

110TH CONGRESS
1ST SESSION

S. 1642

AN ACT

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,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

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

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

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1 SEC. 2. REFERENCES.

2 Except as otherwise expressly provided, whenever in
3 this Act an amendment or repeal is expressed in terms
4 of an amendment to, or repeal of, a section or other provi-
5 sion, the reference shall be considered to be made to a
6 section or other provision of the Higher Education Act of
7 1965 (20 U.S.C. 1001 et seq.).

8 SEC. 3. GENERAL EFFECTIVE DATE.

9 Except as otherwise provided in this Act or the
10 amendments made by this Act, the amendments made by
11 this Act shall take effect on the date of enactment of this
12 Act.

1 **TITLE I—GENERAL PROVISIONS**

2 **SEC. 101. ADDITIONAL DEFINITIONS.**

3 (a) AMENDMENT.—Section 103 (20 U.S.C. 1003) is
4 amended—

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

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

9 (3) by redesignating paragraphs (1), (2), and
10 (3) as paragraphs (2), (4), and (5), respectively;

11 (4) by inserting before paragraph (2) (as redesi-
12 gnated by paragraph (2)) the following:

13 “(1) AUTHORIZING COMMITTEES.—The term
14 ‘authorizing committees’ means the Committee on
15 Health, Education, Labor, and Pensions of the Sen-
16 ate and the Committee on Education and Labor of
17 the House of Representatives.”;

18 (5) by inserting after paragraph (2) (as redesi-
19 gnated by paragraph (3)) the following:

20 “(3) CRITICAL FOREIGN LANGUAGE.—The term
21 ‘critical foreign language’ means each of the lan-
22 guages contained in the list of critical languages des-
23 igned by the Secretary in the Federal Register on
24 August 2, 1985 (50 Fed. Reg. 149, 31412; promul-
25 gated under the authority of section 212(d) of the

1 Education for Economic Security Act (repealed by
2 section 2303 of the Augustus F. Hawkins-Robert T.
3 Stafford Elementary and Secondary School Improve-
4 ment Amendments of 1988)), except that in the im-
5 plementation of this definition with respect to a spe-
6 cific title, the Secretary may set priorities according
7 to the purposes of such title and the national secu-
8 rity, economic competitiveness, and educational
9 needs of the United States.”;

10 (6) by inserting after paragraph (5) (as redesign-
11 nated by paragraph (3)) the following:

12 “(6) DISTANCE EDUCATION.—

13 “(A) IN GENERAL.—Except as otherwise
14 provided, the term ‘distance education’ means
15 education that uses 1 or more of the tech-
16 nologies described in subparagraph (B)—

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

19 “(ii) to support regular and sub-
20 stantive interaction between the students
21 and the instructor, synchronously or asyn-
22 chronously.

23 “(B) INCLUSIONS.—For the purposes of
24 subparagraph (A), the technologies used may
25 include—

1 “(i) the Internet;

2 “(ii) one-way and two-way trans-
3 missions through open broadcast, closed
4 circuit, cable, microwave, broadband lines,
5 fiber optics, satellite, or wireless commu-
6 nications devices;

7 “(iii) audio conferencing; or

8 “(iv) video cassette, DVDs, and CD-
9 ROMs, if the cassette, DVDs, and CD-
10 ROMs are used in a course in conjunction
11 with the technologies listed in clauses (i)
12 through (iii).”; and

13 (7) by inserting after paragraph (11) (as reded-
14 igned by paragraph (2)) the following:

15 “(12) POVERTY LINE.—The term ‘poverty line’
16 means the poverty line (as defined in section 673(2)
17 of the Community Services Block Grant Act (42
18 U.S.C. 9902(2))) applicable to a family of the size
19 involved.”.

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

22 (1) in section 131(a)(3)(B) (20 U.S.C.
23 1015(a)(3)(B)), by striking “Committee on Labor
24 and Human Resources of the Senate and the Com-
25 mittee on Education and the Workforce of the

1 House of Representatives” and inserting “author-
2 izing committees”;

3 (2) in section 141(d)(4)(B) (20 U.S.C.
4 1018(d)(4)(B)), by striking “Committee on Edu-
5 cation and the Workforce of the House of Rep-
6 resentatives and the Committee on Labor and
7 Human Resources of the Senate” and inserting “au-
8 thorizing committees”;

9 (3) in section 401(f)(3) (20 U.S.C.
10 1070a(f)(3)), by striking “to the Committee on Ap-
11 propriations” and all that follows through “House of
12 Representatives” and inserting “to the Committee
13 on Appropriations of the Senate, the Committee on
14 Appropriations of the House of Representatives, and
15 the authorizing committees”;

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

17 (A) in subsection (c)(9)(K), by striking
18 “House Committee on Education and the
19 Workforce and the Senate Committee on Labor
20 and Human Resources” and inserting “author-
21 izing committees”;

22 (B) in the matter following paragraph (2)
23 of subsection (g), by striking “Committee on
24 Labor and Human Resources of the Senate and
25 the Committee on Education and the Workforce

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

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

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

9 (A) in the matter preceding subparagraph
10 (A) of paragraph (2), by striking “Chair-
11 person” and all that follows through “House of
12 Representatives” and inserting “members of the
13 authorizing committees”;

14 (B) in paragraph (3), by striking “Chair-
15 person” and all that follows through “House of
16 Representatives” and inserting “members of the
17 authorizing committees”; and

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

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

23 (A) in subsection (f)(1)(C), by striking
24 “the Committee on Education and the Work-
25 force of the House of Representatives or the

1 Committee on Labor and Human Resources of
2 the Senate” and inserting “either of the author-
3 izing committees”; and

4 (B) in the matter following subparagraph
5 (D) of subsection (n)(3), by striking “Com-
6 mittee on Education and the Workforce of the
7 House of Representatives and the Committee
8 on Labor and Human Resources of the Senate”
9 and inserting “authorizing committees”;

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

15 (8) in section 439 (20 U.S.C. 1087-2)—

16 (A) in subsection (d)(1)(E)(iii), by striking
17 “advise the Chairman” and all that follows
18 through “House of Representatives” and insert-
19 ing “advise the members of the authorizing
20 committees”;

21 (B) in subsection (r)—

22 (i) in paragraph (3), by striking “in-
23 form the Chairman” and all that follows
24 through “House of Representatives,” and

1 inserting “inform the members of the au-
2 thorizing committees”;

3 (ii) in paragraph (5)(B), by striking
4 “plan, to the Chairman” and all that fol-
5 lows through “Education and Labor” and
6 inserting “plan, to the members of the au-
7 thorizing committees”;

8 (iii) in paragraph (6)(B)—

9 (I) by striking “plan, to the
10 Chairman” and all that follows
11 through “House of Representatives”
12 and inserting “plan, to the members
13 of the authorizing committees”; and

14 (II) by striking “Chairmen and
15 ranking minority members of such
16 Committees” and inserting “members
17 of the authorizing committees”;

18 (iv) in paragraph (8)(C), by striking
19 “implemented to the Chairman” and all
20 that follows through “House of Represent-
21 atives, and” and inserting “implemented to
22 the members of the authorizing commit-
23 tees, and to”; and

24 (v) in the matter preceding subpara-
25 graph (A) of paragraph (10), by striking

1 “days to the Chairman” and all that fol-
2 lows through “Education and Labor” and
3 inserting “days to the members of the au-
4 thorizing committees”; and

5 (C) in subsection (s)(2)—

6 (i) in the matter preceding clause (i)
7 of subparagraph (A), by striking “Treas-
8 ury and to the Chairman” and all that fol-
9 lows through “House of Representatives”
10 and inserting “Treasury and to the mem-
11 bers of the authorizing committees”; and

12 (ii) in subparagraph (B), by striking
13 “Treasury and to the Chairman” and all
14 that follows through “House of Represent-
15 atives” and inserting “Treasury and to the
16 members of the authorizing committees”;

17 (9) in section 455(b)(8)(B) (20 U.S.C.
18 1087e(b)(8)(B)), by striking “Committee on Labor
19 and Human Resources of the Senate and the Com-
20 mittee on Education and the Workforce of the
21 House of Representatives” and inserting “author-
22 izing committees”;

23 (10) in section 482(d) (20 U.S.C. 1089(d)), by
24 striking “Committee on Labor and Human Re-
25 sources of the Senate and the Committee on Edu-

1 cation and Labor of the House of Representatives”
2 and inserting “authorizing committees”;

3 (11) in section 483(c) (20 U.S.C. 1090(c)), by
4 striking “Committee on Labor and Human Re-
5 sources of the Senate and the Committee on Edu-
6 cation and the Workforce of the House of Rep-
7 resentatives” and inserting “authorizing commit-
8 tees”;

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

10 (A) in subsection (f)(5)(A), by striking
11 “Committee on Education and the Workforce of
12 the House of Representatives and the Com-
13 mittee on Labor and Human Resources of the
14 Senate” and inserting “authorizing commit-
15 tees”; and

16 (B) in subsection (g)(4)(B), by striking
17 “Committee on Education and the Workforce of
18 the House of Representatives and the Com-
19 mittee on Labor and Human Resources of the
20 Senate” and inserting “authorizing commit-
21 tees”;

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

23 (A) in subsection (e), by striking “Com-
24 mittee on Labor and Human Resources of the
25 Senate and the Committee on Education and

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

3 (B) in subsection (f)(3)—

4 (i) in the matter preceding clause (i)
5 of subparagraph (A), by striking “Com-
6 mittee on Labor and Human Resources of
7 the Senate and the Committee on Edu-
8 cation and the Workforce of the House of
9 Representatives” and inserting “author-
10 izing committees”; and

11 (ii) in the matter preceding clause (i)
12 of subparagraph (B), by striking “Com-
13 mittee on Labor and Human Resources of
14 the Senate and the Committee on Edu-
15 cation and the Workforce of the House of
16 Representatives” and inserting “author-
17 izing committees”;

18 (14) in section 487A(a)(5) (20 U.S.C.
19 1094a(a)(5)), by striking “Committee on Labor and
20 Human Resources of the Senate and the Committee
21 on Education and the Workforce of the House of
22 Representatives” and inserting “authorizing commit-
23 tees”; and

24 (15) in section 498B(d) (20 U.S.C. 1099c-
25 2(d))—

1 (A) in paragraph (1), by striking “Com-
2 mittee on Labor and Human Resources of the
3 Senate and the Committee on Education and
4 the Workforce of the House of Representatives”
5 and inserting “authorizing committees”; and

6 (B) in paragraph (2), by striking “Com-
7 mittee on Labor and Human Resources of the
8 Senate and the Committee on Education and
9 the Workforce of the House of Representatives”
10 and inserting “authorizing committees”.

11 **SEC. 102. GENERAL DEFINITION OF INSTITUTION OF HIGH-**
12 **ER EDUCATION.**

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

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

19 (2) by striking subsection (b)(2) and inserting
20 the following:

21 “(2) a public or nonprofit private educational
22 institution in any State that, in lieu of the require-
23 ment in subsection (a)(1), admits as regular stu-
24 dents persons—

1 “(A) who are beyond the age of compul-
2 sory school attendance in the State in which the
3 institution is located; or

4 “(B) who will be dually or concurrently en-
5 rolled in the institution and a secondary
6 school.”.

7 **SEC. 103. DEFINITION OF INSTITUTION OF HIGHER EDU-
8 CATION FOR PURPOSES OF TITLE IV PRO-
9 GRAMS.**

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

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

13 “(II) the institution has or had a
14 clinical training program that was ap-
15 proved by a State as of January 1,
16 1992, and has continuously operated
17 a clinical training program in not less
18 than 1 State that is approved by such
19 State;”;

20 (2) in subsection (b)—

21 (A) in paragraph (1)—

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

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

1 (iii) by striking subparagraph (F);

2 and

3 (B) by striking paragraph (2) and insert-
4 ing the following:

5 “(2) ADDITIONAL INSTITUTIONS.—The term
6 ‘proprietary institution of higher education’ also in-
7 cludes a proprietary educational institution in any
8 State that, in lieu of the requirement in section
9 101(a)(1), admits as regular students persons—

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

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

16 (3) by striking subsection (c)(2) and inserting
17 the following:

18 “(2) ADDITIONAL INSTITUTIONS.—The term
19 ‘postsecondary vocational institution’ also includes
20 an educational institution in any State that, in lieu
21 of the requirement in section 101(a)(1), admits as
22 regular students persons—

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

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

4 **SEC. 104. PROTECTION OF STUDENT SPEECH AND ASSOCIA-**
5 **TION RIGHTS.**

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

7 (1) in subsection (a)—

8 (A) by inserting “(1)” before “It is the
9 sense”; and

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

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

12 “(A) the diversity of institutions and edu-
13 cational missions is one of the key strengths of
14 American higher education;

15 “(B) individual colleges and universities have
16 different missions and each institution should design
17 its academic program in accordance with its edu-
18 cational goals;

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

21 “(D) students should not be intimidated, har-
22 assed, discouraged from speaking out, or discrimi-
23 nated against;

24 “(E) students should be treated equally and
25 fairly; and

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

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

8 **SEC. 105. ACCREDITATION AND INSTITUTIONAL QUALITY**
9 **AND INTEGRITY ADVISORY COMMITTEE.**

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

12 **“SEC. 114. ACCREDITATION AND INSTITUTIONAL QUALITY**
13 **AND INTEGRITY COMMITTEE.**

14 “(a) ESTABLISHMENT.—There is established in the
15 Department an Accreditation and Institutional Quality
16 and Integrity Advisory Committee (in this section referred
17 to as the ‘Committee’) to assess the process of accredita-
18 tion and the institutional eligibility and certification of
19 such institutions under title IV.

20 “(b) MEMBERSHIP.—

21 “(1) IN GENERAL.—The Committee shall have
22 15 members, of which—

23 “(A) 5 members shall be appointed by the
24 Secretary;

1 “(B) 5 members shall be appointed by the
2 Speaker of the House of Representatives upon
3 the recommendation of the majority leader and
4 minority leader of the House of Representa-
5 tives; and

6 “(C) 5 members shall be appointed by the
7 President pro tempore of the Senate upon the
8 recommendation of the majority leader and mi-
9 nority leader of the Senate.

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

12 “(A) the basis of the individuals’ experi-
13 ence, integrity, impartiality, and good judg-
14 ment;

15 “(B) from among individuals who are rep-
16 resentatives of, or knowledgeable concerning,
17 education and training beyond secondary edu-
18 cation, representatives of all sectors and types
19 of institutions of higher education (as defined
20 in section 102); and

21 “(C) on the basis of the individuals’ tech-
22 nical qualifications, professional standing, and
23 demonstrated knowledge in the fields of accredi-
24 tation and administration in higher education.

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

7 “(4) VACANCY.—A vacancy on the Committee
8 shall be filled in the same manner as the original ap-
9 pointment was made not later than 90 days after
10 the vacancy occurred. If a vacancy occurs in a posi-
11 tion to be filled by the Secretary, the Secretary shall
12 publish a Federal Register notice soliciting nomina-
13 tions for the position not later than 30 days after
14 being notified of the vacancy.

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

17 “(A) 2 years for members appointed under
18 paragraph (1)(A);

19 “(B) 4 years for members appointed under
20 paragraph (1)(B); and

21 “(C) 6 years for members appointed under
22 paragraph (1)(C).

23 “(6) CHAIRPERSON.—The members of the
24 Committee shall select a chairperson from among
25 the members.

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

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

6 “(2) advise the Secretary with respect to the
7 recognition of a specific accrediting agency or asso-
8 ciation;

9 “(3) advise the Secretary with respect to the
10 preparation and publication of the list of nationally
11 recognized accrediting agencies and associations;

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

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

18 “(A) accreditation of institutions of higher
19 education and the certification and eligibility of
20 such institutions; and

21 “(B) State licensing responsibilities with
22 respect to such institutions; and

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

1 “(d) MEETING PROCEDURES.—

2 “(1) SCHEDULE.—

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

6 “(B) PUBLICATION OF DATE.—The Com-
7 mittee shall submit the date and location of
8 each meeting in advance to the Secretary, and
9 the Secretary shall publish such information in
10 the Federal Register not later than 30 days be-
11 fore the meeting.

12 “(2) AGENDA.—

13 “(A) ESTABLISHMENT.—The agenda for a
14 meeting of the Committee shall be established
15 by the Chairperson and shall be submitted to
16 the members of the Committee upon notifica-
17 tion of the meeting.

18 “(B) OPPORTUNITY FOR PUBLIC COM-
19 MENT.—The agenda shall include, at a min-
20 imum, opportunity for public comment during
21 the Committee’s deliberations.

22 “(3) SECRETARY’S DESIGNEE.—

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

1 “(B) ROLE OF DESIGNEE.—The Sec-
2 retary’s designee may be present at a Com-
3 mittee meeting to facilitate the exchange and
4 free flow of information between the Secretary
5 and the Committee. The designee shall have no
6 authority over the agenda of the meeting, the
7 items on that agenda, or on the resolution of
8 any agenda item.

9 “(4) FEDERAL ADVISORY COMMITTEE ACT.—
10 The provisions of the Federal Advisory Committee
11 Act (5 U.S.C. App.) shall apply to the Committee,
12 except that section 14 of such Act shall not apply.

13 “(e) REPORT AND NOTICE.—

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

16 “(A) a list containing, for each member of
17 the Committee—

18 “(i) the member’s name;

19 “(ii) the date of the expiration of the
20 member’s term of office; and

21 “(iii) the individual described in sub-
22 section (b)(1) who appointed the member;
23 and

1 “(B) a solicitation of nominations for each
2 expiring term of office on the Committee of a
3 member appointed by the Secretary.

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

8 “(A) a detailed summary of the agenda
9 and activities of, and the findings and rec-
10 ommendations made by, the Committee during
11 the preceding fiscal year;

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

14 “(C) a list of the members of the Com-
15 mittee and appropriate contact information;
16 and

17 “(D) a list of the functions of the Com-
18 mittee, including any additional functions estab-
19 lished by the Secretary through regulation.

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

22 (b) TERMINATION OF NACIQI.—The National Advi-
23 sory Committee on Institutional Quality and Integrity, es-
24 tablished under section 114 of the Higher Education Act
25 of 1965 (as such section was in effect the day before the

1 date of enactment of this Act) shall terminate 30 days
2 after such date.

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

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

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

8 (2) by redesignating subparagraph (B) as sub-
9 paragraph (D); and

10 (3) by inserting after subparagraph (A) (as
11 amended by paragraph (1)) the following:

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

14 “(i) occur on the institution’s property
15 or as part of any of the institution’s activi-
16 ties; and

17 “(ii) are reported to the institution;

18 “(C) determine the number and type of
19 sanctions described in paragraph (1)(E) that
20 are imposed by the institution as a result of
21 drug and alcohol-related incidents and fatalities
22 on the institution’s property or as part of any
23 of the institution’s activities; and”.

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

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

1 (1) in paragraph (1), by striking “1999 and for
2 each of the 4 succeeding fiscal years” and inserting
3 “2008 and for each succeeding fiscal year”; and

4 (2) in paragraph (2), by striking “1999 and for
5 each of the 4 succeeding fiscal years” and inserting
6 “2008 and for each succeeding fiscal year”.

7 **SEC. 108. TRANSPARENCY IN COLLEGE TUITION FOR CON-**
8 **SUMERS.**

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

11 **“SEC. 132. TRANSPARENCY IN COLLEGE TUITION FOR CON-**
12 **SUMERS.**

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

19 “(b) HIGHER EDUCATION PRICE INDEX.—

20 “(1) IN GENERAL.—Not later than 1 year after
21 the date of enactment of the Higher Education
22 Amendments of 2007, the Commission of the Bu-
23 reau of Labor Statistics, in consultation with the
24 Commissioner of Education Statistics and represent-
25 atives of institutions of higher education, shall de-

1 velop higher education price indices that accurately
2 reflect the annual change in tuition and fees for un-
3 dergraduate students in the categories of institutions
4 listed in paragraph (2). Such indices shall be up-
5 dated annually.

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

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

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

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

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

17 “(E) Less than 2-year institutions of high-
18 er education.

19 “(F) All types of institutions described in
20 subparagraphs (A) through (E).

21 “(3) AUTHORIZATION OF APPROPRIATIONS.—
22 There are authorized to be appropriated to carry out
23 this subsection such sums as may be necessary.

24 “(c) REPORTING.—

1 “(1) IN GENERAL.—The Secretary shall annu-
2 ally report, in a national list and in a list for each
3 State, a ranking of institutions of higher education
4 according to such institutions’ change in tuition and
5 fees over the preceding 2 years. The purpose of such
6 lists is to provide consumers with general informa-
7 tion on pricing trends among institutions of higher
8 education nationally and in each State.

9 “(2) COMPILATION.—

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

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

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

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

19 “(iv) 2-year public institutions of
20 higher education.

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

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

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

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

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

7 “(B) PERCENTAGE AND DOLLAR
8 CHANGE.—The lists described in paragraph (1)
9 shall include 2 lists for each of the categories
10 under subparagraph (A) as follows:

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

14 “(ii) 1 list in which data is compiled
15 by dollar change in tuition and fees over
16 the preceding 2 years.

17 “(3) HIGHER EDUCATION PRICE INCREASE
18 WATCH LISTS.—Upon completion of the development
19 of the higher education price indices described in
20 paragraph (1), the Secretary shall annually report,
21 in a national list, and in a list for each State, a
22 ranking of each institution of higher education
23 whose tuition and fees outpace such institution’s ap-
24 plicable higher education price index described in
25 subsection (b). Such lists shall—

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

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

5 “(C) where applicable, report the average
6 price of room and board for students living on
7 campus at the institution, except that such
8 price shall not be used in determining whether
9 an institution’s cost outpaces such institution’s
10 applicable higher education price index; and

11 “(D) be compiled by the Secretary in a
12 public document to be widely published and dis-
13 seminated in paper form and through the
14 website of the Department.

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

18 “(A) a comparison of the percentage
19 change in State appropriations per enrolled stu-
20 dent in a public institution of higher education
21 in the State to the percentage change in tuition
22 and fees for each public institution of higher
23 education in the State for each of the previous
24 5 years; and

1 “(B) the total amount of need-based and
2 merit-based aid provided by the State to stu-
3 dents enrolled in a public institution of higher
4 education in the State.

5 “(5) SHARING OF INFORMATION.—The Sec-
6 retary shall share the information under paragraphs
7 (1) through (4) with the public, including with pri-
8 vate sector college guidebook publishers.

9 “(d) NET PRICE CALCULATOR.—

10 “(1) DEVELOPMENT.—Not later than 1 year
11 after the date of enactment of the Higher Education
12 Amendments of 2007, the Secretary shall, in con-
13 sultation with institutions of higher education, de-
14 velop and make several model net price calculators
15 to help students, families, and consumers determine
16 the net price of an institution of higher education,
17 which institutions of higher education may, at their
18 discretion, elect to use pursuant to paragraph (3).

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

22 “(A) 4-year public institutions of higher
23 education.

24 “(B) 4-year private, nonprofit institutions
25 of higher education.

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

3 “(D) 2-year public institutions of higher
4 education.

5 “(E) 2-year private, nonprofit institutions
6 of higher education.

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

9 “(G) Less than 2-year public institutions
10 of higher education.

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

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

15 “(3) USE OF NET PRICE CALCULATOR BY IN-
16 STITUTIONS.—Not later than 3 years after the date
17 of enactment of the Higher Education Amendments
18 of 2007, each institution of higher education that re-
19 ceives Federal funds under this Act shall adopt and
20 use a net price calculator to help students, families,
21 and other consumers determine the net price of such
22 institution of higher education. Such calculator may
23 be—

24 “(A) based on a model calculator developed
25 by the Department; or

1 “(B) developed by the institution of higher
2 education.

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 “(e) NET PRICE REPORTING IN APPLICATION INFOR-
7 MATION.—An institution of higher education that receives
8 Federal funds under this Act shall include, in the mate-
9 rials accompanying an application for admission to the in-
10 stitution, the most recent information regarding the net
11 price of the institution, calculated for each quartile of stu-
12 dents based on the income of either the students’ parents
13 or, in the case of independent students (as such term is
14 described in section 480), of the students, for each of the
15 2 academic years preceding the academic year for which
16 the application is produced.

17 “(f) ENHANCED COLLEGE INFORMATION
18 WEBSITE.—

19 “(1) IN GENERAL.—

20 “(A) IN GENERAL.—Not later than 90
21 days after the date of enactment of the Higher
22 Education Amendments of 2007, the Secretary
23 shall contract with an independent organization
24 with demonstrated experience in the develop-
25 ment of consumer-friendly websites to develop

1 improvements to the website known as the Col-
2 lege Opportunities On-Line (COOL) so that it
3 better meets the needs of students, families,
4 and consumers for accurate and appropriate in-
5 formation on institutions of higher education.

6 “(B) IMPLEMENTATIONS.—Not later than
7 1 year after the date of enactment of the High-
8 er Education Amendments of 2007, the Sec-
9 retary shall implement the improvements devel-
10 oped by the independent organization described
11 under subparagraph (A) to the college informa-
12 tion website.

13 “(2) UNIVERSITY AND COLLEGE ACCOUNT-
14 ABILITY NETWORK.—Not later than 1 year after the
15 date of enactment of the Higher Education Amend-
16 ments of 2007, the Secretary shall develop a model
17 document for annually reporting basic information
18 about an institution of higher education that chooses
19 to participate, to be posted on the college informa-
20 tion website and made available to institutions of
21 higher education, students, families, and other con-
22 sumers. Such document shall be known as the ‘Uni-
23 versity and College Accountability Network’ (U-
24 CAN), and shall include, the following information
25 about the institution of higher education for the

1 most recent academic year for which the institution
2 has available data, presented in a consumer-friendly
3 manner:

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

6 “(B) The total number of undergraduate
7 students who applied, were admitted, and en-
8 rolled at the institution.

9 “(C) Where applicable, reading, writing,
10 mathematics, and combined scores on the SAT
11 or ACT for the middle 50 percent range of the
12 institution’s freshman class.

13 “(D) Enrollment of full-time, part-time,
14 and transfer students at the institution, at the
15 undergraduate and (where applicable) graduate
16 levels.

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

19 “(F) Percentage of enrolled undergraduate
20 students from the State in which the institution
21 is located, from other States, and from other
22 countries.

23 “(G) Percentage of enrolled undergraduate
24 students at the institution by race and ethnic
25 background.

1 “(H) Retention rates for full-time and
2 part-time first-time first-year undergraduate
3 students enrolled at the institution.

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

7 “(J) Percentage of enrolled undergraduate
8 students who graduate within 2 years (in the
9 case of 2-year institutions), and 4, 5 and 6
10 years (in the case of 2 and 4-year institutions).

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

14 “(L) The undergraduate major areas of
15 study with the highest number of degrees
16 awarded.

17 “(M) The student-faculty ratio, and num-
18 ber of full-time, part-time, and adjunct faculty
19 at the institution.

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

22 “(O) The percentage change in total price
23 in tuition and fees and the net price for an un-
24 dergraduate at the institution in each of the
25 preceding 5 academic years.

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

5 “(i) full-time undergraduate students
6 living on campus;

7 “(ii) full-time undergraduate students
8 living off-campus; and

9 “(iii) in the case of students attending
10 a public institution of higher education,
11 such costs for in-State and out-of-State
12 students living on and off-campus.

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

16 “(R) The average yearly amount of Fed-
17 eral student loans, and other loans provided
18 through the institution, to undergraduate stu-
19 dents enrolled at the institution.

20 “(S) The total yearly grant aid available to
21 undergraduate students enrolled at the institu-
22 tion, from the Federal Government, a State, the
23 institution, and other sources.

24 “(T) The percentage of undergraduate stu-
25 dents enrolled at the institution receiving Fed-

1 eral, State, and institutional grants, student
2 loans, and any other type of student financial
3 assistance provided publicly or through the in-
4 stitution, such as Federal work-study funds.

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

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

10 “(W) Information on the policies of the in-
11 stitution related to transfer of credit from other
12 institutions.

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

15 “(Y) Links to the appropriate sections of
16 the institution’s website that provide informa-
17 tion on student activities offered by the institu-
18 tion, such as intercollegiate sports, student or-
19 ganizations, study abroad opportunities, intra-
20 mural and club sports, specialized housing op-
21 tions, community service opportunities, cultural
22 and arts opportunities on campus, religious and
23 spiritual life on campus, and lectures and out-
24 side learning opportunities.

1 “(Z) Links to the appropriate sections of
2 the institution’s website that provide informa-
3 tion on services offered by the institution to
4 students during and after college, such as in-
5 ternship opportunities, career and placement
6 services, and preparation for further education.

7 “(3) CONSULTATION.—The Secretary shall en-
8 sure that current and prospective college students,
9 family members of such students, and institutions of
10 higher education are consulted in carrying out para-
11 graphs (1) and (2).

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

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

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

21 “(A) report on the time and cost burden of
22 completing the IPEDS survey for 4-year, 2-
23 year, and less than 2-year institutions of higher
24 education; and

1 “(B) present recommendations for reduc-
2 ing such burden;

3 “(2) not later than 1 year after the date of en-
4 actment of the Higher Education Amendments of
5 2007, submit to Congress a preliminary report re-
6 garding the findings of the study described in para-
7 graph (1); and

8 “(3) not later than 2 years after the date of en-
9 actment of the Higher Education Amendments of
10 2007, submit to Congress a final report regarding
11 such findings.”.

12 **SEC. 109. DATABASES OF STUDENT INFORMATION PROHIB-**
13 **ITED.**

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

17 **“SEC. 133. DATABASE OF STUDENT INFORMATION PROHIB-**
18 **ITED.**

19 “(a) PROHIBITION.—Except as described in (b),
20 nothing in this Act shall be construed to authorize the de-
21 velopment, implementation, or maintenance of a Federal
22 database of personally identifiable information on individ-
23 uals receiving assistance under this Act, attending institu-
24 tions receiving assistance under this Act, or otherwise in-
25 volved in any studies or other collections of data under

1 this Act, including a student unit record system, an edu-
2 cation bar code system, or any other system that tracks
3 individual students over time.

4 “(b) EXCEPTION.—The provisions of subsection (a)
5 shall not apply to a system (or a successor system) that
6 is necessary for the operation of programs authorized by
7 title II, IV, or VII that were in use by the Secretary, di-
8 rectly or through a contractor, as of the day before the
9 date of enactment of the Higher Education Amendments
10 of 2007.

11 “(c) STATE DATABASES.—Nothing in this Act shall
12 prohibit a State or a consortium of States from devel-
13 oping, implementing, or maintaining State-developed data-
14 bases that track individuals over time, including student
15 unit record systems that contain information related to en-
16 rollment, attendance, graduation and retention rates, stu-
17 dent financial assistance, and graduate employment out-
18 comes.”.

19 **SEC. 110. CLEAR AND EASY-TO-FIND INFORMATION ON STU-**
20 **DENT FINANCIAL AID.**

21 Part C of title I (as amended by sections 108 and
22 109) is further amended by adding at the end the fol-
23 lowing:

1 **“SEC. 134. CLEAR AND EASY-TO-FIND INFORMATION ON**
2 **STUDENT FINANCIAL AID.**

3 “(a) **PROMINENT DISPLAY.**—The Secretary shall en-
4 sure that a link to current student financial aid informa-
5 tion is displayed prominently on the home page of the De-
6 partment website.

7 “(b) **ENHANCED STUDENT FINANCIAL AID INFOR-**
8 **MATION.**—

9 “(1) **IN GENERAL.**—Not later than 180 days
10 after the date of enactment of the Higher Education
11 Amendments of 2007, the Secretary shall contract
12 with an independent organization with demonstrated
13 expertise in the development of consumer-friendly
14 websites to develop improvements to the usefulness
15 and accessibility of the information provided by the
16 Department on college financial planning and stu-
17 dent financial aid.

18 “(2) **IMPLEMENTATION.**—Not later than 1 year
19 after the date of enactment of the Higher Education
20 Amendments of 2007, the Secretary shall implement
21 the improvements developed by the independent or-
22 ganization described under paragraph (1) to the col-
23 lege financial planning and student financial aid
24 website of the Department.

25 “(3) **DISSEMINATION.**—The Secretary shall
26 make the availability of the information on the

1 website widely known through a major media cam-
2 paign and other forms of communication.”.

3 **SEC. 110A. STATE HIGHER EDUCATION INFORMATION SYS-**
4 **TEM PILOT PROGRAM.**

5 Part C of title I of the Higher Education Act of 1965
6 (as amended by this title) is further amended by adding
7 at the end the following:

8 **“SEC. 135. STATE HIGHER EDUCATION INFORMATION SYS-**
9 **TEM PILOT PROGRAM.**

10 “(a) PURPOSE.—It is the purpose of this section to
11 carry out a pilot program to assist not more than 5 States
12 to develop State-level postsecondary student data systems
13 to—

14 “(1) improve the capacity of States and institu-
15 tions of higher education to generate more com-
16 prehensive and comparable data, in order to develop
17 better-informed educational policy at the State level
18 and to evaluate the effectiveness of institutional per-
19 formance while protecting the confidentiality of stu-
20 dents’ personally identifiable information; and

21 “(2) identify how to best minimize the data-re-
22 porting burden placed on institutions of higher edu-
23 cation, particularly smaller institutions, and to maxi-
24 mize and improve the information institutions re-
25 ceive from the data systems, in order to assist insti-

1 tutions in improving educational practice and post-
2 secondary outcomes.

3 “(b) DEFINITION OF ELIGIBLE ENTITY.—In this sec-
4 tion, the term ‘eligible entity’ means—

5 “(1) a State higher education system; or

6 “(2) a consortium of State higher education
7 systems, or a consortium of individual institutions of
8 higher education, that is broadly representative of
9 institutions in different sectors and geographic loca-
10 tions.

11 “(c) COMPETITIVE GRANTS.—

12 “(1) GRANTS AUTHORIZED.—The Secretary
13 shall award grants, on a competitive basis, to not
14 more than 5 eligible entities to enable the eligible en-
15 tities to—

16 “(A) design, test, and implement systems
17 of postsecondary student data that provide the
18 maximum benefits to States, institutions of
19 higher education, and State policymakers; and

20 “(B) examine the costs and burdens in-
21 volved in implementing a State-level postsec-
22 ondary student data system.

23 “(2) DURATION.—A grant awarded under this
24 section shall be for a period of not more than 3
25 years.

1 “(d) APPLICATION REQUIREMENTS.—An eligible en-
2 tity desiring a grant under this section shall submit an
3 application to the Secretary at such time, in such manner,
4 and containing such information as the Secretary deter-
5 mines is necessary, including a description of—

6 “(1) how the eligible entity will ensure that stu-
7 dent privacy is protected and that individually iden-
8 tifiable information about students, the students’
9 achievements, and the students’ families remains
10 confidential in accordance with the Family Edu-
11 cational Rights and Privacy Act of 1974 (20 U.S.C.
12 1232g); and

13 “(2) how the activities funded by the grant will
14 be supported after the 3-year grant period.

15 “(e) USE OF FUNDS.—A grant awarded under this
16 section shall be used to—

17 “(1) design, develop, and implement the compo-
18 nents of a comprehensive postsecondary student
19 data system with the capacity to transmit student
20 information within States;

21 “(2) improve the capacity of institutions of
22 higher education to analyze and use student data;

23 “(3) select and define common data elements,
24 data quality, and other elements that will enable the
25 data system to—

1 “(A) serve the needs of institutions of
2 higher education for institutional research and
3 improvement;

4 “(B) provide students and the students’
5 families with useful information for decision-
6 making about postsecondary education;

7 “(C) provide State policymakers with im-
8 proved information to monitor and guide efforts
9 to improve student outcomes and success in
10 higher education;

11 “(4) estimate costs and burdens at the institu-
12 tional level for the reporting system for different
13 types of institutions; and

14 “(5) test the feasibility of protocols and stand-
15 ards for maintaining data privacy and data access.

16 “(f) EVALUATION; REPORTS.—Not later than 6
17 months after the end of the projects funded by grants
18 awarded under this section, the Secretary shall—

19 “(1) conduct a comprehensive evaluation of the
20 pilot program authorized by this section; and

21 “(2) report the Secretary’s findings, as well as
22 recommendations regarding the implementation of
23 State-level postsecondary student data systems to
24 the authorizing committees.

1 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to carry out this section
3 such sums as may be necessary for fiscal year 2008 and
4 each of the 5 succeeding fiscal years.”.

5 **SEC. 111. PERFORMANCE-BASED ORGANIZATION FOR THE**
6 **DELIVERY OF FEDERAL STUDENT FINANCIAL**
7 **ASSISTANCE.**

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

9 (1) in subsection (a)—

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

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

16 (2) in subsection (b)—

17 (A) in paragraph (1)—

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

24 (ii) by striking subparagraph (C) and
25 inserting the following:

1 “(C) assist the Chief Operating Officer in
2 identifying goals for—

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

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

9 (B) in paragraph (2)—

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

15 (ii) in subparagraph (A)—

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

22 (II) by striking clauses (i) and
23 (ii) and inserting the following:

24 “(i) the collection, processing, and
25 transmission of data to students, institu-

1 tions, lenders, State agencies, and other
2 authorized parties;

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

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

11 (IV) in clause (iv)—

12 (aa) by inserting “the” after
13 “supporting”; and

14 (bb) by striking “and” after
15 the semicolon;

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

22 (VI) by adding at the end the fol-
23 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 serting “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. 112. 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. 113. 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 of title IV;
19 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 shall dis-
14 close the name of the lender in documentation related to
15 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; and

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

4 “(D) of such other information as the Sec-
5 retary may require in regulations.

6 “(c) DISCLOSURES TO THE SECRETARY BY LEND-
7 ER.—

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

17 “(A) the amount of each specific instance
18 in which the lender provided such reimburse-
19 ment;

20 “(B) the name of the financial aid official
21 or other employee to whom the reimbursement
22 was made;

23 “(C) the dates of the activity for which the
24 reimbursement was made; and

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

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

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

10 “(a) SECRETARY DUTIES.—

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

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

23 “(B) include in the report a model format,
24 based on the report’s findings, to be used by

1 lenders and covered institutions in carrying out
2 subsections (b) and (c)—

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

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

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

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

24 “(IV) the average interest rate
25 on such loans provided to such stu-

1 dents for the preceding academic year;

2 and

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

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

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

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

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

23 “(A) lenders subject to subsection (b) to
24 use the model format in providing the informa-
25 tion required under subsection (b); and

1 “(B) covered institutions to use such for-
2 mat in preparing the information report under
3 subsection (c).

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

12 “(c) COVERED INSTITUTION DUTIES.—Each covered
13 institution shall—

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

20 “(A) the information included on the
21 model format for each type of educational loan
22 provided by the lender to students attending the
23 covered institution, or the parents of such stu-
24 dents; and

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

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

14 **SEC. 114. EMPLOYMENT OF POSTSECONDARY EDUCATION**
15 **GRADUATES.**

16 (a) **STUDY, ASSESSMENTS, AND RECOMMENDA-**
17 **TIONS.**—The Comptroller General of the United States
18 shall—

19 (1) conduct a study of—

20 (A) the information that States currently
21 have on the employment of students who have
22 completed postsecondary education programs;

23 (B) the feasibility of collecting information
24 on students who complete all types of postsec-
25 ondary education programs (including 2- and 4-

1 year degree, certificate, and professional and
2 graduate programs) at all types of institutions
3 (including public, private nonprofit, and for-
4 profit schools), regarding—

5 (i) employment, including—

6 (I) the type of job obtained not
7 later than 6 months after the comple-
8 tion of the degree, certificate, or pro-
9 gram;

10 (II) whether such job was related
11 to the course of study;

12 (III) the starting salary for such
13 job; and

14 (IV) the student's satisfaction
15 with the student's preparation for
16 such job and guidance provided with
17 respect to securing the job; and

18 (ii) for recipients of Federal student
19 aid, the type of assistance received, so that
20 the information can be used to evaluate
21 various education programs;

22 (C) the evaluation systems used by other
23 industries to identify successful programs and
24 challenges, set priorities, monitor performance,
25 and make improvements;

1 (D) the best means of collecting informa-
2 tion from or regarding recent postsecondary
3 graduates, including—

4 (i) whether a national website would
5 be the most effective way to collect infor-
6 mation;

7 (ii) whether postsecondary graduates
8 could be encouraged to submit voluntary
9 information by allowing a graduate to ac-
10 cess aggregated information about other
11 graduates (such as graduates from the
12 graduate's school, with the graduate's de-
13 gree, or in the graduate's area) if the grad-
14 uate completes an online questionnaire;

15 (iii) whether employers could be en-
16 couraged to submit information by allow-
17 ing an employer to access aggregated in-
18 formation about graduates (such as insti-
19 tutions of higher education attended, de-
20 grees, or starting pay) if the employer
21 completes an online questionnaire to evalu-
22 ate the employer's satisfaction with the
23 graduates the employer hires; and

24 (iv) whether postsecondary institu-
25 tions that receive Federal funds or whose

1 students have received Federal student fi-
2 nancial aid could be required to submit ag-
3 gregated information about the graduates
4 of the institutions; and

5 (E) the best means of displaying employ-
6 ment information; and

7 (2) provide assessments and recommendations
8 regarding—

9 (A) whether successful State cooperative
10 relationships between higher education system
11 offices and State agencies responsible for em-
12 ployment statistics can be encouraged and rep-
13 licated in other States;

14 (B) whether there is value in collecting ad-
15 ditional information from or about the employ-
16 ment experience of individuals who have re-
17 cently completed a postsecondary educational
18 program;

19 (C) what are the most promising ways of
20 obtaining and displaying or disseminating such
21 information;

22 (D) if a website is used for such informa-
23 tion, whether the website should be run by a
24 governmental agency or contracted out to an

1 independent education or employment organiza-
2 tion;

3 (E) whether a voluntary information sys-
4 tem would work, both from the graduates' and
5 employers' perspectives;

6 (F) the value of such information to future
7 students, institutions, accrediting agencies or
8 associations, policymakers, and employers, in-
9 cluding how the information would be used and
10 the practical applications of the information;

11 (G) whether the request for such informa-
12 tion is duplicative of information that is already
13 being collected; and

14 (H) whether the National Postsecondary
15 Student Aid Survey conducted by the National
16 Center for Education Statistics could be amend-
17 ed to collect such information.

18 (b) REPORTS.—

19 (1) PRELIMINARY REPORT.—Not later than 1
20 year after the date of enactment of this Act, the
21 Comptroller General shall submit to Congress a pre-
22 liminary report regarding the study, assessments,
23 and recommendations described in subsection (a).

24 (2) FINAL REPORT.—Not later than 2 years
25 after the date of enactment of this Act, the Comp-

1 troller General shall submit to Congress a final re-
2 port regarding such study, assessments, and rec-
3 ommendations.

4 **SEC. 115. FOREIGN MEDICAL SCHOOLS.**

5 (a) PERCENTAGE PASS RATE.—

6 (1) IN GENERAL.—Section
7 102(a)(2)(A)(i)(I)(bb) (20 U.S.C.
8 1002(a)(2)(A)(i)(I)(bb)) is amended by striking
9 “60” and inserting “75”.

10 (2) EFFECTIVE DATE.—The amendment made
11 by paragraph (1) shall take effect on July 1, 2010.

12 (b) STUDY.—

13 (1) IN GENERAL.—Not later than 2 years after
14 the date of enactment of this Act, the Comptroller
15 General of the United States shall—

16 (A) complete a study that shall examine
17 American students receiving Federal financial
18 aid to attend graduate medical schools located
19 outside of the United States; and

20 (B) submit to Congress a report setting
21 forth the conclusions of the study.

22 (2) CONTENTS.—The study conducted under
23 this subsection shall include the following:

24 (A) The amount of Federal student finan-
25 cial aid dollars that are being spent on graduate

1 medical schools located outside of the United
2 States every year, and the percentage of overall
3 student aid such amount represents.

4 (B) The percentage of students of such
5 medical schools who pass the examinations ad-
6 ministered by the Educational Commission for
7 Foreign Medical Graduates the first time.

8 (C) The percentage of students of such
9 medical schools who pass the examinations ad-
10 ministered by the Educational Commission for
11 Foreign Medical Graduates after taking such
12 examinations multiple times, disaggregated by
13 how many times the students had to take the
14 examinations to pass.

15 (D) The percentage of recent graduates of
16 such medical schools practicing medicine in the
17 United States, and a description of where the
18 students are practicing and what types of medi-
19 cine the students are practicing.

20 (E) The rate of graduates of such medical
21 schools who lose malpractice lawsuits or have
22 the graduates' medical licenses revoked, as com-
23 pared to graduates of graduate medical schools
24 located in the United States.

1 (F) Recommendations regarding the per-
2 centage passing rate of the examinations ad-
3 ministered by the Educational Commission for
4 Foreign Medical Graduates that the United
5 States should require of graduate medical
6 schools located outside of the United States for
7 Federal financial aid purposes.

8 **SEC. 116. DEMONSTRATION AND CERTIFICATION REGARD-**
9 **ING THE USE OF CERTAIN FEDERAL FUNDS.**

10 (a) PROHIBITION.—No Federal funds received by an
11 institution of higher education or other postsecondary edu-
12 cational institution may be used to pay any person for in-
13 fluencing or attempting to influence an officer or employee
14 of any agency, a Member of Congress, an officer or em-
15 ployee of Congress, or an employee of a Member of Con-
16 gress in connection with any Federal action described in
17 subsection (b).

18 (b) APPLICABILITY.—The prohibition in subsection
19 (a) applies with respect to the following Federal actions:

- 20 (1) The awarding of any Federal contract.
21 (2) The making of any Federal grant.
22 (3) The making of any Federal loan.
23 (4) The entering into of any Federal coopera-
24 tive agreement.

1 (5) The extension, continuation, renewal,
2 amendment, or modification of any Federal contract,
3 grant, loan, or cooperative agreement.

4 (c) LOBBYING AND EARMARKS.—No Federal student
5 aid funding may be used to hire a registered lobbyist or
6 pay any person or entity for securing an earmark.

7 (d) DEMONSTRATION AND CERTIFICATION.—Each
8 institution of higher education or other postsecondary edu-
9 cational institution receiving Federal funding, as a condi-
10 tion for receiving such funding, shall annually dem-
11 onstrate and certify to the Secretary of Education that
12 the requirements of subsections (a) through (c) have been
13 met.

14 (e) ACTIONS TO IMPLEMENT AND ENFORCE.—The
15 Secretary of Education shall take such actions as are nec-
16 essary to ensure that the provisions of this section are vig-
17 orously implemented and enforced.

18 **TITLE II—TEACHER QUALITY** 19 **ENHANCEMENT**

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

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

1 **“PART A—TEACHER QUALITY PARTNERSHIP**
2 **GRANTS**

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

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

5 “(1) improve student achievement;

6 “(2) improve the quality of the current and fu-
7 ture teaching force by improving the preparation of
8 prospective teachers and enhancing professional de-
9 velopment activities;

10 “(3) hold institutions of higher education ac-
11 countable for preparing highly qualified teachers;
12 and

13 “(4) recruit qualified individuals, including mi-
14 norities and individuals from other occupations, into
15 the teaching force.

16 “(b) DEFINITIONS.—In this part:

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

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

25 “(B) when referring to a specific academic
26 subject area, the disciplines or content areas in

1 which academic majors are offered by the arts
2 and sciences organizational unit.

3 “(2) CHILDREN FROM LOW-INCOME FAMI-
4 LIES.—The term ‘children from low-income families’
5 means children as described in section 1124(c)(1)(A)
6 of the Elementary and Secondary Education Act of
7 1965.

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

12 “(4) EARLY CHILDHOOD EDUCATION PRO-
13 GRAM.—The term ‘early childhood education pro-
14 gram’ means—

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

18 “(B) a State licensed or regulated child
19 care program or school; or

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

1 “(5) EARLY CHILDHOOD EDUCATOR.—The
2 term ‘early childhood educator’ means an individual
3 with primary responsibility for the education of chil-
4 dren in an early childhood education program.

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

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

11 “(A) shall include—

12 “(i) a high-need local educational
13 agency;

14 “(ii) a high-need school or a consor-
15 tium of high-need schools served by the
16 high-need local educational agency or, as
17 applicable, a high-need early childhood
18 education program;

19 “(iii) a partner institution;

20 “(iv) a school, department, or pro-
21 gram of education within such partner in-
22 stitution; and

23 “(v) a school or department of arts
24 and sciences within such partner institu-
25 tion; and

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“(B) may include any of the following:

“(i) The Governor of the State.

“(ii) The State educational agency.

“(iii) The State board of education.

“(iv) The State agency for higher education.

“(v) A business.

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

“(vii) An educational service agency.

“(viii) A teacher organization.

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

“(x) A charter school (as defined in section 5210 of the Elementary and Secondary Education Act of 1965).

“(xi) A school or department within the partner institution that focuses on psychology and human development.

“(xii) A school or department within the partner institution with comparable expertise in the disciplines of teaching, learning, and child and adolescent development.

1 “(8) ESSENTIAL COMPONENTS OF READING IN-
2 STRUCTION.—The term ‘essential components of
3 reading instruction’ has the meaning given such
4 term in section 1208 of the Elementary and Sec-
5 ondary Education Act of 1965.

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

10 “(10) HIGH-NEED EARLY CHILDHOOD EDU-
11 CATION PROGRAM.—The term ‘high-need early child-
12 hood education program’ means an early childhood
13 education program serving children from low-income
14 families that is located within the geographic area
15 served by a high-need local educational agency.

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, which may include the use of

1 formative assessments, performance-based as-
2 sessments, project-based assessments, or port-
3 folio assessments, that measure higher-order
4 thinking skills, including application, analysis,
5 synthesis, and evaluation;

6 “(E) effectively manage a classroom;

7 “(F) communicate and work with parents
8 and guardians, and involve parents and guard-
9 ians in their children’s education; and

10 “(G) use, in the case of an early childhood
11 educator, age- and developmentally-appropriate
12 strategies and practices for children in early
13 education programs.

14 “(23) TEACHING RESIDENCY PROGRAM.—The
15 term ‘teaching residency program’ means a school-
16 based teacher preparation program in which a pro-
17 spective teacher—

18 “(A) for 1 academic year, teaches along-
19 side a mentor teacher, who is the teacher of
20 record;

21 “(B) receives concurrent instruction during
22 the year described in subparagraph (A) from
23 the partner institution, which courses may be
24 taught by local educational agency personnel or
25 residency program faculty, in the teaching of

1 the content area in which the teacher will be-
2 come certified or licensed;

3 “(C) acquires effective teaching skills; and

4 “(D) prior to completion of the program,
5 earns a master’s degree, attains full State
6 teacher certification or licensure, and becomes
7 highly qualified.

8 **“SEC. 202. PARTNERSHIP GRANTS.**

9 “(a) PROGRAM AUTHORIZED.—From amounts made
10 available under section 208, the Secretary is authorized
11 to award grants, on a competitive basis, to eligible part-
12 nerships, to enable the eligible partnerships to carry out
13 the activities described in subsection (c).

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

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

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

4 “(3) a description of the extent to which the
5 program will prepare prospective and new teachers
6 to understand research and data and the applica-
7 bility of research and data in the classroom;

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

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

20 “(A) the integration of funds from other
21 related sources;

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

23 “(C) the commitment of the resources of
24 the partnership to the activities assisted under
25 this section, including financial support, faculty

1 participation, and time commitments, and to
2 the continuation of the activities when the grant
3 ends;

4 “(6) a description of—

5 “(A) how the partnership will meet the
6 purposes of this part;

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

12 “(C) the partnership’s evaluation plan
13 under section 204(a);

14 “(D) how the partnership will align the
15 teacher preparation program with the—

16 “(i) State early learning standards for
17 early childhood education programs, as ap-
18 propriate, and with the relevant domains of
19 early childhood development; and

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

1 “(E) how faculty at the partner institution
2 will work with, during the term of the grant,
3 highly qualified teachers in the classrooms of
4 schools served by the high-need local edu-
5 cational agency in the partnership to provide
6 high-quality professional development activities;

7 “(F) how the partnership will design, im-
8 plement, or enhance a year-long, rigorous, and
9 enriching teaching preservice clinical program
10 component;

11 “(G) the in-service professional develop-
12 ment strategies and activities to be supported;
13 and

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

21 “(7) with respect to the induction program re-
22 quired as part of the activities carried out under this
23 section—

24 “(A) a demonstration that the schools and
25 departments within the institution of higher

1 education that are part of the induction pro-
2 gram have relevant and essential roles in the ef-
3 fective preparation of teachers, including con-
4 tent expertise and expertise in teaching;

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

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

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

1 “(c) REQUIRED USE OF GRANT FUNDS.—An eligible
 2 partnership that receives a grant under this part shall use
 3 grant funds to carry out a program for the pre-bacca-
 4 laurate preparation of teachers under subsection (d), a
 5 teaching residency program under subsection (e), or both
 6 such programs.

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

12 “(1) REFORMS.—

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

20 “(i) preparing—

21 “(I) current or prospective teach-
 22 ers to be highly qualified (including
 23 teachers in rural school districts who
 24 may teach multiple subjects, special
 25 educators, and teachers of students

1 who are limited English proficient
2 who may teach multiple subjects);

3 “(II) such teachers and, as appli-
4 cable, early childhood educators, to
5 understand empirically based practice
6 and scientifically valid research on
7 teaching and learning and its applica-
8 bility, and to use technology effec-
9 tively, including the use of instruc-
10 tional techniques to improve student
11 achievement; and

12 “(III) as applicable, early child-
13 hood educators to be highly com-
14 petent; and

15 “(ii) promoting strong teaching skills
16 and, as applicable, techniques for early
17 childhood educators to improve children’s
18 cognitive, social, emotional, and physical
19 development.

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

22 “(i) implementing teacher preparation
23 program curriculum changes that improve,
24 evaluate, and assess how well all prospec-

1 tive and new teachers develop teaching
2 skills;

3 “(ii) using empirically based practice
4 and scientifically valid research, where ap-
5 plicable, about the disciplines of teaching
6 and learning so that all prospective teach-
7 ers and, as applicable, early childhood edu-
8 cators—

9 “(I) can understand and imple-
10 ment research-based teaching prac-
11 tices in classroom-based instruction;

12 “(II) have knowledge of student
13 learning methods;

14 “(III) possess skills to analyze
15 student academic achievement data
16 and other measures of student learn-
17 ing and use such data and measures
18 to improve instruction in the class-
19 room;

20 “(IV) possess teaching skills and
21 an understanding of effective instruc-
22 tional strategies across all applicable
23 content areas that enable the teachers
24 and early childhood educators to—

1 “(aa) meet the specific
2 learning needs of all students, in-
3 cluding students with disabilities,
4 students who are limited English
5 proficient, students who are gift-
6 ed and talented, students with
7 low literacy levels and, as appli-
8 cable, children in early childhood
9 education programs; and

10 “(bb) differentiate instruc-
11 tion for such students; and

12 “(V) can successfully employ ef-
13 fective strategies for reading instruc-
14 tion using the essential components of
15 reading instruction;

16 “(iii) ensuring collaboration with de-
17 partments, programs, or units of a partner
18 institution outside of the teacher prepara-
19 tion program in all academic content areas
20 to ensure that new teachers receive train-
21 ing in both teaching and relevant content
22 areas in order to become highly qualified;

23 “(iv) developing and implementing an
24 induction program; and

1 “(v) developing admissions goals and
2 priorities with the hiring objectives of the
3 high-need local educational agency in the
4 eligible partnership.

5 “(2) CLINICAL EXPERIENCE AND INTER-
6 ACTION.—Developing and improving a sustained and
7 high-quality pre-service clinical education program to
8 further develop the teaching skills of all prospective
9 teachers and, as applicable, early childhood edu-
10 cators, involved in the program. Such program shall
11 do the following:

12 “(A) Incorporate year-long opportunities
13 for enrichment activity or a combination of ac-
14 tivities, including—

15 “(i) clinical learning in classrooms in
16 high-need schools served by the high-need
17 local educational agency in the eligible
18 partnership and identified by the eligible
19 partnership; and

20 “(ii) closely supervised interaction be-
21 tween faculty and new and experienced
22 teachers, principals, and other administra-
23 tors at early childhood education programs
24 (as applicable), elementary schools, or sec-

1 ondary schools, and providing support for
2 such interaction.

3 “(B) Integrate pedagogy and classroom
4 practice and promote effective teaching skills in
5 academic content areas.

6 “(C) Provide high-quality teacher men-
7 toring.

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

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

13 “(iii) where feasible, allow prospective
14 teachers to learn to teach in the same school
15 district in which the teachers will work, learn-
16 ing the instructional initiatives and curriculum
17 of that district.

18 “(E) Provide support and training for
19 those individuals participating in an activity for
20 prospective teachers described in this paragraph
21 or paragraph (1) or (2), and for those who
22 serve as mentors for such teachers, based on
23 each individual’s experience. Such support may
24 include—

1 “(i) with respect to a prospective
2 teacher or a mentor, release time for such
3 individual’s participation;

4 “(ii) with respect to a faculty member,
5 receiving course workload credit and com-
6 pensation for time teaching in the eligible
7 partnership’s activities; and

8 “(iii) with respect to a mentor, a sti-
9 pend, which may include bonus, differen-
10 tial, incentive, or merit or performance-
11 based pay.

12 “(3) INDUCTION PROGRAMS FOR NEW TEACH-
13 ERS.—Creating an induction program for new teach-
14 ers, or, in the case of an early childhood education
15 program, providing mentoring or coaching for new
16 early childhood educators.

17 “(4) SUPPORT AND TRAINING FOR PARTICI-
18 PANTS IN EARLY CHILDHOOD EDUCATION PRO-
19 GRAMS.—In the case of an eligible partnership fo-
20 cusing on early childhood educator preparation, im-
21 plementing initiatives that increase compensation for
22 early childhood educators who attain associate or
23 baccalaureate degrees in early childhood education.

24 “(5) TEACHER RECRUITMENT.—Developing and
25 implementing effective mechanisms to ensure that

1 the eligible partnership is able to recruit qualified in-
2 dividuals to become highly qualified teachers through
3 the activities of the eligible partnership.

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

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

10 “(A) Supporting a teaching residency pro-
11 gram described in paragraph (2) for high-need
12 subjects and areas, as determined by the needs
13 of the high-need local educational agency in the
14 partnership.

15 “(B) Modifying staffing procedures to pro-
16 vide greater flexibility for local educational
17 agency and school leaders to establish effective
18 school-level staffing in order to facilitate place-
19 ment of graduates of the teaching residency
20 program in cohorts that facilitate professional
21 collaboration, both among graduates of the
22 teaching residency program and between such
23 graduates and mentor teachers in the receiving
24 school.

1 “(C) Ensuring that teaching residents that
2 participated in the teaching residency program
3 receive—

4 “(i) effective preservice preparation as
5 described in paragraph (2);

6 “(ii) teacher mentoring;

7 “(iii) induction through the induction
8 program as the teaching residents enter
9 the classroom as new teachers; and

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

13 “(2) TEACHING RESIDENCY PROGRAMS.—

14 “(A) ESTABLISHMENT AND DESIGN.—A
15 teaching residency program under this para-
16 graph shall be a program based upon models of
17 successful teaching residencies that serves as a
18 mechanism to prepare teachers for success in
19 the high-need schools in the eligible partner-
20 ship, and shall be designed to include the fol-
21 lowing characteristics of successful programs:

22 “(i) The integration of pedagogy,
23 classroom practice, and teacher mentoring.

24 “(ii) Engagement of teaching resi-
25 dents in rigorous graduate-level coursework

1 to earn a master’s degree while under-
2 taking a guided teaching apprenticeship.

3 “(iii) Experience and learning oppor-
4 tunities alongside a trained and experi-
5 enced mentor teacher—

6 “(I) whose teaching shall com-
7 plement the residency program so that
8 classroom clinical practice is tightly
9 aligned with coursework;

10 “(II) who shall have extra re-
11 sponsibilities as a teacher leader of
12 the teaching residency program, as a
13 mentor for residents, and as a teacher
14 coach during the induction program
15 for novice teachers, and for estab-
16 lishing, within the program, a learn-
17 ing community in which all individuals
18 are expected to continually improve
19 their capacity to advance student
20 learning; and

21 “(III) who may have full relief
22 from teaching duties as a result of
23 such additional responsibilities.

24 “(iv) The establishment of clear cri-
25 teria for the selection of mentor teachers

1 based on measures of teacher effectiveness
2 and the appropriate subject area knowl-
3 edge. Evaluation of teacher effectiveness
4 shall be based on observations of such do-
5 mains of teaching as the following:

6 “(I) Planning and preparation,
7 including demonstrated knowledge of
8 content, pedagogy, and assessment,
9 including the use of formative assess-
10 ments to improve student learning.

11 “(II) Appropriate instruction
12 that engages students with different
13 learning styles.

14 “(III) Collaboration with col-
15 leagues to improve instruction.

16 “(IV) Analysis of gains in stu-
17 dent learning, based on multiple
18 measures, that, when feasible, may in-
19 clude valid and reliable objective
20 measures of the influence of teachers
21 on the rate of student academic
22 progress.

23 “(V) In the case of mentor can-
24 didates who will be mentoring current
25 or future literacy and mathematics

1 coaches or instructors, appropriate
2 skills in the essential components of
3 reading instruction, teacher training
4 in literacy instructional strategies
5 across core subject areas, and teacher
6 training in mathematics instructional
7 strategies, as appropriate.

8 “(v) Grouping of teaching residents in
9 cohorts to facilitate professional collabora-
10 tion among such residents.

11 “(vi) The development of admissions
12 goals and priorities aligned with the hiring
13 objectives of the local educational agency
14 partnering with the program, as well as
15 the instructional initiatives and curriculum
16 of the agency, in exchange for a commit-
17 ment by the agency to hire graduates from
18 the teaching residency program.

19 “(vii) Support for residents, once the
20 teaching residents are hired as teachers of
21 record, through an induction program, pro-
22 fessional development, and networking op-
23 portunities to support the residents
24 through not less than the residents’ first 2
25 years of teaching.

1 “(B) SELECTION OF INDIVIDUALS AS
2 TEACHER RESIDENTS.—

3 “(i) ELIGIBLE INDIVIDUAL.—In order
4 to be eligible to be a teacher resident in a
5 teaching residency program under this
6 paragraph, an individual shall—

7 “(I) be a recent graduate of a 4-
8 year institution of higher education or
9 a mid-career professional from outside
10 the field of education possessing
11 strong content knowledge or a record
12 of professional accomplishment; and

13 “(II) submit an application to
14 the teaching residency program.

