20 (I) in subclause (III), by striking
21 “and” after the semicolon;

22 (II) in subclause (IV), by striking
23 “and” after the semicolon; and

24 (III) by adding at the end the
25 following:

1 “(V) the effective date of the
2 transfer;

3 “(VI) the date the current
4 servicer will stop accepting payments;
5 and

6 “(VII) the date at which the new
7 servicer will begin accepting pay-
8 ments.”; and

9 (C) by striking paragraph (3) and insert-
10 ing the following:

11 “(3) RESTRICTIONS ON INDUCEMENTS, PAY-
12 MENTS, MAILINGS, AND ADVERTISING.—A guaranty
13 agency shall not—

14 “(A) offer, directly or indirectly, premiums,
15 payments, stock or other securities, prizes, trav-
16 el, entertainment expenses, tuition repayment,
17 or other inducements to—

18 “(i) any institution of higher edu-
19 cation or the employees of an institution of
20 higher education in order to secure appli-
21 cants for loans made under this part; or

22 “(ii) any lender, or any agent, em-
23 ployee, or independent contractor of any
24 lender or guaranty agency, in order to ad-
25 minister or market loans made under this

1 part (other than a loan made under section
2 428H or a loan made as part of the guar-
3 anty agency’s lender-of-last-resort program
4 pursuant to section 439(q)) for the pur-
5 pose of securing the designation of the
6 guaranty agency as the insurer of such
7 loans;

8 “(B) conduct unsolicited mailings, by post-
9 al or electronic means, of educational loan ap-
10 plication forms to students enrolled in sec-
11 ondary school or postsecondary educational in-
12 stitutions, or to the parents of such students,
13 except that applications may be mailed, by post-
14 al or electronic means, to students or borrowers
15 who have previously received loans guaranteed
16 under this part by the guaranty agency;

17 “(C) perform, for an institution of higher
18 education participating in a program under this
19 title, any function that the institution is re-
20 quired to perform under part B, D, or G;

21 “(D) pay, on behalf of the institution of
22 higher education, another person to perform
23 any function that the institution of higher edu-
24 cation is required to perform under part B, D,
25 or G; or

1 “(E) conduct fraudulent or misleading ad-
2 vertising concerning loan availability, terms, or
3 conditions.

4 It shall not be a violation of this paragraph for a
5 guaranty agency to provide technical assistance to
6 institutions of higher education comparable to the
7 technical assistance provided to institutions of high-
8 er education by the Department.”; and

9 (2) in subsection (c)—

10 (A) in paragraph (2)(H)(i), by striking
11 “preclaims” and inserting “default aversion”;
12 and

13 (B) in paragraph (3)(C)—

14 (i) in clause (i), by striking “and”
15 after the semicolon;

16 (ii) in clause (ii), by striking “and”
17 after the semicolon; and

18 (iii) by inserting after clause (ii) the
19 following:

20 “(iii) the lender shall, at the time of
21 granting a borrower forbearance, provide
22 information to the borrower to enable the
23 borrower to understand the impact of cap-
24 italization of interest on the borrower’s

1 loan principal and total amount of interest
2 to be paid during the life of the loan; and

3 “(iv) the lender shall contact the bor-
4 rower not less often than once every 180
5 days during the period of forbearance to
6 inform the borrower of—

7 “(I) the amount of unpaid prin-
8 cipal and the amount of interest that
9 has accrued since the last statement
10 of such amounts provided to the bor-
11 rower by the lender;

12 “(II) the fact that interest will
13 accrue on the loan for the period of
14 forbearance;

15 “(III) the amount of interest that
16 will be capitalized, and the date on
17 which capitalization will occur;

18 “(IV) the ability of the borrower
19 to pay the interest that has accrued
20 before the interest is capitalized; and

21 “(V) the borrower’s option to dis-
22 continue the forbearance at any time;
23 and”.

1 **SEC. 422. FEDERAL CONSOLIDATION LOANS.**

2 (a) AMENDMENTS.—Section 428C(b)(1) (20 U.S.C.
3 1078–3(b)(1)) is amended—

4 (1) in subparagraph (E), by striking “and”
5 after the semicolon;

6 (2) by redesignating subparagraph (F) as sub-
7 paragraph (H); and

8 (3) by inserting after subparagraph (E) the fol-
9 lowing:

10 “(F) that the lender will disclose, in a
11 clear and conspicuous manner, to borrowers
12 who consolidate loans made under part E of
13 this title—

14 “(i) that once the borrower adds the
15 borrower’s Federal Perkins Loan to a Fed-
16 eral Consolidation Loan, the borrower will
17 lose all interest-free periods that would
18 have been available, such as those periods
19 when no interest accrues on the Federal
20 Perkins Loan while the borrower is en-
21 rolled in school at least half-time, during
22 the grace period, and during periods when
23 the borrower’s student loan repayments
24 are deferred;

25 “(ii) that the borrower will no longer
26 be eligible for loan forgiveness of Federal

1 Perkins Loans under any provision of sec-
2 tion 465; and

3 “(iii) the occupations described in sec-
4 tion 465(a)(2), individually and in detail,
5 for which the borrower will lose eligibility
6 for Federal Perkins Loan forgiveness; and

7 “(G) that the lender shall, upon applica-
8 tion for a consolidation loan, provide the bor-
9 rower with information about the possible im-
10 pact of loan consolidation, including—

11 “(i) the total interest to be paid and
12 fees to be paid on the consolidation loan,
13 and the length of repayment for the loan;

14 “(ii) whether consolidation would re-
15 sult in a loss of loan benefits under this
16 part or part D, including loan forgiveness,
17 cancellation, and deferment;

18 “(iii) in the case of a borrower that
19 plans to include a Federal Perkins Loan
20 under part E in the consolidation loan,
21 that once the borrower adds the borrower’s
22 Federal Perkins Loan to a consolidation
23 loan—

24 “(I) the borrower will lose all in-
25 terest-free periods that would have

1 been available for such loan under
2 part E, such as the periods during
3 which no interest accrues on the Fed-
4 eral Perkins Loan while the borrower
5 is enrolled in school at least half-time,
6 the grace period, and the periods dur-
7 ing which the borrower’s student loan
8 repayments are deferred under section
9 464(c)(2); and

10 “(II) the borrower will no longer
11 be eligible for cancellation of part or
12 all of a Federal Perkins loan under
13 section 465(a);

14 “(iv) the ability of the borrower to
15 prepay the consolidation loan, pay such
16 loan on a shorter schedule, and to change
17 repayment plans;

18 “(v) that borrower benefit programs
19 for a consolidation loan may vary among
20 different lenders;

21 “(vi) the consequences of default on
22 the consolidation loan; and

23 “(vii) that by applying for a consolida-
24 tion loan, the borrower is not obligated to
25 agree to take the consolidation loan; and”.

1 (b) CONFORMING AMENDMENT.—Section 455(g) (20
2 U.S.C. 1087e(g)) is amended by striking “428C(b)(1)(F)”
3 and inserting “428C(b)(1)(H)”.

4 **SEC. 423. DEFAULT REDUCTION PROGRAM.**

5 Section 428F (20 U.S.C. 1078–6) is amended by
6 adding at the end the following:

7 “(c) FINANCIAL AND ECONOMIC LITERACY.—Where
8 appropriate as determined by the institution of higher edu-
9 cation in which a borrower is enrolled, each program de-
10 scribed in subsection (b) shall include making available fi-
11 nancial and economic education materials for the bor-
12 rower, including making the materials available before,
13 during, or after rehabilitation of a loan.”.

14 **SEC. 424. REPORTS TO CONSUMER REPORTING AGENCIES**
15 **AND INSTITUTIONS OF HIGHER EDUCATION.**

16 Section 430A (20 U.S.C. 1080a) is amended—

17 (1) in the section heading, by striking “**CRED-**
18 **IT BUREAUS**” and inserting “**CONSUMER RE-**
19 **PORTING AGENCIES**”; and

20 (2) in subsection (a)—

21 (A) in the first sentence, by striking “with
22 credit bureau organizations” and inserting
23 “with each consumer reporting agency that
24 compiles and maintains files on consumers on a
25 nationwide basis (as defined in section 603(p))”.

1 of the Fair Credit Reporting Act (15 U.S.C.
2 1681a(p))”;

3 (B) by redesignating paragraphs (1), (2),
4 and (3) as paragraphs (2), (4), and (5), respec-
5 tively;

6 (C) by inserting before paragraph (2) (as
7 redesignated by subparagraph (B)), the fol-
8 lowing:

9 “(1) the type of loan made, insured, or guaran-
10 teed under this title;”;

11 (D) by inserting after paragraph (2) (as
12 redesignated by subparagraph (B)), the fol-
13 lowing:

14 “(3) information concerning the repayment sta-
15 tus of the loan, which information shall be included
16 in the file of the borrower, except that nothing in
17 this subsection shall be construed to affect any oth-
18 erwise applicable provision of the Fair Credit Re-
19 porting Act (15 U.S.C. 1681 et seq.)”;

20 (E) in paragraph (4) (as redesignated by
21 subparagraph (B)), by striking “and” after the
22 semicolon;

23 (F) in paragraph (5) (as redesignated by
24 subparagraph (B)), by striking the period and
25 inserting “; and”; and

1 (G) by adding at the end the following:

2 “(6) any other information required to be re-
3 ported by Federal law.”.

4 **SEC. 425. COMMON FORMS AND FORMATS.**

5 Section 432(m)(1)(D)(i) (20 U.S.C.
6 1082(m)(1)(D)(i)) is amended by adding at the end the
7 following: “Unless otherwise notified by the Secretary,
8 each institution of higher education that participates in
9 the program under this part or part D may use a master
10 promissory note for loans under this part and part D.”.

11 **SEC. 426. STUDENT LOAN INFORMATION BY ELIGIBLE**
12 **LENDERS.**

13 Section 433 (20 U.S.C. 1083) is amended by adding
14 at the end the following:

15 “(f) BORROWER INFORMATION AND PRIVACY.—Each
16 entity participating in a program under this part that is
17 subject to subtitle A of title V of the Gramm-Leach-Bliley
18 Act (15 U.S.C. 6801 et seq.) shall only use, release, dis-
19 close, sell, transfer, or give student information, including
20 the name, address, social security number, or amount bor-
21 rowed by a borrower or a borrower’s parent, in accordance
22 with the provisions of such subtitle.

23 “(g) LOAN BENEFIT DISCLOSURES.—

24 “(1) IN GENERAL.—Each eligible lender, hold-
25 er, or servicer of a loan made, insured, or guaran-

1 teed under this part shall provide the borrower with
2 information on the loan benefit repayment options
3 the lender, holder, or servicer offer, including infor-
4 mation on reductions in interest rates—

5 “(A) by repaying the loan by automatic
6 payroll or checking account deduction;

7 “(B) by completing a program of on-time
8 repayment; and

9 “(C) under any other interest rate reduc-
10 tion program.

11 “(2) INFORMATION.—Such borrower informa-
12 tion shall include—

13 “(A) any limitations on such options;

14 “(B) explicit information on the reasons a
15 borrower may lose eligibility for such an option;

16 “(C) examples of the impact the interest
17 rate reductions will have on a borrower’s time
18 for repayment and amount of repayment;

19 “(D) upon the request of the borrower, the
20 effect the reductions in interest rates will have
21 with respect to the borrower’s payoff amount
22 and time for repayment; and

23 “(E) information on borrower recertifi-
24 cation requirements.”.

1 **SEC. 427. CONSUMER EDUCATION INFORMATION.**

2 Part B (20 U.S.C. 1071 et seq.) is amended by in-
3 serting after section 433 (20 U.S.C. 1083) the following:

4 **“SEC. 433A. CONSUMER EDUCATION INFORMATION.**

5 “Each guaranty agency participating in a program
6 under this part working with the institutions of higher
7 education served by such guaranty agency (or in the case
8 of an institution of higher education that provides loans
9 exclusively through part D, the institution working with
10 a guaranty agency or with the Secretary) shall develop and
11 make available a quality educational program and mate-
12 rials to provide training for students in budgeting and fi-
13 nancial management, including debt management and
14 other aspects of financial literacy, such as the cost of using
15 very high interest loans to pay for postsecondary edu-
16 cation, particularly as budgeting and financial manage-
17 ment relates to student loan programs authorized by this
18 title. Nothing in this section shall be construed to prohibit
19 a guaranty agency from using an existing program or ex-
20 isting materials to meet the requirement of this section.
21 The activities described in this section shall be considered
22 default reduction activities for the purposes of section
23 422.”.

24 **SEC. 428. DEFINITION OF ELIGIBLE LENDER.**

25 Section 435(d) (20 U.S.C. 1085(d)) is amended—

26 (1) in paragraph (5)—

1 (A) by redesignating subparagraphs (C)
2 and (D) as subparagraphs (H) and (I), respec-
3 tively; and

4 (B) by striking subparagraphs (A) and (B)
5 and inserting the following:

6 “(A) offered, directly or indirectly, points,
7 premiums, payments (including payments for
8 referrals and for processing or finder fees),
9 prizes, stock or other securities, travel, enter-
10 tainment expenses, tuition repayment, the pro-
11 vision of information technology equipment at
12 below-market value, additional financial aid
13 funds, or other inducements to any institution
14 of higher education or any employee of an insti-
15 tution of higher education in order to secure
16 applicants for loans under this part;

17 “(B) conducted unsolicited mailings, by
18 postal or electronic means, of student loan ap-
19 plication forms to students enrolled in sec-
20 ondary school or postsecondary institutions, or
21 to parents of such students, except that applica-
22 tions may be mailed, by postal or electronic
23 means, to students or borrowers who have pre-
24 viously received loans under this part from such
25 lender;

1 “(C) entered into any type of consulting
2 arrangement, or other contract to provide serv-
3 ices to a lender, with an employee who is em-
4 ployed in the financial aid office of an institu-
5 tion of higher education, or who otherwise has
6 responsibilities with respect to student loans or
7 other financial aid of the institution;

8 “(D) compensated an employee who is em-
9 ployed in the financial aid office of an institu-
10 tion of higher education, or who otherwise has
11 responsibilities with respect to educational loans
12 or other financial aid of the institution, and
13 who is serving on an advisory board, commis-
14 sion, or group established by a lender or group
15 of lenders for providing such service, except
16 that the eligible lender may reimburse such em-
17 ployee for reasonable expenses incurred in pro-
18 viding such service;

19 “(E) performed for an institution of higher
20 education any function that the institution of
21 higher education is required to carry out under
22 part B, D, or G;

23 “(F) paid, on behalf of an institution of
24 higher education, another person to perform
25 any function that the institution of higher edu-

1 cation is required to perform under part B, D,
2 or G;

3 “(G) provided payments or other benefits
4 to a student at an institution of higher edu-
5 cation to act as the lender’s representative to
6 secure applications under this title from indi-
7 vidual prospective borrowers, unless such stu-
8 dent—

9 “(i) is also employed by the lender for
10 other purposes; and

11 “(ii) made all appropriate disclosures
12 regarding such employment;” and

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

14 “(8) SUNSET OF AUTHORITY FOR SCHOOL AS
15 LENDER PROGRAM.—

16 “(A) SUNSET.—The authority provided
17 under subsection (d)(1)(E) for an institution to
18 serve as an eligible lender, and under paragraph
19 (7) for an eligible lender to serve as a trustee
20 for an institution of higher education or an or-
21 ganization affiliated with an institution of high-
22 er education, shall expire on June 30, 2011.

23 “(B) APPLICATION TO EXISTING INSTITU-
24 TIONAL LENDERS.—An institution that was an
25 eligible lender under this subsection, or an eligi-

1 ble lender that served as a trustee for an insti-
2 tution of higher education or an organization
3 affiliated with an institution of higher education
4 under paragraph (7), before June 30, 2011,
5 shall—

6 “(i) not issue any new loans in such
7 a capacity under part B after June 30,
8 2011; and

9 “(ii) shall continue to carry out the
10 institution’s responsibilities for any loans
11 issued by the institution under part B on
12 or before June 30, 2011, except that, be-
13 ginning on June 30, 2010, the eligible in-
14 stitution or trustee may, notwithstanding
15 any other provision of this Act, sell or oth-
16 erwise dispose of such loans if all profits
17 from the divestiture are used for need-
18 based grant programs at the institution.

19 “(C) AUDIT REQUIREMENT.—All institu-
20 tions serving as an eligible lender under sub-
21 section (d)(1)(E) and all eligible lenders serving
22 as a trustee for an institution of higher edu-
23 cation or an organization affiliated with an in-
24 stitution of higher education shall annually

1 complete and submit to the Secretary a compli-
2 ance audit to determine whether—

3 “(i) the institution or lender is using
4 all proceeds from special allowance pay-
5 ments and interest payments from bor-
6 rowers, interest subsidies received from the
7 Department, and any proceeds from the
8 sale or other disposition of loans, for need-
9 based aid programs, in accordance with
10 section 435(d)(2)(A)(viii);

11 “(ii) the institution or lender is using
12 no more than a reasonable portion of the
13 proceeds described in section
14 435(d)(2)(A)(viii) for direct administrative
15 expenses; and

16 “(iii) the institution or lender is en-
17 suring that the proceeds described in sec-
18 tion 435(d)(2)(A)(viii) are being used to
19 supplement, and not to supplant, non-Fed-
20 eral funds that would otherwise be used for
21 need-based grant programs.”.

22 **SEC. 429. DISCHARGE AND CANCELLATION RIGHTS IN**
23 **CASES OF DISABILITY.**

24 (a) FFEL AND DIRECT LOANS.—Section 437(a) (20
25 U.S.C. 1087) is amended—

1 (1) by inserting “, or if a student borrower who
2 has received such a loan is unable to engage in any
3 substantial gainful activity by reason of any medi-
4 cally determinable physical or mental impairment
5 that can be expected to result in death, has lasted
6 for a continuous period of not less than 60 months,
7 or can be expected to last for a continuous period of
8 not less than 60 months” after “of the Secretary,”;
9 and

10 (2) by adding at the end the following: “The
11 Secretary may develop such safeguards as the Sec-
12 retary determines necessary to prevent fraud and
13 abuse in the discharge of liability under this sub-
14 section. Notwithstanding any other provision of this
15 subsection, the Secretary may promulgate regula-
16 tions to resume collection on loans discharged under
17 this subsection in any case in which—

18 “(1) a borrower received a discharge of liability
19 under this subsection and after the discharge the
20 borrower—

21 “(A) receives a loan made, insured or
22 guaranteed under this title; or

23 “(B) has earned income in excess of the
24 poverty line; or

25 “(2) the Secretary determines necessary.”.

1 (b) PERKINS.—Section 464(c) (20 U.S.C. 1087dd(e))
2 is amended—

3 (1) in paragraph (1)(F)—

4 (A) by striking “or if he” and inserting “if
5 the borrower”; and

6 (B) by inserting “, or if the borrower is
7 unable to engage in any substantial gainful ac-
8 tivity by reason of any medically determinable
9 physical or mental impairment that can be ex-
10 pected to result in death, has lasted for a con-
11 tinuous period of not less than 60 months, or
12 can be expected to last for a continuous period
13 of not less than 60 months” after “the Sec-
14 retary”; and

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

16 “(8) The Secretary may develop such additional
17 safeguards as the Secretary determines necessary to
18 prevent fraud and abuse in the cancellation of liabil-
19 ity under paragraph (1)(F). Notwithstanding para-
20 graph (1)(F), the Secretary may promulgate regula-
21 tions to resume collection on loans cancelled under
22 paragraph (1)(F) in any case in which—

23 “(A) a borrower received a cancellation of
24 liability under paragraph (1)(F) and after the
25 cancellation the borrower—

1 “(i) receives a loan made, insured or
2 guaranteed under this title; or

3 “(ii) has earned income in excess of
4 the poverty line; or

5 “(B) the Secretary determines necessary.”.

6 **SEC. 430. SPECIAL ALLOWANCES.**

7 (a) AMENDMENT.—Paragraph (2) of section 438(d)
8 (20 U.S.C. 1087–1(d)) is amended to read as follows:

9 “(2) AMOUNT OF LOAN FEES.—

10 “(A) IN GENERAL.—Except as provided in
11 subparagraph (B), with respect to any loan
12 made under this part for which the first dis-
13 bursement was made on or after October 1,
14 1993, the amount of the loan fee that shall be
15 deducted under paragraph (1) shall be equal to
16 0.50 percent of the principal amount of the
17 loan.

18 “(B) CONSOLIDATION LOANS.—With re-
19 spect to any loan made under section 428C on
20 or after July 1, 2007, the amount of the loan
21 fee that shall be deducted under paragraph (1)
22 shall be equal to 1.0 percent of the principal
23 amount of the loan.”.

24 (b) EFFECTIVE DATE.—The amendment made by
25 subsection (a) shall apply with respect to any loan made,

1 insured, or guaranteed under part B of title IV of the
2 Higher Education Act of 1965 (20 U.S.C. 1071 et seq.)
3 for which the first disbursement is made on or after July
4 1, 2007.

5 **PART C—FEDERAL WORK-STUDY PROGRAMS**

6 **SEC. 441. AUTHORIZATION OF APPROPRIATIONS.**

7 Section 441(b) (42 U.S.C. 2751(b)) is amended by
8 striking “\$1,000,000 for fiscal year 1999” and all that
9 follows through the period and inserting “such sums as
10 may be necessary for fiscal year 2008 and each of the 5
11 succeeding fiscal years.”.

12 **SEC. 442. ALLOWANCE FOR BOOKS AND SUPPLIES.**

13 Section 442(e)(4)(D) (42 U.S.C. 2752(e)(4)(D)) is
14 amended by striking “\$450” and inserting “\$600”.

15 **SEC. 443. GRANTS FOR FEDERAL WORK-STUDY PROGRAMS.**

16 Section 443(b)(2) (42 U.S.C. 2753(b)(2)) is amend-
17 ed—

18 (1) by striking subparagraph (A);

19 (2) by redesignating subparagraphs (B) and
20 (C) as subparagraphs (A) and (B), respectively; and

21 (3) in subparagraph (A) (as redesignated by
22 paragraph (2)), by striking “this subparagraph if”
23 and all that follows through “institution;” and in-
24 serting “this subparagraph if—

1 “(i) the Secretary determines that en-
2 forcing this subparagraph would cause
3 hardship for students at the institution; or

4 “(ii) the institution certifies to the
5 Secretary that 15 percent or more of its
6 total full-time enrollment participates in
7 community service activities described in
8 section 441(c) or tutoring and literacy ac-
9 tivities described in subsection (d) of this
10 section;”.

11 **SEC. 444. JOB LOCATION AND DEVELOPMENT PROGRAMS.**

12 Section 446(a)(1) (42 U.S.C. 2756(a)(1)) is amended
13 by striking “\$50,000” and inserting “\$75,000”.

14 **SEC. 445. WORK COLLEGES.**

15 Section 448 (42 U.S.C. 2756b) is amended—

16 (1) in subsection (a), by striking “work-learn-
17 ing” and inserting “work-learning-service”;

18 (2) in subsection (b)—

19 (A) in paragraph (1), by striking “under
20 subsection (f)” and inserting “for this section
21 under section 441(b)”; and

22 (B) in paragraph (2)—

23 (i) in the matter preceding subpara-
24 graph (A), by striking “pursuant to sub-

1 section (f)” and inserting “for this section
2 under section 441(b)”;

3 (ii) in subparagraph (A), by striking
4 “work-learning program” and inserting
5 “comprehensive work-learning-service pro-
6 gram”;

7 (iii) by redesignating subparagraphs
8 (C) through (F) as subparagraphs (D)
9 through (G), respectively;

10 (iv) by inserting after subparagraph
11 (B) the following:

12 “(C) support existing and new model stu-
13 dent volunteer community service projects asso-
14 ciated with local institutions of higher edu-
15 cation, such as operating drop-in resource cen-
16 ters that are staffed by students and that link
17 people in need with the resources and opportu-
18 nities necessary to become self-sufficient; and”;

19 (v) in subparagraph (E) (as redesign-
20 ated by clause (iii)), by striking “work-
21 learning” each place the term occurs and
22 inserting “work-learning-service”; and

23 (vi) in subparagraph (F) (as redesign-
24 ated by clause (iii)), by striking “work

1 service learning” and inserting “work-
2 learning-service”;

3 (3) in subsection (c), by striking “by subsection
4 (f) to use funds under subsection (b)(1)” and insert-
5 ing “for this section under section 441(b) or to use
6 funds under subsection (b)(1),”;

7 (4) in subsection (e)—

8 (A) in paragraph (1)—

9 (i) in subparagraph (A), by inserting
10 “4-year, degree-granting” after “non-
11 profit”;

12 (ii) in subparagraph (B), by striking
13 “work-learning” and inserting “work-learn-
14 ing-service”;

15 (iii) by striking subparagraph (C) and
16 inserting the following:

17 “(C) requires all resident students, includ-
18 ing at least $\frac{1}{2}$ of all resident students who are
19 enrolled on a full-time basis, to participate in a
20 comprehensive work-learning-service program
21 for not less than 5 hours each week, or not less
22 than 80 hours during each period of enrollment
23 except summer school, unless the student is en-
24 gaged in a study abroad or externship program

1 that is organized or approved by the institution;
2 and”; and

3 (iv) in subparagraph (D), by striking
4 “work-learning” and inserting “work-learn-
5 ing-service”; and

6 (B) by striking paragraph (2) and insert-
7 ing the following:

8 “(2) the term ‘comprehensive work-learning-
9 service program’ means a student work-learning-
10 service program that—

11 “(A) is an integral and stated part of the
12 institution’s educational philosophy and pro-
13 gram;

14 “(B) requires participation of all resident
15 students for enrollment and graduation;

16 “(C) includes learning objectives, evalua-
17 tion, and a record of work performance as part
18 of the student’s college record;

19 “(D) provides programmatic leadership by
20 college personnel at levels comparable to tradi-
21 tional academic programs;

22 “(E) recognizes the educational role of
23 work-learning-service supervisors; and

24 “(F) includes consequences for non-
25 performance or failure in the work-learning-

1 service program similar to the consequences for
2 failure in the regular academic program.”; and
3 (5) by striking subsection (f).

4 **PART D—FEDERAL PERKINS LOANS**

5 **SEC. 451. CANCELLATION OF LOANS FOR CERTAIN PUBLIC**
6 **SERVICE.**

7 Section 465(a) (20 U.S.C. 1087ee(a)) is amended—

8 (1) in paragraph (2)—

9 (A) in subparagraph (B), by striking
10 “Head Start Act which” and inserting “Head
11 Start Act, or in a prekindergarten or child care
12 program that is licensed or regulated by the
13 State, that”;

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

16 (C) in subparagraph (I), by striking the
17 period and inserting a semicolon; and

18 (D) by inserting before the matter fol-
19 lowing subparagraph (I) (as amended by sub-
20 paragraph (C)) the following:

21 “(J) as a full-time faculty member at a Tribal
22 College or University, as that term is defined in sec-
23 tion 316;

24 “(K) as a librarian, if the librarian has a mas-
25 ter’s degree in library science and is employed in—

1 “(i) an elementary school or secondary
2 school that is eligible for assistance under title
3 I of the Elementary and Secondary Education
4 Act of 1965; or

5 “(ii) a public library that serves a geo-
6 graphic area that contains 1 or more schools el-
7 igible for assistance under title I of the Elemen-
8 tary and Secondary Education Act of 1965; or

9 “(L) as a full-time speech language therapist, if
10 the therapist has a master’s degree and is working
11 exclusively with schools that are eligible for assist-
12 ance under title I of the Elementary and Secondary
13 Education Act of 1965.”; and

14 (2) in paragraph (3)(A)—

15 (A) in clause (i)—

16 (i) by inserting “(D),” after “(C),”;

17 and

18 (ii) by striking “or (I)” and inserting

19 “(I), (J), (K), or (L)”;

20 (B) in clause (ii), by inserting “or” after
21 the semicolon;

22 (C) by striking clause (iii); and

23 (D) by redesignating clause (iv) as clause
24 (iii).

1 **PART E—NEED ANALYSIS**

2 **SEC. 461. COST OF ATTENDANCE.**

3 Section 472(3) (20 U.S.C. 1087kk(3)) is amended—

4 (1) in subparagraph (B), by striking “and”
5 after the semicolon;

6 (2) by redesignating subparagraph (C) as sub-
7 paragraph (D); and

8 (3) by inserting after subparagraph (B), as
9 amended by paragraph (1), the following:

10 “(C) for students who live in housing lo-
11 cated on a military base or for which a basic al-
12 lowance is provided under section 403(b) of title
13 37, United States Code, shall be an allowance
14 based on the expenses reasonably incurred by
15 such students for board but not for room; and”.

16 **SEC. 462. DEFINITIONS.**

17 Section 480(b)(6) (20 U.S.C. 1087vv(b)(6)) is
18 amended by inserting “, except that the value of on-base
19 military housing or the value of basic allowance for hous-
20 ing determined under section 403(b) of title 37, United
21 States Code, received by the parents, in the case of a de-
22 pendent student, or the student or student’s spouse, in
23 the case of an independent student, shall be excluded” be-
24 fore the semicolon.

1 **PART F—GENERAL PROVISIONS RELATING TO**
2 **STUDENT ASSISTANCE**

3 **SEC. 471. DEFINITIONS.**

4 Section 481(a)(2)(B) (20 U.S.C. 1088(a)(2)(B)) is
5 amended by inserting “and that measures program length
6 in credit hours or clock hours” after “baccalaureate de-
7 gree”.

8 **SEC. 472. COMPLIANCE CALENDAR.**

9 Section 482 (20 U.S.C. 1089) is amended by adding
10 at the end the following:

11 “(e) COMPLIANCE CALENDAR.—Prior to the begin-
12 ning of each award year, the Secretary shall provide to
13 institutions of higher education a list of all the reports
14 and disclosures required under this Act. The list shall in-
15 clude—

16 “(1) the date each report or disclosure is re-
17 quired to be completed and to be submitted, made
18 available, or disseminated;

19 “(2) the required recipients of each report or
20 disclosure;

21 “(3) any required method for transmittal or
22 dissemination of each report or disclosure;

23 “(4) a description of the content of each report
24 or disclosure sufficient to allow the institution to
25 identify the appropriate individuals to be assigned
26 the responsibility for such report or disclosure;

1 “(5) references to the statutory authority, ap-
2 plicable regulations, and current guidance issued by
3 the Secretary regarding each report or disclosure;
4 and

5 “(6) any other information which is pertinent to
6 the content or distribution of the report or disclo-
7 sure.”.

8 **SEC. 473. FORMS AND REGULATIONS.**

9 Section 483 (20 U.S.C. 1090) is amended—

10 (1) by striking subsections (a) and (b) and in-
11 serting the following:

12 “(a) COMMON FINANCIAL AID FORM DEVELOPMENT
13 AND PROCESSING.—

14 “(1) IN GENERAL.—

15 “(A) COMMON FORMS.—The Secretary, in
16 cooperation with representatives of agencies and
17 organizations involved in student financial as-
18 sistance, shall produce, distribute, and process
19 free of charge common financial reporting
20 forms as described in this subsection to be used
21 to determine the need and eligibility of a stu-
22 dent for financial assistance under parts A
23 through E of this title (other than under sub-
24 part 4 of part A). The forms shall be made

1 available to applicants in both paper and elec-
2 tronic formats.

3 “(B) FAFSA.—The common financial re-
4 porting forms described in this subsection (ex-
5 cluding the form described in paragraph
6 (2)(B)), shall be referred to collectively as the
7 ‘Free Application for Federal Student Aid’, or
8 ‘FAFSA’.

9 “(2) PAPER FORMAT.—

10 “(A) IN GENERAL.—The Secretary shall
11 encourage applicants to file the electronic
12 versions of the forms described in paragraph
13 (3), but shall develop, make available, and proc-
14 ess—

15 “(i) a paper version of EZ FAFSA, as
16 described in subparagraph (B); and

17 “(ii) a paper version of the other
18 forms described in this subsection, in ac-
19 cordance with subparagraph (C), for any
20 applicant who does not meet the require-
21 ments of or does not wish to use the proc-
22 ess described in subparagraph (B).

23 “(B) EZ FAFSA.—

24 “(i) IN GENERAL.—The Secretary
25 shall develop and use, after appropriate

1 field testing, a simplified paper application
2 form for applicants meeting the require-
3 ments of section 479(c), which form shall
4 be referred to as the ‘EZ FAFSA’.

5 “(ii) REQUIRED FEDERAL DATA ELE-
6 MENTS.—The Secretary shall include on
7 the EZ FAFSA only the data elements re-
8 quired to determine student eligibility and
9 whether the applicant meets the require-
10 ments of section 479(c).

11 “(iii) REQUIRED STATE DATA ELE-
12 MENTS.—The Secretary shall include on
13 the EZ FAFSA such data items as may be
14 necessary to award State financial assist-
15 ance, as provided under paragraph (5), ex-
16 cept the Secretary shall not include a
17 State’s data if that State does not permit
18 its applicants for State assistance to use
19 the EZ FAFSA.

20 “(iv) FREE AVAILABILITY AND DATA
21 DISTRIBUTION.—The provisions of para-
22 graphs (6) and (10) shall apply to the EZ
23 FAFSA.

24 “(C) PHASE-OUT OF FULL PAPER
25 FAFSA.—

1 “(i) PHASE-OUT OF PRINTING OF
2 FULL PAPER FAFSA.—At such time as the
3 Secretary determines that it is not cost-ef-
4 fective to print the full paper version of
5 FAFSA, the Secretary shall—

6 “(I) phase out the printing of the
7 full paper version of FAFSA;

8 “(II) maintain on the Internet
9 easily accessible, downloadable for-
10 mats of the full paper version of
11 FAFSA; and

12 “(III) provide a printed copy of
13 the full paper version of FAFSA upon
14 request.

15 “(ii) USE OF SAVINGS.—The Sec-
16 retary shall utilize any savings realized by
17 phasing out the printing of the full paper
18 version of FAFSA and moving applicants
19 to the electronic versions of FAFSA, to im-
20 prove access to the electronic versions for
21 applicants meeting the requirements of
22 section 479(c).

23 “(3) ELECTRONIC VERSIONS.—

24 “(A) IN GENERAL.—The Secretary shall
25 produce, make available through a broadly

1 available website, and process electronic
2 versions of the FAFSA and the EZ FAFSA.

3 “(B) MINIMUM QUESTIONS.—The Sec-
4 retary shall use all available technology to en-
5 sure that a student using an electronic version
6 of the FAFSA under this paragraph answers
7 only the minimum number of questions nec-
8 essary.

9 “(C) REDUCED REQUIREMENTS.—The
10 Secretary shall enable applicants who meet the
11 requirements of subsection (b) or (c) of section
12 479 to provide information on the electronic
13 version of the FAFSA only for the data ele-
14 ments required to determine student eligibility
15 and whether the applicant meets the require-
16 ments of subsection (b) or (c) of section 479.

17 “(D) STATE DATA.—The Secretary shall
18 include on the electronic version of the FAFSA
19 the questions needed to determine whether the
20 applicant is eligible for State financial assist-
21 ance, as provided under paragraph (5), except
22 that the Secretary shall not—

23 “(i) require applicants to complete
24 data required by any State other than the
25 applicant’s State of residence; and

1 “(ii) include a State’s data if such
2 State does not permit its applicants for
3 State assistance to use the electronic
4 version of the FAFSA described in this
5 paragraph.

6 “(E) FREE AVAILABILITY AND DATA DIS-
7 TRIBUTION.—The provisions of paragraphs (6)
8 and (10) shall apply to the electronic version of
9 the FAFSA.

10 “(F) USE OF FORMS.—Nothing in this
11 subsection shall be construed to prohibit the use
12 of the electronic versions of the forms developed
13 by the Secretary pursuant to this paragraph by
14 an eligible institution, eligible lender, a guar-
15 anty agency, a State grant agency, a private
16 computer software provider, a consortium of
17 such entities, or such other entity as the Sec-
18 retary may designate. Data collected by the
19 electronic versions of such forms shall be used
20 only for the application, award, and administra-
21 tion of aid awarded under this title, State aid,
22 or aid awarded by eligible institutions or such
23 entities as the Secretary may designate. No
24 data collected by such electronic versions of the
25 forms shall be used for making final aid awards

1 under this title until such data have been proc-
2 essed by the Secretary or a contractor or des-
3 ignee of the Secretary, except as may be per-
4 mitted under this title.

5 “(G) PRIVACY.—The Secretary shall en-
6 sure that data collection under this paragraph
7 complies with section 552a of title 5, United
8 States Code, and that any entity using an elec-
9 tronic version of a form developed by the Sec-
10 retary under this paragraph shall maintain rea-
11 sonable and appropriate administrative, tech-
12 nical, and physical safeguards to ensure the in-
13 tegrity and confidentiality of the information,
14 and to protect against security threats, or un-
15 authorized uses or disclosures of the informa-
16 tion provided on the electronic version of the
17 form.

18 “(H) SIGNATURE.—Notwithstanding any
19 other provision of this Act, the Secretary may
20 permit an electronic version of a form developed
21 under this paragraph to be submitted without a
22 signature, if a signature is subsequently sub-
23 mitted by the applicant or if the applicant uses
24 a personal identification number provided by
25 the Secretary under subparagraph (I).

1 “(I) PERSONAL IDENTIFICATION NUMBERS
2 AUTHORIZED.—The Secretary is authorized to
3 assign to an applicant a personal identification
4 number—

5 “(i) to enable the applicant to use
6 such number as a signature for purposes
7 of completing an electronic version of a
8 form developed under this paragraph; and

9 “(ii) for any purpose determined by
10 the Secretary to enable the Secretary to
11 carry out this title.

12 “(J) PERSONAL IDENTIFICATION NUMBER
13 IMPROVEMENT.—Not later than 180 days after
14 the date of enactment of the Higher Education
15 Amendments of 2007, the Secretary shall im-
16 plement a real-time data match between the So-
17 cial Security Administration and the Depart-
18 ment to minimize the time required for an ap-
19 plicant to obtain a personal identification num-
20 ber when applying for aid under this title
21 through an electronic version of a form devel-
22 oped under this paragraph.

23 “(4) STREAMLINED REAPPLICATION PROC-
24 ESS.—

1 “(A) IN GENERAL.—The Secretary shall
2 develop streamlined paper and electronic re-
3 application forms and processes for an appli-
4 cant who applies for financial assistance under
5 this title in the next succeeding academic year
6 subsequent to an academic year for which such
7 applicant applied for financial assistance under
8 this title.

9 “(B) UPDATING OF DATA ELEMENTS.—
10 The Secretary shall determine, in cooperation
11 with States, institutions of higher education,
12 agencies, and organizations involved in student
13 financial assistance, the data elements that may
14 be transferred from the previous academic
15 year’s application and those data elements that
16 shall be updated.

17 “(C) REDUCED DATA AUTHORIZED.—
18 Nothing in this title shall be construed as lim-
19 iting the authority of the Secretary to reduce
20 the number of data elements required of re-
21 applicants.

22 “(D) ZERO FAMILY CONTRIBUTION.—Ap-
23 plicants determined to have a zero family con-
24 tribution pursuant to section 479(c) shall not
25 be required to provide any financial data in a

1 reapplication form, except data that are nec-
2 essary to determine eligibility under such sec-
3 tion.