15 “(ii) SELECTION CRITERIA.—An eligi-
16 ble partnership carrying out a teaching
17 residency program under this subpara-
18 graph shall establish criteria for the selec-
19 tion of eligible individuals to participate in
20 the teaching residency program based on
21 the following characteristics:

22 “(I) Strong content knowledge or
23 record of accomplishment in the field
24 or subject area to be taught.

1 “(II) Strong verbal and written
2 communication skills, which may be
3 demonstrated by performance on ap-
4 propriate tests.

5 “(III) Other attributes linked to
6 effective teaching, which may be de-
7 termined by interviews or performance
8 assessments, as specified by the eligi-
9 ble partnership.

10 “(C) STIPEND AND SERVICE REQUIRE-
11 MENT.—

12 “(i) STIPEND.—A teaching residency
13 program under this paragraph shall pro-
14 vide a 1-year living stipend or salary to
15 teaching residents during the 1-year teach-
16 ing residency program.

17 “(ii) SERVICE REQUIREMENT.—As a
18 condition of receiving a stipend under this
19 subparagraph, a teaching resident shall
20 agree to teach in a high-need school served
21 by the high-need local educational agency
22 in the eligible partnership for a period of
23 3 or more years after completing the 1-
24 year teaching residency program.

1 “(iii) REPAYMENT.—If a teaching
2 resident who received a stipend under this
3 subparagraph does not complete the serv-
4 ice requirement described in clause (ii),
5 such individual shall repay to the high-
6 need local educational agency a pro rata
7 portion of the stipend amount for the
8 amount of teaching time that the indi-
9 vidual did not complete.

10 “(f) ALLOWABLE USE OF GRANT FUNDS.—An eligi-
11 ble partnership that receives a grant under this part may
12 use grant funds provided to carry out the activities de-
13 scribed in subsections (d) and (e) to partner with a tele-
14 vision public broadcast station, as defined in section
15 397(6) of the Communications Act of 1934 (47 U.S.C.
16 397(6)), for the purpose of improving the quality of pre-
17 baccalaureate teacher preparation programs. The partner-
18 ship may use such funds to enhance the quality of pre-
19 service training for prospective teachers, including
20 through the use of digital educational content and related
21 services.

22 “(g) CONSULTATION.—

23 “(1) IN GENERAL.—Members of an eligible
24 partnership that receives a grant under this section
25 shall engage in regular consultation throughout the

1 development and implementation of programs and
2 activities under this section.

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

11 “(3) WRITTEN CONSENT.—The Secretary may
12 approve changes in grant activities of a grant under
13 this section only if a written consent signed by all
14 members of the eligible partnership is submitted to
15 the Secretary.

16 “(h) CONSTRUCTION.—Nothing in this section shall
17 be construed to prohibit an eligible partnership from using
18 grant funds to coordinate with the activities of eligible
19 partnerships in other States or on a regional basis through
20 Governors, State boards of education, State educational
21 agencies, State agencies responsible for early childhood
22 education, local educational agencies, or State agencies for
23 higher education.

24 “(i) SUPPLEMENT, NOT SUPPLANT.—Funds made
25 available under this section shall be used to supplement,

1 and not supplant, other Federal, State, and local funds
2 that would otherwise be expended to carry out activities
3 under this section.

4 **“SEC. 203. ADMINISTRATIVE PROVISIONS.**

5 “(a) DURATION; NUMBER OF AWARDS; PAY-
6 MENTS.—

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

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

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

24 “(b) PEER REVIEW.—

1 “(1) PANEL.—The Secretary shall provide the
2 applications submitted under this part to a peer re-
3 view panel for evaluation. With respect to each ap-
4 plication, the peer review panel shall initially rec-
5 ommend the application for funding or for dis-
6 approval.

7 “(2) PRIORITY.—In recommending applications
8 to the Secretary for funding under this part, the
9 panel shall give priority—

10 “(A) to applications from broad-based eli-
11 gible partnerships that involve businesses and
12 community organizations; and

13 “(B) to eligible partnerships so that the
14 awards promote an equitable geographic dis-
15 tribution of grants among rural and urban
16 areas.

17 “(3) SECRETARIAL SELECTION.—The Secretary
18 shall determine, based on the peer review process,
19 which applications shall receive funding and the
20 amounts of the grants. In determining the grant
21 amount, the Secretary shall take into account the
22 total amount of funds available for all grants under
23 this part and the types of activities proposed to be
24 carried out by the eligible partnership.

25 “(c) MATCHING REQUIREMENTS.—

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

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

15 “(d) LIMITATION ON ADMINISTRATIVE EXPENSES.—
16 An eligible partnership that receives a grant under this
17 part may use not more than 2 percent of the grant funds
18 for purposes of administering the grant.

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

20 “(a) ELIGIBLE PARTNERSHIP EVALUATION.—Each
21 eligible partnership submitting an application for a grant
22 under this part shall establish and include in such applica-
23 tion, an evaluation plan that includes strong performance
24 objectives. The plan shall include objectives and measures
25 for increasing—

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

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

5 “(3) improvement in the pass rates and scaled
6 scores for initial State certification or licensure of
7 teachers; and

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

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

13 “(C) the percentage of such teachers who teach
14 high-need academic subject areas (such as reading,
15 mathematics, science, and foreign language, includ-
16 ing less commonly taught languages and critical for-
17 eign languages);

18 “(D) the percentage of such teachers who teach
19 in high-need areas (including special education, lan-
20 guage instruction educational programs for limited
21 English proficient students, and early childhood edu-
22 cation);

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

1 “(F) as applicable, the percentage of early
2 childhood education program classes in the geo-
3 graphic area served by the eligible partnership
4 taught by early childhood educators who are highly
5 competent.

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

14 “(c) REVOCATION OF GRANT.—If the Secretary de-
15 termines that an eligible partnership receiving a grant
16 under this part is not making substantial progress in
17 meeting the purposes, goals, objectives, and measures, as
18 appropriate, of the grant by the end of the third year of
19 a grant under this part, then the Secretary shall require
20 such eligible partnership to submit a revised application
21 that identifies the steps the partnership will take to make
22 substantial progress to meet the purposes, goals, objec-
23 tives, and measures, as appropriate, of this part.

24 “(d) EVALUATION AND DISSEMINATION.—The Sec-
25 retary shall evaluate the activities funded under this part

1 and report the Secretary’s findings regarding the activities
 2 to the authorizing committees. The Secretary shall broadly
 3 disseminate—

4 “(1) successful practices developed by eligible
 5 partnerships under this part; and

6 “(2) information regarding such practices that
 7 were found to be ineffective.

8 **“SEC. 205. ACCOUNTABILITY FOR PROGRAMS THAT PRE-**
 9 **PARE TEACHERS.**

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

12 “(1) REPORT CARD.—Each institution of higher
 13 education that conducts a traditional teacher prepa-
 14 ration program or alternative routes to State certifi-
 15 cation or licensure program and that enrolls stu-
 16 dents receiving Federal assistance under this Act
 17 shall report annually to the State and the general
 18 public, in a uniform and comprehensible manner
 19 that conforms with the definitions and methods es-
 20 tablished by the Secretary, both for traditional
 21 teacher preparation programs and alternative routes
 22 to State certification or licensure programs, the fol-
 23 lowing information:

24 “(A) PASS RATES AND SCALED SCORES.—

25 For the most recent year for which the informa-

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

13 “(i) the percentage of students who
14 have completed 100 percent of the nonclin-
15 ical coursework and taken the assessment
16 who pass such assessment;

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

19 “(iii) the percentage of students tak-
20 ing an assessment who completed the
21 teacher preparation program after enroll-
22 ing in the program, which shall be made
23 available widely and publicly by the State;

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

1 “(v) a comparison of the program’s
2 pass rates with the average pass rates for
3 programs in the State; and

4 “(vi) a comparison of the program’s
5 average scaled scores with the average
6 scaled scores for programs in the State.

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

18 “(C) STATEMENT.—In States that require
19 approval or accreditation of teacher preparation
20 programs, a statement of whether the institu-
21 tion’s program is so approved or accredited,
22 and by whom.

23 “(D) DESIGNATION AS LOW-PER-
24 FORMING.—Whether the program has been des-

1 ignated as low-performing by the State under
2 section 207(a).

3 “(E) USE OF TECHNOLOGY.—A descrip-
4 tion of the activities that prepare teachers to ef-
5 fectively integrate technology into curricula and
6 instruction and effectively use technology to col-
7 lect, manage, and analyze data in order to im-
8 prove teaching, learning, and decisionmaking
9 for the purpose of increasing student academic
10 achievement.

11 “(2) REPORT.—Each eligible partnership re-
12 ceiving a grant under section 202 shall report annu-
13 ally on the progress of the eligible partnership to-
14 ward meeting the purposes of this part and the ob-
15 jectives and measures described in section 204(a).

16 “(3) FINES.—The Secretary may impose a fine
17 not to exceed \$25,000 on an institution of higher
18 education for failure to provide the information de-
19 scribed in this subsection in a timely or accurate
20 manner.

21 “(4) SPECIAL RULE.—In the case of an institu-
22 tion of higher education that conducts a traditional
23 teacher preparation program or alternative routes to
24 State certification or licensure program and has
25 fewer than 10 scores reported on any single initial

1 teacher certification or licensure assessment during
2 an academic year, the institution shall collect and
3 publish information, as required under paragraph
4 (1)(A), with respect to an average pass rate and
5 scaled score on each State certification or licensure
6 assessment taken over a 3-year period.

7 “(b) STATE REPORT CARD ON THE QUALITY OF
8 TEACHER PREPARATION.—

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

19 “(A) A description of reliability and valid-
20 ity of the teacher certification and licensure as-
21 sessments, and any other certification and licen-
22 sure requirements, used by the State.

23 “(B) The standards and criteria that pro-
24 spective teachers must meet in order to attain
25 initial teacher certification or licensure and to

1 be certified or licensed to teach particular aca-
2 demic subject areas or in particular grades
3 within the State.

4 “(C) A description of how the assessments
5 and requirements described in subparagraph
6 (A) are aligned with the State’s challenging
7 academic content standards required under sec-
8 tion 1111(b)(1) of the Elementary and Sec-
9 ondary Education Act of 1965 and State early
10 learning standards for early childhood education
11 programs.

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

14 “(i) for each institution of higher edu-
15 cation located in the State and each entity
16 located in the State that offers an alter-
17 native route for teacher certification or li-
18 censure, the percentage of students at such
19 institution or entity who have completed
20 100 percent of the nonclinical coursework
21 and taken the assessment who pass such
22 assessment;

23 “(ii) the percentage of all such stu-
24 dents at all such institutions taking the as-
25 sessment who pass such assessment; and

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 “(E) A description of alternative routes to
7 State certification or licensure in the State (in-
8 cluding any such routes operated by entities
9 that are not institutions of higher education), if
10 any, including, for each of the assessments used
11 by the State for teacher certification or licen-
12 sure—

13 “(i) the percentage of individuals par-
14 ticipating in such routes, or who have com-
15 pleted such routes during the 2-year period
16 preceding the date of the determination,
17 who passed each such assessment; and

18 “(ii) the average scaled score of indi-
19 viduals participating in such routes, or who
20 have completed such routes during the pe-
21 riod preceding the date of the determina-
22 tion, who took each such assessment.

23 “(F) A description of the State’s criteria
24 for assessing the performance of teacher prepa-
25 ration programs within institutions of higher

1 education in the State. Such criteria shall in-
2 clude indicators of the academic content knowl-
3 edge and teaching skills of students enrolled in
4 such programs.

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

20 “(H) For the State as a whole, and for
21 each teacher preparation program in the State,
22 the number of teachers prepared, in the aggre-
23 gate and reported separately by—

24 “(i) area of certification or licensure;

25 “(ii) academic major; and

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

3 “(I) Using the data generated under sub-
4 paragraphs (G) and (H), a description of the
5 extent to which teacher preparation programs
6 are helping to address shortages of highly quali-
7 fied teachers, by area of certification or licen-
8 sure, subject, and specialty, in the State’s pub-
9 lic schools.

10 “(J) A description of the activities that
11 prepare teachers to effectively integrate tech-
12 nology into curricula and instruction and effec-
13 tively use technology to collect, manage, and
14 analyze data in order to improve teaching,
15 learning, and decisionmaking for the purpose of
16 increasing student academic achievement.

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

22 “(c) REPORT OF THE SECRETARY ON THE QUALITY
23 OF TEACHER PREPARATION.—

24 “(1) REPORT CARD.—The Secretary shall pro-
25 vide to Congress, and publish and make widely avail-

1 able, a report card on teacher qualifications and
2 preparation in the United States, including all the
3 information reported in subparagraphs (A) through
4 (J) of subsection (b)(1). Such report shall identify
5 States for which eligible partnerships received a
6 grant under this part. Such report shall be so pro-
7 vided, published, and made available annually.

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

11 “(A) A comparison of States’ efforts to im-
12 prove the quality of the current and future
13 teaching force.

14 “(B) A comparison of eligible partnerships’
15 efforts to improve the quality of the current
16 and future teaching force.

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

21 “(3) SPECIAL RULE.—In the case of a teacher
22 preparation program with fewer than 10 scores re-
23 ported on any single initial teacher certification or li-
24 censure assessment during an academic year, the
25 Secretary shall collect and publish information, and

1 make publicly available, with respect to an average
2 pass rate and scaled score on each State certification
3 or licensure assessment taken over a 3-year period.

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

10 **“SEC. 205A. TEACHER DEVELOPMENT.**

11 “(a) ANNUAL GOALS.—As a condition of receiving
12 assistance under title IV, each institution of higher edu-
13 cation that conducts a traditional teacher preparation pro-
14 gram or alternative routes to State certification or licen-
15 sure program and that enrolls students receiving Federal
16 assistance under this Act shall set annual quantifiable
17 goals for—

18 “(1) increasing the number of prospective
19 teachers trained in teacher shortage areas des-
20 ignated by the Secretary, including mathematics,
21 science, special education, and instruction of limited
22 English proficient students; and

23 “(2) more closely linking the training provided
24 by the institution with the needs of schools and the

1 instructional decisions new teachers face in the
2 classroom.

3 “(b) ASSURANCE.—As a condition of receiving assist-
4 ance under title IV, each institution described in sub-
5 section (a) shall provide an assurance to the Secretary
6 that—

7 “(1) training provided to prospective teachers
8 responds to the identified needs of the local edu-
9 cational agencies or States where the institution’s
10 graduates are likely to teach, based on past hiring
11 and recruitment trends;

12 “(2) prospective special education teachers re-
13 ceive coursework in core academic subjects and re-
14 ceive training in providing instruction in core aca-
15 demic subjects;

16 “(3) regular education teachers receive training
17 in providing instruction to diverse populations, in-
18 cluding children with disabilities, limited English
19 proficient students, and children from low-income
20 families; and

21 “(4) prospective teachers receive training on
22 how to effectively teach in urban and rural schools.

23 “(c) PUBLIC REPORTING.—As part of the annual re-
24 port card required under section 205(a)(1), an institution
25 of higher education described in subsection (a) shall pub-

1 licly report whether the goals established under such sub-
2 section have been met.

3 **“SEC. 206. STATE FUNCTIONS.**

4 “(a) STATE ASSESSMENT.—In order to receive funds
5 under this Act, a State shall have in place a procedure
6 to identify and assist, through the provision of technical
7 assistance, low-performing programs of teacher prepara-
8 tion. Such State shall provide the Secretary an annual list
9 of such low-performing teacher preparation programs that
10 includes an identification of those programs at risk of
11 being placed on such list. Such levels of performance shall
12 be determined solely by the State and may include criteria
13 based on information collected pursuant to this part. Such
14 assessment shall be described in the report under section
15 205(b).

16 “(b) TERMINATION OF ELIGIBILITY.—Any program
17 of teacher preparation from which the State has with-
18 drawn the State’s approval, or terminated the State’s fi-
19 nancial support, due to the low performance of the pro-
20 gram based upon the State assessment described in sub-
21 section (a)—

22 “(1) shall be ineligible for any funding for pro-
23 fessional development activities awarded by the De-
24 partment;

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

4 “(3) shall provide transitional support, includ-
5 ing remedial services if necessary, for students en-
6 rolled at the institution at the time of termination
7 of financial support or withdrawal of approval.

8 “(c) **NEGOTIATED RULEMAKING.**—If the Secretary
9 develops any regulations implementing subsection (b)(2),
10 the Secretary shall submit such proposed regulations to
11 a negotiated rulemaking process, which shall include rep-
12 resentatives of States, institutions of higher education,
13 and educational and student organizations.

14 “(d) **APPLICATION OF THE REQUIREMENTS.**—The
15 requirements of this section shall apply to both traditional
16 teacher preparation programs and alternative routes to
17 State certification and licensure programs.

18 **“SEC. 207. GENERAL PROVISIONS.**

19 “(a) **METHODS.**—In complying with sections 205 and
20 206, the Secretary shall ensure that States and institu-
21 tions of higher education use fair and equitable methods
22 in reporting and that the reporting methods do not allow
23 identification of individuals.

24 “(b) **SPECIAL RULE.**—For each State that does not
25 use content assessments as a means of ensuring that all

1 teachers teaching in core academic subjects within the
2 State are highly qualified, as required under section 1119
3 of the Elementary and Secondary Education Act of 1965
4 and in accordance with the State plan submitted or revised
5 under section 1111 of such Act, and that each person em-
6 ployed as a special education teacher in the State who
7 teaches elementary school, middle school, or secondary
8 school is highly qualified by the deadline, as required
9 under section 612(a)(14)(C) of the Individuals with Dis-
10 abilities Education Act,—

11 “(1) the Secretary shall, to the extent prac-
12 ticable, collect data comparable to the data required
13 under this part from States, local educational agen-
14 cies, institutions of higher education, or other enti-
15 ties that administer such assessments to teachers or
16 prospective teachers; and

17 “(2) notwithstanding any other provision of this
18 part, the Secretary shall use such data to carry out
19 requirements of this part related to assessments,
20 pass rates, and scaled scores.

21 “(c) RELEASE OF INFORMATION TO TEACHER PREP-
22 ARATION PROGRAMS.—

23 “(1) IN GENERAL.—For the purpose of improv-
24 ing teacher preparation programs, a State edu-
25 cational agency that receives funds under this Act,

1 or that participates as a member of a partnership,
2 consortium, or other entity that receives such funds,
3 shall provide to a teacher preparation program, upon
4 the request of the teacher preparation program, any
5 and all pertinent education-related information
6 that—

7 “(A) may enable the teacher preparation
8 program to evaluate the effectiveness of the
9 program’s graduates or the program itself; and

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

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

14 “(A) shall include an identification of spe-
15 cific individuals who graduated from the teach-
16 er preparation program to enable the teacher
17 preparation program to evaluate the informa-
18 tion provided to the program from the State
19 educational agency with the program’s own
20 data about the specific courses taken by, and
21 field experiences of, the individual graduates;
22 and

23 “(B) may include—

24 “(i) kindergarten through grade 12
25 academic achievement and demographic

1 data, without revealing personally identifi-
2 able information about an individual stu-
3 dent, for students who have been taught by
4 graduates of the teacher preparation pro-
5 gram; and

6 “(ii) teacher effectiveness evaluations
7 for teachers who graduated from the teach-
8 er preparation program.

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

10 “There are authorized to be appropriated to carry out
11 this part such sums as may be necessary for fiscal year
12 2008 and each of the 5 succeeding fiscal years.”.

13 **SEC. 202. GENERAL PROVISIONS.**

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

16 **“PART C—GENERAL PROVISIONS**

17 **“SEC. 231. LIMITATIONS.**

18 “(a) FEDERAL CONTROL PROHIBITED.—Nothing in
19 this title shall be construed to permit, allow, encourage,
20 or authorize any Federal control over any aspect of any
21 private, religious, or home school, whether or not a home
22 school is treated as a private school or home school under
23 State law. This section shall not be construed to prohibit
24 private, religious, or home schools from participation in
25 programs or services under this title.

1 “(b) NO CHANGE IN STATE CONTROL ENCOURAGED
 2 OR REQUIRED.—Nothing in this title shall be construed
 3 to encourage or require any change in a State’s treatment
 4 of any private, religious, or home school, whether or not
 5 a home school is treated as a private school or home school
 6 under State law.

7 “(c) NATIONAL SYSTEM OF TEACHER CERTIFI-
 8 CATION OR LICENSURE PROHIBITED.—Nothing in this
 9 title shall be construed to permit, allow, encourage, or au-
 10 thorize the Secretary to establish or support any national
 11 system of teacher certification or licensure.”.

12 **TITLE III—INSTITUTIONAL AID**

13 **SEC. 301. PROGRAM PURPOSE.**

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

15 (1) in subsection (b)—

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

18 (B) in paragraph (3)(F), by inserting “,
 19 including services that will assist in the edu-
 20 cation of special populations” before the period;
 21 and

22 (2) in subsection (c)—

23 (A) in paragraph (6), by inserting “, in-
 24 cluding innovative, customized, remedial edu-
 25 cation and English language instruction courses

1 designed to help retain students and move the
2 students rapidly into core courses and through
3 program completion” before the period;

4 (B) by redesignating paragraphs (7)
5 through (12) as paragraphs (8) through (13),
6 respectively;

7 (C) by inserting after paragraph (6) the
8 following:

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

12 (D) in paragraph (12) (as redesignated by
13 subparagraph (B)), by striking “distance learn-
14 ing academic instruction capabilities” and in-
15 serting “distance education technologies”; and

16 (E) in the matter preceding subparagraph
17 (A) of paragraph (13) (as redesignated by sub-
18 paragraph (B)), by striking “subsection (c)”
19 and inserting “subsection (b) and section 391”.

20 **SEC. 302. DEFINITIONS; ELIGIBILITY.**

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

22 (1) in subsection (b)(1)(A), by striking “sub-
23 section (c) of this section” and inserting “subsection
24 (d)”; and

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

3 **SEC. 303. AMERICAN INDIAN TRIBALLY CONTROLLED COL-**
4 **LEGES AND UNIVERSITIES.**

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

6 (1) by striking subsection (b)(3) and inserting
7 the following:

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

11 “(A) qualifies for funding under the Trib-
12 ally Controlled College or University Assistance
13 Act of 1978 (25 U.S.C. 1801 et seq.) or the
14 Navajo Community College Assistance Act of
15 1978 (25 U.S.C. 640a note); or

16 “(B) is cited in section 532 of the Equity
17 in Educational Land-Grant Status Act of 1994
18 (7 U.S.C. 301 note).”;

19 (2) in subsection (c)(2)—

20 (A) in subparagraph (B), by inserting be-
21 fore the semicolon at the end the following:
22 “and the acquisition of real property adjacent
23 to the campus of the institution”;

1 (B) by redesignating subparagraphs (G),
2 (H), (I), (J), (K), and (L) as subparagraphs
3 (H), (I), (J), (K), (L), and (N), respectively;

4 (C) by inserting after subparagraph (F)
5 the following:

6 “(G) education or counseling services de-
7 signed to improve the financial literacy and eco-
8 nomic literacy of students or the students’ par-
9 ents;”;

10 (D) in subparagraph (L) (as redesignated
11 by subparagraph (B)), by striking “and” after
12 the semicolon;

13 (E) by inserting after subparagraph (L)
14 (as redesignated by subparagraph (B)) the fol-
15 lowing:

16 “(M) developing or improving facilities for
17 Internet use or other distance education tech-
18 nologies; and”;

19 (F) in subparagraph (N) (as redesignated
20 by subparagraph (B)), by striking “subpara-
21 graphs (A) through (K)” and inserting “sub-
22 paragraphs (A) through (M)”;

23 (3) by striking subsection (d) and inserting the
24 following:

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

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

5 “(2) APPLICATION.—

6 “(A) IN GENERAL.—A Tribal College or
7 University desiring to receive assistance under
8 this section shall submit an application to the
9 Secretary at such time, and in such manner, as
10 the Secretary may reasonably require.

11 “(B) STREAMLINED PROCESS.—The Sec-
12 retary shall establish application requirements
13 in such a manner as to simplify and streamline
14 the process for applying for grants.

15 “(3) ALLOCATIONS TO INSTITUTIONS.—

16 “(A) CONSTRUCTION GRANTS.—

17 “(i) IN GENERAL.—Of the amount ap-
18 propriated to carry out this section for any
19 fiscal year, the Secretary may reserve 30
20 percent for the purpose of awarding 1-year
21 grants of not less than \$1,000,000 to ad-
22 dress construction, maintenance, and ren-
23 ovation needs at eligible institutions.

24 “(ii) PREFERENCE.—In providing
25 grants under clause (i), the Secretary shall

1 give preference to eligible institutions that
2 have not yet received an award under this
3 section.

4 “(B) ALLOTMENT OF REMAINING
5 FUNDS.—

6 “(i) IN GENERAL.—Except as pro-
7 vided in clause (ii), the Secretary shall dis-
8 tribute the remaining funds appropriated
9 for any fiscal year to each eligible institu-
10 tion as follows:

11 “(I) 60 percent of the remaining
12 appropriated funds shall be distrib-
13 uted among the eligible Tribal Col-
14 leges and Universities on a pro rata
15 basis, based on the respective Indian
16 student counts (as defined in section
17 2(a) of the Tribally Controlled College
18 or University Assistance Act of 1978
19 (25 U.S.C. 1801(a)) of the Tribal
20 Colleges and Universities; and

21 “(II) the remaining 40 percent
22 shall be distributed in equal shares to
23 the eligible Tribal Colleges and Uni-
24 versities.

1 “(ii) MINIMUM GRANT.—The amount
2 distributed to a Tribal College or Univer-
3 sity under clause (i) shall not be less than
4 \$500,000.

5 “(4) SPECIAL RULES.—

6 “(A) CONCURRENT FUNDING.—For the
7 purposes of this part, no Tribal College or Uni-
8 versity that is eligible for and receives funds
9 under this section shall concurrently receive
10 funds under other provisions of this part or
11 part B.

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

15 **SEC. 304. ALASKA NATIVE AND NATIVE HAWAIIAN-SERVING**
16 **INSTITUTIONS.**

17 Section 317(c)(2) (20 U.S.C. 1059d(e)(2)) is amend-
18 ed—

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

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

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

24 “(I) education or counseling services de-
25 signed to improve the financial literacy and eco-

1 nomic literacy of students or the students' par-
2 ents.”.

3 **SEC. 305. NATIVE AMERICAN-SERVING, NONTRIBAL INSTI-**
4 **TUTIONS.**

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

8 **“SEC. 318. NATIVE AMERICAN-SERVING, NONTRIBAL INSTI-**
9 **TUTIONS.**

10 “(a) PROGRAM AUTHORIZED.—The Secretary shall
11 provide grants and related assistance to Native American-
12 serving, nontribal institutions to enable such institutions
13 to improve and expand their capacity to serve Native
14 Americans.

15 “(b) DEFINITIONS.—In this section:

16 “(1) NATIVE AMERICAN.—The term ‘Native
17 American’ means an individual who is of a tribe,
18 people, or culture that is indigenous to the United
19 States.

20 “(2) NATIVE AMERICAN-SERVING, NONTRIBAL
21 INSTITUTION.—The term ‘Native American-serving,
22 nontribal institution’ means an institution of higher
23 education that, at the time of application—

1 “(A) has an enrollment of undergraduate
2 students that is not less than 10 percent Native
3 American students; and

4 “(B) is not a Tribal College or University
5 (as defined in section 316).

6 “(c) AUTHORIZED ACTIVITIES.—

7 “(1) TYPES OF ACTIVITIES AUTHORIZED.—
8 Grants awarded under this section shall be used by
9 Native American-serving, nontribal institutions to
10 assist such institutions to plan, develop, undertake,
11 and carry out activities to improve and expand such
12 institutions’ capacity to serve Native Americans.

13 “(2) EXAMPLES OF AUTHORIZED ACTIVITIES.—
14 Such programs may include—

15 “(A) the purchase, rental, or lease of sci-
16 entific or laboratory equipment for educational
17 purposes, including instructional and research
18 purposes;

19 “(B) renovation and improvement in class-
20 room, library, laboratory, and other instruc-
21 tional facilities;

22 “(C) support of faculty exchanges, and fac-
23 ulty development and faculty fellowships to as-
24 sist faculty in attaining advanced degrees in the
25 faculty’s field of instruction;

1 “(D) curriculum development and aca-
2 demic instruction;

3 “(E) the purchase of library books, peri-
4 odicals, microfilm, and other educational mate-
5 rials;

6 “(F) funds and administrative manage-
7 ment, and acquisition of equipment for use in
8 strengthening funds management;

9 “(G) the joint use of facilities such as lab-
10 oratories and libraries; and

11 “(H) academic tutoring and counseling
12 programs and student support services.

13 “(d) APPLICATION PROCESS.—

14 “(1) INSTITUTIONAL ELIGIBILITY.—A Native
15 American-serving, nontribal institution desiring to
16 receive assistance under this section shall submit to
17 the Secretary such enrollment data as may be nec-
18 essary to demonstrate that the institution is a Na-
19 tive American-serving, nontribal institution, along
20 with such other information and data as the Sec-
21 retary may by regulation require.

22 “(2) APPLICATIONS.—

23 “(A) PERMISSION TO SUBMIT APPLICA-
24 TIONS.—Any institution that is determined by
25 the Secretary to be a Native American-serving,

1 nontribal institution may submit an application
2 for assistance under this section to the Sec-
3 retary.

4 “(B) SIMPLIFIED AND STREAMLINED FOR-
5 MAT.—The Secretary shall, to the extent pos-
6 sible, prescribe a simplified and streamlined for-
7 mat for applications under this section that
8 takes into account the limited number of insti-
9 tutions that are eligible for assistance under
10 this section.

11 “(C) CONTENT.—An application submitted
12 under subparagraph (A) shall include—

13 “(i) a 5-year plan for improving the
14 assistance provided by the Native Amer-
15 ican-serving, nontribal institution to Native
16 Americans; and

17 “(ii) such other information and as-
18 surances as the Secretary may require.

19 “(3) SPECIAL RULES.—

20 “(A) ELIGIBILITY.—No Native American-
21 serving, nontribal institution that receives funds
22 under this section shall concurrently receive
23 funds under other provisions of this part or
24 part B.

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

4 “(C) DISTRIBUTION.—In awarding grants
5 under this section, the Secretary shall, to the
6 extent possible and consistent with the competi-
7 tive process under which such grants are
8 awarded, ensure maximum and equitable dis-
9 tribution among all eligible institutions.”.

10 (b) MINIMUM GRANT AMOUNT.—Section 399 (20
11 U.S.C. 1068h) is amended by adding at the end the fol-
12 lowing:

13 “(c) MINIMUM GRANT AMOUNT.—The minimum
14 amount of a grant under this title shall be \$200,000.”.

15 **SEC. 306. PART B DEFINITIONS.**

16 Section 322(4) (20 U.S.C. 1061(4)) is amended by
17 inserting “, in consultation with the Commissioner for
18 Education Statistics” before “and the Commissioner”.

19 **SEC. 307. GRANTS TO INSTITUTIONS.**

20 Section 323(a) (20 U.S.C. 1062(a)) is amended—

21 (1) in the matter preceding paragraph (1), by
22 striking “360(a)(2)” and inserting “399(a)(2)”;

23 (2) by redesignating paragraphs (7) through
24 (12) as paragraphs (8) through (13), respectively;
25 and

1 (3) by inserting after paragraph (6) the fol-
2 lowing:

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

6 **SEC. 308. ALLOTMENTS TO INSTITUTIONS.**

7 Section 324 (20 U.S.C. 1063) is amended by adding
8 at the end the following:

9 “(h) SPECIAL RULE ON ELIGIBILITY.—Notwith-
10 standing any other provision of this section, a part B insti-
11 tution shall not receive an allotment under this section un-
12 less the part B institution provides, on an annual basis,
13 data indicating that the part B institution—

14 “(1) enrolled Federal Pell Grant recipients in
15 the preceding academic year;

16 “(2) in the preceding academic year, has grad-
17 uated students from a program of academic study
18 that is licensed or accredited by a nationally recog-
19 nized accrediting agency or association recognized by
20 the Secretary pursuant to part H of title IV where
21 appropriate; and

22 “(3) where appropriate, has graduated students
23 who, within the past 5 years, enrolled in graduate or
24 professional school.”.

1 **SEC. 309. PROFESSIONAL OR GRADUATE INSTITUTIONS.**

2 Section 326 (20 U.S.C. 1063b) is amended—

3 (1) in subsection (c)—

4 (A) in paragraph (2), by inserting “, and
5 for the acquisition and development of real
6 property that is adjacent to the campus for
7 such construction, maintenance, renovation, or
8 improvement” after “services”;

9 (B) by redesignating paragraphs (5)
10 through (7) as paragraphs (7) through (9), re-
11 spectively;

12 (C) by inserting after paragraph (4) the
13 following:

14 “(5) tutoring, counseling, and student service
15 programs designed to improve academic success;

16 “(6) education or counseling services designed
17 to improve the financial literacy and economic lit-
18 eracy of students or the students’ parents;”;

19 (D) in paragraph (7) (as redesignated by
20 subparagraph (B)), by striking “establish or
21 improve” and inserting “establishing or improv-
22 ing”;

23 (E) in paragraph (8) (as redesignated by
24 subparagraph (B))—

25 (i) by striking “assist” and inserting
26 “assisting”; and

1 (ii) by striking “and” after the semi-
2 colon;

3 (F) in paragraph (9) (as redesignated by
4 subparagraph (B)), by striking the period and
5 inserting “; and”; and

6 (G) by adding at the end the following:

7 “(10) other activities proposed in the applica-
8 tion submitted under subsection (d) that—

9 “(A) contribute to carrying out the pur-
10 poses of this part; and

11 “(B) are approved by the Secretary as part
12 of the review and acceptance of such applica-
13 tion.”;

14 (2) in subsection (e)—

15 (A) in paragraph (1)—

16 (i) by inserting a colon after “the fol-
17 lowing”;

18 (ii) in subparagraph (Q), by striking
19 “and” at the end;

20 (iii) in subparagraph (R), by striking
21 the period and inserting a semicolon; and

22 (iv) by adding at the end the fol-
23 lowing:

24 “(S) Alabama State University qualified
25 graduate program;

1 “(T) Coppin State University qualified
2 graduate program;

3 “(U) Prairie View A & M University quali-
4 fied graduate program;

5 “(V) Fayetteville State University qualified
6 graduate program;

7 “(W) Delaware State University qualified
8 graduate program;

9 “(X) Langston University qualified grad-
10 uate program;

11 “(Y) West Virginia State University quali-
12 fied graduate program;

13 “(Z) Kentucky State University qualified
14 graduate program; and

15 “(AA) Grambling State University quali-
16 fied graduate program.”;

17 (B) in paragraph (2)(A)—

18 (i) by inserting “in law or” after “in-
19 struction”; and

20 (ii) by striking “mathematics, or” and
21 inserting “mathematics, psychometrics,
22 or”;

23 (C) in paragraph (3)—

24 (i) by striking “1998” and inserting
25 “2007”; and

1 (ii) by striking “(Q) and (R)” and in-
2 serting “(S), (T), (U), (V), (W), (X), (Y),
3 (Z), and (AA)”;

4 (3) in subsection (f)—

5 (A) in paragraph (1), by striking “(P)”
6 and inserting “(R)”;

7 (B) in paragraph (2), by striking “(Q) and
8 (R)” and inserting “(S), (T), (U), (V), (W),
9 (X), (Y), (Z), and (AA)”;

10 (C) in paragraph (3)—

11 (i) in the matter preceding subpara-
12 graph (A), by striking “(R)” and inserting
13 “(AA)”;

14 (ii) by striking subparagraphs (A) and
15 (B) and inserting the following:

16 “(A) The amount of non-Federal funds for
17 the fiscal year for which the determination is
18 made that the institution or program listed in
19 subsection (e)—

20 “(i) allocates from institutional re-
21 sources;

22 “(ii) secures from non-Federal
23 sources, including amounts appropriated
24 by the State and amounts from the private
25 sector; and

1 “(iii) will utilize to match Federal
2 funds awarded for the fiscal year for which
3 the determination is made under this sec-
4 tion to the institution or program.

5 “(B) The number of students enrolled in
6 the qualified graduate programs of the eligible
7 institution or program, for which the institution
8 or program received and allocated funding
9 under this section in the preceding year.”;

10 (iii) in subparagraph (C), by striking
11 “(or the equivalent) enrolled in the eligible
12 professional or graduate school” and all
13 that follows through the period and insert-
14 ing “enrolled in the qualified programs or
15 institutions listed in paragraph (1).”;

16 (iv) in subparagraph (D)—

17 (I) by striking “students” and in-
18 sserting “Black American students or
19 minority students”; and

20 (II) by striking “institution” and
21 inserting “institution or program”;
22 and

23 (v) by striking subparagraph (E) and
24 inserting the following:

1 “(E) The percentage that the total number
2 of Black American students and minority stu-
3 dents who receive their first professional, mas-
4 ter’s, or doctoral degrees from the institution or
5 program in the academic year preceding the
6 academic year for which the determination is
7 made, represents of the total number of Black
8 American students and minority students in the
9 United States who receive their first profes-
10 sional, master’s, or doctoral degrees in the pro-
11 fessions or disciplines related to the course of
12 study at such institution or program, respec-
13 tively, in the preceding academic year.”; and
14 (4) in subsection (g), by striking “1998” and
15 inserting “2007”.

16 **SEC. 310. AUTHORITY OF THE SECRETARY.**

17 Section 345 (20 U.S.C. 1066d) is amended—

18 (1) in paragraph (6), by striking “and” after
19 the semicolon;

20 (2) in paragraph (7), by striking the period at
21 the end and inserting “; and”; and

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

23 “(8) not later than 90 days after the date of
24 enactment of the Higher Education Amendments of
25 2007, shall submit to the authorizing committees a

1 report on the progress of the Department in imple-
2 menting the recommendations made by the Govern-
3 ment Accountability Office in October 2006 for im-
4 proving the Historically Black College and Univer-
5 sities Capital Financing Program.”.

6 **SEC. 311. AUTHORIZATION OF APPROPRIATIONS.**

7 Subsection (a) of section 399 (20 U.S.C. 1068h) is
8 amended to read as follows:

9 “(a) AUTHORIZATIONS.—

10 “(1) PART A.—(A) There are authorized to be
11 appropriated to carry out part A (other than sec-
12 tions 316, 317, and 318) such sums as may be nec-
13 essary for fiscal year 2008 and each of the 5 suc-
14 ceeding fiscal years.

15 “(B) There are authorized to be appropriated
16 to carry out section 316 such sums as may be nec-
17 essary for fiscal year 2008 and each of the 5 suc-
18 ceeding fiscal years.

19 “(C) There are authorized to be appropriated to
20 carry out section 317 such sums as may be nec-
21 essary for fiscal year 2008 and each of the 5 suc-
22 ceeding fiscal years.

23 “(D) There are authorized to be appropriated
24 to carry out section 318 such sums as may be nec-

1 essary for fiscal year 2008 and each of the 5 suc-
2 ceeding fiscal years.

3 “(2) PART B.—(A) There are authorized to be
4 appropriated to carry out part B (other than section
5 326) such sums as may be necessary for fiscal year
6 2008 and each of the 5 succeeding fiscal years.

7 “(B) There are authorized to be appropriated
8 to carry out section 326 such sums as may be nec-
9 essary for fiscal year 2008 and each of the 5 suc-
10 ceeding fiscal years.

11 “(3) PART C.—There are authorized to be ap-
12 propriated to carry out part C such sums as may be
13 necessary for fiscal year 2008 and each of the 5 suc-
14 ceeding fiscal years.

15 “(4) PART D.—(A) There are authorized to be
16 appropriated to carry out part D (other than section
17 345(7), but including section 347) such sums as
18 may be necessary for fiscal year 2008 and each of
19 the 5 succeeding fiscal years.

20 “(B) There are authorized to be appropriated
21 to carry out section 345(7) such sums as may be
22 necessary for fiscal year 2008 and each of the 5 suc-
23 ceeding fiscal years.

24 “(5) PART E.—There are authorized to be ap-
25 propriated to carry out part E such sums as may be

1 necessary for fiscal year 2008 and each of the 5 suc-
2 ceeding fiscal years.”.

3 **SEC. 312. TECHNICAL CORRECTIONS.**

4 Title III (20 U.S.C. 1051 et seq.) is further amend-
5 ed—

6 (1) in section 342(5)(C) (20 U.S.C.
7 1066a(5)(C)), by striking “,” and inserting “,”;

8 (2) in section 343(e) (20 U.S.C. 1066b(e)), by
9 inserting “SALE OF QUALIFIED BONDS.—” before
10 “Notwithstanding”;

11 (3) in the matter preceding clause (i) of section
12 365(9)(A) (20 U.S.C. 1067k(9)(A)), by striking
13 “support” and inserting “supports”;

14 (4) in section 391(b)(7)(E) (20 U.S.C.
15 1068(b)(7)(E)), by striking “subparagraph (E)” and
16 inserting “subparagraph (D)”;

17 (5) in the matter preceding subparagraph (A)
18 of section 392(b)(2) (20 U.S.C. 1068a(b)(2)), by
19 striking “eligible institutions under part A institu-
20 tions” and inserting “eligible institutions under part
21 A”; and

22 (6) in the matter preceding paragraph (1) of
23 section 396 (20 U.S.C. 1068e), by striking “360”
24 and inserting “399”.

1 **TITLE IV—STUDENT ASSISTANCE**

2 **PART A—GRANTS TO STUDENTS IN ATTENDANCE**

3 **AT INSTITUTIONS OF HIGHER EDUCATION**

4 **SEC. 401. FEDERAL PELL GRANTS.**

5 (a) AMENDMENTS.—Section 401 (20 U.S.C. 1070a)
6 is amended—

7 (1) in subsection (a)—

8 (A) in paragraph (1)—

9 (i) in the first sentence, by striking
10 “2004” and inserting “2013”; and

11 (ii) in the second sentence, by striking
12 “,” and inserting “,”; and

13 (B) in paragraph (3), by striking “this
14 subpart” and inserting “this section”;

15 (2) in subsection (b)—

16 (A) by striking paragraph (2)(A) and in-
17 serting the following:

18 “(2)(A) The amount of the Federal Pell Grant for
19 a student eligible under this part shall be—

20 “(i) \$5,400 for academic year 2008–2009;

21 “(ii) \$5,700 for academic year 2009–2010;

22 “(iii) \$6,000 for academic year 2010–2011; and

23 “(iv) \$6,300 for academic year 2011–2012,

1 less an amount equal to the amount determined to be the
2 expected family contribution with respect to that student
3 for that year.”;

4 (B) by striking paragraph (3);

5 (C) in paragraph (5), by striking “\$400,
6 except” and all that follows through the period
7 and inserting “10 percent of the maximum
8 basic grant level specified in the appropriate
9 Appropriation Act for such academic year, ex-
10 cept that a student who is eligible for a Federal
11 Pell Grant in an amount that is equal to or
12 greater than 5 percent of such level but less
13 than 10 percent of such level shall be awarded
14 a Federal Pell grant in the amount of 10 per-
15 cent of such level.”; and

16 (D) by striking paragraph (6) and insert-
17 ing the following:

18 “(6) In the case of a student who is enrolled, on at
19 least a half-time basis and for a period of more than 1
20 academic year in a single award year in a 2-year or 4-
21 year program of instruction for which an institution of
22 higher education awards an associate or baccalaureate de-
23 gree, the Secretary shall award such student not more
24 than 2 Federal Pell Grants during that award year to per-
25 mit such student to accelerate the student’s progress to-

1 ward a degree. In the case of a student receiving more
2 than 1 Federal Pell Grant in a single award year, the total
3 amount of Federal Pell Grants awarded to such student
4 for the award year may exceed the maximum basic grant
5 level specified in the appropriate appropriations Act for
6 such award year.”; and

7 (3) in subsection (c), by adding at the end the
8 following:

9 “(5) The period of time during which a student may
10 receive Federal Pell Grants shall not exceed 18 semesters,
11 or an equivalent period of time as determined by the Sec-
12 retary pursuant to regulations, which period shall—

13 “(A) be determined without regard to whether
14 the student is enrolled on a full-time basis during
15 any portion of the period of time; and

16 “(B) include any period of time for which the
17 student received a Federal Pell Grant prior to July
18 1, 2008.”.

19 (b) EFFECTIVE DATE.—The amendments made by
20 subsection (a) shall take effect on July 1, 2008.

21 **SEC. 402. ACADEMIC COMPETITIVENESS GRANTS.**

22 Section 401A (20 U.S.C. 1070a–1) is amended—

23 (1) by striking subsection (a) and inserting the
24 following:

1 “(a) ACADEMIC COMPETITIVENESS GRANT PROGRAM
2 AUTHORIZED.—The Secretary shall award grants, in the
3 amounts specified in subsection (d)(1), to eligible students
4 to assist the eligible students in paying their college edu-
5 cation expenses.”;

6 (2) in subsection (b)—

7 (A) in paragraph (1), by striking “aca-
8 demic”; and

9 (B) in paragraph (2), by striking “third or
10 fourth academic” and inserting “third, fourth,
11 or fifth”;

12 (3) in subsection (c)—

13 (A) in the matter preceding paragraph (1),
14 by striking “full-time” and all that follows
15 through “is made” and inserting “student
16 who”;

17 (B) by striking paragraph (1) and insert-
18 ing the following:

19 “(1) is eligible for a Federal Pell Grant for the
20 award year in which the determination of eligibility
21 is made for a grant under this section;”;

22 (C) by striking paragraph (2) and insert-
23 ing the following:

1 “(2) is enrolled or accepted for enrollment in an
2 institution of higher education on not less than a
3 half-time basis; and”;

4 (D) in paragraph (3)—

5 (i) by striking subparagraph (A) and
6 inserting the following:

7 “(A) the first year of a program of under-
8 graduate education at a 2- or 4-year degree-
9 granting institution of higher education (includ-
10 ing a program of not less than 1 year for which
11 the institution awards a certificate), has suc-
12 cessfully completed, after January 1, 2006, a
13 rigorous secondary school program of study es-
14 tablished by a State or local educational agency
15 and recognized as such by the Secretary;”;

16 (ii) in subparagraph (B)—

17 (I) in the matter preceding clause
18 (i), by striking “academic” and all
19 that follows through “higher edu-
20 cation” and inserting “year of a pro-
21 gram of undergraduate education at a
22 2- or 4-year degree-granting institu-
23 tion of higher education (including a
24 program of not less than 2 years for

1 which the institution awards a certifi-
2 cate)”; and

3 (II) in clause (ii)—

4 (aa) by striking “academic”;
5 and

6 (bb) by striking “or” after
7 the semicolon at the end;

8 (iii) in subparagraph (C)—

9 (I) by striking “academic”;

10 (II) by striking “four” and in-
11 sserting “4”;

12 (III) by striking clause (i)(II)
13 and inserting the following:

14 “(II) a critical foreign language;
15 and”; and

16 (IV) in clause (ii), by striking the
17 period at the end and inserting a
18 semicolon; and

19 (iv) by adding at the end the fol-
20 lowing:

21 “(D) the third or fourth year of a program
22 of undergraduate education at an institution of
23 higher education (as defined in section 101(a))
24 that demonstrates, to the satisfaction of the
25 Secretary, that the institution—

1 “(i) offers a single liberal arts cur-
2 riculum leading to a baccalaureate degree,
3 under which students are not permitted by
4 the institution to declare a major in a par-
5 ticular subject area, and those students—

6 “(I) study, in such years, a sub-
7 ject described in subparagraph (C)(i)
8 that is at least equal to the require-
9 ments for an academic major at an in-
10 stitution of higher education that of-
11 fers a baccalaureate degree in such
12 subject, as certified by an appropriate
13 official from the institution; or

14 “(II) are required, as part of
15 their degree program, to undertake a
16 rigorous course of study in mathe-
17 matics, biology, chemistry, and phys-
18 ics, which consists of at least—

19 “(aa) 4 years of study in
20 mathematics; and

21 “(bb) 3 years of study in the
22 sciences, with a laboratory com-
23 ponent in each of those years;
24 and

1 “(ii) offered such curriculum prior to
2 February 8, 2006; or

3 “(E) the fifth year of a program of under-
4 graduate education that requires 5 full years of
5 coursework for which a baccalaureate degree is
6 awarded by a degree-granting institution of
7 higher education, as certified by the appropriate
8 official of such institution—

9 “(i) is pursuing a major in—

10 “(I) the physical, life, or com-
11 puter sciences, mathematics, tech-
12 nology, or engineering (as determined
13 by the Secretary pursuant to regula-
14 tions); or

15 “(II) a critical foreign language;

16 and

17 “(ii) has obtained a cumulative grade
18 point average of at least 3.0 (or the equiv-
19 alent, as determined under regulations pre-
20 scribed by the Secretary) in the coursework
21 required for the major described in clause
22 (i).”;

23 (4) in subsection (d)—

24 (A) in paragraph (1)—

25 (i) in subparagraph (A)—

1 (I) by striking “The” and insert-
2 ing “IN GENERAL.—The”;

3 (II) in clause (ii), by striking
4 “or” after the semicolon at the end;

5 (III) in clause (iii), by striking
6 “subsection (c)(3)(C).” and inserting
7 “subparagraph (C) or (D) of sub-
8 section (c)(3), for each of the 2 years
9 described in such subparagraphs; or”;
10 and

11 (IV) by adding at the end the fol-
12 lowing:

13 “(iv) \$4,000 for an eligible student
14 under subsection (c)(3)(E).”; and

15 (ii) in subparagraph (B)—

16 (I) by striking “Notwith-
17 standing” and inserting “LIMITATION;
18 RATABLE REDUCTION.—Notwith-
19 standing”;

20 (II) by redesignating clauses (i),
21 (ii), and (iii), as clauses (ii), (iii), and
22 (iv), respectively; and

23 (III) by inserting before clause
24 (ii), as redesignated under subclause
25 (II), the following:

1 “(i) in any case in which a student at-
2 tends an institution of higher education on
3 less than a full-time basis, the amount of
4 the grant that such student may receive
5 shall be reduced in the same manner as a
6 Federal Pell Grant is reduced under sec-
7 tion 401(b)(2)(B);”;

8 (B) by striking paragraph (2) and insert-
9 ing the following:

10 “(2) LIMITATIONS.—

11 “(A) NO GRANTS FOR PREVIOUS CRED-
12 IT.—The Secretary may not award a grant
13 under this section to any student for any year
14 of a program of undergraduate education for
15 which the student received credit before the
16 date of enactment of the Higher Education
17 Reconciliation Act of 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 (c)(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 (c)(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 of 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)”;

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 disabili-
13 ties, 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 (7) by adding at the end the following:

8 “(h) ADDITIONAL FUNDS.—

9 “(1) AUTHORIZATION.—There are authorized to
10 be appropriated for the upward bound program
11 under this chapter, in addition to any amounts ap-
12 propriated under section 402A(g), \$57,000,000 for
13 each of the fiscal years 2008 through 2011 for the
14 Secretary to carry out paragraph (2), except that
15 any amounts that remain unexpended for such pur-
16 pose for each of such fiscal years may be available
17 for technical assistance and administration costs for
18 the upward bound program under this chapter.

19 “(2) USE OF FUNDS.—

20 “(A) IN GENERAL.—The amounts made
21 available by paragraph (1) for a fiscal year
22 shall be available to provide assistance to appli-
23 cants for an upward bound project under this
24 chapter for such fiscal year that—

1 “(i) did not apply for assistance, or
2 applied but did not receive assistance,
3 under this section in fiscal year 2007; and

4 “(ii) receive a grant score above 70 on
5 the applicant’s application.

6 “(B) 4-YEAR GRANTS.—The assistance de-
7 scribed in subparagraph (A) shall be made
8 available in the form of 4-year grants.”.

9 (d) STUDENT SUPPORT SERVICES.—Section 402D
10 (20 U.S.C. 1070a–14) is amended—

11 (1) in subsection (a)—

12 (A) in paragraph (2), by striking “and”
13 after the semicolon;

14 (B) by striking paragraph (3) and insert-
15 ing the following:

16 “(3) to foster an institutional climate sup-
17 portive of the success of low-income and first gen-
18 eration college students, students with disabilities,
19 students who are limited English proficient, students
20 who are homeless children and youths (as such term
21 is defined in section 725 of the McKinney-Vento
22 Homeless Assistance Act (42 U.S.C. 11434a)), and
23 students who are in foster care or are aging out of
24 the foster care system.”; and

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

1 “(4) to improve the financial literacy and eco-
2 nomic literacy of students, including—

3 “(A) basic personal income, household
4 money management, and financial planning
5 skills; and

6 “(B) basic economic decisionmaking
7 skills.”;

8 (2) by redesignating subsections (c) and (d) as
9 subsection (d) and (e);

10 (3) by striking subsection (b) and inserting the
11 following:

12 “(b) REQUIRED SERVICES.—A project assisted under
13 this section shall provide—

14 “(1) academic tutoring to enable students to
15 complete postsecondary courses, which may include
16 instruction in reading, writing, study skills, mathe-
17 matics, science, and other subjects;

18 “(2) advice and assistance in postsecondary
19 course selection;

20 “(3)(A) information on both the full range of
21 Federal student financial aid programs (including
22 Federal Pell Grant awards and loan forgiveness) and
23 resources for locating public and private scholar-
24 ships; and

1 “(B) assistance in completing financial aid ap-
2 plications, including the Free Application for Fed-
3 eral Student Aid described in section 483(a);

4 “(4) education or counseling services designed
5 to improve the financial literacy and economic lit-
6 eracy of students, including financial planning for
7 postsecondary education;

8 “(5) activities designed to assist students par-
9 ticipating in the project in securing college admis-
10 sion and financial assistance for enrollment in grad-
11 uate and professional programs; and

12 “(6) activities designed to assist students en-
13 rolled in 2-year institutions of higher education in
14 securing admission and financial assistance for en-
15 rollment in a 4-year program of postsecondary edu-
16 cation.

17 “(c) PERMISSIBLE SERVICES.—A project assisted
18 under this section may provide services such as—

19 “(1) consistent, individualized personal, career,
20 and academic counseling, provided by assigned coun-
21 selors;

22 “(2) information, activities, and instruction de-
23 signed to acquaint youths participating in the
24 project with the range of career options available to
25 the students;

1 “(3) exposure to cultural events and academic
2 programs not usually available to disadvantaged stu-
3 dents;

4 “(4) activities designed to acquaint students
5 participating in the project with the range of career
6 options available to the students;

7 “(5) mentoring programs involving faculty or
8 upper class students, or a combination thereof;

9 “(6) securing temporary housing during breaks
10 in the academic year for students who are homeless
11 children and youths (as such term is defined in sec-
12 tion 725 of the McKinney-Vento Homeless Assist-
13 ance Act (42 U.S.C. 11434a)) or were formerly
14 homeless children and youths and students who are
15 in foster care or are aging out of the foster care sys-
16 tem; and

17 “(7) programs and activities as described in
18 subsection (b) or paragraphs (1) through (5) of this
19 subsection that are specially designed for students
20 who are limited English proficient, students with
21 disabilities, students who are homeless children and
22 youths (as such term is defined in section 725 of the
23 McKinney-Vento Homeless Assistance Act (42
24 U.S.C. 11434a)) or were formerly homeless children

1 and youths, or students who are in foster care or are
2 aging out of the foster care system.”;

3 (4) in subsection (d)(1) (as redesignated by
4 paragraph (2)), by striking “subsection (b)” and in-
5 serting “subsection (c)”; and

6 (5) in the matter preceding paragraph (1) of
7 subsection (e) (as redesignated by paragraph (2)),
8 by striking “student support services projects under
9 this chapter” and inserting “projects under this sec-
10 tion”.

11 (e) POSTBACCALAUREATE ACHIEVEMENT PROGRAM
12 AUTHORITY.—Section 402E (20 U.S.C. 1070a–15) is
13 amended—

14 (1) in subsection (b)—

15 (A) in the subsection heading, by inserting
16 “REQUIRED” before “SERVICES”;

17 (B) in the matter preceding paragraph (1),
18 by striking “A postbaccalaureate achievement
19 project assisted under this section may provide
20 services such as—” and inserting “A project as-
21 sisted under this section shall provide—”;

22 (C) in paragraph (5), by inserting “and”
23 after the semicolon;

24 (D) in paragraph (6), by striking the semi-
25 colon and inserting a period; and

- 1 (E) by striking paragraphs (7) and (8);
- 2 (2) by redesignating subsections (c) through (f)
- 3 as subsections (d) through (g), respectively;
- 4 (3) by inserting after subsection (b) the fol-
- 5 lowing:
- 6 “(c) PERMISSIBLE SERVICES.—A project assisted
- 7 under this section may provide services such as—
- 8 “(1) education or counseling services designed
- 9 to improve the financial literacy and economic lit-
- 10 eracy of students, including financial planning for
- 11 postsecondary education;
- 12 “(2) mentoring programs involving faculty
- 13 members at institutions of higher education, stu-
- 14 dents, or any combination of such persons; and
- 15 “(3) exposure to cultural events and academic
- 16 programs not usually available to disadvantaged stu-
- 17 dents.”;
- 18 (4) in the matter preceding paragraph (1) of
- 19 subsection (d) (as redesignated by paragraph (2)),
- 20 by striking “postbaccalaureate achievement”;
- 21 (5) in the matter preceding paragraph (1) of
- 22 subsection (f) (as redesignated by paragraph (2)), by
- 23 striking “postbaccalaureate achievement project”
- 24 and inserting “project under this section”; and

1 (6) in subsection (g) (as redesignated by para-
2 graph (2))—

3 (A) by striking “402A(f)” and inserting
4 “402A(g)”; and

5 (B) by striking “1993 through 1997” and
6 inserting “2007 through 2012”.

7 (f) EDUCATIONAL OPPORTUNITY CENTERS.—Section
8 402F (20 U.S.C. 1070a–16) is amended—

9 (1) in subsection (a)—

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

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

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

15 “(3) to improve the financial literacy and eco-
16 nomic literacy of students, including—

17 “(A) basic personal income, household
18 money management, and financial planning
19 skills; and

20 “(B) basic economic decisionmaking
21 skills.”; and

22 (2) in subsection (b)—

23 (A) by redesignating paragraphs (5)
24 through (10) as paragraphs (6) through (11),
25 respectively;

1 (B) by inserting after paragraph (4) the
2 following:

3 “(5) education or counseling services designed
4 to improve the financial literacy and economic lit-
5 eracy of students;”;

6 (C) by striking paragraph (7) (as redesign-
7 nated by subparagraph (A)) and inserting the
8 following:

9 “(7) individualized personal, career, and aca-
10 demic counseling;” and

11 (D) by striking paragraph (11) (as redesign-
12 nated by subparagraph (A)) and inserting the
13 following:

14 “(11) programs and activities as described in
15 paragraphs (1) through (10) that are specially de-
16 signed for students who are limited English pro-
17 ficient, students with disabilities, or students who
18 are homeless children and youths (as such term is
19 defined in section 725 of the McKinney-Vento
20 Homeless Assistance Act (42 U.S.C. 11434a)), or
21 programs and activities for students who are in fos-
22 ter care or are aging out of the foster care system.”.

23 (g) STAFF DEVELOPMENT ACTIVITIES.—Section
24 402G(b)(3) (20 U.S.C. 1070a–17(b)(3)) is amended by in-
25 serting “, including strategies for recruiting and serving

1 students who are homeless children and youths (as such
2 term is defined in section 725 of the McKinney-Vento
3 Homeless Assistance Act (42 U.S.C. 11434a)) and stu-
4 dents who are in foster care or are aging out of the foster
5 care system” before the period at the end.

6 (h) REPORTS, EVALUATIONS, AND GRANTS FOR
7 PROJECT IMPROVEMENT AND DISSEMINATION.—Section
8 402H (20 U.S.C. 1070a–18) is amended—

9 (1) by striking the section heading and insert-
10 ing “**REPORTS, EVALUATIONS, AND GRANTS**
11 **FOR PROJECT IMPROVEMENT AND DISSEMINA-**
12 **TION.**”;

13 (2) by redesignating subsections (a) through (c)
14 as subsections (b) through (d), respectively;

15 (3) by inserting before subsection (b) (as red-
16 igned by paragraph (2)) the following:

17 “(a) REPORTS TO THE AUTHORIZING COMMIT-
18 TEES.—The Secretary shall submit annually, to the au-
19 thorizing committees, a report that documents the per-
20 formance of all programs funded under this chapter. The
21 report shall—

22 “(1) be submitted not later than 24 months
23 after the eligible entities receiving funds under this
24 chapter are required to report their performance to
25 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) RECRUITMENT.—The Secretary shall not
18 require an eligible entity desiring to receive assist-
19 ance under this chapter to recruit students to serve
20 as a control group for purposes of evaluating any
21 program or project assisted under this chapter.”.

22 (i) ADDITIONAL AMENDMENT TO
23 POSTBACCALAUREATE ACHIEVEMENT PROGRAM.—Sec-
24 tion 402E(d)(2) (as redesignated by subsection (e)(2)) (20
25 U.S.C. 1070a–15(d)(2)) is further amended by inserting

1 “, including Native Hawaiians, as defined in section 7207
2 of the Elementary and Secondary Education Act of 1965,
3 and Pacific Islanders” after “graduate education”.

4 **SEC. 404. GAINING EARLY AWARENESS AND READINESS**
5 **FOR UNDERGRADUATE PROGRAMS.**

6 (a) EARLY INTERVENTION AND COLLEGE AWARE-
7 NESS PROGRAM AUTHORIZED.—Section 404A (20 U.S.C.
8 1070a–21) is amended—

9 (1) by striking subsection (a) and inserting the
10 following:

11 “(a) PROGRAM AUTHORIZED.—The Secretary is au-
12 thorized, in accordance with the requirements of this chap-
13 ter, to establish a program that encourages eligible entities
14 to provide support to eligible low-income students to assist
15 the students in obtaining a secondary school diploma (or
16 its recognized equivalent) and to prepare for and succeed
17 in postsecondary education, by providing—

18 “(1) financial assistance, academic support, ad-
19 ditional counseling, mentoring, outreach, and sup-
20 portive services to middle school and secondary
21 school students to reduce—

22 “(A) the risk of such students dropping
23 out of school; or

24 “(B) the need for remedial education for
25 such students at the postsecondary level; and

1 “(2) information to students and their parents
2 about the advantages of obtaining a postsecondary
3 education and the college financing options for the
4 students and their parents.”;

5 (2) by striking subsection (b)(2)(A) and insert-
6 ing the following:

7 “(A) give priority to eligible entities that
8 have a prior, demonstrated commitment to
9 early intervention leading to college access
10 through collaboration and replication of suc-
11 cessful strategies;”; and

12 (3) in subsection (b), by adding at the end the
13 following:

14 “(3) CARRY OVER.—An eligible entity that re-
15 ceives a grant under this chapter may carry over any
16 unspent grant funds from the final year of the grant
17 period into the following year.”;

18 (4) by striking subsection (c)(2) and inserting
19 the following:

20 “(2) a partnership—

21 “(A) consisting of—

22 “(i) 1 or more local educational agen-
23 cies; and

24 “(ii) 1 or more degree granting insti-
25 tutions of higher education; and

1 “(B) which may include not less than 2
2 other community organizations or entities, such
3 as businesses, professional organizations, State
4 agencies, institutions or agencies sponsoring
5 programs authorized under subpart 4, or other
6 public or private agencies or organizations.”.