4 “(5) STATE REQUIREMENTS.—

5 “(A) IN GENERAL.—Except as provided in
6 paragraphs (2)(B)(iii), (3)(D), and (4)(B), the
7 Secretary shall include on the forms developed
8 under this subsection, such State-specific data
9 items as the Secretary determines are necessary
10 to meet State requirements for need-based
11 State aid. Such items shall be selected in con-
12 sultation with State agencies in order to assist
13 in the awarding of State financial assistance in
14 accordance with the terms of this subsection.
15 The number of such data items shall not be less
16 than the number included on the common fi-
17 nancial reporting form for the 2005–2006
18 award year unless a State notifies the Secretary
19 that the State no longer requires those data
20 items for the distribution of State need-based
21 aid.

22 “(B) ANNUAL REVIEW.—The Secretary
23 shall conduct an annual review to determine—

24 “(i) which data items each State re-
25 quires to award need-based State aid; and

1 “(ii) if the State will permit an appli-
2 cant to file a form described in paragraph
3 (2)(B) or (3)(C).

4 “(C) USE OF SIMPLIFIED APPLICATION
5 FORMS ENCOURAGED.—The Secretary shall en-
6 courage States to take such steps as are nec-
7 essary to encourage the use of simplified forms
8 under this subsection, including those forms de-
9 scribed in paragraphs (2)(B) and (3)(C), for
10 applicants who meet the requirements of sub-
11 section (b) or (c) of section 479.

12 “(D) CONSEQUENCES IF STATE DOES NOT
13 ACCEPT SIMPLIFIED FORMS.—If a State does
14 not permit an applicant to file a form described
15 in paragraph (2)(B) or (3)(C) for purposes of
16 determining eligibility for State need-based fi-
17 nancial aid, the Secretary may determine that
18 State-specific questions for such State will not
19 be included on a form described in paragraph
20 (2)(B) or (3)(B). If the Secretary makes such
21 determination, the Secretary shall advise the
22 State of the Secretary’s determination.

23 “(E) LACK OF STATE RESPONSE TO RE-
24 QUEST FOR INFORMATION.—If a State does not
25 respond to the Secretary’s request for informa-

1 tion under subparagraph (B), the Secretary
2 shall—

3 “(i) permit residents of that State to
4 complete simplified forms under para-
5 graphs (2)(B) and (3)(B); and

6 “(ii) not require any resident of such
7 State to complete any data items pre-
8 viously required by that State under this
9 section.

10 “(F) RESTRICTION.—The Secretary shall
11 not require applicants to complete any financial
12 or non-financial data items that are not re-
13 quired—

14 “(i) by the applicant’s State; or

15 “(ii) by the Secretary.

16 “(6) CHARGES TO STUDENTS AND PARENTS
17 FOR USE OF FORMS PROHIBITED.—The need and
18 eligibility of a student for financial assistance under
19 parts A through E (other than under subpart 4 of
20 part A) may be determined only by using a form de-
21 veloped by the Secretary under this subsection. Such
22 forms shall be produced, distributed, and processed
23 by the Secretary, and no parent or student shall be
24 charged a fee by the Secretary, a contractor, a third-
25 party servicer or private software provider, or any

1 other public or private entity for the collection, proc-
2 essing, or delivery of financial aid through the use
3 of such forms. No data collected on a paper or elec-
4 tronic version of a form developed under this sub-
5 section, or other document that was created to re-
6 place, or used to complete, such a form, and for
7 which a fee was paid, shall be used.

8 “(7) RESTRICTIONS ON USE OF PIN.—No per-
9 son, commercial entity, or other entity shall request,
10 obtain, or utilize an applicant’s personal identifica-
11 tion number assigned under paragraph (3)(I) for
12 purposes of submitting a form developed under this
13 subsection on an applicant’s behalf.

14 “(8) APPLICATION PROCESSING CYCLE.—The
15 Secretary shall enable students to submit forms de-
16 veloped under this subsection and initiate the proc-
17 essing of such forms under this subsection, as early
18 as practicable prior to January 1 of the student’s
19 planned year of enrollment.

20 “(9) EARLY ESTIMATES OF EXPECTED FAMILY
21 CONTRIBUTIONS.—The Secretary shall permit an ap-
22 plicant to complete a form described in this sub-
23 section in the years prior to enrollment in order to
24 obtain from the Secretary a nonbinding estimate of
25 the applicant’s expected family contribution, com-

1 puted in accordance with part F. Such applicant
2 shall be permitted to update information submitted
3 on a form described in this subsection using the
4 process required under paragraph (4).

5 “(10) DISTRIBUTION OF DATA.—Institutions of
6 higher education, guaranty agencies, and States
7 shall receive, without charge, the data collected by
8 the Secretary using a form developed under this sub-
9 section for the purposes of processing loan applica-
10 tions and determining need and eligibility for insti-
11 tutional and State financial aid awards. Entities des-
12 ignated by institutions of higher education, guaranty
13 agencies, or States to receive such data shall be sub-
14 ject to all the requirements of this section, unless
15 such requirements are waived by the Secretary.

16 “(11) THIRD PARTY SERVICERS AND PRIVATE
17 SOFTWARE PROVIDERS.—To the extent practicable
18 and in a timely manner, the Secretary shall provide,
19 to private organizations and consortia that develop
20 software used by institutions of higher education for
21 the administration of funds under this title, all the
22 necessary specifications that the organizations and
23 consortia must meet for the software the organiza-
24 tions and consortia develop, produce, and distribute
25 (including any diskette, modem, or network commu-

1 nications) which are so used. The specifications shall
2 contain record layouts for required data. The Sec-
3 retary shall develop in advance of each processing
4 cycle an annual schedule for providing such speci-
5 fications. The Secretary, to the extent practicable,
6 shall use multiple means of providing such specifica-
7 tions, including conferences and other meetings, out-
8 reach, and technical support mechanisms (such as
9 training and printed reference materials). The Sec-
10 retary shall, from time to time, solicit from such or-
11 ganizations and consortia means of improving the
12 support provided by the Secretary.

13 “(12) PARENT’S SOCIAL SECURITY NUMBER
14 AND BIRTH DATE.—The Secretary is authorized to
15 include space on the forms developed under this sub-
16 section for the social security number and birth date
17 of parents of dependent students seeking financial
18 assistance under this title.”;

19 (2) by redesignating subsections (e) through (e)
20 as subsections (b) through (d), respectively;

21 (3) in subsection (c) (as redesignated by para-
22 graph (2)), by striking “that is authorized” and all
23 that follows through the period at the end and in-
24 serting “or other appropriate provider of technical
25 assistance and information on postsecondary edu-

1 cational services that is authorized under section
2 663(a) of the Individuals with Disabilities Education
3 Act. Not later than 2 years after the date of enact-
4 ment of the Higher Education Amendments of 2007,
5 the Secretary shall test and implement, to the extent
6 practicable, a toll-free telephone based system to
7 permit applicants who meet the requirements of
8 479(c) to submit an application over such system.”;

9 (4) by striking subsection (d) (as redesignated
10 by paragraph (2)) and inserting the following:

11 “(d) ASSISTANCE IN PREPARATION OF FINANCIAL
12 AID APPLICATION.—

13 “(1) PREPARATION AUTHORIZED.—Notwith-
14 standing any provision of this Act, an applicant may
15 use a preparer for consultative or preparation serv-
16 ices for the completion of a form developed under
17 subsection (a) if the preparer satisfies the require-
18 ments of this subsection.

19 “(2) PREPARER IDENTIFICATION REQUIRED.—
20 If an applicant uses a preparer for consultative or
21 preparation services for the completion of a form de-
22 veloped under subsection (a), the preparer shall in-
23 clude the name, signature, address or employer’s ad-
24 dress, social security number or employer identifica-

1 tion number, and organizational affiliation of the
2 preparer on the applicant’s form.

3 “(3) ADDITIONAL REQUIREMENTS.—A preparer
4 that provides consultative or preparation services
5 pursuant to this subsection shall—

6 “(A) clearly inform each individual upon
7 initial contact, including contact through the
8 Internet or by telephone, that the FAFSA and
9 EZ FAFSA may be completed for free via
10 paper or electronic versions of the forms that
11 are provided by the Secretary;

12 “(B) include in any advertising clear and
13 conspicuous information that the FAFSA and
14 EZ FAFSA may be completed for free via
15 paper or electronic versions of the forms that
16 are provided by the Secretary;

17 “(C) if advertising or providing any infor-
18 mation on a website, or if providing services
19 through a website, include on the website a link
20 to the website described in subsection (a)(3)
21 that provides the electronic versions of the
22 forms developed under subsection (a);

23 “(D) refrain from producing or dissemi-
24 nating any form other than the forms developed
25 by the Secretary under subsection (a); and

1 “(E) not charge any fee to any individual
2 seeking services who meets the requirements of
3 subsection (b) or (c) of section 479.

4 “(4) SPECIAL RULE.—Nothing in this Act shall
5 be construed to limit preparers of the financial re-
6 porting forms required to be made under this title
7 that meet the requirements of this subsection from
8 collecting source information from a student or par-
9 ent, including Internal Revenue Service tax forms, in
10 providing consultative and preparation services in
11 completing the forms.”; and

12 (5) by adding at the end the following:

13 “(e) EARLY APPLICATION AND AWARD DEMONSTRATION PROGRAM.—

14 “(1) PURPOSE.—The purpose of the demon-
15 stration program implemented under this sub-
16 section is to determine the feasibility of imple-
17 menting a comprehensive early application and noti-
18 fication system for all dependent students and to
19 measure the benefits and costs of such a system.

20 “(2) PROGRAM AUTHORIZED.—Not later than 2
21 years after the date of enactment of the Higher
22 Education Amendments of 2007, the Secretary shall
23 implement an early application demonstration pro-
24

1 gram enabling dependent students who wish to par-
2 ticipate in the program—

3 “(A) to complete an application under this
4 subsection during the academic year that is 2
5 years prior to the year such students plan to
6 enroll in an institution of higher education; and

7 “(B) based on the application described in
8 subparagraph (A), to obtain, not later than 1
9 year prior to the year of the students’ planned
10 enrollment, information on eligibility for Fed-
11 eral Pell Grants, Federal student loans under
12 this title, and State and institutional financial
13 aid for the student’s first year of enrollment in
14 an the institution of higher education.

15 “(3) EARLY APPLICATION AND AWARD.—For
16 all dependent students selected for participation in
17 the demonstration program who submit a completed
18 FAFSA, or, as appropriate, an EZ FAFSA, 2 years
19 prior to the year such students plan to enroll in an
20 institution of higher education, the Secretary shall,
21 not later than 1 year prior to the year of such
22 planned enrollment—

23 “(A) provide each student who meets the
24 requirements under section 479(c) with a deter-
25 mination of such student’s—

1 “(i) expected family contribution for
2 the first year of the student’s enrollment in
3 an institution of higher education; and

4 “(ii) Federal Pell Grant award for the
5 first such year, based on the maximum
6 Federal Pell Grant award at the time of
7 application;

8 “(B) provide each student who does not
9 meet the requirements under section 479(c)
10 with an estimate of such student’s—

11 “(i) expected family contribution for
12 the first year of the student’s planned en-
13 rollment; and

14 “(ii) Federal Pell Grant award for the
15 first such year, based on the maximum
16 Federal Pell Grant award at the time of
17 application; and

18 “(C) remind the students of the need to
19 update the students’ information during the cal-
20 endar year of enrollment using the expedited re-
21 application process provided for in subsection
22 (a)(4).

23 “(4) PARTICIPANTS.—The Secretary shall in-
24 clude, as participants in the demonstration pro-
25 gram—

1 “(A) States selected through the applica-
2 tion process described in paragraph (5);

3 “(B) institutions of higher education with-
4 in the selected States that are interested in par-
5 ticipating in the demonstration program and
6 that can make estimates or commitments of in-
7 stitutional student financial aid, as appropriate,
8 to students the year before the students’
9 planned enrollment date; and

10 “(C) secondary schools within the selected
11 States that are interested in participating in the
12 demonstration program and can commit re-
13 sources to—

14 “(i) advertising the availability of the
15 program;

16 “(ii) identifying students who might
17 be interested in participating in the pro-
18 gram;

19 “(iii) encouraging such students to
20 apply; and

21 “(iv) participating in the evaluation of
22 the program.

23 “(5) APPLICATIONS.—States that are interested
24 in participating in the demonstration program shall
25 submit an application to the Secretary at such time,

1 in such form, and containing such information as
2 the Secretary shall require. The application shall in-
3 clude—

4 “(A) information on the amount of the
5 State’s need-based student financial assistance
6 available and the eligibility criteria for receiving
7 such assistance;

8 “(B) a commitment to make, not later
9 than the year before the dependent students
10 participating in the demonstration program
11 plan to enroll in an institution of higher edu-
12 cation—

13 “(i) determinations of State financial
14 aid awards to dependent students partici-
15 pating in the program who meet the re-
16 quirements of section 479(c); and

17 “(ii) estimates of State financial aid
18 awards to other dependent students par-
19 ticipating in the program;

20 “(C) a plan for recruiting institutions of
21 higher education and secondary schools with
22 different demographic characteristics to partici-
23 pate in the program;

1 “(D) a plan for selecting institutions of
2 higher education and secondary schools to par-
3 ticipate in the program that—

4 “(i) demonstrate a commitment to en-
5 couraging students to submit a FAFSA,
6 or, as appropriate, an EZ FAFSA, 2 years
7 before the students’ planned date of enroll-
8 ment in an institution of higher education;

9 “(ii) serve different populations of
10 students;

11 “(iii) in the case of institutions of
12 higher education—

13 “(I) to the extent possible, are of
14 varying types and control; and

15 “(II) commit to making, not later
16 than the year prior to the year that
17 dependent students participating in
18 the demonstration program plan to
19 enroll in the institution—

20 “(aa) institutional awards to
21 participating dependent students
22 who meet the requirements of
23 section 479(c);

1 “(bb) estimates of institu-
2 tional awards to other partici-
3 pating dependent students; and

4 “(cc) expected or tentative
5 awards of grants or other finan-
6 cial aid available under this title
7 (including supplemental grants
8 under subpart 3 of part A), for
9 all participating dependent stu-
10 dents, along with information on
11 State awards, as provided to the
12 institution by the State;

13 “(E) a commitment to participate in the
14 evaluation conducted by the Secretary; and

15 “(F) such other information as the Sec-
16 retary may require.

17 “(6) SPECIAL PROVISIONS.—

18 “(A) DISCRETION OF STUDENT FINANCIAL
19 AID ADMINISTRATORS.—A financial aid admin-
20 istrator at an institution of higher education
21 participating in a demonstration program under
22 this subsection may utilize the discretion, as
23 provided under section 479A, as necessary, in
24 awarding financial aid to students participating
25 in the demonstration program.

1 “(B) WAIVERS.—The Secretary is author-
2 ized to waive, for an institution participating in
3 the demonstration program, any requirements
4 under the title, or regulations prescribed under
5 this title, that would make the demonstration
6 program unworkable, except that the Secretary
7 shall not waive any provisions with respect to
8 the maximum award amounts for grants and
9 loans under this title.

10 “(7) OUTREACH.—The Secretary shall make
11 appropriate efforts in order to notify States, institu-
12 tions of higher education, and secondary schools of
13 the demonstration program.

14 “(8) EVALUATION.—The Secretary shall con-
15 duct a rigorous evaluation of the demonstration pro-
16 gram to measure the program’s benefits and adverse
17 effects, as the benefits and effects relate to the pur-
18 pose of the program described in paragraph (1). In
19 conducting the evaluation, the Secretary shall—

20 “(A) identify whether receiving financial
21 aid awards or estimates, as applicable, 1 year
22 prior to the year in which the student plans to
23 enroll in an institution of higher education, has
24 a positive impact on the higher education aspi-
25 rations and plans of such student;

1 “(B) measure the extent to which using a
2 student’s income information from the year that
3 is 2 years prior to the student’s planned enroll-
4 ment date had an impact on the ability of
5 States and institutions to make financial aid
6 awards and commitments;

7 “(C) determine what operational changes
8 would be required to implement the program on
9 a larger scale;

10 “(D) identify any changes to Federal law
11 that would be necessary to implement the pro-
12 gram on a permanent basis; and

13 “(E) identify the benefits and adverse ef-
14 fects of providing early awards or estimates on
15 program costs, program operations, program in-
16 tegrity, award amounts, distribution, and deliv-
17 ery of aid.

18 “(9) CONSULTATION.—The Secretary shall con-
19 sult, as appropriate, with the Advisory Committee on
20 Student Financial Assistance established under sec-
21 tion 491 on the design, implementation, and evalua-
22 tion of the demonstration program.

23 “(f) USE OF IRS DATA AND REDUCED INCOME AND
24 ASSET INFORMATION TO DETERMINE ELIGIBILITY FOR
25 STUDENT FINANCIAL AID.—

1 “(1) FORMATION OF STUDY GROUP.—Not later
2 than 180 days after the date of enactment of the
3 Higher Education Amendments of 2007, the Comp-
4 troller General of the United States and the Sec-
5 retary of Education shall convene a study group
6 whose members shall include the Secretary of the
7 Treasury, the Director of the Office of Management
8 and Budget, the Director of the Congressional
9 Budget Office, and such other individuals as the
10 Comptroller General and Secretary of Education
11 may designate.

12 “(2) STUDY REQUIRED.—The Comptroller Gen-
13 eral and the Secretary, in consultation with the
14 study group convened under paragraph (1), shall de-
15 sign and conduct a study to identify and evaluate
16 the means of simplifying the process of applying for
17 Federal financial aid available under this title. The
18 study shall focus on developing alternative ap-
19 proaches for calculating the expected family con-
20 tribution that use substantially less income and
21 asset data than the methodology currently used, as
22 of the time of the study, for determining the ex-
23 pected family contribution.

24 “(3) OBJECTIVES OF STUDY.—The objectives of
25 the study required under paragraph (2) are—

1 “(A) to shorten the FAFSA and make it
2 easier and less time-consuming to complete,
3 thereby increasing higher education access for
4 low-income students;

5 “(B) to examine the feasibility and evalu-
6 ate the costs and benefits of using income data
7 from the Internal Revenue Service to pre-popu-
8 late the electronic version of the FAFSA;

9 “(C) to determine ways in which to provide
10 reliable information on the amount of Federal
11 grant aid and financial assistance a student can
12 expect to receive, assuming constant income, 2
13 to 3 years before the student’s enrollment; and

14 “(D) to simplify the process for deter-
15 mining eligibility for student financial aid with-
16 out causing significant redistribution of Federal
17 grants and subsidized loans under this title.

18 “(4) REQUIRED SUBJECTS OF STUDY.—The
19 study required under paragraph (2) shall consider—

20 “(A) how the expected family contribution
21 of a student could be calculated using substan-
22 tially less income and asset information than
23 the approach currently used, as of the time of
24 the study, to calculate the expected family con-
25 tribution without causing significant redistribu-

1 tion of Federal grants and subsidized loans
2 under this title, State aid, or institutional aid,
3 or change in the composition of the group of re-
4 cipients of such aid, which alternative ap-
5 proaches for calculating the expected family
6 contribution shall, to the extent practicable—

7 “(i) rely mainly, in the case of stu-
8 dents and parents who file income tax re-
9 turns, on information available on the
10 1040, 1040EZ, and 1040A; and

11 “(ii) include formulas for adjusting in-
12 come or asset information to produce simi-
13 lar results to the existing approach with
14 less data;

15 “(B) how the Internal Revenue Service can
16 provide income and other data needed to com-
17 pute an expected family contribution for tax-
18 payers and dependents of taxpayers to the Sec-
19 retary of Education, and when in the applica-
20 tion cycle the data can be made available;

21 “(C) whether data provided by the Internal
22 Revenue could be used to—

23 “(i) prepopulate the electronic version
24 of the FAFSA with student and parent
25 taxpayer data; or

1 “(ii) generate an expected family con-
2 tribution without additional action on the
3 part of the student and taxpayer;

4 “(D) the extent to which the use of income
5 data from 2 years prior to a student’s planned
6 enrollment date would change the expected fam-
7 ily contribution computed in accordance with
8 part F, and potential adjustments to the need
9 analysis formula that would minimize the
10 change;

11 “(E) the extent to which States and insti-
12 tutions would accept the data provided by the
13 Internal Revenue Service to prepopulate the
14 electronic version of the FAFSA in determining
15 the distribution of State and institutional stu-
16 dent financial aid funds;

17 “(F) the changes to the electronic version
18 of the FAFSA and verification processes that
19 would be needed or could be made if Internal
20 Revenue Service data were used to prepopulate
21 such electronic version;

22 “(G) the data elements currently collected,
23 as of the time of the study, on the FAFSA that
24 are needed to determine eligibility for student
25 aid, or to administer Federal student financial

1 aid programs, but are not needed to compute
2 an expected family contribution, such as wheth-
3 er information regarding the student’s citizen-
4 ship or permanent residency status, registration
5 for selective service, or driver’s license number
6 could be reduced without adverse effects;

7 “(H) additional steps that can be taken to
8 simplify the financial aid application process for
9 students who (or, in the case of dependent stu-
10 dents, whose parents) are not required to file
11 an income tax return for the prior taxable year;

12 “(I) information on the State need for and
13 usage of the full array of income, asset, and
14 other information currently collected, as of the
15 time of the study, on the FAFSA, including
16 analyses of—

17 “(i) what data are currently used by
18 States to determine eligibility for State
19 student financial aid, and whether the data
20 are used for merit or need-based aid;

21 “(ii) the extent to which the full array
22 of income and asset information currently
23 collected on the FAFSA play an important
24 role in the awarding of need-based State fi-
25 nancial aid, and whether the State could

1 use income and asset information that was
2 more limited to support determinations of
3 eligibility for such State aid programs;

4 “(iii) whether data are required by
5 State law, State regulations, or policy di-
6 rectives;

7 “(iv) what State official has the au-
8 thority to advise the Department on what
9 the State requires to calculate need-based
10 State student financial aid;

11 “(v) the extent to which any State-
12 specific information requirements could be
13 met by completion of a State application
14 linked to the electronic version of the
15 FAFSA; and

16 “(vi) whether the State can use, as of
17 the time of the study, or could use, a stu-
18 dent’s expected family contribution based
19 on data from 2 years prior to the student’s
20 planned enrollment date and a calculation
21 with reduced data elements and, if not,
22 what additional information would be need-
23 ed or what changes would be required; and

24 “(J) information on institutional needs, in-
25 cluding the extent to which institutions of high-

1 er education are already using supplemental
2 forms to collect additional data from students
3 and their families to determine eligibility for in-
4 stitutional funds.

5 “(5) USE OF DATA FROM THE INTERNAL REV-
6 ENUE SERVICE TO PREPOPULATE FAFSA FORMS.—
7 After the study required under this subsection has
8 been completed, the Secretary may use Internal Rev-
9 enue Service data to prepopulate the electronic
10 version of the FAFSA if the Secretary, in a joint de-
11 cision with the Secretary of Treasury, determines
12 that such use will not significantly negatively impact
13 students, institutions of higher education, States, or
14 the Federal Government based on each of the fol-
15 lowing criteria:

16 “(A) Program costs.

17 “(B) Redistributive effects on students.

18 “(C) Accuracy of aid determinations.

19 “(D) Reduction of burden to the FAFSA
20 filers.

21 “(E) Whether all States and institutions
22 that currently accept the Federal aid formula
23 accept the use of data from 2 years prior to the
24 date of a student’s planned enrollment in an in-
25 stitution of higher education to award Federal,

1 State, and institutional aid, and as a result will
2 not require students to complete any additional
3 forms to receive this aid.

4 “(6) CONSULTATION.—The Secretary shall con-
5 sult with the Advisory Committee on Student Finan-
6 cial Assistance established under section 491 as ap-
7 propriate in carrying out this subsection.

8 “(7) REPORT.—Not later than 18 months after
9 the date of enactment of the Higher Education
10 Amendments of 2007, the Comptroller General and
11 the Secretary shall prepare and submit a report on
12 the results of the study required under this sub-
13 section to the authorizing committees.”.

14 **SEC. 474. STUDENT ELIGIBILITY.**

15 Section 484 (20 U.S.C. 1091) is amended—

16 (1) in subsection (d), by adding at the end the
17 following:

18 “(4) The student shall be determined by the in-
19 stitution of higher education as having the ability to
20 benefit from the education or training offered by the
21 institution of higher education, upon satisfactory
22 completion of 6 credit hours or the equivalent
23 coursework that are applicable toward a degree or
24 certificate offered by the institution of higher edu-
25 cation.”;

1 (2) by striking subsection (1) and inserting the
2 following:

3 “(1) COURSES OFFERED THROUGH DISTANCE EDU-
4 CATION.—

5 “(1) RELATION TO CORRESPONDENCE
6 COURSES.—

7 “(A) IN GENERAL.—A student enrolled in
8 a course of instruction at an institution of high-
9 er education that is offered principally through
10 distance education and leads to a recognized
11 certificate, or associate, baccalaureate, or grad-
12 uate degree, conferred by such institution, shall
13 not be considered to be enrolled in correspond-
14 ence courses.

15 “(B) EXCEPTION.—An institution of high-
16 er education referred to in subparagraph (A)
17 shall not include an institution or school de-
18 scribed in section 3(3)(C) of the Carl D. Per-
19 kins Career and Technical Education Act of
20 2006.

21 “(2) RESTRICTION OR REDUCTIONS OF FINAN-
22 CIAL AID.—A student’s eligibility to receive grants,
23 loans, or work assistance under this title shall be re-
24 duced if a financial aid officer determines under the
25 discretionary authority provided in section 479A

1 that distance education results in a substantially re-
2 duced cost of attendance to such student.

3 “(3) SPECIAL RULE.—For award years prior to
4 the date of enactment of this subsection, the Sec-
5 retary shall not take any compliance, disallowance,
6 penalty, or other action against a student or an eli-
7 gible institution when such action arises out of such
8 institution’s prior award of student assistance under
9 this title if the institution demonstrates to the satis-
10 faction of the Secretary that its course of instruction
11 would have been in conformance with the require-
12 ments of this subsection.”; and

13 (3) by adding at the end the following:

14 “(s) STUDENTS WITH INTELLECTUAL DISABIL-
15 ITIES.—Notwithstanding subsection (a), in order to re-
16 ceive any grant or work assistance under subparts 1 and
17 3 of part A and part C of this title, a student with an
18 intellectual disability shall—

19 “(1) be an individual with an intellectual dis-
20 ability whose mental retardation or other significant
21 cognitive impairment substantially impacts the indi-
22 vidual’s intellectual and cognitive functioning;

23 “(2)(A) be a student eligible for assistance
24 under the Individuals with Disabilities Education
25 Act who—

1 “(i) has completed secondary school with a
2 diploma or certificate; or

3 “(ii) has completed secondary school; or

4 “(B) be an individual who is no longer eligible
5 for assistance under the Individuals with Disabilities
6 Education Act because the individual has exceeded
7 the maximum age for which the State provides a
8 free appropriate public education;

9 “(3) be enrolled or accepted for enrollment in
10 a comprehensive transition and postsecondary edu-
11 cation program that—

12 “(A) is designed for students with an intel-
13 lectual disability who are seeking to continue
14 academic, vocational, and independent living in-
15 struction at the institution in order to prepare
16 for gainful employment and independent living;

17 “(B) includes an advising and curriculum
18 structure;

19 “(C) requires students to participate on at
20 least a half-time basis, as determined by the in-
21 stitution; or

22 “(D) includes—

23 “(i) regular enrollment in courses of-
24 fered by the institution;

1 “(ii) auditing or participating in
2 courses offered by the institution for which
3 the student does not receive regular aca-
4 demic credit;

5 “(iii) enrollment in noncredit, non-
6 degree courses;

7 “(iv) participation in internships; or

8 “(v) a combination of 2 or more of
9 the activities described in clauses (i)
10 through (iv);

11 “(4) be maintaining satisfactory progress in the
12 program as determined by the institution, in accord-
13 ance with standards established by the institution;
14 and

15 “(5) meet the requirements of paragraphs (3),
16 (4), (5), and (6) of subsection (a).”.

17 **SEC. 475. STATUTE OF LIMITATIONS AND STATE COURT**
18 **JUDGMENTS.**

19 Section 484A (20 U.S.C. 1091a) is amended—

20 (1) in subsection (b)—

21 (A) in paragraph (1), by striking “and”
22 after the semicolon;

23 (B) in paragraph (2), by striking the pe-
24 riod and inserting “; and”; and

25 (C) by adding at the end the following:

1 “(3) in collecting any obligation arising from a
2 loan made under part E of this title, an institution
3 of higher education that has an agreement with the
4 Secretary pursuant to section 463(a) shall not be
5 subject to a defense raised by any borrower based on
6 a claim of infancy.”; and

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

8 “(d) SPECIAL RULE.—This section shall not apply in
9 the case of a student who is deceased or to a deceased
10 student’s estate or the estate of such student’s family. If
11 a student is deceased, then the student’s estate or the es-
12 tate of the student’s family shall not be required to repay
13 any financial assistance under this title, including interest
14 paid on the student’s behalf, collection costs, or other
15 charges specified in this title.”.

16 **SEC. 476. INSTITUTIONAL REFUNDS.**

17 Section 484B(c)(2) (20 U.S.C. 1091B(c)(2)) is
18 amended by striking “may determine the appropriate
19 withdrawal date.” and inserting “may determine—

20 “(A) the appropriate withdrawal date; and

21 “(B) that the requirements of this section
22 do not apply to the student.”.

23 **SEC. 477. INSTITUTIONAL AND FINANCIAL ASSISTANCE IN-**
24 **FORMATION FOR STUDENTS.**

25 Section 485 (20 U.S.C. 1092) is amended—

1 (1) in subsection (a)—

2 (A) in paragraph (1)—

3 (i) by striking subparagraph (M) and
4 inserting the following:

5 “(M) the terms and conditions of the loans
6 that students receive under parts B, D, and
7 E;”;

8 (ii) in subparagraph (N), by striking
9 “and” after the semicolon;

10 (iii) in subparagraph (O), by striking
11 the period and inserting a semicolon; and

12 (iv) by adding at the end the fol-
13 lowing:

14 “(P) institutional policies and sanctions related
15 to copyright infringement that inform students that
16 unauthorized distribution of copyrighted material on
17 the institution’s information technology systems, in-
18 cluding engaging in unauthorized peer-to-peer file
19 sharing, may subject the students to civil and crimi-
20 nal penalties;”

21 “(Q) student body diversity at the institution,
22 including information on the percentage of enrolled,
23 full-time students who are—

24 “(i) male;

25 “(ii) female;

1 “(iii) from a low-income background; and

2 “(iv) a self-identified member of a major
3 racial or ethnic group;

4 “(R) the placement in employment of, and
5 types of employment obtained by, graduates of
6 the institution’s degree or certificate programs,
7 gathered from such sources as alumni surveys,
8 student satisfaction surveys, the National Sur-
9 vey of Student Engagement, the Community
10 College Survey of Student Engagement, State
11 data systems, or other relevant sources;

12 “(S) the types of graduate and professional
13 education in which graduates of the institu-
14 tion’s 4-year degree programs enrolled, gath-
15 ered from such sources as alumni surveys, stu-
16 dent satisfaction surveys, the National Survey
17 of Student Engagement, State data systems, or
18 other relevant sources; and

19 “(T) the fire safety report prepared by the
20 institution pursuant to subsection (i).”;

21 (B) by striking paragraph (4) and insert-
22 ing the following:

23 “(4) For purposes of this section, institutions
24 may—

1 “(A) exclude from the information dis-
2 closed in accordance with subparagraph (L) of
3 paragraph (1) the completion or graduation
4 rates of students who leave school to serve in
5 the Armed Forces, on official church missions,
6 or with a recognized foreign aid service of the
7 Federal Government; or

8 “(B) in cases where the students described
9 in subparagraph (A) represent 20 percent or
10 more of the certificate- or degree-seeking, full-
11 time, undergraduate students at the institution,
12 the institution may recalculate the completion
13 or graduation rates of such students by exclud-
14 ing from the calculation described in paragraph
15 (3) the time period such students were not en-
16 rolled due to their service in the Armed Forces,
17 on official church missions, or with a recognized
18 foreign aid service of the Federal Govern-
19 ment.”; and

20 (C) by adding at the end the following:

21 “(7) The information disclosed under subparagraph
22 (L) of paragraph (1), or reported under subsection (e),
23 shall include information disaggregated by gender, by each
24 major racial and ethnic subgroup, by recipients of a Fed-
25 eral Pell Grant, by recipients of a loan made under this

1 part or part D (other than a loan made under section
2 428H or a Federal Direct Unsubsidized Stafford Loan)
3 who did not receive a Federal Pell Grant, and by recipients
4 of neither a Federal Pell Grant nor a loan made under
5 this part or part D (other than a loan made under section
6 428H or a Federal Direct Unsubsidized Stafford Loan),
7 if the number of students in such subgroup or with such
8 status is sufficient to yield statistically reliable informa-
9 tion and reporting would not reveal personally identifiable
10 information about an individual student. If such number
11 is not sufficient for such purposes, then the institution
12 shall note that the institution enrolled too few of such stu-
13 dents to so disclose or report with confidence and con-
14 fidentiality.”;

15 (2) in subsection (b)—

16 (A) in paragraph (1)(A), by striking the
17 subparagraph designation and all that follows
18 through “465.” and inserting the following:

19 “(A) Each eligible institution shall,
20 through financial aid offices or otherwise, pro-
21 vide counseling to borrowers of loans that are
22 made, insured, or guaranteed under part B
23 (other than loans made pursuant to section
24 428C or loans made to parents pursuant to sec-
25 tion 428B), or made under part D (other than

1 Federal Direct Consolidation Loans or Federal
2 Direct PLUS Loans made to parents) or E,
3 prior to the completion of the course of study
4 for which the borrower enrolled at the institu-
5 tion or at the time of departure from such insti-
6 tution. The counseling required by this sub-
7 section shall include—

8 “(i) information on the repayment
9 plans available, including a discussion of
10 the different features of each plan and
11 sample information showing the difference
12 in interest paid and total payments under
13 each plan;

14 “(ii) the average anticipated monthly
15 repayments under the standard repayment
16 plan and, at the borrower’s request, the
17 other repayment plans for which the bor-
18 rower is eligible;

19 “(iii) such debt and management
20 strategies as the institution determines are
21 designed to facilitate the repayment of
22 such indebtedness;

23 “(iv) an explanation that the borrower
24 has the ability to prepay each such loan,

1 pay the loan on a shorter schedule, and
2 change repayment plans;

3 “(v) the terms and conditions under
4 which the student may obtain full or par-
5 tial forgiveness or cancellation of principal
6 or interest under sections 428J, 460, and
7 465 (to the extent that such sections are
8 applicable to the student’s loans);

9 “(vi) the terms and conditions under
10 which the student may defer repayment of
11 principal or interest or be granted forbear-
12 ance under subsections (b)(1)(M) and (o)
13 of section 428, 428H(e)(7), subsections (f)
14 and (l) of section 455, and section
15 464(e)(2), and the potential impact of such
16 deferment or forbearance;

17 “(vii) the consequences of default on
18 such loans;

19 “(viii) information on the effects of
20 using a consolidation loan to discharge the
21 borrower’s loans under parts B, D, and E,
22 including, at a minimum—

23 “(I) the effects of consolidation
24 on total interest to be paid, fees to be
25 paid, and length of repayment;

1 “(II) the effects of consolidation
2 on a borrower’s underlying loan bene-
3 fits, including all grace periods, loan
4 forgiveness, cancellation, and
5 deferment opportunities;

6 “(III) the ability of the borrower
7 to prepay the loan or change repay-
8 ment plans; and

9 “(IV) that borrower benefit pro-
10 grams may vary among different loan
11 holders; and

12 “(ix) a notice to borrowers about the
13 availability of the National Student Loan
14 Data System and how the system can be
15 used by a borrower to obtain information
16 on the status of the borrower’s loans.”;
17 and

18 (B) by adding at the end the following:

19 “(3) Each eligible institution shall, during the
20 exit interview required by this subsection, provide to
21 a borrower of a loan made under part B, D, or E
22 a clear and conspicuous notice describing the general
23 effects of using a consolidation loan to discharge the
24 borrower’s student loans, including—

1 “(A) the effects of consolidation on total
2 interest to be paid, fees to be paid, and length
3 of repayment;

4 “(B) the effects of consolidation on a bor-
5 rower’s underlying loan benefits, including loan
6 forgiveness, cancellation, and deferment;

7 “(C) the ability for the borrower to prepay
8 the loan, pay on a shorter schedule, and to
9 change repayment plans, and that borrower
10 benefit programs may vary among different
11 loan holders;

12 “(D) the tax benefits for which the bor-
13 rower may be eligible; and

14 “(E) the consequences of default.”;

15 (3) in subsection (d)(2)—

16 (A) by inserting “grant assistance, as well
17 as State” after “describing State”; and

18 (B) by inserting “and other means, includ-
19 ing through the Internet” before the period at
20 the end;

21 (4) in subsection (e), by striking paragraph (3)
22 and inserting the following:

23 “(3) For purposes of this subsection, institu-
24 tions may—

1 “(A) exclude from the reporting require-
2 ments under paragraphs (1) and (2) the com-
3 pletion or graduation rates of students and stu-
4 dent athletes who leave school to serve in the
5 Armed Forces, on official church missions, or
6 with a recognized foreign aid service of the Fed-
7 eral Government; or

8 “(B) in cases where the students described
9 in subparagraph (A) represent 20 percent or
10 more of the certificate- or degree-seeking, full-
11 time, undergraduate students at the institution,
12 the institution may calculate the completion or
13 graduation rates of such students by excluding
14 from the calculations described in paragraph
15 (1) the time period such students were not en-
16 rolled due to their service in the Armed Forces,
17 on official church missions, or with a recognized
18 foreign aid service of the Federal Govern-
19 ment.”;

20 (5) in subsection (f)—

21 (A) in paragraph (1)—

22 (i) the matter preceding subparagraph
23 (A), by inserting “, other than a foreign
24 institution of higher education,” after
25 “under this title”; and

1 (ii) by adding at the end the fol-
2 lowing:

3 “(J) A statement of current campus poli-
4 cies regarding immediate emergency response
5 and evacuation procedures, including the use of
6 electronic and cellular communication (if appro-
7 priate), which policies shall include proce-
8 dures—

9 “(i) to notify the campus community
10 in a reasonable and timely manner in the
11 event of a significant emergency or dan-
12 gerous situation, involving an immediate
13 threat to the health or safety of students
14 or staff, occurring on the campus;

15 “(ii) to publicize emergency response
16 and evacuation procedures on an annual
17 basis in a manner designed to reach stu-
18 dents and staff; and

19 “(iii) to test emergency response and
20 evacuation procedures on an annual
21 basis.”;

22 (B) by redesignating paragraph (15) as
23 paragraph (17); and

24 (C) by inserting after paragraph (14) the
25 following:

1 “(15) COMPLIANCE REPORT.—The Secretary
2 shall annually report to the authorizing committees
3 regarding compliance with this subsection by institu-
4 tions of higher education, including an up-to-date re-
5 port on the Secretary’s monitoring of such compli-
6 ance.