7 (b) REQUIREMENTS.—Section 404B (20 U.S.C.
8 1070a–22) is amended—

9 (1) by striking subsection (a) and inserting the
10 following: —

11 “(a) FUNDING RULES.—

12 “(1) DISTRIBUTION.—In awarding grants from
13 the amount appropriated under section 404G for a
14 fiscal year, the Secretary shall take into consider-
15 ation—

16 “(A) the geographic distribution of such
17 awards; and

18 “(B) the distribution of such awards be-
19 tween urban and rural applicants.

20 “(2) SPECIAL RULE.—The Secretary shall an-
21 nually reevaluate the distribution of funds described
22 in paragraph (1) based on number, quality, and
23 promise of the applications.”;

24 (2) by striking subsections (b), (e), and (f);

1 (3) by redesignating subsections (c), (d), and
2 (g) as subsections (b), (c), and (d), respectively; and
3 (4) by adding at the end the following:

4 “(e) SUPPLEMENT, NOT SUPPLANT.—Grant funds
5 awarded under this chapter shall be used to supplement,
6 and not supplant, other Federal, State, and local funds
7 that would otherwise be expended to carry out activities
8 assisted under this chapter.”.

9 (c) APPLICATION.—Section 404C (20 U.S.C. 1070a–
10 23) is amended—

11 (1) in the section heading, by striking “**ELIGI-**
12 **BLE ENTITY PLANS**” and inserting “**APPLICA-**
13 **TIONS**”;

14 (2) in subsection (a)—

15 (A) in the subsection heading, by striking
16 “PLAN” and inserting “APPLICATION”;

17 (B) in paragraph (1)—

18 (i) by striking “a plan” and inserting
19 “an application”; and

20 (ii) by striking the second sentence;

21 and

22 (C) by striking paragraph (2) and insert-
23 ing the following:

24 “(2) CONTENTS.—Each application submitted
25 pursuant to paragraph (1) shall be in such form,

1 contain or be accompanied by such information or
2 assurances, and be submitted at such time as the
3 Secretary may require. Each such application shall,
4 at a minimum—

5 “(A) describe the activities for which as-
6 sistance under this chapter is sought, including
7 how the eligible entity will carry out the re-
8 quired activities described in section 404D(a);

9 “(B) describe how the eligible agency will
10 meet the requirements of section 404E;

11 “(C) provide assurances that adequate ad-
12 ministrative and support staff will be respon-
13 sible for coordinating the activities described in
14 section 404D;

15 “(D) ensure that activities assisted under
16 this chapter will not displace an employee or
17 eliminate a position at a school assisted under
18 this chapter, including a partial displacement
19 such as a reduction in hours, wages or employ-
20 ment benefits;

21 “(E) describe, in the case of an eligible en-
22 tity described in section 404A(c)(2), how the el-
23 igible entity will define the cohorts of the stu-
24 dents served by the eligible entity pursuant to

1 section 404B(d), and how the eligible entity will
2 serve the cohorts through grade 12, including—

3 “(i) how vacancies in the program
4 under this chapter will be filled; and

5 “(ii) how the eligible entity will serve
6 students attending different secondary
7 schools;

8 “(F) describe how the eligible entity will
9 coordinate programs with other existing Fed-
10 eral, State, or local programs to avoid duplica-
11 tion and maximize the number of students
12 served;

13 “(G) provide such additional assurances as
14 the Secretary determines necessary to ensure
15 compliance with the requirements of this chap-
16 ter; and

17 “(H) provide information about the activi-
18 ties that will be carried out by the eligible enti-
19 ty to support systemic changes from which fu-
20 ture cohorts of students will benefit.”;

21 (3) in the matter preceding subparagraph (A)
22 of subsection (b)(1)—

23 (A) by striking “a plan” and inserting “an
24 application”; and

1 (B) by striking “such plan” and inserting
2 “such application”; and

3 (4) in subsection (c)(1), by striking “paid to
4 students from State, local, institutional, or private
5 funds under this chapter” and inserting “obligated
6 to students from State, local, institutional, or private
7 funds under this chapter, including pre-existing non-
8 Federal financial assistance programs,”;

9 (5) in subsection (c)(1), by striking the semi-
10 colon at the end and inserting “including—

11 “(A) the amount contributed to a student
12 scholarship fund established under section
13 404E; and

14 “(B) the amount of the costs of admin-
15 istering the scholarship program under section
16 404E;”.

17 (6) in subsection (c)—

18 (A) in paragraph (2), by striking “and”
19 after the semicolon;

20 (B) in paragraph (3), by striking the pe-
21 riod at the end and inserting “; and”; and

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

23 “(4) other resources recognized by the Sec-
24 retary, including equipment and supplies, cash con-
25 tributions from non-Federal sources, transportation

1 expenses, in-kind or discounted program services, in-
2 direct costs, and facility usage.”.

3 (d) ACTIVITIES.—Section 404D (20 U.S.C. 1070a-
4 24) is amended to read as follows:

5 **“SEC. 404D. ACTIVITIES.**

6 “(a) REQUIRED ACTIVITIES.—Each eligible entity re-
7 ceiving a grant under this chapter shall carry out the fol-
8 lowing:

9 “(1) Provide information regarding financial
10 aid for postsecondary education to participating stu-
11 dents in the cohort described in subsection
12 404B(d)(1)(A).

13 “(2) Encourage student enrollment in rigorous
14 and challenging curricula and coursework, in order
15 to reduce the need for remedial coursework at the
16 postsecondary level.

17 “(3) Support activities designed to improve the
18 number of participating students who—

19 “(A) obtain a secondary school diploma;
20 and

21 “(B) complete applications for and enroll
22 in a program of postsecondary education.

23 “(4) In the case of an eligible entity described
24 in section 404A(c)(1), provide for the scholarships
25 described in section 404E.

1 “(b) OPTIONAL ACTIVITIES FOR STATES AND PART-
2 NERSHIPS.—An eligible entity that receives a grant under
3 this chapter may use grant funds to carry out 1 or more
4 of the following activities:

5 “(1) Providing tutoring and supporting men-
6 tors, including adults or former participants of a
7 program under this chapter, for eligible students.

8 “(2) Conducting outreach activities to recruit
9 priority students described in subsection (d) to par-
10 ticipate in program activities.

11 “(3) Providing supportive services to eligible
12 students.

13 “(4) Supporting the development or implemen-
14 tation of rigorous academic curricula, which may in-
15 clude college preparatory, Advanced Placement, or
16 International Baccalaureate programs, and providing
17 participating students access to rigorous core
18 courses that reflect challenging State academic
19 standards.

20 “(5) Supporting dual or concurrent enrollment
21 programs between the secondary school and institu-
22 tion of higher education partners of an eligible entity
23 described in section 404A(c)(2), and other activities
24 that support participating students in—

1 “(A) meeting challenging academic stand-
2 ards;

3 “(B) successfully applying for postsec-
4 ondary education;

5 “(C) successfully applying for student fi-
6 nancial aid; and

7 “(D) developing graduation and career
8 plans.

9 “(6) Providing support for scholarships de-
10 scribed in section 404E.

11 “(7) Introducing eligible students to institutions
12 of higher education, through trips and school-based
13 sessions.

14 “(8) Providing an intensive extended school
15 day, school year, or summer program that offers—

16 “(A) additional academic classes; or

17 “(B) assistance with college admission ap-
18 plications.

19 “(9) Providing other activities designed to en-
20 sure secondary school completion and postsecondary
21 education enrollment of at-risk children, such as—

22 “(A) the identification of at-risk children;

23 “(B) after-school and summer tutoring;

24 “(C) assistance to at-risk children in ob-
25 taining summer jobs;

- 1 “(D) academic counseling;
- 2 “(E) volunteer and parent involvement;
- 3 “(F) encouraging former or current par-
- 4 ticipants of a program under this chapter to
- 5 serve as peer counselors;
- 6 “(G) skills assessments;
- 7 “(H) personal counseling;
- 8 “(I) family counseling and home visits;
- 9 “(J) staff development; and
- 10 “(K) programs and activities described in
- 11 this subsection that are specially designed for
- 12 students who are limited English proficient.
- 13 “(10) Enabling eligible students to enroll in Ad-
- 14 vanced Placement or International Baccalaureate
- 15 courses, or college entrance examination preparation
- 16 courses.
- 17 “(11) Providing services to eligible students in
- 18 the participating cohort described in section
- 19 404B(d)(1)(A), through the first year of attendance
- 20 at an institution of higher education.
- 21 “(12) Fostering and improving parent and fam-
- 22 ily involvement in elementary and secondary edu-
- 23 cation by promoting the advantages of a college edu-
- 24 cation, and emphasizing academic admission require-
- 25 ments and the need to take college preparation

1 courses, through parent engagement and leadership
2 activities.

3 “(13) Disseminating information that promotes
4 the importance of higher education, explains college
5 preparation and admissions requirements, and raises
6 awareness of the resources and services provided by
7 the eligible entities to eligible students, their fami-
8 lies, and communities.

9 “(c) ADDITIONAL OPTIONAL ACTIVITIES FOR
10 STATES.—In addition to the required activities described
11 in subsection (a) and the optional activities described in
12 subsection (b), an eligible entity described in section
13 404A(c)(1) receiving funds under this chapter may use
14 grant funds to carry out 1 or more of the following activi-
15 ties:

16 “(1) Providing technical assistance to—

17 “(A) middle schools or secondary schools
18 that are located within the State; or

19 “(B) partnerships described in section
20 404A(c)(2) that are located within the State.

21 “(2) Providing professional development oppor-
22 tunities to individuals working with eligible cohorts
23 of students described in section 404B(d)(1)(A).

24 “(3) Providing strategies and activities that
25 align efforts in the State to prepare eligible students

1 for attending and succeeding in postsecondary edu-
2 cation, which may include the development of grad-
3 uation and career plans.

4 “(4) Disseminating information on the use of
5 scientifically based research and best practices to
6 improve services for eligible students.

7 “(5)(A) Disseminating information on effective
8 coursework and support services that assist students
9 in obtaining the goals described in subparagraph
10 (B)(ii).

11 “(B) Identifying and disseminating information
12 on best practices with respect to—

13 “(i) increasing parental involvement; and

14 “(ii) preparing students, including students
15 with disabilities and students who are limited
16 English proficient, to succeed academically in,
17 and prepare financially for, postsecondary edu-
18 cation.

19 “(6) Working to align State academic standards
20 and curricula with the expectations of postsecondary
21 institutions and employers.

22 “(7) Developing alternatives to traditional sec-
23 ondary school that give students a head start on at-
24 taining a recognized postsecondary credential (in-
25 cluding an industry certificate, an apprenticeship, or

1 an associate's or a bachelor's degree), including
2 school designs that give students early exposure to
3 college-level courses and experiences and allow stu-
4 dents to earn transferable college credits or an asso-
5 ciate's degree at the same time as a secondary
6 school diploma.

7 “(8) Creating community college programs for
8 drop-outs that are personalized drop-out recovery
9 programs that allow drop-outs to complete a regular
10 secondary school diploma and begin college-level
11 work.

12 “(d) PRIORITY STUDENTS.—For eligible entities not
13 using a cohort approach, the eligible entity shall treat as
14 priority students any student in middle or secondary
15 school who is eligible—

16 “(1) to be counted under section 1124(c) of the
17 Elementary and Secondary Education Act of 1965;

18 “(2) for free or reduced price meals under the
19 Richard B. Russell National School Lunch Act;

20 “(3) for assistance under a State program
21 funded under part A or E of title IV of the Social
22 Security Act (42 U.S.C. 601 et seq., 670 et seq.);

23 or

1 “(4) for assistance under subtitle B of title VII
2 of the McKinney-Vento Homeless Assistance Act (42
3 U.S.C. 11431 et seq.).

4 “(e) ALLOWABLE PROVIDERS.—In the case of eligible
5 entities described in section 404A(c)(1), the activities re-
6 quired by this section may be provided by service providers
7 such as community-based organizations, schools, institu-
8 tions of higher education, public and private agencies,
9 nonprofit and philanthropic organizations, businesses, in-
10 stitutions and agencies sponsoring programs authorized
11 under subpart 4, and other organizations the State deter-
12 mines appropriate.”.

13 (e) SCHOLARSHIP COMPONENT.—Section 404E (20
14 U.S.C. 1070a–25) is amended—

15 (1) by striking subsections (e) and (f);

16 (2) by redesignating subsections (b), (c), and
17 (d) as subsections (d), (f), and (g), respectively;

18 (3) by inserting after subsection (a) the fol-
19 lowing:

20 “(b) LIMITATION.—

21 “(1) IN GENERAL.—Subject to paragraph (2),
22 each eligible entity described in section 404A(c)(1)
23 that receives a grant under this chapter shall use
24 not less than 25 percent and not more than 50 per-
25 cent of the grant funds for activities described in

1 section 404D (except for the activity described in
2 subsection (a)(4) of such section), with the remain-
3 der of such funds to be used for a scholarship pro-
4 gram under this section in accordance with such
5 subsection.

6 “(2) EXCEPTION.—Notwithstanding paragraph
7 (1), the Secretary may allow an eligible entity to use
8 more than 50 percent of grant funds received under
9 this chapter for such activities, if the eligible entity
10 demonstrates that the eligible entity has another
11 means of providing the students with the financial
12 assistance described in this section and describes
13 such means in the application submitted under sec-
14 tion 404C.

15 “(c) NOTIFICATION OF ELIGIBILITY.—Each eligible
16 entity providing scholarships under this section shall pro-
17 vide information on the eligibility requirements for the
18 scholarships to all participating students upon the stu-
19 dents’ entry into the programs assisted under this chap-
20 ter.”;

21 (4) in subsection (d) (as redesignated by para-
22 graph (2)), by striking “the lesser of” and all that
23 follows through the period at the end of paragraph
24 (2) and inserting “the minimum Federal Pell Grant
25 award under section 401 for such award year.”;

1 (5) by inserting after subsection (d) (as redesignated by paragraph (2) and amended by paragraph (4)) the following:

4 “(e) PORTABILITY OF ASSISTANCE.—

5 “(1) IN GENERAL.—Each eligible entity described in section 404A(c)(1) that receives a grant under this chapter shall create or organize a trust for each cohort described in section 404B(d)(1)(A) for which the grant is sought in the application submitted by the entity, which trust shall be an amount that is not less than the minimum scholarship amount described in subsection (d), multiplied by the number of students participating in the cohort.

14 “(2) REQUIREMENT FOR PORTABILITY.—Funds contributed to the trust for a cohort shall be available to a student in the cohort when the student has—

18 “(A) completed a secondary school diploma, its recognized equivalent, or other recognized alternative standard for individuals with disabilities; and

22 “(B) enrolled in an institution of higher education.

1 “(3) QUALIFIED EDUCATIONAL EXPENSES.—
2 Funds available to an eligible student from a trust
3 may be used for—

4 “(A) tuition, fees, books, supplies, and
5 equipment required for the enrollment or at-
6 tendance of the eligible student at an institution
7 of higher education; and

8 “(B) in the case of an eligible student with
9 special needs, expenses for special needs serv-
10 ices which are incurred in connection with such
11 enrollment or attendance.

12 “(4) RETURN OF FUNDS.—

13 “(A) REDISTRIBUTION.—

14 “(i) IN GENERAL.—Trust funds that
15 are not used by an eligible student within
16 6 years of the student’s scheduled comple-
17 tion of secondary school may be redistrib-
18 uted by the eligible entity to other eligible
19 students.

20 “(ii) RETURN OF EXCESS TO THE
21 SECRETARY.—If, after meeting the require-
22 ments of paragraph (1) and, if applicable,
23 redistributing excess funds in accordance
24 with clause (i), an eligible entity has funds
25 remaining, the eligible entity shall return

1 excess funds to the Secretary for distribu-
2 tion to other grantees under this chapter.

3 “(B) NONPARTICIPATING ENTITY.—Not-
4 withstanding subparagraph (A), in the case of
5 an eligible entity described in section
6 404A(e)(1)(A) that does not receive assistance
7 under this subpart for 6 fiscal years, the eligi-
8 ble entity shall return any trust funds not
9 awarded or obligated to eligible students to the
10 Secretary for distribution to other grantees
11 under this chapter.”; and

12 (6) in subsection (g) (as redesignated by para-
13 graph (2))—

14 (A) in paragraph (2), by striking “1993”
15 and inserting “2001”; and

16 (B) in paragraph (4), by striking “early
17 intervention component required under section
18 404D” and inserting “activities required under
19 section 404D(a)”.

20 (f) REPEAL OF 21ST CENTURY SCHOLAR CERTIFI-
21 CATES.—Chapter 2 of subpart 2 of part A of title IV (20
22 U.S.C. 1070a–21 et seq.) is further amended—

23 (1) by striking section 404F; and

24 (2) by redesignating sections 404G and 404H
25 as sections 404F and 404G, respectively.

1 (g) AUTHORIZATION OF APPROPRIATIONS.—Section
2 404G (as redesignated by subsection (f)) (20 U.S.C.
3 1070a–28) is amended by striking “\$200,000,000 for fis-
4 cal year 1999” and all that follows through the period and
5 inserting “such sums as may be necessary for fiscal year
6 2008 and each of the 5 succeeding fiscal years.”.

7 (h) CONFORMING AMENDMENTS.—Chapter 2 of sub-
8 part 2 of part A of title IV (20 U.S.C. 1070a–21 et seq.)
9 is further amended—

10 (1) in section 404A(b)(1), by striking “404H”
11 and inserting “404G”;

12 (2) in section 404B(a)(1), by striking “404H”
13 and inserting “404G”; and

14 (3) in section 404F(c) (as redesignated by sub-
15 section (f)(2)), by striking “404H” and inserting
16 “404G”.

17 **SEC. 405. ACADEMIC ACHIEVEMENT INCENTIVE SCHOLAR-**
18 **SHIPS.**

19 Chapter 3 of subpart 2 of part A of title IV (20
20 U.S.C. 1070a–31 et seq.) is repealed.

21 **SEC. 406. FEDERAL SUPPLEMENTAL EDUCATIONAL OPPOR-**
22 **TUNITY GRANTS.**

23 (a) APPROPRIATIONS AUTHORIZED.—Section
24 413A(b)(1) (20 U.S.C. 1070b(b)(1)) is amended by strik-
25 ing “\$675,000,000 for fiscal year 1999” and all that fol-

1 lows through the period and inserting “such sums as may
2 be necessary for fiscal year 2008 and each of the 5 suc-
3 ceeding fiscal years.”.

4 (b) ALLOCATION OF FUNDS.—

5 (1) ALLOCATION OF FUNDS.—Section 413D
6 (20 U.S.C. 1070b–3) is amended—

7 (A) by striking subsection (a)(4); and

8 (B) in subsection (c)(3)(D), by striking
9 “\$450” and inserting “\$600”.

10 (2) TECHNICAL CORRECTION.—Section
11 413D(a)(1) (20 U.S.C. 1070b–3(a)(1)) is amended
12 by striking “such institution” and all that follows
13 through the period and inserting “such institution
14 received under subsections (a) and (b) of this section
15 for fiscal year 1999 (as such subsections were in ef-
16 fect with respect to allocations for such fiscal
17 year).”.

18 **SEC. 407. LEVERAGING EDUCATIONAL ASSISTANCE PART-**
19 **NERSHIP PROGRAM.**

20 (a) APPROPRIATIONS AUTHORIZED.—Section
21 415A(b)(1) (20 U.S.C. 1070c(b)(1)) is amended to read
22 as follows:

23 “(1) IN GENERAL.—There are authorized to be
24 appropriated to carry out this subpart such sums as

1 may be necessary for fiscal year 2008 and each of
2 the 5 succeeding fiscal years.”.

3 (b) APPLICATIONS.—Section 415C(b) (20 U.S.C.
4 1070c–2(b)) is amended—

5 (1) in the matter preceding subparagraph (A)
6 of paragraph (2), by striking “not in excess of
7 \$5,000 per academic year” and inserting “not to ex-
8 ceed the lesser of \$12,500 or the student’s cost of
9 attendance per academic year”; and

10 (2) by striking paragraph (10) and inserting
11 the following:

12 “(10) provides notification to eligible students
13 that such grants are—

14 “(A) Leveraging Educational Assistance
15 Partnership grants; and

16 “(B) funded by the Federal Government,
17 the State, and other contributing partners.”.

18 (c) GRANTS FOR ACCESS AND PERSISTENCE.—Sec-
19 tion 415E (20 U.S.C. 1070c–3a) is amended to read as
20 follows:

21 **“SEC. 415E. GRANTS FOR ACCESS AND PERSISTENCE.**

22 “(a) PURPOSE.—It is the purpose of this section to
23 expand college access and increase college persistence by
24 making allotments to States to enable the States to—

1 “(1) expand and enhance partnerships with in-
2 stitutions of higher education, early information and
3 intervention, mentoring, or outreach programs, pri-
4 vate corporations, philanthropic organizations, and
5 other interested parties in order to—

6 “(A) carry out activities under this section;
7 and

8 “(B) provide coordination and cohesion
9 among Federal, State, and local governmental
10 and private efforts that provide financial assist-
11 ance to help low-income students attend an in-
12 stitution of higher education;

13 “(2) provide need-based grants for access and
14 persistence to eligible low-income students;

15 “(3) provide early notification to low-income
16 students of the students’ eligibility for financial aid;
17 and

18 “(4) encourage increased participation in early
19 information and intervention, mentoring, or outreach
20 programs.

21 “(b) ALLOTMENTS TO STATES.—

22 “(1) IN GENERAL.—

23 “(A) AUTHORIZATION.—From sums re-
24 served under section 415A(b)(2) for each fiscal
25 year, the Secretary shall make an allotment to

1 each State that submits an application for an
2 allotment in accordance with subsection (c) to
3 enable the State to pay the Federal share, as
4 described in paragraph (2), of the cost of car-
5 rying out the activities under subsection (d).

6 “(B) DETERMINATION OF ALLOTMENT.—
7 In making allotments under subparagraph (A),
8 the Secretary shall consider the following:

9 “(i) CONTINUATION OF AWARD.—If a
10 State continues to meet the specifications
11 established in such State’s application
12 under subsection (c), the Secretary shall
13 make an allotment to such State that is
14 not less than the allotment made to such
15 State for the previous fiscal year.

16 “(ii) PRIORITY.—The Secretary shall
17 give priority in making allotments to
18 States that meet the requirements de-
19 scribed in paragraph (2)(A)(ii).

20 “(2) FEDERAL SHARE.—

21 “(A) IN GENERAL.—The Federal share
22 under this section shall be determined in ac-
23 cordance with the following:

1 “(i) If a State applies for an allot-
2 ment under this section in partnership
3 with—

4 “(I) any number of degree grant-
5 ing institutions of higher education in
6 the State whose combined full-time
7 enrollment represents less than a ma-
8 jority of all students attending institu-
9 tions of higher education in the State;
10 and

11 “(II)(aa) philanthropic organiza-
12 tions that are located in, or that pro-
13 vide funding in, the State; or

14 “(bb) private corporations that
15 are located in, or that do business in,
16 the State,

17 then the Federal share of the cost of car-
18 rying out the activities under subsection
19 (d) shall be equal to 50 percent.

20 “(ii) If a State applies for an allot-
21 ment under this section in partnership
22 with—

23 “(I) any number of degree grant-
24 ing institutions of higher education in
25 the State whose combined full-time

1 enrollment represents a majority of all
2 students attending institutions of
3 higher education in the State; and

4 “(II)(aa) philanthropic organiza-
5 tions that are located in, or that pro-
6 vide funding in, the State; or

7 “(bb) private corporations that
8 are located in, or that do business in,
9 the State,

10 then the Federal share of the cost of car-
11 rying out the activities under subsection
12 (d) shall be equal to 57 percent.

13 “(B) NON-FEDERAL SHARE.—

14 “(i) IN GENERAL.—The non-Federal
15 share under this section may be provided
16 in cash or in kind, fully evaluated and in
17 accordance with this subparagraph.

18 “(ii) IN KIND CONTRIBUTION.—For
19 the purpose of calculating the non-Federal
20 share under this section, an in kind con-
21 tribution is a non-cash award that has
22 monetary value, such as provision of room
23 and board and transportation passes, and
24 that helps a student meet the cost of at-
25 tendance.

1 “(iii) EFFECT ON NEED ANALYSIS.—
2 For the purpose of calculating a student’s
3 need in accordance with part F of this
4 title, an in-kind contribution described in
5 clause (ii) shall not be considered an asset
6 or income.

7 “(c) APPLICATION FOR ALLOTMENT.—

8 “(1) IN GENERAL.—

9 “(A) SUBMISSION.—A State that desires
10 to receive an allotment under this section on be-
11 half of a partnership described in paragraph (3)
12 shall submit an application to the Secretary at
13 such time, in such manner, and containing such
14 information as the Secretary may require.

15 “(B) CONTENT.—An application submitted
16 under subparagraph (A) shall include the fol-
17 lowing:

18 “(i) A description of the State’s plan
19 for using the allotted funds.

20 “(ii) Assurances that the State will
21 provide the non-Federal share from State,
22 institutional, philanthropic, or private
23 funds, of not less than the required share
24 of the cost of carrying out the activities
25 under subsection (d), as determined under

1 subsection (b), in accordance with the fol-
2 lowing:

3 “(I) The State shall specify the
4 methods by which non-Federal share
5 funds will be paid, and include provi-
6 sions designed to ensure that funds
7 provided under this section will be
8 used to supplement, and not supplant,
9 Federal and non-Federal funds avail-
10 able for carrying out the activities
11 under this title.

12 “(II) A State that uses non-Fed-
13 eral funds to create or expand existing
14 partnerships with nonprofit organiza-
15 tions or community-based organiza-
16 tions in which such organizations
17 match State funds for student schol-
18 arships, may apply such matching
19 funds from such organizations toward
20 fulfilling the State’s non-Federal
21 share obligation under this clause.

22 “(iii) Assurances that early informa-
23 tion and intervention, mentoring, or out-
24 reach programs exist within the State or

1 that there is a plan to make such pro-
2 grams widely available.

3 “(iv) A description of the organiza-
4 tional structure that the State has in place
5 to administer the activities under sub-
6 section (d), including a description of the
7 system the State will use to track the par-
8 ticipation of students who receive grants
9 under this section to degree completion.

10 “(v) Assurances that the State has a
11 method in place, such as acceptance of the
12 automatic zero expected family contribu-
13 tion determination described in section
14 479, to identify eligible low-income stu-
15 dents and award State grant aid to such
16 students.

17 “(vi) Assurances that the State will
18 provide notification to eligible low-income
19 students that grants under this section
20 are—

21 “(I) Leveraging Educational As-
22 sistance Partnership Grants; and

23 “(II) funded by the Federal Gov-
24 ernment, the State, and other contrib-
25 uting partners.

1 “(2) STATE AGENCY.—The State agency that
2 submits an application for a State under section
3 415C(a) shall be the same State agency that sub-
4 mits an application under paragraph (1) for such
5 State.

6 “(3) PARTNERSHIP.—In applying for an allot-
7 ment under this section, the State agency shall apply
8 for the allotment in partnership with—

9 “(A) not less than 1 public and 1 private
10 degree granting institution of higher education
11 that are located in the State, if applicable;

12 “(B) new or existing early information and
13 intervention, mentoring, or outreach programs
14 located in the State; and

15 “(C) not less than 1—

16 “(i) philanthropic organization located
17 in, or that provides funding in, the State;
18 or

19 “(ii) private corporation located in, or
20 that does business in, the State.

21 “(4) ROLES OF PARTNERS.—

22 “(A) STATE AGENCY.—A State agency
23 that is in a partnership receiving an allotment
24 under this section—

25 “(i) shall—

1 “(I) serve as the primary admin-
2 istrative unit for the partnership;

3 “(II) provide or coordinate non-
4 Federal share funds, and coordinate
5 activities among partners;

6 “(III) encourage each institution
7 of higher education in the State to
8 participate in the partnership;

9 “(IV) make determinations and
10 early notifications of assistance as de-
11 scribed under subsection (d)(2); and

12 “(V) annually report to the Sec-
13 retary on the partnership’s progress
14 in meeting the purpose of this section;
15 and

16 “(ii) may provide early information
17 and intervention, mentoring, or outreach
18 programs.

19 “(B) DEGREE GRANTING INSTITUTIONS OF
20 HIGHER EDUCATION.—A degree granting insti-
21 tution of higher education that is in a partner-
22 ship receiving an allotment under this section—

23 “(i) shall—

24 “(I) recruit and admit partici-
25 pating qualified students and provide

1 such additional institutional grant aid
2 to participating students as agreed to
3 with the State agency;

4 “(II) provide support services to
5 students who receive grants for access
6 and persistence under this section and
7 are enrolled at such institution; and

8 “(III) assist the State in the
9 identification of eligible students and
10 the dissemination of early notifica-
11 tions of assistance as agreed to with
12 the State agency; and

13 “(ii) may provide funding for early in-
14 formation and intervention, mentoring, or
15 outreach programs or provide such services
16 directly.

17 “(C) PROGRAMS.—An early information
18 and intervention, mentoring, or outreach pro-
19 gram that is in a partnership receiving an allot-
20 ment under this section shall provide direct
21 services, support, and information to partici-
22 pating students.

23 “(D) PHILANTHROPIC ORGANIZATION OR
24 PRIVATE CORPORATION.—A philanthropic orga-
25 nization or private corporation that is in a part-

1 nership receiving an allotment under this sec-
2 tion shall provide funds for grants for access
3 and persistence for participating students, or
4 provide funds or support for early information
5 and intervention, mentoring, or outreach pro-
6 grams.

7 “(d) AUTHORIZED ACTIVITIES.—

8 “(1) IN GENERAL.—

9 “(A) ESTABLISHMENT OF PARTNER-
10 SHIP.—Each State receiving an allotment under
11 this section shall use the funds to establish a
12 partnership to award grants for access and per-
13 sistence to eligible low-income students in order
14 to increase the amount of financial assistance
15 such students receive under this subpart for un-
16 dergraduate education expenses.

17 “(B) AMOUNT OF GRANTS.—

18 “(i) PARTNERSHIPS WITH INSTITU-
19 TIONS SERVING LESS THAN A MAJORITY
20 OF STUDENTS IN THE STATE.—

21 “(I) IN GENERAL.—In the case
22 where a State receiving an allotment
23 under this section is in a partnership
24 described in subsection (b)(2)(A)(i),
25 the amount of a grant for access and

1 persistence awarded to a student by
2 such State shall be not less than the
3 amount that is equal to the average
4 undergraduate tuition and mandatory
5 fees at 4-year public institutions of
6 higher education in the State where
7 the student resides (less any amounts
8 of other Federal or State sponsored
9 grants, work study, and scholarships
10 received by the student), and such
11 grant for access and persistence shall
12 be used toward the cost of attendance
13 at an institution of higher education
14 located in the State.

15 “(II) COST OF ATTENDANCE.—A
16 State that has a program, apart from
17 the partnership under this section, of
18 providing eligible low-income students
19 with grants that are equal to the aver-
20 age undergraduate tuition and man-
21 datory fees at 4-year public institu-
22 tions of higher education in the State,
23 may increase the amount of grants for
24 access and persistence awarded to stu-
25 dents by such State up to an amount

1 that is equal to the average cost of at-
2 tendance at 4-year public institutions
3 of higher education in the State (less
4 any amounts of other Federal or
5 State sponsored grants, work study,
6 and scholarships received by the stu-
7 dent).

8 “(ii) PARTNERSHIPS WITH INSTITU-
9 TIONS SERVING THE MAJORITY OF STU-
10 DENTS IN THE STATE.—In the case where
11 a State receiving an allotment under this
12 section is in a partnership described in
13 subsection (b)(2)(A)(ii), the amount of a
14 grant for access and persistence awarded
15 to a student by such State shall be not
16 more than an amount that is equal to the
17 average cost of attendance at 4-year public
18 institutions of higher education in the
19 State where the student resides (less any
20 amounts of other Federal or State spon-
21 sored grants, work study, and scholarships
22 received by the student), and such grant
23 for access and persistence shall be used by
24 the student to attend an institution of
25 higher education located in the State.

1 “(C) SPECIAL RULES.—

2 “(i) PARTNERSHIP INSTITUTIONS.—A
3 State receiving an allotment under this
4 section may restrict the use of grants for
5 access and persistence under this section
6 by awarding the grants only to students
7 attending institutions of higher education
8 that are participating in the partnership.

9 “(ii) OUT-OF-STATE INSTITUTIONS.—
10 If a State provides grants through another
11 program under this subpart to students at-
12 tending institutions of higher education lo-
13 cated in another State, such agreement
14 may also apply to grants awarded under
15 this section.

16 “(2) EARLY NOTIFICATION.—

17 “(A) IN GENERAL.—Each State receiving
18 an allotment under this section shall annually
19 notify low-income students, such as students
20 who are eligible to receive a free lunch under
21 the school lunch program established under the
22 Richard B. Russell National School Lunch Act,
23 in grade 7 through grade 12 in the State, of
24 the students’ potential eligibility for student fi-
25 nancial assistance, including a grant for access

1 and persistence, to attend an institution of
2 higher education.

3 “(B) CONTENT OF NOTICE.—The notifica-
4 tion under subparagraph (A)—

5 “(i) shall include—

6 “(I) information about early in-
7 formation and intervention, men-
8 toring, or outreach programs available
9 to the student;

10 “(II) information that a stu-
11 dent’s eligibility for a grant for access
12 and persistence is enhanced through
13 participation in an early information
14 and intervention, mentoring, or out-
15 reach program;

16 “(III) an explanation that stu-
17 dent and family eligibility for, and
18 participation in, other Federal means-
19 tested programs may indicate eligi-
20 bility for a grant for access and per-
21 sistence and other student aid pro-
22 grams;

23 “(IV) a nonbinding estimate of
24 the total amount of financial aid that
25 a low-income student with a similar

1 income level may expect to receive, in-
2 cluding an estimate of the amount of
3 a grant for access and persistence and
4 an estimate of the amount of grants,
5 loans, and all other available types of
6 aid from the major Federal and State
7 financial aid programs;

8 “(V) an explanation that in order
9 to be eligible for a grant for access
10 and persistence, at a minimum, a stu-
11 dent shall—

12 “(aa) meet the requirement
13 under paragraph (3);

14 “(bb) graduate from sec-
15 ondary school; and

16 “(cc) enroll at an institution
17 of higher education that is a
18 partner in the partnership or
19 qualifies under subsection
20 (d)(1)(C)(ii);

21 “(VI) information on any addi-
22 tional requirements (such as a student
23 pledge detailing student responsibil-
24 ities) that the State may impose for

1 receipt of a grant for access and per-
2 sistence under this section; and

3 “(VII) instructions on how to
4 apply for a grant for access and per-
5 sistence and an explanation that a
6 student is required to file a Free Ap-
7 plication for Federal Student Aid au-
8 thorized under section 483(a) to be el-
9 igible for such grant and assistance
10 from other Federal and State finan-
11 cial aid programs; and

12 “(ii) may include a disclaimer that
13 grant awards for access and persistence
14 are contingent upon—

15 “(I) a determination of the stu-
16 dent’s financial eligibility at the time
17 of the student’s enrollment at an in-
18 stitution of higher education that is a
19 partner in the partnership or qualifies
20 under subsection (d)(1)(C)(ii);

21 “(II) annual Federal and State
22 appropriations; and

23 “(III) other aid received by the
24 student at the time of the student’s

1 enrollment at such institution of high-
2 er education.

3 “(3) ELIGIBILITY.—In determining which stu-
4 dents are eligible to receive grants for access and
5 persistence, the State shall ensure that each such
6 student meets not less than 1 of the following:

7 “(A) Meets not less than 2 of the following
8 criteria, with priority given to students meeting
9 all of the following criteria:

10 “(i) Has an expected family contribu-
11 tion equal to zero (as described in section
12 479) or a comparable alternative based
13 upon the State’s approved criteria in sec-
14 tion 415C(b)(4).

15 “(ii) Has qualified for a free lunch, or
16 at the State’s discretion a reduced price
17 lunch, under the school lunch program es-
18 tablished under the Richard B. Russell Na-
19 tional School Lunch Act.

20 “(iii) Qualifies for the State’s max-
21 imum undergraduate award, as authorized
22 under section 415C(b).

23 “(iv) Is participating in, or has par-
24 ticipated in, a Federal, State, institutional,
25 or community early information and inter-

1 vention, mentoring, or outreach program,
2 as recognized by the State agency admin-
3 istering activities under this section.

4 “(B) Is receiving, or has received, a grant
5 for access and persistence under this section, in
6 accordance with paragraph (5).

7 “(4) GRANT AWARD.—Once a student, includ-
8 ing those students who have received early notifica-
9 tion under paragraph (2) from the State, applies for
10 admission to an institution that is a partner in the
11 partnership, files a Free Application for Federal
12 Student Aid and any related existing State form,
13 and is determined eligible by the State under para-
14 graph (3), the State shall—

15 “(A) issue the student a preliminary award
16 certificate for a grant for access and persistence
17 with tentative award amounts; and

18 “(B) inform the student that payment of
19 the grant for access and persistence award
20 amounts is subject to certification of enrollment
21 and award eligibility by the institution of higher
22 education.

23 “(5) DURATION OF AWARD.—An eligible stu-
24 dent that receives a grant for access and persistence
25 under this section shall receive such grant award for

1 each year of such student's undergraduate education
2 in which the student remains eligible for assistance
3 under this title, including pursuant to section
4 484(c), and remains financially eligible as deter-
5 mined by the State, except that the State may im-
6 pose reasonable time limits to degree completion.

7 “(e) USE OF FUNDS FOR ADMINISTRATIVE COSTS
8 PROHIBITED.—A State that receives an allotment under
9 this section shall not use any of the allotted funds to pay
10 administrative costs associated with any of the authorized
11 activities described in subsection (d).

12 “(f) STATUTORY AND REGULATORY RELIEF FOR IN-
13 STITUTIONS OF HIGHER EDUCATION.—The Secretary
14 may grant, upon the request of an institution of higher
15 education that is in a partnership described in subsection
16 (b)(2)(A)(ii) and that receives an allotment under this sec-
17 tion, a waiver for such institution from statutory or regu-
18 latory requirements that inhibit the ability of the institu-
19 tion to successfully and efficiently participate in the activi-
20 ties of the partnership.

21 “(g) APPLICABILITY RULE.—The provisions of this
22 subpart which are not inconsistent with this section shall
23 apply to the program authorized by this section.

24 “(h) MAINTENANCE OF EFFORT REQUIREMENT.—
25 Each State receiving an allotment under this section for

1 a fiscal year shall provide the Secretary with an assurance
2 that the aggregate amount expended per student or the
3 aggregate expenditures by the State, from funds derived
4 from non-Federal sources, for the authorized activities de-
5 scribed in subsection (d) for the preceding fiscal year were
6 not less than the amount expended per student or the ag-
7 gregate expenditure by the State for the activities for the
8 second preceding fiscal year.

9 “(i) SPECIAL RULE.—Notwithstanding subsection
10 (h), for purposes of determining a State’s share of the cost
11 of the authorized activities described in subsection (d), the
12 State shall consider only those expenditures from non-
13 Federal sources that exceed the State’s total expenditures
14 for need-based grants, scholarships, and work-study as-
15 sistance for fiscal year 1999 (including any such assist-
16 ance provided under this subpart).

17 “(j) CONTINUATION AND TRANSITION.—For the 2-
18 year period that begins on the date of enactment of the
19 Higher Education Amendments of 2007, the Secretary
20 shall continue to award grants under section 415E of the
21 Higher Education Act of 1965 as such section existed on
22 the day before the date of enactment of such Act to States
23 that choose to apply for grants under such predecessor
24 section.

1 “(k) REPORTS.—Not later than 3 years after the
2 date of enactment of the Higher Education Amendments
3 of 2007 and annually thereafter, the Secretary shall sub-
4 mit a report describing the activities and the impact of
5 the partnerships under this section to the authorizing
6 committees.”.

7 **SEC. 408. SPECIAL PROGRAMS FOR STUDENTS WHOSE FAM-**
8 **ILIES ARE ENGAGED IN MIGRANT AND SEA-**
9 **SONAL FARMWORK.**

10 Section 418A (20 U.S.C. 1070d–2) is amended—

11 (1) in subsection (b)—

12 (A) in paragraph (1)(B)(i), by striking
13 “parents” and inserting “immediate family”;

14 (B) in paragraph (3)(B), by inserting “(in-
15 cluding preparation for college entrance exami-
16 nations)” after “college program”;

17 (C) in paragraph (5), by striking “weekly”;

18 (D) in paragraph (7), by striking “and”
19 after the semicolon;

20 (E) in paragraph (8)—

21 (i) by inserting “(such as transpor-
22 tation and child care)” after “services”;

23 and

24 (ii) by striking the period at the end
25 and inserting “; and”; and

1 (F) by adding at the end the following:

2 “(9) other activities to improve persistence and
3 retention in postsecondary education.”;

4 (2) in subsection (c)—

5 (A) in paragraph (1)—

6 (i) in subparagraph (A), by striking
7 “parents” and inserting “immediate fam-
8 ily”; and

9 (ii) in subparagraph (B)—

10 (I) in the matter preceding clause
11 (i), by inserting “to improve place-
12 ment, persistence, and retention in
13 postsecondary education,” after “serv-
14 ices”; and

15 (II) in clause (i), by striking
16 “and career” and inserting “career,
17 and economic education or personal fi-
18 nance”;

19 (iii) in subparagraph (E), by striking
20 “and” after the semicolon;

21 (iv) by redesignating subparagraph
22 (F) as subparagraph (G);

23 (v) by inserting after subparagraph
24 (E) the following:

25 “(F) internships; and”; and

1 (vi) in subparagraph (G) (as redesignated by clause (iv)), by striking “support
2 services” and inserting “essential supportive services (such as transportation
3 and child care)” ; and
4

5
6 (B) in paragraph (2)—

7 (i) in subparagraph (A), by striking
8 “and” after the semicolon;

9 (ii) in subparagraph (B), by striking
10 the period at the end and inserting “, and
11 coordinating such services, assistance, and
12 aid with other non-program services, as-
13 sistance, and aid, including services, assist-
14 ance, and aid provided by community-
15 based organizations, which may include
16 mentoring and guidance; and”;

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

19 “(C) for students attending 2-year institutions
20 of higher education, encouraging the students to
21 transfer to 4-year institutions of higher education,
22 where appropriate, and monitoring the rate of trans-
23 fer of such students.”;

24 (3) in subsection (e), by striking “section
25 402A(c)(1)” and inserting “section 402A(c)(2)”;

1 (4) in subsection (f)—

2 (A) in paragraph (1), by striking
3 “\$150,000” and inserting “\$180,000”; and

4 (B) in paragraph (2), by striking
5 “\$150,000” and inserting “\$180,000”;

6 (5) by redesignating subsections (g) and (h) as
7 subsections (h) and (i), respectively;

8 (6) by inserting after subsection (f) the fol-
9 lowing:

10 “(g) RESERVATION OF FUNDS.—From the amounts
11 made available under subsection (i), the Secretary may re-
12 serve not more than a total of $\frac{1}{2}$ of 1 percent for outreach
13 activities, technical assistance, and professional develop-
14 ment programs relating to the programs under subsection
15 (a).”;

16 (7) by striking subsection (h) (as redesignated
17 by paragraph (5)) and inserting the following:

18 “(h) DATA COLLECTION.—The Commissioner for
19 Education Statistics shall—

20 “(1) annually collect data on persons receiving
21 services authorized under this subpart regarding
22 such persons’ rates of secondary school graduation,
23 entrance into postsecondary education, and comple-
24 tion of postsecondary education;

1 “(2) not less often than once every 2 years, pre-
2 pare and submit a report based on the most recently
3 available data under paragraph (1) to the author-
4 izing committees; and

5 “(3) make such report available to the public.”;
6 and

7 (8) in subsection (i) (as redesignated by para-
8 graph (5))—

9 (A) in paragraph (1), by striking
10 “\$15,000,000 for fiscal year 1999” and all that
11 follows through the period and inserting “such
12 sums as may be necessary for fiscal year 2008
13 and each of the 5 succeeding fiscal years.”; and

14 (B) in paragraph (2), by striking
15 “\$5,000,000 for fiscal year 1999” and all that
16 follows through the period and inserting “such
17 sums as may be necessary for fiscal year 2008
18 and each of the 5 succeeding fiscal years.”.

19 **SEC. 409. ROBERT C. BYRD HONORS SCHOLARSHIP PRO-**
20 **GRAM.**

21 (a) **ELIGIBILITY OF SCHOLARS.**—Section 419F(a)
22 (20 U.S.C. 1070d–36(a)) is amended by inserting “(or a
23 home school, whether treated as a home school or a private
24 school under State law)” after “public or private sec-
25 ondary school”.

1 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
2 419K (20 U.S.C. 1070d–41) is amended by striking
3 “\$45,000,000 for fiscal year 1999” and all that follows
4 through the period and inserting “such sums as may be
5 necessary for fiscal year 2008 and each of the 5 suc-
6 ceeding fiscal years.”.

7 **SEC. 410. CHILD CARE ACCESS MEANS PARENTS IN**
8 **SCHOOL.**

9 (a) MINIMUM GRANT.—Section 419N(b)(2)(B) (20
10 U.S.C. 1070e(b)(2)(B)) is amended—

11 (1) by striking “A grant” and inserting the fol-
12 lowing:

13 “(i) IN GENERAL.—Except as pro-
14 vided in clause (ii), a grant”; and

15 (2) by adding at the end the following:

16 “(ii) INCREASE TRIGGER.—For any
17 fiscal year for which the amount appro-
18 priated under the authority of subsection
19 (g) is equal to or greater than
20 \$20,000,000, a grant under this section
21 shall be awarded in an amount that is not
22 less than \$30,000.”.

23 (b) DEFINITION OF LOW-INCOME STUDENT.—Para-
24 graph (7) of section 419N(b) (20 U.S.C. 1070e(b)) is
25 amended to read as follows:

1 “(7) DEFINITION OF LOW-INCOME STUDENT.—

2 For the purpose of this section, the term ‘low-income
3 student’ means a student who—

4 “(A) is eligible to receive a Federal Pell
5 Grant for the award year for which the deter-
6 mination is made; or

7 “(B) would otherwise be eligible to receive
8 a Federal Pell Grant for the award year for
9 which the determination is made, except that
10 the student fails to meet the requirements of—

11 “(i) section 401(c)(1) because the stu-
12 dent is enrolled in a graduate or first pro-
13 fessional course of study; or

14 “(ii) section 484(a)(5) because the
15 student is in the United States for a tem-
16 porary purpose.”.

17 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
18 419N(g) (20 U.S.C. 1070e(g)) is amended by striking
19 “\$45,000,000 for fiscal year 1999” and all that follows
20 through the period and inserting “such sums as may be
21 necessary for fiscal year 2008 and each of the 5 suc-
22 ceeding fiscal years.”.

23 **SEC. 411. LEARNING ANYTIME ANYWHERE PARTNERSHIPS.**

24 Subpart 8 of part A of title IV (20 U.S.C. 1070f et
25 seq.) is repealed.

1 **PART B—FEDERAL FAMILY EDUCATION LOAN**
2 **PROGRAM**

3 **SEC. 421. FEDERAL PAYMENTS TO REDUCE STUDENT IN-**
4 **TEREST COSTS.**

5 Section 428 (as amended by this Act) (20 U.S.C.
6 1078) is further amended—

7 (1) in subsection (b)—

8 (A) in paragraph (1)—

9 (i) in subparagraph (X), by striking
10 “and” after the semicolon;

11 (ii) in subparagraph (Y)—

12 (I) by striking clause (i) and in-
13 serting the following:

14 “(i) the lender shall determine the eli-
15 gibility of a borrower for a deferment de-
16 scribed in subparagraph (M)(i) based on—

17 “(I) receipt of a request for
18 deferment from the borrower and doc-
19 umentation of the borrower’s eligi-
20 bility for the deferment;

21 “(II) receipt of a newly com-
22 pleted loan application that docu-
23 ments the borrower’s eligibility for a
24 deferment;

25 “(III) receipt of student status
26 information received by the lender

1 that the borrower is enrolled on at
2 least a half-time basis; or

3 “(IV) the lender’s confirmation
4 of the borrower’s half-time enrollment
5 status through use of the National
6 Student Loan Data System, if the
7 confirmation is requested by the insti-
8 tution of higher education.”; and

9 (II) in clause (ii), by striking the
10 period at the end and inserting “;
11 and”; and

12 (iii) by adding at the end the fol-
13 lowing:

14 “(Z) provides that the lender shall, at the
15 time the lender grants a deferment to a bor-
16 rower who received a loan under section 428H
17 and is eligible for a deferment under section
18 428(b)(1)(M), provide information to the bor-
19 rower to enable the borrower to understand the
20 impact of capitalization of interest on the bor-
21 rower’s loan principal and total amount of in-
22 terest to be paid during the life of the loan.”;

23 (B) in paragraph (2)(F)—

24 (i) in clause (i)—

1 (I) in subclause (III), by striking
2 “and” after the semicolon;

3 (II) in subclause (IV), by striking
4 “and” after the semicolon; and

5 (III) by adding at the end the
6 following:

7 “(V) the effective date of the
8 transfer;

9 “(VI) the date the current
10 servicer will stop accepting payments;
11 and

12 “(VII) the date at which the new
13 servicer will begin accepting pay-
14 ments.”; and

15 (C) by striking paragraph (3) and insert-
16 ing the following:

17 “(3) RESTRICTIONS ON INDUCEMENTS, PAY-
18 MENTS, MAILINGS, AND ADVERTISING.—A guaranty
19 agency shall not—

20 “(A) offer, directly or indirectly, premiums,
21 payments, stock or other securities, prizes, trav-
22 el, entertainment expenses, tuition repayment,
23 or other inducements to—

24 “(i) any institution of higher edu-
25 cation or the employees of an institution of

1 higher education in order to secure appli-
2 cants for loans made under this part; or

3 “(ii) any lender, or any agent, em-
4 ployee, or independent contractor of any
5 lender or guaranty agency, in order to ad-
6 minister or market loans made under this
7 part (other than a loan made under section
8 428H or a loan made as part of the guar-
9 anty agency’s lender-of-last-resort program
10 pursuant to section 439(q)) for the pur-
11 pose of securing the designation of the
12 guaranty agency as the insurer of such
13 loans;

14 “(B) conduct unsolicited mailings, by post-
15 al or electronic means, of educational loan ap-
16 plication forms to students enrolled in sec-
17 ondary school or postsecondary educational in-
18 stitutions, or to the parents of such students,
19 except that applications may be mailed, by post-
20 al or electronic means, to students or borrowers
21 who have previously received loans guaranteed
22 under this part by the guaranty agency;

23 “(C) perform, for an institution of higher
24 education participating in a program under this

1 title, any function that the institution is re-
2 quired to perform under part B, D, or G;

3 “(D) pay, on behalf of the institution of
4 higher education, another person to perform
5 any function that the institution of higher edu-
6 cation is required to perform under part B, D,
7 or G; or

8 “(E) conduct fraudulent or misleading ad-
9 vertising concerning loan availability, terms, or
10 conditions.

11 It shall not be a violation of this paragraph for a
12 guaranty agency to provide technical assistance to
13 institutions of higher education comparable to the
14 technical assistance provided to institutions of high-
15 er education by the Department.”; and

16 (2) in subsection (c)—

17 (A) in paragraph (2)(H)(i), by striking
18 “preclaims” and inserting “default aversion”;
19 and

20 (B) in paragraph (3)(D)—

21 (i) in clause (i), by striking “and”
22 after the comma at the end;

23 (ii) in clause (ii), by striking the pe-
24 riod and inserting a semicolon; and

1 (iii) by inserting after clause (ii) the
2 following:

3 “(iii) the lender shall, at the time of
4 granting a borrower forbearance, provide
5 information to the borrower to enable the
6 borrower to understand the impact of cap-
7 italization of interest on the borrower’s
8 loan principal and total amount of interest
9 to be paid during the life of the loan; and

10 “(iv) the lender shall contact the bor-
11 rower not less often than once every 180
12 days during the period of forbearance to
13 inform the borrower of—

14 “(I) the amount of unpaid prin-
15 cipal and the amount of interest that
16 has accrued since the last statement
17 of such amounts provided to the bor-
18 rower by the lender;

19 “(II) the fact that interest will
20 accrue on the loan for the period of
21 forbearance;

22 “(III) the amount of interest that
23 will be capitalized, and the date on
24 which capitalization will occur;

1 “(IV) the ability of the borrower
2 to pay the interest that has accrued
3 before the interest is capitalized; and
4 “(V) the borrower’s option to dis-
5 continue the forbearance at any
6 time.”.

7 **SEC. 422. FEDERAL CONSOLIDATION LOANS.**

8 (a) AMENDMENTS.—Section 428C(b)(1) (20 U.S.C.
9 1078–3(b)(1)) is amended—

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

12 (2) by redesignating subparagraph (F) as sub-
13 paragraph (H); and

14 (3) by inserting after subparagraph (E) the fol-
15 lowing:

16 “(F) that the lender will disclose, in a
17 clear and conspicuous manner, to borrowers
18 who consolidate loans made under part E of
19 this title—

20 “(i) that once the borrower adds the
21 borrower’s Federal Perkins Loan to a Fed-
22 eral Consolidation Loan, the borrower will
23 lose all interest-free periods that would
24 have been available, such as those periods
25 when no interest accrues on the Federal

1 Perkins Loan while the borrower is en-
2 rolled in school at least half-time, during
3 the grace period, and during periods when
4 the borrower's student loan repayments
5 are deferred;

6 “(ii) that the borrower will no longer
7 be eligible for loan cancellation of Federal
8 Perkins Loans under any provision of sec-
9 tion 465; and

10 “(iii) the occupations described in sec-
11 tion 465(a)(2), individually and in detail,
12 for which the borrower will lose eligibility
13 for Federal Perkins Loan cancellation; and

14 “(G) that the lender shall, upon applica-
15 tion for a consolidation loan, provide the bor-
16 rower with information about the possible im-
17 pact of loan consolidation, including—

18 “(i) the total interest to be paid and
19 fees to be paid on the consolidation loan,
20 and the length of repayment for the loan;

21 “(ii) whether consolidation would re-
22 sult in a loss of loan benefits under this
23 part or part D, including loan forgiveness,
24 cancellation, and deferment;

1 “(iii) in the case of a borrower that
2 plans to include a Federal Perkins Loan
3 under part E in the consolidation loan,
4 that once the borrower adds the borrower’s
5 Federal Perkins Loan to a consolidation
6 loan—

7 “(I) the borrower will lose all in-
8 terest-free periods that would have
9 been available for such loan under
10 part E, such as the periods during
11 which no interest accrues on the Fed-
12 eral Perkins Loan while the borrower
13 is enrolled in school at least half-time,
14 the grace period, and the periods dur-
15 ing which the borrower’s student loan
16 repayments are deferred under section
17 464(c)(2); and

18 “(II) the borrower will no longer
19 be eligible for cancellation of part or
20 all of a Federal Perkins loan under
21 section 465(a);

22 “(iv) the ability of the borrower to
23 prepay the consolidation loan, pay such
24 loan on a shorter schedule, and to change
25 repayment plans;

1 “(v) that borrower benefit programs
2 for a consolidation loan may vary among
3 different lenders;

4 “(vi) the consequences of default on
5 the consolidation loan; and

6 “(vii) that by applying for a consolida-
7 tion loan, the borrower is not obligated to
8 agree to take the consolidation loan; and”.

9 (b) CONFORMING AMENDMENT.—Section 455(g) (20
10 U.S.C. 1087e(g)) is amended by striking “428C(b)(1)(F)”
11 and inserting “428C(b)(1)(H)”.

12 **SEC. 423. DEFAULT REDUCTION PROGRAM.**

13 Section 428F (20 U.S.C. 1078–6) is amended—

14 (1) in subsection (a)—

15 (A) in paragraph (1)(A), by adding at the
16 end the following: “Upon the sale of the loan to
17 an eligible lender, the guaranty agency, and any
18 prior holder of the loan, shall request any con-
19 sumer reporting agency to which the guaranty
20 agency or holder, as applicable, reported the de-
21 fault of the loan, to remove the record of de-
22 fault from the borrower’s credit history.”; and

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

1 “(5) LIMITATION.—A borrower may obtain the
2 benefits available under this subsection with respect
3 to rehabilitating a loan only one time per loan.”; and

4 (2) by adding at the end the following:

5 “(c) FINANCIAL AND ECONOMIC LITERACY.—Where
6 appropriate as determined by the institution of higher edu-
7 cation in which a borrower is enrolled, each program de-
8 scribed in subsection (b) shall include making available fi-
9 nancial and economic education materials for the bor-
10 rower, including making the materials available before,
11 during, or after rehabilitation of a loan.”.

12 **SEC. 424. REPORTS TO CONSUMER REPORTING AGENCIES**
13 **AND INSTITUTIONS OF HIGHER EDUCATION.**

14 Section 430A (20 U.S.C. 1080a) is amended—

15 (1) in the section heading, by striking “**CRED-**
16 **IT BUREAUS**” and inserting “**CONSUMER RE-**
17 **PORTING AGENCIES**”; and

18 (2) in subsection (a)—

19 (A) in the first sentence, by striking “with
20 credit bureau organizations” and inserting
21 “with each consumer reporting agency that
22 compiles and maintains files on consumers on a
23 nationwide basis (as defined in section 603(p)
24 of the Fair Credit Reporting Act (15 U.S.C.
25 1681a(p))”;

1 (B) by redesignating paragraphs (1), (2),
2 and (3) as paragraphs (2), (4), and (5), respec-
3 tively;

4 (C) by inserting before paragraph (2) (as
5 redesignated by subparagraph (B)), the fol-
6 lowing:

7 “(1) the type of loan made, insured, or guaran-
8 teed under this title;”;

9 (D) by inserting after paragraph (2) (as
10 redesignated by subparagraph (B)), the fol-
11 lowing:

12 “(3) information concerning the repayment sta-
13 tus of the loan, which information shall be included
14 in the file of the borrower, except that nothing in
15 this subsection shall be construed to affect any oth-
16 erwise applicable provision of the Fair Credit Re-
17 porting Act (15 U.S.C. 1681 et seq.)”;

18 (E) in paragraph (4) (as redesignated by
19 subparagraph (B)), by striking “and” after the
20 semicolon;

21 (F) in paragraph (5) (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 “(6) any other information required to be re-
2 ported by Federal law.”.

3 **SEC. 425. COMMON FORMS AND FORMATS.**

4 Section 432(m)(1)(D)(i) (20 U.S.C.
5 1082(m)(1)(D)(i)) is amended by adding at the end the
6 following: “Unless otherwise notified by the Secretary,
7 each institution of higher education that participates in
8 the program under this part or part D may use a master
9 promissory note for loans under this part and part D.”.

10 **SEC. 426. STUDENT LOAN INFORMATION BY ELIGIBLE**
11 **LENDERS.**

12 Section 433 (20 U.S.C. 1083) is amended by adding
13 at the end the following:

14 “(f) BORROWER INFORMATION AND PRIVACY.—Each
15 entity participating in a program under this part that is
16 subject to subtitle A of title V of the Gramm-Leach-Bliley
17 Act (15 U.S.C. 6801 et seq.) shall only use, release, dis-
18 close, sell, transfer, or give student information, including
19 the name, address, social security number, or amount bor-
20 rowed by a borrower or a borrower’s parent, in accordance
21 with the provisions of such subtitle.

22 “(g) LOAN BENEFIT DISCLOSURES.—

23 “(1) IN GENERAL.—Each eligible lender, hold-
24 er, or servicer of a loan made, insured, or guaran-
25 teed under this part shall provide the borrower with

1 information on the loan benefit repayment options
2 the lender, holder, or servicer offer, including infor-
3 mation on reductions in interest rates—

4 “(A) by repaying the loan by automatic
5 payroll or checking account deduction;

6 “(B) by completing a program of on-time
7 repayment; and

8 “(C) under any other interest rate reduc-
9 tion program.

10 “(2) INFORMATION.—Such borrower informa-
11 tion shall include—

12 “(A) any limitations on such options;

13 “(B) explicit information on the reasons a
14 borrower may lose eligibility for such an option;

15 “(C) examples of the impact the interest
16 rate reductions will have on a borrower’s time
17 for repayment and amount of repayment;

18 “(D) upon the request of the borrower, the
19 effect the reductions in interest rates will have
20 with respect to the borrower’s payoff amount
21 and time for repayment; and

22 “(E) information on borrower recertifi-
23 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
11 and make available a high-quality educational program
12 and materials to provide training for students in budg-
13 eting and financial management, including debt manage-
14 ment and other aspects of financial literacy, such as the
15 cost of using very high interest loans to pay for postsec-
16 ondary education, particularly as budgeting and financial
17 management relates to student loan programs authorized
18 by this title. Nothing in this section shall be construed
19 to prohibit a guaranty agency from using an existing pro-
20 gram or existing materials to meet the requirement of this
21 section. The activities described in this section shall be
22 considered default reduction activities for the purposes of
23 section 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, 2012.

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, 2012,
5 shall—

6 “(i) not issue any new loans in such
7 a capacity under part B after June 30,
8 2012; and

9 “(ii) continue to carry out the institu-
10 tion’s responsibilities for any loans issued
11 by the institution under part B on or be-
12 fore June 30, 2012, except that, beginning
13 on June 30, 2011, the eligible institution
14 or trustee may, notwithstanding any other
15 provision of this Act, sell or otherwise dis-
16 pose of such loans if all profits from the
17 divestiture are used for need-based grant
18 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 (c) EFFECTIVE DATE.—The amendments made by
7 subsections (a) and (b) shall take effect on July 1, 2008.

8 **PART C—FEDERAL WORK-STUDY PROGRAMS**

9 **SEC. 441. AUTHORIZATION OF APPROPRIATIONS.**

10 Section 441(b) (42 U.S.C. 2751(b)) is amended by
11 striking “\$1,000,000,000 for fiscal year 1999” and all
12 that follows through the period and inserting “such sums
13 as may be necessary for fiscal year 2008 and each of the
14 5 succeeding fiscal years.”.