7 “(16) BEST PRACTICES.—The Secretary may
8 seek the advice and counsel of the Attorney General
9 concerning the development, and dissemination to
10 institutions of higher education, of best practices in-
11 formation about campus safety and emergencies.”;
12 and

13 (6) by adding at the end the following:

14 “(h) TRANSFER OF CREDIT POLICIES.—

15 “(1) DISCLOSURE.—Each institution of higher
16 education participating in any program under this
17 title shall publicly disclose in a readable and com-
18 prehensible manner the institution’s transfer of cred-
19 it policies which shall include a statement of the in-
20 stitution’s current transfer of credit policies that in-
21 cludes, at a minimum—

22 “(A) a statement that transfer of credit
23 shall not be denied solely on the basis of the
24 agency or association that accredited such other
25 institution of higher education, if that agency

1 or association is recognized by the Secretary
 2 pursuant to section 496 to be a reliable author-
 3 ity as to the quality of the education or training
 4 offered; and

5 “(B) a list of institutions of higher edu-
 6 cation with which the institution has established
 7 an articulation agreement.

8 “(2) RULE OF CONSTRUCTION.—Nothing in
 9 this subsection shall be construed to—

10 “(A) authorize an officer or employee of
 11 the Department to exercise any direction, su-
 12 pervision, or control over the curriculum, pro-
 13 gram of instruction, administration, or per-
 14 sonnel of any institution of higher education, or
 15 over any accrediting agency or association;

16 “(B) limit the application of the General
 17 Education Provisions Act; or

18 “(C) create any legally enforceable right on
 19 the part of a student to require an institution
 20 of higher education to accept a transfer of cred-
 21 it from another institution.

22 “(i) DISCLOSURE OF FIRE SAFETY STANDARDS AND
 23 MEASURES.—

24 “(1) ANNUAL FIRE SAFETY REPORTS ON STU-
 25 DENT HOUSING REQUIRED.—Each eligible institu-

1 tion participating in any program under this title
2 shall, on an annual basis, publish a fire safety re-
3 port, which shall contain information with respect to
4 the campus fire safety practices and standards of
5 that institution, including—

6 “(A) statistics concerning the following in
7 each on-campus student housing facility during
8 the most recent calendar years for which data
9 are available—

10 “(i) the number of fires and the cause
11 of each fire;

12 “(ii) the number of injuries related to
13 a fire that result in treatment at a medical
14 facility;

15 “(iii) the number of deaths related to
16 a fire; and

17 “(iv) the value of property damage
18 caused by a fire;

19 “(B) a description of each on-campus stu-
20 dent housing facility fire safety system, includ-
21 ing the fire sprinkler system;

22 “(C) the number of regular mandatory su-
23 pervised fire drills;

24 “(D) policies or rules on portable electrical
25 appliances, smoking, and open flames (such as

1 candles), procedures for evacuation, and policies
2 regarding fire safety education and training
3 programs provided to students, faculty, and
4 staff; and

5 “(E) plans for future improvements in fire
6 safety, if determined necessary by such institu-
7 tion.

8 “(2) REPORT TO THE SECRETARY.—Each eligi-
9 ble institution participating in any program under
10 this title shall, on an annual basis submit to the Sec-
11 retary a copy of the statistics required to be made
12 available under subparagraph (A).

13 “(3) CURRENT INFORMATION TO CAMPUS COM-
14 MUNITY.—Each institution participating in any pro-
15 gram under this title shall—

16 “(A) make, keep, and maintain a log, re-
17 cording all fires in on-campus student housing
18 facilities, including the nature, date, time, and
19 general location of each fire; and

20 “(B) make annual reports to the campus
21 community on such fires.

22 “(4) RESPONSIBILITIES OF THE SECRETARY.—
23 The Secretary shall—

24 “(A) make such statistics submitted to the
25 Secretary available to the public; and

1 “(B) in coordination with nationally recog-
2 nized fire organizations and representatives of
3 institutions of higher education, representatives
4 of associations of institutions of higher edu-
5 cation, and other organizations that represent
6 and house a significant number of students—

7 “(i) identify exemplary fire safety
8 policies, procedures, programs, and prac-
9 tices;

10 “(ii) disseminate information to the
11 Administrator of the United States Fire
12 Administration;

13 “(iii) make available to the public in-
14 formation concerning those policies, proce-
15 dures, programs, and practices that have
16 proven effective in the reduction of fires;
17 and

18 “(iv) develop a protocol for institu-
19 tions to review the status of their fire safe-
20 ty systems.

21 “(5) RULES OF CONSTRUCTION.—Nothing in
22 this subsection shall be construed to—

23 “(A) authorize the Secretary to require
24 particular policies, procedures, programs, or
25 practices by institutions of higher education

1 with respect to fire safety, other than with re-
2 spect to the collection, reporting, and dissemi-
3 nation of information required by this sub-
4 section;

5 “(B) affect the Family Educational Rights
6 and Privacy Act of 1974 or the regulations
7 issued under section 264 of the Health Insur-
8 ance Portability and Accountability Act of 1996
9 (42 U.S.C. 1320d–2 note).

10 “(C) create a cause of action against any
11 institution of higher education or any employee
12 of such an institution for any civil liability; and

13 “(D) establish any standard of care.

14 “(6) COMPLIANCE REPORT.—The Secretary
15 shall annually report to the authorizing committees
16 regarding compliance with this subsection by institu-
17 tions of higher education, including an up-to-date re-
18 port on the Secretary’s monitoring of such compli-
19 ance.

20 “(7) EVIDENCE.—Notwithstanding any other
21 provision of law, evidence regarding compliance or
22 noncompliance with this subsection shall not be ad-
23 missible as evidence in any proceeding of any court,
24 agency, board, or other entity, except with respect to
25 an action to enforce this subsection.”.

1 **SEC. 478. NATIONAL STUDENT LOAN DATA SYSTEM.**

2 Section 485B (20 U.S.C. 1092b) is amended—

3 (1) in subsection (a)—

4 (A) by redesignating paragraphs (6)
5 through (10) as paragraphs (7) through (11),
6 respectively;

7 (B) in paragraph (5) (as added by Public
8 Law 101–610), by striking “effectiveness.” and
9 inserting “effectiveness;”; and

10 (C) by redesignating paragraph (5) (as
11 added by Public Law 101–234) as paragraph
12 (6);

13 (2) by redesignating subsections (d) through (g)
14 as subsections (e) through (h), respectively; and

15 (3) by inserting after subsection (c) the fol-
16 lowing:

17 “(d) **PRINCIPLES FOR ADMINISTERING THE DATA**
18 **SYSTEM.**—In managing the National Student Loan Data
19 System, the Secretary shall take actions necessary to
20 maintain confidence in the data system, including, at a
21 minimum—

22 “(1) ensuring that the primary purpose of ac-
23 cess to the data system by guaranty agencies, eligi-
24 ble lenders, and eligible institutions of higher edu-
25 cation is for legitimate program operations, such as
26 the need to verify the eligibility of a student, poten-

1 tial student, or parent for loans under part B, D, or
2 E;

3 “(2) prohibiting nongovernmental researchers
4 and policy analysts from accessing personally identi-
5 fiable information;

6 “(3) creating a disclosure form for students and
7 potential students that is distributed when such stu-
8 dents complete the common financial reporting form
9 under section 483, and as a part of the exit coun-
10 seling process under section 485(b), that—

11 “(A) informs the students that any title IV
12 grant or loan the students receive will be in-
13 cluded in the National Student Loan Data Sys-
14 tem, and instructs the students on how to ac-
15 cess that information;

16 “(B) describes the categories of individuals
17 or entities that may access the data relating to
18 such grant or loan through the data system,
19 and for what purposes access is allowed;

20 “(C) defines and explains the categories of
21 information included in the data system;

22 “(D) provides a summary of the provisions
23 of the Family Educational Rights and Privacy
24 Act of 1974 and other applicable Federal pri-
25 vacy statutes, and a statement of the students’

1 rights and responsibilities with respect to such
2 statutes;

3 “(E) explains the measures taken by the
4 Department to safeguard the students’ data;
5 and

6 “(F) includes other information as deter-
7 mined appropriate by the Secretary;

8 “(4) requiring guaranty agencies, eligible lend-
9 ers, and eligible institutions of higher education that
10 enter into an agreement with a potential student,
11 student, or parent of such student regarding a loan
12 under part B, D, or E, to inform the student or par-
13 ent that such loan shall be—

14 “(A) submitted to the data system; and

15 “(B) accessible to guaranty agencies, eligi-
16 ble lenders, and eligible institutions of higher
17 education determined by the Secretary to be au-
18 thorized users of the data system;

19 “(5) regularly reviewing the data system to—

20 “(A) delete inactive users from the data
21 system;

22 “(B) ensure that the data in the data sys-
23 tem are not being used for marketing purposes;
24 and

1 “(C) monitor the use of the data system by
2 guaranty agencies and eligible lenders to deter-
3 mine whether an agency or lender is accessing
4 the records of students in which the agency or
5 lender has no existing financial interest; and

6 “(6) developing standardized protocols for lim-
7 iting access to the data system that include—

8 “(A) collecting data on the usage of the
9 data system to monitor whether access has been
10 or is being used contrary to the purposes of the
11 data system;

12 “(B) defining the steps necessary for de-
13 termining whether, and how, to deny or restrict
14 access to the data system; and

15 “(C) determining the steps necessary to re-
16 open access to the data system following a de-
17 nial or restriction of access.”; and

18 (4) by striking subsection (e) (as redesignated
19 by paragraph (1)) and inserting the following:

20 “(e) REPORTS TO CONGRESS.—

21 “(1) ANNUAL REPORT.—Not later than Sep-
22 tember 30 of each fiscal year, the Secretary shall
23 prepare and submit to the appropriate committees of
24 Congress a report describing—

1 “(A) the results obtained by the establish-
2 ment and operation of the National Student
3 Loan Data System authorized by this section;

4 “(B) the effectiveness of existing privacy
5 safeguards in protecting student and parent in-
6 formation in the data system;

7 “(C) the success of any new authorization
8 protocols in more effectively preventing abuse of
9 the data system;

10 “(D) the ability of the Secretary to mon-
11 itor how the system is being used, relative to
12 the intended purposes of the data system; and

13 “(E) any protocols developed under sub-
14 section (d)(6) during the preceding fiscal year.

15 “(2) STUDY.—

16 “(A) IN GENERAL.—The Secretary shall
17 conduct a study regarding—

18 “(i) available mechanisms for pro-
19 viding students and parents with the abil-
20 ity to opt in or opt out of allowing eligible
21 lenders to access their records in the Na-
22 tional Student Loan Data System; and

23 “(ii) appropriate protocols for limiting
24 access to the data system, based on the
25 risk assessment required under subchapter

1 III of chapter 35 of title 44, United States
2 Code.

3 “(B) SUBMISSION OF STUDY.—Not later
4 than 3 years after the date of enactment of the
5 Higher Education Amendments of 2007, the
6 Secretary shall prepare and submit a report on
7 the findings of the study to the appropriate
8 committees of Congress.”.

9 **SEC. 479. EARLY AWARENESS OF FINANCIAL AID ELIGI-**
10 **BILITY.**

11 Part G of title IV (20 U.S.C. 1088 et seq.) is further
12 amended by inserting after section 485D (20 U.S.C.
13 1092c) the following:

14 **“SEC. 485E. EARLY AWARENESS OF FINANCIAL AID ELIGI-**
15 **BILITY.**

16 “(a) IN GENERAL.—The Secretary shall implement,
17 in cooperation with States, institutions of higher edu-
18 cation, secondary schools, middle schools, early interven-
19 tion and outreach programs under this title, other agen-
20 cies and organizations involved in student financial assist-
21 ance and college access, public libraries, community cen-
22 ters, employers, and businesses, a comprehensive system
23 of early financial aid information in order to provide stu-
24 dents and families with early information about financial
25 aid and early estimates of such students’ eligibility for fi-

1 nancial aid from multiple sources. Such system shall in-
2 clude the activities described in subsections (b) and (c).

3 “(b) COMMUNICATION OF AVAILABILITY OF AID AND
4 AID ELIGIBILITY.—

5 “(1) STUDENTS WHO RECEIVE BENEFITS.—The
6 Secretary shall—

7 “(A) make special efforts to notify stu-
8 dents, who receive or are eligible to receive ben-
9 efits under a Federal means-tested benefit pro-
10 gram (including the food stamp program under
11 the Food Stamp Act of 1977 (7 U.S.C. 2011 et
12 seq.)) or another such benefit program as deter-
13 mined by the Secretary, of such students’ po-
14 tential eligibility for a maximum Federal Pell
15 Grant under subpart 1 of part A; and

16 “(B) disseminate such informational mate-
17 rials as the Secretary determines necessary.

18 “(2) MIDDLE SCHOOL STUDENTS.—The Sec-
19 retary, in cooperation with States, institutions of
20 higher education, other organizations involved in col-
21 lege access and student financial aid, middle schools,
22 and programs under this title that serve middle
23 school students, shall make special efforts to notify
24 students and their parents of the availability of fi-
25 nancial aid under this title and, in accordance with

1 subsection (c), shall provide nonbinding estimates of
2 grant and loan aid that an individual may be eligible
3 for under this title upon completion of an applica-
4 tion form under section 483(a). The Secretary shall
5 ensure that such information is as accurate as pos-
6 sible and that such information is provided in an
7 age-appropriate format using dissemination mecha-
8 nisms suitable for students in middle school.

9 “(3) SECONDARY SCHOOL STUDENTS.—The
10 Secretary, in cooperation with States, institutions of
11 higher education, other organizations involved in col-
12 lege access and student financial aid, secondary
13 schools, and programs under this title that serve sec-
14 ondary school students, shall make special efforts to
15 notify students in secondary school and their par-
16 ents, as early as possible but not later than such
17 students’ junior year of secondary school, of the
18 availability of financial aid under this title and, in
19 accordance with subsection (c), shall provide non-
20 binding estimates of the amounts of grant and loan
21 aid that an individual may be eligible for under this
22 title upon completion of an application form under
23 section 483(a). The Secretary shall ensure that such
24 information is as accurate as possible and that such
25 information is provided in an age-appropriate format

1 using dissemination mechanisms suitable for stu-
2 dents in secondary school.

3 “(4) ADULT LEARNERS.—The Secretary, in co-
4 operation with States, institutions of higher edu-
5 cation, other organizations involved in college access
6 and student financial aid, employers, workforce in-
7 vestment boards and public libraries, shall make spe-
8 cial efforts to provide individuals who would qualify
9 as independent students, as defined in section
10 480(d), with information regarding the availability
11 of financial aid under this title and, in accordance
12 with subsection (c), with nonbinding estimates of the
13 amounts of grant and loan aid that an individual
14 may be eligible for under this title upon completion
15 of an application form under section 483(a). The
16 Secretary shall ensure that such information—

17 “(A) is as accurate as possible;

18 “(B) includes specific information regard-
19 ing the availability of financial aid for students
20 qualified as independent students, as defined in
21 section 480(d); and

22 “(C) uses dissemination mechanisms suit-
23 able for adult learners.

24 “(5) PUBLIC AWARENESS CAMPAIGN.—Not
25 later than 2 years after the date of enactment of the

1 Higher Education Amendments of 2007, the Sec-
2 retary, in coordination with States, institutions of
3 higher education, early intervention and outreach
4 programs under this title, other agencies and organi-
5 zations involved in student financial aid, local edu-
6 cational agencies, public libraries, community cen-
7 ters, businesses, employers, employment services,
8 workforce investment boards, and movie theaters,
9 shall implement a public awareness campaign in
10 order to increase national awareness regarding the
11 availability of financial aid under this title. The pub-
12 lic awareness campaign shall disseminate accurate
13 information regarding the availability of financial
14 aid under this title and shall be implemented, to the
15 extent practicable, using a variety of media, includ-
16 ing print, television, radio and the Internet. The
17 Secretary shall design and implement the public
18 awareness campaign based upon relevant inde-
19 pendent research and the information and dissemi-
20 nation strategies found most effective in imple-
21 menting paragraphs (1) through (4).

22 “(c) AVAILABILITY OF NONBINDING ESTIMATES OF
23 FEDERAL FINANCIAL AID ELIGIBILITY.—

24 “(1) IN GENERAL.—The Secretary, in coopera-
25 tion with States, institutions of higher education,

1 and other agencies and organizations involved in stu-
2 dent financial aid, shall provide, via a printed form
3 and the Internet or other electronic means, the capa-
4 bility for individuals to determine easily, by entering
5 relevant data, nonbinding estimates of amounts of
6 grant and loan aid an individual may be eligible for
7 under this title upon completion and processing of
8 an application and enrollment in an institution of
9 higher education.

10 “(2) DATA ELEMENTS.—The Secretary, in co-
11 operation with States, institutions of higher edu-
12 cation, and other agencies and organizations in-
13 volved in student financial aid, shall determine the
14 data elements that are necessary to create a sim-
15 plified form that individuals can use to obtain easily
16 nonbinding estimates of the amounts of grant and
17 loan aid an individual may be eligible for under this
18 title.

19 “(3) QUALIFICATION TO USE SIMPLIFIED AP-
20 PPLICATION.—The capability provided under this
21 paragraph shall include the capability to determine
22 whether the individual is eligible to submit a sim-
23 plified application form under paragraph (2)(B) or
24 (3)(B) of section 483(a).”

1 **SEC. 480. PROGRAM PARTICIPATION AGREEMENTS.**

2 Section 487 (20 U.S.C. 1094) is amended—

3 (1) in subsection (a)—

4 (A) by redesignating paragraphs (21),
5 (22), and (23) as (24), (25), and (26), respec-
6 tively;

7 (B) by inserting after paragraph (20) the
8 following:

9 “(21) CODE OF CONDUCT.—

10 “(A) IN GENERAL.—The institution will
11 establish, follow, and enforce a code of conduct
12 regarding student loans that includes not less
13 than the following:

14 “(i) REVENUE SHARING PROHIBI-
15 TION.—The institution is prohibited from
16 receiving anything of value from any lender
17 in exchange for any advantage sought by
18 the lender to make educational loans to a
19 student enrolled, or who is expected to be
20 enrolled, at the institution, except that an
21 institution shall not be prohibited from re-
22 ceiving a philanthropic contribution from a
23 lender if the contribution is not made in
24 exchange for any such advantage.

25 “(ii) GIFT AND TRIP PROHIBITION.—
26 Any employee who is employed in the fi-

1 nancial aid office of the institution, or who
2 otherwise has responsibilities with respect
3 to educational loans or other financial aid
4 of the institution, is prohibited from taking
5 from any lender any gift or trip worth
6 more than nominal value, except for rea-
7 sonable expenses for professional develop-
8 ment that will improve the efficiency and
9 effectiveness of programs under this title
10 and for domestic travel to such profes-
11 sional development.

12 “(iii) CONTRACTING ARRANGE-
13 MENTS.—Any employee who is employed in
14 the financial aid office of the institution, or
15 who otherwise has responsibilities with re-
16 spect to educational loans or other finan-
17 cial aid of the institution, shall be prohib-
18 ited from entering into any type of con-
19 sulting arrangement or other contract to
20 provide services to a lender.

21 “(iv) ADVISORY BOARD COMPENSA-
22 TION.—Any employee who is employed in
23 the financial aid office of the institution, or
24 who otherwise has responsibilities with re-
25 spect to educational loans or other finan-

1 cial aid of the institution, and who serves
2 on an advisory board, commission, or
3 group established by a lender or group of
4 lenders shall be prohibited from receiving
5 anything of value from the lender or group
6 of lenders, except that the employee may
7 be reimbursed for reasonable expenses in-
8 curred in serving on such advisory board,
9 commission or group.

10 “(v) INTERACTION WITH BOR-
11 ROWERS.—The institution will not—

12 “(I) for any first-time borrower,
13 assign, through award packaging or
14 other methods, the borrower’s loan to
15 a particular lender; and

16 “(II) refuse to certify, or, delay
17 certification of, any loan in accord-
18 ance with paragraph (6) based on the
19 borrower’s selection of a particular
20 lender or guaranty agency.

21 “(B) DESIGNATION.—The institution will
22 designate an individual who shall be responsible
23 for signing an annual attestation on behalf of
24 the institution that the institution agrees to,
25 and is in compliance with, the requirements of

1 the code of conduct described in this paragraph.
2 Such individual shall be the chief executive offi-
3 cer, chief operating officer, chief financial offi-
4 cer, or comparable official, of the institution,
5 and shall annually submit the signed attestation
6 to the Secretary.

7 “(C) AVAILABILITY.—The institution will
8 make the code of conduct widely available to
9 the institution’s faculty members, students, and
10 parents through a variety of means, including
11 the institution’s website.”;

12 (C) in paragraph (26) (as redesignated by
13 subparagraph (A)), by adding at the end the
14 following:

15 “(D) In the case of a proprietary institu-
16 tion of higher education as defined in section
17 102(b), the institution shall be considered in
18 compliance with the requirements of subpara-
19 graph (A) for any student to whom the institu-
20 tion electronically transmits a message con-
21 taining a voter registration form acceptable for
22 use in the State in which the institution is lo-
23 cated, or an Internet address where such a
24 form can be downloaded, if such information is

1 in an electronic message devoted solely to voter
2 registration.”; and

3 (D) by adding at the end the following:

4 “(27) In the case of a proprietary institution of
5 higher education as defined in section 102(b), the
6 institution will, as calculated in accordance with sub-
7 section (h)(1), have not less than 10 percent of its
8 revenues from sources other than funds provided
9 under this title, or will be subject to the sanctions
10 described in subsection (h)(2).

11 “(28) PREFERRED LENDER LISTS.—

12 “(A) IN GENERAL.—In the case of an in-
13 stitution (including an employee or agent of an
14 institution) that maintains a preferred lender
15 list, in print or any other medium, through
16 which the institution recommends one or more
17 specific lenders for loans made under part B to
18 the students attending the institution (or the
19 parents of such students), the institution will—

20 “(i) clearly and fully disclose on the
21 preferred lender list—

22 “(I) why the institution has in-
23 cluded each lender as a preferred
24 lender, especially with respect to

1 terms and conditions favorable to the
2 borrower; and

3 “(II) that the students attending
4 the institution (or the parents of such
5 students) do not have to borrow from
6 a lender on the preferred lender list;

7 “(ii) ensure, through the use of the
8 list provided by the Secretary under sub-
9 paragraph (C), that—

10 “(I) there are not less than 3
11 lenders named on the preferred lend-
12 ing list that are not affiliates of each
13 other; and

14 “(II) the preferred lender list—

15 “(aa) specifically indicates,
16 for each lender on the list,
17 whether the lender is or is not an
18 affiliate of each other lender on
19 the list; and

20 “(bb) if the lender is an af-
21 filiate of another lender on the
22 list, describes the specifics of
23 such affiliation; and

24 “(iii) establish a process to ensure
25 that lenders are placed upon the preferred

1 lender list on the basis of the benefits pro-
2 vided to borrowers, including —

3 “(I) highly competitive interest
4 rates, terms, or conditions for loans
5 made under part B;

6 “(II) high-quality customer serv-
7 ice for such loans; or

8 “(III) additional benefits beyond
9 the standard terms and conditions for
10 such loans.

11 “(B) DEFINITION OF AFFILIATE; CON-
12 TROL.—

13 “(i) DEFINITION OF AFFILIATE.—For
14 the purposes of subparagraph (A)(ii) the
15 term ‘affiliate’ means a person that con-
16 trols, is controlled by, or is under common
17 control with, another person.

18 “(ii) CONTROL.—For purposes of sub-
19 paragraph (A)(ii), a person has control
20 over another person if—

21 “(I) the person directly or indi-
22 rectly, or acting through 1 or more
23 others, owns, controls, or has the
24 power to vote 5 percent or more of

1 any class of voting securities of such
2 other person;

3 “(II) the person controls, in any
4 manner, the election of a majority of
5 the directors or trustees of such other
6 person; or

7 “(III) the Secretary determines
8 (after notice and opportunity for a
9 hearing) that the person directly or
10 indirectly exercises a controlling inter-
11 est over the management or policies of
12 such other person.

13 “(C) LIST OF LENDER AFFILIATES.—The
14 Secretary, in consultation with the Director of
15 the Federal Deposit Insurance Corporation,
16 shall maintain and update a list of lender affili-
17 ates of all eligible lenders, and shall provide
18 such list to the eligible institutions for use in
19 carrying out subparagraph (A).”;

20 (2) in subsection (c)(1)(A)(i), by inserting “,
21 except that the Secretary may modify the require-
22 ments of this clause with regard to an institution
23 outside the United States” before the semicolon at
24 the end;

1 (3) by redesignating subsections (d) and (e) as
2 subsection (f) and (g), respectively;

3 (4) by inserting after subsection (c) the fol-
4 lowing:

5 “(d) INSTITUTIONAL REQUIREMENTS FOR TEACH-
6 OUTS.—

7 “(1) IN GENERAL.—In the event the Secretary
8 initiates the limitation, suspension, or termination of
9 the participation of an institution of higher edu-
10 cation in any program under this title under the au-
11 thority of subsection (c)(1)(F) or initiates an emer-
12 gency action under the authority of subsection
13 (c)(1)(G) and its prescribed regulations, the Sec-
14 retary shall require that institution to prepare a
15 teach-out plan for submission to the institution’s ac-
16 crediting agency or association in compliance with
17 section 496(e)(4), the Secretary’s regulations on
18 teach-out plans, and the standards of the institu-
19 tion’s accrediting agency or association.

20 “(2) TEACH-OUT PLAN DEFINED.—In this sub-
21 section, the term ‘teach-out plan’ means a written
22 plan that provides for the equitable treatment of stu-
23 dents if an institution of higher education ceases to
24 operate before all students have completed their pro-
25 gram of study, and may include, if required by the

1 institution's accrediting agency or association, an
 2 agreement between institutions for such a teach-out
 3 plan.

4 “(e) VIOLATION OF CODE OF CONDUCT REGARDING
 5 STUDENT LOANS.—

6 “(1) IN GENERAL.—Upon a finding by the Sec-
 7 retary, after reasonable notice and an opportunity
 8 for a hearing, that an institution of higher education
 9 that has entered into a program participation agree-
 10 ment with the Secretary under subsection (a) will-
 11 fully contravened the institution's attestation of
 12 compliance with the provisions of subsection (a)(21),
 13 the Secretary may impose a penalty described in
 14 paragraph (2).

15 “(2) PENALTIES.—A violation of paragraph (1)
 16 shall result in the limitation, suspension, or termi-
 17 nation of the eligibility of the institution for the loan
 18 programs under this title.”; and

19 (5) by adding at the end the following:

20 “(h) IMPLEMENTATION OF NONTITLE IV REVENUE
 21 REQUIREMENT.—

22 “(1) CALCULATION.—In carrying out sub-
 23 section (a)(27), a proprietary institution of higher
 24 education (as defined in section 102(b)) shall use
 25 the cash basis of accounting and count the following

1 funds as from sources of funds other than funds
2 provided under this title:

3 “(A) Funds used by students from sources
4 other than funds received under this title to pay
5 tuition, fees, and other institutional charges to
6 the institution, provided the institution can rea-
7 sonably demonstrate that such funds were used
8 for such purposes.

9 “(B) Funds used by the institution to sat-
10 isfy matching-fund requirements for programs
11 under this title.

12 “(C) Funds used by a student from sav-
13 ings plans for educational expenses established
14 by or on behalf of the student and which qualify
15 for special tax treatment under the Internal
16 Revenue Code of 1986.

17 “(D) Funds paid by a student, or on be-
18 half of a student by a party other than the in-
19 stitution, to the institution for an education or
20 training program that is not eligible for funds
21 under this title, provided that the program is
22 approved or licensed by the appropriate State
23 agency or an accrediting agency recognized by
24 the Secretary.

1 “(E) Funds generated by the institution
2 from institutional activities that are necessary
3 for the education and training of the institu-
4 tion’s students, if such activities are—

5 “(i) conducted on campus or at a fa-
6 cility under the control of the institution;

7 “(ii) performed under the supervision
8 of a member of the institution’s faculty;
9 and

10 “(iii) required to be performed by all
11 students in a specific educational program
12 at the institution.

13 “(F) Institutional aid, as follows:

14 “(i) In the case of loans made by the
15 institution, only the amount of loan repay-
16 ments received by the institution during
17 the fiscal year for which the determination
18 is made.

19 “(ii) In the case of scholarships pro-
20 vided by the institution, only those scholar-
21 ship funds provided by the institution that
22 are—

23 “(I) in the form of monetary aid
24 based upon the academic achieve-

1 ments or financial need of students;
2 and

3 “(II) disbursed during the fiscal
4 year for which the determination is
5 made from an established restricted
6 account and only to the extent that
7 the funds in that account represent
8 designated funds from an outside
9 source or income earned on those
10 funds.

11 “(iii) In the case of tuition discounts,
12 only those tuition discounts based upon the
13 academic achievement or financial need of
14 students.

15 “(2) SANCTIONS.—

16 “(A) FAILURE TO MEET REQUIREMENT
17 FOR 1 YEAR.—In addition to such other means
18 of enforcing the requirements of this title as
19 may be available to the Secretary, if an institu-
20 tion fails to meet the requirements of sub-
21 section (a)(27) in any year, the Secretary may
22 impose 1 or both of the following sanctions on
23 the institution:

24 “(i) Place the institution on provi-
25 sional certification in accordance with sec-

1 tion 498(h) until the institution dem-
2 onstrates, to the satisfaction of the Sec-
3 retary, that it is in compliance with sub-
4 section (a)(27).

5 “(ii) Require such other increased
6 monitoring and reporting requirements as
7 the Secretary determines necessary until
8 the institution demonstrates, to the satis-
9 faction of the Secretary, that it is in com-
10 pliance with subsection (a)(27).

11 “(B) FAILURE TO MEET REQUIREMENT
12 FOR 2 YEARS.—An institution that fails to meet
13 the requirements of subsection (a)(27) for 2
14 consecutive years shall be ineligible to partici-
15 pate in the programs authorized under this title
16 until the institution demonstrates, to the satis-
17 faction of the Secretary, that it is in compliance
18 with subsection (a)(27).

19 “(3) PUBLIC AVAILABILITY OF INFORMATION.—
20 The Secretary shall make publicly available, through
21 the means described in subsection (b) of section 131,
22 any institution that fails to meet the requirements of
23 subsection (a)(27) in any year as an institution that
24 is failing to meet the minimum non-Federal source

1 of revenue requirements of such subsection
2 (a)(27).”.

3 **SEC. 481. REGULATORY RELIEF AND IMPROVEMENT.**

4 Section 487A(b) (20 U.S.C. 1094a(b)) is amended—

5 (1) in paragraph (1)—

6 (A) by striking “1998” and inserting
7 “2007” ; and

8 (B) by striking “1999” and inserting
9 “2008”;

10 (2) by striking the matter preceding paragraph

11 (2)(A) and inserting the following:

12 “(2) REPORT.—The Secretary shall review and
13 evaluate the experience of institutions participating
14 as experimental sites and shall, on a biennial basis,
15 submit a report based on the review and evaluation
16 to the authorizing committees. Such report shall in-
17 clude—”; and

18 (3) in paragraph (3)—

19 (A) in subparagraph (A)—

20 (i) by striking “Upon the submission
21 of the report required by paragraph (2),
22 the” and inserting “The”; and

23 (ii) by inserting “periodically” after
24 “authorized to”;

25 (B) by striking subparagraph (B);

1 (C) by redesignating subparagraph (C) as
2 subparagraph (B); and

3 (D) in subparagraph (B) (as redesignated
4 by subparagraph (C))—

5 (i) by inserting “, including require-
6 ments related to the award process and
7 disbursement of student financial aid (such
8 as innovative delivery systems for modular
9 or compressed courses, or other innovative
10 systems), verification of student financial
11 aid application data, entrance and exit
12 interviews, or other management proce-
13 dures or processes as determined in the ne-
14 gotiated rulemaking process under section
15 492” after “requirements in this title”;

16 (ii) by inserting “(other than an
17 award rule related to an experiment in
18 modular or compressed schedules)” after
19 “award rules”; and

20 (iii) by inserting “unless the waiver of
21 such provisions is authorized by another
22 provision under this title” before the pe-
23 riod at the end.

1 **SEC. 482. TRANSFER OF ALLOTMENTS.**

2 Section 488 (20 U.S.C. 1095) is amended in the first
3 sentence—

4 (1) in paragraph (1), by striking “and” after
5 the semicolon;

6 (2) in paragraph (2), by striking “413D.” and
7 inserting “413D; and”; and

8 (3) by adding at the end “(3) transfer 25 per-
9 cent of the institution’s allotment under section
10 413D to the institution’s allotment under section
11 442.”.

12 **SEC. 483. PURPOSE OF ADMINISTRATIVE PAYMENTS.**

13 Section 489(b) (20 U.S.C. 1096(b)) is amended by
14 striking “offsetting the administrative costs of” and in-
15 serting “administering”.

16 **SEC. 484. ADVISORY COMMITTEE ON STUDENT FINANCIAL**
17 **ASSISTANCE.**

18 Section 491 (20 U.S.C. 1098) is amended—

19 (1) in subsection (a)(2)—

20 (A) in subparagraph (B), by striking
21 “and” after the semicolon;

22 (B) in subparagraph (C), by striking the
23 period and inserting a semicolon; and

24 (C) by adding at the end the following:

25 “(D) to provide knowledge and under-
26 standing of early intervention programs, and to

1 make recommendations that will result in early
2 awareness by low- and moderate-income stu-
3 dents and families—

4 “(i) of their eligibility for assistance
5 under this title; and

6 “(ii) to the extent practicable, of their
7 eligibility for other forms of State and in-
8 stitutional need-based student assistance;
9 and

10 “(E) to make recommendations that will
11 expand and improve partnerships among the
12 Federal Government, States, institutions of
13 higher education, and private entities to in-
14 crease the awareness and the total amount of
15 need-based student assistance available to low-
16 and moderate-income students.”;

17 (2) in subsection (c), by adding at the end the
18 following:

19 “(3) The appointment of a member under subpara-
20 graph (A) or (B) of paragraph (1) shall be effective upon
21 confirmation of the member by the Senate and publication
22 of such appointment in the Congressional Record.”;

23 (3) in subsection (d)(6), by striking “, but
24 nothing” and all that follows through “or analyses”;

25 (4) in subsection (j)—

1 (A) in paragraph (1)—

2 (i) by inserting “and simplification”
3 after “modernization” each place the term
4 appears; and

5 (ii) by striking “including” and all
6 that follows through “Department,”; and

7 (B) by striking paragraphs (4) and (5) and
8 inserting the following:

9 “(4) conduct a review and analysis of regula-
10 tions in accordance with subsection (l); and

11 “(5) conduct a study in accordance with sub-
12 section (m).”;

13 (5) in subsection (k), by striking “2004” and
14 inserting “2013”; and

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

16 “(1) REVIEW AND ANALYSIS OF REGULATIONS.—

17 “(1) RECOMMENDATIONS.—The Advisory Com-
18 mittee shall make recommendations to the Secretary
19 and Congress for consideration of future legislative
20 action regarding redundant or outdated regulations
21 under this title, consistent with the Secretary’s re-
22 quirements under section 498B.

23 “(2) REVIEW AND ANALYSIS OF REGULA-
24 TIONS.—The Advisory Committee shall conduct a re-
25 view and analysis of the regulations issued under

1 this title that are in effect at the time of the review
2 and that apply to the operations or activities of par-
3 ticipants in the programs assisted under this title.
4 The review and analysis may include a determina-
5 tion of whether the regulation is duplicative, is no
6 longer necessary, is inconsistent with other Federal
7 requirements, or is overly burdensome. In con-
8 ducting the review, the Advisory Committee shall
9 pay specific attention to evaluating ways in which
10 regulations under this title affecting institutions of
11 higher education (other than institutions described
12 in section 102(a)(1)(C)), that have received in each
13 of the 2 most recent award years prior to the date
14 of enactment of the Higher Education Amendments
15 of 2007 less than \$200,000 in funds through this
16 title, may be improved, streamlined, or eliminated.

17 “(3) CONSULTATION.—

18 “(A) IN GENERAL.—In carrying out the
19 review and analysis under paragraph (2), the
20 Advisory Committee shall consult with the Sec-
21 retary, relevant representatives of institutions
22 of higher education, and individuals who have
23 expertise and experience with the regulations
24 issued under this title, in accordance with sub-
25 paragraph (B).

1 “(B) REVIEW PANELS.—The Advisory
2 Committee shall convene not less than 2 review
3 panels of representatives of the groups involved
4 in student financial assistance programs under
5 this title who have experience and expertise in
6 the regulations issued under this title to review
7 the regulations under this title, and to provide
8 recommendations to the Advisory Committee
9 with respect to the review and analysis under
10 paragraph (2). The panels shall be made up of
11 experts in areas such as the operations of the
12 financial assistance programs, the institutional
13 eligibility requirements for the financial assist-
14 ance programs, regulations not directly related
15 to the operations or the institutional eligibility
16 requirements of the financial assistance pro-
17 grams, and regulations for dissemination of in-
18 formation to students about the financial assist-
19 ance programs.

20 “(4) REPORTS TO CONGRESS.—The Advisory
21 Committee shall submit, not later than 2 years after
22 the completion of the negotiated rulemaking process
23 required under section 492 resulting from the
24 amendments to this Act made by the Higher Edu-
25 cation Amendments of 2007, a report to the author-

1 izing committees and the Secretary detailing the ex-
2 pert panels' findings and recommendations with re-
3 spect to the review and analysis under paragraph
4 (2).

5 “(5) ADDITIONAL SUPPORT.—The Secretary
6 and the Inspector General of the Department shall
7 provide such assistance and resources to the Advi-
8 sory Committee as the Secretary and Inspector Gen-
9 eral determine are necessary to conduct the review
10 required by this subsection.

11 “(m) STUDY OF INNOVATIVE PATHWAYS TO BACCA-
12 LAUREATE DEGREE ATTAINMENT.—

13 “(1) STUDY REQUIRED.—The Advisory Com-
14 mittee shall conduct a study of the feasibility of in-
15 creasing baccalaureate degree attainment rates by
16 reducing the costs and financial barriers to attaining
17 a baccalaureate degree through innovative programs.

18 “(2) SCOPE OF STUDY.—The Advisory Com-
19 mittee shall examine new and existing programs that
20 promote baccalaureate degree attainment through
21 innovative ways, such as dual or concurrent enroll-
22 ment programs, changes made to the Federal Pell
23 Grant program, simplification of the needs analysis
24 process, compressed or modular scheduling, articula-
25 tion agreements, and programs that allow 2-year in-

1 stitutions of higher education to offer baccalaureate
2 degrees.

3 “(3) REQUIRED ASPECTS OF THE STUDY.—In
4 performing the study described in this subsection,
5 the Advisory Committee shall examine the following
6 aspects of such innovative programs:

7 “(A) The impact of such programs on bac-
8 calaureate attainment rates.

9 “(B) The degree to which a student’s total
10 cost of attaining a baccalaureate degree can be
11 reduced by such programs.

12 “(C) The ways in which low- and mod-
13 erate-income students can be specifically tar-
14 geted by such programs.

15 “(D) The ways in which nontraditional
16 students can be specifically targeted by such
17 programs.

18 “(E) The cost-effectiveness for the Federal
19 Government, States, and institutions of higher
20 education to implement such programs.

21 “(4) CONSULTATION.—

22 “(A) IN GENERAL.—In performing the
23 study described in this subsection the Advisory
24 Committee shall consult with a broad range of
25 interested parties in higher education, including

1 parents, students, appropriate representatives
2 of secondary schools and institutions of higher
3 education, appropriate State administrators, ad-
4 ministrators of dual or concurrent enrollment
5 programs, and appropriate Department offi-
6 cials.

7 “(B) CONGRESSIONAL CONSULTATION.—

8 The Advisory Committee shall consult on a reg-
9 ular basis with the authorizing committees in
10 carrying out the study required by this section.

11 “(5) REPORTS TO CONGRESS.—

12 “(A) INTERIM REPORT.—The Advisory
13 Committee shall prepare and submit to the au-
14 thorizing committees and the Secretary an in-
15 terim report, not later than 1 year after the
16 date of enactment of the Higher Education
17 Amendments of 2007, describing the progress
18 that has been made in conducting the study re-
19 quired by this subsection and any preliminary
20 findings on the topics identified under para-
21 graph (2).

22 “(B) FINAL REPORT.—The Advisory Com-
23 mittee shall, not later than 3 years after the
24 date of enactment of the Higher Education
25 Amendments of 2007, prepare and submit to

1 the authorizing committees and the Secretary a
 2 final report on the study, including rec-
 3 ommendations for legislative, regulatory, and
 4 administrative changes based on findings re-
 5 lated to the topics identified under paragraph
 6 (2).”.

7 **SEC. 485. REGIONAL MEETINGS.**

8 Section 492(a)(1) (20 U.S.C. 1098a(a)(1)) is amend-
 9 ed by inserting “State student grant agencies,” after “in-
 10 stitutions of higher education,”.

11 **SEC. 486. YEAR 2000 REQUIREMENTS AT THE DEPARTMENT.**

12 (a) REPEAL.—Section 493A (20 U.S.C. 1098c) is re-
 13 pealed.

14 (b) REDESIGNATION.—Section 493B (20 U.S.C.
 15 1098d) is redesignated as section 493A.

16 **PART G—PROGRAM INTEGRITY**

17 **SEC. 491. RECOGNITION OF ACCREDITING AGENCY OR AS-**
 18 **SOCIATION.**

19 Section 496 (20 U.S.C. 1099b) is amended—

20 (1) in subsection (a)—

21 (A) by striking paragraph (4) and insert-
 22 ing the following:

23 “(4)(A) such agency or association consistently
 24 applies and enforces standards that respect the stat-
 25 ed mission of the institution of higher education, in-

1 including religious missions, and that ensure that the
2 courses or programs of instruction, training, or
3 study offered by the institution of higher education,
4 including distance education courses or programs,
5 are of sufficient quality to achieve, for the duration
6 of the accreditation period, the stated objective for
7 which the courses or the programs are offered; and

8 “(B) if such agency or association has or seeks
9 to include within its scope of recognition the evalua-
10 tion of the quality of institutions or programs offer-
11 ing distance education, such agency or association
12 shall, in addition to meeting the other requirements
13 of this subpart, demonstrate to the Secretary that—

14 “(i) the agency or association’s standards
15 effectively address the quality of an institution’s
16 distance education in the areas identified in sec-
17 tion 496(a)(5), except that the agency or asso-
18 ciation shall not be required to have separate
19 standards, procedures or policies for the evalua-
20 tion of distance education institutions or pro-
21 grams in order to meet the requirements of this
22 subparagraph; and

23 “(ii) the agency or association requires an
24 institution that offers distance education to
25 have processes through which the institution es-

1 tablishes that the student who registers in a
2 distance education course or program is the
3 same student who participates in and completes
4 the program and receives the academic credit;”;

5 (B) in paragraph (5), by striking subpara-
6 graph (A) and inserting the following:

7 “(A) success with respect to student
8 achievement in relation to the institution’s mis-
9 sion, which may include different standards for
10 different institutions or programs, through the
11 determination of expected levels of student out-
12 comes that are established by the institution,
13 and which use empirical evidence, and as appro-
14 priate, external indicators, with respect to cri-
15 teria regarding—

16 “(i) student retention rates;

17 “(ii) course completion rates;

18 “(iii) program completion and gradua-
19 tion rates;

20 “(iv) for prebaccalaureate career and
21 technical education programs, degree pro-
22 grams leading to initial professional licen-
23 sure or certification, and other programs
24 as appropriate—

1 “(I) results on State licensing ex-
2 aminations; and

3 “(II) job placement rates;

4 “(v) as appropriate, enrollment in
5 graduate or professional programs; and

6 “(vi) as appropriate, other student
7 performance information selected by the
8 institution, particularly information—

9 “(I) used by the institution to
10 evaluate or strengthen the institu-
11 tion’s programs; and

12 “(II) that reflects the institu-
13 tion’s individual mission and the insti-
14 tution’s distinctive goals for stu-
15 dents;”;

16 (C) by striking paragraph (6) and insert-
17 ing the following:

18 “(6) such an agency or association shall estab-
19 lish and apply review procedures throughout the ac-
20 crediting process, including evaluation and with-
21 drawal proceedings which comply with due process
22 procedures that provide for—

23 “(A) adequate specification of require-
24 ments and deficiencies at the institution of
25 higher education or program examined;

1 “(B) an opportunity for a written response
2 by any such institution to be included, prior to
3 final action, in the evaluation and withdrawal
4 proceedings;

5 “(C) upon the written request of an insti-
6 tution, an opportunity for the institution to ap-
7 peal any adverse action, including denial, with-
8 drawal, suspension, or termination of accredita-
9 tion, or placement on probation of an institu-
10 tion, at a hearing prior to such action becoming
11 final, before an appeals panel that—

12 “(i) shall not include current members
13 of the agency or association’s underlying
14 decision-making body that made the ad-
15 verse decision; and

16 “(ii) is subject to a conflict of interest
17 policy; and

18 “(D) the right to representation by counsel
19 for such an institution during an appeal of the
20 adverse action;”); and

21 (D) by striking paragraph (8) and insert-
22 ing the following:

23 “(8) such agency or association shall make
24 available to the public and the State licensing or au-
25 thorizing agency, and submit to the Secretary, a

1 summary of agency or association actions, includ-
2 ing—

3 “(A) the award of accreditation or re-
4 accreditation of an institution;

5 “(B) final denial, withdrawal, suspension,
6 or termination of accreditation, or placement on
7 probation of an institution, and any findings
8 made in connection with the action taken, to-
9 gether with the official comments of the af-
10 fected institution; and

11 “(C) any other adverse action taken with
12 respect to an institution.”;

13 (2) in subsection (c)—

14 (A) in paragraph (1), by inserting “, in-
15 cluding those regarding distance education”
16 after “their responsibilities”;

17 (B) by redesignating paragraphs (2)
18 through (6) as paragraphs (5) through (9);

19 (C) by inserting after paragraph (1) (as
20 amended by subparagraph (A)) the following:

21 “(2) ensures that the agency or association’s
22 on-site evaluation for accreditation or reaccreditation
23 includes review of the Federally required information
24 the institution or program provides its current and
25 prospective students;

1 “(3) monitors the growth of programs at insti-
2 tutions that are experiencing significant enrollment
3 growth;

4 “(4) requires an institution to submit a teach-
5 out plan for approval to the accrediting agency upon
6 the occurrence of any of the following events:

7 “(A) The Department notifies the accred-
8 iting agency of an action against the institution
9 pursuant to section 487(d).

10 “(B) The accrediting agency acts to with-
11 draw, terminate, or suspend the accreditation of
12 an institution.

13 “(C) The institution notifies the accred-
14 iting agency that the institution intends to
15 cease operations.”;

16 (D) in paragraph (8) (as redesignated by
17 subparagraph (B)), by striking “and” after the
18 semicolon;

19 (E) in subparagraph (9) (as redesignated
20 by subparagraph (B)), by striking the period
21 and inserting “; and”; and

22 (F) by adding at the end the following:

23 “(10) confirms, as a part of the agency or asso-
24 ciation’s review for accreditation or reaccreditation,
25 that the institution has transfer of credit policies—

1 “(A) that are publicly disclosed; and

2 “(B) that do not deny transfer of credit
3 based solely on the accreditation of the sending
4 institution, if the agency or association accred-
5 iting the sending institution is recognized by
6 the Secretary pursuant to this section.”; and

7 (3) in subsection (g), by adding at the end the
8 following: “Nothing in this section shall be construed
9 to permit the Secretary to establish any criteria that
10 specifies, defines, or prescribes the standards that
11 accrediting agencies or associations shall use to as-
12 sess any institution’s success with respect to student
13 achievement, beyond the standards and criteria es-
14 tablished under subsection (a)(5).”.

15 **SEC. 492. ADMINISTRATIVE CAPACITY STANDARD.**

16 Section 498 (20 U.S.C. 1099e) is amended—

17 (1) in subsection (d)(1)(B), by inserting “and”
18 after the semicolon; and

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

20 “(k) TREATMENT OF TEACH-OUTS AT ADDITIONAL
21 LOCATIONS.—

22 “(1) IN GENERAL.—A location of a closed insti-
23 tution of higher education shall be eligible as an ad-
24 ditional location of an eligible institution of higher
25 education, as defined pursuant to regulations of the

1 Secretary, for the purposes of a teach-out, if such
2 teach-out has been approved by the institution's ac-
3 crediting agency.

4 “(2) SPECIAL RULE.—An institution of higher
5 education that conducts a teach-out through the es-
6 tablishment of an additional location described in
7 paragraph (1) shall be permitted to establish a per-
8 manent additional location at a closed institution
9 and shall not be required—

10 “(A) to meet the requirements of sections
11 102(b)(1)(E) and 102(c)(1)(C) for such addi-
12 tional location; or

13 “(B) to assume the liabilities of the closed
14 institution.”.

15 **SEC. 493. PROGRAM REVIEW AND DATA.**

16 Section 498A(b) (20 U.S.C. 1099c-1(b)) is amend-
17 ed—

18 (1) in paragraph (4), by striking “and” after
19 the semicolon;

20 (2) in paragraph (5) by striking the period and
21 inserting a semicolon; and

22 (3) by adding at the end the following:

23 “(6) provide to an institution of higher edu-
24 cation an adequate opportunity to review and re-
25 spond to any program review report and relevant

1 materials related to the report before any final pro-
2 gram review report is issued;

3 “(7) review and take into consideration an in-
4 stitution of higher education’s response in any final
5 program review report or audit determination, and
6 include in the report or determination—

7 “(A) a written statement addressing the
8 institution of higher education’s response;

9 “(B) a written statement of the basis for
10 such report or determination; and

11 “(C) a copy of the institution’s response;
12 and

13 “(8) maintain and preserve at all times the con-
14 fidentiality of any program review report until the
15 requirements of paragraphs (6) and (7) are met, and
16 until a final program review is issued, other than to
17 the extent required to comply with paragraph (5),
18 except that the Secretary shall promptly disclose any
19 and all program review reports to the institution of
20 higher education under review.”.

21 **SEC. 494. TIMELY INFORMATION ABOUT LOANS.**

22 (a) IN GENERAL.—Title IV (20 U.S.C. 1070 et seq.)
23 is further amended by adding at the end the following:

1 **“SEC. 499. ACCESS TO TIMELY INFORMATION ABOUT**
2 **LOANS.**

3 “(a) **REGULAR BILL PROVIDING PERTINENT INFOR-**
4 **MATION ABOUT A LOAN.**—A lender of a loan made, in-
5 sured, or guaranteed under this title shall provide the bor-
6 rower of such loan a bill each month or, in the case of
7 a loan payable less frequently than monthly, a bill that
8 corresponds to each payment installment time period, in-
9 cluding a clear and conspicuous notice of—

10 “(1) the borrower’s principal borrowed;

11 “(2) the borrower’s current balance;

12 “(3) the interest rate on such loan;

13 “(4) the amount the borrower has paid in inter-
14 est;

15 “(5) the amount of additional interest payments
16 the borrower is expected to pay over the life of the
17 loan;

18 “(6) the total amount the borrower has paid for
19 the loan, including the amount the borrower has
20 paid in interest, the amount the borrower has paid
21 in fees, and the amount the borrower has paid
22 against the balance, in a brief, borrower-friendly
23 manner;

24 “(7) a description of each fee the borrower has
25 been charged for the current payment period;

1 “(8) the date by which the borrower needs to
2 make a payment in order to avoid additional fees;

3 “(9) the amount of such payment that will be
4 applied to the interest, the balance, and any fees on
5 the loan; and

6 “(10) the lender’s address and toll-free phone
7 number for payment and billing error purposes.

8 “(b) INFORMATION PROVIDED BEFORE COMMENCE-
9 MENT OF REPAYMENT.—A lender of a loan made, insured,
10 or guaranteed under this title shall provide to the borrower
11 of such loan, at least one month before the loan enters
12 repayment, a clear and conspicuous notice of not less than
13 the following information:

14 “(1) The borrower’s options, including repay-
15 ment plans, deferments, forbearances, and discharge
16 options to which the borrower may be entitled.

17 “(2) The conditions under which a borrower
18 may be charged any fee, and the amount of such fee.

19 “(3) The conditions under which a loan may de-
20 fault, and the consequences of default.

21 “(4) Resources, including nonprofit organiza-
22 tions, advocates, and counselors (including the Office
23 of the Ombudsman at the Department), where bor-
24 rowers can receive advice and assistance, if such re-
25 sources exist.

1 “(c) INFORMATION PROVIDED DURING DELIN-
2 QUENCY.—In addition to any other information required
3 under law, a lender of a loan made, insured, or guaranteed
4 under this title shall provide a borrower in delinquency
5 with a clear and conspicuous notice of the date on which
6 the loan will default if no payment is made, the minimum
7 payment that must be made to avoid default, discharge
8 options to which the borrower may be entitled, resources,
9 including nonprofit organizations, advocates, and coun-
10 selors (including the Office of the Ombudsman at the De-
11 partment), where borrowers can receive advice and assist-
12 ance, if such resources exist.

13 “(d) INFORMATION PROVIDED DURING DEFAULT.—
14 A lender of a loan made, insured, or guaranteed under
15 this title shall provide a borrower in default, on not less
16 than 2 separate occasions, with a clear and conspicuous
17 notice of not less than the following information:

18 “(1) The options available to the borrower to be
19 removed from default.

20 “(2) The relevant fees and conditions associated
21 with each option.”.

22 **SEC. 495. AUCTION EVALUATION AND REPORT.**

23 (a) EVALUATION.—If Congress enacts an Act that
24 authorizes the Secretary of Education to carry out a pilot
25 program under which the Secretary establishes a mecha-

1 nism for an auction of Federal PLUS Loans, then the
2 Comptroller General shall evaluate such pilot program.

3 The evaluation shall determine—

4 (1) the extent of the savings to the Federal
5 Government that are generated through the pilot
6 program, compared to the cost the Federal Govern-
7 ment would have incurred in operating the parent
8 loan program under section 428B of the Higher
9 Education Act of 1965 in the absence of the pilot
10 program;

11 (2) the number of lenders that participated in
12 the pilot program, and the extent to which the pilot
13 program generated competition among lenders to
14 participate in the auctions under the pilot program;

15 (3) the effect of the transition to and operation
16 of the pilot program on the ability of—

17 (A) lenders participating in the pilot pro-
18 gram to originate loans made through the pilot
19 program smoothly and efficiently;

20 (B) institutions of higher education partici-
21 pating in the pilot program to disburse loans
22 made through the pilot program smoothly and
23 efficiently; and

1 (C) the ability of parents to obtain loans
2 made through the pilot program in a timely and
3 efficient manner;

4 (4) the differential impact, if any, of the auc-
5 tion among the States, including between rural and
6 non-rural States; and

7 (5) the feasibility of using the mechanism pi-
8 loted to operate other loan programs under part B
9 of the title IV of the Higher Education Act of 1965.

10 (b) REPORTS.—The Comptroller General shall—

11 (1) not later than September 1, 2010, submit
12 to the authorizing committees (as defined in section
13 103 of the Higher Education Act of 1965 (20
14 U.S.C. 1003)) a preliminary report regarding the
15 findings of the evaluation described in subsection
16 (a);

17 (2) not later than September 1, 2012, submit
18 to the authorizing committees an interim report re-
19 garding such findings; and

20 (3) not later than September 1, 2014, submit
21 to the authorizing committees a final report regard-
22 ing such findings.

TITLE V—DEVELOPING INSTITUTIONS

3 SEC. 501. AUTHORIZED ACTIVITIES.

4 Section 503(b) (20 U.S.C. 1101b(b)) is amended—

5 (1) by redesignating paragraphs (6) through
6 (14) as paragraphs (8) through (16), respectively;

7 (2) in paragraph (5), by inserting “, including
8 innovative, customized remedial education and
9 English language instruction courses designed to
10 help retain students and move the students rapidly
11 into core courses and through program completion”
12 before the period at the end;

13 (3) by inserting after paragraph (5) the fol-
14 lowing:

15 “(6) Education or counseling services designed
16 to improve the financial literacy and economic lit-
17 eracy of students or the students’ parents.

18 “(7) Articulation agreements and student sup-
19 port programs designed to facilitate the transfer
20 from 2-year to 4-year institutions.”; and

21 (4) in paragraph (12) (as redesignated by para-
22 graph (1)), by striking “distance learning academic
23 instruction capabilities” and inserting “distance edu-
24 cation technologies”.

1 **SEC. 502. POSTBACCALAUREATE OPPORTUNITIES FOR HIS-**
2 **PANIC AMERICANS.**

3 (a) ESTABLISHMENT OF PROGRAM.—Title V (20
4 U.S.C. 1101 et seq.) is amended—

5 (1) by redesignating part B as part C;

6 (2) by redesignating sections 511 through 518
7 as sections 521 through 528, respectively; and

8 (3) by inserting after section 505 the following:

9 **“PART B—PROMOTING POSTBACCALAUREATE**
10 **OPPORTUNITIES FOR HISPANIC AMERICANS**
11 **“SEC. 511. PROGRAM AUTHORITY AND ELIGIBILITY.**

12 “(a) PROGRAM AUTHORIZED.—Subject to the avail-
13 ability of funds appropriated to carry out this part, the
14 Secretary shall award grants, on a competitive basis, to
15 eligible institutions to enable the eligible institutions to
16 carry out the authorized activities described in section
17 512.

18 “(b) ELIGIBILITY.—For the purposes of this part, an
19 ‘eligible institution’ means an institution of higher edu-
20 cation that—

21 “(1) is a Hispanic-serving institution (as de-
22 fined in section 502); and

23 “(2) offers a postbaccalaureate certificate or de-
24 gree granting program.

1 **“SEC. 512. AUTHORIZED ACTIVITIES.**

2 “Grants awarded under this part shall be used for
3 1 or more of the following activities:

4 “(1) Purchase, rental, or lease of scientific or
5 laboratory equipment for educational purposes, in-
6 cluding instructional and research purposes.

7 “(2) Construction, maintenance, renovation,
8 and improvement in classroom, library, laboratory,
9 and other instructional facilities, including purchase
10 or rental of telecommunications technology equip-
11 ment or services.

12 “(3) Purchase of library books, periodicals,
13 technical and other scientific journals, microfilm,
14 microfiche, and other educational materials, includ-
15 ing telecommunications program materials.

16 “(4) Support for needy postbaccalaureate stu-
17 dents, including outreach, academic support services,
18 mentoring, scholarships, fellowships, and other fi-
19 nancial assistance, to permit the enrollment of such
20 students in postbaccalaureate certificate and degree
21 granting programs.

22 “(5) Support of faculty exchanges, faculty de-
23 velopment, faculty research, curriculum development,
24 and academic instruction.

25 “(6) Creating or improving facilities for Inter-
26 net or other distance education technologies, includ-

1 ing purchase or rental of telecommunications tech-
2 nology equipment or services.

3 “(7) Collaboration with other institutions of
4 higher education to expand postbaccalaureate certifi-
5 cate and degree offerings.

6 “(8) Other activities proposed in the application
7 submitted pursuant to section 513 that are approved
8 by the Secretary as part of the review and accept-
9 ance of such application.

10 **“SEC. 513. APPLICATION AND DURATION.**

11 “(a) APPLICATION.—Any eligible institution may
12 apply for a grant under this part by submitting an applica-
13 tion to the Secretary at such time and in such manner
14 as the Secretary may require. Such application shall dem-
15 onstrate how the grant funds will be used to improve
16 postbaccalaureate education opportunities for Hispanic
17 and low-income students and will lead to such students’
18 greater financial independence.

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

21 “(c) LIMITATION.—The Secretary may not award
22 more than 1 grant under this part in any fiscal year to
23 any Hispanic-serving institution.”.

1 **SEC. 503. APPLICATIONS.**

2 Section 521(b)(1)(A) (as redesignated by section
3 502(a)(2)) (20 U.S.C. 1103(b)(1)(A)) is amended by
4 striking “subsection (b)” and inserting “subsection (e)”.

5 **SEC. 504. COOPERATIVE ARRANGEMENTS.**

6 Section 524(a) (as redesignated by section 502(a)(2))
7 (20 U.S.C. 1103c(a)) is amended by striking “section
8 503” and inserting “sections 503 and 512”.

9 **SEC. 505. AUTHORIZATION OF APPROPRIATIONS.**

10 Section 528(a) (as redesignated by section 502(a)(2))
11 (20 U.S.C. 1103g(a)) is amended—

12 (1) by inserting “part A of” after “carry out”;

13 (2) by striking “\$62,500,000 for fiscal year
14 1999” and all that follows through the period and
15 inserting “such sums as may be necessary for fiscal
16 year 2008 and each of the 5 succeeding fiscal
17 years.”;

18 (3) by striking “(a) AUTHORIZATIONS.—” and
19 inserting the following:

20 “(a) AUTHORIZATIONS.—

21 “(1) PART A.—There are”; and

22 (4) by adding at the end the following:

23 “(2) PART B.—There are authorized to be ap-
24 propriated to carry out part B of this title such
25 sums as may be necessary for fiscal year 2008 and
26 each of the 5 succeeding fiscal years.”.

1 **TITLE VI—INTERNATIONAL**
2 **EDUCATION PROGRAMS**

3 **SEC. 601. FINDINGS.**

4 Section 601 (20 U.S.C. 1121) is amended—

5 (1) in the section heading, by striking “**AND**
6 **PURPOSES**” and inserting “**; PURPOSES; CON-**
7 **SULTATION; SURVEY**”;

8 (2) in subsection (a)(3), by striking “post-Cold
9 War”;

10 (3) in subsection (b)(1)(D), by inserting “, in-
11 cluding through linkages with overseas institutions”
12 before the semicolon; and

13 (4) by adding at the end the following:

14 “(c) **CONSULTATION.**—The Secretary shall, prior to
15 requesting applications for funding under this title during
16 each grant cycle, consult with and receive recommenda-
17 tions regarding national need for expertise in foreign lan-
18 guages and world regions from the head officials of a wide
19 range of Federal agencies. Such agencies shall provide in-
20 formation to the Secretary regarding how the agencies uti-
21 lize expertise and resources provided by grantees under
22 this title. The Secretary shall take into account such rec-
23 ommendations and information when requesting applica-
24 tions for funding under this title, and shall make available

1 to applicants a list of areas identified as areas of national
2 need.

3 “(d) SURVEY.—The Secretary shall assist grantees in
4 developing a survey to administer to students who have
5 participated in programs under this title to determine
6 postgraduation placement. All grantees, where applicable,
7 shall administer such survey not less often than annually
8 and report such data to the Secretary.”.

9 **SEC. 602. GRADUATE AND UNDERGRADUATE LANGUAGE**
10 **AND AREA CENTERS AND PROGRAMS.**

11 Section 602 (20 U.S.C. 1122) is amended—

12 (1) in subsection (a)—

13 (A) in paragraph (2)—

14 (i) in subparagraph (G), by striking
15 “and” after the semicolon;

16 (ii) in subparagraph (H), by striking
17 the period and inserting “; and”; and

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

20 “(I) support for instructors of the less
21 commonly taught languages.”; and

22 (B) in paragraph (4)—

23 (i) by redesignating subparagraphs
24 (C) through (E) as subparagraphs (D)
25 through (F), respectively;

1 (ii) by inserting after subparagraph
2 (B) the following:

3 “(C) Programs of linkage or outreach be-
4 tween or among—

5 “(i) foreign language, area studies, or
6 other international fields; and

7 “(ii) State educational agencies or
8 local educational agencies.”;

9 (iii) in subparagraph (D) (as redesign-
10 nated by clause (i)) by inserting “, includ-
11 ing Federal or State scholarship programs
12 for students in related areas” before the
13 period at the end; and

14 (iv) in subparagraph (F) (as redesign-
15 nated by clause (i)), by striking “and (D)”
16 and inserting “(D), and (E)”;

17 (2) in subsection (b)—

18 (A) in the subsection heading, by striking
19 “GRADUATE”; and

20 (B) by striking paragraph (2) and insert-
21 ing the following:

22 “(2) ELIGIBLE STUDENTS.—A student receiv-
23 ing a stipend described in paragraph (1) shall be en-
24 gaged—

1 “(A) in an instructional program with stat-
2 ed performance goals for functional foreign lan-
3 guage use or in a program developing such per-
4 formance goals, in combination with area stud-
5 ies, international studies, or the international
6 aspects of a professional studies program; and

7 “(B)(i) in the case of an undergraduate
8 student, in the intermediate or advanced study
9 of a less commonly taught language; or

10 “(ii) in the case of a graduate student, in
11 graduate study in connection with a program
12 described in subparagraph (A), including—

13 “(I) predissertation level study;

14 “(II) preparation for dissertation re-
15 search;

16 “(III) dissertation research abroad; or

17 “(IV) dissertation writing.”;

18 (3) by striking subsection (d) and inserting the
19 following:

20 “(d) ALLOWANCES.—

21 “(1) GRADUATE LEVEL RECIPIENTS.—A sti-
22 pend awarded to a graduate level recipient may in-
23 clude allowances for dependents and for travel for
24 research and study in the United States and abroad.

1 “(2) UNDERGRADUATE LEVEL RECIPIENTS.—A
2 stipend awarded to an undergraduate level recipient
3 may include an allowance for educational programs
4 in the United States or educational programs abroad
5 that—

6 “(A) are closely linked to the overall goals
7 of the recipient’s course of study; and

8 “(B) have the purpose of promoting for-
9 eign language fluency and knowledge of foreign
10 cultures.”; and

11 (4) by adding at the end the following:

12 “(e) APPLICATION.—Each institution or combination
13 of institutions desiring a grant under this section shall
14 submit an application to the Secretary at such time, in
15 such manner, and accompanied by such information and
16 assurances as the Secretary may require. Each application
17 shall include an explanation of how the activities funded
18 by the grant will reflect diverse perspectives and a wide
19 range of views and generate debate on world regions and
20 international affairs. Each application shall also describe
21 how the applicant will address disputes regarding whether
22 activities funded under the application reflect diverse per-
23 spectives and a wide range of views. Each application shall
24 also include a description of how the applicant will encour-
25 age government service in areas of national need, as iden-

1 tified by the Secretary, as well as in needs in the edu-
2 cation, business, and nonprofit sectors.”.

3 **SEC. 603. UNDERGRADUATE INTERNATIONAL STUDIES AND**
4 **FOREIGN LANGUAGE PROGRAMS.**

5 Section 604 (20 U.S.C. 1124) is amended—

6 (1) in subsection (a)—

7 (A) in paragraph (2)—

8 (i) by redesignating subparagraphs (I)
9 through (M) as subparagraphs (J) through
10 (N), respectively; and

11 (ii) by inserting after subparagraph
12 (H) the following:

13 “(I) providing subgrants to undergraduate
14 students for educational programs abroad
15 that—

16 “(i) are closely linked to the overall
17 goals of the program for which the grant
18 is awarded; and

19 “(ii) have the purpose of promoting
20 foreign language fluency and knowledge of
21 foreign cultures;”; and

22 (B) in paragraph (7)—

23 (i) in subparagraph (C), by striking
24 “and” after the semicolon;

1 (ii) in subparagraph (D), by striking
2 the period at the end and inserting a semi-
3 colon; and

4 (iii) by adding at the end the fol-
5 lowing:

6 “(E) a description of how the applicant
7 will provide information to students regarding
8 federally funded scholarship programs in re-
9 lated areas;

10 “(F) an explanation of how the activities
11 funded by the grant will reflect diverse perspec-
12 tives and a wide range of views and generate
13 debate on world regions and international af-
14 fairs, where applicable;

15 “(G) a description of how the applicant
16 will address disputes regarding whether the ac-
17 tivities funded under the application reflect di-
18 verse perspectives and a wide range of views;
19 and

20 “(H) a description of how the applicant
21 will encourage service in areas of national need
22 as identified by the Secretary.”; and

23 (2) in subsection (c)—

1 (A) by striking “FUNDING SUPPORT.—The
2 Secretary” and inserting “FUNDING SUP-
3 PORT.—

4 “(1) THE SECRETARY.—The Secretary”;

5 (B) by striking “10” and inserting “20”;
6 and

7 (C) by adding at the end the following:

8 “(2) GRANTEES.—Of the total amount of grant
9 funds awarded to a grantee under this section, the
10 grantee may use not more than 10 percent of such
11 funds for the activity described in subsection
12 (a)(2)(I).”.

13 **SEC. 604. RESEARCH; STUDIES.**

14 Section 605(a) (20 U.S.C. 1125(a)) is amended—

15 (1) in paragraph (8), by striking “and” after
16 the semicolon;

17 (2) in paragraph (9), by striking the period and
18 inserting a semicolon; and

19 (3) by adding at the end the following:

20 “(10) evaluation of the extent to which pro-
21 grams assisted under this title reflect diverse per-
22 spectives and a wide range of views and generate de-
23 bate on world regions and international affairs;

1 “(11) the systematic collection, analysis, and
2 dissemination of data that contribute to achieving
3 the purposes of this part; and

4 “(12) support for programs or activities to
5 make data collected, analyzed, or disseminated under
6 this section publicly available and easy to under-
7 stand.”.

8 **SEC. 605. TECHNOLOGICAL INNOVATION AND COOPERA-**
9 **TION FOR FOREIGN INFORMATION ACCESS.**

10 Section 606 (20 U.S.C. 1126) is amended—

11 (1) in subsection (a)—

12 (A) by striking “new electronic tech-
13 nologies” and inserting “electronic tech-
14 nologies”;

15 (B) by inserting “from foreign sources”
16 after “disseminate information”;

17 (C) in the subsection heading, by striking
18 “AUTHORITY.—The Secretary” and inserting
19 “AUTHORITY.—

20 “(1) IN GENERAL.—The Secretary”; and

21 (D) by adding at the end the following:

22 “(2) PARTNERSHIPS WITH NOT-FOR-PROFIT
23 EDUCATIONAL ORGANIZATIONS.—The Secretary may
24 award grants under this section to carry out the ac-

1 activities authorized under this section to the fol-
2 lowing:

3 “(A) An institution of higher education.

4 “(B) A public or nonprofit private library.

5 “(C) A consortium of an institution of
6 higher education and 1 or more of the fol-
7 lowing:

8 “(i) Another institution of higher edu-
9 cation.

10 “(ii) A library.

11 “(iii) A not-for-profit educational or-
12 ganization.”;

13 (2) in subsection (b)—

14 (A) in paragraph (1), by striking “to facili-
15 tate access to” and inserting “to acquire, facili-
16 tate access to,”;

17 (B) in paragraph (2), by inserting “or
18 standards for” after “means of”;

19 (C) in paragraph (6), by striking “and”
20 after the semicolon;

21 (D) in paragraph (7), by striking the pe-
22 riod and inserting a semicolon; and

23 (E) by adding at the end the following:

1 “(8) to establish linkages to facilitate carrying
2 out the activities described in this subsection be-
3 tween—

4 “(A) the institutions of higher education,
5 libraries, and consortia receiving grants under
6 this section; and

7 “(B) institutions of higher education, not-
8 for-profit educational organizations, and librar-
9 ies overseas; and

10 “(9) to carry out other activities that the Sec-
11 retary determines are consistent with the purpose of
12 the grants or contracts awarded under this section.”;
13 and

14 (3) in subsection (e), by striking “institution or
15 consortium” and inserting “institution of higher
16 education, library, or consortium”.

17 **SEC. 606. SELECTION OF CERTAIN GRANT RECIPIENTS.**

18 Section 607 (20 U.S.C. 1127) is amended—

19 (1) in subsection (a), by striking “evaluates the
20 applications for comprehensive and undergraduate
21 language and area centers and programs.” and in-
22 serting “evaluates—

23 “(1) the applications for comprehensive foreign
24 language and area or international studies centers
25 and programs; and

1 “(2) the applications for undergraduate foreign
2 language and area or international studies centers
3 and programs.”; and

4 (2) in subsection (b), by adding at the end the
5 following: “The Secretary shall also consider an ap-
6 plicant’s record of placing students into service in
7 areas of national need and an applicant’s stated ef-
8 forts to increase the number of such students that
9 go into such service.”.

10 **SEC. 607. AMERICAN OVERSEAS RESEARCH CENTERS.**

11 Section 609 (20 U.S.C. 1128a) is amended by adding
12 at the end the following:

13 “(e) APPLICATION.—Each center desiring a grant
14 under this section shall submit an application to the Sec-
15 retary at such time, in such manner, and accompanied by
16 such information and assurances as the Secretary may re-
17 quire.”.

18 **SEC. 608. AUTHORIZATION OF APPROPRIATIONS FOR**
19 **INTERNATIONAL AND FOREIGN LANGUAGE**
20 **STUDIES.**

21 Section 610 (20 U.S.C. 1128b) is amended by strik-
22 ing “\$80,000,000 for fiscal year 1999” and all that fol-
23 lows through the period and inserting “such sums as may
24 be necessary for fiscal year 2008 and each of the 5 suc-
25 ceeding fiscal years.”.

1 **SEC. 609. CENTERS FOR INTERNATIONAL BUSINESS EDU-**
2 **CATION.**

3 Section 612(f)(3) (20 U.S.C. 1130–1(f)(3)) is
4 amended by inserting “, and that diverse perspectives will
5 be made available to students in programs under this sec-
6 tion” before the semicolon.

7 **SEC. 610. EDUCATION AND TRAINING PROGRAMS.**

8 Section 613(c) (20 U.S.C. 1130a(c)) is amended by
9 adding at the end the following: “Each such application
10 shall include an assurance that, where applicable, the ac-
11 tivities funded by the grant will reflect diverse perspectives
12 and a wide range of views on world regions and inter-
13 national affairs.”.

14 **SEC. 611. AUTHORIZATION OF APPROPRIATIONS FOR BUSI-**
15 **NESS AND INTERNATIONAL EDUCATION PRO-**
16 **GRAMS.**

17 Section 614 (20 U.S.C. 1130b) is amended—

18 (1) in subsection (a), by striking “\$11,000,000
19 for fiscal year 1999” and all that follows through
20 “fiscal years” and inserting “such sums as may be
21 necessary for fiscal year 2008 and each of the 5 suc-
22 ceeding fiscal years”; and

23 (2) in subsection (b), by striking “\$7,000,000
24 for fiscal year 1999” and all that follows through
25 “fiscal years,” and inserting “such sums as may be

1 necessary for fiscal year 2008 and each of the 5 suc-
2 ceeding fiscal years”.

3 **SEC. 612. MINORITY FOREIGN SERVICE PROFESSIONAL DE-**
4 **VELOPMENT PROGRAM.**

5 Section 621 (20 U.S.C. 1131) is amended—

6 (1) in subsection (c), by adding at the end the
7 following: “Each application shall include a descrip-
8 tion of how the activities funded by the grant will re-
9 flect diverse perspectives and a wide range of views
10 on world regions and international affairs, where ap-
11 plicable.”; and

12 (2) in subsection (e)—

13 (A) by striking “MATCH REQUIRED.—The
14 eligible” and inserting “MATCHING FUNDS.—

15 “(1) IN GENERAL.—Subject to paragraph (2),
16 the eligible”; and

17 (B) by adding at the end the following:

18 “(2) WAIVER.—The Secretary may waive the
19 requirement of paragraph (1) for an eligible recipi-
20 ent if the Secretary determines such waiver is appro-
21 priate.”.

22 **SEC. 613. INSTITUTIONAL DEVELOPMENT.**

23 Section 622 (20 U.S.C. 1131–1) is amended—

24 (1) in subsection (a)—

1 (A) by striking “Tribally Controlled Col-
2 leges or Universities” and inserting “tribally
3 controlled colleges or universities”; and

4 (B) by striking “international affairs pro-
5 grams.” and inserting “international affairs,
6 international business, and foreign language
7 study programs, including the teaching of for-
8 eign languages, at such colleges, universities,
9 and institutions, respectively, which may include
10 collaboration with institutions of higher edu-
11 cation that receive funding under this title.”;
12 and

13 (2) in subsection (c)—

14 (A) by striking paragraphs (1) and (3);

15 (B) by redesignating paragraphs (2) and
16 (4) as paragraphs (1) and (2), respectively; and

17 (C) in paragraph (1) (as redesignated by
18 subparagraph (B)), by inserting “and” after
19 the semicolon.

20 **SEC. 614. STUDY ABROAD PROGRAM.**

21 Section 623(a) (20 U.S.C. 1131a(a)) is amended—

22 (1) by striking “as defined in section 322 of
23 this Act”; and

24 (2) by striking “tribally controlled Indian com-
25 munity colleges as defined in the Tribally Controlled

1 Community College Assistance Act of 1978” and in-
2 serting “tribally controlled colleges or universities”.

3 **SEC. 615. ADVANCED DEGREE IN INTERNATIONAL RELA-**
4 **TIONS.**

5 Section 624 (20 U.S.C. 1131b) is amended—

6 (1) in the section heading, by striking “**MAS-**
7 **TERS**” and inserting “**ADVANCED**”;

8 (2) in the first sentence, by inserting “, and in
9 exceptional circumstances, a doctoral degree,” after
10 “masters degree”;

11 (3) in the second sentence, by striking “masters
12 degree” and inserting “advanced degree”; and

13 (4) in the fourth sentence, by striking “United
14 States” and inserting “United States.”.

15 **SEC. 616. INTERNSHIPS.**

16 Section 625 (20 U.S.C. 1131e) is amended—

17 (1) in subsection (a)—

18 (A) by striking “as defined in section 322
19 of this Act”;

20 (B) by striking “tribally controlled Indian
21 community colleges as defined in the Tribally
22 Controlled Community College Assistance Act
23 of 1978” and inserting “tribally controlled col-
24 leges or universities”;

1 (C) by striking “an international” and in-
2 serting “international,”; and

3 (D) by striking “the United States Infor-
4 mation Agency” and inserting “the Department
5 of State”; and

6 (2) in subsection (c)(1)—

7 (A) in subparagraph (E), by inserting
8 “and” after the semicolon;

9 (B) in subparagraph (F), by striking “;
10 and” and inserting a period; and

11 (C) by striking subparagraph (G).

12 **SEC. 617. FINANCIAL ASSISTANCE.**

13 Part C of title VI (20 U.S.C. 1131 et seq.) is further
14 amended—

15 (1) by redesignating sections 626, 627, and 628
16 as sections 627, 628, and 629, respectively; and

17 (2) by inserting after section 625 the following:

18 **“SEC. 626. FINANCIAL ASSISTANCE.**

19 “(a) **AUTHORITY.**—The Institute may provide finan-
20 cial assistance, in the form of summer stipends described
21 in subsection (b) and Ralph Bunche scholarship assistance
22 described in subsection (c), to needy students to facilitate
23 the participation of the students in the Institute’s pro-
24 grams under this part.