15 **SEC. 442. ALLOWANCE FOR BOOKS AND SUPPLIES.**

16 Section 442(c)(4)(D) (42 U.S.C. 2752(c)(4)(D)) is
17 amended by striking “\$450” and inserting “\$600”.

18 **SEC. 443. GRANTS FOR FEDERAL WORK-STUDY PROGRAMS.**

19 Section 443(b)(2) (42 U.S.C. 2753(b)(2)) is amend-
20 ed—

21 (1) by striking subparagraph (A);

22 (2) by redesignating subparagraphs (B) and
23 (C) as subparagraphs (A) and (B), respectively; and

24 (3) in subparagraph (A) (as redesignated by
25 paragraph (2)), by striking “this subparagraph if”

1 and all that follows through “institution;” and in-
2 serting “this subparagraph if—

3 “(i) the Secretary determines that en-
4 forcing this subparagraph would cause
5 hardship for students at the institution; or

6 “(ii) the institution certifies to the
7 Secretary that 15 percent or more of its
8 total full-time enrollment participates in
9 community service activities described in
10 section 441(c) or tutoring and literacy ac-
11 tivities described in subsection (d) of this
12 section;”.

13 **SEC. 444. JOB LOCATION AND DEVELOPMENT PROGRAMS.**

14 Section 446(a)(1) (42 U.S.C. 2756(a)(1)) is amended
15 by striking “\$50,000” and inserting “\$75,000”.

16 **SEC. 445. WORK COLLEGES.**

17 Section 448 (42 U.S.C. 2756b) is amended—

18 (1) in subsection (a), by striking “work-learn-
19 ing” and inserting “work-learning-service”;

20 (2) in subsection (b)—

21 (A) in paragraph (1), by striking “under
22 subsection (f)” and inserting “for this section
23 under section 441(b)”; and

24 (B) in paragraph (2)—

1 (i) in the matter preceding subpara-
2 graph (A), by striking “pursuant to sub-
3 section (f)” and inserting “for this section
4 under section 441(b)”;

5 (ii) in subparagraph (A), by striking
6 “work-learning program” and inserting
7 “comprehensive work-learning-service pro-
8 gram”;

9 (iii) by redesignating subparagraphs
10 (C) through (F) as subparagraphs (D)
11 through (G), respectively;

12 (iv) by inserting after subparagraph
13 (B) the following:

14 “(C) support existing and new model stu-
15 dent volunteer community service projects asso-
16 ciated with local institutions of higher edu-
17 cation, such as operating drop-in resource cen-
18 ters that are staffed by students and that link
19 people in need with the resources and opportu-
20 nities necessary to become self-sufficient; and”;

21 (v) in subparagraph (E) (as redesign-
22 ated by clause (iii)), by striking “work-
23 learning” each place the term occurs and
24 inserting “work-learning-service”; and

1 (vi) in subparagraph (F) (as redesignated by clause (iii)), by striking “work
2 service learning” and inserting “work-
3 learning-service”;
4

5 (3) in subsection (e), by striking “by subsection
6 (f) to use funds under subsection (b)(1)” and insert-
7 ing “for this section under section 441(b) or to use
8 funds under subsection (b)(1),”;

9 (4) in subsection (e)—

10 (A) in paragraph (1)—

11 (i) in subparagraph (A), by inserting
12 “4-year, degree-granting” after “non-
13 profit”;

14 (ii) in subparagraph (B), by striking
15 “work-learning” and inserting “work-learn-
16 ing-service”;

17 (iii) by striking subparagraph (C) and
18 inserting the following:

19 “(C) requires all resident students, includ-
20 ing at least $\frac{1}{2}$ of all resident students who are
21 enrolled on a full-time basis, to participate in a
22 comprehensive work-learning-service program
23 for not less than 5 hours each week, or not less
24 than 80 hours during each period of enrollment
25 except summer school, unless the student is en-

1 gaged in a study abroad or externship program
2 that is organized or approved by the institution;
3 and”; and

4 (iv) in subparagraph (D), by striking
5 “work-learning” and inserting “work-learn-
6 ing-service”; and

7 (B) by striking paragraph (2) and insert-
8 ing the following:

9 “(2) the term ‘comprehensive work-learning-
10 service program’ means a student work-learning-
11 service program that—

12 “(A) is an integral and stated part of the
13 institution’s educational philosophy and pro-
14 gram;

15 “(B) requires participation of all resident
16 students for enrollment and graduation;

17 “(C) includes learning objectives, evalua-
18 tion, and a record of work performance as part
19 of the student’s college record;

20 “(D) provides programmatic leadership by
21 college personnel at levels comparable to tradi-
22 tional academic programs;

23 “(E) recognizes the educational role of
24 work-learning-service supervisors; and

1 “(F) includes consequences for non-
2 performance or failure in the work-learning-
3 service program similar to the consequences for
4 failure in the regular academic program.”; and
5 (5) by striking subsection (f).

6 **PART D—FEDERAL PERKINS LOANS**

7 **SEC. 451. PROGRAM AUTHORITY.**

8 Section 461(b)(1) (20 U.S.C. 1087aa(b)(1)) is
9 amended by striking “\$250,000,000 for fiscal year 1999”
10 and all that follows through the period and inserting “such
11 sums as may be necessary for each of the fiscal years 2008
12 through 2012.”.

13 **SEC. 451A. ALLOWANCE FOR BOOKS AND SUPPLIES.**

14 Section 462(c)(4)(D) (20 U.S.C. 1087bb(c)(4)(D)) is
15 amended by striking “\$450” and inserting “\$600”.

16 **SEC. 451B. PERKINS LOAN FORBEARANCE.**

17 Section 464 (20 U.S.C. 1087dd) is amended—

18 (1) in subsection (e)—

19 (A) in the matter preceding paragraph (1),
20 by striking “, upon written request,” and in-
21 serting “, as documented in accordance with
22 paragraph (2),”;

23 (B) by redesignating paragraphs (1)
24 through (3) as subparagraphs (A) through (C),
25 respectively;

1 (C) by inserting “(1)” after “FORBEAR-
2 ANCE.—”; and

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

4 “(2) For the purpose of paragraph (1), the terms of
5 forbearance agreed to by the parties shall be documented
6 by—

7 “(A) confirming the agreement of the borrower
8 by notice to the borrower from the institution of
9 higher education; and

10 “(B) recording the terms in the borrower’s
11 file.”; and

12 (2) in subsection (j), by striking “(e)(3)” and
13 inserting “(e)(1)(C)”.

14 **SEC. 452. CANCELLATION OF LOANS FOR CERTAIN PUBLIC**
15 **SERVICE.**

16 Section 465(a) (20 U.S.C. 1087ee(a)) is amended—

17 (1) in paragraph (2)—

18 (A) in subparagraph (B), by striking
19 “Head Start Act which” and inserting “Head
20 Start Act, or in a prekindergarten or child care
21 program that is licensed or regulated by the
22 State, that”;

23 (B) in subparagraph (H), by striking “or”
24 after the semicolon;

1 (C) in subparagraph (I), by striking the
2 period and inserting a semicolon; and

3 (D) by inserting before the matter fol-
4 lowing subparagraph (I) (as amended by sub-
5 paragraph (C)) the following:

6 “(J) as a full-time faculty member at a Tribal
7 College or University, as that term is defined in sec-
8 tion 316;

9 “(K) as a librarian, if the librarian has a mas-
10 ter’s degree in library science and is employed in—

11 “(i) an elementary school or secondary
12 school that is eligible for assistance under title
13 I of the Elementary and Secondary Education
14 Act of 1965; or

15 “(ii) a public library that serves a geo-
16 graphic area that contains 1 or more schools el-
17 igible for assistance under title I of the Elemen-
18 tary and Secondary Education Act of 1965; or

19 “(L) as a full-time speech language therapist, if
20 the therapist has a master’s degree and is working
21 exclusively with schools that are eligible for assist-
22 ance under title I of the Elementary and Secondary
23 Education Act of 1965.”; and

24 (2) in paragraph (3)(A)—

25 (A) in clause (i)—

- 1 (i) by inserting “(D),” after “(C),”;
- 2 and
- 3 (ii) by striking “or (I)” and inserting
- 4 “(I), (J), (K), or (L)”;
- 5 (B) in clause (ii), by inserting “or” after
- 6 the semicolon;
- 7 (C) by striking clause (iii); and
- 8 (D) by redesignating clause (iv) as clause
- 9 (iii).

10 **PART E—NEED ANALYSIS**

11 **SEC. 461. COST OF ATTENDANCE.**

12 (a) AMENDMENTS.—Section 472(3) (20 U.S.C.

13 1087kk(3)) is amended—

- 14 (1) in subparagraph (B), by striking “and”
- 15 after the semicolon;
- 16 (2) by redesignating subparagraph (C) as sub-
- 17 paragraph (D); and
- 18 (3) by inserting after subparagraph (B), as
- 19 amended by paragraph (1), the following:

20 “(C) for students who live in housing lo-

21 cated on a military base or for which a basic al-

22 lowance is provided under section 403(b) of title

23 37, United States Code, shall be an allowance

24 based on the expenses reasonably incurred by

25 such students for board but not for room; and”.

1 (b) EFFECTIVE DATE.—The amendments made by
2 subsection (a) shall take effect on July 1, 2008.

3 **SEC. 462. DEFINITIONS.**

4 (a) AMENDMENT.—Section 480(b)(6) (20 U.S.C.
5 1087vv(b)(6)) is amended by inserting “, except that the
6 value of on-base military housing or the value of basic al-
7 lowance for housing determined under section 403(b) of
8 title 37, United States Code, received by the parents, in
9 the case of a dependent student, or the student or stu-
10 dent’s spouse, in the case of an independent student, shall
11 be excluded” before the semicolon.

12 (b) EFFECTIVE DATE.—The amendment made by
13 subsection (a) shall take effect on July 1, 2008.

14 **PART F—GENERAL PROVISIONS RELATING TO**
15 **STUDENT ASSISTANCE**

16 **SEC. 471. DEFINITIONS.**

17 Section 481(a)(2)(B) (20 U.S.C. 1088(a)(2)(B)) is
18 amended by inserting “and that measures program length
19 in credit hours or clock hours” after “baccalaureate de-
20 gree”.

21 **SEC. 472. COMPLIANCE CALENDAR.**

22 Section 482 (20 U.S.C. 1089) is amended by adding
23 at the end the following:

24 “(e) COMPLIANCE CALENDAR.—Prior to the begin-
25 ning of each award year, the Secretary shall provide to

1 institutions of higher education a list of all the reports
2 and disclosures required under this Act. The list shall in-
3 clude—

4 “(1) the date each report or disclosure is re-
5 quired to be completed and to be submitted, made
6 available, or disseminated;

7 “(2) the required recipients of each report or
8 disclosure;

9 “(3) any required method for transmittal or
10 dissemination of each report or disclosure;

11 “(4) a description of the content of each report
12 or disclosure sufficient to allow the institution to
13 identify the appropriate individuals to be assigned
14 the responsibility for such report or disclosure;

15 “(5) references to the statutory authority, ap-
16 plicable regulations, and current guidance issued by
17 the Secretary regarding each report or disclosure;
18 and

19 “(6) any other information which is pertinent to
20 the content or distribution of the report or disclo-
21 sure.”.

22 **SEC. 473. FORMS AND REGULATIONS.**

23 Section 483 (20 U.S.C. 1090) is amended—

24 (1) by striking subsections (a) and (b) and in-
25 serting the following:

1 “(a) COMMON FINANCIAL AID FORM DEVELOPMENT
2 AND PROCESSING.—

3 “(1) IN GENERAL.—

4 “(A) COMMON FORMS.—The Secretary, in
5 cooperation with representatives of agencies and
6 organizations involved in student financial as-
7 sistance, shall produce, distribute, and process
8 free of charge common financial reporting
9 forms as described in this subsection to be used
10 to determine the need and eligibility of a stu-
11 dent for financial assistance under parts A
12 through E of this title (other than under sub-
13 part 4 of part A). The forms shall be made
14 available to applicants in both paper and elec-
15 tronic formats.

16 “(B) FAFSA.—The common financial re-
17 porting forms described in this subsection (ex-
18 cluding the form described in paragraph
19 (2)(B)), shall be referred to collectively as the
20 ‘Free Application for Federal Student Aid’, or
21 ‘FAFSA’.

22 “(2) PAPER FORMAT.—

23 “(A) IN GENERAL.—The Secretary shall
24 encourage applicants to file the electronic
25 versions of the forms described in paragraph

1 (3), but shall develop, make available, and proc-
2 ess—

3 “(i) a paper version of EZ FAFSA, as
4 described in subparagraph (B); and

5 “(ii) a paper version of the other
6 forms described in this subsection, in ac-
7 cordance with subparagraph (C), for any
8 applicant who does not meet the require-
9 ments of or does not wish to use the proc-
10 ess described in subparagraph (B).

11 “(B) EZ FAFSA.—

12 “(i) IN GENERAL.—The Secretary
13 shall develop and use, after appropriate
14 field testing, a simplified paper application
15 form for applicants meeting the require-
16 ments of section 479(c), which form shall
17 be referred to as the ‘EZ FAFSA’.

18 “(ii) REQUIRED FEDERAL DATA ELE-
19 MENTS.—The Secretary shall include on
20 the EZ FAFSA only the data elements re-
21 quired to determine student eligibility and
22 whether the applicant meets the require-
23 ments of section 479(c).

24 “(iii) REQUIRED STATE DATA ELE-
25 MENTS.—The Secretary shall include on

1 the EZ FAFSA such data items as may be
2 necessary to award State financial assist-
3 ance, as provided under paragraph (5), ex-
4 cept the Secretary shall not include a
5 State's data if that State does not permit
6 its applicants for State assistance to use
7 the EZ FAFSA.

8 “(iv) FREE AVAILABILITY AND DATA
9 DISTRIBUTION.—The provisions of para-
10 graphs (6) and (10) shall apply to the EZ
11 FAFSA.

12 “(C) PHASE-OUT OF FULL PAPER
13 FAFSA.—

14 “(i) PHASE-OUT OF PRINTING OF
15 FULL PAPER FAFSA.—At such time as the
16 Secretary determines that it is not cost-ef-
17 fective to print the full paper version of
18 FAFSA, the Secretary shall—

19 “(I) phase out the printing of the
20 full paper version of FAFSA;

21 “(II) maintain on the Internet
22 easily accessible, downloadable for-
23 mats of the full paper version of
24 FAFSA; and

1 “(III) provide a printed copy of
2 the full paper version of FAFSA upon
3 request.

4 “(ii) USE OF SAVINGS.—The Sec-
5 retary shall utilize any savings realized by
6 phasing out the printing of the full paper
7 version of FAFSA and moving applicants
8 to the electronic versions of FAFSA, to im-
9 prove access to the electronic versions for
10 applicants meeting the requirements of
11 section 479(c).

12 “(3) ELECTRONIC VERSIONS.—

13 “(A) IN GENERAL.—The Secretary shall
14 produce, make available through a broadly
15 available website, and process electronic
16 versions of the FAFSA and the EZ FAFSA.

17 “(B) MINIMUM QUESTIONS.—The Sec-
18 retary shall use all available technology to en-
19 sure that a student using an electronic version
20 of the FAFSA under this paragraph answers
21 only the minimum number of questions nec-
22 essary.

23 “(C) REDUCED REQUIREMENTS.—The
24 Secretary shall enable applicants who meet the
25 requirements of subsection (b) or (c) of section

1 479 to provide information on the electronic
2 version of the FAFSA only for the data ele-
3 ments required to determine student eligibility
4 and whether the applicant meets the require-
5 ments of subsection (b) or (c) of section 479.

6 “(D) STATE DATA.—The Secretary shall
7 include on the electronic version of the FAFSA
8 the questions needed to determine whether the
9 applicant is eligible for State financial assist-
10 ance, as provided under paragraph (5), except
11 that the Secretary shall not—

12 “(i) require applicants to complete
13 data required by any State other than the
14 applicant’s State of residence; and

15 “(ii) include a State’s data if such
16 State does not permit its applicants for
17 State assistance to use the electronic
18 version of the FAFSA described in this
19 paragraph.

20 “(E) FREE AVAILABILITY AND DATA DIS-
21 TRIBUTION.—The provisions of paragraphs (6)
22 and (10) shall apply to the electronic version of
23 the FAFSA.

24 “(F) USE OF FORMS.—Nothing in this
25 subsection shall be construed to prohibit the use

1 of the electronic versions of the forms developed
2 by the Secretary pursuant to this paragraph by
3 an eligible institution, eligible lender, a guar-
4 anty agency, a State grant agency, a private
5 computer software provider, a consortium of
6 such entities, or such other entity as the Sec-
7 retary may designate. Data collected by the
8 electronic versions of such forms shall be used
9 only for the application, award, and administra-
10 tion of aid awarded under this title, State aid,
11 or aid awarded by eligible institutions or such
12 entities as the Secretary may designate. No
13 data collected by such electronic versions of the
14 forms shall be used for making final aid awards
15 under this title until such data have been proc-
16 essed by the Secretary or a contractor or des-
17 ignee of the Secretary, except as may be per-
18 mitted under this title.

19 “(G) PRIVACY.—The Secretary shall en-
20 sure that data collection under this paragraph
21 complies with section 552a of title 5, United
22 States Code, and that any entity using an elec-
23 tronic version of a form developed by the Sec-
24 retary under this paragraph shall maintain rea-
25 sonable and appropriate administrative, tech-

1 nical, and physical safeguards to ensure the in-
2 tegrity and confidentiality of the information,
3 and to protect against security threats, or un-
4 authorized uses or disclosures of the informa-
5 tion provided on the electronic version of the
6 form.

7 “(H) SIGNATURE.—Notwithstanding any
8 other provision of this Act, the Secretary may
9 permit an electronic version of a form developed
10 under this paragraph to be submitted without a
11 signature, if a signature is subsequently sub-
12 mitted by the applicant or if the applicant uses
13 a personal identification number provided by
14 the Secretary under subparagraph (I).

15 “(I) PERSONAL IDENTIFICATION NUMBERS
16 AUTHORIZED.—The Secretary is authorized to
17 assign to an applicant a personal identification
18 number—

19 “(i) to enable the applicant to use
20 such number as a signature for purposes
21 of completing an electronic version of a
22 form developed under this paragraph; and

23 “(ii) for any purpose determined by
24 the Secretary to enable the Secretary to
25 carry out this title.

1 “(J) PERSONAL IDENTIFICATION NUMBER
2 IMPROVEMENT.—Not later than 180 days after
3 the date of enactment of the Higher Education
4 Amendments of 2007, the Secretary shall im-
5 plement a real-time data match between the So-
6 cial Security Administration and the Depart-
7 ment to minimize the time required for an ap-
8 plicant to obtain a personal identification num-
9 ber when applying for aid under this title
10 through an electronic version of a form devel-
11 oped under this paragraph.

12 “(4) STREAMLINED REAPPLICATION PROC-
13 ESS.—

14 “(A) IN GENERAL.—The Secretary shall
15 develop streamlined paper and electronic re-
16 application forms and processes for an appli-
17 cant who applies for financial assistance under
18 this title in the next succeeding academic year
19 subsequent to an academic year for which such
20 applicant applied for financial assistance under
21 this title.

22 “(B) UPDATING OF DATA ELEMENTS.—
23 The Secretary shall determine, in cooperation
24 with States, institutions of higher education,
25 agencies, and organizations involved in student

1 financial assistance, the data elements that may
2 be transferred from the previous academic
3 year's application and those data elements that
4 shall be updated.

5 “(C) REDUCED DATA AUTHORIZED.—
6 Nothing in this title shall be construed as lim-
7 iting the authority of the Secretary to reduce
8 the number of data elements required of re-
9 applicants.

10 “(D) ZERO FAMILY CONTRIBUTION.—Ap-
11 plicants determined to have a zero family con-
12 tribution pursuant to section 479(c) shall not
13 be required to provide any financial data in a
14 reapplication form, except data that are nec-
15 essary to determine eligibility under such sec-
16 tion.

17 “(5) STATE REQUIREMENTS.—

18 “(A) IN GENERAL.—Except as provided in
19 paragraphs (2)(B)(iii), (3)(D), and (4)(B), the
20 Secretary shall include on the forms developed
21 under this subsection, such State-specific data
22 items as the Secretary determines are necessary
23 to meet State requirements for need-based
24 State aid. Such items shall be selected in con-
25 sultation with State agencies in order to assist

1 in the awarding of State financial assistance in
2 accordance with the terms of this subsection.
3 The number of such data items shall not be less
4 than the number included on the common fi-
5 nancial reporting form for the 2005–2006
6 award year unless a State notifies the Secretary
7 that the State no longer requires those data
8 items for the distribution of State need-based
9 aid.

10 “(B) ANNUAL REVIEW.—The Secretary
11 shall conduct an annual review to determine—

12 “(i) which data items each State re-
13 quires to award need-based State aid; and

14 “(ii) if the State will permit an appli-
15 cant to file a form described in paragraph
16 (2)(B) or (3)(C).

17 “(C) USE OF SIMPLIFIED APPLICATION
18 FORMS ENCOURAGED.—The Secretary shall en-
19 courage States to take such steps as are nec-
20 essary to encourage the use of simplified forms
21 under this subsection, including those forms de-
22 scribed in paragraphs (2)(B) and (3)(C), for
23 applicants who meet the requirements of sub-
24 section (b) or (c) of section 479.

1 “(D) CONSEQUENCES IF STATE DOES NOT
2 ACCEPT SIMPLIFIED FORMS.—If a State does
3 not permit an applicant to file a form described
4 in paragraph (2)(B) or (3)(C) for purposes of
5 determining eligibility for State need-based fi-
6 nancial aid, the Secretary may determine that
7 State-specific questions for such State will not
8 be included on a form described in paragraph
9 (2)(B) or (3)(B). If the Secretary makes such
10 determination, the Secretary shall advise the
11 State of the Secretary’s determination.

12 “(E) LACK OF STATE RESPONSE TO RE-
13 QUEST FOR INFORMATION.—If a State does not
14 respond to the Secretary’s request for informa-
15 tion under subparagraph (B), the Secretary
16 shall—

17 “(i) permit residents of that State to
18 complete simplified forms under para-
19 graphs (2)(B) and (3)(B); and

20 “(ii) not require any resident of such
21 State to complete any data items pre-
22 viously required by that State under this
23 section.

24 “(F) RESTRICTION.—The Secretary shall
25 not require applicants to complete any financial

1 or non-financial data items that are not re-
2 quired—

3 “(i) by the applicant’s State; or

4 “(ii) by the Secretary.

5 “(6) CHARGES TO STUDENTS AND PARENTS
6 FOR USE OF FORMS PROHIBITED.—The need and
7 eligibility of a student for financial assistance under
8 parts A through E (other than under subpart 4 of
9 part A) may be determined only by using a form de-
10 veloped by the Secretary under this subsection. Such
11 forms shall be produced, distributed, and processed
12 by the Secretary, and no parent or student shall be
13 charged a fee by the Secretary, a contractor, a third-
14 party servicer or private software provider, or any
15 other public or private entity for the collection, proc-
16 essing, or delivery of financial aid through the use
17 of such forms. No data collected on a paper or elec-
18 tronic version of a form developed under this sub-
19 section, or other document that was created to re-
20 place, or used to complete, such a form, and for
21 which a fee was paid, shall be used.

22 “(7) RESTRICTIONS ON USE OF PIN.—No per-
23 son, commercial entity, or other entity shall request,
24 obtain, or utilize an applicant’s personal identifica-
25 tion number assigned under paragraph (3)(I) for

1 purposes of submitting a form developed under this
2 subsection on an applicant's behalf.

3 “(8) APPLICATION PROCESSING CYCLE.—The
4 Secretary shall enable students to submit forms de-
5 veloped under this subsection and initiate the proc-
6 essing of such forms under this subsection, as early
7 as practicable prior to January 1 of the student's
8 planned year of enrollment.

9 “(9) EARLY ESTIMATES OF EXPECTED FAMILY
10 CONTRIBUTIONS.—The Secretary shall permit an ap-
11 plicant to complete a form described in this sub-
12 section in the years prior to enrollment in order to
13 obtain from the Secretary a nonbinding estimate of
14 the applicant's expected family contribution, com-
15 puted in accordance with part F. Such applicant
16 shall be permitted to update information submitted
17 on a form described in this subsection using the
18 process required under paragraph (4).

19 “(10) DISTRIBUTION OF DATA.—Institutions of
20 higher education, guaranty agencies, and States
21 shall receive, without charge, the data collected by
22 the Secretary using a form developed under this sub-
23 section for the purposes of processing loan applica-
24 tions and determining need and eligibility for insti-
25 tutional and State financial aid awards. Entities des-

1 ignated by institutions of higher education, guaranty
2 agencies, or States to receive such data shall be sub-
3 ject to all the requirements of this section, unless
4 such requirements are waived by the Secretary.

5 “(11) THIRD PARTY SERVICERS AND PRIVATE
6 SOFTWARE PROVIDERS.—To the extent practicable
7 and in a timely manner, the Secretary shall provide,
8 to private organizations and consortia that develop
9 software used by institutions of higher education for
10 the administration of funds under this title, all the
11 necessary specifications that the organizations and
12 consortia must meet for the software the organiza-
13 tions and consortia develop, produce, and distribute
14 (including any diskette, modem, or network commu-
15 nications) which are so used. The specifications shall
16 contain record layouts for required data. The Sec-
17 retary shall develop in advance of each processing
18 cycle an annual schedule for providing such speci-
19 fications. The Secretary, to the extent practicable,
20 shall use multiple means of providing such specifica-
21 tions, including conferences and other meetings, out-
22 reach, and technical support mechanisms (such as
23 training and printed reference materials). The Sec-
24 retary shall, from time to time, solicit from such or-

1 organizations and consortia means of improving the
2 support provided by the Secretary.

3 “(12) PARENT’S SOCIAL SECURITY NUMBER
4 AND BIRTH DATE.—The Secretary is authorized to
5 include space on the forms developed under this sub-
6 section for the social security number and birth date
7 of parents of dependent students seeking financial
8 assistance under this title.”;

9 (2) by redesignating subsections (c) through (e)
10 (as amended by section 101(b)(11)) as subsections
11 (b) through (d), respectively;

12 (3) in subsection (c) (as redesignated by para-
13 graph (2)), by striking “that is authorized” and all
14 that follows through the period at the end and in-
15 serting “or other appropriate provider of technical
16 assistance and information on postsecondary edu-
17 cational services that is authorized under section
18 663(a) of the Individuals with Disabilities Education
19 Act. Not later than 2 years after the date of enact-
20 ment of the Higher Education Amendments of 2007,
21 the Secretary shall test and implement, to the extent
22 practicable, a toll-free telephone based system to
23 permit applicants who meet the requirements of
24 479(c) to submit an application over such system.”;

1 (4) by striking subsection (d) (as redesignated
2 by paragraph (2)) and inserting the following:

3 “(d) ASSISTANCE IN PREPARATION OF FINANCIAL
4 AID APPLICATION.—

5 “(1) PREPARATION AUTHORIZED.—Notwith-
6 standing any provision of this Act, an applicant may
7 use a preparer for consultative or preparation serv-
8 ices for the completion of a form developed under
9 subsection (a) if the preparer satisfies the require-
10 ments of this subsection.

11 “(2) PREPARER IDENTIFICATION REQUIRED.—
12 If an applicant uses a preparer for consultative or
13 preparation services for the completion of a form de-
14 veloped under subsection (a), the preparer shall in-
15 clude the name, signature, address or employer’s ad-
16 dress, social security number or employer identifica-
17 tion number, and organizational affiliation of the
18 preparer on the applicant’s form.

19 “(3) ADDITIONAL REQUIREMENTS.—A preparer
20 that provides consultative or preparation services
21 pursuant to this subsection shall—

22 “(A) clearly inform each individual upon
23 initial contact, including contact through the
24 Internet or by telephone, that the FAFSA and
25 EZ FAFSA may be completed for free via

1 paper or electronic versions of the forms that
2 are provided by the Secretary;

3 “(B) include in any advertising clear and
4 conspicuous information that the FAFSA and
5 EZ FAFSA may be completed for free via
6 paper or electronic versions of the forms that
7 are provided by the Secretary;

8 “(C) if advertising or providing any infor-
9 mation on a website, or if providing services
10 through a website, include on the website a link
11 to the website described in subsection (a)(3)
12 that provides the electronic versions of the
13 forms developed under subsection (a);

14 “(D) refrain from producing or dissemi-
15 nating any form other than the forms developed
16 by the Secretary under subsection (a); and

17 “(E) not charge any fee to any individual
18 seeking services who meets the requirements of
19 subsection (b) or (c) of section 479.

20 “(4) SPECIAL RULE.—Nothing in this Act shall
21 be construed to limit preparers of the financial re-
22 porting forms required to be made under this title
23 that meet the requirements of this subsection from
24 collecting source information from a student or par-
25 ent, including Internal Revenue Service tax forms, in

1 providing consultative and preparation services in
2 completing the forms.”; and

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

4 “(e) EARLY APPLICATION AND AWARD DEMONSTRA-
5 TION PROGRAM.—

6 “(1) PURPOSE.—The purpose of the dem-
7 onstration program implemented under this sub-
8 section is to determine the feasibility of imple-
9 menting a comprehensive early application and noti-
10 fication system for all dependent students and to
11 measure the benefits and costs of such a system.

12 “(2) PROGRAM AUTHORIZED.—Not later than 2
13 years after the date of enactment of the Higher
14 Education Amendments of 2007, the Secretary shall
15 implement an early application demonstration pro-
16 gram enabling dependent students who wish to par-
17 ticipate in the program—

18 “(A) to complete an application under this
19 subsection during the academic year that is 2
20 years prior to the year such students plan to
21 enroll in an institution of higher education; and

22 “(B) based on the application described in
23 subparagraph (A), to obtain, not later than 1
24 year prior to the year of the students’ planned
25 enrollment, information on eligibility for Fed-

1 eral Pell Grants, Federal student loans under
2 this title, and State and institutional financial
3 aid for the student's first year of enrollment in
4 an the institution of higher education.

5 “(3) EARLY APPLICATION AND AWARD.—For
6 all dependent students selected for participation in
7 the demonstration program who submit a completed
8 FAFSA, or, as appropriate, an EZ FAFSA, 2 years
9 prior to the year such students plan to enroll in an
10 institution of higher education, the Secretary shall,
11 not later than 1 year prior to the year of such
12 planned enrollment—

13 “(A) provide each student who meets the
14 requirements under section 479(c) with a deter-
15 mination of such student's—

16 “(i) expected family contribution for
17 the first year of the student's enrollment in
18 an institution of higher education; and

19 “(ii) Federal Pell Grant award for the
20 first such year, based on the maximum
21 Federal Pell Grant award at the time of
22 application;

23 “(B) provide each student who does not
24 meet the requirements under section 479(c)
25 with an estimate of such student's—

1 “(i) expected family contribution for
2 the first year of the student’s planned en-
3 rollment; 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; and

8 “(C) remind the students of the need to
9 update the students’ information during the cal-
10 endar year of enrollment using the expedited re-
11 application process provided for in subsection
12 (a)(4).

13 “(4) PARTICIPANTS.—The Secretary shall in-
14 clude, as participants in the demonstration pro-
15 gram—

16 “(A) States selected through the applica-
17 tion process described in paragraph (5);

18 “(B) institutions of higher education with-
19 in the selected States that are interested in par-
20 ticipating in the demonstration program, and
21 that can make estimates or commitments of in-
22 stitutional student financial aid, as appropriate,
23 to students the year before the students’
24 planned enrollment date; and

1 “(C) secondary schools within the selected
2 States that are interested in participating in the
3 demonstration program, and can commit re-
4 sources to—

5 “(i) advertising the availability of the
6 program;

7 “(ii) identifying students who might
8 be interested in participating in the pro-
9 gram;

10 “(iii) encouraging such students to
11 apply; and

12 “(iv) participating in the evaluation of
13 the program.

14 “(5) APPLICATIONS.—States that are interested
15 in participating in the demonstration program shall
16 submit an application, to the Secretary at such time,
17 in such form, and containing such information as
18 the Secretary shall require. The application shall in-
19 clude—

20 “(A) information on the amount of the
21 State’s need-based student financial assistance
22 available, and the eligibility criteria for receiv-
23 ing such assistance;

24 “(B) a commitment to make, not later
25 than the year before the dependent students

1 participating in the demonstration program
2 plan to enroll in an institution of higher edu-
3 cation—

4 “(i) determinations of State financial
5 aid awards to dependent students partici-
6 pating in the program who meet the re-
7 quirements of section 479(c); and

8 “(ii) estimates of State financial aid
9 awards to other dependent students par-
10 ticipating in the program;

11 “(C) a plan for recruiting institutions of
12 higher education and secondary schools with
13 different demographic characteristics to partici-
14 pate in the program;

15 “(D) a plan for selecting institutions of
16 higher education and secondary schools to par-
17 ticipate in the program that—

18 “(i) demonstrate a commitment to en-
19 couraging students to submit a FAFSA,
20 or, as appropriate, an EZ FAFSA, 2 years
21 before the students’ planned date of enroll-
22 ment in an institution of higher education;

23 “(ii) serve different populations of
24 students;

1 “(iii) in the case of institutions of
2 higher education—

3 “(I) to the extent possible, are of
4 varying types and control; and

5 “(II) commit to making, not later
6 than the year prior to the year that
7 dependent students participating in
8 the demonstration program plan to
9 enroll in the institution—

10 “(aa) institutional awards to
11 participating dependent students
12 who meet the requirements of
13 section 479(c);

14 “(bb) estimates of institu-
15 tional awards to other partici-
16 pating dependent students; and

17 “(cc) expected or tentative
18 awards of grants or other finan-
19 cial aid available under this title
20 (including supplemental grants
21 under subpart 3 of part A), for
22 all participating dependent stu-
23 dents, along with information on
24 State awards, as provided to the
25 institution by the State;

1 “(E) a commitment to participate in the
2 evaluation conducted by the Secretary; and

3 “(F) such other information as the Sec-
4 retary may require.

5 “(6) SPECIAL PROVISIONS.—

6 “(A) DISCRETION OF STUDENT FINANCIAL
7 AID ADMINISTRATORS.—A financial aid admin-
8 istrator at an institution of higher education
9 participating in a demonstration program under
10 this subsection may use the discretion provided
11 under section 479A as necessary in awarding fi-
12 nancial aid to students participating in the
13 demonstration program.

14 “(B) WAIVERS.—The Secretary is author-
15 ized to waive, for an institution participating in
16 the demonstration program, any requirements
17 under the title, or regulations prescribed under
18 this title, that would make the demonstration
19 program unworkable, except that the Secretary
20 shall not waive any provisions with respect to
21 the maximum award amounts for grants and
22 loans under this title.

23 “(7) OUTREACH.—The Secretary shall make
24 appropriate efforts in order to notify States, institu-

1 tions of higher education, and secondary schools of
2 the demonstration program.

3 “(8) EVALUATION.—The Secretary shall con-
4 duct a rigorous evaluation of the demonstration pro-
5 gram to measure the program’s benefits and adverse
6 effects, as the benefits and effects relate to the pur-
7 pose of the program described in paragraph (1). In
8 conducting the evaluation, the Secretary shall—

9 “(A) identify whether receiving financial
10 aid awards or estimates, as applicable, 1 year
11 prior to the year in which the student plans to
12 enroll in an institution of higher education, has
13 a positive impact on the higher education aspi-
14 rations and plans of such student;

15 “(B) measure the extent to which using a
16 student’s income information from the year that
17 is 2 years prior to the student’s planned enroll-
18 ment date had an impact on the ability of
19 States and institutions to make financial aid
20 awards and commitments;

21 “(C) determine what operational changes
22 would be required to implement the program on
23 a larger scale;

1 “(D) identify any changes to Federal law
2 that would be necessary to implement the pro-
3 gram on a permanent basis; and

4 “(E) identify the benefits and adverse ef-
5 fects of providing early awards or estimates on
6 program costs, program operations, program in-
7 tegrity, award amounts, distribution, and deliv-
8 ery of aid.

9 “(9) CONSULTATION.—The Secretary shall con-
10 sult, as appropriate, with the Advisory Committee on
11 Student Financial Assistance established under sec-
12 tion 491 on the design, implementation, and evalua-
13 tion of the demonstration program.

14 “(f) USE OF IRS DATA AND REDUCED INCOME AND
15 ASSET INFORMATION TO DETERMINE ELIGIBILITY FOR
16 STUDENT FINANCIAL AID.—

17 “(1) FORMATION OF STUDY GROUP.—Not later
18 than 90 days after the date of enactment of the
19 Higher Education Amendments of 2007, the Comp-
20 troller General of the United States and the Sec-
21 retary of Education shall convene a study group
22 whose membership shall include the Secretary of the
23 Treasury, the Director of the Office of Management
24 and Budget, the Director of the Congressional
25 Budget Office, representatives of institutions of

1 higher education with expertise in Federal and State
2 financial aid assistance, State chief executive officers
3 of higher education with a demonstrated commit-
4 ment to simplifying the FAFSA, and such other in-
5 dividuals as the Comptroller General and the Sec-
6 retary of Education may designate.

7 “(2) STUDY REQUIRED.—The Comptroller Gen-
8 eral and the Secretary, in consultation with the
9 study group convened under paragraph (1), shall de-
10 sign and conduct a study to identify and evaluate
11 the means of simplifying the process of applying for
12 Federal financial aid available under this title. The
13 study shall focus on developing alternative ap-
14 proaches for calculating the expected family con-
15 tribution that use substantially less income and
16 asset data than the methodology currently used, as
17 of the time of the study, for determining the ex-
18 pected family contribution.

19 “(3) OBJECTIVES OF STUDY.—The objectives of
20 the study required under paragraph (2) are—

21 “(A) to shorten the FAFSA and make it
22 easier and less time-consuming to complete,
23 thereby increasing higher education access for
24 low-income students;

1 “(B) to examine the feasibility, and evalu-
2 ate the costs and benefits, of using income data
3 from the Internal Revenue Service to pre-popu-
4 late the electronic version of the FAFSA;

5 “(C) to determine ways in which to provide
6 reliable information on the amount of Federal
7 grant aid and financial assistance a student can
8 expect to receive, assuming constant income, 2
9 to 3 years before the student’s enrollment; and

10 “(D) to simplify the process for deter-
11 mining eligibility for student financial aid with-
12 out causing significant redistribution of Federal
13 grants and subsidized loans under this title.

14 “(4) REQUIRED SUBJECTS OF STUDY.—The
15 study required under paragraph (2) shall consider—

16 “(A) how the expected family contribution
17 of a student could be calculated using substan-
18 tially less income and asset information than
19 the approach currently used, as of the time of
20 the study, to calculate the expected family con-
21 tribution without causing significant redistribu-
22 tion of Federal grants and subsidized loans
23 under this title, State aid, or institutional aid,
24 or change in the composition of the group of re-
25 cipients of such aid, which alternative ap-

1 proaches for calculating the expected family
2 contribution shall, to the extent practicable—

3 “(i) rely mainly, in the case of stu-
4 dents and parents who file income tax re-
5 turns, on information available on the
6 1040, 1040EZ, and 1040A; and

7 “(ii) include formulas for adjusting in-
8 come or asset information to produce simi-
9 lar results to the existing approach with
10 less data;

11 “(B) how the Internal Revenue Service can
12 provide income and other data needed to com-
13 pute an expected family contribution for tax-
14 payers and dependents of taxpayers to the Sec-
15 retary of Education, and when in the applica-
16 tion cycle the data can be made available;

17 “(C) whether data provided by the Internal
18 Revenue could be used to—

19 “(i) prepopulate the electronic version
20 of the FAFSA with student and parent
21 taxpayer data; or

22 “(ii) generate an expected family con-
23 tribution without additional action on the
24 part of the student and taxpayer;

1 “(D) the extent to which the use of income
2 data from 2 years prior to a student’s planned
3 enrollment date would change the expected fam-
4 ily contribution computed in accordance with
5 part F, and potential adjustments to the need
6 analysis formula that would minimize the
7 change;

8 “(E) the extent to which States and insti-
9 tutions would accept the data provided by the
10 Internal Revenue Service to prepopulate the
11 electronic version of the FAFSA in determining
12 the distribution of State and institutional stu-
13 dent financial aid funds;

14 “(F) the changes to the electronic version
15 of the FAFSA and verification processes that
16 would be needed or could be made if Internal
17 Revenue Service data were used to prepopulate
18 such electronic version;

19 “(G) the data elements currently collected,
20 as of the time of the study, on the FAFSA that
21 are needed to determine eligibility for student
22 aid, or to administer Federal student financial
23 aid programs, but are not needed to compute
24 an expected family contribution, such as wheth-
25 er information regarding the student’s citizen-

1 ship or permanent residency status, registration
2 for selective service, or driver's license number
3 could be reduced without adverse effects;

4 “(H) additional steps that can be taken to
5 simplify the financial aid application process for
6 students who (or, in the case of dependent stu-
7 dents, whose parents) are not required to file
8 an income tax return for the prior taxable year;

9 “(I) information on the State need for and
10 usage of the full array of income, asset, and
11 other information currently collected, as of the
12 time of the study, on the FAFSA, including
13 analyses of—

14 “(i) what data are currently used by
15 States to determine eligibility for State
16 student financial aid, and whether the data
17 are used for merit or need-based aid;

18 “(ii) the extent to which the full array
19 of income and asset information currently
20 collected on the FAFSA play an important
21 role in the awarding of need-based State fi-
22 nancial aid, and whether the State could
23 use income and asset information that was
24 more limited to support determinations of
25 eligibility for such State aid programs;

1 “(iii) whether data are required by
2 State law, State regulations, or policy di-
3 rectives;

4 “(iv) what State official has the au-
5 thority to advise the Department on what
6 the State requires to calculate need-based
7 State student financial aid;

8 “(v) the extent to which any State-
9 specific information requirements could be
10 met by completion of a State application
11 linked to the electronic version of the
12 FAFSA; and

13 “(vi) whether the State can use, as of
14 the time of the study, or could use, a stu-
15 dent’s expected family contribution based
16 on data from 2 years prior to the student’s
17 planned enrollment date and a calculation
18 with reduced data elements and, if not,
19 what additional information would be need-
20 ed or what changes would be required; and

21 “(J) information on institutional needs, in-
22 cluding the extent to which institutions of high-
23 er education are already using supplemental
24 forms to collect additional data from students

1 and their families to determine eligibility for in-
2 stitutional funds.

3 “(5) USE OF DATA FROM THE INTERNAL REV-
4 ENUE SERVICE TO PREPOPULATE FAFSA FORMS.—
5 After the study required under this subsection has
6 been completed, the Secretary may use Internal Rev-
7 enue Service data to prepopulate the electronic
8 version of the FAFSA if the Secretary, in a joint de-
9 cision with the Secretary of Treasury, determines
10 that such use will not significantly negatively impact
11 students, institutions of higher education, States, or
12 the Federal Government based on each of the fol-
13 lowing criteria:

14 “(A) Program costs.

15 “(B) Redistributive effects on students.

16 “(C) Accuracy of aid determinations.

17 “(D) Reduction of burden to the FAFSA
18 filers.

19 “(E) Whether all States and institutions
20 that currently accept the Federal aid formula
21 accept the use of data from 2 years prior to the
22 date of a student’s planned enrollment in an in-
23 stitution of higher education to award Federal,
24 State, and institutional aid, and as a result will

1 not require students to complete any additional
2 forms to receive this aid.

3 “(6) CONSULTATION.—The Secretary shall con-
4 sult with the Advisory Committee on Student Finan-
5 cial Assistance established under section 491 as ap-
6 propriate in carrying out this subsection.

7 “(7) REPORT.—Not later than 1 year after the
8 date of enactment of the Higher Education Amend-
9 ments of 2007, the Comptroller General and the
10 Secretary shall prepare and submit a report on the
11 results of the study required under this subsection
12 to the authorizing committees.”.

13 **SEC. 474. STUDENT ELIGIBILITY.**

14 (a) AMENDMENTS.—Section 484 (20 U.S.C. 1091) is
15 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 July 1, 2008, the Secretary shall not take any com-
5 pliance, disallowance, penalty, or other action
6 against a student or an eligible institution when
7 such action arises out of such institution’s prior
8 award of student assistance under this title if the in-
9 stitution demonstrates to the satisfaction of the Sec-
10 retary that its course of instruction would have been
11 in conformance with the requirements of this sub-
12 section.”; 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 has completed secondary school; or

1 “(B) be an individual who is no longer eligible
2 for assistance under the Individuals with Disabilities
3 Education Act because the individual has exceeded
4 the maximum age for which the State provides a
5 free appropriate public education;

6 “(3) be enrolled or accepted for enrollment in
7 a comprehensive transition and postsecondary edu-
8 cation program that—

9 “(A) is designed for students with an intel-
10 lectual disability who are seeking to continue
11 academic, vocational, and independent living in-
12 struction at the institution in order to prepare
13 for gainful employment and independent living;

14 “(B) includes an advising and curriculum
15 structure;

16 “(C) requires students to participate on at
17 least a half-time basis, as determined by the in-
18 stitution; or

19 “(D) includes—

20 “(i) regular enrollment in courses of-
21 fered by the institution;

22 “(ii) auditing or participating in
23 courses offered by the institution for which
24 the student does not receive regular aca-
25 demic credit;

1 “(iii) enrollment in noncredit, non-
2 degree courses;

3 “(iv) participation in internships; or

4 “(v) a combination of 2 or more of
5 the activities described in clauses (i)
6 through (iv);

7 “(4) be maintaining satisfactory progress in the
8 program as determined by the institution, in accord-
9 ance with standards established by the institution;
10 and

11 “(5) meet the requirements of paragraphs (3),
12 (4), (5), and (6) of subsection (a).”.

13 (b) **EFFECTIVE DATE.**—The amendments made by
14 subsection (a) shall take effect on July 1, 2008.

15 **SEC. 475. STATUTE OF LIMITATIONS AND STATE COURT**
16 **JUDGMENTS.**

17 Section 484A (20 U.S.C. 1091a) is amended—

18 (1) in subsection (b)—

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

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

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

24 “(3) in collecting any obligation arising from a
25 loan made under part E of this title, an institution

1 of higher education that has an agreement with the
2 Secretary pursuant to section 463(a) shall not be
3 subject to a defense raised by any borrower based on
4 a claim of infancy.”; and

5 (2) by adding at the end the following:

6 “(d) SPECIAL RULE.—This section shall not apply in
7 the case of a student who is deceased or to a deceased
8 student’s estate or the estate of such student’s family. If
9 a student is deceased, then the student’s estate or the es-
10 tate of the student’s family shall not be required to repay
11 any financial assistance under this title, including interest
12 paid on the student’s behalf, collection costs, or other
13 charges specified in this title.”.

14 **SEC. 476. INSTITUTIONAL REFUNDS.**

15 (a) AMENDMENT.—Section 484B(c)(2) (20 U.S.C.
16 1091B(c)(2)) is amended by striking “may determine the
17 appropriate withdrawal date.” and inserting “may deter-
18 mine—

19 “(A) the appropriate withdrawal date; and

20 “(B) that the requirements of subsection

21 (b)(2) do not apply to the student.”.

22 (b) EFFECTIVE DATE.—The amendment made by
23 subsection (a) shall take effect on July 1, 2008.

1 **SEC. 477. INSTITUTIONAL AND FINANCIAL ASSISTANCE IN-**
2 **FORMATION FOR STUDENTS.**

3 Section 485 (20 U.S.C. 1092) is amended—

4 (1) in subsection (a)—

5 (A) in paragraph (1)—

6 (i) in subparagraph (G)—

7 (I) by striking “program, and”

8 and inserting “program,”; and

9 (II) by inserting “, and (iv) any

10 plans by the institution for improving

11 the academic program of the institu-

12 tion” after “instructional personnel”;

13 and

14 (ii) by striking subparagraph (M) and

15 inserting the following:

16 “(M) the terms and conditions of the loans

17 that students receive under parts B, D, and

18 E;”;

19 (iii) in subparagraph (N), by striking

20 “and” after the semicolon;

21 (iv) in subparagraph (O), by striking

22 the period and inserting a semicolon; and

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

24 “(P) institutional policies and sanctions re-

25 lated to copyright infringement, including—

1 “(i) an annual disclosure that explic-
2 itly informs students that unauthorized
3 distribution of copyrighted material, in-
4 cluding unauthorized peer-to-peer file shar-
5 ing, may subject the students to civil and
6 criminal liabilities;

7 “(ii) a summary of the penalties for
8 violation of Federal copyright laws;

9 “(iii) a description of the institution’s
10 policies with respect to unauthorized peer-
11 to-peer file sharing, including disciplinary
12 actions that are taken against students
13 who engage in unauthorized distribution of
14 copyrighted materials using the institu-
15 tion’s information technology system; and

16 “(iv) a description of actions that the
17 institution takes to prevent and detect un-
18 authorized distribution of copyrighted ma-
19 terial on the institution’s information tech-
20 nology system;

21 “(Q) student body diversity at the institu-
22 tion, including information on the percentage of
23 enrolled, full-time students who are—

24 “(i) male;

25 “(ii) female;

1 “(iii) from a low-income background;

2 and

3 “(iv) a self-identified member of a

4 major racial or ethnic group;

5 “(R) the placement in employment of, and

6 types of employment obtained by, graduates of

7 the institution’s degree or certificate programs,

8 gathered from such sources as alumni surveys,

9 student satisfaction surveys, the National Sur-

10 vey of Student Engagement, the Community

11 College Survey of Student Engagement, State

12 data systems, or other relevant sources;

13 “(S) the types of graduate and professional

14 education in which graduates of the institu-

15 tion’s 4-year degree programs enrolled, gath-

16 ered from such sources as alumni surveys, stu-

17 dent satisfaction surveys, the National Survey

18 of Student Engagement, State data systems, or

19 other relevant sources;

20 “(T) the fire safety report prepared by the

21 institution pursuant to subsection (i); and

22 “(U) the retention rate of certificate- or

23 degree-seeking, full-time, undergraduate stu-

24 dents entering such institution.”;

1 (B) by striking paragraph (4) and insert-
2 ing the following:

3 “(4) For purposes of this section, institutions
4 may—

5 “(A) exclude from the information dis-
6 closed in accordance with subparagraph (L) of
7 paragraph (1) the completion or graduation
8 rates of students who leave school to serve in
9 the Armed Forces, on official church missions,
10 or with a recognized foreign aid service of the
11 Federal Government; or

12 “(B) in cases where the students described
13 in subparagraph (A) represent 20 percent or
14 more of the certificate- or degree-seeking, full-
15 time, undergraduate students at the institution,
16 the institution may recalculate the completion
17 or graduation rates of such students by exclud-
18 ing from the calculation described in paragraph
19 (3) the time period such students were not en-
20 rolled due to their service in the Armed Forces,
21 on official church missions, or with a recognized
22 foreign aid service of the Federal Govern-
23 ment.”; and

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

1 “(7) The information disclosed under subparagraph
2 (L) of paragraph (1), or reported under subsection (e),
3 shall include information disaggregated by gender, by each
4 major racial and ethnic subgroup, by recipients of a Fed-
5 eral Pell Grant, by recipients of a loan made under this
6 part or part D (other than a loan made under section
7 428H or a Federal Direct Unsubsidized Stafford Loan)
8 who did not receive a Federal Pell Grant, and by recipients
9 of neither a Federal Pell Grant nor a loan made under
10 this part or part D (other than a loan made under section
11 428H or a Federal Direct Unsubsidized Stafford Loan),
12 if the number of students in such subgroup or with such
13 status is sufficient to yield statistically reliable informa-
14 tion and reporting would not reveal personally identifiable
15 information about an individual student. If such number
16 is not sufficient for such purposes, then the institution
17 shall note that the institution enrolled too few of such stu-
18 dents to so disclose or report with confidence and con-
19 fidentiality.”;

20 (2) in subsection (b)—

21 (A) in paragraph (1)(A), by striking the
22 subparagraph designation and all that follows
23 through “465.” and inserting the following:

24 “(A) Each eligible institution shall,
25 through financial aid offices or otherwise, pro-

1 vide counseling to borrowers of loans that are
2 made, insured, or guaranteed under part B
3 (other than loans made pursuant to section
4 428C or loans made to parents pursuant to sec-
5 tion 428B), or made under part D (other than
6 Federal Direct Consolidation Loans or Federal
7 Direct PLUS Loans made to parents) or E,
8 prior to the completion of the course of study
9 for which the borrower enrolled at the institu-
10 tion or at the time of departure from such insti-
11 tution. The counseling required by this sub-
12 section shall include—

13 “(i) information on the repayment
14 plans available, including a discussion of
15 the different features of each plan and
16 sample information showing the difference
17 in interest paid and total payments under
18 each plan;

19 “(ii) the average anticipated monthly
20 repayments under the standard repayment
21 plan and, at the borrower’s request, the
22 other repayment plans for which the bor-
23 rower is eligible;

24 “(iii) such debt and management
25 strategies as the institution determines are

1 designed to facilitate the repayment of
2 such indebtedness;

3 “(iv) an explanation that the borrower
4 has the ability to prepay each such loan,
5 pay the loan on a shorter schedule, and
6 change repayment plans;

7 “(v) the terms and conditions under
8 which the student may obtain full or par-
9 tial forgiveness or cancellation of principal
10 or interest under sections 428J, 460, and
11 465 (to the extent that such sections are
12 applicable to the student’s loans);

13 “(vi) the terms and conditions under
14 which the student may defer repayment of
15 principal or interest or be granted forbear-
16 ance under subsections (b)(1)(M) and (o)
17 of section 428, 428H(e)(7), subsections (f)
18 and (l) of section 455, and section
19 464(c)(2), and the potential impact of such
20 deferment or forbearance;

21 “(vii) the consequences of default on
22 such loans;

23 “(viii) information on the effects of
24 using a consolidation loan to discharge the

1 borrower's loans under parts B, D, and E,
2 including, at a minimum—

3 “(I) the effects of consolidation
4 on total interest to be paid, fees to be
5 paid, and length of repayment;

6 “(II) the effects of consolidation
7 on a borrower's underlying loan bene-
8 fits, including all grace periods, loan
9 forgiveness, cancellation, and
10 deferment opportunities;

11 “(III) the ability of the borrower
12 to prepay the loan or change repay-
13 ment plans; and

14 “(IV) that borrower benefit pro-
15 grams may vary among different loan
16 holders; and

17 “(ix) a notice to borrowers about the
18 availability of the National Student Loan
19 Data System and how the system can be
20 used by a borrower to obtain information
21 on the status of the borrower's loans.”;
22 and

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

24 “(3) Each eligible institution shall, during the
25 exit interview required by this subsection, provide to

1 a borrower of a loan made under part B, D, or E
2 a clear and conspicuous notice describing the general
3 effects of using a consolidation loan to discharge the
4 borrower's student loans, including—

5 “(A) the effects of consolidation on total
6 interest to be paid, fees to be paid, and length
7 of repayment;

8 “(B) the effects of consolidation on a bor-
9 rower's underlying loan benefits, including loan
10 forgiveness, cancellation, and deferment;

11 “(C) the ability for the borrower to prepay
12 the loan, pay on a shorter schedule, and to
13 change repayment plans, and that borrower
14 benefit programs may vary among different
15 loan holders;

16 “(D) a general description of the types of
17 tax benefits which may be available to bor-
18 rowers of student loans; and

19 “(E) the consequences of default.”;

20 (3) in subsection (d)(2)—

21 (A) by inserting “grant assistance, as well
22 as State” after “describing State”; and

23 (B) by inserting “and other means, includ-
24 ing through the Internet” before the period at
25 the end;

1 (4) in subsection (e), by striking paragraph (3)
2 and inserting the following:

3 “(3) For purposes of this subsection, institu-
4 tions may—

5 “(A) exclude from the reporting require-
6 ments under paragraphs (1) and (2) the com-
7 pletion or graduation rates of students and stu-
8 dent athletes who leave school to serve in the
9 Armed Forces, on official church missions, or
10 with a recognized foreign aid service of the Fed-
11 eral Government; or

12 “(B) in cases where the students described
13 in subparagraph (A) represent 20 percent or
14 more of the certificate- or degree-seeking, full-
15 time, undergraduate students at the institution,
16 the institution may calculate the completion or
17 graduation rates of such students by excluding
18 from the calculations described in paragraph
19 (1) the time period such students were not en-
20 rolled due to their service in the Armed Forces,
21 on official church missions, or with a recognized
22 foreign aid service of the Federal Govern-
23 ment.”;

24 (5) in subsection (f)—

25 (A) in paragraph (1)—

1 (i) the matter preceding subparagraph
2 (A), by inserting “, other than a foreign
3 institution of higher education,” after
4 “under this title”; and

5 (ii) by adding at the end the fol-
6 lowing:

7 “(J) A statement of current campus poli-
8 cies regarding immediate emergency response
9 and evacuation procedures, including the use of
10 electronic and cellular communication (if appro-
11 priate), which policies shall include proce-
12 dures—

13 “(i) to notify the campus community
14 in a reasonable and timely manner in the
15 event of a significant emergency or dan-
16 gerous situation, involving an immediate
17 threat to the health or safety of students
18 or staff, occurring on the campus;

19 “(ii) to publicize emergency response
20 and evacuation procedures on an annual
21 basis in a manner designed to reach stu-
22 dents and staff; and

23 “(iii) to test emergency response and
24 evacuation procedures on an annual
25 basis.”;

1 (B) by redesignating paragraph (15) as
2 paragraph (17); and

3 (C) by inserting after paragraph (14) the
4 following:

5 “(15) COMPLIANCE REPORT.—The Secretary
6 shall annually report to the authorizing committees
7 regarding compliance with this subsection by institu-
8 tions of higher education, including an up-to-date re-
9 port on the Secretary’s monitoring of such compli-
10 ance.

11 “(16) BEST PRACTICES.—The Secretary may
12 seek the advice and counsel of the Attorney General
13 concerning the development, and dissemination to
14 institutions of higher education, of best practices in-
15 formation about campus safety and emergencies.”;
16 and

17 (6) by adding at the end the following:

18 “(h) TRANSFER OF CREDIT POLICIES.—

19 “(1) DISCLOSURE.—Each institution of higher
20 education participating in any program under this
21 title shall publicly disclose in a readable and com-
22 prehensible manner the transfer of credit policies es-
23 tablished by the institution which shall include a
24 statement of the institution’s current transfer of
25 credit policies that includes, at a minimum—

1 “(A) any established criteria the institution
2 uses regarding the transfer of credit earned at
3 another institution of higher education; and

4 “(B) a list of institutions of higher edu-
5 cation with which the institution has established
6 an articulation agreement.

7 “(2) RULE OF CONSTRUCTION.—Nothing in
8 this subsection shall be construed to—

9 “(A) authorize the Secretary or the Ac-
10 creditation and Institutional Quality and Integ-
11 rity Advisory Committee to require particular
12 policies, procedures, or practices by institutions
13 of higher education with respect to transfer of
14 credit;

15 “(B) authorize an officer or employee of
16 the Department to exercise any direction, su-
17 pervision, or control over the curriculum, pro-
18 gram of instruction, administration, or per-
19 sonnel of any institution of higher education, or
20 over any accrediting agency or association;

21 “(C) limit the application of the General
22 Education Provisions Act; or

23 “(D) create any legally enforceable right
24 on the part of a student to require an institu-

1 tion of higher education to accept a transfer of
2 credit from another institution.

3 “(i) DISCLOSURE OF FIRE SAFETY STANDARDS AND
4 MEASURES.—

5 “(1) ANNUAL FIRE SAFETY REPORTS ON STU-
6 DENT HOUSING REQUIRED.—Each eligible institu-
7 tion participating in any program under this title
8 shall, on an annual basis, publish a fire safety re-
9 port, which shall contain information with respect to
10 the campus fire safety practices and standards of
11 that institution, including—

12 “(A) statistics concerning the following in
13 each on-campus student housing facility during
14 the most recent calendar years for which data
15 are available—

16 “(i) the number of fires and the cause
17 of each fire;

18 “(ii) the number of injuries related to
19 a fire that result in treatment at a medical
20 facility;

21 “(iii) the number of deaths related to
22 a fire; and

23 “(iv) the value of property damage
24 caused by a fire;

1 “(B) a description of each on-campus stu-
2 dent housing facility fire safety system, includ-
3 ing the fire sprinkler system;

4 “(C) the number of regular mandatory su-
5 pervised fire drills;

6 “(D) policies or rules on portable electrical
7 appliances, smoking, and open flames (such as
8 candles), procedures for evacuation, and policies
9 regarding fire safety education and training
10 programs provided to students, faculty, and
11 staff; and

12 “(E) plans for future improvements in fire
13 safety, if determined necessary by such institu-
14 tion.

15 “(2) REPORT TO THE SECRETARY.—Each eligi-
16 ble institution participating in any program under
17 this title shall, on an annual basis submit to the Sec-
18 retary a copy of the statistics required to be made
19 available under subparagraph (A).

20 “(3) CURRENT INFORMATION TO CAMPUS COM-
21 MUNITY.—Each institution participating in any pro-
22 gram under this title shall—

23 “(A) make, keep, and maintain a log, re-
24 cording all fires in on-campus student housing

1 facilities, including the nature, date, time, and
2 general location of each fire; and

3 “(B) make annual reports to the campus
4 community on such fires.

5 “(4) RESPONSIBILITIES OF THE SECRETARY.—

6 The Secretary shall—

7 “(A) make such statistics submitted to the
8 Secretary available to the public; and

9 “(B) in coordination with nationally recog-
10 nized fire organizations and representatives of
11 institutions of higher education, representatives
12 of associations of institutions of higher edu-
13 cation, and other organizations that represent
14 and house a significant number of students—

15 “(i) identify exemplary fire safety
16 policies, procedures, programs, and prac-
17 tices;

18 “(ii) disseminate information to the
19 Administrator of the United States Fire
20 Administration;

21 “(iii) make available to the public in-
22 formation concerning those policies, proce-
23 dures, programs, and practices that have
24 proven effective in the reduction of fires;
25 and

1 “(iv) develop a protocol for institu-
2 tions to review the status of their fire safe-
3 ty systems.

4 “(5) RULES OF CONSTRUCTION.—Nothing in
5 this subsection shall be construed to—

6 “(A) authorize the Secretary to require
7 particular policies, procedures, programs, or
8 practices by institutions of higher education
9 with respect to fire safety, other than with re-
10 spect to the collection, reporting, and dissemi-
11 nation of information required by this sub-
12 section;

13 “(B) affect the Family Educational Rights
14 and Privacy Act of 1974 or the regulations
15 issued under section 264 of the Health Insur-
16 ance Portability and Accountability Act of 1996
17 (42 U.S.C. 1320d–2 note);

18 “(C) create a cause of action against any
19 institution of higher education or any employee
20 of such an institution for any civil liability; and

21 “(D) establish any standard of care.