25 “(b) **SUMMER STIPENDS.**—

1 “(1) REQUIREMENTS.—A student receiving a
2 summer stipend under this section shall use such sti-
3 pend to defray the student’s cost of participation in
4 a summer institute program funded under this part,
5 including the costs of travel, living, and educational
6 expenses necessary for the student’s participation in
7 such program.

8 “(2) AMOUNT.—A summer stipend awarded to
9 a student under this section shall not exceed \$3,000
10 per summer.

11 “(c) RALPH BUNCHE SCHOLARSHIP.—

12 “(1) REQUIREMENTS.—A student receiving a
13 Ralph Bunche scholarship under this section—

14 “(A) shall be a full-time student at an in-
15 stitution of higher education who is accepted
16 into a program funded under this part; and

17 “(B) shall use such scholarship to pay
18 costs related to the cost of attendance, as de-
19 fined in section 472, at the institution of higher
20 education in which the student is enrolled.

21 “(2) AMOUNT AND DURATION.—A Ralph
22 Bunche scholarship awarded to a student under this
23 section shall not exceed \$5,000 per academic year.”.

1 **SEC. 618. REPORT.**

2 Section 627 (as redesignated by section 617(1)) (20
3 U.S.C. 1131d) is amended by striking “annually” and in-
4 serting “biennially”.

5 **SEC. 619. GIFTS AND DONATIONS.**

6 Section 628 (as redesignated by section 617(1)) (20
7 U.S.C. 1131e) is amended by striking “annual report de-
8 scribed in section 626” and inserting “biennial report de-
9 scribed in section 627”.

10 **SEC. 620. AUTHORIZATION OF APPROPRIATIONS FOR THE**
11 **INSTITUTE FOR INTERNATIONAL PUBLIC**
12 **POLICY.**

13 Section 629 (as redesignated by section 617(1)) (20
14 U.S.C. 1131f) is amended by striking “\$10,000,000 for
15 fiscal year 1999” and all that follows through the period
16 and inserting “such sums as may be necessary for fiscal
17 year 2008 and each of the 5 succeeding fiscal years.”.

18 **SEC. 621. DEFINITIONS.**

19 Section 631 (20 U.S.C. 1132) is amended—

20 (1) by striking paragraph (7);

21 (2) by redesignating paragraphs (2), (3), (4),
22 (5), (6), (8), and (9), as paragraphs (7), (4), (8),
23 (2), (10), (6), and (3), respectively;

24 (3) in paragraph (2), as redesignated by para-
25 graph (2), by striking “comprehensive language and

1 area center” and inserting “comprehensive foreign
2 language and area or international studies center”;

3 (4) in paragraph (3), as redesignated by para-
4 graph (2), by striking the period at the end and in-
5 serting a semicolon;

6 (5) by inserting after paragraph (4), as redesign-
7 dated by paragraph (2), the following:

8 “(5) the term ‘historically Black college and
9 university’ has the meaning given the term ‘part B
10 institution’ in section 322;”;

11 (6) in paragraph (6), as redesignated by para-
12 graph (2), by striking “and” after the semicolon;

13 (7) by inserting after paragraph (8), as redesign-
14 dated by paragraph (2), the following:

15 “(9) the term ‘tribally controlled college or uni-
16 versity’ has the meaning given the term in section
17 2 of the Tribally Controlled College or University
18 Assistance Act of 1978 (25 U.S.C. 1801); and”;

19 (8) in paragraph (10), as redesignated by para-
20 graph (2), by striking “undergraduate language and
21 area center” and inserting “undergraduate foreign
22 language and area or international studies center”.

23 **SEC. 622. ASSESSMENT AND ENFORCEMENT.**

24 Part D of title VI (20 U.S.C. 1132) is amended by
25 adding at the end the following:

1 **“SEC. 632. ASSESSMENT; ENFORCEMENT; RULE OF CON-**
2 **STRUCTION.**

3 “(a) IN GENERAL.—The Secretary is authorized to
4 assess and ensure compliance with all the conditions and
5 terms of grants provided under this title. If a complaint
6 regarding activities funded under this title is not resolved
7 under the process outlined in the relevant grantee’s appli-
8 cation, such complaint shall be filed with the Department
9 and reviewed by the Secretary. The Secretary shall take
10 the review of such complaints into account when deter-
11 mining the renewal of grants.

12 “(b) RULE OF CONSTRUCTION.—Nothing in this title
13 shall be construed to authorize the Secretary to mandate,
14 direct, or control an institution of higher education’s spe-
15 cific instructional content, curriculum, or program of in-
16 struction.

17 **“SEC. 633. EVALUATION, OUTREACH, AND INFORMATION.**

18 “The Secretary may use not more than 1 percent of
19 the funds made available under this title to carry out pro-
20 gram evaluation, national outreach, and information dis-
21 semination activities relating to the programs authorized
22 under this title.

23 **“SEC. 634. BIENNIAL REPORT.**

24 “The Secretary shall, in consultation and collabora-
25 tion with the Secretary of State, the Secretary of Defense,
26 and the heads of other relevant Federal agencies, submit

1 a biennial report that identifies areas of national need in
2 foreign language, area, and international studies as such
3 studies relate to government, education, business, and
4 nonprofit needs, and a plan to address those needs. The
5 report shall be provided to the authorizing committees and
6 made available to the public.”.

7 **TITLE VII—GRADUATE AND**
8 **POSTSECONDARY IMPROVE-**
9 **MENT PROGRAMS**

10 **SEC. 701. PURPOSE.**

11 Section 700(1)(B)(i) (20 U.S.C. 1133(1)(B)(i)) is
12 amended by inserting “, including those areas critical to
13 United States national and homeland security needs such
14 as mathematics, science, and engineering” before the
15 semicolon at the end.

16 **SEC. 702. ALLOCATION OF JACOB K. JAVITS FELLOWSHIPS.**

17 Section 702(a)(1) (20 U.S.C. 1134a(a)(1)) is amend-
18 ed to read as follows:

19 “(1) APPOINTMENT.—

20 “(A) IN GENERAL.—The Secretary shall
21 appoint a Jacob K. Javits Fellows Program
22 Fellowship Board (referred to in this subpart as
23 the ‘Board’) consisting of 9 individuals rep-
24 resentative of both public and private institu-

1 tions of higher education who are especially
2 qualified to serve on the Board.

3 “(B) QUALIFICATIONS.—In making ap-
4 pointments under subparagraph (A), the Sec-
5 retary shall—

6 “(i) give due consideration to the ap-
7 pointment of individuals who are highly re-
8 spected in the academic community;

9 “(ii) assure that individuals appointed
10 to the Board are broadly representative of
11 a range of disciplines in graduate edu-
12 cation in arts, humanities, and social
13 sciences;

14 “(iii) appoint members to represent
15 the various geographic regions of the
16 United States; and

17 “(iv) include representatives from mi-
18 nority institutions, as defined in section
19 365.”.

20 **SEC. 703. STIPENDS.**

21 Section 703(a) (20 U.S.C. 1134b(a)) is amended by
22 striking “graduate fellowships” and inserting “Graduate
23 Research Fellowship Program”.

1 **SEC. 704. AUTHORIZATION OF APPROPRIATIONS FOR THE**
2 **JACOB K. JAVITS FELLOWSHIP PROGRAM.**

3 Section 705 (20 U.S.C. 1134d) is amended by strik-
4 ing “\$30,000,000 for fiscal year 1999” and all that fol-
5 lows through the period and inserting “such sums as may
6 be necessary for fiscal year 2008 and each of the 5 suc-
7 ceeding fiscal years to carry out this subpart.”.

8 **SEC. 705. INSTITUTIONAL ELIGIBILITY UNDER THE GRAD-**
9 **UATE ASSISTANCE IN AREAS OF NATIONAL**
10 **NEED PROGRAM.**

11 Section 712(b) (20 U.S.C. 1135a(b)) is amended to
12 read as follows:

13 “(b) DESIGNATION OF AREAS OF NATIONAL
14 NEED.—After consultation with appropriate Federal and
15 nonprofit agencies and organizations, including the Na-
16 tional Science Foundation, the Department of Defense,
17 the Department of Homeland Security, the National Acad-
18 emy of Sciences, and the Bureau of Labor Statistics, the
19 Secretary shall designate areas of national need. In mak-
20 ing such designations, the Secretary shall take into consid-
21 eration—

22 “(1) the extent to which the interest in the area
23 is compelling;

24 “(2) the extent to which other Federal pro-
25 grams support postbaccalaureate study in the area
26 concerned;

1 “(3) an assessment of how the program may
2 achieve the most significant impact with available re-
3 sources; and

4 “(4) an assessment of current and future pro-
5 fessional workforce needs of the United States.”.

6 **SEC. 706. AWARDS TO GRADUATE STUDENTS.**

7 Section 714 (20 U.S.C. 1135c) is amended—

8 (1) in subsection (b)—

9 (A) by striking “1999–2000” and inserting
10 “2008–2009”; and

11 (B) by striking “graduate fellowships” and
12 inserting “Graduate Research Fellowship Pro-
13 gram”; and

14 (2) in subsection (c)—

15 (A) by striking “716(a)” and inserting
16 “715(a)”; and

17 (B) by striking “714(b)(2)” and inserting
18 “713(b)(2)”.

19 **SEC. 707. ADDITIONAL ASSISTANCE FOR COST OF EDU-**
20 **CATION.**

21 Section 715(a)(1) (20 U.S.C. 1135d(a)(1)) is amend-
22 ed—

23 (1) by striking “1999–2000” and inserting
24 “2008–2009”; and

1 (2) by striking “1998–1999” and inserting
2 “2007–2008”.

3 **SEC. 708. AUTHORIZATION OF APPROPRIATIONS FOR THE**
4 **GRADUATE ASSISTANCE IN AREAS OF NA-**
5 **TIONAL NEED PROGRAM.**

6 Section 716 (20 U.S.C. 1135e) is amended by strik-
7 ing “\$35,000,000 for fiscal year 1999” and all that fol-
8 lows through the period and inserting “such sums as may
9 be necessary for fiscal year 2008 and each of the 5 suc-
10 ceeding fiscal years to carry out this subpart.”.

11 **SEC. 709. LEGAL EDUCATIONAL OPPORTUNITY PROGRAM.**

12 Section 721 (20 U.S.C. 1136) is amended—

13 (1) in subsection (a)—

14 (A) by inserting “secondary school and”
15 after “disadvantaged”; and

16 (B) by inserting “and admission to law
17 practice” before the period at the end;

18 (2) in the matter preceding paragraph (1) of
19 subsection (b), by inserting “secondary school stu-
20 dent or” before “college student”;

21 (3) in subsection (c)—

22 (A) in paragraph (1), by inserting “sec-
23 ondary school and” before “college students”;

24 (B) by striking paragraph (2) and insert-
25 ing the following:

1 “(2) to prepare such students for successful
2 completion of a baccalaureate degree and for study
3 at accredited law schools, and to assist them with
4 the development of analytical skills, writing skills,
5 and study methods to enhance the students’ success
6 and promote the students’ admission to and comple-
7 tion of law school;”;

8 (C) in paragraph (4), by striking “and”
9 after the semicolon;

10 (D) by striking paragraph (5) and insert-
11 ing the following:

12 “(4) to motivate and prepare such students—

13 “(A) with respect to law school studies and
14 practice in low-income communities; and

15 “(B) to provide legal services to low-in-
16 come individuals and families; and;”;

17 (E) by adding at the end the following:

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

20 “(A) who participated in summer institutes
21 under subsection (d)(6) and who are enrolled in
22 an accredited law school; or

23 “(B) who have successfully completed sum-
24 mer institute programs comparable to the sum-
25 mer institutes under subsection (d) that are

1 certified by the Council on Legal Education Op-
2 portunity.”;

3 (4) in subsection (d)—

4 (A) in the matter preceding paragraph (1),
5 by inserting “pre-college programs, under-
6 graduate” before “pre-law”;

7 (B) in paragraph (1)—

8 (i) in subparagraph (B), by inserting
9 “law school” before “graduation”; and

10 (ii) by striking subparagraph (D) and
11 inserting the following:

12 “(D) pre-college and undergraduate pre-
13 paratory courses in analytical and writing skills,
14 study methods, and curriculum selection;”;

15 (C) by redesignating paragraphs (2)
16 through (6) as paragraphs (3) through (7), re-
17 spectively;

18 (D) by inserting after paragraph (1) the
19 following:

20 “(2) summer academic programs for secondary
21 school students who have expressed interest in a ca-
22 reer in the law;” and

23 (E) in paragraph (7) (as redesignated by
24 subparagraph (C)), by inserting “and Associ-
25 ates” after “Thurgood Marshall Fellows”;

1 (5) in subsection (e)(1), by inserting “, includ-
2 ing before and during undergraduate study” before
3 the semicolon;

4 (6) in subsection (f)—

5 (A) by inserting “national and State bar
6 associations,” after “agencies and organiza-
7 tions,”; and

8 (B) by striking “and organizations.” and
9 inserting “organizations, and associations.”;

10 (7) by striking subsection (g) and inserting the
11 following:

12 “(g) FELLOWSHIPS AND STIPENDS.—The Secretary
13 shall annually establish the maximum fellowship to be
14 awarded, and stipend to be paid (including allowances for
15 participant travel and for the travel of the dependents of
16 the participant), to Thurgood Marshall Fellows or Associ-
17 ates for the period of participation in summer institutes,
18 midyear seminars, and bar preparation seminars. A Fellow
19 or Associate may be eligible for such a fellowship or sti-
20 pend only if the Thurgood Marshall Fellow or Associate
21 maintains satisfactory academic progress toward the Juris
22 Doctor or Bachelor of Laws degree, as determined by the
23 respective institutions (except with respect to a law school
24 graduate enrolled in a bar preparation course).”; and

1 (8) in subsection (h), by striking “\$5,000,000
 2 for fiscal year 1999” and all that follows through
 3 the period at the end and inserting “such sums as
 4 may be necessary for fiscal year 2008 and for each
 5 of the 5 succeeding fiscal years”.

6 **SEC. 710. FUND FOR THE IMPROVEMENT OF POSTSEC-**
 7 **ONDARY EDUCATION.**

8 Section 741 (20 U.S.C. 1138) is amended—

9 (1) in subsection (a)—

10 (A) by striking paragraph (3) and insert-
 11 ing the following:

12 “(3) the establishment and continuation of in-
 13 stitutions, programs, consortia, collaborations, and
 14 other joint efforts based on the technology of com-
 15 munications, including those efforts that utilize dis-
 16 tance education and technological advancements to
 17 educate and train postsecondary students (including
 18 health professionals serving medically underserved
 19 populations);”;

20 (B) in paragraph (7), by striking “and”
 21 after the semicolon;

22 (C) in paragraph (8), by striking the pe-
 23 riod at the end and inserting a semicolon; and

24 (D) by adding at the end the following:

1 “(9) the introduction of reforms in remedial
2 education, including English language instruction, to
3 customize remedial courses to student goals and help
4 students progress rapidly from remedial courses into
5 core courses and through program completion; and

6 “(10) the creation of consortia that join diverse
7 institutions of higher education to design and offer
8 curricular and co-curricular interdisciplinary pro-
9 grams at the undergraduate and graduate levels,
10 sustained for not less than a 5 year period, that—

11 “(A) focus on poverty and human capa-
12 bility; and

13 “(B) include—

14 “(i) a service-learning component; and

15 “(ii) the delivery of educational serv-
16 ices through informational resource cen-
17 ters, summer institutes, midyear seminars,
18 and other educational activities that stress
19 the effects of poverty and how poverty can
20 be alleviated through different career
21 paths.”; and

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

23 “(c) PROJECT GRAD.—

24 “(1) PURPOSES.—The purposes of this sub-
25 section are—

1 “(A) to provide support and assistance to
2 programs implementing integrated education re-
3 form services in order to improve secondary
4 school graduation, college attendance, and col-
5 lege completion rates for at-risk students; and

6 “(B) to promote the establishment of new
7 programs to implement such integrated edu-
8 cation reform services.

9 “(2) DEFINITIONS.—In this subsection:

10 “(A) AT-RISK.—The term ‘at-risk’ has the
11 same meaning given such term in section 1432
12 of the Elementary and Secondary Education
13 Act of 1965.

14 “(B) FEEDER PATTERN.—The term ‘feed-
15 er pattern’ means a secondary school and the
16 elementary schools and middle schools that
17 channel students into that secondary school.

18 “(3) GRANT AUTHORIZED.—The Secretary is
19 authorized to award a grant to Project GRAD USA
20 (referred to in this subsection as the ‘grantee’), a
21 nonprofit educational organization that has as its
22 primary purpose the improvement of secondary
23 school graduation, college attendance, and college
24 completion rates for at-risk students, to implement
25 and sustain the integrated education reform pro-

1 gram at existing Project GRAD sites, and to pro-
2 mote the expansion of the Project GRAD program
3 to new sites.

4 “(4) REQUIREMENTS OF GRANT AGREEMENT.—

5 The Secretary shall enter into an agreement with
6 the grantee that requires that the grantee shall—

7 “(A) enter into subcontracts with nonprofit
8 educational organizations that serve a substan-
9 tial number or percentage of at-risk students
10 (referred to in this subsection as ‘subcontract-
11 tors’), under which the subcontractors agree to
12 implement the Project GRAD program and pro-
13 vide matching funds for such programs; and

14 “(B) directly carry out—

15 “(i) activities to implement and sus-
16 tain the literacy, mathematics, classroom
17 management, social service, and college ac-
18 cess components of the Project GRAD pro-
19 gram;

20 “(ii) activities for the purpose of im-
21 plementing new Project GRAD program
22 sites;

23 “(iii) activities to support, evaluate,
24 and consistently improve the Project
25 GRAD program;

1 “(iv) activities for the purpose of pro-
2 moting greater public awareness of inte-
3 grated education reform services to im-
4 prove secondary school graduation, college
5 attendance, and college completion rates
6 for at-risk students; and

7 “(v) other activities directly related to
8 improving secondary school graduation,
9 college attendance, and college completion
10 rates for at-risk students.

11 “(5) GRANTEE CONTRIBUTION AND MATCHING
12 REQUIREMENT.—

13 “(A) IN GENERAL.—The grantee shall pro-
14 vide funds to each subcontractor based on the
15 number of students served by the subcontractor
16 in the Project GRAD program, adjusted to take
17 into consideration—

18 “(i) the resources available in the area
19 where the subcontractor will implement the
20 Project GRAD program; and

21 “(ii) the need for the Project GRAD
22 program in such area to improve student
23 outcomes, including reading and mathe-
24 matics achievement and, where applicable,

1 secondary school graduation, college at-
2 tendance, and college completion rates.

3 “(B) MATCHING REQUIREMENT.—Each
4 subcontractor shall provide funds for the
5 Project GRAD program in an amount that is
6 equal to or greater than the amount received by
7 the subcontractor from the grantee. Such
8 matching funds may be provided in cash or in-
9 kind, fairly evaluated.

10 “(6) EVALUATION.—The Secretary shall select
11 an independent entity to evaluate, every 3 years, the
12 performance of students who participate in a Project
13 GRAD program under this subsection.

14 “(d) CENTER FOR BEST PRACTICES TO SUPPORT
15 SINGLE PARENT STUDENTS.—

16 “(1) PROGRAM AUTHORIZED.—The Secretary is
17 authorized to award 1 grant or contract to an insti-
18 tution of higher education to enable such institution
19 to establish and maintain a center to study and de-
20 velop best practices for institutions of higher edu-
21 cation to support single parents who are also stu-
22 dents attending such institutions.

23 “(2) INSTITUTION REQUIREMENTS.—The Sec-
24 retary shall award the grant or contract under this
25 subsection to a 4-year institution of higher education

1 that has demonstrated expertise in the development
2 of programs to assist single parents who are stu-
3 dents at institutions of higher education, as shown
4 by the institution’s development of a variety of tar-
5 geted services to such students, including on-campus
6 housing, child care, counseling, advising, internship
7 opportunities, financial aid, and financial aid coun-
8 seling and assistance.

9 “(3) CENTER ACTIVITIES.—The center funded
10 under this section shall—

11 “(A) assist institutions implementing inno-
12 vative programs that support single parents
13 pursuing higher education;

14 “(B) study and develop an evaluation pro-
15 tocol for such programs that includes quan-
16 titative and qualitative methodologies;

17 “(C) provide appropriate technical assist-
18 ance regarding the replication, evaluation, and
19 continuous improvement of such programs; and

20 “(D) develop and disseminate best prac-
21 tices for such programs.

22 “(e) UNDERSTANDING THE FEDERAL REGULATORY
23 IMPACT ON HIGHER EDUCATION.—

24 “(1) PURPOSE.—The purpose of this subsection
25 is to help institutions of higher education under-

1 stand the regulatory impact of the Federal Govern-
2 ment on such institutions, in order to raise aware-
3 ness of institutional legal obligations and provide in-
4 formation to improve compliance with, and to reduce
5 the duplication and inefficiency of, Federal regula-
6 tions.

7 “(2) PROGRAM AUTHORIZED.—The Secretary is
8 authorized to award 1 grant or contract to an insti-
9 tution of higher education to enable the institution
10 to carry out the activities described in the agreement
11 under paragraph (4).

12 “(3) INSTITUTION REQUIREMENTS.—The Sec-
13 retary shall award the grant or contract under this
14 subsection to an institution of higher education that
15 has demonstrated expertise in—

16 “(A) reviewing Federal higher education
17 regulations;

18 “(B) maintaining a clearinghouse of com-
19 pliance training materials; and

20 “(C) explaining the impact of such regula-
21 tions to institutions of higher education through
22 a comprehensive and freely accessible website.

23 “(4) REQUIREMENTS OF AGREEMENT.—As a
24 condition of receiving a grant or contract under this
25 subsection, the institution of higher education shall

1 enter into an agreement with the Secretary that
2 shall require the institution to—

3 “(A) monitor Federal regulations, includ-
4 ing notices of proposed rulemaking, for their
5 impact or potential impact on higher education;

6 “(B) provide a succinct description of each
7 regulation or proposed regulation that is rel-
8 evant to higher education; and

9 “(C) maintain a website providing informa-
10 tion on Federal regulations that is easy to use,
11 searchable, and updated regularly.”.

12 **SEC. 711. SPECIAL PROJECTS.**

13 Section 744(c) (20 U.S.C. 1138c) is amended to read
14 as follows:

15 “(c) AREAS OF NATIONAL NEED.—Areas of national
16 need shall include, at a minimum, the following:

17 “(1) Institutional restructuring to improve
18 learning and promote productivity, efficiency, quality
19 improvement, and cost and price control.

20 “(2) Improvements in academic instruction and
21 student learning, including efforts designed to assess
22 the learning gains made by postsecondary students.

23 “(3) Articulation between 2- and 4-year institu-
24 tions of higher education, including developing inno-
25 vative methods for ensuring the successful transfer

1 of students from 2- to 4-year institutions of higher
2 education.

3 “(4) Development, evaluation and dissemination
4 of model programs, including model core curricula
5 that—

6 “(A) provide students with a broad and in-
7 tegrated knowledge base;

8 “(B) include, at a minimum, broad survey
9 courses in English literature, American and
10 world history, American political institutions,
11 economics, philosophy, college-level mathe-
12 matics, and the natural sciences; and

13 “(C) include sufficient study of a foreign
14 language to lead to reading and writing com-
15 petency in the foreign language.

16 “(5) International cooperation and student ex-
17 changes among postsecondary educational institu-
18 tions.”.

19 **SEC. 712. AUTHORIZATION OF APPROPRIATIONS FOR THE**
20 **FUND FOR THE IMPROVEMENT OF POSTSEC-**
21 **ONDARY EDUCATION.**

22 Section 745 (20 U.S.C. 1138d) is amended by strik-
23 ing “\$30,000,000 for fiscal year 1999” and all that fol-
24 lows through the period and inserting “such sums as may

1 be necessary for fiscal year 2008 and each of the 5 suc-
2 ceeding fiscal years.”.

3 **SEC. 713. REPEAL OF THE URBAN COMMUNITY SERVICE**
4 **PROGRAM.**

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

7 **SEC. 714. GRANTS FOR STUDENTS WITH DISABILITIES.**

8 (a) GRANTS AUTHORIZED FOR DEMONSTRATION
9 PROJECTS TO ENSURE STUDENTS WITH DISABILITIES
10 RECEIVE A QUALITY HIGHER EDUCATION.—Section 762
11 (20 U.S.C. 1140a) is amended—

12 (1) in subsection (b)—

13 (A) in paragraph (2)—

14 (i) in subparagraph (A), by striking
15 “to teach students with disabilities” and
16 inserting “to teach and meet the academic
17 and programmatic needs of students with
18 disabilities in order to improve retention
19 and completion of postsecondary edu-
20 cation”;

21 (ii) by redesignating subparagraphs
22 (B) and (C) as subparagraphs (C) and
23 (F), respectively;

24 (iii) by inserting after subparagraph
25 (A) the following:

1 “(B) EFFECTIVE TRANSITION PRAC-
2 TICES.—The development of innovative and ef-
3 fective teaching methods and strategies to en-
4 sure the successful transition of students with
5 disabilities from secondary school to postsec-
6 ondary education.”;

7 (iv) in subparagraph (C), as redesign-
8 nated by clause (ii), by striking the period
9 at the end and inserting “, including data
10 on the postsecondary education of and im-
11 pact on subsequent employment of stu-
12 dents with disabilities. Such research, in-
13 formation, and data shall be made publicly
14 available and accessible.”;

15 (v) by inserting after subparagraph
16 (C), as redesignated by clause (ii), the fol-
17 lowing:

18 “(D) DISTANCE LEARNING.—The develop-
19 ment of innovative and effective teaching meth-
20 ods and strategies to provide faculty and ad-
21 ministrators with the ability to provide acces-
22 sible distance education programs or classes
23 that would enhance access of students with dis-
24 abilities to higher education, including the use

1 of accessible curriculum and electronic commu-
2 nication for instruction and advisement.

3 “(E) DISABILITY CAREER PATHWAYS.—

4 “(i) IN GENERAL.—Training and pro-
5 viding support to secondary and postsec-
6 ondary staff with respect to disability-re-
7 lated fields to—

8 “(I) encourage interest and par-
9 ticipation in such fields, among stu-
10 dents with disabilities and other stu-
11 dents;

12 “(II) enhance awareness and un-
13 derstanding of such fields among such
14 students;

15 “(III) provide educational oppor-
16 tunities in such fields among such
17 students;

18 “(IV) teach practical skills re-
19 lated to such fields among such stu-
20 dents; and

21 “(V) offer work-based opportuni-
22 ties in such fields among such stu-
23 dents.

24 “(ii) DEVELOPMENT.—The training
25 and support described in clause (i) may in-

1 clude developing means to offer students
2 credit-bearing, college-level coursework,
3 and career and educational counseling.”;

4 (vi) by adding at the end the fol-
5 lowing:

6 “(G) ACCESSIBILITY OF EDUCATION.—
7 Making postsecondary education more acces-
8 sible to students with disabilities through cur-
9 riculum development.”; and

10 (B) in paragraph (3), by striking “sub-
11 paragraphs (A) through (C)” and inserting
12 “subparagraphs (A) through (G)”;

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

14 “(d) REPORT.—Not later than 3 years after the date
15 of enactment of the Higher Education Amendments of
16 2007, the Secretary shall prepare and disseminate a re-
17 port reviewing the activities of the demonstration projects
18 authorized under this subpart and providing guidance and
19 recommendations on how successful projects can be rep-
20 licated.”.

21 (b) TRANSITION PROGRAMS FOR STUDENTS WITH
22 INTELLECTUAL DISABILITIES INTO HIGHER EDUCATION;
23 COORDINATING CENTER.—Part D of title VII (20 U.S.C.
24 1140 et seq.) is further amended—

1 (1) in the part heading, by striking “**DEM-**
2 **ONSTRATION**”;

3 (2) by inserting after the part heading the fol-
4 lowing:

5 **“Subpart 1—Quality Higher Education”;**

6 and

7 (3) by adding at the end the following:

8 **“Subpart 2—Transition Programs for Students With**
9 **Intellectual Disabilities Into Higher Education;**
10 **Coordinating Center**

11 **“SEC. 771. PURPOSE.**

12 “It is the purpose of this subpart to support model
13 demonstration programs that promote the successful tran-
14 sition of students with intellectual disabilities into higher
15 education.

16 **“SEC. 772. DEFINITIONS.**

17 “In this subpart:

18 “(1) COMPREHENSIVE TRANSITION AND POST-
19 SECONDARY PROGRAM FOR STUDENTS WITH INTEL-
20 LECTUAL DISABILITIES.—The term ‘comprehensive
21 transition and postsecondary program for students
22 with intellectual disabilities’ means a degree, certifi-
23 cate, or nondegree program offered by an institution
24 of higher education that—

1 “(A) is designed for students with intellec-
2 tual disabilities who seek to continue academic,
3 vocational, or independent living instruction at
4 the institution in order to prepare for gainful
5 employment;

6 “(B) includes an advising and curriculum
7 structure; and

8 “(C) requires the enrollment of the student
9 (through enrollment in credit-bearing courses,
10 auditing or participating in courses, partici-
11 pating in internships, or enrollment in non-
12 credit, nondegree courses) in the equivalent of
13 not less than a half-time course of study, as de-
14 termined by the institution.

15 “(2) STUDENT WITH AN INTELLECTUAL DIS-
16 ABILITY.—The term ‘student with an intellectual
17 disability’ means a student whose mental retardation
18 or other significant cognitive impairment substan-
19 tially impacts the student’s intellectual and cognitive
20 functioning.

21 **“SEC. 773. MODEL COMPREHENSIVE TRANSITION AND**
22 **POSTSECONDARY PROGRAMS FOR STUDENTS**
23 **WITH INTELLECTUAL DISABILITIES.**

24 “(a) GRANTS AUTHORIZED.—

1 “(1) IN GENERAL.—The Secretary shall annu-
2 ally award grants, on a competitive basis, to institu-
3 tions of higher education (or consortia of institutions
4 of higher education), to create or expand high-qual-
5 ity, inclusive model comprehensive transition and
6 postsecondary programs for students with intellec-
7 tual disabilities.

8 “(2) NUMBER AND DURATION OF GRANTS.—
9 The Secretary shall award not less than 10 grants
10 per year under this section, and each grant awarded
11 under this subsection shall be for a period of 5
12 years.

13 “(b) APPLICATION.—An institution of higher edu-
14 cation (or a consortium) desiring a grant under this sec-
15 tion shall submit an application to the Secretary at such
16 time, in such manner, and containing such information as
17 the Secretary may require.

18 “(c) PREFERENCE.—In awarding grants under this
19 section, the Secretary shall give preference to institutions
20 of higher education (or consortia) that—

21 “(1) will carry out a model program under the
22 grant in a State that does not already have a com-
23 prehensive transition and postsecondary program for
24 students with intellectual disabilities; or

1 “(2) in the application submitted under sub-
2 section (b), agree to incorporate 1 or more the fol-
3 lowing elements into the model programs carried out
4 under the grant:

5 “(A) The formation of a partnership with
6 any relevant agency serving students with intel-
7 lectual disabilities, such as a vocational rehabili-
8 tation agency.

9 “(B) In the case of an institution of higher
10 education that provides institutionally-owned or
11 operated housing for students attending the in-
12 stitution, the integration of students with intel-
13 lectual disabilities into such housing.

14 “(C) The involvement of students attend-
15 ing the institution of higher education who are
16 studying special education, general education,
17 vocational rehabilitation, assistive technology, or
18 related fields in the model program carried out
19 under the grant.

20 “(d) USE OF FUNDS.—An institution of higher edu-
21 cation (or consortium) receiving a grant under this section
22 shall use the grant funds to establish a model comprehen-
23 sive transition and postsecondary program for students
24 with intellectual disabilities that—

1 “(1) serves students with intellectual disabil-
2 ities, including students with intellectual disabilities
3 who are no longer eligible for special education and
4 related services under the Individuals with Disabil-
5 ities Education Act;

6 “(2) provides individual supports and services
7 for the academic and social inclusion of students
8 with intellectual disabilities in academic courses, ex-
9 tracurricular activities, and other aspects of the in-
10 stitution of higher education’s regular postsecondary
11 program;

12 “(3) with respect to the students with intellec-
13 tual disabilities participating in the model program,
14 provides a focus on—

15 “(A) academic enrichment;

16 “(B) socialization;

17 “(C) independent living, including self-ad-
18 vocacy skills; and

19 “(D) integrated work experiences and ca-
20 reer skills that lead to gainful employment;

21 “(4) integrates person-centered planning in the
22 development of the course of study for each student
23 with an intellectual disability participating in the
24 model program;

1 “(5) participates with the coordinating center
2 established under section 774 in the evaluation of
3 the model program;

4 “(6) partners with 1 or more local educational
5 agencies to support students with intellectual disabili-
6 ties participating in the model program who are still
7 eligible for special education and related services
8 under such Act, including regarding the utilization
9 of funds available under part B of the Individuals
10 with Disabilities Education Act for such students;

11 “(7) plans for the sustainability of the model
12 program after the end of the grant period; and

13 “(8) creates and offers a meaningful credential
14 for students with intellectual disabilities upon the
15 completion of the model program.

16 “(e) MATCHING REQUIREMENT.—An institution of
17 higher education that receives a grant under this section
18 shall provide toward the cost of the model comprehensive
19 transition and postsecondary program for students with
20 intellectual disabilities carried out under the grant, match-
21 ing funds, which may be provided in cash or in-kind, in
22 an amount not less than 25 percent of the amount of such
23 grant funds.

24 “(f) REPORT.—Not later than 3 years after the date
25 of enactment of the Higher Education Amendments of

1 2007, the Secretary shall prepare and disseminate a re-
2 port reviewing the activities of the model comprehensive
3 transition and postsecondary programs for students with
4 intellectual disabilities authorized under this subpart and
5 providing guidance and recommendations on how success-
6 ful programs can be replicated.

7 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
8 are authorized to be appropriated to carry out this section
9 such sums as may be necessary.

10 **“SEC. 774. COORDINATING CENTER FOR TECHNICAL AS-**
11 **SISTANCE, EVALUATION, AND DEVELOPMENT**
12 **OF ACCREDITATION STANDARDS.**

13 “(a) IN GENERAL.—

14 “(1) AWARD.—The Secretary shall, on a com-
15 petitive basis, enter into a cooperative agreement
16 with an eligible entity, for the purpose of estab-
17 lishing a coordinating center for technical assistance,
18 evaluation, and development of accreditation stand-
19 ards for institutions of higher education that offer
20 inclusive model comprehensive transition and post-
21 secondary programs for students with intellectual
22 disabilities.

23 “(2) DURATION.—The cooperative agreement
24 under this section shall be for a period of 5 years.

1 “(b) REQUIREMENTS OF COOPERATIVE AGREE-
2 MENT.—The eligible entity entering into a cooperative
3 agreement under this section shall establish and maintain
4 a center that shall—

5 “(1) serve as the technical assistance entity for
6 all model comprehensive transition and postsec-
7 ondary programs for students with intellectual dis-
8 abilities assisted under section 773;

9 “(2) provide technical assistance regarding the
10 development, evaluation, and continuous improve-
11 ment of such programs;

12 “(3) develop an evaluation protocol for such
13 programs that includes qualitative and quantitative
14 methodology measuring student outcomes and pro-
15 gram strengths in the areas of academic enrichment,
16 socialization, independent living, and competitive or
17 supported employment;

18 “(4) assist recipients of grants under section
19 773 in efforts to award a meaningful credential to
20 students with intellectual disabilities upon the com-
21 pletion of such programs, which credential takes into
22 consideration unique State factors;

23 “(5) develop model criteria, standards, and pro-
24 cedures to be used in accrediting such programs
25 that—

1 “(A) include, in the development of the
2 model criteria, standards, and procedures for
3 such programs, the participation of—

4 “(i) an expert in higher education;

5 “(ii) an expert in special education;

6 “(iii) a disability organization that
7 represents students with intellectual dis-
8 abilities; and

9 “(iv) a State, regional, or national ac-
10 crediting agency or association recognized
11 by the Secretary under subpart 2 of part
12 H of title IV; and

13 “(B) define the necessary components of
14 such programs, such as—

15 “(i) academic, vocational, social, and
16 independent living skills;

17 “(ii) evaluation of student progress;

18 “(iii) program administration and
19 evaluation;

20 “(iv) student eligibility; and

21 “(v) issues regarding the equivalency
22 of a student’s participation in such pro-
23 grams to semester, trimester, quarter,
24 credit, or clock hours at an institution of
25 higher education, as the case may be;

1 “(6) analyze possible funding streams for such
2 programs and provide recommendations regarding
3 the funding streams;

4 “(7) develop model memoranda of agreement
5 between institutions of higher education and agen-
6 cies providing funding for such programs;

7 “(8) develop mechanisms for regular commu-
8 nication between the recipients of grants under sec-
9 tion 773 regarding such programs; and

10 “(9) host a meeting of all recipients of grants
11 under section 773 not less often than once a year.

12 “(c) DEFINITION OF ELIGIBLE ENTITY.—In this sec-
13 tion, the term ‘eligible entity’ means an entity, or a part-
14 nership of entities, that has demonstrated expertise in the
15 fields of higher education, students with intellectual dis-
16 abilities, the development of comprehensive transition and
17 postsecondary programs for students with intellectual dis-
18 abilities, and evaluation.

19 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
20 are authorized to be appropriated to carry out this section
21 such sums as may be necessary.”.

22 “(c) CONFORMING AMENDMENTS.—Part D of title VII
23 (20 U.S.C. 1140 et seq.) is further amended—

24 (1) in section 761, by striking “part” and in-
25 serting “subpart”;

1 (2) in section 762 (as amended by subsection
2 (a)), by striking “part” each place the term appears
3 and inserting “subpart”;

4 (3) in section 763, by striking “part” both
5 places the term appears and inserting “subpart”;

6 (4) in section 764, by striking “part” and in-
7 serting “subpart”; and

8 (5) in section 765, by striking “part” and in-
9 serting “subpart”.

10 **SEC. 715. APPLICATIONS FOR DEMONSTRATION PROJECTS**

11 **TO ENSURE STUDENTS WITH DISABILITIES**

12 **RECEIVE A QUALITY HIGHER EDUCATION.**

13 Section 763 (as amended in section 714(c)(3)) (20
14 U.S.C. 1140b) is further amended—

15 (1) by striking paragraph (1) and inserting the
16 following:

17 “(1) a description of how such institution plans
18 to address the activities allowed under this sub-
19 part;”;

20 (2) in paragraph (2), by striking “and” after
21 the semicolon;

22 (3) in paragraph (3), by striking the period at
23 the end and inserting “; and”; and

24 (4) by adding at the end the following:

1 “(4) a description of the extent to which the in-
 2 stitution will work to replicate the research based
 3 and best practices of institutions of higher education
 4 with demonstrated success in serving students with
 5 disabilities.”.

6 **SEC. 716. AUTHORIZATION OF APPROPRIATIONS FOR DEM-**
 7 **ONSTRATION PROJECTS TO ENSURE STU-**
 8 **DENTS WITH DISABILITIES RECEIVE A QUAL-**
 9 **ITY HIGHER EDUCATION.**

10 Section 765 (20 U.S.C. 1140d) is amended by strik-
 11 ing “\$10,000,000 for fiscal year 1999” and all that fol-
 12 lows through the period and inserting “such sums as may
 13 be necessary for fiscal year 2008 and each of the 5 suc-
 14 ceeding fiscal years.”.