22 “(6) COMPLIANCE REPORT.—The Secretary
23 shall annually report to the authorizing committees
24 regarding compliance with this subsection by institu-
25 tions of higher education, including an up-to-date re-

1 port on the Secretary's monitoring of such compli-
2 ance.

3 “(7) EVIDENCE.—Notwithstanding any other
4 provision of law, evidence regarding compliance or
5 noncompliance with this subsection shall not be ad-
6 missible as evidence in any proceeding of any court,
7 agency, board, or other entity, except with respect to
8 an action to enforce this subsection.”.

9 **SEC. 478. ENTRANCE COUNSELING REQUIRED.**

10 Section 485 (as amended by section 477) is further
11 amended—

12 (1) by redesignating subsections (b) through (i)
13 as subsections (c) through (j), respectively; and

14 (2) by inserting after subsection (a) the fol-
15 lowing:

16 “(b) ENTRANCE COUNSELING FOR BORROWERS.—

17 “(1) DISCLOSURE REQUIRED PRIOR TO DIS-
18 BURSEMENT.—

19 “(A) IN GENERAL.—Each eligible institu-
20 tion shall, at or prior to the time of a disburse-
21 ment to a first-time student borrower of a loan
22 made, insured, or guaranteed under part B or
23 D, ensure that the borrower receives com-
24 prehensive information on the terms and condi-
25 tions of the loan and the responsibilities the

1 borrower has with respect to such loan. Such
2 information shall be provided in simple and un-
3 derstandable terms and may be provided—

4 “(i) during an entrance counseling
5 session conducted in person;

6 “(ii) on a separate written form pro-
7 vided to the borrower that the borrower
8 signs and returns to the institution; or

9 “(iii) online, with the borrower ac-
10 knowledging receipt and understanding of
11 the information.

12 “(B) USE OF INTERACTIVE PROGRAMS.—

13 The Secretary shall encourage institutions to
14 carry out the requirements of subparagraph (A)
15 through the use of interactive programs that
16 test the borrowers’ understanding of the terms
17 and conditions of the borrowers’ loans under
18 part B or D, using comprehensible language
19 and displays with clear formatting.

20 “(2) INFORMATION TO BE PROVIDED.—The in-
21 formation provided to the borrower under paragraph
22 (1)(A) shall include—

23 “(A) an explanation of the use of the Mas-
24 ter Promissory Note;

1 “(B) in the case of a loan made under sec-
2 tion 428B or 428H, a Federal Direct PLUS
3 Loan, or a Federal Direct Unsubsidized Staf-
4 ford Loan—

5 “(i) the ability of the borrower to pay
6 the interest while the borrower is in school;
7 and

8 “(ii) how often interest is capitalized;

9 “(C) the definition of half-time enrollment
10 at the institution, during regular terms and
11 summer school, if applicable, and the con-
12 sequences of not maintaining half-time enroll-
13 ment;

14 “(D) an explanation of the importance of
15 contacting the appropriate institutional offices
16 if the borrower withdraws prior to completing
17 the borrower’s program of study so that the in-
18 stitution can provide exit counseling, including
19 information regarding the borrower’s repayment
20 options and loan consolidation;

21 “(E) the obligation of the borrower to
22 repay the full amount of the loan even if the
23 borrower does not complete the program in
24 which the borrower is enrolled;

1 “(F) information on the National Student
2 Loan Data System and how the borrower can
3 access the borrower’s records; and

4 “(G) the name of an individual the bor-
5 rower may contact if the borrower has any
6 questions about the borrower’s rights and re-
7 sponsibilities or the terms and conditions of the
8 loan.”.

9 **SEC. 479. NATIONAL STUDENT LOAN DATA SYSTEM.**

10 Section 485B (20 U.S.C. 1092b) is amended—

11 (1) in subsection (a)—

12 (A) by redesignating paragraphs (6)
13 through (10) as paragraphs (7) through (11),
14 respectively;

15 (B) in paragraph (5) (as added by Public
16 Law 101–610), by striking “effectiveness.” and
17 inserting “effectiveness;”; and

18 (C) by redesignating paragraph (5) (as
19 added by Public Law 101–234) as paragraph
20 (6);

21 (2) by redesignating subsections (d) through (g)
22 as subsections (e) through (h), respectively; and

23 (3) by inserting after subsection (c) the fol-
24 lowing:

1 “(d) PRINCIPLES FOR ADMINISTERING THE DATA
2 SYSTEM.—In managing the National Student Loan Data
3 System, the Secretary shall take actions necessary to
4 maintain confidence in the data system, including, at a
5 minimum—

6 “(1) ensuring that the primary purpose of ac-
7 cess to the data system by guaranty agencies, eligi-
8 ble lenders, and eligible institutions of higher edu-
9 cation is for legitimate program operations, such as
10 the need to verify the eligibility of a student, poten-
11 tial student, or parent for loans under part B, D, or
12 E;

13 “(2) prohibiting nongovernmental researchers
14 and policy analysts from accessing personally identi-
15 fiable information;

16 “(3) creating a disclosure form for students and
17 potential students that is distributed when such stu-
18 dents complete the common financial reporting form
19 under section 483, and as a part of the exit coun-
20 seling process under section 485(b), that—

21 “(A) informs the students that any title IV
22 grant or loan the students receive will be in-
23 cluded in the National Student Loan Data Sys-
24 tem, and instructs the students on how to ac-
25 cess that information;

1 “(B) describes the categories of individuals
2 or entities that may access the data relating to
3 such grant or loan through the data system,
4 and for what purposes access is allowed;

5 “(C) defines and explains the categories of
6 information included in the data system;

7 “(D) provides a summary of the provisions
8 of the Family Educational Rights and Privacy
9 Act of 1974 and other applicable Federal pri-
10 vacy statutes, and a statement of the students’
11 rights and responsibilities with respect to such
12 statutes;

13 “(E) explains the measures taken by the
14 Department to safeguard the students’ data;
15 and

16 “(F) includes other information as deter-
17 mined appropriate by the Secretary;

18 “(4) requiring guaranty agencies, eligible lend-
19 ers, and eligible institutions of higher education that
20 enter into an agreement with a potential student,
21 student, or parent of such student regarding a loan
22 under part B, D, or E, to inform the student or par-
23 ent that such loan shall be—

24 “(A) submitted to the data system; and

1 “(B) accessible to guaranty agencies, eligi-
2 ble lenders, and eligible institutions of higher
3 education determined by the Secretary to be au-
4 thorized users of the data system;

5 “(5) regularly reviewing the data system to—

6 “(A) delete inactive users from the data
7 system;

8 “(B) ensure that the data in the data sys-
9 tem are not being used for marketing purposes;
10 and

11 “(C) monitor the use of the data system by
12 guaranty agencies and eligible lenders to deter-
13 mine whether an agency or lender is accessing
14 the records of students in which the agency or
15 lender has no existing financial interest; and

16 “(6) developing standardized protocols for lim-
17 iting access to the data system that include—

18 “(A) collecting data on the usage of the
19 data system to monitor whether access has been
20 or is being used contrary to the purposes of the
21 data system;

22 “(B) defining the steps necessary for de-
23 termining whether, and how, to deny or restrict
24 access to the data system; and

1 “(C) determining the steps necessary to re-
2 open access to the data system following a de-
3 nial or restriction of access.”; and

4 (4) by striking subsection (e) (as redesignated
5 by paragraph (1)) and inserting the following:

6 “(e) REPORTS TO CONGRESS.—

7 “(1) ANNUAL REPORT.—Not later than Sep-
8 tember 30 of each fiscal year, the Secretary shall
9 prepare and submit to the appropriate committees of
10 Congress a report describing—

11 “(A) the results obtained by the establish-
12 ment and operation of the National Student
13 Loan Data System authorized by this section;

14 “(B) the effectiveness of existing privacy
15 safeguards in protecting student and parent in-
16 formation in the data system;

17 “(C) the success of any new authorization
18 protocols in more effectively preventing abuse of
19 the data system;

20 “(D) the ability of the Secretary to mon-
21 itor how the system is being used, relative to
22 the intended purposes of the data system; and

23 “(E) any protocols developed under sub-
24 section (d)(6) during the preceding fiscal year.

25 “(2) STUDY.—

1 “(A) IN GENERAL.—The Secretary shall
2 conduct a study regarding—

3 “(i) available mechanisms for pro-
4 viding students and parents with the abil-
5 ity to opt in or opt out of allowing eligible
6 lenders to access their records in the Na-
7 tional Student Loan Data System; and

8 “(ii) appropriate protocols for limiting
9 access to the data system, based on the
10 risk assessment required under subchapter
11 III of chapter 35 of title 44, United States
12 Code.

13 “(B) SUBMISSION OF STUDY.—Not later
14 than 3 years after the date of enactment of the
15 Higher Education Amendments of 2007, the
16 Secretary shall prepare and submit a report on
17 the findings of the study to the appropriate
18 committees of Congress.”.

19 **SEC. 480. EARLY AWARENESS OF FINANCIAL AID ELIGI-**
20 **BILITY.**

21 Part G of title IV (20 U.S.C. 1088 et seq.) is further
22 amended by inserting after section 485D (20 U.S.C.
23 1092c) the following:

1 **“SEC. 485E. EARLY AWARENESS OF FINANCIAL AID ELIGI-**
2 **BILITY.**

3 “(a) IN GENERAL.—The Secretary shall implement,
4 in cooperation with States, institutions of higher edu-
5 cation, secondary schools, middle schools, early interven-
6 tion and outreach programs under this title, other agen-
7 cies and organizations involved in student financial assist-
8 ance and college access, public libraries, community cen-
9 ters, employers, and businesses, a comprehensive system
10 of early financial aid information in order to provide stu-
11 dents and families with early information about financial
12 aid and early estimates of such students’ eligibility for fi-
13 nancial aid from multiple sources. Such system shall in-
14 clude the activities described in subsections (b) and (c).

15 “(b) COMMUNICATION OF AVAILABILITY OF AID AND
16 AID ELIGIBILITY.—

17 “(1) STUDENTS WHO RECEIVE BENEFITS.—The
18 Secretary shall—

19 “(A) make special efforts to notify stu-
20 dents, who receive or are eligible to receive ben-
21 efits under a Federal means-tested benefit pro-
22 gram (including the food stamp program under
23 the Food Stamp Act of 1977 (7 U.S.C. 2011 et
24 seq.)) or another such benefit program as deter-
25 mined by the Secretary, of such students’ po-

1 tential eligibility for a maximum Federal Pell
2 Grant under subpart 1 of part A; and

3 “(B) disseminate such informational mate-
4 rials as the Secretary determines necessary.

5 “(2) MIDDLE SCHOOL STUDENTS.—The Sec-
6 retary, in cooperation with States, institutions of
7 higher education, other organizations involved in col-
8 lege access and student financial aid, middle schools,
9 and programs under this title that serve middle
10 school students, shall make special efforts to notify
11 students and their parents of the availability of fi-
12 nancial aid under this title and, in accordance with
13 subsection (c), shall provide nonbinding estimates of
14 grant and loan aid that an individual may be eligible
15 for under this title upon completion of an applica-
16 tion form under section 483(a). The Secretary shall
17 ensure that such information is as accurate as pos-
18 sible and that such information is provided in an
19 age-appropriate format using dissemination mecha-
20 nisms suitable for students in middle school.

21 “(3) SECONDARY SCHOOL STUDENTS.—The
22 Secretary, in cooperation with States, institutions of
23 higher education, other organizations involved in col-
24 lege access and student financial aid, secondary
25 schools, and programs under this title that serve sec-

1 ondary school students, shall make special efforts to
2 notify students in secondary school and their par-
3 ents, as early as possible but not later than such
4 students' junior year of secondary school, of the
5 availability of financial aid under this title and, in
6 accordance with subsection (c), shall provide non-
7 binding estimates of the amounts of grant and loan
8 aid that an individual may be eligible for under this
9 title upon completion of an application form under
10 section 483(a). The Secretary shall ensure that such
11 information is as accurate as possible and that such
12 information is provided in an age-appropriate format
13 using dissemination mechanisms suitable for stu-
14 dents in secondary school.

15 “(4) ADULT LEARNERS.—The Secretary, in co-
16 operation with States, institutions of higher edu-
17 cation, other organizations involved in college access
18 and student financial aid, employers, workforce in-
19 vestment boards and public libraries, shall make spe-
20 cial efforts to provide individuals who would qualify
21 as independent students, as defined in section
22 480(d), with information regarding the availability
23 of financial aid under this title and, in accordance
24 with subsection (c), with nonbinding estimates of the
25 amounts of grant and loan aid that an individual

1 may be eligible for under this title upon completion
2 of an application form under section 483(a). The
3 Secretary shall ensure that such information—

4 “(A) is as accurate as possible;

5 “(B) includes specific information regard-
6 ing the availability of financial aid for students
7 qualified as independent students, as defined in
8 section 480(d); and

9 “(C) uses dissemination mechanisms suit-
10 able for adult learners.

11 “(5) PUBLIC AWARENESS CAMPAIGN.—Not
12 later than 2 years after the date of enactment of the
13 Higher Education Amendments of 2007, the Sec-
14 retary, in coordination with States, institutions of
15 higher education, early intervention and outreach
16 programs under this title, other agencies and organi-
17 zations involved in student financial aid, local edu-
18 cational agencies, public libraries, community cen-
19 ters, businesses, employers, employment services,
20 workforce investment boards, and movie theaters,
21 shall implement a public awareness campaign in
22 order to increase national awareness regarding the
23 availability of financial aid under this title. The pub-
24 lic awareness campaign shall disseminate accurate
25 information regarding the availability of financial

1 aid under this title and shall be implemented, to the
2 extent practicable, using a variety of media, includ-
3 ing print, television, radio and the Internet. The
4 Secretary shall design and implement the public
5 awareness campaign based upon relevant inde-
6 pendent research and the information and dissemi-
7 nation strategies found most effective in imple-
8 menting paragraphs (1) through (4).

9 “(c) AVAILABILITY OF NONBINDING ESTIMATES OF
10 FEDERAL FINANCIAL AID ELIGIBILITY.—

11 “(1) IN GENERAL.—The Secretary, in coopera-
12 tion with States, institutions of higher education,
13 and other agencies and organizations involved in stu-
14 dent financial aid, shall provide, via a printed form
15 and the Internet or other electronic means, the capa-
16 bility for individuals to determine easily, by entering
17 relevant data, nonbinding estimates of amounts of
18 grant and loan aid an individual may be eligible for
19 under this title upon completion and processing of
20 an application and enrollment in an institution of
21 higher education.

22 “(2) DATA ELEMENTS.—The Secretary, in co-
23 operation with States, institutions of higher edu-
24 cation, and other agencies and organizations in-
25 volved in student financial aid, shall determine the

1 data elements that are necessary to create a sim-
2 plified form that individuals can use to obtain easily
3 nonbinding estimates of the amounts of grant and
4 loan aid an individual may be eligible for under this
5 title.

6 “(3) QUALIFICATION TO USE SIMPLIFIED AP-
7 PPLICATION.—The capability provided under this
8 paragraph shall include the capability to determine
9 whether the individual is eligible to submit a sim-
10 plified application form under paragraph (2)(B) or
11 (3)(B) of section 483(a).”.

12 **SEC. 481. PROGRAM PARTICIPATION AGREEMENTS.**

13 Section 487 (20 U.S.C. 1094) is amended—

14 (1) in subsection (a)—

15 (A) by redesignating paragraphs (21),
16 (22), and (23) as paragraphs (22), (23), and
17 (24), respectively;

18 (B) by inserting after paragraph (20) the
19 following:

20 “(21) CODE OF CONDUCT.—

21 “(A) IN GENERAL.—The institution will
22 establish, follow, and enforce a code of conduct
23 regarding student loans that includes not less
24 than the following:

1 “(i) REVENUE SHARING PROHIBI-
2 TION.—The institution is prohibited from
3 receiving anything of value from any lender
4 in exchange for any advantage sought by
5 the lender to make educational loans to a
6 student enrolled, or who is expected to be
7 enrolled, at the institution, except that an
8 institution shall not be prohibited from re-
9 ceiving a philanthropic contribution from a
10 lender if the contribution is not made in
11 exchange for any such advantage.

12 “(ii) GIFT AND TRIP PROHIBITION.—
13 Any employee who is employed in the fi-
14 nancial aid office of the institution, or who
15 otherwise has responsibilities with respect
16 to educational loans or other financial aid
17 of the institution, is prohibited from taking
18 from any lender any gift or trip worth
19 more than nominal value, except for rea-
20 sonable expenses for professional develop-
21 ment that will improve the efficiency and
22 effectiveness of programs under this title
23 and for domestic travel to such profes-
24 sional development.

1 “(iii) CONTRACTING ARRANGE-
2 MENTS.—Any employee who is employed in
3 the financial aid office of the institution, or
4 who otherwise has responsibilities with re-
5 spect to educational loans or other finan-
6 cial aid of the institution, shall be prohib-
7 ited from entering into any type of con-
8 sulting arrangement or other contract to
9 provide services to a lender.

10 “(iv) ADVISORY BOARD COMPENSA-
11 TION.—Any employee who is employed in
12 the financial aid office of the institution, or
13 who otherwise has responsibilities with re-
14 spect to educational loans or other student
15 financial aid of the institution, and who
16 serves on an advisory board, commission,
17 or group established by a lender or group
18 of lenders shall be prohibited from receiv-
19 ing anything of value from the lender or
20 group of lenders, except that the employee
21 may be reimbursed for reasonable expenses
22 incurred in serving on such advisory board,
23 commission or group.

24 “(v) INTERACTION WITH BOR-
25 ROWERS.—The institution will not—

1 “(I) for any first-time borrower,
2 assign, through award packaging or
3 other methods, the borrower’s loan to
4 a particular lender; and

5 “(II) refuse to certify, or, delay
6 certification of, any loan in accord-
7 ance with paragraph (6) based on the
8 borrower’s selection of a particular
9 lender or guaranty agency.

10 “(B) DESIGNATION.—The institution will
11 designate an individual who shall be responsible
12 for signing an annual attestation on behalf of
13 the institution that the institution agrees to,
14 and is in compliance with, the requirements of
15 the code of conduct described in this paragraph.
16 Such individual shall be the chief executive offi-
17 cer, chief operating officer, chief financial offi-
18 cer, or comparable official, of the institution,
19 and shall annually submit the signed attestation
20 to the Secretary.

21 “(C) AVAILABILITY.—The institution will
22 make the code of conduct widely available to
23 the institution’s faculty members, students, and
24 parents through a variety of means, including
25 the institution’s website.”;

1 (C) in paragraph (24) (as redesignated by
2 subparagraph (A)), by adding at the end the
3 following:

4 “(D) In the case of a proprietary institu-
5 tion of higher education as defined in section
6 102(b), the institution shall be considered in
7 compliance with the requirements of subpara-
8 graph (A) for any student to whom the institu-
9 tion electronically transmits a message con-
10 taining a voter registration form acceptable for
11 use in the State in which the institution is lo-
12 cated, or an Internet address where such a
13 form can be downloaded, if such information is
14 in an electronic message devoted solely to voter
15 registration.”; and

16 (D) by adding at the end the following:

17 “(25) In the case of a proprietary institution of
18 higher education as defined in section 102(b), the
19 institution will, as calculated in accordance with sub-
20 section (h)(1), have not less than 10 percent of its
21 revenues from sources other than funds provided
22 under this title, or will be subject to the sanctions
23 described in subsection (h)(2).

24 “(26) PREFERRED LENDER LISTS.—

1 “(A) IN GENERAL.—In the case of an in-
2 stitution (including an employee or agent of an
3 institution) that maintains a preferred lender
4 list, in print or any other medium, through
5 which the institution recommends one or more
6 specific lenders for loans made under part B to
7 the students attending the institution (or the
8 parents of such students), the institution will—

9 “(i) clearly and fully disclose on the
10 preferred lender list—

11 “(I) why the institution has in-
12 cluded each lender as a preferred
13 lender, especially with respect to
14 terms and conditions favorable to the
15 borrower; and

16 “(II) that the students attending
17 the institution (or the parents of such
18 students) do not have to borrow from
19 a lender on the preferred lender list;

20 “(ii) ensure, through the use of the
21 list provided by the Secretary under sub-
22 paragraph (C), that—

23 “(I) there are not less than 3
24 lenders named on the preferred lend-

1 ing list that are not affiliates of each
2 other; and

3 “(II) the preferred lender list—

4 “(aa) specifically indicates,
5 for each lender on the list,
6 whether the lender is or is not an
7 affiliate of each other lender on
8 the list; and

9 “(bb) if the lender is an af-
10 filiate of another lender on the
11 list, describes the specifics of
12 such affiliation; and

13 “(iii) establish a process to ensure
14 that lenders are placed upon the preferred
15 lender list on the basis of the benefits pro-
16 vided to borrowers, including —

17 “(I) highly competitive interest
18 rates, terms, or conditions for loans
19 made under part B;

20 “(II) high-quality customer serv-
21 ice for such loans; or

22 “(III) additional benefits beyond
23 the standard terms and conditions for
24 such loans.

1 “(B) DEFINITION OF AFFILIATE; CON-
2 TROL.—

3 “(i) DEFINITION OF AFFILIATE.—For
4 the purposes of subparagraph (A)(ii) the
5 term ‘affiliate’ means a person that con-
6 trols, is controlled by, or is under common
7 control with, another person.

8 “(ii) CONTROL.—For purposes of sub-
9 paragraph (A)(ii), a person has control
10 over another person if—

11 “(I) the person directly or indi-
12 rectly, or acting through 1 or more
13 others, owns, controls, or has the
14 power to vote 5 percent or more of
15 any class of voting securities of such
16 other person;

17 “(II) the person controls, in any
18 manner, the election of a majority of
19 the directors or trustees of such other
20 person; or

21 “(III) the Secretary determines
22 (after notice and opportunity for a
23 hearing) that the person directly or
24 indirectly exercises a controlling inter-

1 est over the management or policies of
2 such other person.

3 “(C) LIST OF LENDER AFFILIATES.—The
4 Secretary, in consultation with the Director of
5 the Federal Deposit Insurance Corporation,
6 shall maintain and update a list of lender affili-
7 ates of all eligible lenders, and shall provide
8 such list to the eligible institutions for use in
9 carrying out subparagraph (A).”;

10 (2) in subsection (c)(1)(A)(i), by inserting “,
11 except that the Secretary may modify the require-
12 ments of this clause with regard to an institution
13 outside the United States” before the semicolon at
14 the end;

15 (3) by redesignating subsections (d) and (e) as
16 subsection (f) and (g), respectively;

17 (4) by inserting after subsection (c) the fol-
18 lowing:

19 “(d) INSTITUTIONAL REQUIREMENTS FOR TEACH-
20 OUTS.—

21 “(1) IN GENERAL.—In the event the Secretary
22 initiates the limitation, suspension, or termination of
23 the participation of an institution of higher edu-
24 cation in any program under this title under the au-
25 thority of subsection (c)(1)(F) or initiates an emer-

1 agency action under the authority of subsection
2 (c)(1)(G) and its prescribed regulations, the Sec-
3 retary shall require that institution to prepare a
4 teach-out plan for submission to the institution's ac-
5 crediting agency or association in compliance with
6 section 496(c)(4), the Secretary's regulations on
7 teach-out plans, and the standards of the institu-
8 tion's accrediting agency or association.

9 “(2) TEACH-OUT PLAN DEFINED.—In this sub-
10 section, the term ‘teach-out plan’ means a written
11 plan that provides for the equitable treatment of stu-
12 dents if an institution of higher education ceases to
13 operate before all students have completed their pro-
14 gram of study, and may include, if required by the
15 institution's accrediting agency or association, an
16 agreement between institutions for such a teach-out
17 plan.

18 “(e) VIOLATION OF CODE OF CONDUCT REGARDING
19 STUDENT LOANS.—

20 “(1) IN GENERAL.—Upon a finding by the Sec-
21 retary, after reasonable notice and an opportunity
22 for a hearing, that an institution of higher education
23 that has entered into a program participation agree-
24 ment with the Secretary under subsection (a) will-
25 fully contravened the institution's attestation of

1 compliance with the provisions of subsection (a)(21),
2 the Secretary may impose a penalty described in
3 paragraph (2).

4 “(2) PENALTIES.—A violation of paragraph (1)
5 shall result in the limitation, suspension, or termi-
6 nation of the eligibility of the institution for the loan
7 programs under this title.”; and

8 (5) by adding at the end the following:

9 “(h) IMPLEMENTATION OF NONTITLE IV REVENUE
10 REQUIREMENT.—

11 “(1) CALCULATION.—In carrying out sub-
12 section (a)(27), a proprietary institution of higher
13 education (as defined in section 102(b)) shall use
14 the cash basis of accounting and count the following
15 funds as from sources of funds other than funds
16 provided under this title:

17 “(A) Funds used by students from sources
18 other than funds received under this title to pay
19 tuition, fees, and other institutional charges to
20 the institution, provided the institution can rea-
21 sonably demonstrate that such funds were used
22 for such purposes.

23 “(B) Funds used by the institution to sat-
24 isfy matching-fund requirements for programs
25 under this title.

1 “(C) Funds used by a student from sav-
2 ings plans for educational expenses established
3 by or on behalf of the student and which qualify
4 for special tax treatment under the Internal
5 Revenue Code of 1986.

6 “(D) Funds paid by a student, or on be-
7 half of a student by a party other than the in-
8 stitution, to the institution for an education or
9 training program that is not eligible for funds
10 under this title, provided that the program is
11 approved or licensed by the appropriate State
12 agency or an accrediting agency recognized by
13 the Secretary.

14 “(E) Funds generated by the institution
15 from institutional activities that are necessary
16 for the education and training of the institu-
17 tion’s students, if such activities are—

18 “(i) conducted on campus or at a fa-
19 cility under the control of the institution;

20 “(ii) performed under the supervision
21 of a member of the institution’s faculty;
22 and

23 “(iii) required to be performed by all
24 students in a specific educational program
25 at the institution.

1 “(F) Institutional aid, as follows:

2 “(i) In the case of loans made by the
3 institution, only the amount of loan repay-
4 ments received by the institution during
5 the fiscal year for which the determination
6 is made.

7 “(ii) In the case of scholarships pro-
8 vided by the institution, only those scholar-
9 ship funds provided by the institution that
10 are—

11 “(I) in the form of monetary aid
12 based upon the academic achieve-
13 ments or financial need of students;
14 and

15 “(II) disbursed during the fiscal
16 year for which the determination is
17 made from an established restricted
18 account and only to the extent that
19 the funds in that account represent
20 designated funds from an outside
21 source or income earned on those
22 funds.

23 “(iii) In the case of tuition discounts,
24 only those tuition discounts based upon the

1 academic achievement or financial need of
2 students.

3 “(2) SANCTIONS.—

4 “(A) FAILURE TO MEET REQUIREMENT
5 FOR 1 YEAR.—In addition to such other means
6 of enforcing the requirements of this title as
7 may be available to the Secretary, if an institu-
8 tion fails to meet the requirements of sub-
9 section (a)(27) in any year, the Secretary may
10 impose 1 or both of the following sanctions on
11 the institution:

12 “(i) Place the institution on provi-
13 sional certification in accordance with sec-
14 tion 498(h) until the institution dem-
15 onstrates, to the satisfaction of the Sec-
16 retary, that it is in compliance with sub-
17 section (a)(27).

18 “(ii) Require such other increased
19 monitoring and reporting requirements as
20 the Secretary determines necessary until
21 the institution demonstrates, to the satis-
22 faction of the Secretary, that it is in com-
23 pliance with subsection (a)(27).

24 “(B) FAILURE TO MEET REQUIREMENT
25 FOR 2 YEARS.—An institution that fails to meet

1 the requirements of subsection (a)(27) for 2
2 consecutive years shall be ineligible to partici-
3 pate in the programs authorized under this title
4 until the institution demonstrates, to the satis-
5 faction of the Secretary, that it is in compliance
6 with subsection (a)(27).

7 “(3) PUBLIC AVAILABILITY OF INFORMATION.—

8 The Secretary shall make publicly available, through
9 the means described in subsection (b) of section 131,
10 any institution that fails to meet the requirements of
11 subsection (a)(27) in any year as an institution that
12 is failing to meet the minimum non-Federal source
13 of revenue requirements of such subsection
14 (a)(27).”.

15 **SEC. 482. REGULATORY RELIEF AND IMPROVEMENT.**

16 Section 487A(b) (20 U.S.C. 1094a(b)) is amended—

17 (1) in paragraph (1)—

18 (A) by striking “1998” and inserting
19 “2007” ; and

20 (B) by striking “1999” and inserting
21 “2008”; and

22 (2) by striking the matter preceding paragraph
23 (2)(A) and inserting the following:

24 “(2) REPORT.—The Secretary shall review and
25 evaluate the experience of institutions participating

1 as experimental sites and shall, on a biennial basis,
2 submit a report based on the review and evaluation
3 to the authorizing committees. Such report shall in-
4 clude—”; and

5 (3) in paragraph (3)—

6 (A) in subparagraph (A)—

7 (i) by striking “Upon the submission
8 of the report required by paragraph (2),
9 the” and inserting “The”; and

10 (ii) by inserting “periodically” after
11 “authorized to”;

12 (B) by striking subparagraph (B);

13 (C) by redesignating subparagraph (C) as
14 subparagraph (B); and

15 (D) in subparagraph (B) (as redesignated
16 by subparagraph (C))—

17 (i) by inserting “, including require-
18 ments related to the award process and
19 disbursement of student financial aid (such
20 as innovative delivery systems for modular
21 or compressed courses, or other innovative
22 systems), verification of student financial
23 aid application data, entrance and exit
24 interviews, or other management proce-
25 dures or processes as determined in the ne-

1 negotiated rulemaking process under section
2 492” after “requirements in this title”;

3 (ii) by inserting “(other than an
4 award rule related to an experiment in
5 modular or compressed schedules)” after
6 “award rules”; and

7 (iii) by inserting “unless the waiver of
8 such provisions is authorized by another
9 provision under this title” before the pe-
10 riod at the end.

11 **SEC. 483. TRANSFER OF ALLOTMENTS.**

12 Section 488 (20 U.S.C. 1095) is amended in the first
13 sentence—

14 (1) in paragraph (1), by striking “and” after
15 the semicolon;

16 (2) in paragraph (2), by striking “413D.” and
17 inserting “413D; and”; and

18 (3) by adding at the end “(3) transfer 25 per-
19 cent of the institution’s allotment under section
20 413D to the institution’s allotment under section
21 442.”.

22 **SEC. 484. PURPOSE OF ADMINISTRATIVE PAYMENTS.**

23 Section 489(b) (20 U.S.C. 1096(b)) is amended by
24 striking “offsetting the administrative costs of” and in-
25 serting “administering”.

1 **SEC. 485. ADVISORY COMMITTEE ON STUDENT FINANCIAL**
2 **ASSISTANCE.**

3 Section 491 (20 U.S.C. 1098) is amended—

4 (1) in subsection (a)(2)—

5 (A) in subparagraph (B), by striking
6 “and” after the semicolon;

7 (B) in subparagraph (C), by striking the
8 period and inserting a semicolon; and

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

10 “(D) to provide knowledge and under-
11 standing of early intervention programs, and to
12 make recommendations that will result in early
13 awareness by low- and moderate-income stu-
14 dents and families—

15 “(i) of their eligibility for assistance
16 under this title; and

17 “(ii) to the extent practicable, of their
18 eligibility for other forms of State and in-
19 stitutional need-based student assistance;
20 and

21 “(E) to make recommendations that will
22 expand and improve partnerships among the
23 Federal Government, States, institutions of
24 higher education, and private entities to in-
25 crease the awareness and the total amount of

1 need-based student assistance available to low-
2 and moderate-income students.”;

3 (2) in subsection (c), by adding at the end the
4 following:

5 “(3) The appointment of a member under subpara-
6 graph (A) or (B) of paragraph (1) shall be effective upon
7 confirmation of the member by the Senate and publication
8 of such appointment in the Congressional Record.”;

9 (3) in subsection (d)(6), by striking “, but
10 nothing” and all that follows through “or analyses”;

11 (4) in subsection (j)—

12 (A) in paragraph (1)—

13 (i) by inserting “and simplification”
14 after “modernization” each place the term
15 appears; and

16 (ii) by striking “including” and all
17 that follows through “Department,”; and

18 (B) by striking paragraphs (4) and (5) and
19 inserting the following:

20 “(4) conduct a review and analysis of regula-
21 tions in accordance with subsection (l); and

22 “(5) conduct a study in accordance with sub-
23 section (m).”;

24 (5) in subsection (k), by striking “2004” and
25 inserting “2013”; and

1 (6) by adding at the end the following:

2 “(1) REVIEW AND ANALYSIS OF REGULATIONS.—

3 “(1) RECOMMENDATIONS.—The Advisory Com-
4 mittee shall make recommendations to the Secretary
5 and Congress for consideration of future legislative
6 action regarding redundant or outdated regulations
7 under this title, consistent with the Secretary’s re-
8 quirements under section 498B.

9 “(2) REVIEW AND ANALYSIS OF REGULA-
10 TIONS.—The Advisory Committee shall conduct a re-
11 view and analysis of the regulations issued under
12 this title that are in effect at the time of the review
13 and that apply to the operations or activities of par-
14 ticipants in the programs assisted under this title.
15 The review and analysis may include a determina-
16 tion of whether the regulation is duplicative, is no
17 longer necessary, is inconsistent with other Federal
18 requirements, or is overly burdensome. In con-
19 ducting the review, the Advisory Committee shall
20 pay specific attention to evaluating ways in which
21 regulations under this title affecting institutions of
22 higher education (other than institutions described
23 in section 102(a)(1)(C)), that have received in each
24 of the 2 most recent award years prior to the date
25 of enactment of the Higher Education Amendments

1 of 2007 less than \$200,000 in funds through this
2 title, may be improved, streamlined, or eliminated.

3 “(3) CONSULTATION.—

4 “(A) IN GENERAL.—In carrying out the
5 review and analysis under paragraph (2), the
6 Advisory Committee shall consult with the Sec-
7 retary, relevant representatives of institutions
8 of higher education, and individuals who have
9 expertise and experience with the regulations
10 issued under this title, in accordance with sub-
11 paragraph (B).

12 “(B) REVIEW PANELS.—The Advisory
13 Committee shall convene not less than 2 review
14 panels of representatives of the groups involved
15 in student financial assistance programs under
16 this title who have experience and expertise in
17 the regulations issued under this title to review
18 the regulations under this title, and to provide
19 recommendations to the Advisory Committee
20 with respect to the review and analysis under
21 paragraph (2). The panels shall be made up of
22 experts in areas such as the operations of the
23 financial assistance programs, the institutional
24 eligibility requirements for the financial assist-
25 ance programs, regulations not directly related

1 to the operations or the institutional eligibility
2 requirements of the financial assistance pro-
3 grams, and regulations for dissemination of in-
4 formation to students about the financial assist-
5 ance programs.

6 “(4) REPORTS TO CONGRESS.—The Advisory
7 Committee shall submit, not later than 2 years after
8 the completion of the negotiated rulemaking process
9 required under section 492 resulting from the
10 amendments to this Act made by the Higher Edu-
11 cation Amendments of 2007, a report to the author-
12 izing committees and the Secretary detailing the ex-
13 pert panels’ findings and recommendations with re-
14 spect to the review and analysis under paragraph
15 (2).

16 “(5) ADDITIONAL SUPPORT.—The Secretary
17 and the Inspector General of the Department shall
18 provide such assistance and resources to the Advi-
19 sory Committee as the Secretary and Inspector Gen-
20 eral determine are necessary to conduct the review
21 required by this subsection.

22 “(m) STUDY OF INNOVATIVE PATHWAYS TO BACCA-
23 LAUREATE DEGREE ATTAINMENT.—

24 “(1) STUDY REQUIRED.—The Advisory Com-
25 mittee shall conduct a study of the feasibility of in-

1 creasing baccalaureate degree attainment rates by
2 reducing the costs and financial barriers to attaining
3 a baccalaureate degree through innovative programs.

4 “(2) SCOPE OF STUDY.—The Advisory Com-
5 mittee shall examine new and existing programs that
6 promote baccalaureate degree attainment through
7 innovative ways, such as dual or concurrent enroll-
8 ment programs, changes made to the Federal Pell
9 Grant program, simplification of the needs analysis
10 process, compressed or modular scheduling, articula-
11 tion agreements, and programs that allow 2-year in-
12 stitutions of higher education to offer baccalaureate
13 degrees.

14 “(3) REQUIRED ASPECTS OF THE STUDY.—In
15 performing the study described in this subsection,
16 the Advisory Committee shall examine the following
17 aspects of such innovative programs:

18 “(A) The impact of such programs on bac-
19 calaureate attainment rates.

20 “(B) The degree to which a student’s total
21 cost of attaining a baccalaureate degree can be
22 reduced by such programs.

23 “(C) The ways in which low- and mod-
24 erate-income students can be specifically tar-
25 geted by such programs.

1 “(D) The ways in which nontraditional
2 students can be specifically targeted by such
3 programs.

4 “(E) The cost-effectiveness for the Federal
5 Government, States, and institutions of higher
6 education to implement such programs.

7 “(4) CONSULTATION.—

8 “(A) IN GENERAL.—In performing the
9 study described in this subsection the Advisory
10 Committee shall consult with a broad range of
11 interested parties in higher education, including
12 parents, students, appropriate representatives
13 of secondary schools and institutions of higher
14 education, appropriate State administrators, ad-
15 ministrators of dual or concurrent enrollment
16 programs, and appropriate Department offi-
17 cials.

18 “(B) CONGRESSIONAL CONSULTATION.—
19 The Advisory Committee shall consult on a reg-
20 ular basis with the authorizing committees in
21 carrying out the study required by this section.

22 “(5) REPORTS TO CONGRESS.—

23 “(A) INTERIM REPORT.—The Advisory
24 Committee shall prepare and submit to the au-
25 thorizing committees and the Secretary an in-

1 terim report, not later than 1 year after the
2 date of enactment of the Higher Education
3 Amendments of 2007, describing the progress
4 that has been made in conducting the study re-
5 quired by this subsection and any preliminary
6 findings on the topics identified under para-
7 graph (2).

8 “(B) FINAL REPORT.—The Advisory Com-
9 mittee shall, not later than 3 years after the
10 date of enactment of the Higher Education
11 Amendments of 2007, prepare and submit to
12 the authorizing committees and the Secretary a
13 final report on the study, including rec-
14 ommendations for legislative, regulatory, and
15 administrative changes based on findings re-
16 lated to the topics identified under paragraph
17 (2).”.

18 **SEC. 486. REGIONAL MEETINGS.**

19 Section 492(a)(1) (20 U.S.C. 1098a(a)(1)) is amend-
20 ed by inserting “State student grant agencies,” after “in-
21 stitutions of higher education,”.

22 **SEC. 487. YEAR 2000 REQUIREMENTS AT THE DEPARTMENT.**

23 (a) REPEAL.—Section 493A (20 U.S.C. 1098e) is re-
24 pealed.

1 (b) REDESIGNATION.—Section 493B (20 U.S.C.
2 1098d) is redesignated as section 493A.

3 **PART G—PROGRAM INTEGRITY**

4 **SEC. 491. RECOGNITION OF ACCREDITING AGENCY OR AS-**
5 **SOCIATION.**

6 Section 496 (20 U.S.C. 1099b) is amended—

7 (1) in subsection (a)—

8 (A) by striking paragraph (4) and insert-
9 ing the following:

10 “(4)(A) such agency or association consistently
11 applies and enforces standards that respect the stat-
12 ed mission of the institution of higher education, in-
13 cluding religious missions, and that ensure that the
14 courses or programs of instruction, training, or
15 study offered by the institution of higher education,
16 including distance education courses or programs,
17 are of sufficient quality to achieve, for the duration
18 of the accreditation period, the stated objective for
19 which the courses or the programs are offered; and

20 “(B) if such agency or association has or seeks
21 to include within its scope of recognition the evalua-
22 tion of the quality of institutions or programs offer-
23 ing distance education, such agency or association
24 shall, in addition to meeting the other requirements
25 of this subpart, demonstrate to the Secretary that—

1 “(i) the agency or association’s standards
2 effectively address the quality of an institution’s
3 distance education in the areas identified in sec-
4 tion 496(a)(5), except that the agency or asso-
5 ciation shall not be required to have separate
6 standards, procedures or policies for the evalua-
7 tion of distance education institutions or pro-
8 grams in order to meet the requirements of this
9 subparagraph; and

10 “(ii) the agency or association requires an
11 institution that offers distance education to
12 have processes through which the institution es-
13 tablishes that the student who registers in a
14 distance education course or program is the
15 same student who participates in and completes
16 the program and receives the academic credit;”;

17 (B) in paragraph (5), by striking subpara-
18 graph (A) and inserting the following:

19 “(A) success with respect to student
20 achievement in relation to the institution’s mis-
21 sion, which may include different standards for
22 different institutions or programs, as estab-
23 lished by the institution, including, as appro-
24 priate, consideration of State licensing examina-
25 tions and job placement rates;”;

1 (C) by striking paragraph (6) and insert-
2 ing the following:

3 “(6) such an agency or association shall estab-
4 lish and apply review procedures throughout the ac-
5 crediting process, including evaluation and with-
6 drawal proceedings which comply with due process
7 procedures that provide for—

8 “(A) adequate specification of require-
9 ments and deficiencies at the institution of
10 higher education or program examined;

11 “(B) an opportunity for a written response
12 by any such institution to be included, prior to
13 final action, in the evaluation and withdrawal
14 proceedings;

15 “(C) upon the written request of an insti-
16 tution, an opportunity for the institution to ap-
17 peal any adverse action, including denial, with-
18 drawal, suspension, or termination of accredita-
19 tion, or placement on probation of an institu-
20 tion, at a hearing prior to such action becoming
21 final, before an appeals panel that—

22 “(i) shall not include current members
23 of the agency or association’s underlying
24 decision-making body that made the ad-
25 verse decision; and

1 “(ii) is subject to a conflict of interest
2 policy; and

3 “(D) the right to representation by counsel
4 for such an institution during an appeal of the
5 adverse action;” and

6 (D) by striking paragraph (8) and insert-
7 ing the following:

8 “(8) such agency or association shall make
9 available to the public and the State licensing or au-
10 thorizing agency, and submit to the Secretary, a
11 summary of agency or association actions, includ-
12 ing—

13 “(A) the award of accreditation or re-
14 accreditation of an institution;

15 “(B) final denial, withdrawal, suspension,
16 or termination of accreditation, or placement on
17 probation of an institution, and any findings
18 made in connection with the action taken, to-
19 gether with the official comments of the af-
20 fected institution; and

21 “(C) any other adverse action taken with
22 respect to an institution.”;

23 (2) in subsection (c)—

1 (A) in paragraph (1), by inserting “, in-
2 cluding those regarding distance education”
3 after “their responsibilities”;

4 (B) by redesignating paragraphs (2)
5 through (6) as paragraphs (5) through (9);

6 (C) by inserting after paragraph (1) (as
7 amended by subparagraph (A)) the following:

8 “(2) ensures that the agency or association’s
9 on-site evaluation for accreditation or reaccreditation
10 includes review of the Federally required information
11 the institution or program provides its current and
12 prospective students;

13 “(3) monitors the growth of programs at insti-
14 tutions that are experiencing significant enrollment
15 growth;

16 “(4) requires an institution to submit a teach-
17 out plan for approval to the accrediting agency upon
18 the occurrence of any of the following events:

19 “(A) The Department notifies the accred-
20 iting agency of an action against the institution
21 pursuant to section 487(d).

22 “(B) The accrediting agency acts to with-
23 draw, terminate, or suspend the accreditation of
24 an institution.

1 “(C) The institution notifies the accred-
2 iting agency that the institution intends to
3 cease operations.”;

4 (D) in paragraph (8) (as redesignated by
5 subparagraph (B)), by striking “and” after the
6 semicolon;

7 (E) in subparagraph (9) (as redesignated
8 by subparagraph (B)), by striking the period
9 and inserting “; and”; and

10 (F) by adding at the end the following:

11 “(10) confirms, as a part of the agency or asso-
12 ciation’s review for accreditation or reaccreditation,
13 that the institution has transfer of credit policies—

14 “(A) that are publicly disclosed; and

15 “(B) that include a statement of the cri-
16 teria established by the institution regarding
17 the transfer of credit earned at another institu-
18 tion of higher education.”;

19 (3) in subsection (g), by adding at the end the
20 following: “Nothing in this section shall be construed
21 to permit the Secretary to establish any criteria that
22 specifies, defines, or prescribes the standards that
23 accrediting agencies or associations shall use to as-
24 sess any institution’s success with respect to student
25 achievement.”; and

1 (4) in subsection (o), by adding at the end the
2 following: “Notwithstanding any other provision of
3 law, the Secretary shall not promulgate any regula-
4 tion with respect to subsection (a)(5).”.

5 **SEC. 492. ADMINISTRATIVE CAPACITY STANDARD.**

6 Section 498 (20 U.S.C. 1099e) is amended—

7 (1) in subsection (d)(1)(B), by inserting “and”
8 after the semicolon; and

9 (2) by adding at the end the following:

10 “(k) TREATMENT OF TEACH-OUTS AT ADDITIONAL
11 LOCATIONS.—

12 “(1) IN GENERAL.—A location of a closed insti-
13 tution of higher education shall be eligible as an ad-
14 ditional location of an eligible institution of higher
15 education, as defined pursuant to regulations of the
16 Secretary, for the purposes of a teach-out, if such
17 teach-out has been approved by the institution’s ac-
18 crediting agency.

19 “(2) SPECIAL RULE.—An institution of higher
20 education that conducts a teach-out through the es-
21 tablishment of an additional location described in
22 paragraph (1) shall be permitted to establish a per-
23 manent additional location at a closed institution
24 and shall not be required—

1 “(A) to meet the requirements of sections
2 102(b)(1)(E) and 102(c)(1)(C) for such addi-
3 tional location; or

4 “(B) to assume the liabilities of the closed
5 institution.”.

6 **SEC. 493. PROGRAM REVIEW AND DATA.**

7 Section 498A(b) (20 U.S.C. 1099e–1(b)) is amend-
8 ed—

9 (1) in paragraph (4), by striking “and” after
10 the semicolon;

11 (2) in paragraph (5) by striking the period and
12 inserting a semicolon; and

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

14 “(6) provide to an institution of higher edu-
15 cation an adequate opportunity to review and re-
16 spond to any program review report and relevant
17 materials related to the report before any final pro-
18 gram review report is issued;

19 “(7) review and take into consideration an in-
20 stitution of higher education’s response in any final
21 program review report or audit determination, and
22 include in the report or determination—

23 “(A) a written statement addressing the
24 institution of higher education’s response;

1 “(2) the borrower’s current balance;

2 “(3) the interest rate on such loan;

3 “(4) the amount the borrower has paid in inter-
4 est;

5 “(5) the amount of additional interest payments
6 the borrower is expected to pay over the life of the
7 loan;

8 “(6) the total amount the borrower has paid for
9 the loan, including the amount the borrower has
10 paid in interest, the amount the borrower has paid
11 in fees, and the amount the borrower has paid
12 against the balance, in a brief, borrower-friendly
13 manner;

14 “(7) a description of each fee the borrower has
15 been charged for the current payment period;

16 “(8) the date by which the borrower needs to
17 make a payment in order to avoid additional fees;

18 “(9) the amount of such payment that will be
19 applied to the interest, the balance, and any fees on
20 the loan; and

21 “(10) the lender’s address and toll-free phone
22 number for payment and billing error purposes.

23 “(b) INFORMATION PROVIDED BEFORE COMMENCE-
24 MENT OF REPAYMENT.—A lender of a loan made, insured,
25 or guaranteed under this title shall provide to the borrower

1 of such loan, at least one month before the loan enters
2 repayment, a clear and conspicuous notice of not less than
3 the following information:

4 “(1) The borrower’s options, including repay-
5 ment plans, deferments, forbearances, and discharge
6 options to which the borrower may be entitled.

7 “(2) The conditions under which a borrower
8 may be charged any fee, and the amount of such fee.

9 “(3) The conditions under which a loan may de-
10 fault, and the consequences of default.

11 “(4) Resources, including nonprofit organiza-
12 tions, advocates, and counselors (including the Office
13 of the Ombudsman at the Department), where bor-
14 rowers can receive advice and assistance, if such re-
15 sources exist.

16 “(c) INFORMATION PROVIDED DURING DELIN-
17 QUENCY.—In addition to any other information required
18 under law, a lender of a loan made, insured, or guaranteed
19 under this title shall provide a borrower in delinquency
20 with a clear and conspicuous notice of the date on which
21 the loan will default if no payment is made, the minimum
22 payment that must be made to avoid default, discharge
23 options to which the borrower may be entitled, resources,
24 including nonprofit organizations, advocates, and coun-
25 selors (including the Office of the Ombudsman at the De-

1 partment), where borrowers can receive advice and assist-
2 ance, if such resources exist.

3 “(d) INFORMATION PROVIDED DURING DEFAULT.—
4 A lender of a loan made, insured, or guaranteed under
5 this title shall provide a borrower in default, on not less
6 than 2 separate occasions, with a clear and conspicuous
7 notice of not less than the following information:

8 “(1) The options available to the borrower to be
9 removed from default.

10 “(2) The relevant fees and conditions associated
11 with each option.”.

12 **SEC. 495. AUCTION EVALUATION AND REPORT.**

13 (a) EVALUATION.—If Congress enacts an Act that
14 authorizes the Secretary of Education to carry out a pilot
15 program under which the Secretary establishes a mecha-
16 nism for an auction of Federal PLUS Loans, then the
17 Comptroller General shall evaluate such pilot program.
18 The evaluation shall determine—

19 (1) the extent of the savings to the Federal
20 Government that are generated through the pilot
21 program, compared to the cost the Federal Govern-
22 ment would have incurred in operating the parent
23 loan program under section 428B of the Higher
24 Education Act of 1965 in the absence of the pilot
25 program;

1 (2) the number of lenders that participated in
2 the pilot program, and the extent to which the pilot
3 program generated competition among lenders to
4 participate in the auctions under the pilot program;

5 (3) the effect of the transition to and operation
6 of the pilot program on the ability of—

7 (A) lenders participating in the pilot pro-
8 gram to originate loans made through the pilot
9 program smoothly and efficiently;

10 (B) institutions of higher education partici-
11 pating in the pilot program to disburse loans
12 made through the pilot program smoothly and
13 efficiently; and

14 (C) the ability of parents to obtain loans
15 made through the pilot program in a timely and
16 efficient manner;

17 (4) the differential impact, if any, of the auc-
18 tion among the States, including between rural and
19 non-rural States; and

20 (5) the feasibility of using the mechanism pi-
21 loted to operate the other loan programs under part
22 B of title IV of the Higher Education Act of 1965.

23 (b) REPORTS.—The Comptroller General shall—

24 (1) not later than September 1, 2010, submit
25 to the authorizing committees (as defined in section

1 103 of the Higher Education Act of 1965 (20
2 U.S.C. 1003)) a preliminary report regarding the
3 findings of the evaluation described in subsection
4 (a);

5 (2) not later than September 1, 2012, submit
6 to the authorizing committees an interim report re-
7 garding such findings; and

8 (3) not later than September 1, 2014, submit
9 to the authorizing committees a final report regard-
10 ing such findings.

11 **TITLE V—DEVELOPING** 12 **INSTITUTIONS**

13 **SEC. 501. AUTHORIZED ACTIVITIES.**

14 Section 503(b) (20 U.S.C. 1101b(b)) is amended—

15 (1) by redesignating paragraphs (6) through
16 (14) as paragraphs (8) through (16), respectively;

17 (2) in paragraph (5), by inserting “, including
18 innovative, customized remedial education and
19 English language instruction courses designed to
20 help retain students and move the students rapidly
21 into core courses and through program completion”
22 before the period at the end;

23 (3) by inserting after paragraph (5) the fol-
24 lowing:

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

4 “(7) Articulation agreements and student sup-
5 port programs designed to facilitate the transfer
6 from 2-year to 4-year institutions.”; and

7 (4) in paragraph (12) (as redesignated by para-
8 graph (1)), by striking “distance learning academic
9 instruction capabilities” and inserting “distance edu-
10 cation technologies”.

11 **SEC. 502. POSTBACCALAUREATE OPPORTUNITIES FOR HIS-**
12 **PANIC AMERICANS.**

13 (a) ESTABLISHMENT OF PROGRAM.—Title V (20
14 U.S.C. 1101 et seq.) is amended—

15 (1) by redesignating part B as part C;

16 (2) by redesignating sections 511 through 518
17 as sections 521 through 528, respectively; and

18 (3) by inserting after section 505 the following:

19 **“PART B—PROMOTING POSTBACCALAUREATE**
20 **OPPORTUNITIES FOR HISPANIC AMERICANS**

21 **“SEC. 511. PROGRAM AUTHORITY AND ELIGIBILITY.**

22 “(a) PROGRAM AUTHORIZED.—Subject to the avail-
23 ability of funds appropriated to carry out this part, the
24 Secretary shall award grants, on a competitive basis, to
25 eligible institutions to enable the eligible institutions to

1 carry out the authorized activities described in section
2 512.

3 “(b) ELIGIBILITY.—For the purposes of this part, an
4 ‘eligible institution’ means an institution of higher edu-
5 cation that—

6 “(1) is a Hispanic-serving institution (as de-
7 fined in section 502); and

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

10 **“SEC. 512. AUTHORIZED ACTIVITIES.**

11 “Grants awarded under this part shall be used for
12 1 or more of the following activities:

13 “(1) Purchase, rental, or lease of scientific or
14 laboratory equipment for educational purposes, in-
15 cluding instructional and research purposes.

16 “(2) Construction, maintenance, renovation,
17 and improvement in classroom, library, laboratory,
18 and other instructional facilities, including purchase
19 or rental of telecommunications technology equip-
20 ment or services.

21 “(3) Purchase of library books, periodicals,
22 technical and other scientific journals, microfilm,
23 microfiche, and other educational materials, includ-
24 ing telecommunications program materials.

1 “(4) Support for needy postbaccalaureate stu-
2 dents, including outreach, academic support services,
3 mentoring, scholarships, fellowships, and other fi-
4 nancial assistance, to permit the enrollment of such
5 students in postbaccalaureate certificate and degree
6 granting programs.

7 “(5) Support of faculty exchanges, faculty de-
8 velopment, faculty research, curriculum development,
9 and academic instruction.

10 “(6) Creating or improving facilities for Inter-
11 net or other distance education technologies, includ-
12 ing purchase or rental of telecommunications tech-
13 nology equipment or services.

14 “(7) Collaboration with other institutions of
15 higher education to expand postbaccalaureate certifi-
16 cate and degree offerings.

17 “(8) Other activities proposed in the application
18 submitted pursuant to section 513 that are approved
19 by the Secretary as part of the review and accept-
20 ance of such application.

21 **“SEC. 513. APPLICATION AND DURATION.**

22 “(a) APPLICATION.—Any eligible institution may
23 apply for a grant under this part by submitting an applica-
24 tion to the Secretary at such time and in such manner
25 as the Secretary may require. Such application shall dem-

1 onstrate how the grant funds will be used to improve
2 postbaccalaureate education opportunities for Hispanic
3 and low-income students and will lead to such students'
4 greater financial independence.

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

7 “(c) LIMITATION.—The Secretary may not award
8 more than 1 grant under this part in any fiscal year to
9 any Hispanic-serving institution.”.

10 **SEC. 503. APPLICATIONS.**

11 Section 521(b)(1)(A) (as redesignated by section
12 502(a)(2)) (20 U.S.C. 1103(b)(1)(A)) is amended by
13 striking “subsection (b)” and inserting “subsection (c)”.

14 **SEC. 504. COOPERATIVE ARRANGEMENTS.**

15 Section 524(a) (as redesignated by section 502(a)(2))
16 (20 U.S.C. 1103c(a)) is amended by striking “section
17 503” and inserting “sections 503 and 512”.

18 **SEC. 505. AUTHORIZATION OF APPROPRIATIONS.**

19 Section 528(a) (as redesignated by section 502(a)(2))
20 (20 U.S.C. 1103g(a)) is amended—

21 (1) by inserting “part A of” after “carry out”;

22 (2) by striking “\$62,500,000 for fiscal year
23 1999” and all that follows through the period and
24 inserting “such sums as may be necessary for fiscal

1 year 2008 and each of the 5 succeeding fiscal
2 years.”;

3 (3) by striking “(a) AUTHORIZATIONS.—There
4 are” and inserting the following:

5 “(a) AUTHORIZATIONS.—

6 “(1) PART A.—There are”; and

7 (4) by adding at the end the following:

8 “(2) PART B.—There are authorized to be ap-
9 propriated to carry out part B of this title such
10 sums as may be necessary for fiscal year 2008 and
11 each of the 5 succeeding fiscal years.”.

12 **TITLE VI—INTERNATIONAL** 13 **EDUCATION PROGRAMS**

14 **SEC. 601. FINDINGS.**

15 Section 601 (20 U.S.C. 1121) is amended—

16 (1) in the section heading, by striking “**AND**
17 **PURPOSES**” and inserting “**; PURPOSES; CON-**
18 **SULTATION; SURVEY**”;

19 (2) in subsection (a)(3), by striking “post-Cold
20 War”;

21 (3) in subsection (b)(1)(D), by inserting “, in-
22 cluding through linkages with overseas institutions”
23 before the semicolon; and

24 (4) by adding at the end the following:

1 “(c) CONSULTATION.—The Secretary shall, prior to
2 requesting applications for funding under this title during
3 each grant cycle, consult with and receive recommenda-
4 tions regarding national need for expertise in foreign lan-
5 guages and world regions from the head officials of a wide
6 range of Federal agencies. Such agencies shall provide in-
7 formation to the Secretary regarding how the agencies uti-
8 lize expertise and resources provided by grantees under
9 this title. The Secretary shall take into account such rec-
10 ommendations and information when requesting applica-
11 tions for funding under this title, and shall make available
12 to applicants a list of areas identified as areas of national
13 need.

14 “(d) SURVEY.—The Secretary shall assist grantees in
15 developing a survey to administer to students who have
16 participated in programs under this title to determine
17 postgraduation placement. All grantees, where applicable,
18 shall administer such survey not less often than annually
19 and report such data to the Secretary.”.

20 **SEC. 602. GRADUATE AND UNDERGRADUATE LANGUAGE**
21 **AND AREA CENTERS AND PROGRAMS.**

22 Section 602 (20 U.S.C. 1122) is amended—

23 (1) in subsection (a)—

24 (A) in paragraph (2)—

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

3 (ii) in subparagraph (H), by striking
4 the period and inserting “; and”; and

5 (iii) by adding at the end the fol-
6 lowing:

7 “(I) support for instructors of the less
8 commonly taught languages.”; and

9 (B) in paragraph (4)—

10 (i) by redesignating subparagraphs
11 (C) through (E) as subparagraphs (D)
12 through (F), respectively;

13 (ii) by inserting after subparagraph
14 (B) the following:

15 “(C) Programs of linkage or outreach be-
16 tween or among—

17 “(i) foreign language, area studies, or
18 other international fields; and

19 “(ii) State educational agencies or
20 local educational agencies.”;

21 (iii) in subparagraph (D) (as redesign-
22 nated by clause (i)) by inserting “, includ-
23 ing Federal or State scholarship programs
24 for students in related areas” before the
25 period at the end; and

1 (iv) in subparagraph (F) (as redesignated by clause (i)), by striking “and (D)”
2 and inserting “(D), and (E)”;
3

4 (2) in subsection (b)—

5 (A) in the subsection heading, by striking
6 “GRADUATE”; and

7 (B) by striking paragraph (2) and inserting the following:
8

9 “(2) ELIGIBLE STUDENTS.—A student receiving a stipend described in paragraph (1) shall be engaged—
10
11

12 “(A) in an instructional program with stated performance goals for functional foreign language use or in a program developing such performance goals, in combination with area studies, international studies, or the international aspects of a professional studies program; and
13
14
15
16

17 “(B)(i) in the case of an undergraduate student, in the intermediate or advanced study of a less commonly taught language; or
18
19
20

21 “(ii) in the case of a graduate student, in graduate study in connection with a program described in subparagraph (A), including—
22
23

24 “(I) predissertation level study;

1 “(II) preparation for dissertation re-
2 search;

3 “(III) dissertation research abroad; or

4 “(IV) dissertation writing.”;

5 (3) by striking subsection (d) and inserting the
6 following:

7 “(d) ALLOWANCES.—

8 “(1) GRADUATE LEVEL RECIPIENTS.—A sti-
9 pend awarded to a graduate level recipient may in-
10 clude allowances for dependents and for travel for
11 research and study in the United States and abroad.

12 “(2) UNDERGRADUATE LEVEL RECIPIENTS.—A
13 stipend awarded to an undergraduate level recipient
14 may include an allowance for educational programs
15 in the United States or educational programs abroad
16 that—

17 “(A) are closely linked to the overall goals
18 of the recipient’s course of study; and

19 “(B) have the purpose of promoting for-
20 eign language fluency and knowledge of foreign
21 cultures.”; and

22 (4) by adding at the end the following:

23 “(e) APPLICATION.—Each institution or combination
24 of institutions desiring a grant under this section shall
25 submit an application to the Secretary at such time, in

1 such manner, and accompanied by such information and
2 assurances as the Secretary may require. Each application
3 shall include an explanation of how the activities funded
4 by the grant will reflect diverse perspectives and a wide
5 range of views and generate debate on world regions and
6 international affairs. Each application shall also describe
7 how the applicant will address disputes regarding whether
8 activities funded under the application reflect diverse per-
9 spectives and a wide range of views. Each application shall
10 also include a description of how the applicant will encour-
11 age government service in areas of national need, as iden-
12 tified by the Secretary, as well as in needs in the edu-
13 cation, business, and nonprofit sectors.”.

14 **SEC. 603. UNDERGRADUATE INTERNATIONAL STUDIES AND**
15 **FOREIGN LANGUAGE PROGRAMS.**

16 Section 604 (20 U.S.C. 1124) is amended—

17 (1) in subsection (a)—

18 (A) in paragraph (2)—

19 (i) by redesignating subparagraphs (I)
20 through (M) as subparagraphs (J) through
21 (N), respectively; and

22 (ii) by inserting after subparagraph
23 (H) the following:

1 “(I) providing subgrants to undergraduate
2 students for educational programs abroad
3 that—

4 “(i) are closely linked to the overall
5 goals of the program for which the grant
6 is awarded; and

7 “(ii) have the purpose of promoting
8 foreign language fluency and knowledge of
9 foreign cultures;” and

10 (B) in paragraph (7)—

11 (i) in subparagraph (C), by striking
12 “and” after the semicolon;

13 (ii) in subparagraph (D), by striking
14 the period at the end and inserting a semi-
15 colon; and

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

18 “(E) a description of how the applicant
19 will provide information to students regarding
20 federally funded scholarship programs in re-
21 lated areas;

22 “(F) an explanation of how the activities
23 funded by the grant will reflect diverse perspec-
24 tives and a wide range of views and generate

1 debate on world regions and international af-
2 fairs, where applicable;

3 “(G) a description of how the applicant
4 will address disputes regarding whether the ac-
5 tivities funded under the application reflect di-
6 verse perspectives and a wide range of views;
7 and

8 “(H) a description of how the applicant
9 will encourage service in areas of national need
10 as identified by the Secretary.”; and

11 (2) in subsection (c)—

12 (A) by striking “FUNDING SUPPORT.—The
13 Secretary” and inserting “FUNDING SUP-
14 PORT.—

15 “(1) THE SECRETARY.—The Secretary”;

16 (B) by striking “10” and inserting “20”;
17 and

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

19 “(2) GRANTEES.—Of the total amount of grant
20 funds awarded to a grantee under this section, the
21 grantee may use not more than 10 percent of such
22 funds for the activity described in subsection
23 (a)(2)(I).”.

24 **SEC. 604. RESEARCH; STUDIES.**

25 Section 605(a) (20 U.S.C. 1125(a)) is amended—

1 (1) in paragraph (8), by striking “and” after
2 the semicolon;

3 (2) in paragraph (9), by striking the period and
4 inserting a semicolon; and

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

6 “(10) evaluation of the extent to which pro-
7 grams assisted under this title reflect diverse per-
8 spectives and a wide range of views and generate de-
9 bate on world regions and international affairs;

10 “(11) the systematic collection, analysis, and
11 dissemination of data that contribute to achieving
12 the purposes of this part; and

13 “(12) support for programs or activities to
14 make data collected, analyzed, or disseminated under
15 this section publicly available and easy to under-
16 stand.”.

17 **SEC. 605. TECHNOLOGICAL INNOVATION AND COOPERA-**
18 **TION FOR FOREIGN INFORMATION ACCESS.**

19 Section 606 (20 U.S.C. 1126) is amended—

20 (1) in subsection (a)—

21 (A) by striking “new electronic tech-
22 nologies” and inserting “electronic tech-
23 nologies”;

24 (B) by inserting “from foreign sources”
25 after “disseminate information”;

1 (C) in the subsection heading, by striking
2 “AUTHORITY.—The Secretary” and inserting
3 “AUTHORITY.—
4 “(1) IN GENERAL.—The Secretary”; and

5 (D) by adding at the end the following:

6 “(2) PARTNERSHIPS WITH NOT-FOR-PROFIT
7 EDUCATIONAL ORGANIZATIONS.—The Secretary may
8 award grants under this section to carry out the ac-
9 tivities authorized under this section to the fol-
10 lowing:

11 “(A) An institution of higher education.

12 “(B) A public or nonprofit private library.

13 “(C) A consortium of an institution of
14 higher education and 1 or more of the fol-
15 lowing:

16 “(i) Another institution of higher edu-
17 cation.

18 “(ii) A library.

19 “(iii) A not-for-profit educational or-
20 ganization.”;

21 (2) in subsection (b)—

22 (A) in paragraph (1), by striking “to facili-
23 tate access to” and inserting “to acquire, facili-
24 tate access to,”;

1 (B) in paragraph (2), by inserting “or
2 standards for” after “means of”;

3 (C) in paragraph (6), by striking “and”
4 after the semicolon;

5 (D) in paragraph (7), by striking the pe-
6 riod and inserting a semicolon; and

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

8 “(8) to establish linkages to facilitate carrying
9 out the activities described in this subsection be-
10 tween—

11 “(A) the institutions of higher education,
12 libraries, and consortia receiving grants under
13 this section; and

14 “(B) institutions of higher education, not-
15 for-profit educational organizations, and librar-
16 ies overseas; and

17 “(9) to carry out other activities that the Sec-
18 retary determines are consistent with the purpose of
19 the grants or contracts awarded under this section.”;
20 and

21 (3) in subsection (c), by striking “institution or
22 consortium” and inserting “institution of higher
23 education, library, or consortium”.

24 **SEC. 606. SELECTION OF CERTAIN GRANT RECIPIENTS.**

25 Section 607 (20 U.S.C. 1127) is amended—

1 (1) in subsection (a), by striking “evaluates the
2 applications for comprehensive and undergraduate
3 language and area centers and programs.” and in-
4 serting “evaluates—

5 “(1) the applications for comprehensive foreign
6 language and area or international studies centers
7 and programs; and

8 “(2) the applications for undergraduate foreign
9 language and area or international studies centers
10 and programs.”; and

11 (2) in subsection (b), by adding at the end the
12 following: “The Secretary shall also consider an ap-
13 plicant’s record of placing students into service in
14 areas of national need and an applicant’s stated ef-
15 forts to increase the number of such students that
16 go into such service.”.

17 **SEC. 607. AMERICAN OVERSEAS RESEARCH CENTERS.**

18 Section 609 (20 U.S.C. 1128a) is amended by adding
19 at the end the following:

20 “(e) APPLICATION.—Each center desiring a grant
21 under this section shall submit an application to the Sec-
22 retary at such time, in such manner, and accompanied by
23 such information and assurances as the Secretary may re-
24 quire.”.

1 **SEC. 608. AUTHORIZATION OF APPROPRIATIONS FOR**
2 **INTERNATIONAL AND FOREIGN LANGUAGE**
3 **STUDIES.**

4 Section 610 (20 U.S.C. 1128b) is amended by strik-
5 ing “\$80,000,000 for fiscal year 1999” and all that fol-
6 lows through the period and inserting “such sums as may
7 be necessary for fiscal year 2008 and each of the 5 suc-
8 ceeding fiscal years.”.

9 **SEC. 609. CENTERS FOR INTERNATIONAL BUSINESS EDU-**
10 **CATION.**

11 Section 612(f)(3) (20 U.S.C. 1130–1(f)(3)) is
12 amended by inserting “, and that diverse perspectives will
13 be made available to students in programs under this sec-
14 tion” before the semicolon.

15 **SEC. 610. EDUCATION AND TRAINING PROGRAMS.**

16 Section 613(c) (20 U.S.C. 1130a(c)) is amended by
17 adding at the end the following: “Each such application
18 shall include an assurance that, where applicable, the ac-
19 tivities funded by the grant will reflect diverse perspectives
20 and a wide range of views on world regions and inter-
21 national affairs.”.

22 **SEC. 611. AUTHORIZATION OF APPROPRIATIONS FOR BUSI-**
23 **NESS AND INTERNATIONAL EDUCATION PRO-**
24 **GRAMS.**

25 Section 614 (20 U.S.C. 1130b) is amended—

1 (1) in subsection (a), by striking “\$11,000,000
2 for fiscal year 1999” and all that follows through
3 “fiscal years” and inserting “such sums as may be
4 necessary for fiscal year 2008 and each of the 5 suc-
5 ceeding fiscal years”; and

6 (2) in subsection (b), by striking “\$7,000,000
7 for fiscal year 1999” and all that follows through
8 “fiscal years,” and inserting “such sums as may be
9 necessary for fiscal year 2008 and each of the 5 suc-
10 ceeding fiscal years”.

11 **SEC. 612. MINORITY FOREIGN SERVICE PROFESSIONAL DE-**
12 **VELOPMENT PROGRAM.**

13 Section 621 (20 U.S.C. 1131) is amended—

14 (1) in subsection (c), by adding at the end the
15 following: “Each application shall include a descrip-
16 tion of how the activities funded by the grant will re-
17 flect diverse perspectives and a wide range of views
18 on world regions and international affairs, where ap-
19 plicable.”; and

20 (2) in subsection (e)—

21 (A) by striking “MATCH REQUIRED.—The
22 eligible” and inserting “MATCHING FUNDS.—

23 “(1) IN GENERAL.—Subject to paragraph (2),
24 the eligible”; and

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

1 “(2) WAIVER.—The Secretary may waive the
2 requirement of paragraph (1) for an eligible recipi-
3 ent if the Secretary determines such waiver is appro-
4 priate.”.

5 **SEC. 613. INSTITUTIONAL DEVELOPMENT.**

6 Section 622 (20 U.S.C. 1131–1) is amended—

7 (1) in subsection (a)—

8 (A) by striking “Tribally Controlled Col-
9 leges or Universities” and inserting “tribally
10 controlled colleges or universities”; and

11 (B) by striking “international affairs pro-
12 grams.” and inserting “international affairs,
13 international business, and foreign language
14 study programs, including the teaching of for-
15 eign languages, at such colleges, universities,
16 and institutions, respectively, which may include
17 collaboration with institutions of higher edu-
18 cation that receive funding under this title.”;
19 and

20 (2) in subsection (c)—

21 (A) by striking paragraphs (1) and (3);

22 (B) by redesignating paragraphs (2) and
23 (4) as paragraphs (1) and (2), respectively; and

1 (C) in paragraph (1) (as redesignated by
2 subparagraph (B)), by inserting “and” after
3 the semicolon.

4 **SEC. 614. STUDY ABROAD PROGRAM.**

5 Section 623(a) (20 U.S.C. 1131a(a)) is amended—

6 (1) by striking “as defined in section 322 of
7 this Act”; and

8 (2) by striking “tribally controlled Indian com-
9 munity colleges as defined in the Tribally Controlled
10 Community College Assistance Act of 1978” and in-
11 serting “tribally controlled colleges or universities”.

12 **SEC. 615. ADVANCED DEGREE IN INTERNATIONAL RELA-
13 TIONS.**

14 Section 624 (20 U.S.C. 1131b) is amended—

15 (1) in the section heading, by striking “**MAS-**
16 **TERS**” and inserting “**ADVANCED**”;

17 (2) in the first sentence, by inserting “, and in
18 exceptional circumstances, a doctoral degree,” after
19 “masters degree”;

20 (3) in the second sentence, by striking “masters
21 degree” and inserting “advanced degree”; and

22 (4) in the fourth sentence, by striking “United
23 States” and inserting “United States.”.

24 **SEC. 616. INTERNSHIPS.**

25 Section 625 (20 U.S.C. 1131c) is amended—

1 (1) in subsection (a)—

2 (A) by striking “as defined in section 322
3 of this Act”;

4 (B) by striking “tribally controlled Indian
5 community colleges as defined in the Tribally
6 Controlled Community College Assistance Act
7 of 1978” and inserting “tribally controlled col-
8 leges or universities”;

9 (C) by striking “an international” and in-
10 sserting “international,”; and

11 (D) by striking “the United States Infor-
12 mation Agency” and inserting “the Department
13 of State”; and

14 (2) in subsection (c)(1)—

15 (A) in subparagraph (E), by inserting
16 “and” after the semicolon;

17 (B) in subparagraph (F), by striking “;
18 and” and inserting a period; and

19 (C) by striking subparagraph (G).

20 **SEC. 617. FINANCIAL ASSISTANCE.**

21 Part C of title VI (20 U.S.C. 1131 et seq.) is further
22 amended—

23 (1) by redesignating sections 626, 627, and 628
24 as sections 627, 628, and 629, respectively; and

25 (2) by inserting after section 625 the following:

1 **“SEC. 626. FINANCIAL ASSISTANCE.**

2 “(a) **AUTHORITY.**—The Institute may provide finan-
3 cial assistance, in the form of summer stipends described
4 in subsection (b) and Ralph Bunche scholarship assistance
5 described in subsection (c), to needy students to facilitate
6 the participation of the students in the Institute’s pro-
7 grams under this part.

8 “(b) **SUMMER STIPENDS.**—

9 “(1) **REQUIREMENTS.**—A student receiving a
10 summer stipend under this section shall use such sti-
11 pend to defray the student’s cost of participation in
12 a summer institute program funded under this part,
13 including the costs of travel, living, and educational
14 expenses necessary for the student’s participation in
15 such program.

16 “(2) **AMOUNT.**—A summer stipend awarded to
17 a student under this section shall not exceed \$3,000
18 per summer.

19 “(c) **RALPH BUNCHE SCHOLARSHIP.**—

20 “(1) **REQUIREMENTS.**—A student receiving a
21 Ralph Bunche scholarship under this section—

22 “(A) shall be a full-time student at an in-
23 stitution of higher education who is accepted
24 into a program funded under this part; and

25 “(B) shall use such scholarship to pay
26 costs related to the cost of attendance, as de-

1 fined in section 472, at the institution of higher
2 education in which the student is enrolled.

3 “(2) AMOUNT AND DURATION.—A Ralph
4 Bunche scholarship awarded to a student under this
5 section shall not exceed \$5,000 per academic year.”.

6 **SEC. 618. REPORT.**

7 Section 627 (as redesignated by section 617(1)) (20
8 U.S.C. 1131d) is amended by striking “annually” and in-
9 serting “biennially”.

10 **SEC. 619. GIFTS AND DONATIONS.**

11 Section 628 (as redesignated by section 617(1)) (20
12 U.S.C. 1131e) is amended by striking “annual report de-
13 scribed in section 626” and inserting “biennial report de-
14 scribed in section 627”.

15 **SEC. 620. AUTHORIZATION OF APPROPRIATIONS FOR THE**
16 **INSTITUTE FOR INTERNATIONAL PUBLIC**
17 **POLICY.**

18 Section 629 (as redesignated by section 617(1)) (20
19 U.S.C. 1131f) is amended by striking “\$10,000,000 for
20 fiscal year 1999” and all that follows through the period
21 and inserting “such sums as may be necessary for fiscal
22 year 2008 and each of the 5 succeeding fiscal years.”.

23 **SEC. 621. DEFINITIONS.**

24 Section 631 (20 U.S.C. 1132) is amended—

25 (1) by striking paragraph (7);

1 (2) by redesignating paragraphs (2), (3), (4),
2 (5), (6), (8), and (9), as paragraphs (7), (4), (8),
3 (2), (10), (6), and (3), respectively;

4 (3) in paragraph (2), as redesignated by para-
5 graph (2), by striking “comprehensive language and
6 area center” and inserting “comprehensive foreign
7 language and area or international studies center”;

8 (4) in paragraph (3), as redesignated by para-
9 graph (2), by striking the period at the end and in-
10 serting a semicolon;

11 (5) by inserting after paragraph (4), as redesign-
12 ated by paragraph (2), the following:

13 “(5) the term ‘historically Black college and
14 university’ has the meaning given the term ‘part B
15 institution’ in section 322;”;

16 (6) in paragraph (6), as redesignated by para-
17 graph (2), by striking “and” after the semicolon;

18 (7) by inserting after paragraph (8), as redesign-
19 ated by paragraph (2), the following:

20 “(9) the term ‘tribally controlled college or uni-
21 versity’ has the meaning given the term in section
22 2 of the Tribally Controlled College or University
23 Assistance Act of 1978 (25 U.S.C. 1801); and”;

24 (8) in paragraph (10), as redesignated by para-
25 graph (2), by striking “undergraduate language and

1 area center” and inserting “undergraduate foreign
2 language and area or international studies center”.

3 **SEC. 622. ASSESSMENT AND ENFORCEMENT.**

4 Part D of title VI (20 U.S.C. 1132) is amended by
5 adding at the end the following:

6 **“SEC. 632. ASSESSMENT; ENFORCEMENT; RULE OF CON-
7 STRUCTION.**

8 “(a) IN GENERAL.—The Secretary is authorized to
9 assess and ensure compliance with all the conditions and
10 terms of grants provided under this title. If a complaint
11 regarding activities funded under this title is not resolved
12 under the process outlined in the relevant grantee’s appli-
13 cation, such complaint shall be filed with the Department
14 and reviewed by the Secretary. The Secretary shall take
15 the review of such complaints into account when deter-
16 mining the renewal of grants.

17 “(b) RULE OF CONSTRUCTION.—Nothing in this title
18 shall be construed to authorize the Secretary to mandate,
19 direct, or control an institution of higher education’s spe-
20 cific instructional content, curriculum, or program of in-
21 struction.

22 **“SEC. 633. EVALUATION, OUTREACH, AND INFORMATION.**

23 “The Secretary may use not more than 1 percent of
24 the funds made available under this title to carry out pro-
25 gram evaluation, national outreach, and information dis-

1 semination activities relating to the programs authorized
2 under this title.

3 **“SEC. 634. BIENNIAL REPORT.**

4 “The Secretary shall, in consultation and collabora-
5 tion with the Secretary of State, the Secretary of Defense,
6 and the heads of other relevant Federal agencies, submit
7 a biennial report that identifies areas of national need in
8 foreign language, area, and international studies as such
9 studies relate to government, education, business, and
10 nonprofit needs, and a plan to address those needs. The
11 report shall be provided to the authorizing committees and
12 made available to the public.”.

13 **TITLE VII—GRADUATE AND**
14 **POSTSECONDARY IMPROVE-**
15 **MENT PROGRAMS**

16 **SEC. 701. PURPOSE.**

17 Section 700(1)(B)(i) (20 U.S.C. 1133(1)(B)(i)) is
18 amended by inserting “, including those areas critical to
19 United States national and homeland security needs such
20 as mathematics, science, and engineering” before the
21 semicolon at the end.

22 **SEC. 702. ALLOCATION OF JACOB K. JAVITS FELLOWSHIPS.**

23 Section 702(a)(1) (20 U.S.C. 1134a(a)(1)) is amend-
24 ed to read as follows:

25 “(1) APPOINTMENT.—

1 “(A) IN GENERAL.—The Secretary shall
2 appoint a Jacob K. Javits Fellows Program
3 Fellowship Board (referred to in this subpart as
4 the ‘Board’) consisting of 9 individuals rep-
5 resentative of both public and private institu-
6 tions of higher education who are especially
7 qualified to serve on the Board.

8 “(B) QUALIFICATIONS.—In making ap-
9 pointments under subparagraph (A), the Sec-
10 retary shall—

11 “(i) give due consideration to the ap-
12 pointment of individuals who are highly re-
13 spected in the academic community;

14 “(ii) assure that individuals appointed
15 to the Board are broadly representative of
16 a range of disciplines in graduate edu-
17 cation in arts, humanities, and social
18 sciences;

19 “(iii) appoint members to represent
20 the various geographic regions of the
21 United States; and

22 “(iv) include representatives from mi-
23 nority institutions, as defined in section
24 365.”.

1 **SEC. 703. STIPENDS.**

2 Section 703(a) (20 U.S.C. 1134b(a)) is amended by
3 striking “graduate fellowships” and inserting “Graduate
4 Research Fellowship Program”.

5 **SEC. 704. AUTHORIZATION OF APPROPRIATIONS FOR THE**
6 **JACOB K. JAVITS FELLOWSHIP PROGRAM.**

7 Section 705 (20 U.S.C. 1134d) is amended by strik-
8 ing “\$30,000,000 for fiscal year 1999” and all that fol-
9 lows through the period and inserting “such sums as may
10 be necessary for fiscal year 2008 and each of the 5 suc-
11 ceeding fiscal years to carry out this subpart.”.

12 **SEC. 705. INSTITUTIONAL ELIGIBILITY UNDER THE GRAD-**
13 **UATE ASSISTANCE IN AREAS OF NATIONAL**
14 **NEED PROGRAM.**

15 Section 712(b) (20 U.S.C. 1135a(b)) is amended to
16 read as follows:

17 “(b) DESIGNATION OF AREAS OF NATIONAL
18 NEED.—After consultation with appropriate Federal and
19 nonprofit agencies and organizations, including the Na-
20 tional Science Foundation, the Department of Defense,
21 the Department of Homeland Security, the National Acad-
22 emy of Sciences, and the Bureau of Labor Statistics, the
23 Secretary shall designate areas of national need. In mak-
24 ing such designations, the Secretary shall take into consid-
25 eration—

1 “(1) the extent to which the interest in the area
2 is compelling;

3 “(2) the extent to which other Federal pro-
4 grams support postbaccalaureate study in the area
5 concerned;

6 “(3) an assessment of how the program may
7 achieve the most significant impact with available re-
8 sources; and

9 “(4) an assessment of current and future pro-
10 fessional workforce needs of the United States.”.

11 **SEC. 706. AWARDS TO GRADUATE STUDENTS.**

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

13 (1) in subsection (b)—

14 (A) by striking “1999–2000” and inserting
15 “2008–2009”; and

16 (B) by striking “graduate fellowships” and
17 inserting “Graduate Research Fellowship Pro-
18 gram”; and

19 (2) in subsection (c)—

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

22 (B) by striking “714(b)(2)” and inserting
23 “713(b)(2)”.

1 **SEC. 707. ADDITIONAL ASSISTANCE FOR COST OF EDU-**
2 **CATION.**

3 Section 715(a)(1) (20 U.S.C. 1135d(a)(1)) is amend-
4 ed—

5 (1) by striking “1999–2000” and inserting
6 “2008–2009”; and

7 (2) by striking “1998–1999” and inserting
8 “2007–2008”.

9 **SEC. 708. AUTHORIZATION OF APPROPRIATIONS FOR THE**
10 **GRADUATE ASSISTANCE IN AREAS OF NA-**
11 **TIONAL NEED PROGRAM.**

12 Section 716 (20 U.S.C. 1135e) is amended by strik-
13 ing “\$35,000,000 for fiscal year 1999” and all that fol-
14 lows through the period and inserting “such sums as may
15 be necessary for fiscal year 2008 and each of the 5 suc-
16 ceeding fiscal years to carry out this subpart.”.

17 **SEC. 709. LEGAL EDUCATIONAL OPPORTUNITY PROGRAM.**

18 Section 721 (20 U.S.C. 1136) is amended—

19 (1) in subsection (a)—

20 (A) by inserting “secondary school and”
21 after “disadvantaged”; and

22 (B) by inserting “and admission to law
23 practice” before the period at the end;

24 (2) in the matter preceding paragraph (1) of
25 subsection (b), by inserting “secondary school stu-
26 dent or” before “college student”;

1 (3) in subsection (c)—

2 (A) in paragraph (1), by inserting “sec-
3 ondary school and” before “college students”;

4 (B) by striking paragraph (2) and insert-
5 ing the following:

6 “(2) to prepare such students for successful
7 completion of a baccalaureate degree and for study
8 at accredited law schools, and to assist them with
9 the development of analytical skills, writing skills,
10 and study methods to enhance the students’ success
11 and promote the students’ admission to and comple-
12 tion of law school;”;

13 (C) in paragraph (4), by striking “and”
14 after the semicolon;

15 (D) by striking paragraph (5) and insert-
16 ing the following:

17 “(4) to motivate and prepare such students—

18 “(A) with respect to law school studies and
19 practice in low-income communities; and

20 “(B) to provide legal services to low-in-
21 come individuals and families; and;”;

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

23 “(6) to award Thurgood Marshall Fellowships
24 to eligible law school students—

1 “(A) who participated in summer institutes
2 under subsection (d)(6) and who are enrolled in
3 an accredited law school; or

4 “(B) who have successfully completed sum-
5 mer institute programs comparable to the sum-
6 mer institutes under subsection (d) that are
7 certified by the Council on Legal Education Op-
8 portunity.”;

9 (4) in subsection (d)—

10 (A) in the matter preceding paragraph (1),
11 by inserting “pre-college programs, under-
12 graduate” before “pre-law”;

13 (B) in paragraph (1)—

14 (i) in subparagraph (B), by inserting
15 “law school” before “graduation”; and

16 (ii) by striking subparagraph (D) and
17 inserting the following:

18 “(D) pre-college and undergraduate pre-
19 paratory courses in analytical and writing skills,
20 study methods, and curriculum selection;”;

21 (C) by redesignating paragraphs (2)
22 through (6) as paragraphs (3) through (7), re-
23 spectively;

24 (D) by inserting after paragraph (1) the
25 following:

1 “(2) summer academic programs for secondary
2 school students who have expressed interest in a ca-
3 reer in the law;” and

4 (E) in paragraph (7) (as redesignated by
5 subparagraph (C)), by inserting “and Associ-
6 ates” after “Thurgood Marshall Fellows”;

7 (5) in subsection (e)(1), by inserting “, includ-
8 ing before and during undergraduate study” before
9 the semicolon;

10 (6) in subsection (f)—

11 (A) by inserting “national and State bar
12 associations,” after “agencies and organiza-
13 tions,”; and

14 (B) by striking “and organizations.” and
15 inserting “organizations, and associations.”;

16 (7) by striking subsection (g) and inserting the
17 following:

18 “(g) FELLOWSHIPS AND STIPENDS.—The Secretary
19 shall annually establish the maximum fellowship to be
20 awarded, and stipend to be paid (including allowances for
21 participant travel and for the travel of the dependents of
22 the participant), to Thurgood Marshall Fellows or Associ-
23 ates for the period of participation in summer institutes,
24 midyear seminars, and bar preparation seminars. A Fellow
25 or Associate may be eligible for such a fellowship or sti-

1 pend only if the Thurgood Marshall Fellow or Associate
2 maintains satisfactory academic progress toward the Juris
3 Doctor or Bachelor of Laws degree, as determined by the
4 respective institutions (except with respect to a law school
5 graduate enrolled in a bar preparation course).”; and

6 (8) in subsection (h), by striking “\$5,000,000
7 for fiscal year 1999” and all that follows through
8 the period at the end and inserting “such sums as
9 may be necessary for fiscal year 2008 and for each
10 of the 5 succeeding fiscal years”.

11 **SEC. 710. FUND FOR THE IMPROVEMENT OF POSTSEC-**
12 **ONDARY EDUCATION.**

13 Section 741 (20 U.S.C. 1138) is amended—

14 (1) in subsection (a)—

15 (A) by striking paragraph (3) and insert-
16 ing the following:

17 “(3) the establishment and continuation of in-
18 stitutions, programs, consortia, collaborations, and
19 other joint efforts based on the technology of com-
20 munications, including those efforts that utilize dis-
21 tance education and technological advancements to
22 educate and train postsecondary students (including
23 health professionals serving medically underserved
24 populations);”;

1 (B) in paragraph (7), by striking “and”
2 after the semicolon;

3 (C) in paragraph (8), by striking the pe-
4 riod at the end and inserting a semicolon; and

5 (D) by adding at the end the following:

6 “(9) the introduction of reforms in remedial
7 education, including English language instruction, to
8 customize remedial courses to student goals and help
9 students progress rapidly from remedial courses into
10 core courses and through program completion; and

11 “(10) the creation of consortia that join diverse
12 institutions of higher education to design and offer
13 curricular and co-curricular interdisciplinary pro-
14 grams at the undergraduate and graduate levels,
15 sustained for not less than a 5 year period, that—

16 “(A) focus on poverty and human capa-
17 bility; and

18 “(B) include—

19 “(i) a service-learning component; and

20 “(ii) the delivery of educational serv-
21 ices through informational resource cen-
22 ters, summer institutes, midyear seminars,
23 and other educational activities that stress
24 the effects of poverty and how poverty can

1 be alleviated through different career
2 paths.”; and

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

4 “(c) PROJECT GRAD.—

5 “(1) PURPOSES.—The purposes of this sub-
6 section are—

7 “(A) to provide support and assistance to
8 programs implementing integrated education re-
9 form services in order to improve secondary
10 school graduation, college attendance, and col-
11 lege completion rates for at-risk students; and

12 “(B) to promote the establishment of new
13 programs to implement such integrated edu-
14 cation reform services.

15 “(2) DEFINITIONS.—In this subsection:

16 “(A) AT-RISK.—The term ‘at-risk’ has the
17 same meaning given such term in section 1432
18 of the Elementary and Secondary Education
19 Act of 1965.

20 “(B) FEEDER PATTERN.—The term ‘feed-
21 er pattern’ means a secondary school and the
22 elementary schools and middle schools that
23 channel students into that secondary school.

24 “(3) GRANT AUTHORIZED.—The Secretary is
25 authorized to award a grant to Project GRAD USA

1 (referred to in this subsection as the ‘grantee’), a
2 nonprofit educational organization that has as its
3 primary purpose the improvement of secondary
4 school graduation, college attendance, and college
5 completion rates for at-risk students, to implement
6 and sustain the integrated education reform pro-
7 gram at existing Project GRAD sites, and to pro-
8 mote the expansion of the Project GRAD program
9 to new sites.

10 “(4) REQUIREMENTS OF GRANT AGREEMENT.—

11 The Secretary shall enter into an agreement with
12 the grantee that requires that the grantee shall—

13 “(A) enter into subcontracts with nonprofit
14 educational organizations that serve a substan-
15 tial number or percentage of at-risk students
16 (referred to in this subsection as ‘subcontrac-
17 tors’), under which the subcontractors agree to
18 implement the Project GRAD program and pro-
19 vide matching funds for such programs; and

20 “(B) directly carry out—

21 “(i) activities to implement and sus-
22 tain the literacy, mathematics, classroom
23 management, social service, and college ac-
24 cess components of the Project GRAD pro-
25 gram;

1 “(ii) activities for the purpose of im-
2 plementing new Project GRAD program
3 sites;

4 “(iii) activities to support, evaluate,
5 and consistently improve the Project
6 GRAD program;

7 “(iv) activities for the purpose of pro-
8 moting greater public awareness of inte-
9 grated education reform services to im-
10 prove secondary school graduation, college
11 attendance, and college completion rates
12 for at-risk students; and

13 “(v) other activities directly related to
14 improving secondary school graduation,
15 college attendance, and college completion
16 rates for at-risk students.

17 “(5) GRANTEE CONTRIBUTION AND MATCHING
18 REQUIREMENT.—

19 “(A) IN GENERAL.—The grantee shall pro-
20 vide funds to each subcontractor based on the
21 number of students served by the subcontractor
22 in the Project GRAD program, adjusted to take
23 into consideration—

1 “(i) the resources available in the area
2 where the subcontractor will implement the
3 Project GRAD program; and

4 “(ii) the need for the Project GRAD
5 program in such area to improve student
6 outcomes, including reading and mathe-
7 matics achievement and, where applicable,
8 secondary school graduation, college at-
9 tendance, and college completion rates.

10 “(B) MATCHING REQUIREMENT.—Each
11 subcontractor shall provide funds for the
12 Project GRAD program in an amount that is
13 equal to or greater than the amount received by
14 the subcontractor from the grantee. Such
15 matching funds may be provided in cash or in-
16 kind, fairly evaluated.

17 “(6) EVALUATION.—The Secretary shall select
18 an independent entity to evaluate, every 3 years, the
19 performance of students who participate in a Project
20 GRAD program under this subsection.

21 “(d) CENTER FOR BEST PRACTICES TO SUPPORT
22 SINGLE PARENT STUDENTS.—

23 “(1) PROGRAM AUTHORIZED.—The Secretary is
24 authorized to award 1 grant or contract to an insti-
25 tution of higher education to enable such institution

1 to establish and maintain a center to study and de-
2 velop best practices for institutions of higher edu-
3 cation to support single parents who are also stu-
4 dents attending such institutions.

5 “(2) INSTITUTION REQUIREMENTS.—The Sec-
6 retary shall award the grant or contract under this
7 subsection to a 4-year institution of higher education
8 that has demonstrated expertise in the development
9 of programs to assist single parents who are stu-
10 dents at institutions of higher education, as shown
11 by the institution’s development of a variety of tar-
12 geted services to such students, including on-campus
13 housing, child care, counseling, advising, internship
14 opportunities, financial aid, and financial aid coun-
15 seling and assistance.

16 “(3) CENTER ACTIVITIES.—The center funded
17 under this section shall—

18 “(A) assist institutions implementing inno-
19 vative programs that support single parents
20 pursuing higher education;

21 “(B) study and develop an evaluation pro-
22 tocol for such programs that includes quan-
23 titative and qualitative methodologies;

1 “(C) provide appropriate technical assist-
2 ance regarding the replication, evaluation, and
3 continuous improvement of such programs; and

4 “(D) develop and disseminate best prac-
5 tices for such programs.

6 “(e) UNDERSTANDING THE FEDERAL REGULATORY
7 IMPACT ON HIGHER EDUCATION.—

8 “(1) PURPOSE.—The purpose of this subsection
9 is to help institutions of higher education under-
10 stand the regulatory impact of the Federal Govern-
11 ment on such institutions, in order to raise aware-
12 ness of institutional legal obligations and provide in-
13 formation to improve compliance with, and to reduce
14 the duplication and inefficiency of, Federal regula-
15 tions.

16 “(2) PROGRAM AUTHORIZED.—The Secretary is
17 authorized to award 1 grant or contract to an insti-
18 tution of higher education to enable the institution
19 to carry out the activities described in the agreement
20 under paragraph (4).

21 “(3) INSTITUTION REQUIREMENTS.—The Sec-
22 retary shall award the grant or contract under this
23 subsection to an institution of higher education that
24 has demonstrated expertise in—

1 “(A) reviewing Federal higher education
2 regulations;

3 “(B) maintaining a clearinghouse of com-
4 pliance training materials; and

5 “(C) explaining the impact of such regula-
6 tions to institutions of higher education through
7 a comprehensive and freely accessible website.

8 “(4) REQUIREMENTS OF AGREEMENT.—As a
9 condition of receiving a grant or contract under this
10 subsection, the institution of higher education shall
11 enter into an agreement with the Secretary that
12 shall require the institution to—

13 “(A) monitor Federal regulations, includ-
14 ing notices of proposed rulemaking, for their
15 impact or potential impact on higher education;

16 “(B) provide a succinct description of each
17 regulation or proposed regulation that is rel-
18 evant to higher education; and

19 “(C) maintain a website providing informa-
20 tion on Federal regulations that is easy to use,
21 searchable, and updated regularly.

22 “(f) SCHOLARSHIP PROGRAM FOR FAMILY MEMBERS
23 OF VETERANS OR MEMBERS OF THE MILITARY.—

24 “(1) AUTHORIZATION.—The Secretary shall
25 contract with a nonprofit organization with dem-

1 onstrated experience in carrying out the activities
2 described in this subsection to carry out a program
3 to provide postsecondary education scholarships for
4 eligible students.

5 “(2) ELIGIBLE STUDENTS.—In this subsection,
6 the term ‘eligible student’ means an individual who
7 is—

8 “(A)(i) a dependent student who is a child
9 of—

10 “(I) an individual who is—

11 “(aa) serving on active duty dur-
12 ing a war or other military operation
13 or national emergency (as defined in
14 section 481); or

15 “(bb) performing qualifying Na-
16 tional Guard duty during a war or
17 other military operation or national
18 emergency (as defined in section 481);
19 or

20 “(II) a veteran who died while serving
21 or performing, as described in subclause
22 (I), since September 11, 2001, or has been
23 disabled while serving or performing, as
24 described in subclause (I), as a result of
25 such event; or

1 “(ii) an independent student who is a
2 spouse of—

3 “(I) an individual who is—

4 “(aa) serving on active duty dur-
5 ing a war or other military operation
6 or national emergency (as defined in
7 section 481); or

8 “(bb) performing qualifying Na-
9 tional Guard duty during a war or
10 other military operation or national
11 emergency (as defined in section 481);
12 or

13 “(II) a veteran who died while serving
14 or performing, as described in subclause
15 (I), since September 11, 2001, or has been
16 disabled while serving or performing, as
17 described in subclause (I), as a result of
18 such event; and

19 “(B) enrolled as a full-time or part-time
20 student at an institution of higher education (as
21 defined in section 102).

22 “(3) AWARDING OF SCHOLARSHIPS.—Scholar-
23 ships awarded under this subsection shall be award-
24 ed based on need with priority given to eligible stu-

1 dents who are eligible to receive Federal Pell Grants
2 under subpart 1 of part A of title IV.

3 “(4) MAXIMUM SCHOLARSHIP AMOUNT.—The
4 maximum scholarship amount awarded to an eligible
5 student under this subsection for an academic year
6 shall be the lesser of—

7 “(A) the difference between the eligible
8 student’s cost of attendance (as defined in sec-
9 tion 472) and any non-loan based aid such stu-
10 dent receives; or

11 “(B) \$5,000.

12 “(5) AMOUNTS FOR SCHOLARSHIPS.—All of the
13 amounts appropriated to carry out this subsection
14 for a fiscal year shall be used for scholarships
15 awarded under this subsection, except that a non-
16 profit organization receiving a contract under this
17 subsection may use not more than 1 percent of such
18 amounts for the administrative costs of the con-
19 tract.”.

20 **SEC. 711. SPECIAL PROJECTS.**

21 Section 744(c) (20 U.S.C. 1138c) is amended to read
22 as follows:

23 “(c) AREAS OF NATIONAL NEED.—Areas of national
24 need shall include, at a minimum, the following:

1 “(1) Institutional restructuring to improve
2 learning and promote productivity, efficiency, quality
3 improvement, and cost and price control.

4 “(2) Improvements in academic instruction and
5 student learning, including efforts designed to assess
6 the learning gains made by postsecondary students.

7 “(3) Articulation between 2- and 4-year institu-
8 tions of higher education, including developing inno-
9 vative methods for ensuring the successful transfer
10 of students from 2- to 4-year institutions of higher
11 education.

12 “(4) Development, evaluation and dissemination
13 of model programs, including model core curricula
14 that—

15 “(A) provide students with a broad and in-
16 tegrated knowledge base;

17 “(B) include, at a minimum, broad survey
18 courses in English literature, American and
19 world history, American political institutions,
20 economics, philosophy, college-level mathe-
21 matics, and the natural sciences; and

22 “(C) include sufficient study of a foreign
23 language to lead to reading and writing com-
24 petency in the foreign language.

1 “(5) International cooperation and student ex-
2 changes among postsecondary educational institu-
3 tions.”.

4 **SEC. 712. AUTHORIZATION OF APPROPRIATIONS FOR THE**
5 **FUND FOR THE IMPROVEMENT OF POSTSEC-**
6 **ONDARY EDUCATION.**

7 Section 745 (20 U.S.C. 1138d) is amended by strik-
8 ing “\$30,000,000 for fiscal year 1999” and all that fol-
9 lows through the period and inserting “such sums as may
10 be necessary for fiscal year 2008 and each of the 5 suc-
11 ceeding fiscal years.”.

12 **SEC. 713. REPEAL OF THE URBAN COMMUNITY SERVICE**
13 **PROGRAM.**

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

16 **SEC. 714. GRANTS FOR STUDENTS WITH DISABILITIES.**

17 (a) GRANTS AUTHORIZED FOR DEMONSTRATION
18 PROJECTS TO ENSURE STUDENTS WITH DISABILITIES
19 RECEIVE A QUALITY HIGHER EDUCATION.—Section 762
20 (20 U.S.C. 1140a) is amended—

21 (1) in subsection (b)—

22 (A) in paragraph (2)—

23 (i) in subparagraph (A), by striking
24 “to teach students with disabilities” and
25 inserting “to teach and meet the academic

1 and programmatic needs of students with
2 disabilities in order to improve retention
3 and completion of postsecondary edu-
4 cation”;

5 (ii) by redesignating subparagraphs
6 (B) and (C) as subparagraphs (C) and
7 (F), respectively;

8 (iii) by inserting after subparagraph
9 (A) the following:

10 “(B) EFFECTIVE TRANSITION PRAC-
11 TICES.—The development of innovative and ef-
12 fective teaching methods and strategies to en-
13 sure the successful transition of students with
14 disabilities from secondary school to postsec-
15 ondary education.”;

16 (iv) in subparagraph (C), as redesign-
17 nated by clause (ii), by striking the period
18 at the end and inserting “, including data
19 on the postsecondary education of and im-
20 pact on subsequent employment of stu-
21 dents with disabilities. Such research, in-
22 formation, and data shall be made publicly
23 available and accessible.”;

1 (v) by inserting after subparagraph
2 (C), as redesignated by clause (ii), the fol-
3 lowing:

4 “(D) DISTANCE LEARNING.—The develop-
5 ment of innovative and effective teaching meth-
6 ods and strategies to provide faculty and ad-
7 ministrators with the ability to provide acces-
8 sible distance education programs or classes
9 that would enhance access of students with dis-
10 abilities to higher education, including the use
11 of accessible curriculum and electronic commu-
12 nication for instruction and advisement.

13 “(E) DISABILITY CAREER PATHWAYS.—

14 “(i) IN GENERAL.—Training and pro-
15 viding support to secondary and postsec-
16 ondary staff with respect to disability-re-
17 lated fields to—

18 “(I) encourage interest and par-
19 ticipation in such fields, among stu-
20 dents with disabilities and other stu-
21 dents;

22 “(II) enhance awareness and un-
23 derstanding of such fields among such
24 students;

1 “(III) provide educational oppor-
2 tunities in such fields among such
3 students;

4 “(IV) teach practical skills re-
5 lated to such fields among such stu-
6 dents; and

7 “(V) offer work-based opportuni-
8 ties in such fields among such stu-
9 dents.

10 “(ii) DEVELOPMENT.—The training
11 and support described in clause (i) may in-
12 clude developing means to offer students
13 credit-bearing, college-level coursework,
14 and career and educational counseling.”;
15 and

16 (vi) by adding at the end the fol-
17 lowing:

18 “(G) ACCESSIBILITY OF EDUCATION.—
19 Making postsecondary education more acces-
20 sible to students with disabilities through cur-
21 riculum development.”; and

22 (B) in paragraph (3), by striking “sub-
23 paragraphs (A) through (C)” and inserting
24 “subparagraphs (A) through (G)”;
25 (2) by adding at the end the following:

1 “(d) REPORT.—Not later than 3 years after the date
2 of enactment of the Higher Education Amendments of
3 2007, the Secretary shall prepare and disseminate a re-
4 port reviewing the activities of the demonstration projects
5 authorized under this subpart and providing guidance and
6 recommendations on how successful projects can be rep-
7 licated.”.

8 (b) TRANSITION PROGRAMS FOR STUDENTS WITH
9 INTELLECTUAL DISABILITIES INTO HIGHER EDUCATION;
10 COORDINATING CENTER.—Part D of title VII (20 U.S.C.
11 1140 et seq.) is further amended—

12 (1) in the part heading, by striking “**DEM-**
13 **ONSTRATION**”;

14 (2) by inserting after the part heading the fol-
15 lowing:

16 **“Subpart 1—Quality Higher Education”;**

17 and

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

19 **“Subpart 2—Transition Programs for Students With**
20 **Intellectual Disabilities Into Higher Education;**
21 **Coordinating Center**

22 **“SEC. 771. PURPOSE.**

23 “It is the purpose of this subpart to support model
24 demonstration programs that promote the successful tran-

1 sition of students with intellectual disabilities into higher
2 education.

3 **“SEC. 772. DEFINITIONS.**

4 “In this subpart:

5 “(1) COMPREHENSIVE TRANSITION AND POST-
6 SECONDARY PROGRAM FOR STUDENTS WITH INTEL-
7 LECTUAL DISABILITIES.—The term ‘comprehensive
8 transition and postsecondary program for students
9 with intellectual disabilities’ means a degree, certifi-
10 cate, or nondegree program offered by an institution
11 of higher education that—

12 “(A) is designed for students with intellec-
13 tual disabilities who seek to continue academic,
14 vocational, or independent living instruction at
15 the institution in order to prepare for gainful
16 employment;

17 “(B) includes an advising and curriculum
18 structure; and

19 “(C) requires the enrollment of the student
20 (through enrollment in credit-bearing courses,
21 auditing or participating in courses, partici-
22 pating in internships, or enrollment in non-
23 credit, nondegree courses) in the equivalent of
24 not less than a half-time course of study, as de-
25 termined by the institution.

1 “(2) STUDENT WITH AN INTELLECTUAL DIS-
2 ABILITY.—The term ‘student with an intellectual
3 disability’ means a student whose mental retardation
4 or other significant cognitive impairment substan-
5 tially impacts the student’s intellectual and cognitive
6 functioning.

7 **“SEC. 773. MODEL COMPREHENSIVE TRANSITION AND**
8 **POSTSECONDARY PROGRAMS FOR STUDENTS**
9 **WITH INTELLECTUAL DISABILITIES.**

10 “(a) GRANTS AUTHORIZED.—

11 “(1) IN GENERAL.—The Secretary shall annu-
12 ally award grants, on a competitive basis, to institu-
13 tions of higher education (or consortia of institutions
14 of higher education), to create or expand high-qual-
15 ity, inclusive model comprehensive transition and
16 postsecondary programs for students with intellec-
17 tual disabilities.

18 “(2) NUMBER AND DURATION OF GRANTS.—
19 The Secretary shall award not less than 10 grants
20 per year under this section, and each grant awarded
21 under this subsection shall be for a period of 5
22 years.

23 “(b) APPLICATION.—An institution of higher edu-
24 cation (or a consortium) desiring a grant under this sec-
25 tion shall submit an application to the Secretary at such

1 time, in such manner, and containing such information as
2 the Secretary may require.

3 “(c) PREFERENCE.—In awarding grants under this
4 section, the Secretary shall give preference to institutions
5 of higher education (or consortia) that—

6 “(1) will carry out a model program under the
7 grant in a State that does not already have a com-
8 prehensive transition and postsecondary program for
9 students with intellectual disabilities; or

10 “(2) in the application submitted under sub-
11 section (b), agree to incorporate 1 or more the fol-
12 lowing elements into the model programs carried out
13 under the grant:

14 “(A) The formation of a partnership with
15 any relevant agency serving students with intel-
16 lectual disabilities, such as a vocational rehabili-
17 tation agency.

18 “(B) In the case of an institution of higher
19 education that provides institutionally-owned or
20 operated housing for students attending the in-
21 stitution, the integration of students with intel-
22 lectual disabilities into such housing.

23 “(C) The involvement of students attend-
24 ing the institution of higher education who are
25 studying special education, general education,

1 vocational rehabilitation, assistive technology, or
2 related fields in the model program carried out
3 under the grant.

4 “(d) USE OF FUNDS.—An institution of higher edu-
5 cation (or consortium) receiving a grant under this section
6 shall use the grant funds to establish a model comprehen-
7 sive transition and postsecondary program for students
8 with intellectual disabilities that—

9 “(1) serves students with intellectual disabil-
10 ities, including students with intellectual disabilities
11 who are no longer eligible for special education and
12 related services under the Individuals with Disabil-
13 ities Education Act;

14 “(2) provides individual supports and services
15 for the academic and social inclusion of students
16 with intellectual disabilities in academic courses, ex-
17 tracurricular activities, and other aspects of the in-
18 stitution of higher education’s regular postsecondary
19 program;

20 “(3) with respect to the students with intellec-
21 tual disabilities participating in the model program,
22 provides a focus on—

23 “(A) academic enrichment;

24 “(B) socialization;

1 “(C) independent living, including self-ad-
2 vocacy skills; and

3 “(D) integrated work experiences and ca-
4 reer skills that lead to gainful employment;

5 “(4) integrates person-centered planning in the
6 development of the course of study for each student
7 with an intellectual disability participating in the
8 model program;

9 “(5) participates with the coordinating center
10 established under section 774 in the evaluation of
11 the model program;

12 “(6) partners with 1 or more local educational
13 agencies to support students with intellectual disabili-
14 ties participating in the model program who are still
15 eligible for special education and related services
16 under such Act, including regarding the utilization
17 of funds available under part B of the Individuals
18 with Disabilities Education Act for such students;

19 “(7) plans for the sustainability of the model
20 program after the end of the grant period; and

21 “(8) creates and offers a meaningful credential
22 for students with intellectual disabilities upon the
23 completion of the model program.

24 “(e) MATCHING REQUIREMENT.—An institution of
25 higher education that receives a grant under this section

1 shall provide toward the cost of the model comprehensive
2 transition and postsecondary program for students with
3 intellectual disabilities carried out under the grant, match-
4 ing funds, which may be provided in cash or in-kind, in
5 an amount not less than 25 percent of the amount of such
6 grant funds.

7 “(f) REPORT.—Not later than 3 years after the date
8 of enactment of the Higher Education Amendments of
9 2007, the Secretary shall prepare and disseminate a re-
10 port reviewing the activities of the model comprehensive
11 transition and postsecondary programs for students with
12 intellectual disabilities authorized under this subpart and
13 providing guidance and recommendations on how success-
14 ful programs can be replicated.

15 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
16 are authorized to be appropriated to carry out this section
17 such sums as may be necessary.

18 **“SEC. 774. COORDINATING CENTER FOR TECHNICAL AS-**
19 **SISTANCE, EVALUATION, AND DEVELOPMENT**
20 **OF ACCREDITATION STANDARDS.**

21 “(a) IN GENERAL.—

22 “(1) AWARD.—The Secretary shall, on a com-
23 petitive basis, enter into a cooperative agreement
24 with an eligible entity, for the purpose of estab-
25 lishing a coordinating center for technical assistance,

1 evaluation, and development of accreditation stand-
2 ards for institutions of higher education that offer
3 inclusive model comprehensive transition and post-
4 secondary programs for students with intellectual
5 disabilities.

6 “(2) DURATION.—The cooperative agreement
7 under this section shall be for a period of 5 years.

8 “(b) REQUIREMENTS OF COOPERATIVE AGREE-
9 MENT.—The eligible entity entering into a cooperative
10 agreement under this section shall establish and maintain
11 a center that shall—

12 “(1) serve as the technical assistance entity for
13 all model comprehensive transition and postsec-
14 ondary programs for students with intellectual dis-
15 abilities assisted under section 773;

16 “(2) provide technical assistance regarding the
17 development, evaluation, and continuous improve-
18 ment of such programs;

19 “(3) develop an evaluation protocol for such
20 programs that includes qualitative and quantitative
21 methodology measuring student outcomes and pro-
22 gram strengths in the areas of academic enrichment,
23 socialization, independent living, and competitive or
24 supported employment;

1 “(4) assist recipients of grants under section
2 773 in efforts to award a meaningful credential to
3 students with intellectual disabilities upon the com-
4 pletion of such programs, which credential takes into
5 consideration unique State factors;

6 “(5) develop model criteria, standards, and pro-
7 cedures to be used in accrediting such programs
8 that—

9 “(A) include, in the development of the
10 model criteria, standards, and procedures for
11 such programs, the participation of—

12 “(i) an expert in higher education;

13 “(ii) an expert in special education;

14 “(iii) a disability organization that
15 represents students with intellectual dis-
16 abilities; and

17 “(iv) a State, regional, or national ac-
18 crediting agency or association recognized
19 by the Secretary under subpart 2 of part
20 H of title IV; and

21 “(B) define the necessary components of
22 such programs, such as—

23 “(i) academic, vocational, social, and
24 independent living skills;

25 “(ii) evaluation of student progress;

1 “(iii) program administration and
2 evaluation;

3 “(iv) student eligibility; and

4 “(v) issues regarding the equivalency
5 of a student’s participation in such pro-
6 grams to semester, trimester, quarter,
7 credit, or clock hours at an institution of
8 higher education, as the case may be;

9 “(6) analyze possible funding streams for such
10 programs and provide recommendations regarding
11 the funding streams;

12 “(7) develop model memoranda of agreement
13 between institutions of higher education and agen-
14 cies providing funding for such programs;

15 “(8) develop mechanisms for regular commu-
16 nication between the recipients of grants under sec-
17 tion 773 regarding such programs; and

18 “(9) host a meeting of all recipients of grants
19 under section 773 not less often than once a year.

20 “(c) DEFINITION OF ELIGIBLE ENTITY.—In this sec-
21 tion, the term ‘eligible entity’ means an entity, or a part-
22 nership of entities, that has demonstrated expertise in the
23 fields of higher education, students with intellectual dis-
24 abilities, the development of comprehensive transition and

1 postsecondary programs for students with intellectual dis-
2 abilities, and evaluation.

3 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
4 are authorized to be appropriated to carry out this section
5 such sums as may be necessary.”.

6 (c) CONFORMING AMENDMENTS.—Part D of title VII
7 (20 U.S.C. 1140 et seq.) is further amended—

8 (1) in section 761, by striking “part” and in-
9 serting “subpart”;

10 (2) in section 762 (as amended by subsection
11 (a)), by striking “part” each place the term appears
12 and inserting “subpart”;

13 (3) in section 763, by striking “part” both
14 places the term appears and inserting “subpart”;

15 (4) in section 764, by striking “part” and in-
16 serting “subpart”; and

17 (5) in section 765, by striking “part” and in-
18 serting “subpart”.

19 **SEC. 715. APPLICATIONS FOR DEMONSTRATION PROJECTS**
20 **TO ENSURE STUDENTS WITH DISABILITIES**
21 **RECEIVE A QUALITY HIGHER EDUCATION.**

22 Section 763 (as amended in section 714(c)(3)) (20
23 U.S.C. 1140b) is further amended—

24 (1) by striking paragraph (1) and inserting the
25 following:

1 “(1) a description of how such institution plans
2 to address the activities allowed under this sub-
3 part;”;

4 (2) in paragraph (2), by striking “and” after
5 the semicolon;

6 (3) in paragraph (3), by striking the period at
7 the end and inserting “; and”; and

8 (4) by adding at the end the following:

9 “(4) a description of the extent to which the in-
10 stitution will work to replicate the research based
11 and best practices of institutions of higher education
12 with demonstrated success in serving students with
13 disabilities.”.

14 **SEC. 716. AUTHORIZATION OF APPROPRIATIONS FOR DEM-**
15 **ONSTRATION PROJECTS TO ENSURE STU-**
16 **DENTS WITH DISABILITIES RECEIVE A QUAL-**
17 **ITY HIGHER EDUCATION.**

18 Section 765 (20 U.S.C. 1140d) is amended by strik-
19 ing “\$10,000,000 for fiscal year 1999” and all that fol-
20 lows through the period and inserting “such sums as may
21 be necessary for fiscal year 2008 and each of the 5 suc-
22 ceeding fiscal years.”.

23 **SEC. 717. RESEARCH GRANTS.**

24 Title VII (20 U.S.C. 1133 et seq.) is further amended
25 by adding at the end the following:

1 **“PART E—RESEARCH GRANTS**

2 **“SEC. 781. RESEARCH GRANTS.**

3 “(a) GRANTS AUTHORIZED.—The Secretary is au-
4 thORIZED to award grants, on a competitive basis, to eligible
5 entities to enable the eligible entities to develop or improve
6 valid and reliable measures of student achievement for use
7 by institutions of higher education to measure and evalu-
8 ate learning in higher education.

9 “(b) DEFINITIONS.—In this section:

10 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-
11 tity’ means—

12 “(A) an institution of higher education;

13 “(B) a State agency responsible for higher
14 education;

15 “(C) a recognized higher education accred-
16 iting agency or an organization of higher edu-
17 cation accreditors;

18 “(D) an eligible applicant described in sec-
19 tion 174(c) of the Education Sciences Reform
20 Act of 2002; and

21 “(E) a consortium of any combination of
22 entities described in subparagraphs (A) through
23 (D).

24 “(c) APPLICATION.—

25 “(1) IN GENERAL.—Each eligible entity that
26 desires a grant under this part shall submit an ap-

1 plication to the Secretary at such time, in such man-
2 ner, and accompanied by such information as the
3 Secretary may require.

4 “(2) CONTENTS.—Each application submitted
5 under subsection (a) shall include a description of
6 how the eligible entity—

7 “(A) will work with relevant experts, in-
8 cluding psychometricians, research experts, in-
9 stitutions, associations, and other qualified indi-
10 viduals as determined appropriate by the eligi-
11 ble entity;

12 “(B) will reach a broad and diverse range
13 of audiences;

14 “(C) has participated in work in improving
15 postsecondary education;

16 “(D) has participated in work in devel-
17 oping or improving assessments to measure stu-
18 dent achievement;

19 “(E) includes faculty, to the extent prac-
20 ticable, in the development of any assessments
21 or measures of student achievement; and

22 “(F) will focus on program specific meas-
23 ures of student achievement generally applicable
24 to an entire—

25 “(i) institution of higher education; or

1 “(ii) State system of higher education.

2 “(d) AWARD BASIS.—In awarding grants under this
3 section, the Secretary shall take into consideration—

4 “(1) the quality of an application for a grant
5 under this section;

6 “(2) the distribution of the grants to dif-
7 ferent—

8 “(A) geographic regions;

9 “(B) types of institutions of higher edu-
10 cation; and

11 “(C) higher education accreditors.

12 “(e) USE OF FUNDS.—Each eligible entity receiving
13 a grant under this section may use the grant funds—

14 “(1) to enable the eligible entity to improve the
15 quality, validity, and reliability of existing assess-
16 ments used by institutions of higher education;

17 “(2) to develop measures of student achieve-
18 ment using multiple measures of student achieve-
19 ment from multiple sources;

20 “(3) to measure improvement in student
21 achievement over time;

22 “(4) to evaluate student achievement;

23 “(5) to develop models of effective practices;

24 and

1 “(6) for a pilot or demonstration project of
2 measures of student achievement.

3 “(f) MATCHING REQUIREMENT.—An eligible entity
4 described in subparagraph (A), (B), or (C) of subsection
5 (b)(1) that receives a grant under this section shall pro-
6 vide for each fiscal year, from non-Federal sources, an
7 amount (which may be provided in cash or in kind), to
8 carry out the activities supported by the grant, equal to
9 50 percent of the amount received for the fiscal year under
10 the grant.

11 “(g) SUPPLEMENT, NOT SUPPLANT.—Grant funds
12 provided under this section shall be used to supplement,
13 not supplant, other Federal or State funds.

14 “(h) REPORT.—

15 “(1) REPORT.—The Secretary shall provide an
16 annual report to Congress on the implementation of
17 the grant program assisted under this section.

18 “(2) CONTENT.—The report shall include—

19 “(A) information regarding the develop-
20 ment or improvement of scientifically valid and
21 reliable measures of student achievement;

22 “(B) a description of the assessments or
23 other measures developed by eligible entities;

24 “(C) the results of any pilot or demonstra-
25 tion projects assisted under this section; and

1 “(D) such other information as the Sec-
2 retary may require.”.

3 **TITLE VIII—MISCELLANEOUS**

4 **SEC. 801. MISCELLANEOUS.**

5 The Act (20 U.S.C. 1001 et seq.) is amended by add-
6 ing at the end the following:

7 **“TITLE VIII—MISCELLANEOUS**

8 **“PART A—MATHEMATICS AND SCIENCE**

9 **SCHOLARS PROGRAM**

10 **“SEC. 811. MATHEMATICS AND SCIENCE SCHOLARS PRO-**
11 **GRAM.**

12 “(a) PROGRAM AUTHORIZED.—The Secretary is au-
13 thorized to award grants to States, on a competitive basis,
14 to enable the States to award eligible students, who com-
15 plete a rigorous secondary school curriculum in mathe-
16 matics and science, scholarships for undergraduate study.

17 “(b) ELIGIBLE STUDENTS.—A student is eligible for
18 a scholarship under this section if the student is a full-
19 time undergraduate student in the student’s first and sec-
20 ond year of study who has completed a rigorous secondary
21 school curriculum in mathematics and science.

22 “(c) RIGOROUS CURRICULUM.—Each participating
23 State shall determine the requirements for a rigorous sec-
24 ondary school curriculum in mathematics and science de-
25 scribed in subsection (b).

1 “(d) PRIORITY FOR SCHOLARSHIPS.—The Governor
2 of a State may set a priority for awarding scholarships
3 under this section for particular eligible students, such as
4 students attending schools in high-need areas, students
5 who are from groups underrepresented in the fields of
6 mathematics, science, and engineering, students served by
7 local educational agencies that do not meet or exceed State
8 standards in mathematics and science, or students with
9 regional or geographic needs as determined appropriate by
10 the Governor.

11 “(e) AMOUNT AND DURATION OF SCHOLARSHIP.—
12 The Secretary shall award a grant under this section—

13 “(1) in an amount that does not exceed \$1,000;
14 and

15 “(2) for not more than 2 years of under-
16 graduate study.

17 “(f) MATCHING REQUIREMENT.—In order to receive
18 a grant under this section, a State shall provide matching
19 funds for the scholarships awarded under this section in
20 an amount equal to 50 percent of the Federal funds re-
21 ceived.

22 “(g) AUTHORIZATION.—There are authorized to be
23 appropriated to carry out this section such sums as may
24 be necessary for fiscal year 2008 and each of the 5 suc-
25 ceeding fiscal years.

1 **“PART B—POSTSECONDARY EDUCATION**
2 **ASSESSMENT**

3 **“SEC. 816. POSTSECONDARY EDUCATION ASSESSMENT.**

4 “(a) **CONTRACT FOR ASSESSMENT.**—The Secretary
5 shall enter into a contract, with an independent, bipartisan
6 organization with specific expertise in public administra-
7 tion and financial management, to carry out an inde-
8 pendent assessment of the cost factors associated with the
9 cost of tuition at institutions of higher education.

10 “(b) **TIMEFRAME.**—The Secretary shall enter into
11 the contract described in subsection (a) not later than 90
12 days after the date of enactment of the Higher Education
13 Amendments of 2007.

14 “(c) **MATTERS ASSESSED.**—The assessment de-
15 scribed in subsection (a) shall—

16 “(1) examine the key elements driving the cost
17 factors associated with the cost of tuition at institu-
18 tions of higher education during the 2001–2002 aca-
19 demic year and succeeding academic years;

20 “(2) identify and evaluate measures being used
21 to control postsecondary education costs;

22 “(3) identify and evaluate effective measures
23 that may be utilized to control postsecondary edu-
24 cation costs in the future; and

1 “(4) identify systemic approaches to monitor
2 future postsecondary education cost trends and post-
3 secondary education cost control mechanisms.

4 **“PART C—JOB SKILL TRAINING IN HIGH-GROWTH**
5 **OCCUPATIONS OR INDUSTRIES**

6 **“SEC. 821. JOB SKILL TRAINING IN HIGH-GROWTH OCCUPA-**
7 **TIONS OR INDUSTRIES.**

8 “(a) GRANTS AUTHORIZED.—The Secretary is au-
9 thorized to award grants, on a competitive basis, to eligible
10 partnerships to enable the eligible partnerships to provide
11 relevant job skill training in high-growth industries or oc-
12 cupations.

13 “(b) DEFINITIONS.—In this section:

14 “(1) ELIGIBLE PARTNERSHIP.—The term ‘eligi-
15 ble partnership’ means a partnership—

16 “(A) between an institution of higher edu-
17 cation and a local board (as such term is de-
18 fined in section 101 of the Workforce Invest-
19 ment Act of 1998); or

20 “(B) if an institution of higher education
21 is located within a State that does not operate
22 local boards, between the institution of higher
23 education and a State board (as such term is
24 defined in section 101 of the Workforce Invest-
25 ment Act of 1998).