15 **TITLE VIII—MISCELLANEOUS**

16 **SEC. 801. MISCELLANEOUS.**

17 The Act (20 U.S.C. 1001 et seq.) is amended by add-
 18 ing at the end the following:

19 **“TITLE VIII—MISCELLANEOUS**

20 **“PART A—MATHEMATICS AND SCIENCE**

21 **SCHOLARS PROGRAM**

22 **“SEC. 811. MATHEMATICS AND SCIENCE SCHOLARS PRO-**
 23 **GRAM.**

24 “(a) PROGRAM AUTHORIZED.—The Secretary is au-
 25 thorized to award grants to States, on a competitive basis,

1 to enable the States to award eligible students, who com-
2 plete a rigorous secondary school curriculum in mathe-
3 matics and science, scholarships for undergraduate study.

4 “(b) ELIGIBLE STUDENTS.—A student is eligible for
5 a scholarship under this section if the student is a full-
6 time undergraduate student in the student’s first and sec-
7 ond year of study who has completed a rigorous secondary
8 school curriculum in mathematics and science.

9 “(c) RIGOROUS CURRICULUM.—Each participating
10 State shall determine the requirements for a rigorous sec-
11 ondary school curriculum in mathematics and science de-
12 scribed in subsection (b).

13 “(d) PRIORITY FOR SCHOLARSHIPS.—The Governor
14 of a State may set a priority for awarding scholarships
15 under this section for particular eligible students, such as
16 students attending schools in high-need areas, students
17 who are from groups underrepresented in the fields of
18 mathematics, science, and engineering, students served by
19 local educational agencies that do not meet or exceed State
20 standards in mathematics and science, or students with
21 regional or geographic needs as determined appropriate by
22 the Governor.

23 “(e) AMOUNT AND DURATION OF SCHOLARSHIP.—
24 The Secretary shall award a grant under this section—

1 “(1) in an amount that does not exceed \$1,000;
2 and

3 “(2) for not more than 2 years of under-
4 graduate study.

5 “(f) MATCHING REQUIREMENT.—In order to receive
6 a grant under this section, a State shall provide matching
7 funds for the scholarships awarded under this section in
8 an amount equal to 50 percent of the Federal funds re-
9 ceived.

10 “(g) AUTHORIZATION.—There are authorized to be
11 appropriated to carry out this section such sums as may
12 be necessary for fiscal year 2008 and each of the 5 suc-
13 ceeding fiscal years.

14 **“PART B—POSTSECONDARY EDUCATION**
15 **ASSESSMENT**

16 **“SEC. 816. POSTSECONDARY EDUCATION ASSESSMENT.**

17 “(a) CONTRACT FOR ASSESSMENT.—The Secretary
18 shall enter into a contract, with an independent, bipartisan
19 organization with specific expertise in public administra-
20 tion and financial management, to carry out an inde-
21 pendent assessment of the cost factors associated with the
22 cost of tuition at institutions of higher education.

23 “(b) TIMEFRAME.—The Secretary shall enter into
24 the contract described in subsection (a) not later than 90

1 days after the date of enactment of the Higher Education
2 Amendments of 2007.

3 “(c) MATTERS ASSESSED.—The assessment de-
4 scribed in subsection (a) shall—

5 “(1) examine the key elements driving the cost
6 factors associated with the cost of tuition at institu-
7 tions of higher education during the 2001–2002 aca-
8 demic year and succeeding academic years;

9 “(2) identify and evaluate measures being used
10 to control postsecondary education costs;

11 “(3) identify and evaluate effective measures
12 that may be utilized to control postsecondary edu-
13 cation costs in the future; and

14 “(4) identify systemic approaches to monitor
15 future postsecondary education cost trends and post-
16 secondary education cost control mechanisms.

17 **“PART C—JOB SKILL TRAINING IN HIGH-GROWTH**
18 **OCCUPATIONS OR INDUSTRIES**

19 **“SEC. 821. JOB SKILL TRAINING IN HIGH-GROWTH OCCUPA-**
20 **TIONS OR INDUSTRIES.**

21 “(a) GRANTS AUTHORIZED.—The Secretary is au-
22 thorized to award grants, on a competitive basis, to eligible
23 partnerships to enable the eligible partnerships to provide
24 relevant job skill training in high-growth industries or oc-
25 cupations.

1 “(b) DEFINITIONS.—In this section:

2 “(1) ELIGIBLE PARTNERSHIP.—The term ‘eligi-
3 ble partnership’ means a partnership—

4 “(A) between an institution of higher edu-
5 cation and a local board (as such term is de-
6 fined in section 101 of the Workforce Invest-
7 ment Act of 1998); or

8 “(B) if an institution of higher education
9 is located within a State that does not operate
10 local boards, between the institution of higher
11 education and a State board (as such term is
12 defined in section 101 of the Workforce Invest-
13 ment Act of 1998).

14 “(2) NONTRADITIONAL STUDENT.—The term
15 ‘nontraditional student’ means a student who—

16 “(A) is independent, as defined in section
17 480(d);

18 “(B) attends an institution of higher edu-
19 cation—

20 “(i) on less than a full-time basis;

21 “(ii) via evening, weekend, modular,
22 or compressed courses; or

23 “(iii) via distance education methods;

24 or

1 “(C) has delayed enrollment at an institu-
2 tion of higher education.

3 “(3) INSTITUTION OF HIGHER EDUCATION.—

4 The term ‘institution of higher education’ means an
5 institution of higher education, as defined in section
6 101(b), that offers a 1- or 2-year program of study
7 leading to a degree or certificate.

8 “(c) APPLICATION.—

9 “(1) IN GENERAL.—Each eligible partnership
10 that desires a grant under this section shall submit
11 an application to the Secretary at such time, in such
12 manner, and accompanied by such additional infor-
13 mation as the Secretary may require.

14 “(2) CONTENTS.—Each application submitted
15 under paragraph (1) shall include a description of—

16 “(A) how the eligible partnership, through
17 the institution of higher education, will provide
18 relevant job skill training for students to enter
19 high-growth occupations or industries;

20 “(B) local high-growth occupations or in-
21 dustries; and

22 “(C) the need for qualified workers to meet
23 the local demand of high-growth occupations or
24 industries.

1 “(d) AWARD BASIS.—In awarding grants under this
2 section, the Secretary shall—

3 “(1) ensure an equitable distribution of grant
4 funds under this section among urban and rural
5 areas of the United States; and

6 “(2) take into consideration the capability of
7 the institution of higher education—

8 “(A) to offer relevant, high quality instruc-
9 tion and job skill training for students entering
10 a high-growth occupation or industry;

11 “(B) to involve the local business commu-
12 nity and to place graduates in the community
13 in employment in high-growth occupations or
14 industries;

15 “(C) to provide secondary students with
16 dual-enrollment or concurrent enrollment op-
17 tions;

18 “(D) to serve nontraditional or low-income
19 students, or adult or displaced workers; and

20 “(E) to serve students from rural or re-
21 mote communities.

22 “(e) USE OF FUNDS.—Grant funds provided under
23 this section may be used—

1 “(1) to expand or create academic programs or
2 programs of training that provide relevant job skill
3 training for high-growth occupations or industries;

4 “(2) to purchase equipment which will facilitate
5 the development of academic programs or programs
6 of training that provide training for high-growth oc-
7 cupations or industries;

8 “(3) to support outreach efforts that enable
9 students to attend institutions of higher education
10 with academic programs or programs of training fo-
11 cused on high-growth occupations or industries;

12 “(4) to expand or create programs for distance,
13 evening, weekend, modular, or compressed learning
14 opportunities that provide relevant job skill training
15 in high-growth occupations or industries;

16 “(5) to build partnerships with local businesses
17 in high-growth occupations or industries;

18 “(6) to support curriculum development related
19 to entrepreneurial training; and

20 “(7) for other uses that the Secretary deter-
21 mines to be consistent with the intent of this section.

22 “(f) REQUIREMENTS.—

23 “(1) FISCAL AGENT.—For the purpose of this
24 section, the institution of higher education in an eli-

1 gible partnership shall serve as the fiscal agent and
2 grant recipient for the eligible partnership.

3 “(2) DURATION.—The Secretary shall award
4 grants under this section for periods that may not
5 exceed 5 years.

6 “(3) SUPPLEMENT, NOT SUPPLANT.—Funds
7 made available under this section shall be used to
8 supplement and not supplant other Federal, State,
9 and local funds available to the eligible partnership
10 for carrying out the activities described in subsection
11 (e).

12 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
13 are authorized to be appropriated to carry out this part
14 such sums as may be necessary for fiscal year 2008 and
15 each of the 5 succeeding fiscal years.

16 **“PART D—ADDITIONAL CAPACITY FOR R.N. STU-**
17 **DENTS OR GRADUATE-LEVEL NURSING STU-**
18 **DENTS**

19 **“SEC. 826. ADDITIONAL CAPACITY FOR R.N. STUDENTS OR**
20 **GRADUATE-LEVEL NURSING STUDENTS.**

21 “(a) AUTHORIZATION.—The Secretary shall award
22 grants to institutions of higher education that offer—

23 “(1) a R.N. nursing program at the bacca-
24 laureate or associate degree level to enable such pro-
25 gram to expand the faculty and facilities of such

1 program to accommodate additional R.N. nursing
2 program students; or

3 “(2) a graduate-level nursing program to ac-
4 commodate advanced practice degrees for R.N.s or
5 to accommodate students enrolled in a graduate-level
6 nursing program to provide teachers of nursing stu-
7 dents.

8 “(b) DETERMINATION OF NUMBER OF STUDENTS
9 AND APPLICATION.—Each institution of higher education
10 that offers a program described in subsection (a) that de-
11 sires to receive a grant under this section shall—

12 “(1) determine for the 4 academic years pre-
13 ceding the academic year for which the determina-
14 tion is made the average number of matriculated
15 nursing program students at such institution for
16 such academic years; and

17 “(2) submit an application to the Secretary at
18 such time, in such manner, and accompanied by
19 such information as the Secretary may require, in-
20 cluding the average number determined under para-
21 graph (1).

22 “(c) GRANT AMOUNT; AWARD BASIS.—

23 “(1) GRANT AMOUNT.—For each academic year
24 after academic year 2006–2007, the Secretary shall
25 provide to each institution of higher education

1 awarded a grant under this section an amount that
2 is equal to \$3,000 multiplied by the number of ma-
3 triculated nursing program students at such institu-
4 tion for such academic year that is more than the
5 average number determined with respect to such in-
6 stitution under subsection (b)(1). Such amount shall
7 be used for the purposes described in subsection (a).

8 “(2) DISTRIBUTION OF GRANTS AMONG DIF-
9 FERENT DEGREE PROGRAMS.—

10 “(A) IN GENERAL.—Subject to subpara-
11 graph (B), from the funds available to award
12 grants under this section for each fiscal year,
13 the Secretary shall—

14 “(i) use 20 percent of such funds to
15 award grants under this section to institu-
16 tions of higher education for the purpose
17 of accommodating advanced practice de-
18 grees or students in graduate-level nursing
19 programs;

20 “(ii) use 40 percent of such funds to
21 award grants under this section to institu-
22 tions of higher education for the purpose
23 of expanding R.N. nursing programs at the
24 baccalaureate degree level; and

1 “(iii) use 40 percent of such funds to
2 award grants under this section to institu-
3 tions of higher education for the purpose
4 of expanding R.N. nursing programs at the
5 associate degree level.

6 “(B) DISTRIBUTION OF EXCESS FUNDS.—
7 If, for a fiscal year, funds described in clause
8 (i), (ii), or (iii) of subparagraph (A) remain
9 after the Secretary awards grants under this
10 section to all applicants for the particular cat-
11 egory of nursing programs described in such
12 clause, the Secretary shall use equal amounts of
13 the remaining funds to award grants under this
14 section to applicants for the remaining cat-
15 egories of nursing programs.

16 “(C) EQUITABLE DISTRIBUTION.—In
17 awarding grants under this section, the Sec-
18 retary shall, to the extent practicable, ensure—

19 “(i) an equitable geographic distribu-
20 tion of the grants among the States; and

21 “(ii) an equitable distribution of the
22 grants among different types of institu-
23 tions of higher education.

24 “(d) PROHIBITION.—

1 “(1) IN GENERAL.—Funds provided under this
2 section may not be used for the construction of new
3 facilities.

4 “(2) RULE OF CONSTRUCTION.—Nothing in
5 paragraph (1) shall be construed to prohibit funds
6 provided under this section from being used for the
7 repair or renovation of facilities.

8 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
9 are authorized to be appropriated to carry out this section
10 such sums as may be necessary.

11 **“PART E—AMERICAN HISTORY FOR FREEDOM**

12 **“SEC. 831. AMERICAN HISTORY FOR FREEDOM.**

13 “(a) GRANTS AUTHORIZED.—The Secretary is au-
14 thorized to award 3-year grants, on a competitive basis,
15 to eligible institutions to establish or strengthen postsec-
16 ondary academic programs or centers that promote and
17 impart knowledge of—

18 “(1) traditional American history;

19 “(2) the history and nature of, and threats to,
20 free institutions; or

21 “(3) the history and achievements of Western
22 civilization.

23 “(b) DEFINITIONS.—In this section:

1 “(1) ELIGIBLE INSTITUTION.—The term ‘eligi-
2 ble institution’ means an institution of higher edu-
3 cation as defined in section 101.

4 “(2) FREE INSTITUTION.—The term ‘free insti-
5 tution’ means an institution that emerged out of
6 Western civilization, such as democracy, constitu-
7 tional government, individual rights, market econom-
8 ics, religious freedom and religious tolerance, and
9 freedom of thought and inquiry.

10 “(3) TRADITIONAL AMERICAN HISTORY.—The
11 term ‘traditional American history’ means—

12 “(A) the significant constitutional, polit-
13 ical, intellectual, economic, and foreign policy
14 trends and issues that have shaped the course
15 of American history; and

16 “(B) the key episodes, turning points, and
17 leading figures involved in the constitutional,
18 political, intellectual, diplomatic, and economic
19 history of the United States.

20 “(c) APPLICATION.—

21 “(1) IN GENERAL.—Each eligible institution
22 that desires a grant under this part shall submit an
23 application to the Secretary at such time, in such
24 manner, and accompanied by such additional infor-
25 mation as the Secretary may require.

1 “(2) CONTENTS.—Each application submitted
2 under subsection (a) shall include a description of —

3 “(A) how funds made available under this
4 part will be used for the activities set forth
5 under subsection (e), including how such activi-
6 ties will increase knowledge with respect to tra-
7 ditional American history, free institutions, or
8 Western civilization;

9 “(B) how the eligible institution will ensure
10 that information about the activities funded
11 under this part is widely disseminated pursuant
12 to subsection (e)(1)(B);

13 “(C) any activities to be undertaken pursu-
14 ant to subsection (e)(2)(A), including identifica-
15 tion of entities intended to participate;

16 “(D) how funds made available under this
17 part shall be used to supplement and not sup-
18 plant non-Federal funds available for the activi-
19 ties described in subsection (e); and

20 “(E) such fiscal controls and accounting
21 procedures as may be necessary to ensure prop-
22 er disbursement of and accounting for funding
23 made available to the eligible institution under
24 this part.

1 “(d) AWARD BASIS.—In awarding grants under this
2 part, the Secretary shall take into consideration the capa-
3 bility of the eligible institution to—

4 “(1) increase access to quality programming
5 that expands knowledge of traditional American his-
6 tory, free institutions, or Western civilization;

7 “(2) involve personnel with strong expertise in
8 traditional American history, free institutions, or
9 Western civilization; and

10 “(3) sustain the activities funded under this
11 part after the grant has expired.

12 “(e) USE OF FUNDS.—

13 “(1) REQUIRED USE OF FUNDS.—Funds pro-
14 vided under this part shall be used to—

15 “(A) establish or strengthen academic pro-
16 grams or centers focused on traditional Amer-
17 ican history, free institutions, or Western civili-
18 zation, which may include—

19 “(i) design and implementation of
20 programs of study, courses, lecture series,
21 seminars, and symposia;

22 “(ii) development, publication, and
23 dissemination of instructional materials;

24 “(iii) research;

1 “(iv) support for faculty teaching in
2 undergraduate and, if applicable, graduate
3 programs;

4 “(v) support for graduate and post-
5 graduate fellowships, if applicable; or

6 “(vi) teacher preparation initiatives
7 that stress content mastery regarding tra-
8 ditional American history, free institutions,
9 or Western civilization; and

10 “(B) conduct outreach activities to ensure
11 that information about the activities funded
12 under this part is widely disseminated—

13 “(i) to undergraduate students (in-
14 cluding students enrolled in teacher edu-
15 cation programs, if applicable);

16 “(ii) to graduate students (including
17 students enrolled in teacher education pro-
18 grams), if applicable;

19 “(iii) to faculty;

20 “(iv) to local educational agencies;

21 and

22 “(v) within the local community.

23 “(2) ALLOWABLE USES OF FUNDS.—Funds
24 provided under this part may be used to support—

25 “(A) collaboration with entities such as—

1 “(i) local educational agencies, for the
 2 purpose of providing elementary, middle
 3 and secondary school teachers an oppor-
 4 tunity to enhance their knowledge of tradi-
 5 tional American history, free institutions,
 6 or Western civilization; and

7 “(ii) nonprofit organizations whose
 8 mission is consistent with the purpose of
 9 this part, such as academic organizations,
 10 museums, and libraries, for assistance in
 11 carrying out activities described under sub-
 12 section (a); and

13 “(B) other activities that meet the pur-
 14 poses of this part.

15 “(f) AUTHORIZATION OF APPROPRIATIONS.—For the
 16 purpose of carrying out this part, there are authorized to
 17 be appropriated such sums as may be necessary for fiscal
 18 year 2008 and each of the 5 succeeding fiscal years.

19 **“PART F—TEACH FOR AMERICA**

20 **“SEC. 836. TEACH FOR AMERICA.**

21 “(a) DEFINITIONS.—

22 “(1) IN GENERAL.—The terms ‘highly quali-
 23 fied’, ‘local educational agency’, and ‘Secretary’ have
 24 the meanings given the terms in section 9101 of the

1 Elementary and Secondary Education Act of 1965
2 (20 U.S.C. 7801).

3 “(2) GRANTEE.—The term ‘grantee’ means
4 Teach For America, Inc.

5 “(3) HIGH NEED.—The term ‘high need’, when
6 used with respect to a local educational agency,
7 means a local educational agency experiencing a
8 shortage of highly qualified teachers.

9 “(b) GRANTS AUTHORIZED.—The Secretary is au-
10 thorized to award a grant to Teach For America, Inc.,
11 the national teacher corps of outstanding recent college
12 graduates who commit to teach for 2 years in underserved
13 communities in the United States, to implement and ex-
14 pand its program of recruiting, selecting, training, and
15 supporting new teachers.

16 “(c) REQUIREMENTS.—In carrying out the grant pro-
17 gram under subsection (b), the Secretary shall enter into
18 an agreement with the grantee under which the grantee
19 agrees to use the grant funds provided under this sec-
20 tion—

21 “(1) to provide highly qualified teachers to high
22 need local educational agencies in urban and rural
23 communities;

24 “(2) to pay the cost of recruiting, selecting,
25 training, and supporting new teachers; and

1 “(3) to serve a substantial number and percent-
2 age of underserved students.

3 “(d) AUTHORIZED ACTIVITIES.—

4 “(1) IN GENERAL.—Grant funds provided
5 under this section shall be used by the grantee to
6 carry out each of the following activities:

7 “(A) Recruiting and selecting teachers
8 through a highly selective national process.

9 “(B) Providing preservice training to the
10 teachers through a rigorous summer institute
11 that includes hands-on teaching experience and
12 significant exposure to education coursework
13 and theory.

14 “(C) Placing the teachers in schools and
15 positions designated by partner local edu-
16 cational agencies as high need placements serv-
17 ing underserved students.

18 “(D) Providing ongoing professional devel-
19 opment activities for the teachers’ first 2 years
20 in the classroom, including regular classroom
21 observations and feedback, and ongoing train-
22 ing and support.

23 “(2) LIMITATION.—The grantee shall use all
24 grant funds received under this section to support
25 activities related directly to the recruitment, selec-

1 tion, training, and support of teachers as described
2 in subsection (a).

3 “(e) REPORTS AND EVALUATIONS.—

4 “(1) ANNUAL REPORT.—The grantee shall pro-
5 vide to the Secretary an annual report that in-
6 cludes—

7 “(A) data on the number and quality of
8 the teachers provided to local educational agen-
9 cies through a grant under this section;

10 “(B) an externally conducted analysis of
11 the satisfaction of local educational agencies
12 and principals with the teachers so provided;
13 and

14 “(C) comprehensive data on the back-
15 ground of the teachers chosen, the training the
16 teachers received, the placement sites of the
17 teachers, the professional development of the
18 teachers, and the retention of the teachers.

19 “(2) STUDY.—

20 “(A) IN GENERAL.—From funds appro-
21 priated under subsection (f), the Secretary shall
22 provide for a study that examines the achieve-
23 ment levels of the students taught by the teach-
24 ers assisted under this section.

1 “(B) ACHIEVEMENT GAINS COMPARED.—

2 The study shall compare, within the same
3 schools, the achievement gains made by stu-
4 dents taught by teachers who are assisted
5 under this section with the achievement gains
6 made by students taught by teachers who are
7 not assisted under this section.

8 “(3) REQUIREMENTS.—The Secretary shall
9 provide for such a study not less than once every 3
10 years, and each such study shall include multiple
11 placement sites and multiple schools within place-
12 ment sites.

13 “(4) PEER REVIEW STANDARDS.—Each such
14 study shall meet the peer review standards of the
15 education research community.

16 “(f) AUTHORIZATION OF APPROPRIATIONS.—

17 “(1) IN GENERAL.—There are authorized to be
18 appropriated to carry out this section such sums as
19 may be necessary for fiscal year 2008 and each of
20 the 5 succeeding fiscal years.

21 “(2) LIMITATION.—The grantee shall not use
22 more than 25 percent of Federal funds from any
23 source for administrative costs.

1 **“PART G—PATSY T. MINK FELLOWSHIP PROGRAM**

2 **“SEC. 841. PATSY T. MINK FELLOWSHIP PROGRAM.**

3 “(a) PURPOSE.—

4 “(1) IN GENERAL.—It is the purpose of this
5 section to provide, through eligible institutions, a
6 program of fellowship awards to assist highly quali-
7 fied minorities and women to acquire the doctoral
8 degree, or highest possible degree available, in aca-
9 demic areas in which such individuals are underrep-
10 resented for the purpose of enabling such individuals
11 to enter the higher education professoriate.

12 “(2) DESIGNATION.—Each recipient of a fellow-
13 ship award from an eligible institution receiving a
14 grant under this section shall be known as a ‘Patsy
15 T. Mink Graduate Fellow’.

16 “(b) DEFINITIONS.—In this section, the term ‘eligible
17 institution’ means an institution of higher education, or
18 a consortium of such institutions, that offers a program
19 of postbaccalaureate study leading to a graduate degree.

20 “(c) PROGRAM AUTHORIZED.—

21 “(1) GRANTS BY SECRETARY.—

22 “(A) IN GENERAL.—The Secretary shall
23 award grants to eligible institutions to enable
24 such institutions to make fellowship awards to
25 individuals in accordance with the provisions of
26 this section.

1 “(B) PRIORITY CONSIDERATION.—In
2 awarding grants under this section, the Sec-
3 retary shall consider the eligible institution’s
4 prior experience in producing doctoral degree,
5 or highest possible degree available, holders who
6 are minorities and women, and shall give pri-
7 ority consideration in making grants under this
8 section to those eligible institutions with a dem-
9 onstrated record of producing minorities and
10 women who have earned such degrees.

11 “(2) APPLICATIONS.—

12 “(A) IN GENERAL.—An eligible institution
13 that desires a grant under this section shall
14 submit an application to the Secretary at such
15 time, in such manner, and containing such in-
16 formation as the Secretary may require.

17 “(B) APPLICATIONS MADE ON BEHALF.—

18 “(i) IN GENERAL.—The following en-
19 tities may submit an application on behalf
20 of an eligible institution:

21 “(I) A graduate school or depart-
22 ment of such institution.

23 “(II) A graduate school or de-
24 partment of such institution in col-

1 laboration with an undergraduate col-
2 lege or university of such institution.

3 “(III) An organizational unit
4 within such institution that offers a
5 program of postbaccalaureate study
6 leading to a graduate degree, includ-
7 ing an interdisciplinary or an inter-
8 departmental program.

9 “(IV) A nonprofit organization
10 with a demonstrated record of helping
11 minorities and women earn
12 postbaccalaureate degrees.

13 “(ii) NONPROFIT ORGANIZATIONS.—
14 Nothing in this paragraph shall be con-
15 strued to permit the Secretary to award a
16 grant under this section to an entity other
17 than an eligible institution.

18 “(3) SELECTION OF APPLICATIONS.—In award-
19 ing grants under subsection (a), the Secretary
20 shall—

21 “(A) take into account—

22 “(i) the number and distribution of
23 minority and female faculty nationally;

1 “(ii) the current and projected need
2 for highly trained individuals in all areas
3 of the higher education professoriate; and

4 “(iii) the present and projected need
5 for highly trained individuals in academic
6 career fields in which minorities and
7 women are underrepresented in the higher
8 education professoriate; and

9 “(B) consider the need to prepare a large
10 number of minorities and women generally in
11 academic career fields of high national priority,
12 especially in areas in which such individuals are
13 traditionally underrepresented in college and
14 university faculty.

15 “(4) DISTRIBUTION AND AMOUNTS OF
16 GRANTS.—

17 “(A) EQUITABLE DISTRIBUTION.—In
18 awarding grants under this section, the Sec-
19 retary shall, to the maximum extent feasible,
20 ensure an equitable geographic distribution of
21 awards and an equitable distribution among
22 public and independent eligible institutions that
23 apply for grants under this section and that
24 demonstrate an ability to achieve the purpose of
25 this section.

1 “(B) SPECIAL RULE.—To the maximum
2 extent practicable, the Secretary shall use not
3 less than 30 percent of the amount appro-
4 priated pursuant to subsection (f) to award
5 grants to eligible institutions that—

6 “(i) are eligible for assistance under
7 title III or title V; or

8 “(ii) have formed a consortium that
9 includes both non-minority serving institu-
10 tions and minority serving institutions.

11 “(C) ALLOCATION.—In awarding grants
12 under this section, the Secretary shall allocate
13 appropriate funds to those eligible institutions
14 whose applications indicate an ability to signifi-
15 cantly increase the numbers of minorities and
16 women entering the higher education professo-
17 riate and that commit institutional resources to
18 the attainment of the purpose of this section.

19 “(D) NUMBER OF FELLOWSHIP
20 AWARDS.—An eligible institution that receives a
21 grant under this section shall make not less
22 than 15 fellowship awards.

23 “(E) REALLOTMENT.—If the Secretary de-
24 termines that an eligible institution awarded a
25 grant under this section is unable to use all of

1 the grant funds awarded to the institution, the
2 Secretary shall reallocate, on such date during
3 each fiscal year as the Secretary may fix, the
4 unused funds to other eligible institutions that
5 demonstrate that such institutions can use any
6 reallocated grant funds to make fellowship
7 awards to individuals under this section.

8 “(5) INSTITUTIONAL ALLOWANCE.—

9 “(A) IN GENERAL.—

10 “(i) NUMBER OF ALLOWANCES.—In
11 awarding grants under this section, the
12 Secretary shall pay to each eligible institu-
13 tion awarded a grant, for each individual
14 awarded a fellowship by such institution
15 under this section, an institutional allow-
16 ance.

17 “(ii) AMOUNT.—Except as provided in
18 paragraph (3), an institutional allowance
19 shall be in an amount equal to, for aca-
20 demic year 2007–2008 and succeeding aca-
21 demic years, the amount of institutional al-
22 lowance made to an institution of higher
23 education under section 715 for such aca-
24 demic year.

1 “(B) USE OF FUNDS.—Institutional allow-
2 ances may be expended in the discretion of the
3 eligible institution and may be used to provide,
4 except as prohibited under paragraph (4), aca-
5 demic support and career transition services for
6 individuals awarded fellowships by such institu-
7 tion.

8 “(C) REDUCTION.—The institutional al-
9 lowance paid under paragraph (1) shall be re-
10 duced by the amount the eligible institution
11 charges and collects from a fellowship recipient
12 for tuition and other expenses as part of the re-
13 cipient’s instructional program.

14 “(D) USE FOR OVERHEAD PROHIBITED.—
15 Funds made available under this section may
16 not be used for general operational overhead of
17 the academic department or institution receiv-
18 ing funds under this section.

19 “(d) FELLOWSHIP RECIPIENTS.—

20 “(1) AUTHORIZATION.—An eligible institution
21 that receives a grant under this section shall use the
22 grant funds to make fellowship awards to minorities
23 and women who are enrolled at such institution in
24 a doctoral degree, or highest possible degree avail-
25 able, program and—

1 “(A) intend to pursue a career in instruc-
2 tion at—

3 “(i) an institution of higher education
4 (as the term is defined in section 101);

5 “(ii) an institution of higher education
6 (as the term is defined in section
7 102(a)(1));

8 “(iii) an institution of higher edu-
9 cation outside the United States (as the
10 term is described in section 102(a)(2)); or

11 “(iv) a proprietary institution of high-
12 er education (as the term is defined in sec-
13 tion 102(b)); and

14 “(B) sign an agreement with the Secretary
15 agreeing—

16 “(i) to begin employment at an insti-
17 tution described in paragraph (1) not later
18 than 3 years after receiving the doctoral
19 degree or highest possible degree available,
20 which 3-year period may be extended by
21 the Secretary for extraordinary cir-
22 cumstances; and

23 “(ii) to be employed by such institu-
24 tion for 1 year for each year of fellowship
25 assistance received under this section.

1 “(2) FAILURE TO COMPLY.—If an individual
2 who receives a fellowship award under this section
3 fails to comply with the agreement signed pursuant
4 to subsection (a)(2), then the Secretary shall do 1
5 or both of the following:

6 “(A) Require the individual to repay all or
7 the applicable portion of the total fellowship
8 amount awarded to the individual by converting
9 the balance due to a loan at the interest rate
10 applicable to loans made under part B of title
11 IV.

12 “(B) Impose a fine or penalty in an
13 amount to be determined by the Secretary.

14 “(3) WAIVER AND MODIFICATION.—

15 “(A) REGULATIONS.—The Secretary shall
16 promulgate regulations setting forth criteria to
17 be considered in granting a waiver for the serv-
18 ice requirement under subsection (a)(2).

19 “(B) CONTENT.—The criteria under para-
20 graph (1) shall include whether compliance with
21 the service requirement by the fellowship recipi-
22 ent would be—

23 “(i) inequitable and represent an ex-
24 traordinary hardship; or

1 “(ii) deemed impossible because the
2 individual is permanently and totally dis-
3 abled at the time of the waiver request.

4 “(4) AMOUNT OF FELLOWSHIP AWARDS.—Fel-
5 lowship awards under this section shall consist of a
6 stipend in an amount equal to the level of support
7 provided to the National Science Foundation grad-
8 uate fellows, except that such stipend shall be ad-
9 justed as necessary so as not to exceed the fellow’s
10 tuition and fees or demonstrated need (as deter-
11 mined by the institution of higher education where
12 the graduate student is enrolled), whichever is great-
13 er.

14 “(5) ACADEMIC PROGRESS REQUIRED.—An in-
15 dividual student shall not be eligible to receive a fel-
16 lowship award—

17 “(A) except during periods in which such
18 student is enrolled, and such student is main-
19 taining satisfactory academic progress in, and
20 devoting essentially full time to, study or re-
21 search in the pursuit of the degree for which
22 the fellowship support was awarded; and

23 “(B) if the student is engaged in gainful
24 employment, other than part-time employment
25 in teaching, research, or similar activity deter-

1 mined by the eligible institution to be consistent
 2 with and supportive of the student's progress
 3 toward the appropriate degree.

4 “(e) RULE OF CONSTRUCTION.—Nothing in this sec-
 5 tion shall be construed to require an eligible institution
 6 that receives a grant under this section—

7 “(1) to grant a preference or to differentially
 8 treat any applicant for a faculty position as a result
 9 of the institution's participation in the program
 10 under this section; or

11 “(2) to hire a Patsy T. Mink Fellow who com-
 12 pletes this program and seeks employment at such
 13 institution.

14 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
 15 is authorized to be appropriated to carry out this section
 16 such sums as may be necessary for fiscal year 2008 for
 17 each of the 5 succeeding fiscal years.

18 **“PART H—IMPROVING COLLEGE ENROLLMENT**

19 **BY SECONDARY SCHOOLS**

20 **“SEC. 846. IMPROVING COLLEGE ENROLLMENT BY SEC-**
 21 **ONDARY SCHOOLS.**

22 “(a) IN GENERAL.—The Secretary shall contract
 23 with 1 nonprofit organization described in subsection (b)
 24 to enable the nonprofit organization—

1 “(1) to make publicly available the year-to-year
2 higher education enrollment rate trends of secondary
3 school students, disaggregated by secondary school,
4 in full compliance with the Family Education Rights
5 and Privacy Act of 1974;

6 “(2) to identify not less than 50 urban local
7 educational agencies and 5 States with significant
8 rural populations, each serving a significant popu-
9 lation of low-income students, and to carry out a
10 comprehensive needs assessment in the agencies and
11 States of the factors known to contribute to im-
12 proved higher education enrollment rates, which fac-
13 tors shall include—

14 “(A) an evaluation of the local educational
15 agency’s and State’s leadership strategies;

16 “(B) the secondary school curriculum and
17 class offerings of the local educational agency
18 and State;

19 “(C) the professional development used by
20 the local educational agency and the State to
21 assist teachers, higher education counselors,
22 and administrators in supporting the transition
23 of secondary students into higher education;

1 “(D) secondary school student attendance
2 and other factors demonstrated to be associated
3 with enrollment into higher education;

4 “(E) the data systems used by the local
5 educational agency and the State to measure
6 college enrollment rates and the incentives in
7 place to motivate the efforts of faculty and stu-
8 dents to improve student and school-wide out-
9 comes; and

10 “(F) strategies to mobilize student leaders
11 to build a college-bound culture; and

12 “(3) to provide comprehensive services to im-
13 prove the school-wide higher education enrollment
14 rates of each of not less than 10 local educational
15 agencies and States, with the federally funded por-
16 tion of each project declining by not less than 20
17 percent each year beginning in the second year of
18 the comprehensive services, that—

19 “(A) participated in the needs assessment
20 described in paragraph (2); and

21 “(B) demonstrated a willingness and com-
22 mitment to improving the higher education en-
23 rollment rates of the local educational agency or
24 State, respectively.

1 “(b) GRANT RECIPIENT CRITERIA.—The recipient of
2 the grant awarded under subsection (a) shall be a non-
3 profit organization with demonstrated expertise—

4 “(1) in increasing school-wide higher education
5 enrollment rates in low-income communities nation-
6 wide by providing curriculum, training, and technical
7 assistance to secondary school staff and student peer
8 influencers; and

9 “(2) in a college transition data management
10 system.

11 “(c) AUTHORIZATION OF APPROPRIATIONS.—There
12 are authorized to be appropriated to carry out this section
13 such sums as are necessary for fiscal year 2008 and each
14 of the 5 succeeding fiscal years.

15 **“PART I—PREDOMINANTLY BLACK INSTITUTIONS**

16 **“SEC. 850. PREDOMINANTLY BLACK INSTITUTIONS.**

17 “(a) PURPOSE.—It is the purpose of this section to
18 assist Predominantly Black Institutions in expanding edu-
19 cational opportunity through a program of Federal assist-
20 ance.

21 “(b) DEFINITIONS.—In this section:

22 “(1) EDUCATIONAL AND GENERAL EXPENDI-
23 TURES.—The term ‘educational and general expendi-
24 tures’ has the meaning given the term in section
25 312.

1 “(2) ELIGIBLE INSTITUTION.—The term ‘eligi-
2 ble institution’ means an institution of higher edu-
3 cation that—

4 “(A) has an enrollment of needy under-
5 graduate students;

6 “(B) has an average educational and gen-
7 eral expenditure which is low, per full-time
8 equivalent undergraduate student in comparison
9 with the average educational and general ex-
10 penditure per full-time equivalent under-
11 graduate student of institutions that offer simi-
12 lar instruction, except that the Secretary may
13 apply the waiver requirements described in sec-
14 tion 392(b) to this subparagraph in the same
15 manner as the Secretary applies the waiver re-
16 quirements to section 312(b)(1)(B);

17 “(C) has an enrollment of undergraduate
18 students that is not less than 40 percent Black
19 American students;

20 “(D) is legally authorized to provide, and
21 provides within the State, an educational pro-
22 gram for which the institution of higher edu-
23 cation awards a baccalaureate degree, or in the
24 case of a junior or community college, an asso-
25 ciate’s degree; and

1 “(E) is accredited by a nationally recog-
2 nized accrediting agency or association deter-
3 mined by the Secretary to be a reliable author-
4 ity as to the quality of training offered, or is,
5 according to such an agency or association,
6 making reasonable progress toward accredita-
7 tion.

8 “(3) ENDOWMENT FUND.—The term ‘endow-
9 ment fund’ has the meaning given the term in sec-
10 tion 312.

11 “(4) ENROLLMENT OF NEEDY STUDENTS.—
12 The term ‘enrollment of needy students’ means the
13 enrollment at an eligible institution with respect to
14 which not less than 50 percent of the undergraduate
15 students enrolled in an academic program leading to
16 a degree—

17 “(A) in the second fiscal year preceding
18 the fiscal year for which the determination is
19 made, were Federal Pell Grant recipients for
20 such year;

21 “(B) come from families that receive bene-
22 fits under a means-tested Federal benefit pro-
23 gram;

24 “(C) attended a public or nonprofit private
25 secondary school—

1 “(i) that is in the school district of a
2 local educational agency that was eligible
3 for assistance under part A of title I of the
4 Elementary and Secondary Education Act
5 of 1965 for any year during which the stu-
6 dent attended such secondary school; and

7 “(ii) which for the purpose of this
8 paragraph and for that year was deter-
9 mined by the Secretary (pursuant to regu-
10 lations and after consultation with the
11 State educational agency of the State in
12 which the school is located) to be a school
13 in which the enrollment of children counted
14 under section 1113(a)(5) of such Act ex-
15 ceeds 30 percent of the total enrollment of
16 such school; or

17 “(D) are first-generation college students
18 and a majority of such first-generation college
19 students are low-income individuals.

20 “(5) FIRST GENERATION COLLEGE STUDENT.—
21 The term ‘first generation college student’ has the
22 meaning given the term in section 402A(g).

23 “(6) LOW-INCOME INDIVIDUAL.—The term
24 ‘low-income individual’ has the meaning given such
25 term in section 402A(g).

1 “(7) MEANS-TESTED FEDERAL BENEFIT PRO-
2 GRAM.—The term ‘means-tested Federal benefit pro-
3 gram’ means a program of the Federal Government,
4 other than a program under title IV, in which eligi-
5 bility for the program’s benefits, or the amount of
6 such benefits, are determined on the basis of income
7 or resources of the individual or family seeking the
8 benefit.