1 “(2) NONTRADITIONAL STUDENT.—The term
2 ‘nontraditional student’ means a student who—

3 “(A) is independent, as defined in section
4 480(d);

5 “(B) attends an institution of higher edu-
6 cation—

7 “(i) on less than a full-time basis;

8 “(ii) via evening, weekend, modular,
9 or compressed courses; or

10 “(iii) via distance education methods;

11 or

12 “(C) has delayed enrollment at an institu-
13 tion of higher education.

14 “(3) INSTITUTION OF HIGHER EDUCATION.—

15 The term ‘institution of higher education’ means an
16 institution of higher education, as defined in section
17 101(b), that offers a 1- or 2-year program of study
18 leading to a degree or certificate.

19 “(c) APPLICATION.—

20 “(1) IN GENERAL.—Each eligible partnership
21 that desires a grant under this section shall submit
22 an application to the Secretary at such time, in such
23 manner, and accompanied by such additional infor-
24 mation as the Secretary may require.

1 “(2) CONTENTS.—Each application submitted
2 under paragraph (1) shall include a description of—

3 “(A) how the eligible partnership, through
4 the institution of higher education, will provide
5 relevant job skill training for students to enter
6 high-growth occupations or industries;

7 “(B) local high-growth occupations or in-
8 dustries; and

9 “(C) the need for qualified workers to meet
10 the local demand of high-growth occupations or
11 industries.

12 “(d) AWARD BASIS.—In awarding grants under this
13 section, the Secretary shall—

14 “(1) ensure an equitable distribution of grant
15 funds under this section among urban and rural
16 areas of the United States; and

17 “(2) take into consideration the capability of
18 the institution of higher education—

19 “(A) to offer relevant, high quality instruc-
20 tion and job skill training for students entering
21 a high-growth occupation or industry;

22 “(B) to involve the local business commu-
23 nity and to place graduates in the community
24 in employment in high-growth occupations or
25 industries;

1 “(C) to provide secondary students with
2 dual-enrollment or concurrent enrollment op-
3 tions;

4 “(D) to serve nontraditional or low-income
5 students, or adult or displaced workers; and

6 “(E) to serve students from rural or re-
7 mote communities.

8 “(e) USE OF FUNDS.—Grant funds provided under
9 this section may be used—

10 “(1) to expand or create academic programs or
11 programs of training that provide relevant job skill
12 training for high-growth occupations or industries;

13 “(2) to purchase equipment which will facilitate
14 the development of academic programs or programs
15 of training that provide training for high-growth oc-
16 cupations or industries;

17 “(3) to support outreach efforts that enable
18 students to attend institutions of higher education
19 with academic programs or programs of training fo-
20 cused on high-growth occupations or industries;

21 “(4) to expand or create programs for distance,
22 evening, weekend, modular, or compressed learning
23 opportunities that provide relevant job skill training
24 in high-growth occupations or industries;

1 “(5) to build partnerships with local businesses
2 in high-growth occupations or industries;

3 “(6) to support curriculum development related
4 to entrepreneurial training; and

5 “(7) for other uses that the Secretary deter-
6 mines to be consistent with the intent of this section.

7 “(f) REQUIREMENTS.—

8 “(1) FISCAL AGENT.—For the purpose of this
9 section, the institution of higher education in an eli-
10 gible partnership shall serve as the fiscal agent and
11 grant recipient for the eligible partnership.

12 “(2) DURATION.—The Secretary shall award
13 grants under this section for periods that may not
14 exceed 5 years.

15 “(3) SUPPLEMENT, NOT SUPPLANT.—Funds
16 made available under this section shall be used to
17 supplement and not supplant other Federal, State,
18 and local funds available to the eligible partnership
19 for carrying out the activities described in subsection
20 (e).

21 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
22 are authorized to be appropriated to carry out this part
23 such sums as may be necessary for fiscal year 2008 and
24 each of the 5 succeeding fiscal years.

1 **“PART D—ADDITIONAL CAPACITY FOR R.N. STU-**
2 **DENTS OR GRADUATE-LEVEL NURSING STU-**
3 **DENTS**

4 **“SEC. 826. ADDITIONAL CAPACITY FOR R.N. STUDENTS OR**
5 **GRADUATE-LEVEL NURSING STUDENTS.**

6 “(a) AUTHORIZATION.—The Secretary shall award
7 grants to institutions of higher education that offer—

8 “(1) a R.N. nursing program at the bacca-
9 laurate or associate degree level to enable such pro-
10 gram to expand the faculty and facilities of such
11 program to accommodate additional R.N. nursing
12 program students; or

13 “(2) a graduate-level nursing program to ac-
14 commodate advanced practice degrees for R.N.s or
15 to accommodate students enrolled in a graduate-level
16 nursing program to provide teachers of nursing stu-
17 dents.

18 “(b) DETERMINATION OF NUMBER OF STUDENTS
19 AND APPLICATION.—Each institution of higher education
20 that offers a program described in subsection (a) that de-
21 sires to receive a grant under this section shall—

22 “(1) determine for the 4 academic years pre-
23 ceding the academic year for which the determina-
24 tion is made the average number of matriculated
25 nursing program students at such institution for
26 such academic years; and

1 “(2) submit an application to the Secretary at
2 such time, in such manner, and accompanied by
3 such information as the Secretary may require, in-
4 cluding the average number determined under para-
5 graph (1).

6 “(c) GRANT AMOUNT; AWARD BASIS.—

7 “(1) GRANT AMOUNT.—For each academic year
8 after academic year 2006–2007, the Secretary shall
9 provide to each institution of higher education
10 awarded a grant under this section an amount that
11 is equal to \$3,000 multiplied by the number of ma-
12 triculated nursing program students at such institu-
13 tion for such academic year that is more than the
14 average number determined with respect to such in-
15 stitution under subsection (b)(1). Such amount shall
16 be used for the purposes described in subsection (a).

17 “(2) DISTRIBUTION OF GRANTS AMONG DIF-
18 FERENT DEGREE PROGRAMS.—

19 “(A) IN GENERAL.—Subject to subpara-
20 graph (B), from the funds available to award
21 grants under this section for each fiscal year,
22 the Secretary shall—

23 “(i) use 20 percent of such funds to
24 award grants under this section to institu-
25 tions of higher education for the purpose

1 of accommodating advanced practice de-
2 grees or students in graduate-level nursing
3 programs;

4 “(ii) use 40 percent of such funds to
5 award grants under this section to institu-
6 tions of higher education for the purpose
7 of expanding R.N. nursing programs at the
8 baccalaureate degree level; and

9 “(iii) use 40 percent of such funds to
10 award grants under this section to institu-
11 tions of higher education for the purpose
12 of expanding R.N. nursing programs at the
13 associate degree level.

14 “(B) DISTRIBUTION OF EXCESS FUNDS.—
15 If, for a fiscal year, funds described in clause
16 (i), (ii), or (iii) of subparagraph (A) remain
17 after the Secretary awards grants under this
18 section to all applicants for the particular cat-
19 egory of nursing programs described in such
20 clause, the Secretary shall use equal amounts of
21 the remaining funds to award grants under this
22 section to applicants for the remaining cat-
23 egories of nursing programs.

1 “(C) EQUITABLE DISTRIBUTION.—In
2 awarding grants under this section, the Sec-
3 retary shall, to the extent practicable, ensure—

4 “(i) an equitable geographic distribu-
5 tion of the grants among the States; and

6 “(ii) an equitable distribution of the
7 grants among different types of institu-
8 tions of higher education.

9 “(d) PROHIBITION.—

10 “(1) IN GENERAL.—Funds provided under this
11 section may not be used for the construction of new
12 facilities.

13 “(2) RULE OF CONSTRUCTION.—Nothing in
14 paragraph (1) shall be construed to prohibit funds
15 provided under this section from being used for the
16 repair or renovation of facilities.

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

20 **“PART E—AMERICAN HISTORY FOR FREEDOM**

21 **“SEC. 831. AMERICAN HISTORY FOR FREEDOM.**

22 “(a) GRANTS AUTHORIZED.—The Secretary is au-
23 thorized to award 3-year grants, on a competitive basis,
24 to eligible institutions to establish or strengthen postsec-

1 onorary academic programs or centers that promote and
2 impart knowledge of—

3 “(1) traditional American history;

4 “(2) the history and nature of, and threats to,
5 free institutions; or

6 “(3) the history and achievements of Western
7 civilization.

8 “(b) DEFINITIONS.—In this section:

9 “(1) ELIGIBLE INSTITUTION.—The term ‘eligi-
10 ble institution’ means an institution of higher edu-
11 cation as defined in section 101.

12 “(2) FREE INSTITUTION.—The term ‘free insti-
13 tution’ means an institution that emerged out of
14 Western civilization, such as democracy, constitu-
15 tional government, individual rights, market econom-
16 ics, religious freedom and religious tolerance, and
17 freedom of thought and inquiry.

18 “(3) TRADITIONAL AMERICAN HISTORY.—The
19 term ‘traditional American history’ means—

20 “(A) the significant constitutional, polit-
21 ical, intellectual, economic, and foreign policy
22 trends and issues that have shaped the course
23 of American history; and

24 “(B) the key episodes, turning points, and
25 leading figures involved in the constitutional,

1 political, intellectual, diplomatic, and economic
2 history of the United States.

3 “(c) APPLICATION.—

4 “(1) IN GENERAL.—Each eligible institution
5 that desires a grant under this part shall submit an
6 application to the Secretary at such time, in such
7 manner, and accompanied by such additional infor-
8 mation as the Secretary may require.

9 “(2) CONTENTS.—Each application submitted
10 under subsection (a) shall include a description of —

11 “(A) how funds made available under this
12 part will be used for the activities set forth
13 under subsection (e), including how such activi-
14 ties will increase knowledge with respect to tra-
15 ditional American history, free institutions, or
16 Western civilization;

17 “(B) how the eligible institution will ensure
18 that information about the activities funded
19 under this part is widely disseminated pursuant
20 to subsection (e)(1)(B);

21 “(C) any activities to be undertaken pursu-
22 ant to subsection (e)(2)(A), including identifica-
23 tion of entities intended to participate;

24 “(D) how funds made available under this
25 part shall be used to supplement and not sup-

1 plant non-Federal funds available for the activi-
2 ties described in subsection (e); and

3 “(E) such fiscal controls and accounting
4 procedures as may be necessary to ensure prop-
5 er disbursement of and accounting for funding
6 made available to the eligible institution under
7 this part.

8 “(d) AWARD BASIS.—In awarding grants under this
9 part, the Secretary shall take into consideration the capa-
10 bility of the eligible institution to—

11 “(1) increase access to quality programming
12 that expands knowledge of traditional American his-
13 tory, free institutions, or Western civilization;

14 “(2) involve personnel with strong expertise in
15 traditional American history, free institutions, or
16 Western civilization; and

17 “(3) sustain the activities funded under this
18 part after the grant has expired.

19 “(e) USE OF FUNDS.—

20 “(1) REQUIRED USE OF FUNDS.—Funds pro-
21 vided under this part shall be used to—

22 “(A) establish or strengthen academic pro-
23 grams or centers focused on traditional Amer-
24 ican history, free institutions, or Western civili-
25 zation, which may include—

1 “(i) design and implementation of
2 programs of study, courses, lecture series,
3 seminars, and symposia;

4 “(ii) development, publication, and
5 dissemination of instructional materials;

6 “(iii) research;

7 “(iv) support for faculty teaching in
8 undergraduate and, if applicable, graduate
9 programs;

10 “(v) support for graduate and post-
11 graduate fellowships, if applicable; or

12 “(vi) teacher preparation initiatives
13 that stress content mastery regarding tra-
14 ditional American history, free institutions,
15 or Western civilization; and

16 “(B) conduct outreach activities to ensure
17 that information about the activities funded
18 under this part is widely disseminated—

19 “(i) to undergraduate students (in-
20 cluding students enrolled in teacher edu-
21 cation programs, if applicable);

22 “(ii) to graduate students (including
23 students enrolled in teacher education pro-
24 grams), if applicable;

25 “(iii) to faculty;

1 “(iv) to local educational agencies;
2 and
3 “(v) within the local community.

4 “(2) ALLOWABLE USES OF FUNDS.—Funds
5 provided under this part may be used to support—

6 “(A) collaboration with entities such as—

7 “(i) local educational agencies, for the
8 purpose of providing elementary, middle
9 and secondary school teachers an oppor-
10 tunity to enhance their knowledge of tradi-
11 tional American history, free institutions,
12 or Western civilization; and

13 “(ii) nonprofit organizations whose
14 mission is consistent with the purpose of
15 this part, such as academic organizations,
16 museums, and libraries, for assistance in
17 carrying out activities described under sub-
18 section (a); and

19 “(B) other activities that meet the pur-
20 poses of this part.

21 “(f) AUTHORIZATION OF APPROPRIATIONS.—For the
22 purpose of carrying out this part, there are authorized to
23 be appropriated such sums as may be necessary for fiscal
24 year 2008 and each of the 5 succeeding fiscal years.

1 **“PART F—TEACH FOR AMERICA**

2 **“SEC. 836. TEACH FOR AMERICA.**

3 “(a) DEFINITIONS.—

4 “(1) IN GENERAL.—The terms ‘highly quali-
5 fied’, ‘local educational agency’, and ‘Secretary’ have
6 the meanings given the terms in section 9101 of the
7 Elementary and Secondary Education Act of 1965
8 (20 U.S.C. 7801).

9 “(2) GRANTEE.—The term ‘grantee’ means
10 Teach For America, Inc.

11 “(3) HIGH NEED.—The term ‘high need’, when
12 used with respect to a local educational agency,
13 means a local educational agency experiencing a
14 shortage of highly qualified teachers.

15 “(b) GRANTS AUTHORIZED.—The Secretary is au-
16 thorized to award a grant to Teach For America, Inc.,
17 the national teacher corps of outstanding recent college
18 graduates who commit to teach for 2 years in underserved
19 communities in the United States, to implement and ex-
20 pand its program of recruiting, selecting, training, and
21 supporting new teachers.

22 “(c) REQUIREMENTS.—In carrying out the grant pro-
23 gram under subsection (b), the Secretary shall enter into
24 an agreement with the grantee under which the grantee
25 agrees to use the grant funds provided under this sec-
26 tion—

1 “(1) to provide highly qualified teachers to high
2 need local educational agencies in urban and rural
3 communities;

4 “(2) to pay the cost of recruiting, selecting,
5 training, and supporting new teachers; and

6 “(3) to serve a substantial number and percent-
7 age of underserved students.

8 “(d) AUTHORIZED ACTIVITIES.—

9 “(1) IN GENERAL.—Grant funds provided
10 under this section shall be used by the grantee to
11 carry out each of the following activities:

12 “(A) Recruiting and selecting teachers
13 through a highly selective national process.

14 “(B) Providing preservice training to the
15 teachers through a rigorous summer institute
16 that includes hands-on teaching experience and
17 significant exposure to education coursework
18 and theory.

19 “(C) Placing the teachers in schools and
20 positions designated by partner local edu-
21 cational agencies as high need placements serv-
22 ing underserved students.

23 “(D) Providing ongoing professional devel-
24 opment activities for the teachers’ first 2 years
25 in the classroom, including regular classroom

1 observations and feedback, and ongoing train-
2 ing and support.

3 “(2) LIMITATION.—The grantee shall use all
4 grant funds received under this section to support
5 activities related directly to the recruitment, selec-
6 tion, training, and support of teachers as described
7 in subsection (a).

8 “(e) REPORTS AND EVALUATIONS.—

9 “(1) ANNUAL REPORT.—The grantee shall pro-
10 vide to the Secretary an annual report that in-
11 cludes—

12 “(A) data on the number and quality of
13 the teachers provided to local educational agen-
14 cies through a grant under this section;

15 “(B) an externally conducted analysis of
16 the satisfaction of local educational agencies
17 and principals with the teachers so provided;
18 and

19 “(C) comprehensive data on the back-
20 ground of the teachers chosen, the training the
21 teachers received, the placement sites of the
22 teachers, the professional development of the
23 teachers, and the retention of the teachers.

24 “(2) STUDY.—

1 “(A) IN GENERAL.—From funds appro-
2 priated under subsection (f), the Secretary shall
3 provide for a study that examines the achieve-
4 ment levels of the students taught by the teach-
5 ers assisted under this section.

6 “(B) ACHIEVEMENT GAINS COMPARED.—
7 The study shall compare, within the same
8 schools, the achievement gains made by stu-
9 dents taught by teachers who are assisted
10 under this section with the achievement gains
11 made by students taught by teachers who are
12 not assisted under this section.

13 “(3) REQUIREMENTS.—The Secretary shall
14 provide for such a study not less than once every 3
15 years, and each such study shall include multiple
16 placement sites and multiple schools within place-
17 ment sites.

18 “(4) PEER REVIEW STANDARDS.—Each such
19 study shall meet the peer review standards of the
20 education research community.

21 “(f) AUTHORIZATION OF APPROPRIATIONS.—

22 “(1) IN GENERAL.—There are authorized to be
23 appropriated to carry out this section such sums as
24 may be necessary for fiscal year 2008 and each of
25 the 5 succeeding fiscal years.

1 “(2) LIMITATION.—The grantee shall not use
2 more than 25 percent of Federal funds from any
3 source for administrative costs.

4 **“PART G—PATSY T. MINK FELLOWSHIP PROGRAM**

5 **“SEC. 841. PATSY T. MINK FELLOWSHIP PROGRAM.**

6 “(a) PURPOSE.—

7 “(1) IN GENERAL.—It is the purpose of this
8 section to provide, through eligible institutions, a
9 program of fellowship awards to assist highly quali-
10 fied minorities and women to acquire the doctoral
11 degree, or highest possible degree available, in aca-
12 demic areas in which such individuals are underrep-
13 resented for the purpose of enabling such individuals
14 to enter the higher education professoriate.

15 “(2) DESIGNATION.—Each recipient of a fellow-
16 ship award from an eligible institution receiving a
17 grant under this section shall be known as a ‘Patsy
18 T. Mink Graduate Fellow’.

19 “(b) DEFINITIONS.—In this section, the term ‘eligible
20 institution’ means an institution of higher education, or
21 a consortium of such institutions, that offers a program
22 of postbaccalaureate study leading to a graduate degree.

23 “(c) PROGRAM AUTHORIZED.—

24 “(1) GRANTS BY SECRETARY.—

1 “(A) IN GENERAL.—The Secretary shall
2 award grants to eligible institutions to enable
3 such institutions to make fellowship awards to
4 individuals in accordance with the provisions of
5 this section.

6 “(B) PRIORITY CONSIDERATION.—In
7 awarding grants under this section, the Sec-
8 retary shall consider the eligible institution’s
9 prior experience in producing doctoral degree,
10 or highest possible degree available, holders who
11 are minorities and women, and shall give pri-
12 ority consideration in making grants under this
13 section to those eligible institutions with a dem-
14 onstrated record of producing minorities and
15 women who have earned such degrees.

16 “(2) APPLICATIONS.—

17 “(A) IN GENERAL.—An eligible institution
18 that desires a grant under this section shall
19 submit an application to the Secretary at such
20 time, in such manner, and containing such in-
21 formation as the Secretary may require.

22 “(B) APPLICATIONS MADE ON BEHALF.—

23 “(i) IN GENERAL.—The following en-
24 tities may submit an application on behalf
25 of an eligible institution:

1 “(I) A graduate school or depart-
2 ment of such institution.

3 “(II) A graduate school or de-
4 partment of such institution in col-
5 laboration with an undergraduate col-
6 lege or university of such institution.

7 “(III) An organizational unit
8 within such institution that offers a
9 program of postbaccalaureate study
10 leading to a graduate degree, includ-
11 ing an interdisciplinary or an inter-
12 departmental program.

13 “(IV) A nonprofit organization
14 with a demonstrated record of helping
15 minorities and women earn
16 postbaccalaureate degrees.

17 “(ii) NONPROFIT ORGANIZATIONS.—
18 Nothing in this paragraph shall be con-
19 strued to permit the Secretary to award a
20 grant under this section to an entity other
21 than an eligible institution.

22 “(3) SELECTION OF APPLICATIONS.—In award-
23 ing grants under subsection (a), the Secretary
24 shall—

25 “(A) take into account—

1 “(i) the number and distribution of
2 minority and female faculty nationally;

3 “(ii) the current and projected need
4 for highly trained individuals in all areas
5 of the higher education professoriate; and

6 “(iii) the present and projected need
7 for highly trained individuals in academic
8 career fields in which minorities and
9 women are underrepresented in the higher
10 education professoriate; and

11 “(B) consider the need to prepare a large
12 number of minorities and women generally in
13 academic career fields of high national priority,
14 especially in areas in which such individuals are
15 traditionally underrepresented in college and
16 university faculty.

17 “(4) DISTRIBUTION AND AMOUNTS OF
18 GRANTS.—

19 “(A) EQUITABLE DISTRIBUTION.—In
20 awarding grants under this section, the Sec-
21 retary shall, to the maximum extent feasible,
22 ensure an equitable geographic distribution of
23 awards and an equitable distribution among
24 public and independent eligible institutions that
25 apply for grants under this section and that

1 demonstrate an ability to achieve the purpose of
2 this section.

3 “(B) SPECIAL RULE.—To the maximum
4 extent practicable, the Secretary shall use not
5 less than 30 percent of the amount appro-
6 priated pursuant to subsection (f) to award
7 grants to eligible institutions that—

8 “(i) are eligible for assistance under
9 title III or title V; or

10 “(ii) have formed a consortium that
11 includes both non-minority serving institu-
12 tions and minority serving institutions.

13 “(C) ALLOCATION.—In awarding grants
14 under this section, the Secretary shall allocate
15 appropriate funds to those eligible institutions
16 whose applications indicate an ability to signifi-
17 cantly increase the numbers of minorities and
18 women entering the higher education professo-
19 riate and that commit institutional resources to
20 the attainment of the purpose of this section.

21 “(D) NUMBER OF FELLOWSHIP
22 AWARDS.—An eligible institution that receives a
23 grant under this section shall make not less
24 than 15 fellowship awards.

1 “(E) REALLOTMENT.—If the Secretary de-
2 termines that an eligible institution awarded a
3 grant under this section is unable to use all of
4 the grant funds awarded to the institution, the
5 Secretary shall reallocate, on such date during
6 each fiscal year as the Secretary may fix, the
7 unused funds to other eligible institutions that
8 demonstrate that such institutions can use any
9 reallocated grant funds to make fellowship
10 awards to individuals under this section.

11 “(5) INSTITUTIONAL ALLOWANCE.—

12 “(A) IN GENERAL.—

13 “(i) NUMBER OF ALLOWANCES.—In
14 awarding grants under this section, the
15 Secretary shall pay to each eligible institu-
16 tion awarded a grant, for each individual
17 awarded a fellowship by such institution
18 under this section, an institutional allow-
19 ance.

20 “(ii) AMOUNT.—Except as provided in
21 paragraph (3), an institutional allowance
22 shall be in an amount equal to, for aca-
23 demic year 2007–2008 and succeeding aca-
24 demic years, the amount of institutional al-
25 lowance made to an institution of higher

1 education under section 715 for such aca-
2 demic year.

3 “(B) USE OF FUNDS.—Institutional allow-
4 ances may be expended in the discretion of the
5 eligible institution and may be used to provide,
6 except as prohibited under paragraph (4), aca-
7 demic support and career transition services for
8 individuals awarded fellowships by such institu-
9 tion.

10 “(C) REDUCTION.—The institutional al-
11 lowance paid under paragraph (1) shall be re-
12 duced by the amount the eligible institution
13 charges and collects from a fellowship recipient
14 for tuition and other expenses as part of the re-
15 cipient’s instructional program.

16 “(D) USE FOR OVERHEAD PROHIBITED.—
17 Funds made available under this section may
18 not be used for general operational overhead of
19 the academic department or institution receiv-
20 ing funds under this section.

21 “(d) FELLOWSHIP RECIPIENTS.—

22 “(1) AUTHORIZATION.—An eligible institution
23 that receives a grant under this section shall use the
24 grant funds to make fellowship awards to minorities
25 and women who are enrolled at such institution in

1 a doctoral degree, or highest possible degree avail-
2 able, program and—

3 “(A) intend to pursue a career in instruc-
4 tion at—

5 “(i) an institution of higher education
6 (as the term is defined in section 101);

7 “(ii) an institution of higher education
8 (as the term is defined in section
9 102(a)(1));

10 “(iii) an institution of higher edu-
11 cation outside the United States (as the
12 term is described in section 102(a)(2)); or

13 “(iv) a proprietary institution of high-
14 er education (as the term is defined in sec-
15 tion 102(b)); and

16 “(B) sign an agreement with the Secretary
17 agreeing—

18 “(i) to begin employment at an insti-
19 tution described in paragraph (1) not later
20 than 3 years after receiving the doctoral
21 degree or highest possible degree available,
22 which 3-year period may be extended by
23 the Secretary for extraordinary cir-
24 cumstances; and

1 “(ii) to be employed by such institu-
2 tion for 1 year for each year of fellowship
3 assistance received under this section.

4 “(2) FAILURE TO COMPLY.—If an individual
5 who receives a fellowship award under this section
6 fails to comply with the agreement signed pursuant
7 to subsection (a)(2), then the Secretary shall do 1
8 or both of the following:

9 “(A) Require the individual to repay all or
10 the applicable portion of the total fellowship
11 amount awarded to the individual by converting
12 the balance due to a loan at the interest rate
13 applicable to loans made under part B of title
14 IV.

15 “(B) Impose a fine or penalty in an
16 amount to be determined by the Secretary.

17 “(3) WAIVER AND MODIFICATION.—

18 “(A) REGULATIONS.—The Secretary shall
19 promulgate regulations setting forth criteria to
20 be considered in granting a waiver for the serv-
21 ice requirement under subsection (a)(2).

22 “(B) CONTENT.—The criteria under para-
23 graph (1) shall include whether compliance with
24 the service requirement by the fellowship recipi-
25 ent would be—

1 “(i) inequitable and represent an ex-
2 traordinary hardship; or

3 “(ii) deemed impossible because the
4 individual is permanently and totally dis-
5 abled at the time of the waiver request.

6 “(4) AMOUNT OF FELLOWSHIP AWARDS.—Fel-
7 lowship awards under this section shall consist of a
8 stipend in an amount equal to the level of support
9 provided to the National Science Foundation grad-
10 uate fellows, except that such stipend shall be ad-
11 justed as necessary so as not to exceed the fellow’s
12 tuition and fees or demonstrated need (as deter-
13 mined by the institution of higher education where
14 the graduate student is enrolled), whichever is great-
15 er.

16 “(5) ACADEMIC PROGRESS REQUIRED.—An in-
17 dividual student shall not be eligible to receive a fel-
18 lowship award—

19 “(A) except during periods in which such
20 student is enrolled, and such student is main-
21 taining satisfactory academic progress in, and
22 devoting essentially full time to, study or re-
23 search in the pursuit of the degree for which
24 the fellowship support was awarded; and

1 “(B) if the student is engaged in gainful
2 employment, other than part-time employment
3 in teaching, research, or similar activity deter-
4 mined by the eligible institution to be consistent
5 with and supportive of the student’s progress
6 toward the appropriate degree.

7 “(e) RULE OF CONSTRUCTION.—Nothing in this sec-
8 tion shall be construed to require an eligible institution
9 that receives a grant under this section—

10 “(1) to grant a preference or to differentially
11 treat any applicant for a faculty position as a result
12 of the institution’s participation in the program
13 under this section; or

14 “(2) to hire a Patsy T. Mink Fellow who com-
15 pletes this program and seeks employment at such
16 institution.

17 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
18 is authorized to be appropriated to carry out this section
19 such sums as may be necessary for fiscal year 2008 for
20 each of the 5 succeeding fiscal years.

1 **“PART H—IMPROVING COLLEGE ENROLLMENT**
2 **BY SECONDARY SCHOOLS**

3 **“SEC. 846. IMPROVING COLLEGE ENROLLMENT BY SEC-**
4 **ONDARY SCHOOLS.**

5 “(a) IN GENERAL.—The Secretary shall contract
6 with 1 nonprofit organization described in subsection (b)
7 to enable the nonprofit organization—

8 “(1) to make publicly available the year-to-year
9 higher education enrollment rate trends of secondary
10 school students, disaggregated by secondary school,
11 in full compliance with the Family Education Rights
12 and Privacy Act of 1974;

13 “(2) to identify not less than 50 urban local
14 educational agencies and 5 States with significant
15 rural populations, each serving a significant popu-
16 lation of low-income students, and to carry out a
17 comprehensive needs assessment in the agencies and
18 States of the factors known to contribute to im-
19 proved higher education enrollment rates, which fac-
20 tors shall include—

21 “(A) an evaluation of the local educational
22 agency’s and State’s leadership strategies;

23 “(B) the secondary school curriculum and
24 class offerings of the local educational agency
25 and State;

1 “(C) the professional development used by
2 the local educational agency and the State to
3 assist teachers, higher education counselors,
4 and administrators in supporting the transition
5 of secondary students into higher education;

6 “(D) secondary school student attendance
7 and other factors demonstrated to be associated
8 with enrollment into higher education;

9 “(E) the data systems used by the local
10 educational agency and the State to measure
11 college enrollment rates and the incentives in
12 place to motivate the efforts of faculty and stu-
13 dents to improve student and school-wide out-
14 comes; and

15 “(F) strategies to mobilize student leaders
16 to build a college-bound culture; and

17 “(3) to provide comprehensive services to im-
18 prove the school-wide higher education enrollment
19 rates of each of not less than 10 local educational
20 agencies and States, with the federally funded por-
21 tion of each project declining by not less than 20
22 percent each year beginning in the second year of
23 the comprehensive services, that—

24 “(A) participated in the needs assessment
25 described in paragraph (2); and

1 “(B) demonstrated a willingness and com-
2 mitment to improving the higher education en-
3 rollment rates of the local educational agency or
4 State, respectively.

5 “(b) GRANT RECIPIENT CRITERIA.—The recipient of
6 the grant awarded under subsection (a) shall be a non-
7 profit organization with demonstrated expertise—

8 “(1) in increasing school-wide higher education
9 enrollment rates in low-income communities nation-
10 wide by providing curriculum, training, and technical
11 assistance to secondary school staff and student peer
12 influencers; and

13 “(2) in a college transition data management
14 system.

15 “(c) AUTHORIZATION OF APPROPRIATIONS.—There
16 are authorized to be appropriated to carry out this section
17 such sums as are necessary for fiscal year 2008 and each
18 of the 5 succeeding fiscal years.

19 **“PART I—PREDOMINANTLY BLACK INSTITUTIONS**

20 **“SEC. 850. PREDOMINANTLY BLACK INSTITUTIONS.**

21 “(a) PURPOSE.—It is the purpose of this section to
22 assist Predominantly Black Institutions in expanding edu-
23 cational opportunity through a program of Federal assist-
24 ance.

25 “(b) DEFINITIONS.—In this section:

1 “(1) EDUCATIONAL AND GENERAL EXPENDI-
2 TURES.—The term ‘educational and general expendi-
3 tures’ has the meaning given the term in section
4 312.

5 “(2) ELIGIBLE INSTITUTION.—The term ‘eligi-
6 ble institution’ means an institution of higher edu-
7 cation that—

8 “(A) has an enrollment of needy under-
9 graduate students;

10 “(B) has an average educational and gen-
11 eral expenditure which is low, per full-time
12 equivalent undergraduate student in comparison
13 with the average educational and general ex-
14 penditure per full-time equivalent under-
15 graduate student of institutions that offer simi-
16 lar instruction, except that the Secretary may
17 apply the waiver requirements described in sec-
18 tion 392(b) to this subparagraph in the same
19 manner as the Secretary applies the waiver re-
20 quirements to section 312(b)(1)(B);

21 “(C) has an enrollment of undergraduate
22 students that is not less than 40 percent Black
23 American students;

24 “(D) is legally authorized to provide, and
25 provides within the State, an educational pro-

1 gram for which the institution of higher edu-
2 cation awards a baccalaureate degree, or in the
3 case of a junior or community college, an asso-
4 ciate's degree; and

5 “(E) is accredited by a nationally recog-
6 nized accrediting agency or association deter-
7 mined by the Secretary to be a reliable author-
8 ity as to the quality of training offered, or is,
9 according to such an agency or association,
10 making reasonable progress toward accredita-
11 tion.

12 “(3) ENDOWMENT FUND.—The term ‘endow-
13 ment fund’ has the meaning given the term in sec-
14 tion 312.

15 “(4) ENROLLMENT OF NEEDY STUDENTS.—
16 The term ‘enrollment of needy students’ means the
17 enrollment at an eligible institution with respect to
18 which not less than 50 percent of the undergraduate
19 students enrolled in an academic program leading to
20 a degree—

21 “(A) in the second fiscal year preceding
22 the fiscal year for which the determination is
23 made, were Federal Pell Grant recipients for
24 such year;

1 “(B) come from families that receive bene-
2 fits under a means-tested Federal benefit pro-
3 gram;

4 “(C) attended a public or nonprofit private
5 secondary school—

6 “(i) that is in the school district of a
7 local educational agency that was eligible
8 for assistance under part A of title I of the
9 Elementary and Secondary Education Act
10 of 1965 for any year during which the stu-
11 dent attended such secondary school; and

12 “(ii) which for the purpose of this
13 paragraph and for that year was deter-
14 mined by the Secretary (pursuant to regu-
15 lations and after consultation with the
16 State educational agency of the State in
17 which the school is located) to be a school
18 in which the enrollment of children counted
19 under section 1113(a)(5) of such Act ex-
20 ceeds 30 percent of the total enrollment of
21 such school; or

22 “(D) are first-generation college students
23 and a majority of such first-generation college
24 students are low-income individuals.

1 “(5) FIRST GENERATION COLLEGE STUDENT.—
2 The term ‘first generation college student’ has the
3 meaning given the term in section 402A(g).

4 “(6) LOW-INCOME INDIVIDUAL.—The term
5 ‘low-income individual’ has the meaning given such
6 term in section 402A(g).

7 “(7) MEANS-TESTED FEDERAL BENEFIT PRO-
8 GRAM.—The term ‘means-tested Federal benefit pro-
9 gram’ means a program of the Federal Government,
10 other than a program under title IV, in which eligi-
11 bility for the program’s benefits, or the amount of
12 such benefits, are determined on the basis of income
13 or resources of the individual or family seeking the
14 benefit.

15 “(8) PREDOMINANTLY BLACK INSTITUTION.—
16 The term ‘Predominantly Black Institution’ means
17 an institution of higher education, as defined in sec-
18 tion 101(a)—

19 “(A) that is an eligible institution with not
20 less than 1,000 undergraduate students;

21 “(B) at which not less than 50 percent of
22 the undergraduate students enrolled at the eli-
23 gible institution are low-income individuals or
24 first generation college students; and

1 “(C) at which not less than 50 percent of
2 the undergraduate students are enrolled in an
3 educational program leading to a bachelor’s or
4 associate’s degree that the eligible institution is
5 licensed to award by the State in which the eli-
6 gible institution is located.

7 “(9) STATE.—The term ‘State’ means each of
8 the 50 States and the District of Columbia.

9 “(c) GRANT AUTHORITY.—

10 “(1) IN GENERAL.—The Secretary is authorized
11 to award grants, from allotments under subsection
12 (e), to Predominantly Black Institutions to enable
13 the Predominantly Black Institutions to carry out
14 the authorized activities described in subsection (d).

15 “(2) PRIORITY.—In awarding grants under this
16 section the Secretary shall give priority to Predomi-
17 nantly Black Institutions with large numbers or per-
18 centages of students described in subsections
19 (b)(2)(A) or (b)(2)(C). The level of priority given to
20 Predominantly Black Institutions with large num-
21 bers or percentages of students described in sub-
22 section (b)(2)(A) shall be twice the level of priority
23 given to Predominantly Black Institutions with large
24 numbers or percentages of students described in
25 subsection (b)(2)(C).

1 “(d) AUTHORIZED ACTIVITIES.—

2 “(1) REQUIRED ACTIVITIES.—Grant funds pro-
3 vided under this section shall be used—

4 “(A) to assist the Predominantly Black In-
5 stitution to plan, develop, undertake, and imple-
6 ment programs to enhance the institution’s ca-
7 pacity to serve more low- and middle-income
8 Black American students;

9 “(B) to expand higher education opportu-
10 nities for students eligible to participate in pro-
11 grams under title IV by encouraging college
12 preparation and student persistence in sec-
13 ondary school and postsecondary education; and

14 “(C) to strengthen the financial ability of
15 the Predominantly Black Institution to serve
16 the academic needs of the students described in
17 subparagraphs (A) and (B).

18 “(2) ADDITIONAL ACTIVITIES.—Grant funds
19 provided under this section shall be used for 1 or
20 more of the following activities:

21 “(A) The activities described in paragraphs
22 (1) through (11) of section 311(c).

23 “(B) Academic instruction in disciplines in
24 which Black Americans are underrepresented.

1 “(C) Establishing or enhancing a program
2 of teacher education designed to qualify stu-
3 dents to teach in a public elementary school or
4 secondary school in the State that shall include,
5 as part of such program, preparation for teach-
6 er certification or licensure.

7 “(D) Establishing community outreach
8 programs that will encourage elementary school
9 and secondary school students to develop the
10 academic skills and the interest to pursue post-
11 secondary education.

12 “(E) Other activities proposed in the appli-
13 cation submitted pursuant to subsection (f)
14 that—

15 “(i) contribute to carrying out the
16 purpose of this section; and

17 “(ii) are approved by the Secretary as
18 part of the review and approval of an ap-
19 plication submitted under subsection (f).

20 “(3) ENDOWMENT FUND.—

21 “(A) IN GENERAL.—A Predominantly
22 Black Institution may use not more than 20
23 percent of the grant funds provided under this
24 section to establish or increase an endowment
25 fund at the institution.

1 “(B) MATCHING REQUIREMENT.—In order
2 to be eligible to use grant funds in accordance
3 with subparagraph (A), a Predominantly Black
4 Institution shall provide matching funds from
5 non-Federal sources, in an amount equal to or
6 greater than the Federal funds used in accord-
7 ance with subparagraph (A), for the establish-
8 ment or increase of the endowment fund.

9 “(C) COMPARABILITY.—The provisions of
10 part C of title III, regarding the establishment
11 or increase of an endowment fund, that the
12 Secretary determines are not inconsistent with
13 this subsection, shall apply to funds used under
14 subparagraph (A).

15 “(4) LIMITATION.—Not more than 50 percent
16 of the grant funds provided to a Predominantly
17 Black Institution under this section may be available
18 for the purpose of constructing or maintaining a
19 classroom, library, laboratory, or other instructional
20 facility.

21 “(e) ALLOTMENTS TO PREDOMINANTLY BLACK IN-
22 STITUTIONS.—

23 “(1) FEDERAL PELL GRANT BASIS.—From the
24 amounts appropriated to carry out this section for
25 any fiscal year, the Secretary shall allot to each Pre-

1 dominantly Black Institution having an application
2 approved under subsection (f) a sum that bears the
3 same ratio to one-half of that amount as the number
4 of Federal Pell Grant recipients in attendance at
5 such institution at the end of the academic year pre-
6 ceding the beginning of that fiscal year, bears to the
7 total number of Federal Pell Grant recipients at all
8 such institutions at the end of such academic year.

9 “(2) GRADUATES BASIS.—From the amounts
10 appropriated to carry out this section for any fiscal
11 year, the Secretary shall allot to each Predominantly
12 Black Institution having an application approved
13 under subsection (f) a sum that bears the same ratio
14 to one-fourth of that amount as the number of grad-
15 uates for such academic year at such institution,
16 bears to the total number of graduates for such aca-
17 demic year at all such institutions.

18 “(3) GRADUATES SEEKING A HIGHER DEGREE
19 BASIS.—From the amounts appropriated to carry
20 out this section for any fiscal year, the Secretary
21 shall allot to each Predominantly Black Institution
22 having an application approved under subsection (f)
23 a sum that bears the same ratio to one-fourth of
24 that amount as the percentage of graduates from
25 such institution who are admitted to and in attend-

1 ance at, not later than 2 years after graduation with
2 an associate's degree or a baccalaureate degree, a
3 baccalaureate degree-granting institution or a grad-
4 uate or professional school in a degree program in
5 disciplines in which Black American students are
6 underrepresented, bears to the percentage of such
7 graduates for all such institutions.

8 “(4) MINIMUM ALLOTMENT.—

9 “(A) IN GENERAL.—Notwithstanding
10 paragraphs (1), (2), and (3), the amount allot-
11 ted to each Predominantly Black Institution
12 under this section shall not be less than
13 \$250,000.

14 “(B) INSUFFICIENT AMOUNT.—If the
15 amount appropriated pursuant to subsection (i)
16 for a fiscal year is not sufficient to pay the min-
17 imum allotment provided under subparagraph
18 (A) for the fiscal year, then the amount of such
19 minimum allotment shall be ratably reduced. If
20 additional sums become available for such fiscal
21 year, such reduced allotment shall be increased
22 on the same basis as the allotment was reduced
23 until the amount allotted equals the minimum
24 allotment required under subparagraph (A).

1 “(5) REALLOTMENT.—The amount of a Pre-
2 dominantly Black Institution’s allotment under para-
3 graph (1), (2), (3), or (4) for any fiscal year that
4 the Secretary determines will not be required for
5 such institution for the period such allotment is
6 available, shall be available for reallocation to other
7 Predominantly Black Institutions in proportion to
8 the original allotment to such other institutions
9 under this section for such fiscal year. The Secretary
10 shall reallocate such amounts from time to time, on
11 such date and during such period as the Secretary
12 determines appropriate.

13 “(f) APPLICATIONS.—Each Predominantly Black In-
14 stitution desiring a grant under this section shall submit
15 an application to the Secretary at such time, in such man-
16 ner, and containing or accompanied by such information
17 as the Secretary may reasonably require.

18 “(g) PROHIBITION.—No Predominantly Black Insti-
19 tution that applies for and receives a grant under this sec-
20 tion may apply for or receive funds under any other pro-
21 gram under part A or part B of title III.

22 “(h) DURATION AND CARRYOVER.—Any grant funds
23 paid to a Predominantly Black Institution under this sec-
24 tion that are not expended or used for the purposes for
25 which the funds were paid within 10 years following the

1 date on which the grant was awarded, shall be repaid to
2 the Treasury.

3 “(i) AUTHORIZATION OF APPROPRIATIONS.—There
4 are authorized to be appropriated to carry out this section
5 such sums as may be necessary for fiscal year 2008 and
6 each of 5 succeeding fiscal years.

7 **“PART J—EARLY CHILDHOOD EDUCATION PRO-**
8 **FESSIONAL DEVELOPMENT AND CAREER**
9 **TASK FORCE**

10 **“SEC. 851. SHORT TITLE.**

11 “This part may be cited as the ‘Early Childhood Edu-
12 cation Professional Development and Career Task Force
13 Act’.

14 **“SEC. 852. PURPOSE.**

15 “It is the purpose of this part—

16 “(1) to improve the quality of the early child-
17 hood education workforce by creating a statewide
18 early childhood education professional development
19 and career task force for early childhood education
20 program staff, directors, and administrators; and

21 “(2) to create—

22 “(A) a coherent system of core com-
23 petencies, pathways to qualifications, creden-
24 tials, degrees, quality assurances, access, and
25 outreach, for early childhood education program

1 staff, directors, and administrators, that is
2 linked to compensation commensurate with ex-
3 perience and qualifications;

4 “(B) articulation agreements that enable
5 early childhood education professionals to tran-
6 sition easily among degrees; and

7 “(C) compensation initiatives for individ-
8 uals working in an early childhood education
9 program that reflect the individuals’ credentials,
10 degrees, and experience.

11 **“SEC. 853. DEFINITION OF EARLY CHILDHOOD EDUCATION**

12 **PROGRAM.**

13 “In this part, the term ‘early childhood education
14 program’ means—

15 “(1) a family child care program, center-based
16 child care program, State prekindergarten program,
17 or school-based program, that—

18 “(A) provides early childhood education;

19 “(B) uses developmentally appropriate
20 practices;

21 “(C) is licensed or regulated by the State;
22 and

23 “(D) serves children from birth through
24 age 5;

1 “(2) a Head Start Program carried out under
2 the Head Start Act; or

3 “(3) an Early Head Start Program carried out
4 under section 645A of the Head Start Act.

5 **“SEC. 854. GRANTS AUTHORIZED.**

6 “(a) IN GENERAL.—The Secretary is authorized to
7 award grants to States in accordance with the provisions
8 of this part to enable such States—

9 “(1) to establish a State Task Force described
10 in section 855; and

11 “(2) to support activities of the State Task
12 Force described in section 856.

13 “(b) COMPETITIVE BASIS.—Grants under this part
14 shall be awarded on a competitive basis.

15 “(c) EQUITABLE GEOGRAPHIC DISTRIBUTION.—In
16 awarding grants under this part, the Secretary shall take
17 into consideration providing an equitable geographic dis-
18 tribution of such grants.

19 “(d) DURATION.—Grants under this part shall be
20 awarded for a period of 5 years.

21 **“SEC. 855. STATE TASK FORCE ESTABLISHMENT.**

22 “(a) STATE TASK FORCE ESTABLISHED.—The Gov-
23 ernor of a State receiving a grant under this part shall
24 establish, or designate an existing entity to serve as, the
25 State Early Childhood Education Professional Develop-

1 ment and Career Task Force (hereafter in this part re-
2 ferred to as the ‘State Task Force’).

3 “(b) MEMBERSHIP.—The State Task Force shall in-
4 clude a representative of a State agency, an institution
5 of higher education (including an associate or a baccalaureate
6 degree granting institution of higher education),
7 an early childhood education program, a nonprofit early
8 childhood organization, a statewide early childhood work-
9 force scholarship or supplemental initiative, and any other
10 entity or individual the Governor determines appropriate.

11 **“SEC. 856. STATE TASK FORCE ACTIVITIES.**

12 “(a) ACTIVITIES.—The State Task Force shall—

13 “(1) coordinate and communicate regularly with
14 the State Advisory Council on Early Care and Edu-
15 cation (hereafter in this part referred to as ‘State
16 Advisory Council’) or a similar State entity charged
17 with creating a comprehensive system of early care
18 and education in the State, for the purposes of—

19 “(A) integrating recommendations for
20 early childhood professional development and
21 career activities into the plans of the State Ad-
22 visory Council; and

23 “(B) assisting in the implementation of
24 professional development and career activities

1 that are consistent with the plans described in
2 subparagraph (A);

3 “(2) conduct a review of opportunities for and
4 barriers to high quality professional development,
5 training, and higher education degree programs, in
6 early childhood development and learning, including
7 a periodic statewide survey concerning the demo-
8 graphics of individuals working in early childhood
9 education programs in the State, which survey shall
10 include information disaggregated by—

11 “(A) race, gender, and ethnicity;

12 “(B) compensation levels;

13 “(C) type of early childhood education pro-
14 gram setting;

15 “(D) specialized knowledge of child devel-
16 opment;

17 “(E) years of experience in an early child-
18 hood education program; and

19 “(F) attainment of—

20 “(i) academic credit for coursework;

21 “(ii) an academic degree;

22 “(iii) a credential;

23 “(iv) licensure; or

24 “(v) certification in early childhood
25 education; and

1 “(3) develop a plan for a comprehensive state-
2 wide professional development and career system for
3 individuals working in early childhood education pro-
4 grams or for early childhood education providers,
5 which plan shall include—

6 “(A) methods of providing outreach to
7 early childhood education program staff, direc-
8 tors, and administrators, including methods for
9 how outreach is provided to non-English speak-
10 ing providers, in order to enable the providers
11 to be aware of opportunities and resources
12 under the statewide plan;

13 “(B) developing a unified data collection
14 and dissemination system for early childhood
15 education training, professional development,
16 and higher education programs;

17 “(C) increasing the participation of early
18 childhood educators in high quality training and
19 professional development by assisting in paying
20 the costs of enrollment in and completion of
21 such training and professional development
22 courses;

23 “(D) increasing the participation of early
24 childhood educators in postsecondary education
25 programs leading to degrees in early childhood

1 education by providing assistance to pay the
2 costs of enrollment in and completion of such
3 postsecondary education programs, which as-
4 sistance—

5 “(i) shall only be provided to an indi-
6 vidual who—

7 “(I) enters into an agreement
8 under which the individual agrees to
9 work, for a reasonable number of
10 years after receiving such a degree, in
11 an early childhood education program
12 that is located in a low-income area;
13 and

14 “(II) has a family income equal
15 to or less than the annually adjusted
16 national median family income as de-
17 termined by the Bureau of the Cen-
18 sus; and

19 “(ii) shall be provided in an amount
20 that does not exceed \$17,500;

21 “(E) supporting professional development
22 activities and a career lattice for a variety of
23 early childhood professional roles with varying
24 professional qualifications and responsibilities
25 for early childhood education personnel, includ-

1 ing strategies to enhance the compensation of
2 such personnel;

3 “(F) supporting articulation agreements
4 between 2- and 4-year public and private insti-
5 tutions of higher education and mechanisms to
6 transform other training, professional develop-
7 ment, and experience into academic credit;

8 “(G) developing mentoring and coaching
9 programs to support new educators in and di-
10 rectors of early childhood education programs;

11 “(H) providing career development advis-
12 ing with respect to the field of early childhood
13 education, including informing an individual re-
14 garding—

15 “(i) entry into and continuing edu-
16 cation requirements for professional roles
17 in the field;

18 “(ii) available financial assistance;
19 and

20 “(iii) professional development and ca-
21 reer advancement in the field;

22 “(I) enhancing the quality of faculty and
23 coursework in postsecondary programs that lead
24 to an associate, baccalaureate, or graduate de-
25 gree in early childhood education;

1 “(J) consideration of the availability of on-
2 line graduate level professional development of-
3 fered by institutions of higher education with
4 experience and demonstrated expertise in estab-
5 lishing programs in child development, in order
6 to improve the skills and expertise of individ-
7 uals working in early childhood education pro-
8 grams; and

9 “(K) developing or enhancing a system of
10 quality assurance with respect to the early
11 childhood education professional development
12 and career system, including standards or quali-
13 fications for individuals and entities who offer
14 training and professional development in early
15 childhood education.

16 “(b) PUBLIC HEARINGS.—The State Task Force
17 shall hold public hearings and provide an opportunity for
18 public comment on the activities described in the statewide
19 plan described in subsection (a)(3).

20 “(c) PERIODIC REVIEW.—The State Task Force shall
21 meet periodically to review implementation of the state-
22 wide plan and to recommend any changes to the statewide
23 plan the State Task Force determines necessary.

1 **“SEC. 857. STATE APPLICATION AND REPORT.**

2 “(a) IN GENERAL.—Each State desiring a grant
3 under this part shall submit an application to the Sec-
4 retary at such time, in such manner, and accompanied by
5 such information as the Secretary may reasonably require.

6 Each such application shall include a description of—

7 “(1) the membership of the State Task Force;

8 “(2) the activities for which the grant assist-
9 ance will be used;

10 “(3) other Federal, State, local, and private re-
11 sources that will be available to support the activi-
12 ties of the State Task Force described in section
13 856;

14 “(4) the availability within the State of train-
15 ing, early childhood educator preparation, profes-
16 sional development, compensation initiatives, and ca-
17 reer systems, related to early childhood education;
18 and

19 “(5) the resources available within the State for
20 such training, educator preparation, professional de-
21 velopment, compensation initiatives, and career sys-
22 tems.

23 “(b) REPORT TO THE SECRETARY.—Not later than
24 2 years after receiving a grant under this part, a State
25 shall submit a report to the Secretary that shall describe—

1 “(1) other Federal, State, local, and private re-
2 sources that will be used in combination with a
3 grant under this section to develop or expand the
4 State’s early childhood education professional devel-
5 opment and career activities;

6 “(2) the ways in which the State Advisory
7 Council (or similar State entity) will coordinate the
8 various State and local activities that support the
9 early childhood education professional development
10 and career system; and

11 “(3) the ways in which the State Task Force
12 will use funds provided under this part and carry
13 out the activities described in section 856.

14 **“SEC. 858. EVALUATIONS.**

15 “(a) STATE EVALUATION.—Each State receiving a
16 grant under this part shall—

17 “(1) evaluate the activities that are assisted
18 under this part in order to determine—

19 “(A) the effectiveness of the activities in
20 achieving State goals;

21 “(B) the impact of a career lattice for indi-
22 viduals working in early childhood education
23 programs;

1 “(C) the impact of the activities on licens-
2 ing or regulating requirements for individuals
3 in the field of early childhood development;

4 “(D) the impact of the activities, and the
5 impact of the statewide plan described in sec-
6 tion 856(a)(3), on the quality of education, pro-
7 fessional development, and training related to
8 early childhood education programs that are of-
9 fered in the State;

10 “(E) the change in compensation and re-
11 tention of individuals working in early childhood
12 education programs within the State resulting
13 from the activities; and

14 “(F) the impact of the activities on the de-
15 mographic characteristics of individuals working
16 in early childhood education programs; and

17 “(2) submit a report at the end of the grant pe-
18 riod to the Secretary regarding the evaluation de-
19 scribed in paragraph (1).

20 “(b) SECRETARY’S EVALUATION.—Not later than
21 September 30, 2013, the Secretary, in consultation with
22 the Secretary of Health and Human Services, shall pre-
23 pare and submit to the authorizing committees an evalua-
24 tion of the State reports submitted under subsection
25 (a)(2).

1 **“SEC. 859. 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 **“PART K—IMPROVING SCIENCE, TECHNOLOGY,
6 ENGINEERING, AND MATHEMATICS EDU-
7 CATION WITH A FOCUS ON ALASKA NATIVE
8 AND NATIVE HAWAIIAN STUDENTS**

9 **“SEC. 861. IMPROVING SCIENCE, TECHNOLOGY, ENGINEER-
10 ING, AND MATHEMATICS EDUCATION WITH A
11 FOCUS ON ALASKA NATIVE AND NATIVE HA-
12 WAIIAN STUDENTS.**

13 “(a) PURPOSE.—The purpose of this section is—

14 “(1) to develop or expand programs for the de-
15 velopment of professionals in the fields of science,
16 technology, engineering, and mathematics; and

17 “(2) to focus resources on meeting the edu-
18 cational and cultural needs of Alaska Natives and
19 Native Hawaiians.

20 “(b) DEFINITIONS.—In this section:

21 “(1) ALASKA NATIVE.—The term ‘Alaska Na-
22 tive’ has the meaning given the term ‘Native’ in sec-
23 tion 3(b) of the Alaska Natives Claims Settlement
24 Act (43 U.S.C. 1602(b)).

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

4 “(3) ELIGIBLE PARTNERSHIP.—The term ‘eligi-
5 ble partnership’ means a partnership that includes—

6 “(A) 1 or more colleges or schools of engi-
7 neering;

8 “(B) 1 or more colleges of science, engi-
9 neering, or mathematics;

10 “(C) 1 or more institutions of higher edu-
11 cation that offer 2-year degrees; and

12 “(D) 1 or more private entities that—

13 “(i) conduct career awareness activi-
14 ties showcasing local technology profes-
15 sionals;

16 “(ii) encourage students to pursue
17 education in science, technology, engineer-
18 ing, and mathematics from elementary
19 school through college, and careers in
20 those fields, with the assistance of local
21 technology professionals;

22 “(iii) develop internships, apprentice-
23 ships, and mentoring programs in partner-
24 ship with relevant industries; and

1 “(iv) assist with placement of interns
2 and apprentices.

3 “(4) NATIVE HAWAIIAN.—The term ‘Native
4 Hawaiian’ has the meaning given the term in section
5 7207 of the Elementary and Secondary Education
6 Act of 1965.

7 “(c) GRANT AUTHORIZED.—The Secretary is author-
8 ized to award a grant to an eligible partnership to enable
9 the eligible partnership to expand programs for the devel-
10 opment of science, technology, engineering, or mathe-
11 matics professionals, from elementary school through col-
12 lege, including existing programs for Alaska Native and
13 Native Hawaiian students.

14 “(d) USES OF FUNDS.—Grant funds under this sec-
15 tion shall be used for 1 or more of the following:

16 “(1) Development or implementation of cul-
17 tural, social, or educational transition programs to
18 assist students to transition into college life and aca-
19 demics in order to increase such students’ retention
20 rates in the fields of science, technology, engineer-
21 ing, or mathematics, with a focus on Alaska Native
22 or Native Hawaiian students.

23 “(2) Development or implementation of aca-
24 demic support or supplemental educational programs
25 to increase the graduation rates of students in the

1 fields of science, technology, engineering, or mathe-
2 matics, with a focus on Alaska Native and Native
3 Hawaiian students.

4 “(3) Development or implementation of intern-
5 ship programs, carried out in coordination with edu-
6 cational institutions and private entities, to prepare
7 students for careers in the fields of science, tech-
8 nology, engineering, or mathematics, with a focus on
9 programs that serve Alaska Native or Native Hawai-
10 ian students.

11 “(4) Such other activities that are consistent
12 with the purposes of this section.

13 “(e) APPLICATION.—Each eligible partnership that
14 desires a grant under this section shall submit an applica-
15 tion to the Secretary at such time, in such manner, and
16 containing such information as the Secretary may require.

17 “(f) PRIORITY.—In awarding grants under this sec-
18 tion, the Secretary shall give priority to an eligible part-
19 nership that provides 1 or more programs in which 30 per-
20 cent or more of the program participants are Alaska Na-
21 tive or Native Hawaiian.

22 “(g) PERIOD OF GRANT.—A grant under this section
23 shall be awarded for a period of 5 years.

24 “(h) EVALUATION AND REPORT.—Each eligible part-
25 nership that receives a grant under this section shall con-

1 duct an evaluation to determine the effectiveness of the
2 programs funded under the grant and shall provide a re-
3 port regarding the evaluation to the Secretary not later
4 than 6 months after the end of the grant period.

5 “(i) AUTHORIZATION OF APPROPRIATIONS.—There
6 are authorized to be appropriated to carry out this section
7 such sums as may be necessary for fiscal year 2008 and
8 each of the 5 succeeding fiscal years.

9 **“PART L—PILOT PROGRAM TO INCREASE**
10 **PERSISTENCE IN COMMUNITY COLLEGES**
11 **“SEC. 865. PILOT PROGRAM TO INCREASE PERSISTENCE IN**
12 **COMMUNITY COLLEGES.**

13 “(a) DEFINITIONS.—In this section:

14 “(1) INSTITUTION OF HIGHER EDUCATION.—
15 Except as otherwise provided in this section, the
16 term ‘institution of higher education’ means an in-
17 stitution of higher education, as defined in section
18 101, that provides a 1- or 2-year program of study
19 leading to a degree or certificate.

20 “(2) ELIGIBLE STUDENT.—The term ‘eligible
21 student’ means a student who—

22 “(A) meets the requirements of section
23 484(a);

24 “(B) is enrolled at least half time;

1 “(C) is not younger than age 19 and not
2 older than age 33;

3 “(D) is the parent of at least 1 dependent
4 child, which dependent child is age 18 or
5 younger;

6 “(E) has a family income below 200 per-
7 cent of the poverty line;

8 “(F) has a secondary school diploma or its
9 recognized equivalent, and earned a passing
10 score on a college entrance examination; and

11 “(G) does not have a degree or occupa-
12 tional certificate from an institution of higher
13 education, as defined in section 101 or 102(a).

14 “(b) PROGRAM AUTHORIZED.—The Secretary is au-
15 thorized to award grants, on a competitive basis, to insti-
16 tutions of higher education to enable the institutions of
17 higher education to provide additional monetary and non-
18 monetary support to eligible students to enable the eligible
19 students to maintain enrollment and complete degree or
20 certificate programs.

21 “(c) USES OF FUNDS.—

22 “(1) REQUIRED USES.—Each institution of
23 higher education receiving a grant under this section
24 shall use the grant funds—

1 “(A) to provide scholarships in accordance
2 with subsection (d); and

3 “(B) to provide counseling services in ac-
4 cordance with subsection (e).

5 “(2) ALLOWABLE USES OF FUNDS.—Grant
6 funds provided under this section may be used—

7 “(A) to conduct outreach to make students
8 aware of the scholarships and counseling serv-
9 ices available under this section and to encour-
10 age the students to participate in the program
11 assisted under this section;

12 “(B) to provide gifts of \$20 or less, such
13 as a store gift card, to applicants who complete
14 the process of applying for assistance under this
15 section, as an incentive and as compensation for
16 the student’s time; and

17 “(C) to evaluate the success of the pro-
18 gram.

19 “(d) SCHOLARSHIP REQUIREMENTS.—

20 “(1) IN GENERAL.—Each scholarship awarded
21 under this section shall—

22 “(A) be awarded for 1 academic year;

23 “(B) be awarded in the amount of \$1,000
24 for each of 2 semesters (prorated for quarters),
25 or \$2,000 for an academic year;

1 “(C) require the student to maintain dur-
2 ing the scholarship period at least half-time en-
3 rollment and a 2.0 or C grade point average;
4 and

5 “(D) be paid in increments of—

6 “(i) \$250 upon enrollment (prorated
7 for quarters);

8 “(ii) \$250 upon passing midterm ex-
9 aminations (prorated for quarters); and

10 “(iii) \$500 upon passing courses (pro-
11 rated for quarters).

12 “(2) NUMBER.—An institution may award an
13 eligible student not more than 2 scholarships under
14 this section.

15 “(e) COUNSELING SERVICES.—

16 “(1) IN GENERAL.—Each institution of higher
17 education receiving a grant under this section shall
18 use the grant funds to provide students at the insti-
19 tution with a counseling staff dedicated to students
20 participating in the program under this section.
21 Each such counselor shall—

22 “(A) have a caseload of less than 125 stu-
23 dents;

24 “(B) use a proactive, team-oriented ap-
25 proach to counseling;

1 “(C) hold a minimum of 2 meetings with
2 students each semester; and

3 “(D) provide referrals to and follow-up
4 with other student services staff, including fi-
5 nancial and career services.

6 “(2) COUNSELING SERVICES AVAILABILITY.—
7 The counseling services provided under this section
8 shall be available to participating students during
9 the daytime and evening hours.

10 “(f) APPLICATION.—An institution of higher edu-
11 cation that desires to receive a grant under this section
12 shall submit an application to the Secretary at such time,
13 in such manner, and containing such information as the
14 Secretary may require, including—

15 “(1) the number of students to be served under
16 this section;

17 “(2) a description of the scholarships and coun-
18 seling services that will be provided under this sec-
19 tion; and

20 “(3) a description of how the program under
21 this section will be evaluated.