9 “(8) PREDOMINANTLY BLACK INSTITUTION.—
10 The term ‘Predominantly Black Institution’ means
11 an institution of higher education, as defined in sec-
12 tion 101(a)—

13 “(A) that is an eligible institution with not
14 less than 1,000 undergraduate students;

15 “(B) at which not less than 50 percent of
16 the undergraduate students enrolled at the eli-
17 gible institution are low-income individuals or
18 first generation college students; and

19 “(C) at which not less than 50 percent of
20 the undergraduate students are enrolled in an
21 educational program leading to a bachelor’s or
22 associate’s degree that the eligible institution is
23 licensed to award by the State in which the eli-
24 gible institution is located.

1 “(9) STATE.—The term ‘State’ means each of
2 the 50 States and the District of Columbia.

3 “(c) GRANT AUTHORITY.—

4 “(1) IN GENERAL.—The Secretary is authorized
5 to award grants, from allotments under subsection
6 (e), to Predominantly Black Institutions to enable
7 the Predominantly Black Institutions to carry out
8 the authorized activities described in subsection (d).

9 “(2) PRIORITY.—In awarding grants under this
10 section the Secretary shall give priority to Predomi-
11 nantly Black Institutions with large numbers or per-
12 centages of students described in subsections
13 (b)(2)(A) or (b)(2)(C). The level of priority given to
14 Predominantly Black Institutions with large num-
15 bers or percentages of students described in sub-
16 section (b)(2)(A) shall be twice the level of priority
17 given to Predominantly Black Institutions with large
18 numbers or percentages of students described in
19 subsection (b)(2)(C).

20 “(d) AUTHORIZED ACTIVITIES.—

21 “(1) REQUIRED ACTIVITIES.—Grant funds pro-
22 vided under this section shall be used—

23 “(A) to assist the Predominantly Black In-
24 stitution to plan, develop, undertake, and imple-
25 ment programs to enhance the institution’s ca-

1 capacity to serve more low- and middle-income
2 Black American students;

3 “(B) to expand higher education opportu-
4 nities for students eligible to participate in pro-
5 grams under title IV by encouraging college
6 preparation and student persistence in sec-
7 ondary school and postsecondary education; and

8 “(C) to strengthen the financial ability of
9 the Predominantly Black Institution to serve
10 the academic needs of the students described in
11 subparagraphs (A) and (B).

12 “(2) ADDITIONAL ACTIVITIES.—Grant funds
13 provided under this section shall be used for 1 or
14 more of the following activities:

15 “(A) The activities described in paragraphs
16 (1) through (11) of section 311(c).

17 “(B) Academic instruction in disciplines in
18 which Black Americans are underrepresented.

19 “(C) Establishing or enhancing a program
20 of teacher education designed to qualify stu-
21 dents to teach in a public elementary school or
22 secondary school in the State that shall include,
23 as part of such program, preparation for teach-
24 er certification or licensure.

1 “(D) Establishing community outreach
2 programs that will encourage elementary school
3 and secondary school students to develop the
4 academic skills and the interest to pursue post-
5 secondary education.

6 “(E) Other activities proposed in the appli-
7 cation submitted pursuant to subsection (f)
8 that—

9 “(i) contribute to carrying out the
10 purpose of this section; and

11 “(ii) are approved by the Secretary as
12 part of the review and approval of an ap-
13 plication submitted under subsection (f).

14 “(3) ENDOWMENT FUND.—

15 “(A) IN GENERAL.—A Predominantly
16 Black Institution may use not more than 20
17 percent of the grant funds provided under this
18 section to establish or increase an endowment
19 fund at the institution.

20 “(B) MATCHING REQUIREMENT.—In order
21 to be eligible to use grant funds in accordance
22 with subparagraph (A), a Predominantly Black
23 Institution shall provide matching funds from
24 non-Federal sources, in an amount equal to or
25 greater than the Federal funds used in accord-

1 ance with subparagraph (A), for the establish-
2 ment or increase of the endowment fund.

3 “(C) COMPARABILITY.—The provisions of
4 part C of title III, regarding the establishment
5 or increase of an endowment fund, that the
6 Secretary determines are not inconsistent with
7 this subsection, shall apply to funds used under
8 subparagraph (A).

9 “(4) LIMITATION.—Not more than 50 percent
10 of the grant funds provided to a Predominantly
11 Black Institution under this section may be available
12 for the purpose of constructing or maintaining a
13 classroom, library, laboratory, or other instructional
14 facility.

15 “(e) ALLOTMENTS TO PREDOMINANTLY BLACK IN-
16 STITUTIONS.—

17 “(1) FEDERAL PELL GRANT BASIS.—From the
18 amounts appropriated to carry out this section for
19 any fiscal year, the Secretary shall allot to each Pre-
20 dominantly Black Institution having an application
21 approved under subsection (f) a sum that bears the
22 same ratio to one-half of that amount as the number
23 of Federal Pell Grant recipients in attendance at
24 such institution at the end of the academic year pre-
25 ceding the beginning of that fiscal year, bears to the

1 total number of Federal Pell Grant recipients at all
2 such institutions at the end of such academic year.

3 “(2) GRADUATES BASIS.—From the amounts
4 appropriated to carry out this section for any fiscal
5 year, the Secretary shall allot to each Predominantly
6 Black Institution having an application approved
7 under subsection (f) a sum that bears the same ratio
8 to one-fourth of that amount as the number of grad-
9 uates for such academic year at such institution,
10 bears to the total number of graduates for such aca-
11 demic year at all such institutions.

12 “(3) GRADUATES SEEKING A HIGHER DEGREE
13 BASIS.—From the amounts appropriated to carry
14 out this section for any fiscal year, the Secretary
15 shall allot to each Predominantly Black Institution
16 having an application approved under subsection (f)
17 a sum that bears the same ratio to one-fourth of
18 that amount as the percentage of graduates from
19 such institution who are admitted to and in attend-
20 ance at, not later than 2 years after graduation with
21 an associate’s degree or a baccalaureate degree, a
22 baccalaureate degree-granting institution or a grad-
23 uate or professional school in a degree program in
24 disciplines in which Black American students are

1 underrepresented, bears to the percentage of such
2 graduates for all such institutions.

3 “(4) MINIMUM ALLOTMENT.—

4 “(A) IN GENERAL.—Notwithstanding
5 paragraphs (1), (2), and (3), the amount allot-
6 ted to each Predominantly Black Institution
7 under this section shall not be less than
8 \$250,000.

9 “(B) INSUFFICIENT AMOUNT.—If the
10 amount appropriated pursuant to subsection (i)
11 for a fiscal year is not sufficient to pay the min-
12 imum allotment provided under subparagraph
13 (A) for the fiscal year, then the amount of such
14 minimum allotment shall be ratably reduced. If
15 additional sums become available for such fiscal
16 year, such reduced allotment shall be increased
17 on the same basis as the allotment was reduced
18 until the amount allotted equals the minimum
19 allotment required under subparagraph (A).

20 “(5) REALLOTMENT.—The amount of a Pre-
21 dominantly Black Institution’s allotment under para-
22 graph (1), (2), (3), or (4) for any fiscal year that
23 the Secretary determines will not be required for
24 such institution for the period such allotment is
25 available, shall be available for reallocation to other

1 Predominantly Black Institutions in proportion to
2 the original allotment to such other institutions
3 under this section for such fiscal year. The Secretary
4 shall reallocate such amounts from time to time, on
5 such date and during such period as the Secretary
6 determines appropriate.

7 “(f) APPLICATIONS.—Each Predominantly Black In-
8 stitution desiring a grant under this section shall submit
9 an application to the Secretary at such time, in such man-
10 ner, and containing or accompanied by such information
11 as the Secretary may reasonably require.

12 “(g) PROHIBITION.—No Predominantly Black Insti-
13 tution that applies for and receives a grant under this sec-
14 tion may apply for or receive funds under any other pro-
15 gram under part A or part B of title III.

16 “(h) DURATION AND CARRYOVER.—Any grant funds
17 paid to a Predominantly Black Institution under this sec-
18 tion that are not expended or used for the purposes for
19 which the funds were paid within 10 years following the
20 date on which the grant was awarded, shall be repaid to
21 the Treasury.

22 “(i) AUTHORIZATION OF APPROPRIATIONS.—There
23 are authorized to be appropriated to carry out this section
24 such sums as may be necessary for fiscal year 2008 and
25 each of 5 succeeding fiscal years.

1 **“PART J—EARLY CHILDHOOD EDUCATION PRO-**
2 **FESSIONAL DEVELOPMENT AND CAREER**
3 **TASK FORCE**

4 **“SEC. 851. SHORT TITLE.**

5 “This part may be cited as the ‘Early Childhood Edu-
6 cation Professional Development and Career Task Force
7 Act’.

8 **“SEC. 852. PURPOSE.**

9 “It is the purpose of this part—

10 “(1) to improve the quality of the early child-
11 hood education workforce by creating a statewide
12 early childhood education professional development
13 and career task force for early childhood education
14 program staff, directors, and administrators; and

15 “(2) to create—

16 “(A) a coherent system of core com-
17 petencies, pathways to qualifications, creden-
18 tials, degrees, quality assurances, access, and
19 outreach, for early childhood education program
20 staff, directors, and administrators, that is
21 linked to compensation commensurate with ex-
22 perience and qualifications;

23 “(B) articulation agreements that enable
24 early childhood education professionals to tran-
25 sition easily among degrees; and

1 “(C) compensation initiatives for individ-
2 uals working in an early childhood education
3 program that reflect the individuals’ credentials,
4 degrees, and experience.

5 **“SEC. 853. DEFINITION OF EARLY CHILDHOOD EDUCATION**
6 **PROGRAM.**

7 “In this part, the term ‘early childhood education
8 program’ means—

9 “(1) a family child care program, center-based
10 child care program, State prekindergarten program,
11 or school-based program, that—

12 “(A) provides early childhood education;

13 “(B) uses developmentally appropriate
14 practices;

15 “(C) is licensed or regulated by the State;
16 and

17 “(D) serves children from birth through
18 age 5;

19 “(2) a Head Start Program carried out under
20 the Head Start Act; or

21 “(3) an Early Head Start Program carried out
22 under section 645A of the Head Start Act.

1 **“SEC. 854. GRANTS AUTHORIZED.**

2 “(a) IN GENERAL.—The Secretary is authorized to
3 award grants to States in accordance with the provisions
4 of this part to enable such States—

5 “(1) to establish a State Task Force described
6 in section 855; and

7 “(2) to support activities of the State Task
8 Force described in section 856.

9 “(b) COMPETITIVE BASIS.—Grants under this part
10 shall be awarded on a competitive basis.

11 “(c) EQUITABLE GEOGRAPHIC DISTRIBUTION.—In
12 awarding grants under this part, the Secretary shall take
13 into consideration providing an equitable geographic dis-
14 tribution of such grants.

15 “(d) DURATION.—Grants under this part shall be
16 awarded for a period of 5 years.

17 **“SEC. 855. STATE TASK FORCE ESTABLISHMENT.**

18 “(a) STATE TASK FORCE ESTABLISHED.—The Gov-
19 ernor of a State receiving a grant under this part shall
20 establish, or designate an existing entity to serve as, the
21 State Early Childhood Education Professional Develop-
22 ment and Career Task Force (hereafter in this part re-
23 ferred to as the ‘State Task Force’).

24 “(b) MEMBERSHIP.—The State Task Force shall in-
25 clude a representative of a State agency, an institution
26 of higher education (including an associate or a bacca-

1 laureate degree granting institution of higher education),
2 an early childhood education program, a nonprofit early
3 childhood organization, a statewide early childhood work-
4 force scholarship or supplemental initiative, and any other
5 entity or individual the Governor determines appropriate.

6 **“SEC. 856. STATE TASK FORCE ACTIVITIES.**

7 “(a) ACTIVITIES.—The State Task Force shall—

8 “(1) coordinate and communicate regularly with
9 the State Advisory Council on Early Care and Edu-
10 cation (hereafter in this part referred to as ‘State
11 Advisory Council’) or a similar State entity charged
12 with creating a comprehensive system of early care
13 and education in the State, for the purposes of—

14 “(A) integrating recommendations for
15 early childhood professional development and
16 career activities into the plans of the State Ad-
17 visory Council; and

18 “(B) assisting in the implementation of
19 professional development and career activities
20 that are consistent with the plans described in
21 subparagraph (A);

22 “(2) conduct a review of opportunities for and
23 barriers to high quality professional development,
24 training, and higher education degree programs, in
25 early childhood development and learning, including

1 a periodic statewide survey concerning the demo-
2 graphics of individuals working in early childhood
3 education programs in the State, which survey shall
4 include information disaggregated by—

5 “(A) race, gender, and ethnicity;

6 “(B) compensation levels;

7 “(C) type of early childhood education pro-
8 gram setting;

9 “(D) specialized knowledge of child devel-
10 opment;

11 “(E) years of experience in an early child-
12 hood education program; and

13 “(F) attainment of—

14 “(i) academic credit for coursework;

15 “(ii) an academic degree;

16 “(iii) a credential;

17 “(iv) licensure; or

18 “(v) certification in early childhood
19 education; and

20 “(3) develop a plan for a comprehensive state-
21 wide professional development and career system for
22 individuals working in early childhood education pro-
23 grams or for early childhood education providers,
24 which plan shall include—

1 “(A) methods of providing outreach to
2 early childhood education program staff, direc-
3 tors, and administrators, including methods for
4 how outreach is provided to non-English speak-
5 ing providers, in order to enable the providers
6 to be aware of opportunities and resources
7 under the statewide plan;

8 “(B) developing a unified data collection
9 and dissemination system for early childhood
10 education training, professional development,
11 and higher education programs;

12 “(C) increasing the participation of early
13 childhood educators in high quality training and
14 professional development by assisting in paying
15 the costs of enrollment in and completion of
16 such training and professional development
17 courses;

18 “(D) increasing the participation of early
19 childhood educators in postsecondary education
20 programs leading to degrees in early childhood
21 education by providing assistance to pay the
22 costs of enrollment in and completion of such
23 postsecondary education programs, which as-
24 sistance—

1 “(i) shall only be provided to an indi-
2 vidual who—

3 “(I) enters into an agreement
4 under which the individual agrees to
5 work, for a reasonable number of
6 years after receiving such a degree, in
7 an early childhood education program
8 that is located in a low-income area;
9 and

10 “(II) has a family income equal
11 to or less than the annually adjusted
12 national median family income as de-
13 termined by the Bureau of the Cen-
14 sus; and

15 “(ii) shall be provided in an amount
16 that does not exceed \$17,500;

17 “(E) supporting professional development
18 activities and a career lattice for a variety of
19 early childhood professional roles with varying
20 professional qualifications and responsibilities
21 for early childhood education personnel, includ-
22 ing strategies to enhance the compensation of
23 such personnel;

24 “(F) supporting articulation agreements
25 between 2- and 4-year public and private insti-

1 tutions of higher education and mechanisms to
2 transform other training, professional develop-
3 ment, and experience into academic credit;

4 “(G) developing mentoring and coaching
5 programs to support new educators in and di-
6 rectors of early childhood education programs;

7 “(H) providing career development advis-
8 ing with respect to the field of early childhood
9 education, including informing an individual re-
10 garding—

11 “(i) entry into and continuing edu-
12 cation requirements for professional roles
13 in the field;

14 “(ii) available financial assistance;
15 and

16 “(iii) professional development and ca-
17 reer advancement in the field;

18 “(I) enhancing the quality of faculty and
19 coursework in postsecondary programs that lead
20 to an associate, baccalaureate, or graduate de-
21 gree in early childhood education;

22 “(J) consideration of the availability of on-
23 line graduate level professional development of-
24 fered by institutions of higher education with
25 experience and demonstrated expertise in estab-

1 lishing programs in child development, in order
2 to improve the skills and expertise of individ-
3 uals working in early childhood education pro-
4 grams; and

5 “(K) developing or enhancing a system of
6 quality assurance with respect to the early
7 childhood education professional development
8 and career system, including standards or quali-
9 fications for individuals and entities who offer
10 training and professional development in early
11 childhood education.

12 “(b) PUBLIC HEARINGS.—The State Task Force
13 shall hold public hearings and provide an opportunity for
14 public comment on the activities described in the statewide
15 plan described in subsection (a)(3).

16 “(c) PERIODIC REVIEW.—The State Task Force shall
17 meet periodically to review implementation of the state-
18 wide plan and to recommend any changes to the statewide
19 plan the State Task Force determines necessary.

20 **“SEC. 857. STATE APPLICATION AND REPORT.**

21 “(a) IN GENERAL.—Each State desiring a grant
22 under this part shall submit an application to the Sec-
23 retary at such time, in such manner, and accompanied by
24 such information as the Secretary may reasonably require.
25 Each such application shall include a description of—

1 “(1) the membership of the State Task Force;

2 “(2) the activities for which the grant assist-
3 ance will be used;

4 “(3) other Federal, State, local, and private re-
5 sources that will be available to support the activi-
6 ties of the State Task Force described in section
7 856;

8 “(4) the availability within the State of train-
9 ing, early childhood educator preparation, profes-
10 sional development, compensation initiatives, and ca-
11 reer systems, related to early childhood education;
12 and

13 “(5) the resources available within the State for
14 such training, educator preparation, professional de-
15 velopment, compensation initiatives, and career sys-
16 tems.

17 “(b) REPORT TO THE SECRETARY.—Not later than
18 2 years after receiving a grant under this part, a State
19 shall submit a report to the Secretary that shall describe—

20 “(1) other Federal, State, local, and private re-
21 sources that will be used in combination with a
22 grant under this section to develop or expand the
23 State’s early childhood education professional devel-
24 opment and career activities;

1 “(2) the ways in which the State Advisory
2 Council (or similar State entity) will coordinate the
3 various State and local activities that support the
4 early childhood education professional development
5 and career system; and

6 “(3) the ways in which the State Task Force
7 will use funds provided under this part and carry
8 out the activities described in section 856.

9 **“SEC. 858. EVALUATIONS.**

10 “(a) STATE EVALUATION.—Each State receiving a
11 grant under this part shall—

12 “(1) evaluate the activities that are assisted
13 under this part in order to determine—

14 “(A) the effectiveness of the activities in
15 achieving State goals;

16 “(B) the impact of a career lattice for indi-
17 viduals working in early childhood education
18 programs;

19 “(C) the impact of the activities on licens-
20 ing or regulating requirements for individuals
21 in the field of early childhood development;

22 “(D) the impact of the activities, and the
23 impact of the statewide plan described in sec-
24 tion 856(a)(3), on the quality of education, pro-
25 fessional development, and training related to

1 early childhood education programs that are of-
2 fered in the State;

3 “(E) the change in compensation and re-
4 tention of individuals working in early childhood
5 education programs within the State resulting
6 from the activities; and

7 “(F) the impact of the activities on the de-
8 mographic characteristics of individuals working
9 in early childhood education programs; and

10 “(2) submit a report at the end of the grant pe-
11 riod to the Secretary regarding the evaluation de-
12 scribed in paragraph (1).

13 “(b) SECRETARY’S EVALUATION.—Not later than
14 September 30, 2013, the Secretary, in consultation with
15 the Secretary of Health and Human Services, shall pre-
16 pare and submit to the authorizing committees an evalua-
17 tion of the State reports submitted under subsection
18 (a)(2).

19 **“SEC. 859. AUTHORIZATION OF APPROPRIATIONS.**

20 “There are authorized to be appropriated to carry out
21 this part such sums as may be necessary for fiscal year
22 2008 and each of the 5 succeeding fiscal years.

1 **“PART K—IMPROVING SCIENCE, TECHNOLOGY,**
2 **ENGINEERING, AND MATHEMATICS EDU-**
3 **CATION WITH A FOCUS ON ALASKA NATIVE**
4 **AND NATIVE HAWAIIAN STUDENTS**

5 **“SEC. 861. IMPROVING SCIENCE, TECHNOLOGY, ENGINEER-**
6 **ING, AND MATHEMATICS EDUCATION WITH A**
7 **FOCUS ON ALASKA NATIVE AND NATIVE HA-**
8 **WAIIAN STUDENTS.**

9 “(a) PURPOSE.—The purpose of this section is—

10 “(1) to develop or expand programs for the de-
11 velopment of professionals in the fields of science,
12 technology, engineering, and mathematics; and

13 “(2) to focus resources on meeting the edu-
14 cational and cultural needs of Alaska Natives and
15 Native Hawaiians.

16 “(b) DEFINITIONS.—In this section:

17 “(1) ALASKA NATIVE.—The term ‘Alaska Na-
18 tive’ has the meaning given the term ‘Native’ in sec-
19 tion 3(b) of the Alaska Natives Claims Settlement
20 Act (43 U.S.C. 1602(b)).

21 “(2) INSTITUTION OF HIGHER EDUCATION.—
22 The term ‘institution of higher education’ has the
23 meaning given the term in section 101(a).

24 “(3) ELIGIBLE PARTNERSHIP.—The term ‘eligi-
25 ble partnership’ means a partnership that includes—

1 “(A) 1 or more colleges or schools of engi-
2 neering;

3 “(B) 1 or more colleges of science, engi-
4 neering, or mathematics;

5 “(C) 1 or more institutions of higher edu-
6 cation that offer 2-year degrees; and

7 “(D) 1 or more private entities that con-
8 duct career awareness activities showcasing
9 local technology professionals, develop intern-
10 ships and apprenticeships in partnership with
11 relevant industries, and assist with the place-
12 ment of interns and apprentices.

13 “(4) NATIVE HAWAIIAN.—The term ‘Native
14 Hawaiian’ has the meaning given the term in section
15 7207 of the Elementary and Secondary Education
16 Act of 1965.

17 “(c) GRANT AUTHORIZED.—The Secretary is author-
18 ized to award a grant to an eligible partnership to enable
19 the eligible partnership to expand programs for the devel-
20 opment of science, technology, engineering, or mathe-
21 matics professionals, from elementary school through col-
22 lege, including existing programs for Alaska Native and
23 Native Hawaiian students.

24 “(d) USES OF FUNDS.—Grant funds under this sec-
25 tion shall be used for 1 or more of the following:

1 “(1) Development or implementation of cul-
2 tural, social, or educational transition programs to
3 assist students to transition into college life and aca-
4 demics in order to increase such students’ retention
5 rates in the fields of science, technology, engineer-
6 ing, or mathematics, with a focus on Alaska Native
7 or Native Hawaiian students.

8 “(2) Development or implementation of aca-
9 demic support or supplemental educational programs
10 to increase the graduation rates of students in the
11 fields of science, technology, engineering, or mathe-
12 matics, with a focus on Alaska Native and Native
13 Hawaiian students.

14 “(3) Development or implementation of intern-
15 ship programs, carried out in coordination with edu-
16 cational institutions and private entities, to prepare
17 students for careers in the fields of science, tech-
18 nology, engineering, or mathematics, with a focus on
19 programs that serve Alaska Native or Native Hawai-
20 ian students.

21 “(4) Such other activities that are consistent
22 with the purposes of this section.

23 “(e) APPLICATION.—Each eligible partnership that
24 desires a grant under this section shall submit an applica-

1 tion to the Secretary at such time, in such manner, and
2 containing such information as the Secretary may require.

3 “(f) PRIORITY.—In awarding grants under this sec-
4 tion, the Secretary shall give priority to an eligible part-
5 nership that provides 1 or more programs in which 30 per-
6 cent or more of the program participants are Alaska Na-
7 tive or Native Hawaiian.

8 “(g) PERIOD OF GRANT.—A grant under this section
9 shall be awarded for a period of 5 years.

10 “(h) EVALUATION AND REPORT.—Each eligible part-
11 nership that receives a grant under this section shall con-
12 duct an evaluation to determine the effectiveness of the
13 programs funded under the grant and shall provide a re-
14 port regarding the evaluation to the Secretary not later
15 than 6 months after the end of the grant period.

16 “(i) AUTHORIZATION OF APPROPRIATIONS.—There
17 are authorized to be appropriated to carry out this section
18 such sums as may be necessary for fiscal year 2008 and
19 each of the 5 succeeding fiscal years.

20 **“PART L—PILOT PROGRAM TO INCREASE**
21 **PERSISTENCE IN COMMUNITY COLLEGES**
22 **“SEC. 865. PILOT PROGRAM TO INCREASE PERSISTENCE IN**
23 **COMMUNITY COLLEGES.**

24 “(a) DEFINITIONS.—In this section:

1 “(1) INSTITUTION OF HIGHER EDUCATION.—
2 Except as otherwise provided in this section, the
3 term ‘institution of higher education’ means an in-
4 stitution of higher education, as defined in section
5 101, that provides a 1- or 2-year program of study
6 leading to a degree or certificate.

7 “(2) ELIGIBLE STUDENT.—The term ‘eligible
8 student’ means a student who—

9 “(A) meets the requirements of section
10 484(a);

11 “(B) is enrolled at least half time;

12 “(C) is not younger than age 19 and not
13 older than age 33;

14 “(D) is the parent of at least 1 dependent
15 child, which dependent child is age 18 or
16 younger;

17 “(E) has a family income below 200 per-
18 cent of the poverty line;

19 “(F) has a secondary school diploma or its
20 recognized equivalent, and earned a passing
21 score on a college entrance examination; and

22 “(G) does not have a degree or occupa-
23 tional certificate from an institution of higher
24 education, as defined in section 101 or 102(a).

1 “(b) PROGRAM AUTHORIZED.—The Secretary is au-
2 thORIZED to award grants, on a competitive basis, to insti-
3 tutions of higher education to enable the institutions of
4 higher education to provide additional monetary and non-
5 monetary support to eligible students to enable the eligible
6 students to maintain enrollment and complete degree or
7 certificate programs.

8 “(c) USES OF FUNDS.—

9 “(1) REQUIRED USES.—Each institution of
10 higher education receiving a grant under this section
11 shall use the grant funds—

12 “(A) to provide scholarships in accordance
13 with subsection (d); and

14 “(B) to provide counseling services in ac-
15 cordance with subsection (e).

16 “(2) ALLOWABLE USES OF FUNDS.—Grant
17 funds provided under this section may be used—

18 “(A) to conduct outreach to make students
19 aware of the scholarships and counseling serv-
20 ices available under this section and to encour-
21 age the students to participate in the program
22 assisted under this section;

23 “(B) to provide gifts of \$20 or less, such
24 as a store gift card, to applicants who complete
25 the process of applying for assistance under this

1 section, as an incentive and as compensation for
2 the student's time; and

3 “(C) to evaluate the success of the pro-
4 gram.

5 “(d) SCHOLARSHIP REQUIREMENTS.—

6 “(1) IN GENERAL.—Each scholarship awarded
7 under this section shall—

8 “(A) be awarded for 1 academic year;

9 “(B) be awarded in the amount of \$1,000
10 for each of 2 semesters (prorated for quarters),
11 or \$2,000 for an academic year;

12 “(C) require the student to maintain dur-
13 ing the scholarship period at least half-time en-
14 rollment and a 2.0 or C grade point average;
15 and

16 “(D) be paid in increments of—

17 “(i) \$250 upon enrollment (prorated
18 for quarters);

19 “(ii) \$250 upon passing midterm ex-
20 aminations (prorated for quarters); and

21 “(iii) \$500 upon passing courses (pro-
22 rated for quarters).

23 “(2) NUMBER.—An institution may award an
24 eligible student not more than 2 scholarships under
25 this section.

1 “(e) COUNSELING SERVICES.—

2 “(1) IN GENERAL.—Each institution of higher
3 education receiving a grant under this section shall
4 use the grant funds to provide students at the insti-
5 tution with a counseling staff dedicated to students
6 participating in the program under this section.
7 Each such counselor shall—

8 “(A) have a caseload of less than 125 stu-
9 dents;

10 “(B) use a proactive, team-oriented ap-
11 proach to counseling;

12 “(C) hold a minimum of 2 meetings with
13 students each semester; and

14 “(D) provide referrals to and follow-up
15 with other student services staff, including fi-
16 nancial and career services.

17 “(2) COUNSELING SERVICES AVAILABILITY.—

18 The counseling services provided under this section
19 shall be available to participating students during
20 the daytime and evening hours.

21 “(f) APPLICATION.—An institution of higher edu-
22 cation that desires to receive a grant under this section
23 shall submit an application to the Secretary at such time,
24 in such manner, and containing such information as the
25 Secretary may require, including—

1 “(1) the number of students to be served under
2 this section;

3 “(2) a description of the scholarships and coun-
4 seling services that will be provided under this sec-
5 tion; and

6 “(3) a description of how the program under
7 this section will be evaluated.

8 “(g) PERIOD OF GRANT.—The Secretary may award
9 a grant under this section for a period of 5 years.

10 “(h) EVALUATION.—

11 “(1) IN GENERAL.—Each institution of higher
12 education receiving a grant under this section shall
13 conduct an annual evaluation of the impact of the
14 grant and shall provide the evaluation to the Sec-
15 retary. The Secretary shall disseminate to the public
16 the findings, information on best practices, and les-
17 sons learned, with respect to the evaluations.

18 “(2) RANDOM ASSIGNMENT RESEARCH DE-
19 SIGN.—The evaluation shall be conducted using a
20 random assignment research design with the fol-
21 lowing requirements:

22 “(A) When students are recruited for the
23 program, all students will be told about the pro-
24 gram and the evaluation.

1 “(B) Baseline data will be collected from
2 all applicants for assistance under this section.

3 “(C) Students will be assigned randomly to
4 2 groups, which will consist of—

5 “(i) a program group that will receive
6 the scholarship and the additional coun-
7 seling services; and

8 “(ii) a control group that will receive
9 whatever regular financial aid and coun-
10 seling services are available to all students
11 at the institution of higher education.

12 “(3) PREVIOUS COHORTS.—In conducting the
13 evaluation for the second and third years of the pro-
14 gram, each institution of higher education shall in-
15 clude information on previous cohorts of students as
16 well as students in the current program year.

17 “(i) AUTHORIZATION OF APPROPRIATIONS.—There
18 are authorized to be appropriated to carry out this section
19 such sums as may be necessary for fiscal year 2008 and
20 each of the 5 succeeding fiscal years.

21 **“PART M—STUDENT SAFETY AND CAMPUS**

22 **EMERGENCY MANAGEMENT**

23 **“SEC. 871. STUDENT SAFETY AND CAMPUS EMERGENCY**
24 **MANAGEMENT.**

25 “(a) GRANTS AUTHORIZED.—

1 “(1) IN GENERAL.—The Secretary is authorized
2 to award grants, on a competitive basis, to institu-
3 tions of higher education or consortia of institutions
4 of higher education to enable institutions of higher
5 education or consortia to pay the Federal share of
6 the cost of carrying out the authorized activities de-
7 scribed in subsection (c).

8 “(2) CONSULTATION WITH THE ATTORNEY
9 GENERAL AND THE SECRETARY OF HOMELAND SE-
10 CURITY.—Where appropriate, the Secretary shall
11 award grants under this section in consultation with
12 the Attorney General of the United States and the
13 Secretary of Homeland Security.

14 “(3) DURATION.—The Secretary shall award
15 each grant under this section for a period of 2 years.

16 “(4) LIMITATION ON INSTITUTIONS AND CON-
17 SORTIA.—An institution of higher education or con-
18 sortium shall be eligible for only 1 grant under this
19 section.

20 “(b) FEDERAL SHARE; NON-FEDERAL SHARE.—

21 “(1) IN GENERAL.—The Federal share shall be
22 50 percent.

23 “(2) NON-FEDERAL SHARE.—The non-Federal
24 share shall be provided from other Federal, State,

1 and local resources dedicated to emergency pre-
2 paredness and response.

3 “(c) AUTHORIZED ACTIVITIES.—Each institution of
4 higher education or consortium receiving a grant under
5 this section may use the grant funds to carry out 1 or
6 more of the following:

7 “(1) Developing and implementing a state-of-
8 the-art emergency communications system for each
9 campus of an institution of higher education or con-
10 sortium, in order to contact students via cellular,
11 text message, or other state-of-the-art communica-
12 tions methods when a significant emergency or dan-
13 gerous situation occurs. An institution or consortium
14 using grant funds to carry out this paragraph shall
15 also, in coordination with the appropriate State and
16 local emergency management authorities—

17 “(A) develop procedures that students, em-
18 ployees, and others on a campus of an institu-
19 tion of higher education or consortium will be
20 directed to follow in the event of a significant
21 emergency or dangerous situation; and

22 “(B) develop procedures the institution of
23 higher education or consortium shall follow to
24 inform, within a reasonable and timely manner,
25 students, employees, and others on a campus in

1 the event of a significant emergency or dan-
2 gerous situation, which procedures shall include
3 the emergency communications system de-
4 scribed in this paragraph.

5 “(2) Supporting measures to improve safety at
6 the institution of higher education or consortium,
7 such as—

8 “(A) security assessments;

9 “(B) security training of personnel and
10 students at the institution of higher education
11 or consortium;

12 “(C) where appropriate, coordination of
13 campus preparedness and response efforts with
14 local law enforcement, local emergency manage-
15 ment authorities, and other agencies, to im-
16 prove coordinated responses in emergencies
17 among such entities; and

18 “(D) establishing a hotline that allows a
19 student or staff member at an institution or
20 consortium to report another student or staff
21 member at the institution or consortium who
22 the reporting student or staff member believes
23 may be a danger to the reported student or
24 staff member or to others.

1 “(3) Coordinating with appropriate local enti-
2 ties the provision of, mental health services for stu-
3 dents enrolled in the institution of higher education
4 or consortium, including mental health crisis re-
5 sponse and intervention services, to individuals af-
6 fected by a campus or community emergency.

7 “(d) APPLICATION.—Each institution of higher edu-
8 cation or consortium desiring a grant under this section
9 shall submit an application to the Secretary at such time,
10 in such manner, and containing such information as the
11 Secretary may require.

12 “(e) TECHNICAL ASSISTANCE.—The Secretary shall
13 coordinate technical assistance provided by State and local
14 emergency management agencies, the Department of
15 Homeland Security, and other agencies as appropriate, to
16 institutions of higher education or consortia that request
17 assistance in developing and implementing the activities
18 assisted under this section.

19 “(f) RULE OF CONSTRUCTION.—Nothing in this sec-
20 tion shall be construed—

21 “(1) to provide a private right of action to any
22 person to enforce any provision of this section;

23 “(2) to create a cause of action against any in-
24 stitution of higher education or any employee of the
25 institution for any civil liability; or

1 “(3) to affect the Family Educational Rights
2 and Privacy Act of 1974 or the regulations issued
3 under section 264 of the Health Insurance Port-
4 ability and Accountability Act of 1996 (42 U.S.C.
5 1320d–2 note).

6 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
7 are authorized to be appropriated to carry out this section
8 such sums as may be necessary for fiscal year 2008 and
9 each of the 5 succeeding fiscal years.

10 **“SEC. 872. MODEL EMERGENCY RESPONSE POLICIES, PRO-**
11 **CEDURES, AND PRACTICES.**

12 “The Secretary of Education, the Attorney General
13 of the United States, and the Secretary of Homeland Se-
14 curity shall jointly have the authority—

15 “(1) to advise institutions of higher education
16 on model emergency response policies, procedures,
17 and practices; and

18 “(2) to disseminate information concerning
19 those policies, procedures, and practices.”.

1 **TITLE IX—AMENDMENTS TO**
2 **OTHER LAWS**

3 **PART A—EDUCATION OF THE DEAF ACT OF 1986**

4 **SEC. 901. LAURENT CLERC NATIONAL DEAF EDUCATION**
5 **CENTER.**

6 Section 104 of the Education of the Deaf Act of 1986
7 (20 U.S.C. 4304) is amended—

8 (1) by striking the section heading and insert-
9 ing “**LAURENT CLERC NATIONAL DEAF EDU-**
10 **CATION CENTER**”;

11 (2) in subsection (a)(1)(A), by inserting “the
12 Laurent Clerc National Deaf Education Center (re-
13 ferred to in this section as the ‘Clerc Center’) to
14 carry out” after “maintain and operate”; and

15 (3) in subsection (b)—

16 (A) in the matter preceding subparagraph
17 (A) of paragraph (1), by striking “elementary
18 and secondary education programs” and insert-
19 ing “Clerc Center”;

20 (B) in paragraph (2), by striking “elemen-
21 tary and secondary education programs” and
22 inserting “Clerc Center”; and

23 (C) by adding at the end the following:

1 “(5) The University, for purposes of the elementary
2 and secondary education programs carried out at the Clerc
3 Center, shall—

4 “(A)(i) select challenging academic content
5 standards, challenging student academic achieve-
6 ment standards, and academic assessments of a
7 State, adopted and implemented, as appropriate,
8 pursuant to paragraphs (1) and (3) of section
9 1111(b) of the Elementary and Secondary Edu-
10 cation Act of 1965 (20 U.S.C. 6311(b)(1) and (3))
11 and approved by the Secretary; and

12 “(ii) implement such standards and assess-
13 ments for such programs by not later than the be-
14 ginning of the 2009–2010 academic year;

15 “(B) annually determine whether such pro-
16 grams at the Clerc Center are making adequate
17 yearly progress, as determined according to the defi-
18 nition of adequate yearly progress defined (pursuant
19 to section 1111(b)(2)(C) of such Act (20 U.S.C.
20 6311(b)(2)(C))) by the State that has adopted and
21 implemented the standards and assessments selected
22 under subparagraph (A)(i); and

23 “(C) publicly report the results of the academic
24 assessments implemented under subparagraph (A)
25 and whether the programs at the Clerc Center are

1 making adequate yearly progress, as determined
2 under subparagraph (B).”.

3 **SEC. 902. AGREEMENT WITH GALLAUDET UNIVERSITY.**

4 Section 105(b)(4) of the Education of the Deaf Act
5 of 1986 (20 U.S.C. 4305(b)(4)) is amended—

6 (1) by striking “the Act of March 3, 1931 (40
7 U.S.C. 276a–276a–5) commonly referred to as the
8 Davis-Bacon Act” and inserting “subchapter IV of
9 chapter 31 of title 40, United States Code, com-
10 monly referred to as the Davis-Bacon Act”; and

11 (2) by striking “section 2 of the Act of June
12 13, 1934 (40 U.S.C. 276c)” and inserting “section
13 3145 of title 40, United States Code”.

14 **SEC. 903. AGREEMENT FOR THE NATIONAL TECHNICAL IN-**
15 **STITUTE FOR THE DEAF.**

16 Section 112 of the Education of the Deaf Act of 1986
17 (20 U.S.C. 4332) is amended—

18 (1) in subsection (a)—

19 (A) in paragraph (1)—

20 (i) in the first sentence—

21 (I) by striking “an institution of
22 higher education” and inserting “the
23 Rochester Institute of Technology,
24 Rochester, New York”; and

1 (II) by striking “of a” and in-
2 sserting “of the”; and

3 (ii) by striking the second sentence;

4 (B) by redesignating paragraph (2) as
5 paragraph (3); and

6 (C) by inserting after paragraph (1) the
7 following:

8 “(2) Notwithstanding the requirement under
9 paragraph (1), if the Secretary or the Rochester In-
10 stitute of Technology terminates the agreement
11 under paragraph (1), the Secretary shall consider
12 proposals from other institutions of higher education
13 and enter into an agreement with 1 of such institu-
14 tions for the establishment and operation of a Na-
15 tional Technical Institution for the Deaf.”; and

16 (2) in subsection (b)—

17 (A) in paragraph (3), by striking “Com-
18 mittee on Labor and Human Resources of the
19 Senate” and inserting “Committee on Health,
20 Education, Labor, and Pensions of the Senate”;
21 and

22 (B) in paragraph (5)—

23 (i) by striking “the Act of March 3,
24 1931 (40 U.S.C. 276a–276a–5) commonly
25 referred to as the Davis-Bacon Act” and

1 inserting “subchapter IV of chapter 31 of
 2 title 40, United States Code, commonly re-
 3 ferred to as the Davis-Bacon Act”; and

4 (ii) by striking “section 2 of the Act
 5 of June 13, 1934 (40 U.S.C. 276c)” and
 6 inserting “section 3145 of title 40, United
 7 States Code”.

8 **SEC. 904. CULTURAL EXPERIENCES GRANTS.**

9 (a) CULTURAL EXPERIENCES GRANTS.—Title I of
 10 the Education of the Deaf Act of 1986 (20 U.S.C. 4301
 11 et seq.) is amended by adding at the end the following:

12 **“PART C—OTHER PROGRAMS**

13 **“SEC. 121. CULTURAL EXPERIENCES GRANTS.**

14 “(a) IN GENERAL.—The Secretary shall, on a com-
 15 petitive basis, make grants to, and enter into contracts
 16 and cooperative agreements with, eligible entities to sup-
 17 port the activities described in subsection (b).

18 “(b) ACTIVITIES.—In carrying out this section, the
 19 Secretary shall support activities providing cultural experi-
 20 ences, through appropriate nonprofit organizations with a
 21 demonstrated proficiency in providing such activities,
 22 that—

23 “(1) enrich the lives of deaf and hard-of-hear-
 24 ing children and adults;

1 “(2) increase public awareness and under-
2 standing of deafness and of the artistic and intellec-
3 tual achievements of deaf and hard-of-hearing per-
4 sons; or

5 “(3) promote the integration of hearing, deaf,
6 and hard-of-hearing persons through shared cul-
7 tural, educational, and social experiences.

8 “(c) APPLICATIONS.—An eligible entity that desires
9 to receive a grant, or enter into a contract or cooperative
10 agreement, under this section shall submit an application
11 to the Secretary at such time, in such manner, and con-
12 taining such information as the Secretary may require.

13 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
14 are authorized to be appropriated to carry out this section
15 such sums as may be necessary for fiscal year 2007 and
16 each of the 5 succeeding fiscal years.”.

17 (b) CONFORMING AMENDMENT.—The title heading
18 of title I of the Education of the Deaf Act of 1986 (20
19 U.S.C. 4301 et seq.) is amended by adding at the end
20 “; OTHER PROGRAMS”.

21 **SEC. 905. AUDIT.**

22 Section 203 of the Education of the Deaf Act of 1986
23 (20 U.S.C. 4353) is amended—

24 (1) in subsection (b)—

1 (A) in paragraph (1), by striking the sec-
2 ond sentence and inserting the following: “The
3 institution of higher education that the Sec-
4 retary has an agreement with under section 112
5 shall have an annual independent financial and
6 compliance audit made of NTID programs and
7 activities. The audit shall follow the cycle of the
8 Federal fiscal year.”;

9 (B) in paragraph (2), by striking “sec-
10 tions” and all that follows through the period
11 and inserting “sections 102(b), 105(b)(4),
12 112(b)(5), 203(e), 207(b)(2), subsections (c)
13 through (f) of section 207, and subsections (b)
14 and (c) of section 209.”; and

15 (C) in paragraph (3), by inserting “and
16 the Committee on Education and Labor of the
17 House of Representatives and the Committee
18 on Health, Education, Labor, and Pensions of
19 the Senate” after “Secretary”; and

20 (2) in subsection (c)(2)(A), by striking “Com-
21 mittee on Labor and Human Resources of the Sen-
22 ate” and inserting “Committee on Health, Edu-
23 cation, Labor, and Pensions of the Senate”.

1 **SEC. 906. REPORTS.**

2 Section 204 of the Education of the Deaf Act of 1986
3 (20 U.S.C. 4354) is amended—

4 (1) in the matter preceding paragraph (1), by
5 striking “Committee on Labor and Human Re-
6 sources of the Senate” and inserting “Committee on
7 Health, Education, Labor, and Pensions of the Sen-
8 ate”;

9 (2) in paragraph (1), by striking “pre-
10 paratory,”;

11 (3) in paragraph (2)(C), by striking “upon
12 graduation/completion” and inserting “on the date
13 that is 1 year after the date of graduation or com-
14 pletion”; and

15 (4) in paragraph (3)(B), by striking “of the in-
16 stitution of higher education” and all that follows
17 through the period and inserting “of NTID pro-
18 grams and activities.”.

19 **SEC. 907. MONITORING, EVALUATION, AND REPORTING.**

20 Section 205 of the Education of the Deaf Act of 1986
21 (20 U.S.C. 4355) is amended—

22 (1) in subsection (b), by striking “The Sec-
23 retary, as part of the annual report required under
24 section 426 of the Department of Education Organi-
25 zation Act, shall include a description of” and in-

1 serting “The Secretary shall annually transmit infor-
2 mation to Congress on”; and

3 (2) in subsection (c), by striking “fiscal years
4 1998 through 2003” and inserting “fiscal years
5 2008 through 2013”.

6 **SEC. 908. LIAISON FOR EDUCATIONAL PROGRAMS.**

7 Section 206(a) of the Education of the Deaf Act of
8 1986 (20 U.S.C. 4356(a)) is amended by striking “Not
9 later than 30 days after the date of enactment of this Act,
10 the” and inserting “The”.

11 **SEC. 909. FEDERAL ENDOWMENT PROGRAMS FOR GAL-**
12 **LAUDET UNIVERSITY AND THE NATIONAL**
13 **TECHNICAL INSTITUTE FOR THE DEAF.**

14 Section 207(h) of the Education of the Deaf Act of
15 1986 (20 U.S.C. 4357(h)) is amended by striking “fiscal
16 years 1998 through 2003” each place it appears and in-
17 serting “fiscal years 2008 through 2013”.

18 **SEC. 910. OVERSIGHT AND EFFECT OF AGREEMENTS.**

19 Section 208(a) of the Education of the Deaf Act of
20 1986 (20 U.S.C. 4359(a)) is amended by striking “Com-
21 mittee on Labor and Human Resources of the Senate and
22 the Committee on Education and the Workforce of the
23 House of Representatives” and inserting “Committee on
24 Education and Labor of the House of Representatives and

1 the Committee on Health, Education, Labor, and Pen-
2 sions of the Senate”.

3 **SEC. 911. INTERNATIONAL STUDENTS.**

4 Section 209 of the Education of the Deaf Act of 1986
5 (20 U.S.C. 4359a) is amended—

6 (1) in subsection (a)—

7 (A) by striking “preparatory, under-
8 graduate,” and inserting “undergraduate”;

9 (B) by striking “Effective with” and in-
10 sserting the following:

11 “(1) IN GENERAL.—Except as provided in para-
12 graph (2), effective with”; and

13 (C) by adding at the end the following:

14 “(2) DISTANCE LEARNING.—International stu-
15 dents who participate in distance learning courses
16 that are at NTID or the University and who are re-
17 siding outside of the United States shall—

18 “(A) not be counted as international stu-
19 dents for purposes of the cap on international
20 students under paragraph (1), except that in
21 any school year no United States citizen who
22 applies to participate in distance learning
23 courses that are at the University or NTID
24 shall be denied participation in such courses be-

1 cause of the participation of an international
2 student in such courses; and

3 “(B) not be charged a tuition surcharge,
4 as described in subsection (b).”; and

5 (2) by striking subsections (b), (c), and (d), and
6 inserting the following:

7 “(b) TUITION SURCHARGE.—Except as provided in
8 subsections (a)(2)(B) and (c), the tuition for postsec-
9 ondary international students enrolled in the University
10 (including undergraduate and graduate students) or
11 NTID shall include, for academic year 2008–2009 and
12 any succeeding academic year, a surcharge of—

13 “(1) 100 percent for a postsecondary inter-
14 national student from a non-developing country; and

15 “(2) 50 percent for a postsecondary inter-
16 national student from a developing country.

17 “(c) REDUCTION OF SURCHARGE.—

18 “(1) IN GENERAL.—Beginning with the aca-
19 demic year 2008–2009, the University or NTID may
20 reduce the surcharge—

21 “(A) under subsection (b)(1) from 100
22 percent to not less than 50 percent if—

23 “(i) a student described under sub-
24 section (b)(1) demonstrates need; and

1 “(ii) such student has made a good
2 faith effort to secure aid through such stu-
3 dent’s government or other sources; and

4 “(B) under subsection (b)(2) from 50 per-
5 cent to not less than 25 percent if—

6 “(i) a student described under sub-
7 section (b)(2) demonstrates need; and

8 “(ii) such student has made a good
9 faith effort to secure aid through such stu-
10 dent’s government or other sources.

11 “(2) DEVELOPMENT OF SLIDING SCALE.—The
12 University and NTID shall develop a sliding scale
13 model that—

14 “(A) will be used to determine the amount
15 of a tuition surcharge reduction pursuant to
16 paragraph (1); and

17 “(B) shall be approved by the Secretary.

18 “(d) DEFINITION.—In this section, the term ‘devel-
19 oping country’ means a country with a per-capita income
20 of not more than \$4,825, measured in 1999 United States
21 dollars, as adjusted by the Secretary to reflect inflation
22 since 1999.”.

23 **SEC. 912. RESEARCH PRIORITIES.**

24 Section 210(b) of the Education of the Deaf Act of
25 1986 (20 U.S.C. 4359b(b)) is amended by striking “Com-

1 mittee on Education and the Workforce of the House of
2 Representatives, and the Committee on Labor and Human
3 Resources of the Senate” and inserting “Committee on
4 Education and Labor of the House of Representatives,
5 and the Committee on Health, Education, Labor, and
6 Pensions of the Senate”.

7 **SEC. 913. AUTHORIZATION OF APPROPRIATIONS.**

8 Section 212 of the Education of the Deaf Act of 1986
9 (20 U.S.C. 4360a) is amended—

10 (1) in subsection (a), in the matter preceding
11 paragraph (1), by striking “fiscal years 1998
12 through 2003” and inserting “fiscal years 2008
13 through 2013”; and

14 (2) in subsection (b), by striking “fiscal years
15 1998 through 2003” and inserting “fiscal years
16 2008 through 2013”.

17 **PART B—UNITED STATES INSTITUTE OF PEACE**
18 **ACT**

19 **SEC. 921. UNITED STATES INSTITUTE OF PEACE ACT.**

20 (a) **POWERS AND DUTIES.**—Section 1705(b)(3) of
21 the United States Institute of Peace Act (22 U.S.C.
22 4604(b)(3)) is amended by striking “the Arms Control
23 and Disarmament Agency,”.

1 (b) BOARD OF DIRECTORS.—Section 1706 of the
2 United States Institute of Peace Act (22 U.S.C. 4605)
3 is amended—

4 (1) by striking “(b)(5)” each place the term ap-
5 pears and inserting “(b)(4)”; and

6 (2) in subsection (e), by adding at the end the
7 following:

8 “(5) The term of a member of the Board shall
9 not commence until the member is confirmed by the
10 Senate and sworn in as a member of the Board.”.

11 (c) FUNDING.—Section 1710 of the United States In-
12 stitute of Peace Act (22 U.S.C. 4609) is amended—

13 (1) by striking “to be appropriated” and all
14 that follows through the period at the end and in-
15 serting “to be appropriated such sums as may be
16 necessary for fiscal years 2008 through 2013.”; and

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

18 “(d) EXTENSION.—Any authorization of appropria-
19 tions made for the purposes of carrying out this title shall
20 be extended in the same manner as applicable programs
21 are extended under section 422 of the General Education
22 Provisions Act.”.

1 **PART C—THE HIGHER EDUCATION**

2 **AMENDMENTS OF 1998**

3 **SEC. 931. REPEALS.**

4 The following provisions of title VIII of the Higher
5 Education Amendments of 1998 (Public Law 105–244)
6 are repealed:

7 (1) Part A.

8 (2) Part C (20 U.S.C. 1070 note).

9 (3) Part F (20 U.S.C. 1862 note).

10 (4) Part J.

11 (5) Section 861.

12 (6) Section 863.

13 **SEC. 932. GRANTS TO STATES FOR WORKPLACE AND COM-**
14 **MUNITY TRANSITION TRAINING FOR INCAR-**
15 **CERATED YOUTH OFFENDERS.**

16 Section 821 of the Higher Education Amendments of
17 1998 (20 U.S.C. 1151) is amended to read as follows:

18 **“SEC. 821. GRANTS TO STATES FOR IMPROVED WORKPLACE**
19 **AND COMMUNITY TRANSITION TRAINING FOR**
20 **INCARCERATED YOUTH OFFENDERS.**

21 “(a) DEFINITION.—In this section, the term ‘youth
22 offender’ means a male or female offender under the age
23 of 35, who is incarcerated in a State prison, including a
24 prerelease facility.

25 “(b) GRANT PROGRAM.—The Secretary of Education
26 (in this section referred to as the ‘Secretary’)—

1 “(1) shall establish a program in accordance
2 with this section to provide grants to the State cor-
3 rectional education agencies in the States, from allo-
4 cations for the States under subsection (h), to assist
5 and encourage youth offenders to acquire functional
6 literacy, life, and job skills, through—

7 “(A) the pursuit of a postsecondary edu-
8 cation certificate, or an associate or bachelor’s
9 degree while in prison; and

10 “(B) employment counseling and other re-
11 lated services which start during incarceration
12 and end not later than 1 year after release from
13 confinement; and

14 “(2) may establish such performance objectives
15 and reporting requirements for State correctional
16 education agencies receiving grants under this sec-
17 tion as the Secretary determines are necessary to as-
18 sess the effectiveness of the program under this sec-
19 tion.

20 “(c) APPLICATION.—To be eligible for a grant under
21 this section, a State correctional education agency shall
22 submit to the Secretary a proposal for a youth offender
23 program that—

1 “(1) identifies the scope of the problem, includ-
2 ing the number of youth offenders in need of post-
3 secondary education and vocational training;

4 “(2) lists the accredited public or private edu-
5 cational institution or institutions that will provide
6 postsecondary educational services;

7 “(3) lists the cooperating agencies, public and
8 private, or businesses that will provide related serv-
9 ices, such as counseling in the areas of career devel-
10 opment, substance abuse, health, and parenting
11 skills;

12 “(4) describes specific performance objectives
13 and evaluation methods (in addition to, and con-
14 sistent with, any objectives established by the Sec-
15 retary under subsection (b)(2)) that the State cor-
16 rectional education agency will use in carrying out
17 its proposal, including—

18 “(A) specific and quantified student out-
19 come measures that are referenced to outcomes
20 for non-program participants with similar de-
21 mographic characteristics; and

22 “(B) measures, consistent with the data
23 elements and definitions described in subsection
24 (d)(1)(A), of—

1 “(i) program completion, including an
2 explicit definition of what constitutes a
3 program completion within the proposal;

4 “(ii) knowledge and skill attainment,
5 including specification of instruments that
6 will measure knowledge and skill attain-
7 ment;

8 “(iii) attainment of employment both
9 prior to and subsequent to release;

10 “(iv) success in employment indicated
11 by job retention and advancement; and

12 “(v) recidivism, including such sub-
13 indicators as time before subsequent of-
14 fense and severity of offense;

15 “(5) describes how the proposed programs are
16 to be integrated with existing State correctional edu-
17 cation programs (such as adult education, graduate
18 education degree programs, and vocational training)
19 and State industry programs;

20 “(6) describes how the proposed programs will
21 have considered or will utilize technology to deliver
22 the services under this section; and

23 “(7) describes how students will be selected so
24 that only youth offenders eligible under subsection
25 (e) will be enrolled in postsecondary programs.

1 “(d) PROGRAM REQUIREMENTS.—Each State correc-
2 tional education agency receiving a grant under this sec-
3 tion shall—

4 “(1) annually report to the Secretary regard-
5 ing—

6 “(A) the results of the evaluations con-
7 ducted using data elements and definitions pro-
8 vided by the Secretary for the use of State cor-
9 rectional education programs;

10 “(B) any objectives or requirements estab-
11 lished by the Secretary pursuant to subsection
12 (b)(2); and

13 “(C) the additional performance objectives
14 and evaluation methods contained in the pro-
15 posal described in subsection (c)(4) as nec-
16 essary to document the attainment of project
17 performance objectives; and

18 “(2) provide to each State for each student eli-
19 gible under subsection (e) not more than—

20 “(A) \$3,000 annually for tuition, books,
21 and essential materials; and

22 “(B) \$300 annually for related services
23 such as career development, substance abuse
24 counseling, parenting skills training, and health
25 education.

1 “(e) STUDENT ELIGIBILITY.—A youth offender shall
2 be eligible for participation in a program receiving a grant
3 under this section if the youth offender—

4 “(1) is eligible to be released within 5 years (in-
5 cluding a youth offender who is eligible for parole
6 within such time); and

7 “(2) is 35 years of age or younger.

8 “(f) LENGTH OF PARTICIPATION.—A State correc-
9 tional education agency receiving a grant under this sec-
10 tion shall provide educational and related services to each
11 participating youth offender for a period not to exceed 5
12 years, 1 year of which may be devoted to study in a grad-
13 uate education degree program or to remedial education
14 services for students who have obtained a secondary school
15 diploma or its recognized equivalent. Educational and re-
16 lated services shall start during the period of incarceration
17 in prison or prerelease, and the related services may con-
18 tinue for not more than 1 year after release from confine-
19 ment.

20 “(g) EDUCATION DELIVERY SYSTEMS.—State cor-
21 rectional education agencies and cooperating institutions
22 shall, to the extent practicable, use high-tech applications
23 in developing programs to meet the requirements and
24 goals of this section.

1 “(h) ALLOCATION OF FUNDS.—From the funds ap-
2 propriated pursuant to subsection (i) for each fiscal year,
3 the Secretary shall allot to each State an amount that
4 bears the same relationship to such funds as the total
5 number of students eligible under subsection (e) in such
6 State bears to the total number of such students in all
7 States.

8 “(i) AUTHORIZATION OF APPROPRIATIONS.—There
9 are authorized to be appropriated to carry out this section
10 such sums as may be necessary for fiscal years 2008
11 through 2013.”.

12 **SEC. 933. UNDERGROUND RAILROAD EDUCATIONAL AND**
13 **CULTURAL PROGRAM.**

14 Section 841(c) of the Higher Education Amendments
15 of 1998 (20 U.S.C. 1153(c)) is amended by striking “this
16 section” and all that follows through the period at the end
17 and inserting “this section such sums as may be necessary
18 for fiscal years 2008 through 2013.”.

19 **SEC. 934. OLYMPIC SCHOLARSHIPS UNDER THE HIGHER**
20 **EDUCATION AMENDMENTS OF 1992.**

21 Section 1543(d) of the Higher Education Amend-
22 ments of 1992 (20 U.S.C. 1070 note) is amended by strik-
23 ing “to be appropriated” and all that follows through the
24 period at the end and inserting “to be appropriated such

1 sums as may be necessary for fiscal years 2008 through
2 2013.”.

3 **PART D—INDIAN EDUCATION**

4 **Subpart 1—Tribal Colleges and Universities**

5 **SEC. 941. REAUTHORIZATION OF THE TRIBALLY CON-**
6 **TROLLED COLLEGE OR UNIVERSITY ASSIST-**
7 **ANCE ACT OF 1978.**

8 (a) CLARIFICATION OF THE DEFINITION OF NA-
9 TIONAL INDIAN ORGANIZATION.—Section 2(a)(6) of the
10 Tribally Controlled College or University Assistance Act
11 of 1978 (25 U.S.C. 1801(a)(6)) is amended by striking
12 “in the field of Indian education” and inserting “in the
13 fields of tribally controlled colleges and universities and
14 Indian higher education”.

15 (b) INDIAN STUDENT COUNT.—Section 2(a) of the
16 Tribally Controlled College or University Assistance Act
17 of 1978 (25 U.S.C. 1801(a)) is amended—

18 (1) by redesignating paragraphs (7) and (8) as
19 paragraphs (8) and (9), respectively; and

20 (2) by inserting after paragraph (6) the fol-
21 lowing:

22 “(7) ‘Indian student’ means a student who is—
23 “(A) a member of an Indian tribe; or
24 “(B) a biological child of a member of an
25 Indian tribe, living or deceased;”.

1 (c) CONTINUING EDUCATION.—Section 2(b) of the
2 Tribally Controlled College or University Assistance Act
3 of 1978 (25 U.S.C. 1801(b)) is amended—

4 (1) in the matter preceding paragraph (1), by
5 striking “paragraph (7) of subsection (a)” and in-
6 serting “subsection (a)(8)”;

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

9 “(5) DETERMINATION OF CREDITS.—Eligible
10 credits earned in a continuing education program—

11 “(A) shall be determined as 1 credit for
12 every 10 contact hours in the case of an institu-
13 tion on a quarter system, or 15 contact hours
14 in the case of an institution on a semester sys-
15 tem, of participation in an organized continuing
16 education experience under responsible sponsor-
17 ship, capable direction, and qualified instruc-
18 tion, as described in the criteria established by
19 the International Association for Continuing
20 Education and Training; and

21 “(B) shall be limited to 10 percent of the
22 Indian student count of a tribally controlled col-
23 lege or university.”; and

24 (3) by striking paragraph (6).

1 (d) ACCREDITATION REQUIREMENT.—Section 103 of
2 the Tribally Controlled College or University Assistance
3 Act of 1978 (25 U.S.C. 1804) is amended—

4 (1) in paragraph (2), by striking “and” at the
5 end;

6 (2) in paragraph (3), by striking the period at
7 the end and inserting “; and”; and

8 (3) by inserting after paragraph (3), the fol-
9 lowing:

10 “(4)(A) is accredited by a nationally recognized
11 accrediting agency or association determined by the
12 Secretary of Education to be a reliable authority
13 with regard to the quality of training offered; or

14 “(B) according to such an agency or associa-
15 tion, is making reasonable progress toward accredi-
16 tation.”.

17 (e) TECHNICAL ASSISTANCE CONTRACTS.—Section
18 105 of the Tribally Controlled College or University As-
19 sistance Act of 1978 (25 U.S.C. 1805) is amended—

20 (1) by striking the section designation and
21 heading and all that follows through “The Secretary
22 shall” and inserting the following:

23 **“SEC. 105. TECHNICAL ASSISTANCE CONTRACTS.**

24 “(a) TECHNICAL ASSISTANCE.—

25 “(1) IN GENERAL.—The Secretary shall”;

1 (2) in the second sentence, by striking “In the
2 awarding of contracts for technical assistance, pref-
3 erence shall be given” and inserting the following:

4 “(2) DESIGNATED ORGANIZATION.—The Sec-
5 retary shall require that a contract for technical as-
6 sistance under paragraph (1) shall be awarded”; and

7 (3) in the third sentence, by striking “No au-
8 thority” and inserting the following:

9 “(b) EFFECT OF SECTION.—No authority”.

10 (f) AMOUNT OF GRANTS.—Section 108(a) of the
11 Tribally Controlled College or University Assistance Act
12 of 1978 (25 U.S.C. 1808(a)) is amended—

13 (1) by redesignating paragraphs (1) and (2) as
14 subparagraphs (A) and (B), respectively, and indent-
15 ing the subparagraphs appropriately;

16 (2) by striking “(a) Except as provided in sec-
17 tion 111,” and inserting the following:

18 “(a) REQUIREMENT.—

19 “(1) IN GENERAL.—Except as provided in para-
20 graph (2) and section 111,”;

21 (3) in paragraph (1) (as redesignated by para-
22 graphs (1) and (2))—

23 (A) in the matter preceding subparagraph

24 (A) (as redesignated by paragraph (1))—

1 (i) by striking “him” and inserting
2 “the Secretary”; and

3 (ii) by striking “product of” and in-
4 serting “product obtained by multiplying”;

5 (B) in subparagraph (A) (as redesignated
6 by paragraph (1)), by striking “section 2(a)(7)”
7 and inserting “section 2(a)(8)”; and

8 (C) in subparagraph (B) (as redesignated
9 by paragraph (1)), by striking “\$6,000,” and
10 inserting “\$8,000, as adjusted annually for in-
11 flation.”; and

12 (4) by striking “except that no grant shall ex-
13 ceed the total cost of the education program pro-
14 vided by such college or university.” and inserting
15 the following:

16 “(2) EXCEPTION.—The amount of a grant
17 under paragraph (1) shall not exceed an amount
18 equal to the total cost of the education program pro-
19 vided by the applicable tribally controlled college or
20 university.”.

21 (g) GENERAL PROVISIONS REAUTHORIZATION.—Sec-
22 tion 110(a) of the Tribally Controlled College or Univer-
23 sity Assistance Act of 1978 (25 U.S.C. 1810(a)) is amend-
24 ed—

1 (1) in paragraphs (1), (2), (3), and (4), by
2 striking “1999” and inserting “2008”;

3 (2) in paragraphs (1), (2), and (3), by striking
4 “4 succeeding” and inserting “5 succeeding”;

5 (3) in paragraph (2), by striking
6 “\$40,000,000” and inserting “such sums as may be
7 necessary”;

8 (4) in paragraph (3), by striking
9 “\$10,000,000” and inserting “such sums as may be
10 necessary”; and

11 (5) in paragraph (4), by striking “succeeding
12 4” and inserting “5 succeeding”.

13 (h) ENDOWMENT PROGRAM REAUTHORIZATION.—
14 Section 306(a) of the Tribally Controlled College or Uni-
15 versity Assistance Act of 1978 (25 U.S.C. 1836(a)) is
16 amended—

17 (1) by striking “1999” and inserting “2008”;
18 and

19 (2) by striking “4 succeeding” and inserting “5
20 succeeding”.

21 (i) TRIBAL ECONOMIC DEVELOPMENT REAUTHOR-
22 IZATION.—Section 403 of the Tribal Economic Develop-
23 ment and Technology Related Education Assistance Act
24 of 1990 (25 U.S.C. 1852) is amended—

1 (1) by striking “\$2,000,000 for fiscal year
2 1999” and inserting “such sums as may be nec-
3 essary for fiscal year 2008”; and

4 (2) by striking “4 succeeding” and inserting “5
5 succeeding”.

6 (j) TRIBALLY CONTROLLED POSTSECONDARY CA-
7 REER AND TECHNICAL INSTITUTIONS.—

8 (1) IN GENERAL.—The Tribally Controlled Col-
9 lege or University Assistance Act of 1978 (25 U.S.C.
10 1801 et seq.) is amended by adding at the end the
11 following:

12 **“Subtitle V—Tribally Controlled**
13 **Postsecondary Career and Tech-**
14 **nical Institutions**

15 **“SEC. 501. DEFINITION OF TRIBALLY CONTROLLED POST-**
16 **SECONDARY CAREER AND TECHNICAL INSTI-**
17 **TUTION.**

18 “In this title, the term ‘tribally controlled postsec-
19 ondary career and technical institution’ has the meaning
20 given the term in section 3 of the Carl D. Perkins Career
21 and Technical Education Act of 2006 (20 U.S.C. 2302).

1 **“SEC. 502. TRIBALLY CONTROLLED POSTSECONDARY CA-**
2 **REER AND TECHNICAL INSTITUTIONS PRO-**
3 **GRAM.**

4 “(a) IN GENERAL.—Subject to the availability of ap-
5 propriations, for fiscal year 2008 and each fiscal year
6 thereafter, the Secretary shall—

7 “(1) subject to subsection (b), select 2 tribally
8 controlled postsecondary career and technical insti-
9 tutions to receive assistance under this title; and

10 “(2) provide funding to the selected tribally
11 controlled postsecondary career and technical insti-
12 tutions to pay the costs (including institutional sup-
13 port costs) of operating postsecondary career and
14 technical education programs for Indian students at
15 the tribally controlled postsecondary career and tech-
16 nical institutions.

17 “(b) SELECTION OF CERTAIN INSTITUTIONS.—

18 “(1) REQUIREMENT.—For each fiscal year dur-
19 ing which the Secretary determines that a tribally
20 controlled postsecondary career and technical insti-
21 tution described in paragraph (2) meets the defini-
22 tion referred to in section 501, the Secretary shall
23 select that tribally controlled postsecondary career
24 and technical institution under subsection (a)(1) to
25 receive funding under this section.

1 “(2) INSTITUTIONS.—The 2 tribally controlled
2 postsecondary career and technical institutions re-
3 ferred to in paragraph (1) are—

4 “(A) the United Tribes Technical College;
5 and

6 “(B) the Navajo Technical College.

7 “(c) METHOD OF PAYMENT.—For each applicable
8 fiscal year, the Secretary shall provide funding under this
9 section to each tribally controlled postsecondary career
10 and technical institution selected for the fiscal year under
11 subsection (a)(1) in a lump sum payment for the fiscal
12 year.

13 “(d) DISTRIBUTION.—

14 “(1) IN GENERAL.—For fiscal year 2009 and
15 each fiscal year thereafter, of amounts made avail-
16 able pursuant to section 504, the Secretary shall dis-
17 tribute to each tribally controlled postsecondary ca-
18 reer and technical institution selected for the fiscal
19 year under subsection (a)(1) an amount equal to the
20 greater of—

21 “(A) the total amount appropriated for the
22 tribally controlled postsecondary career and
23 technical institution for fiscal year 2006; or

1 “(B) the total amount appropriated for the
2 tribally controlled postsecondary career and
3 technical institution for fiscal year 2008.

4 “(2) EXCESS AMOUNTS.—If, for any fiscal year,
5 the amount made available pursuant to section 504
6 exceeds the sum of the amounts required to be dis-
7 tributed under paragraph (1) to the tribally con-
8 trolled postsecondary career and technical institu-
9 tions selected for the fiscal year under subsection
10 (a)(1), the Secretary shall distribute to each tribally
11 controlled postsecondary career and technical insti-
12 tution selected for that fiscal year a portion of the
13 excess amount, to be determined by—

14 “(A) dividing the excess amount by the ag-
15 gregate Indian student count (as defined in sec-
16 tion 117(h) of the Carl D. Perkins Career and
17 Technical Education Act of 2006 (20 U.S.C.
18 2327(h)) of such institutions for the prior aca-
19 demic year; and

20 “(B) multiplying the quotient described in
21 subparagraph (A) by the Indian student count
22 of each such institution for the prior academic
23 year.

1 **“SEC. 503. APPLICABILITY OF OTHER LAWS.**

2 “(a) IN GENERAL.—Paragraphs (4) and (7) of sub-
3 section (a), and subsection (b), of section 2, sections 105,
4 108, 111, 112 and 113, and titles II, III, and IV shall
5 not apply to this title.

6 “(b) INDIAN SELF-DETERMINATION AND EDU-
7 CATION ASSISTANCE.—Funds made available pursuant to
8 this title shall be subject to the Indian Self-Determination
9 and Education Assistance Act (25 U.S.C. 450 et seq.).

10 “(c) ELECTION TO RECEIVE.—A tribally controlled
11 postsecondary career and technical institution selected for
12 a fiscal year under section 502(b) may elect to receive
13 funds pursuant to section 502 in accordance with an
14 agreement between the tribally controlled postsecondary
15 career and technical institution and the Secretary under
16 the Indian Self-Determination and Education Assistance
17 Act (25 U.S.C. 450 et seq.) if the agreement is in exist-
18 ence on the date of enactment of the Higher Education
19 Amendments of 2007.

20 “(d) OTHER ASSISTANCE.—Eligibility for, or receipt
21 of, assistance under this title shall not preclude the eligi-
22 bility of a tribally controlled postsecondary career and
23 technical institutions to receive Federal financial assist-
24 ance under—

25 “(1) any program under the Higher Education
26 Act of 1965 (20 U.S.C. 1001 et seq.);

1 “(2) any program under the Carl D. Perkins
2 Career and Technical Education Act of 2006; or

3 “(3) any other applicable program under which
4 a benefit is provided for—

5 “(A) institutions of higher education;

6 “(B) community colleges; or

7 “(C) postsecondary educational institu-
8 tions.

9 **“SEC. 504. AUTHORIZATION OF APPROPRIATIONS.**

10 “There are authorized to be appropriated such sums
11 as are necessary for fiscal year 2008 and each fiscal year
12 thereafter to carry out this title.”.

13 (2) CONFORMING AMENDMENTS.—Section 117
14 of the Carl D. Perkins Career and Technical Edu-
15 cation Act of 2006 (20 U.S.C. 2327) is amended—

16 (A) by striking subsection (a) and insert-
17 ing the following:

18 “(a) GRANT PROGRAM.—Subject to the availability of
19 appropriations, the Secretary shall make grants under this
20 section, to provide basic support for the education and
21 training of Indian students, to tribally controlled postsec-
22 ondary career and technical institutions that are not re-
23 ceiving Federal assistance as of the date on which the
24 grant is provided under—

1 “(1) title I of the Tribally Controlled College or
2 University Assistance Act of 1978 (25 U.S.C. 1802
3 et seq.); or

4 “(2) the Navajo Community College Act (25
5 U.S.C. 640a et seq.)”; and

6 (B) by striking subsection (d) and insert-
7 ing the following:

8 “(d) APPLICATIONS.—To be eligible to receive a
9 grant under this section, a tribally controlled postsec-
10 ondary career and technical institution that is not receiv-
11 ing Federal assistance under title I of the Tribally Con-
12 trolled College or University Assistance Act (25 U.S.C.
13 1802 et seq.) or the Navajo Community College Act (25
14 U.S.C. 640a et seq.) shall submit to the Secretary an ap-
15 plication at such time, in such manner, and containing
16 such information as the Secretary may require.”.

17 (k) SHORT TITLE.—

18 (1) IN GENERAL.—The first section of the Trib-
19 ally Controlled College or University Assistance Act
20 of 1978 (25 U.S.C. 1801 note; Public Law 95–471)
21 is amended to read as follows:

22 **“SECTION 1. SHORT TITLE.**

23 “‘This Act may be cited as the ‘Tribally Controlled
24 Colleges and Universities Assistance Act of 1978’.”.

1 (2) REFERENCES.—Any reference in law (in-
2 cluding regulations) to the Tribally Controlled Col-
3 lege or University Assistance Act of 1978 shall be
4 considered to be a reference to the “Tribally Con-
5 trolled Colleges and Universities Assistance Act of
6 1978”.

7 **Subpart 2—Navajo Higher Education**

8 **SEC. 945. SHORT TITLE.**

9 This subpart may be cited as the “Navajo Nation
10 Higher Education Act of 2006”.

11 **SEC. 946. REAUTHORIZATION OF NAVAJO COMMUNITY COL-
12 LEGE ACT.**

13 (a) PURPOSE.—Section 2 of the Navajo Community
14 College Act (25 U.S.C. 640a) is amended—

15 (1) by striking “Navajo Tribe of Indians” and
16 inserting “Navajo Nation”; and

17 (2) by striking “the Navajo Community Col-
18 lege” and inserting “Diné College”.

19 (b) GRANTS.—Section 3 of the Navajo Community
20 College Act (25 U.S.C. 640b) is amended—

21 (1) in the first sentence—

22 (A) by inserting “the” before “Interior”;

23 (B) by striking “Navajo Tribe of Indians”
24 and inserting “Navajo Nation”; and

1 (C) by striking “the Navajo Community
2 College” and inserting “Diné College”; and
3 (2) in the second sentence—

4 (A) by striking “Navajo Tribe” and insert-
5 ing “Navajo Nation”; and

6 (B) by striking “Navajo Indians” and in-
7 serting “Navajo people”.

8 (c) STUDY OF FACILITIES NEEDS.—Section 4 of the
9 Navajo Community College Act (25 U.S.C. 640c) is
10 amended—

11 (1) in subsection (a)—

12 (A) in the first sentence—

13 (i) by striking “the Navajo Commu-
14 nity College” and inserting “Dine College”;
15 and

16 (ii) by striking “August 1, 1979” and
17 inserting “October 31, 2010”; and

18 (B) in the second sentence, by striking
19 “Navajo Tribe” and inserting “Navajo Nation”;

20 (2) in subsection (b), by striking “the date of
21 enactment of the Tribally Controlled Community
22 College Assistance Act of 1978” and inserting “Oc-
23 tober 1, 2007”; and

1 (3) in subsection (c), in the first sentence, by
2 striking “the Navajo Community College” and in-
3 serting “Diné College”.

4 (d) AUTHORIZATION OF APPROPRIATIONS.—Section
5 5 of the Navajo Community College Act (25 U.S.C. 640c-
6 1) is amended—

7 (1) in subsection (a)—

8 (A) in paragraph (1), by striking
9 “\$2,000,000” and all that follows through the
10 end of the paragraph and inserting “such sums
11 as are necessary for fiscal years 2008 through
12 2013.”; and

13 (B) by adding at the end the following:

14 “(3) Sums described in paragraph (2) shall be used
15 to provide grants for construction activities, including the
16 construction of buildings, water and sewer facilities, roads,
17 information technology and telecommunications infra-
18 structure, classrooms, and external structures (such as
19 walkways).”;

20 (2) in subsection (b)(1)—

21 (A) in the matter preceding subparagraph

22 (A)—

23 (i) by striking “the Navajo Commu-
24 nity College” and inserting “Diné College”;
25 and

1 (ii) by striking “, for each fiscal year”
2 and all that follows through “for—” and
3 inserting “such sums as are necessary for
4 fiscal years 2008 through 2013 to pay the
5 cost of—”;

6 (B) in subparagraph (A)—

7 (i) by striking “college” and inserting
8 “College”;

9 (ii) in clauses (i) and (iii), by striking
10 the commas at the ends of the clauses and
11 inserting semicolons; and

12 (iii) in clause (ii), by striking “, and”
13 at the end and inserting “; and”;

14 (C) in subparagraph (B), by striking the
15 comma at the end and inserting a semicolon;

16 (D) in subparagraph (C), by striking “,
17 and” at the end and inserting a semicolon;

18 (E) in subparagraph (D), by striking the
19 period at the end and inserting “; and”; and

20 (F) by adding at the end the following:

21 “(E) improving and expanding the College,
22 including by providing, for the Navajo people
23 and others in the community of the College—

24 “(i) higher education programs;

25 “(ii) career and technical education;

1 “(iii) activities relating to the preser-
 2 vation and protection of the Navajo lan-
 3 guage, philosophy, and culture;

4 “(iv) employment and training oppor-
 5 tunities;

6 “(v) economic development and com-
 7 munity outreach; and

8 “(vi) a safe learning, working, and liv-
 9 ing environment.”; and

10 (3) in subsection (c), by striking “the Navajo
 11 Community College” and inserting “Diné College”.

12 (e) EFFECT ON OTHER LAWS.—Section 6 of the
 13 Navajo Community College Act (25 U.S.C. 640c-2) is
 14 amended—

15 (1) by striking “the Navajo Community Col-
 16 lege” each place it appears and inserting “Diné Col-
 17 lege”; and

18 (2) in subsection (b), by striking “college” and
 19 inserting “College”.

20 (f) PAYMENTS; INTEREST.—Section 7 of the Navajo
 21 Community College Act (25 U.S.C. 640c-3) is amended
 22 by striking “the Navajo Community College” each place
 23 it appears and inserting “Diné College”.

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