22 “(g) PERIOD OF GRANT.—The Secretary may award
23 a grant under this section for a period of 5 years.

24 “(h) EVALUATION.—

1 “(1) IN GENERAL.—Each institution of higher
2 education receiving a grant under this section shall
3 conduct an annual evaluation of the impact of the
4 grant and shall provide the evaluation to the Sec-
5 retary. The Secretary shall disseminate to the public
6 the findings, information on best practices, and les-
7 sons learned, with respect to the evaluations.

8 “(2) RANDOM ASSIGNMENT RESEARCH DE-
9 SIGN.—The evaluation shall be conducted using a
10 random assignment research design with the fol-
11 lowing requirements:

12 “(A) When students are recruited for the
13 program, all students will be told about the pro-
14 gram and the evaluation.

15 “(B) Baseline data will be collected from
16 all applicants for assistance under this section.

17 “(C) Students will be assigned randomly to
18 2 groups, which will consist of—

19 “(i) a program group that will receive
20 the scholarship and the additional coun-
21 seling services; and

22 “(ii) a control group that will receive
23 whatever regular financial aid and coun-
24 seling services are available to all students
25 at the institution of higher education.

1 “(3) PREVIOUS COHORTS.—In conducting the
2 evaluation for the second and third years of the pro-
3 gram, each institution of higher education shall in-
4 clude information on previous cohorts of students as
5 well as students in the current program year.

6 “(i) 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 **“PART M—STUDENT SAFETY AND CAMPUS**

11 **EMERGENCY MANAGEMENT**

12 **“SEC. 871. STUDENT SAFETY AND CAMPUS EMERGENCY**
13 **MANAGEMENT.**

14 “(a) GRANTS AUTHORIZED.—

15 “(1) IN GENERAL.—The Secretary is authorized
16 to award grants, on a competitive basis, to institu-
17 tions of higher education or consortia of institutions
18 of higher education to enable institutions of higher
19 education or consortia to pay the Federal share of
20 the cost of carrying out the authorized activities de-
21 scribed in subsection (c).

22 “(2) CONSULTATION WITH THE ATTORNEY
23 GENERAL AND THE SECRETARY OF HOMELAND SE-
24 curity.—Where appropriate, the Secretary shall
25 award grants under this section in consultation with

1 the Attorney General of the United States and the
2 Secretary of Homeland Security.

3 “(3) DURATION.—The Secretary shall award
4 each grant under this section for a period of 2 years.

5 “(4) LIMITATION ON INSTITUTIONS AND CON-
6 SORTIA.—An institution of higher education or con-
7 sortium shall be eligible for only 1 grant under this
8 section.

9 “(b) FEDERAL SHARE; NON-FEDERAL SHARE.—

10 “(1) IN GENERAL.—The Federal share shall be
11 50 percent.

12 “(2) NON-FEDERAL SHARE.—The institution of
13 higher education or consortium shall provide the
14 non-Federal share, which may be provided from
15 other Federal, State, and local resources dedicated
16 to emergency preparedness and response.

17 “(c) AUTHORIZED ACTIVITIES.—Each institution of
18 higher education or consortium receiving a grant under
19 this section may use the grant funds to carry out 1 or
20 more of the following:

21 “(1) Developing and implementing a state-of-
22 the-art emergency communications system for each
23 campus of an institution of higher education or con-
24 sortium, in order to contact students via cellular,
25 text message, or other state-of-the-art communica-

1 tions methods when a significant emergency or dan-
2 gerous situation occurs. An institution or consortium
3 using grant funds to carry out this paragraph shall
4 also, in coordination with the appropriate State and
5 local emergency management authorities—

6 “(A) develop procedures that students, em-
7 ployees, and others on a campus of an institu-
8 tion of higher education or consortium will be
9 directed to follow in the event of a significant
10 emergency or dangerous situation; and

11 “(B) develop procedures the institution of
12 higher education or consortium shall follow to
13 inform, within a reasonable and timely manner,
14 students, employees, and others on a campus in
15 the event of a significant emergency or dan-
16 gerous situation, which procedures shall include
17 the emergency communications system de-
18 scribed in this paragraph.

19 “(2) Supporting measures to improve safety at
20 the institution of higher education or consortium,
21 such as—

22 “(A) security assessments;

23 “(B) security training of personnel and
24 students at the institution of higher education
25 or consortium;

1 “(C) where appropriate, coordination of
2 campus preparedness and response efforts with
3 local law enforcement, local emergency manage-
4 ment authorities, and other agencies, to im-
5 prove coordinated responses in emergencies
6 among such entities; and

7 “(D) establishing a hotline that allows a
8 student or staff member at an institution or
9 consortium to report another student or staff
10 member at the institution or consortium who
11 the reporting student or staff member believes
12 may be a danger to the reported student or
13 staff member or to others.

14 “(3) Coordinating with appropriate local enti-
15 ties the provision of, mental health services for stu-
16 dents enrolled in the institution of higher education
17 or consortium, including mental health crisis re-
18 sponse and intervention services, to individuals af-
19 fected by a campus or community emergency.

20 “(d) APPLICATION.—Each institution of higher edu-
21 cation or consortium desiring a grant under this section
22 shall submit an application to the Secretary at such time,
23 in such manner, and containing such information as the
24 Secretary may require.

1 “(e) TECHNICAL ASSISTANCE.—The Secretary shall
2 coordinate technical assistance provided by State and local
3 emergency management agencies, the Department of
4 Homeland Security, and other agencies as appropriate, to
5 institutions of higher education or consortia that request
6 assistance in developing and implementing the activities
7 assisted under this section.

8 “(f) RULE OF CONSTRUCTION.—Nothing in this sec-
9 tion shall be construed—

10 “(1) to provide a private right of action to any
11 person to enforce any provision of this section;

12 “(2) to create a cause of action against any in-
13 stitution of higher education or any employee of the
14 institution for any civil liability; or

15 “(3) to affect the Family Educational Rights
16 and Privacy Act of 1974 or the regulations issued
17 under section 264 of the Health Insurance Port-
18 ability and Accountability Act of 1996 (42 U.S.C.
19 1320d–2 note).

20 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
21 are authorized to be appropriated to carry out this section
22 such sums as may be necessary for fiscal year 2008 and
23 each of the 5 succeeding fiscal years.

1 **“SEC. 872. MODEL EMERGENCY RESPONSE POLICIES, PRO-**
 2 **CEDURES, AND PRACTICES.**

3 “The Secretary of Education, the Attorney General
 4 of the United States, and the Secretary of Homeland Se-
 5 curity shall jointly have the authority—

6 “(1) to advise institutions of higher education
 7 on model emergency response policies, procedures,
 8 and practices; and

9 “(2) to disseminate information concerning
 10 those policies, procedures, and practices.”.

11 **SEC. 802. ADDITIONAL PROGRAMS.**

12 Title VIII (as added by section 801) is further
 13 amended by adding at the end the following:

14 **“PART N—SCHOOL OF VETERINARY MEDICINE**
 15 **COMPETITIVE GRANT PROGRAM**

16 **“SEC. 876. SCHOOL OF VETERINARY MEDICINE COMPETI-**
 17 **TIVE GRANT PROGRAM.**

18 “(a) IN GENERAL.—The Secretary of Health and
 19 Human Services (referred to in this section as the ‘Sec-
 20 retary’) shall award competitive grants to eligible entities
 21 for the purpose of improving public health preparedness
 22 through increasing the number of veterinarians in the
 23 workforce.

24 “(b) ELIGIBLE ENTITIES.—To be eligible to receive
 25 a grant under subsection (a), an entity shall—

26 “(1) be—

1 “(A) a public or other nonprofit school of
2 veterinary medicine that is accredited by a na-
3 tionally recognized accrediting agency or asso-
4 ciation recognized by the Secretary of Edu-
5 cation pursuant to part H of title IV;

6 “(B) a public or nonprofit, department of
7 comparative medicine, department of veterinary
8 science, school of public health, or school of
9 medicine that is accredited by a nationally rec-
10 ognized accrediting agency or association recog-
11 nized by the Secretary of Education pursuant
12 to part H of title IV and that offers graduate
13 training for veterinarians in a public health
14 practice area as determined by the Secretary; or

15 “(C) a public or nonprofit entity that—

16 “(i) conducts recognized residency
17 training programs for veterinarians that
18 are approved by a veterinary specialty or-
19 ganization that is recognized by the Amer-
20 ican Veterinary Medical Association; and

21 “(ii) offers postgraduate training for
22 veterinarians in a public health practice
23 area as determined by the Secretary; and

24 “(2) prepare and submit to the Secretary an
25 application, at such time, in such manner, and con-

1 taining such information as the Secretary may re-
2 quire.

3 “(c) CONSIDERATION OF APPLICATIONS.—The Sec-
4 retary shall establish procedures to ensure that applica-
5 tions under subsection (b)(2) are rigorously reviewed and
6 that grants are competitively awarded based on—

7 “(1) the ability of the applicant to increase the
8 number of veterinarians who are trained in specified
9 public health practice areas as determined by the
10 Secretary;

11 “(2) the ability of the applicant to increase ca-
12 pacity in research on high priority disease agents; or

13 “(3) any other consideration the Secretary de-
14 termines necessary.

15 “(d) PREFERENCE.—In awarding grants under sub-
16 section (a), the Secretary shall give preference to appli-
17 cants that demonstrate a comprehensive approach by in-
18 volving more than one school of veterinary medicine, de-
19 partment of comparative medicine, department of veteri-
20 nary science, school of public health, school of medicine,
21 or residency training program that offers postgraduate
22 training for veterinarians in a public health practice area
23 as determined by the Secretary.

24 “(e) USE OF FUNDS.—Amounts received under a
25 grant under this section shall be used by a grantee to in-

1 crease the number of veterinarians in the workforce
2 through paying costs associated with the expansion of aca-
3 demic programs at schools of veterinary medicine, depart-
4 ments of comparative medicine, departments of veterinary
5 science, or entities offering residency training programs,
6 or academic programs that offer postgraduate training for
7 veterinarians or concurrent training for veterinary stu-
8 dents in specific areas of specialization, which costs may
9 include minor renovation and improvement in classrooms,
10 libraries, and laboratories.

11 “(f) DEFINITION OF PUBLIC HEALTH PRACTICE.—
12 In this section, the term ‘public health practice’ includes
13 bioterrorism and emergency preparedness, environmental
14 health, food safety and food security, regulatory medicine,
15 diagnostic laboratory medicine, and biomedical research.

16 “(g) 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. Amounts appro-
20 priated under this subsection shall remain available until
21 expended.

1 **“PART O—EARLY FEDERAL PELL GRANT**
2 **COMMITMENT DEMONSTRATION PROGRAM**
3 **“SEC. 881. EARLY FEDERAL PELL GRANT COMMITMENT**
4 **DEMONSTRATION PROGRAM.**

5 “(a) DEMONSTRATION PROGRAM AUTHORITY.—

6 “(1) IN GENERAL.—The Secretary is authorized
7 to carry out an Early Federal Pell Grant Commit-
8 ment Demonstration Program under which—

9 “(A) the Secretary awards grants to 4
10 State educational agencies, in accordance with
11 paragraph (2), to pay the administrative ex-
12 penses incurred in participating in the dem-
13 onstration program under this section; and

14 “(B) the Secretary awards Federal Pell
15 Grants to participating students in accordance
16 with this section.

17 “(2) GRANTS.—

18 “(A) IN GENERAL.—From amounts appro-
19 priated under subsection (h) for a fiscal year,
20 the Secretary is authorized to award grants to
21 4 State educational agencies to enable the State
22 educational agencies to pay the administrative
23 expenses incurred in participating in a dem-
24 onstration program under which 8th grade stu-
25 dents who are eligible for a free or reduced
26 price meal described in subsection (b)(1)(B) re-

1 ceive a commitment to receive a Federal Pell
2 Grant early in their academic careers.

3 “(B) EQUAL AMOUNTS.—The Secretary
4 shall award grants under this section in equal
5 amounts to each of the 4 participating State
6 educational agencies.

7 “(b) DEMONSTRATION PROJECT REQUIREMENTS.—
8 Each of the 4 demonstration projects assisted under this
9 section shall meet the following requirements:

10 “(1) PARTICIPANTS.—

11 “(A) IN GENERAL.—The State educational
12 agency shall make participation in the dem-
13 onstration project available to 2 cohorts of stu-
14 dents, which shall consist of—

15 “(i) 1 cohort of 8th grade students
16 who begin the participation in academic
17 year 2008–2009; and

18 “(ii) 1 cohort of 8th grade students
19 who begin the participation in academic
20 year 2009–2010.

21 “(B) STUDENTS IN EACH COHORT.—Each
22 cohort of students shall consist of not more
23 than 10,000 8th grade students who qualify for
24 a free or reduced price meal under the Richard

1 B. Russell National School Lunch Act or the
2 Child Nutrition Act of 1966.

3 “(2) STUDENT DATA.—The State educational
4 agency shall ensure that student data from local
5 educational agencies serving students who partici-
6 pate in the demonstration project, as well as student
7 data from local educational agencies serving a com-
8 parable group of students who do not participate in
9 the demonstration project, are available for evalua-
10 tion of the demonstration project, except that in no
11 case shall such data be provided in a manner that
12 would reveal personally identifiable information
13 about an individual student.

14 “(3) FEDERAL PELL GRANT COMMITMENT.—
15 Each student who participates in the demonstration
16 project receives a commitment from the Secretary to
17 receive a Federal Pell Grant during the first aca-
18 demic year that the student is in attendance at an
19 institution of higher education as an undergraduate,
20 if the student applies for Federal financial aid (via
21 the FAFSA or EZ FAFSA) during the student’s
22 senior year of secondary school and during suc-
23 ceeding years.

24 “(4) APPLICATION PROCESS.—The Secretary
25 shall establish an application process to select State

1 educational agencies to participate in the demonstra-
2 tion program and State educational agencies shall
3 establish an application process to select local edu-
4 cational agencies within the State to participate in
5 the demonstration project.

6 “(5) LOCAL EDUCATIONAL AGENCY PARTICIPA-
7 TION.—Subject to the 10,000 statewide student limi-
8 tation described in paragraph (1), a local edu-
9 cational agency serving students, not less than 50
10 percent of whom are eligible for a free or reduced
11 price meal under the Richard B. Russell National
12 School Lunch Act or the Child Nutrition Act of
13 1966, shall be eligible to participate in the dem-
14 onstration project.

15 “(c) STATE EDUCATIONAL AGENCY APPLICA-
16 TIONS.—

17 “(1) IN GENERAL.—Each State educational
18 agency desiring to participate in the demonstration
19 program under this section shall submit an applica-
20 tion to the Secretary at such time and in such man-
21 ner as the Secretary may require.

22 “(2) CONTENTS.—Each application shall in-
23 clude—

24 “(A) a description of the proposed targeted
25 information campaign for the demonstration

1 project and a copy of the plan described in sub-
2 section (f)(2);

3 “(B) a description of the student popu-
4 lation that will receive an early commitment to
5 receive a Federal Pell Grant under this section;

6 “(C) an assurance that the State edu-
7 cational agency will fully cooperate with the on-
8 going evaluation of the demonstration project;
9 and

10 “(D) such other information as the Sec-
11 retary may require.

12 “(d) SELECTION CONSIDERATIONS.—

13 “(1) SELECTION OF STATE EDUCATIONAL
14 AGENCIES.—In selecting State educational agencies
15 to participate in the demonstration program under
16 this section, the Secretary shall consider—

17 “(A) the number and quality of State edu-
18 cational agency applications received;

19 “(B) the Department’s capacity to oversee
20 and monitor each State educational agency’s
21 participation in the demonstration program;

22 “(C) a State educational agency’s—

23 “(i) financial responsibility;

24 “(ii) administrative capability;

1 “(iii) commitment to focusing State
2 resources, in addition to any resources pro-
3 vided under part A of title I of the Ele-
4 mentary and Secondary Education Act of
5 1965, on students who receive assistance
6 under such part A;

7 “(iv) ability and plans to run an effec-
8 tive and thorough targeted information
9 campaign for students served by local edu-
10 cational agencies eligible to participate in
11 the demonstration project; and

12 “(v) ability to ensure the participation
13 in the demonstration program of a diverse
14 group of students, including with respect
15 to ethnicity and gender.

16 “(2) LOCAL EDUCATIONAL AGENCY.—In select-
17 ing local educational agencies to participate in a
18 demonstration project under this section, the State
19 educational agency shall consider—

20 “(A) the number and quality of local edu-
21 cational agency applications received;

22 “(B) the State educational agency’s capac-
23 ity to oversee and monitor each local edu-
24 cational agency’s participation in the dem-
25 onstration project;

- 1 “(C) a local educational agency’s—
- 2 “(i) financial responsibility;
- 3 “(ii) administrative capability;
- 4 “(iii) commitment to focusing local re-
- 5 sources, in addition to any resources pro-
- 6 vided under part A of title I of the Ele-
- 7 mentary and Secondary Education Act of
- 8 1965, on students who receive assistance
- 9 under such part A;
- 10 “(iv) ability and plans to run an effec-
- 11 tive and thorough targeted information
- 12 campaign for students served by the local
- 13 educational agency; and
- 14 “(v) ability to ensure the participation
- 15 in the demonstration project of a diverse
- 16 group of students with respect to ethnicity
- 17 and gender.
- 18 “(e) EVALUATION.—
- 19 “(1) IN GENERAL.—From amounts appro-
- 20 priated under subsection (h) for a fiscal year, the
- 21 Secretary shall reserve not more than \$1,000,000 to
- 22 award a grant or contract to an organization outside
- 23 the Department for an independent evaluation of the
- 24 impact of the demonstration program assisted under
- 25 this section.

1 “(2) COMPETITIVE BASIS.—The grant or con-
2 tract shall be awarded on a competitive basis.

3 “(3) MATTERS EVALUATED.—The evaluation
4 described in this subsection shall—

5 “(A) determine the number of individuals
6 who were encouraged by the demonstration pro-
7 gram to pursue higher education;

8 “(B) identify the barriers to the effective-
9 ness of the demonstration program;

10 “(C) assess the cost-effectiveness of the
11 demonstration program in improving access to
12 higher education;

13 “(D) identify the reasons why participants
14 in the demonstration program either received or
15 did not receive a Federal Pell Grant;

16 “(E) identify intermediate outcomes re-
17 lated to postsecondary education attendance,
18 such as whether participants—

19 “(i) were more likely to take a college-
20 prep curriculum while in secondary school;

21 “(ii) submitted any college applica-
22 tions; and

23 “(iii) took the PSAT, SAT, or ACT;

24 “(F) identify the number of individuals
25 participating in the demonstration program who

1 pursued an associate’s degree or a bachelor’s
2 degree, or other postsecondary education;

3 “(G) compare the findings of the dem-
4 onstration program with respect to participants
5 to comparison groups (of similar size and demo-
6 graphics) that did not participate in the dem-
7 onstration program; and

8 “(H) identify the impact on the parents of
9 students eligible to participate in the dem-
10 onstration program.

11 “(4) DISSEMINATION.—The findings of the
12 evaluation shall be reported to the Secretary, who
13 shall widely disseminate the findings to the public.

14 “(f) TARGETED INFORMATION CAMPAIGN.—

15 “(1) IN GENERAL.—Each State educational
16 agency receiving a grant under this section shall, in
17 cooperation with the participating local educational
18 agencies within the State and the Secretary, develop
19 a targeted information campaign for the demonstra-
20 tion program assisted under this section.

21 “(2) PLAN.—Each State educational agency re-
22 ceiving a grant under this section shall include in
23 the application submitted under subsection (c) a
24 written plan for their proposed targeted information
25 campaign. The plan shall include the following:

1 “(A) OUTREACH.—A description of the
2 outreach to students and their families at the
3 beginning and end of each academic year of the
4 demonstration project, at a minimum.

5 “(B) DISTRIBUTION.—How the State edu-
6 cational agency plans to provide the outreach
7 described in subparagraph (A) and to provide
8 the information described in subparagraph (C).

9 “(C) INFORMATION.—The annual provi-
10 sion by the State educational agency to all stu-
11 dents and families participating in the dem-
12 onstration program of information regarding—

13 “(i) the estimated statewide average
14 cost of attendance for an institution of
15 higher education for each academic year,
16 which cost data shall be disaggregated
17 by—

18 “(I) type of institution, includ-
19 ing—

20 “(aa) 2-year public degree-
21 granting institutions of higher
22 education;

23 “(bb) 4-year public degree-
24 granting institutions of higher
25 education; and

1 “(cc) 4-year private degree-
2 granting institutions of higher
3 education;
4 “(II) component, including—
5 “(aa) tuition and fees; and
6 “(bb) room and board;
7 “(ii) Federal Pell Grants, including—
8 “(I) the maximum Federal Pell
9 Grant for each award year;
10 “(II) when and how to apply for
11 a Federal Pell Grant; and
12 “(III) what the application proc-
13 ess for a Federal Pell Grant requires;
14 “(iii) State-specific college savings
15 programs;
16 “(iv) State merit-based financial aid;
17 “(v) State need-based financial aid;
18 and
19 “(vi) Federal financial aid available to
20 students, including eligibility criteria for
21 such aid and an explanation of the Federal
22 financial aid programs, such as the Stu-
23 dent Guide published by the Department
24 of Education (or any successor to such
25 document).

1 “(3) COHORTS.—The information described in
2 paragraph (2)(C) shall be provided to 2 cohorts of
3 students annually for the duration of the students’
4 participation in the demonstration program. The 2
5 cohorts shall consist of—

6 “(A) 1 cohort of 8th grade students who
7 begin the participation in academic year 2008–
8 2009; and

9 “(B) 1 cohort of 8th grade students who
10 begin the participation in academic year 2009–
11 2010.

12 “(4) RESERVATION.—Each State educational
13 agency receiving a grant under this section shall re-
14 serve not more than 15 percent of the grant funds
15 received each fiscal year to carry out the targeted in-
16 formation campaign described in this subsection.

17 “(g) SUPPLEMENT, NOT SUPPLANT.—A State edu-
18 cational agency shall use grant funds received under this
19 section only to supplement the funds that would, in the
20 absence of such funds, be made available from non-Fed-
21 eral sources for students participating in the demonstra-
22 tion program under this section, and not to supplant such
23 funds.

24 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
25 are authorized to be appropriated to carry out this section

1 such sums as may be necessary for fiscal year 2008 and
2 each of the 5 succeeding fiscal years.

3 **“PART P—HENRY KUUALOHA GIUGNI KUPUNA**

4 **MEMORIAL ARCHIVES**

5 **“SEC. 886. HENRY KUUALOHA GIUGNI KUPUNA MEMORIAL**
6 **ARCHIVES.**

7 “(a) GRANTS AUTHORIZED.—The Secretary is au-
8 thorized to award a grant to the University of Hawaii
9 Academy for Creative Media for the establishment, main-
10 tenance, and periodic modernization of the Henry
11 Kuualoha Giugni Kupuna Memorial Archives at the Uni-
12 versity of Hawaii.

13 “(b) USE OF FUNDS.—The Henry Kuualoha Giugni
14 Kupuna Memorial Archives shall use the grant funds re-
15 ceived under this section—

16 “(1) to facilitate the acquisition of a secure web
17 accessible repository of Native Hawaiian historical
18 data rich in ethnic and cultural significance to the
19 United States for preservation and access by future
20 generations;

21 “(2) to award scholarships to facilitate access
22 to a postsecondary education for students who can-
23 not afford such education;

24 “(3) to support programmatic efforts associated
25 with the web-based media projects of the archives;

1 “(4) to create educational materials, from the
2 contents of the archives, that are applicable to a
3 broad range of indigenous students, such as Native
4 Hawaiians, Alaskan Natives, and Native American
5 Indians;

6 “(5) to develop outreach initiatives that intro-
7 duce the archival collections to elementary schools
8 and secondary schools;

9 “(6) to develop supplemental web-based re-
10 sources that define terms and cultural practices in-
11 nate to Native Hawaiians;

12 “(7) to rent, lease, purchase, maintain, or re-
13 pair educational facilities to house the archival col-
14 lections;

15 “(8) to rent, lease, purchase, maintain, or re-
16 pair computer equipment for use by elementary
17 schools and secondary schools in accessing the archi-
18 val collections;

19 “(9) to provide pre-service and in-service teach-
20 er training to develop a core group of kindergarten
21 through grade 12 teachers who are able to provide
22 instruction in a way that is relevant to the unique
23 background of indigenous students, such as Native
24 Hawaiians, Alaskan Natives, and Native American
25 Indians, in order to—

1 “(A) facilitate greater understanding by
2 teachers of the unique background of indige-
3 nous students; and

4 “(B) improve student achievement; and

5 “(10) to increase the economic and financial lit-
6 eracy of postsecondary education students through
7 the dissemination of best practices used at other in-
8 stitutions of higher education regarding debt and
9 credit management and economic decision-making.

10 “(c) AUTHORIZATION OF APPROPRIATIONS.—There
11 are authorized to be appropriated to carry out this section
12 such sums as may be necessary for fiscal year 2008 and
13 each of the 5 succeeding fiscal years.”.

14 **SEC. 803. STUDENT LOAN CLEARINGHOUSE.**

15 (a) DEVELOPMENT.—Not later than 180 days after
16 the date of enactment of this Act, the Secretary of Edu-
17 cation shall establish 1 or more clearinghouses of informa-
18 tion on student loans (including loans under parts B and
19 D of title IV of the Higher Education Act of 1965 (20
20 U.S.C. 1071 et seq. and 1087a et seq.) and private loans,
21 for both undergraduate and graduate students) for use by
22 prospective borrowers or any person desiring information
23 regarding available interest rates and other terms from
24 lenders. Such a clearinghouse shall—

1 (1) have no affiliation with any institution of
2 higher education or any lender;

3 (2) accept nothing of value from any lender,
4 guaranty agency, or any entity affiliated with a lend-
5 er or guaranty agency, except that the clearinghouse
6 may establish a flat fee to be charged to each listed
7 lender, based on the costs necessary to establish and
8 maintain the clearinghouse;

9 (3) provide information regarding the interest
10 rates, fees, borrower benefits, and any other matter
11 that the Department of Education determines rel-
12 evant to enable prospective borrowers to select a
13 lender;

14 (4) provide interest rate information that com-
15 plies with the Federal Trade Commission guidelines
16 for consumer credit term disclosures; and

17 (5) be a nonprofit entity.

18 (b) PUBLICATION OF LIST.—The Secretary of Edu-
19 cation shall publish a list of clearinghouses described in
20 subsection (a) on the website of the Department of Edu-
21 cation and such list shall be updated not less often than
22 every 90 days.

23 (c) DISCLOSURE.—Beginning on the date the first
24 clearinghouse described in subsection (a) is established,
25 each institution of higher education that receives Federal

1 assistance under the Higher Education Act of 1965 (20
2 U.S.C. 1001 et seq.) and that designates 1 or more lend-
3 ers as preferred, suggested, or otherwise recommended
4 shall include a standard disclosure developed by the Sec-
5 retary of Education on all materials that reference such
6 lenders to inform students that the students might find
7 a more attractive loan, with a lower interest rate, by vis-
8 iting a clearinghouse described in subsection (a).

9 (d) REPORT.—Not later than 18 months after the
10 date of enactment of this Act, the Comptroller General
11 of the United States shall submit a report to Congress
12 on whether students are using a clearinghouse described
13 in subsection (a) to find and secure a student loan. The
14 report shall assess whether students could have received
15 a more attractive loan, one with a lower interest rate or
16 better benefits, by using a clearinghouse described in sub-
17 section (a) instead of a preferred lender list.

18 **SEC. 804. MINORITY SERVING INSTITUTIONS FOR AD-**
19 **VANCED TECHNOLOGY AND EDUCATION.**

20 At the end of title VIII (as added by section 801),
21 add the following:

1 **“PART Q—MINORITY SERVING INSTITUTIONS**
2 **FOR ADVANCED TECHNOLOGY AND EDUCATION**
3 **“SEC. 890. PURPOSES.**

4 “The purposes of the program under this part are
5 to—

6 “(1) strengthen the ability of eligible institu-
7 tions to provide capacity for instruction in digital
8 and wireless network technologies; and

9 “(2) strengthen the national digital and wireless
10 infrastructure by increasing national investment in
11 telecommunications and technology infrastructure at
12 eligible institutions.

13 **“SEC. 891. DEFINITION OF ELIGIBLE INSTITUTION.**

14 “In this part, the term ‘eligible institution’ means an
15 institution that is—

16 “(1) a historically Black college or university
17 that is a part B institution, as defined in section
18 322;

19 “(2) a Hispanic-serving institution, as defined
20 in section 502(a);

21 “(3) a Tribal College or University, as defined
22 in section 316(b);

23 “(4) an Alaska Native-serving institution, as
24 defined in section 317(b);

25 “(5) a Native Hawaiian-serving institution, as
26 defined in section 317(b); or

1 “(6) an institution determined by the Secretary
2 to have enrolled a substantial number of minority,
3 low-income students during the previous academic
4 year who received a Federal Pell Grant for that
5 year.

6 **“SEC. 892. MINORITY SERVING INSTITUTIONS FOR AD-**
7 **VANCED TECHNOLOGY AND EDUCATION.**

8 “(a) GRANTS AUTHORIZED.—

9 “(1) IN GENERAL.—The Secretary is authorized
10 to award grants, on a competitive basis, to eligible
11 institutions to enable the eligible institutions to
12 carry out the activities described in subsection (d).

13 “(2) GRANT PERIOD.—The Secretary may
14 award a grant to an eligible institution under this
15 part for a period of not more than 5 years.

16 “(b) APPLICATION AND REVIEW PROCEDURE.—

17 “(1) IN GENERAL.—To be eligible to receive a
18 grant under this part, an eligible institution shall
19 submit an application to the Secretary at such time,
20 in such manner, and containing such information as
21 the Secretary may reasonably require. The applica-
22 tion shall include—

23 “(A) a program of activities for carrying
24 out 1 or more of the purposes described in sec-
25 tion 890; and

1 “(B) such other policies, procedures, and
2 assurances as the Secretary may require by reg-
3 ulation.

4 “(2) REGULATIONS.—After consultation with
5 appropriate individuals with expertise in technology
6 and education, the Secretary shall establish a proce-
7 dure by which to accept and review such applications
8 and publish an announcement of such procedure, in-
9 cluding a statement regarding the availability of
10 funds, in the Federal Register.

11 “(3) APPLICATION REVIEW CRITERIA.—The ap-
12 plication review criteria used by the Secretary for
13 grants under this part shall include consideration
14 of—

15 “(A) demonstrated need for assistance
16 under this part; and

17 “(B) diversity among the types of eligible
18 institutions receiving assistance under this part.

19 “(c) MATCHING REQUIREMENT.—

20 “(1) IN GENERAL.—An eligible institution that
21 receives a grant under this part shall agree that,
22 with respect to the costs to be incurred by the insti-
23 tution in carrying out the program for which the
24 grant is awarded, such institution will make avail-
25 able (directly or through donations from public or

1 private entities) non-Federal contributions in an
2 amount equal to 25 percent of the amount of the
3 grant awarded by the Secretary, or \$500,000, which-
4 ever is the lesser amount.

5 “(2) WAIVER.—The Secretary shall waive the
6 matching requirement for any eligible institution
7 with no endowment, or an endowment that has a
8 current dollar value as of the time of the application
9 of less than \$50,000,000.

10 “(d) USES OF FUNDS.—An eligible institution shall
11 use a grant awarded under this part—

12 “(1) to acquire equipment, instrumentation,
13 networking capability, hardware and software, dig-
14 ital network technology, wireless technology, and in-
15 frastructure;

16 “(2) to develop and provide educational serv-
17 ices, including faculty development, related to
18 science, technology, engineering, and mathematics;

19 “(3) to provide teacher preparation and profes-
20 sional development, library and media specialist
21 training, and early childhood educator and teacher
22 aide certification or licensure to individuals who seek
23 to acquire or enhance technology skills in order to
24 use technology in the classroom or instructional
25 process to improve student achievement;

1 “(4) to form consortia or collaborative projects
2 with a State, State educational agency, local edu-
3 cational agency, community-based organization, na-
4 tional nonprofit organization, or business, including
5 a minority business, to provide education regarding
6 technology in the classroom;

7 “(5) to provide professional development in
8 science, technology, engineering, or mathematics to
9 administrators and faculty of eligible institutions
10 with institutional responsibility for technology edu-
11 cation;

12 “(6) to provide capacity-building technical as-
13 sistance to eligible institutions through remote tech-
14 nical support, technical assistance workshops, dis-
15 tance learning, new technologies, and other techno-
16 logical applications; and

17 “(7) to foster the use of information commu-
18 nications technology to increase scientific, techno-
19 logical, engineering, and mathematical instruction
20 and research.

21 “(e) DATA COLLECTION.—An eligible institution that
22 receives a grant under this part shall provide the Secretary
23 with any relevant institutional statistical or demographic
24 data requested by the Secretary.

1 “(f) INFORMATION DISSEMINATION.—The Secretary
2 shall convene an annual meeting of eligible institutions re-
3 ceiving grants under this part for the purposes of—

4 “(1) fostering collaboration and capacity-build-
5 ing activities among eligible institutions; and

6 “(2) disseminating information and ideas gen-
7 erated by such meetings.

8 “(g) LIMITATION.—An eligible institution that re-
9 ceives a grant under this part that exceeds \$2,500,000
10 shall not be eligible to receive another grant under this
11 part until every other eligible institution that has applied
12 for a grant under this part has received such a grant.

13 **“SEC. 893. ANNUAL REPORT AND EVALUATION.**

14 “(a) ANNUAL REPORT REQUIRED FROM RECIPI-
15 ENTS.—Each eligible institution that receives a grant
16 under this part shall provide an annual report to the Sec-
17 retary on the eligible institution’s use of the grant.

18 “(b) EVALUATION BY SECRETARY.—The Secretary
19 shall—

20 “(1) review the reports provided under sub-
21 section (a) each year; and

22 “(2) evaluate the program authorized under
23 this part on the basis of those reports every 2 years.

24 “(c) CONTENTS OF EVALUATION.—The Secretary, in
25 the evaluation under subsection (b), shall—

1 “(1) describe the activities undertaken by the
2 eligible institutions that receive grants under this
3 part; and

4 “(2) assess the short-range and long-range im-
5 pact of activities carried out under the grant on the
6 students, faculty, and staff of the institutions.

7 “(d) REPORT TO CONGRESS.—Not later than 3 years
8 after the date of enactment of the Higher Education
9 Amendments of 2007, the Secretary shall submit a report
10 on the program supported under this part to the author-
11 izing committees that shall include such recommendations,
12 including recommendations concerning the continuing
13 need for Federal support of the program, as may be ap-
14 propriate.

15 **“SEC. 894. AUTHORIZATION OF APPROPRIATIONS.**

16 “‘There are authorized to be appropriated to carry out
17 this part such sums as may be necessary for fiscal year
18 2008 and each of the 5 succeeding fiscal years.’”.

19 **TITLE IX—AMENDMENTS TO**
20 **OTHER LAWS**

21 **PART A—EDUCATION OF THE DEAF ACT OF 1986**

22 **SEC. 901. LAURENT CLERC NATIONAL DEAF EDUCATION**
23 **CENTER.**

24 Section 104 of the Education of the Deaf Act of 1986
25 (20 U.S.C. 4304) is amended—

1 (1) by striking the section heading and insert-
2 ing “**LAURENT CLERC NATIONAL DEAF EDU-**
3 **CATION CENTER**”;

4 (2) in subsection (a)(1)(A), by inserting “the
5 Laurent Clerc National Deaf Education Center (re-
6 ferred to in this section as the ‘Clerc Center’) to
7 carry out” after “maintain and operate”; and

8 (3) in subsection (b)—

9 (A) in the matter preceding subparagraph
10 (A) of paragraph (1), by striking “elementary
11 and secondary education programs” and insert-
12 ing “Clerc Center”;

13 (B) in paragraph (2), by striking “elemen-
14 tary and secondary education programs” and
15 inserting “Clerc Center”; and

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

17 “(5) The University, for purposes of the elementary
18 and secondary education programs carried out at the Clerc
19 Center, shall—

20 “(A)(i) select challenging academic content
21 standards, challenging student academic achieve-
22 ment standards, and academic assessments of a
23 State, adopted and implemented, as appropriate,
24 pursuant to paragraphs (1) and (3) of section
25 1111(b) of the Elementary and Secondary Edu-

1 cation Act of 1965 (20 U.S.C. 6311(b)(1) and (3))
2 and approved by the Secretary; and

3 “(ii) implement such standards and assess-
4 ments for such programs by not later than the be-
5 ginning of the 2009–2010 academic year;

6 “(B) annually determine whether such pro-
7 grams at the Clerc Center are making adequate
8 yearly progress, as determined according to the defi-
9 nition of adequate yearly progress defined (pursuant
10 to section 1111(b)(2)(C) of such Act (20 U.S.C.
11 6311(b)(2)(C))) by the State that has adopted and
12 implemented the standards and assessments selected
13 under subparagraph (A)(i); and

14 “(C) publicly report the results of the academic
15 assessments implemented under subparagraph (A)
16 and whether the programs at the Clerc Center are
17 making adequate yearly progress, as determined
18 under subparagraph (B).”.

19 **SEC. 902. AGREEMENT WITH GALLAUDET UNIVERSITY.**

20 Section 105(b)(4) of the Education of the Deaf Act
21 of 1986 (20 U.S.C. 4305(b)(4)) is amended—

22 (1) by striking “the Act of March 3, 1931 (40
23 U.S.C. 276a–276a–5) commonly referred to as the
24 Davis-Bacon Act” and inserting “subchapter IV of

1 chapter 31 of title 40, United States Code, com-
2 monly referred to as the Davis-Bacon Act”; and

3 (2) by striking “section 2 of the Act of June
4 13, 1934 (40 U.S.C. 276c)” and inserting “section
5 3145 of title 40, United States Code”.

6 **SEC. 903. AGREEMENT FOR THE NATIONAL TECHNICAL IN-**
7 **STITUTE FOR THE DEAF.**

8 Section 112 of the Education of the Deaf Act of 1986
9 (20 U.S.C. 4332) is amended—

10 (1) in subsection (a)—

11 (A) in paragraph (1)—

12 (i) in the first sentence—

13 (I) by striking “an institution of
14 higher education” and inserting “the
15 Rochester Institute of Technology,
16 Rochester, New York”; and

17 (II) by striking “of a” and in-
18 serting “of the”; and

19 (ii) by striking the second sentence;

20 (B) by redesignating paragraph (2) as
21 paragraph (3); and

22 (C) by inserting after paragraph (1) the
23 following:

24 “(2) If, pursuant to the agreement established
25 under paragraph (1), either the Secretary or the

1 Rochester Institute of Technology terminates the
2 agreement, the Secretary shall consider proposals
3 from other institutions of higher education and enter
4 into an agreement with one of those institutions for
5 the establishment and operation of a National Tech-
6 nical Institution for the Deaf.”; and

7 (2) in subsection (b)—

8 (A) in paragraph (3), by striking “Com-
9 mittee on Labor and Human Resources of the
10 Senate” and inserting “Committee on Health,
11 Education, Labor, and Pensions of the Senate”;
12 and

13 (B) in paragraph (5)—

14 (i) by striking “the Act of March 3,
15 1931 (40 U.S.C. 276a–276a–5) commonly
16 referred to as the Davis-Bacon Act” and
17 inserting “subchapter IV of chapter 31 of
18 title 40, United States Code, commonly re-
19 ferred to as the Davis-Bacon Act”; and

20 (ii) by striking “section 2 of the Act
21 of June 13, 1934 (40 U.S.C. 276c)” and
22 inserting “section 3145 of title 40, United
23 States Code”.

1 **SEC. 904. CULTURAL EXPERIENCES GRANTS.**

2 (a) CULTURAL EXPERIENCES GRANTS.—Title I of
3 the Education of the Deaf Act of 1986 (20 U.S.C. 4301
4 et seq.) is amended by adding at the end the following:

5 **“PART C—OTHER PROGRAMS**

6 **“SEC. 121. CULTURAL EXPERIENCES GRANTS.**

7 “(a) IN GENERAL.—The Secretary shall, on a com-
8 petitive basis, make grants to, and enter into contracts
9 and cooperative agreements with, eligible entities to sup-
10 port the activities described in subsection (b).

11 “(b) ACTIVITIES.—In carrying out this section, the
12 Secretary shall support activities providing cultural experi-
13 ences, through appropriate nonprofit organizations with a
14 demonstrated proficiency in providing such activities,
15 that—

16 “(1) enrich the lives of deaf and hard-of-hear-
17 ing children and adults;

18 “(2) increase public awareness and under-
19 standing of deafness and of the artistic and intellec-
20 tual achievements of deaf and hard-of-hearing per-
21 sons; or

22 “(3) promote the integration of hearing, deaf,
23 and hard-of-hearing persons through shared cul-
24 tural, educational, and social experiences.

25 “(c) APPLICATIONS.—An eligible entity that desires
26 to receive a grant, or enter into a contract or cooperative

1 agreement, under this section shall submit an application
2 to the Secretary at such time, in such manner, and con-
3 taining such information as the Secretary may require.

4 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
5 are authorized to be appropriated to carry out this section
6 such sums as may be necessary for fiscal year 2008 and
7 each of the 5 succeeding fiscal years.”.

8 (b) CONFORMING AMENDMENT.—The title heading
9 of title I of the Education of the Deaf Act of 1986 (20
10 U.S.C. 4301 et seq.) is amended by adding at the end
11 “; OTHER PROGRAMS”.

12 **SEC. 905. AUDIT.**

13 Section 203 of the Education of the Deaf Act of 1986
14 (20 U.S.C. 4353) is amended—

15 (1) in subsection (b)—

16 (A) in paragraph (2), by striking “sec-
17 tions” and all that follows through the period
18 and inserting “sections 102(b), 105(b)(4),
19 112(b)(5), 203(c), 207(b)(2), subsections (c)
20 through (f) of section 207, and subsections (b)
21 and (c) of section 209.”; and

22 (B) in paragraph (3), by inserting “and
23 the Committee on Education and Labor of the
24 House of Representatives and the Committee

1 on Health, Education, Labor, and Pensions of
2 the Senate” after “Secretary”; and

3 (2) in subsection (c)(2)(A), by striking “Com-
4 mittee on Labor and Human Resources of the Sen-
5 ate” and inserting “Committee on Health, Edu-
6 cation, Labor, and Pensions of the Senate”.

7 **SEC. 906. REPORTS.**

8 Section 204 of the Education of the Deaf Act of 1986
9 (20 U.S.C. 4354) is amended—

10 (1) in the matter preceding paragraph (1), by
11 striking “Committee on Labor and Human Re-
12 sources of the Senate” and inserting “Committee on
13 Health, Education, Labor, and Pensions of the Sen-
14 ate”;

15 (2) in paragraph (1), by striking “pre-
16 paratory,”;

17 (3) in paragraph (2)(C), by striking “upon
18 graduation/completion” and inserting “on the date
19 that is 1 year after the date of graduation or com-
20 pletion”; and

21 (4) in paragraph (3)(B), by striking “of the in-
22 stitution of higher education” and all that follows
23 through the period and inserting “of NTID pro-
24 grams and activities.”.

1 **SEC. 907. MONITORING, EVALUATION, AND REPORTING.**

2 Section 205 of the Education of the Deaf Act of 1986
3 (20 U.S.C. 4355) is amended—

4 (1) in subsection (b), by striking “The Sec-
5 retary, as part of the annual report required under
6 section 426 of the Department of Education Organi-
7 zation Act, shall include a description of” and in-
8 serting “The Secretary shall annually transmit infor-
9 mation to Congress on”; and

10 (2) in subsection (c), by striking “fiscal years
11 1998 through 2003” and inserting “fiscal years
12 2008 through 2013”.

13 **SEC. 908. LIAISON FOR EDUCATIONAL PROGRAMS.**

14 Section 206(a) of the Education of the Deaf Act of
15 1986 (20 U.S.C. 4356(a)) is amended by striking “Not
16 later than 30 days after the date of enactment of this Act,
17 the” and inserting “The”.

18 **SEC. 909. FEDERAL ENDOWMENT PROGRAMS FOR GAL-**
19 **LAUDET UNIVERSITY AND THE NATIONAL**
20 **TECHNICAL INSTITUTE FOR THE DEAF.**

21 Section 207(h) of the Education of the Deaf Act of
22 1986 (20 U.S.C. 4357(h)) is amended by striking “fiscal
23 years 1998 through 2003” each place it appears and in-
24 serting “fiscal years 2008 through 2013”.

1 SEC. 910. OVERSIGHT AND EFFECT OF AGREEMENTS.

2 Section 208(a) of the Education of the Deaf Act of
3 1986 (20 U.S.C. 4359(a)) is amended by striking “Com-
4 mittee on Labor and Human Resources of the Senate and
5 the Committee on Education and the Workforce of the
6 House of Representatives” and inserting “Committee on
7 Education and Labor of the House of Representatives and
8 the Committee on Health, Education, Labor, and Pen-
9 sions of the Senate”.

10 SEC. 911. INTERNATIONAL STUDENTS.

11 Section 209 of the Education of the Deaf Act of 1986
12 (20 U.S.C. 4359a) is amended—

13 (1) in subsection (a)—

14 (A) by striking “preparatory, under-
15 graduate,” and inserting “undergraduate”;

16 (B) by striking “Effective with” and in-
17 serting the following:

18 “(1) IN GENERAL.—Except as provided in para-
19 graph (2), effective with”; and

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

21 “(2) DISTANCE LEARNING.—International stu-
22 dents who participate in distance learning courses
23 that are at NTID or the University and who are re-
24 siding outside of the United States shall—

25 “(A) not be counted as international stu-
26 dents for purposes of the cap on international

1 students under paragraph (1), except that in
2 any school year no United States citizen who
3 applies to participate in distance learning
4 courses that are at the University or NTID
5 shall be denied participation in such courses be-
6 cause of the participation of an international
7 student in such courses; and

8 “(B) not be charged a tuition surcharge,
9 as described in subsection (b).”; and

10 (2) by striking subsections (b), (c), and (d), and
11 inserting the following:

12 “(b) TUITION SURCHARGE.—Except as provided in
13 subsections (a)(2)(B) and (c), the tuition for postsec-
14 ondary international students enrolled in the University
15 (including undergraduate and graduate students) or
16 NTID shall include, for academic year 2008–2009 and
17 any succeeding academic year, a surcharge of—

18 “(1) 100 percent for a postsecondary inter-
19 national student from a non-developing country; and

20 “(2) 50 percent for a postsecondary inter-
21 national student from a developing country.

22 “(c) REDUCTION OF SURCHARGE.—

23 “(1) IN GENERAL.—Beginning with the aca-
24 demic year 2008–2009, the University or NTID may
25 reduce the surcharge—

1 “(A) under subsection (b)(1) from 100
2 percent to not less than 50 percent if—

3 “(i) a student described under sub-
4 section (b)(1) demonstrates need; and

5 “(ii) such student has made a good
6 faith effort to secure aid through such stu-
7 dent’s government or other sources; and

8 “(B) under subsection (b)(2) from 50 per-
9 cent to not less than 25 percent if—

10 “(i) a student described under sub-
11 section (b)(2) demonstrates need; and

12 “(ii) such student has made a good
13 faith effort to secure aid through such stu-
14 dent’s government or other sources.

15 “(2) DEVELOPMENT OF SLIDING SCALE.—The
16 University and NTID shall develop a sliding scale
17 model that—

18 “(A) will be used to determine the amount
19 of a tuition surcharge reduction pursuant to
20 paragraph (1); and

21 “(B) shall be approved by the Secretary.

22 “(d) DEFINITION.—In this section, the term ‘devel-
23 oping country’ means a country with a per-capita income
24 of not more than \$4,825, measured in 1999 United States

1 dollars, as adjusted by the Secretary to reflect inflation
2 since 1999.”.

3 **SEC. 912. RESEARCH PRIORITIES.**

4 Section 210(b) of the Education of the Deaf Act of
5 1986 (20 U.S.C. 4359b(b)) is amended by striking “Com-
6 mittee on Education and the Workforce of the House of
7 Representatives, and the Committee on Labor and Human
8 Resources of the Senate” and inserting “Committee on
9 Education and Labor of the House of Representatives,
10 and the Committee on Health, Education, Labor, and
11 Pensions of the Senate”.

12 **SEC. 913. AUTHORIZATION OF APPROPRIATIONS.**

13 Section 212 of the Education of the Deaf Act of 1986
14 (20 U.S.C. 4360a) is amended—

15 (1) in subsection (a), in the matter preceding
16 paragraph (1), by striking “fiscal years 1998
17 through 2003” and inserting “fiscal years 2008
18 through 2013”; and

19 (2) in subsection (b), by striking “fiscal years
20 1998 through 2003” and inserting “fiscal years
21 2008 through 2013”.

1 be extended in the same manner as applicable programs
 2 are extended under section 422 of the General Education
 3 Provisions Act.”.

4 **PART C—THE HIGHER EDUCATION**
 5 **AMENDMENTS OF 1998**

6 **SEC. 931. REPEALS.**

7 The following provisions of title VIII of the Higher
 8 Education Amendments of 1998 (Public Law 105–244)
 9 are repealed:

- 10 (1) Part A.
 11 (2) Part C (20 U.S.C. 1070 note).
 12 (3) Part F (20 U.S.C. 1862 note).
 13 (4) Part J.
 14 (5) Section 861.
 15 (6) Section 863.

16 **SEC. 932. GRANTS TO STATES FOR WORKPLACE AND COM-**
 17 **MUNITY TRANSITION TRAINING FOR INCAR-**
 18 **CERATED YOUTH OFFENDERS.**

19 Section 821 of the Higher Education Amendments of
 20 1998 (20 U.S.C. 1151) is amended to read as follows:

21 **“SEC. 821. GRANTS TO STATES FOR IMPROVED WORKPLACE**
 22 **AND COMMUNITY TRANSITION TRAINING FOR**
 23 **INCARCERATED YOUTH OFFENDERS.**

24 “(a) DEFINITION.—In this section, the term ‘youth
 25 offender’ means a male or female offender under the age

1 of 35, who is incarcerated in a State prison, including a
2 prerelease facility.

3 “(b) GRANT PROGRAM.—The Secretary of Education
4 (in this section referred to as the ‘Secretary’)—

5 “(1) shall establish a program in accordance
6 with this section to provide grants to the State cor-
7 rectional education agencies in the States, from allo-
8 cations for the States under subsection (h), to assist
9 and encourage youth offenders to acquire functional
10 literacy, life, and job skills, through—

11 “(A) the pursuit of a postsecondary edu-
12 cation certificate, or an associate or bachelor’s
13 degree while in prison; and

14 “(B) employment counseling and other re-
15 lated services which start during incarceration
16 and end not later than 1 year after release from
17 confinement; and

18 “(2) may establish such performance objectives
19 and reporting requirements for State correctional
20 education agencies receiving grants under this sec-
21 tion as the Secretary determines are necessary to as-
22 sess the effectiveness of the program under this sec-
23 tion.

24 “(c) APPLICATION.—To be eligible for a grant under
25 this section, a State correctional education agency shall

1 submit to the Secretary a proposal for a youth offender
2 program that—

3 “(1) identifies the scope of the problem, includ-
4 ing the number of youth offenders in need of post-
5 secondary education and vocational training;

6 “(2) lists the accredited public or private edu-
7 cational institution or institutions that will provide
8 postsecondary educational services;

9 “(3) lists the cooperating agencies, public and
10 private, or businesses that will provide related serv-
11 ices, such as counseling in the areas of career devel-
12 opment, substance abuse, health, and parenting
13 skills;

14 “(4) describes specific performance objectives
15 and evaluation methods (in addition to, and con-
16 sistent with, any objectives established by the Sec-
17 retary under subsection (b)(2)) that the State cor-
18 rectional education agency will use in carrying out
19 its proposal, including—

20 “(A) specific and quantified student out-
21 come measures that are referenced to outcomes
22 for non-program participants with similar de-
23 mographic characteristics; and

1 “(B) measures, consistent with the data
2 elements and definitions described in subsection
3 (d)(1)(A), of—

4 “(i) program completion, including an
5 explicit definition of what constitutes a
6 program completion within the proposal;

7 “(ii) knowledge and skill attainment,
8 including specification of instruments that
9 will measure knowledge and skill attain-
10 ment;

11 “(iii) attainment of employment both
12 prior to and subsequent to release;

13 “(iv) success in employment indicated
14 by job retention and advancement; and

15 “(v) recidivism, including such sub-
16 indicators as time before subsequent of-
17 fense and severity of offense;

18 “(5) describes how the proposed programs are
19 to be integrated with existing State correctional edu-
20 cation programs (such as adult education, graduate
21 education degree programs, and vocational training)
22 and State industry programs;

23 “(6) describes how the proposed programs will
24 have considered or will utilize technology to deliver
25 the services under this section; and

1 “(7) describes how students will be selected so
2 that only youth offenders eligible under subsection
3 (e) will be enrolled in postsecondary programs.

4 “(d) PROGRAM REQUIREMENTS.—Each State correc-
5 tional education agency receiving a grant under this sec-
6 tion shall—

7 “(1) annually report to the Secretary regard-
8 ing—

9 “(A) the results of the evaluations con-
10 ducted using data elements and definitions pro-
11 vided by the Secretary for the use of State cor-
12 rectional education programs;

13 “(B) any objectives or requirements estab-
14 lished by the Secretary pursuant to subsection
15 (b)(2); and

16 “(C) the additional performance objectives
17 and evaluation methods contained in the pro-
18 posal described in subsection (c)(4) as nec-
19 essary to document the attainment of project
20 performance objectives; and

21 “(2) provide to each State for each student eli-
22 gible under subsection (e) not more than—

23 “(A) \$3,000 annually for tuition, books,
24 and essential materials; and

1 “(B) \$300 annually for related services
2 such as career development, substance abuse
3 counseling, parenting skills training, and health
4 education.

5 “(e) STUDENT ELIGIBILITY.—A youth offender shall
6 be eligible for participation in a program receiving a grant
7 under this section if the youth offender—

8 “(1) is eligible to be released within 5 years (in-
9 cluding a youth offender who is eligible for parole
10 within such time);

11 “(2) is 35 years of age or younger; and

12 “(3) has not been convicted of—

13 “(A) a ‘criminal offense against a victim
14 who is a minor’ or a ‘sexually violent offense’,
15 as such terms are defined in the Jacob
16 Wetterling Crimes Against Children and Sexu-
17 ally Violent Offender Registration Act (42
18 U.S.C. 14071 et seq.); or

19 “(B) murder, as described in section 1111
20 of title 18, United States Code.

21 “(f) LENGTH OF PARTICIPATION.—A State correc-
22 tional education agency receiving a grant under this sec-
23 tion shall provide educational and related services to each
24 participating youth offender for a period not to exceed 5
25 years, 1 year of which may be devoted to study in a grad-

1 uate education degree program or to remedial education
2 services for students who have obtained a secondary school
3 diploma or its recognized equivalent. Educational and re-
4 lated services shall start during the period of incarceration
5 in prison or prerelease, and the related services may con-
6 tinue for not more than 1 year after release from confine-
7 ment.

8 “(g) EDUCATION DELIVERY SYSTEMS.—State cor-
9 rectional education agencies and cooperating institutions
10 shall, to the extent practicable, use high-tech applications
11 in developing programs to meet the requirements and
12 goals of this section.

13 “(h) ALLOCATION OF FUNDS.—From the funds ap-
14 propriated pursuant to subsection (i) for each fiscal year,
15 the Secretary shall allot to each State an amount that
16 bears the same relationship to such funds as the total
17 number of students eligible under subsection (e) in such
18 State bears to the total number of such students in all
19 States.

20 “(i) AUTHORIZATION OF APPROPRIATIONS.—There
21 are authorized to be appropriated to carry out this section
22 such sums as may be necessary for fiscal years 2008
23 through 2013.”.

1 **SEC. 933. UNDERGROUND RAILROAD EDUCATIONAL AND**
2 **CULTURAL PROGRAM.**

3 Section 841(c) of the Higher Education Amendments
4 of 1998 (20 U.S.C. 1153(c)) is amended by striking “this
5 section” and all that follows through the period at the end
6 and inserting “this section such sums as may be necessary
7 for fiscal years 2008 through 2013.”.

8 **SEC. 934. OLYMPIC SCHOLARSHIPS UNDER THE HIGHER**
9 **EDUCATION AMENDMENTS OF 1992.**

10 Section 1543(d) of the Higher Education Amend-
11 ments of 1992 (20 U.S.C. 1070 note) is amended by strik-
12 ing “to be appropriated” and all that follows through the
13 period at the end and inserting “to be appropriated such
14 sums as may be necessary for fiscal years 2008 through
15 2013.”.

16 **PART D—INDIAN EDUCATION**

17 **Subpart 1—Tribal Colleges and Universities**

18 **SEC. 941. REAUTHORIZATION OF THE TRIBALLY CON-**
19 **TROLLED COLLEGE OR UNIVERSITY ASSIST-**
20 **ANCE ACT OF 1978.**

21 (a) CLARIFICATION OF THE DEFINITION OF NA-
22 TIONAL INDIAN ORGANIZATION.—Section 2(a)(6) of the
23 Tribally Controlled College or University Assistance Act
24 of 1978 (25 U.S.C. 1801(a)(6)) is amended by striking
25 “in the field of Indian education” and inserting “in the

1 fields of tribally controlled colleges and universities and
2 Indian higher education”.

3 (b) INDIAN STUDENT COUNT.—Section 2(a) of the
4 Tribally Controlled College or University Assistance Act
5 of 1978 (25 U.S.C. 1801(a)) is amended—

6 (1) by redesignating paragraphs (7) and (8) as
7 paragraphs (8) and (9), respectively; and

8 (2) by inserting after paragraph (6) the fol-
9 lowing:

10 “(7) ‘Indian student’ means a student who is—

11 “(A) a member of an Indian tribe; or

12 “(B) a biological child of a member of an
13 Indian tribe, living or deceased;”.

14 (c) CONTINUING EDUCATION.—Section 2(b) of the
15 Tribally Controlled College or University Assistance Act
16 of 1978 (25 U.S.C. 1801(b)) is amended—

17 (1) in the matter preceding paragraph (1), by
18 striking “paragraph (7) of subsection (a)” and in-
19 serting “subsection (a)(8)”;

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

22 “(5) DETERMINATION OF CREDITS.—Eligible
23 credits earned in a continuing education program—

24 “(A) shall be determined as 1 credit for
25 every 10 contact hours in the case of an institu-

1 tion on a quarter system, or 15 contact hours
2 in the case of an institution on a semester sys-
3 tem, of participation in an organized continuing
4 education experience under responsible sponsor-
5 ship, capable direction, and qualified instruc-
6 tion, as described in the criteria established by
7 the International Association for Continuing
8 Education and Training; and

9 “(B) shall be limited to 10 percent of the
10 Indian student count of a tribally controlled col-
11 lege or university.”; and

12 (3) by striking paragraph (6).

13 (d) ACCREDITATION REQUIREMENT.—Section 103 of
14 the Tribally Controlled College or University Assistance
15 Act of 1978 (25 U.S.C. 1804) is amended—

16 (1) in paragraph (2), by striking “and” at the
17 end;

18 (2) in paragraph (3), by striking the period at
19 the end and inserting “; and”; and

20 (3) by inserting after paragraph (3), the fol-
21 lowing:

22 “(4)(A) is accredited by a nationally recognized
23 accrediting agency or association determined by the
24 Secretary of Education to be a reliable authority
25 with regard to the quality of training offered; or

1 “(B) according to such an agency or associa-
2 tion, is making reasonable progress toward accredi-
3 tation.”.

4 (e) TECHNICAL ASSISTANCE CONTRACTS.—Section
5 105 of the Tribally Controlled College or University As-
6 sistance Act of 1978 (25 U.S.C. 1805) is amended—

7 (1) by striking the section designation and
8 heading and all that follows through “The Secretary
9 shall” and inserting the following:

10 **“SEC. 105. TECHNICAL ASSISTANCE CONTRACTS.**

11 “(a) TECHNICAL ASSISTANCE.—

12 “(1) IN GENERAL.—The Secretary shall”;

13 (2) in the second sentence, by striking “In the
14 awarding of contracts for technical assistance, pref-
15 erence shall be given” and inserting the following:

16 “(2) DESIGNATED ORGANIZATION.—The Sec-
17 retary shall require that a contract for technical as-
18 sistance under paragraph (1) shall be awarded”; and

19 (3) in the third sentence, by striking “No au-
20 thority” and inserting the following:

21 “(b) EFFECT OF SECTION.—No authority”.

22 (f) AMOUNT OF GRANTS.—Section 108(a) of the
23 Tribally Controlled College or University Assistance Act
24 of 1978 (25 U.S.C. 1808(a)) is amended—

1 (1) by redesignating paragraphs (1) and (2) as
2 subparagraphs (A) and (B), respectively, and indent-
3 ing the subparagraphs appropriately;

4 (2) by striking “(a) Except as provided in sec-
5 tion 111,” and inserting the following:

6 “(a) REQUIREMENT.—

7 “(1) IN GENERAL.—Except as provided in para-
8 graph (2) and section 111,”;

9 (3) in paragraph (1) (as redesignated by para-
10 graphs (1) and (2))—

11 (A) in the matter preceding subparagraph

12 (A) (as redesignated by paragraph (1))—

13 (i) by striking “him” and inserting

14 “the Secretary”; and

15 (ii) by striking “product of” and in-

16 serting “product obtained by multiplying”;

17 (B) in subparagraph (A) (as redesignated
18 by paragraph (1)), by striking “section 2(a)(7)”

19 and inserting “section 2(a)(8)”; and

20 (C) in subparagraph (B) (as redesignated
21 by paragraph (1)), by striking “\$6,000,” and

22 inserting “\$8,000, as adjusted annually for in-
23 flation.”; and

24 (4) by striking “except that no grant shall ex-
25 ceed the total cost of the education program pro-

1 vided by such college or university.” and inserting
2 the following:

3 “(2) EXCEPTION.—The amount of a grant
4 under paragraph (1) shall not exceed an amount
5 equal to the total cost of the education program pro-
6 vided by the applicable tribally controlled college or
7 university.”.

8 (g) GENERAL PROVISIONS REAUTHORIZATION.—Sec-
9 tion 110(a) of the Tribally Controlled College or Univer-
10 sity Assistance Act of 1978 (25 U.S.C. 1810(a)) is amend-
11 ed—

12 (1) in paragraphs (1), (2), (3), and (4), by
13 striking “1999” and inserting “2008”;

14 (2) in paragraphs (1), (2), and (3), by striking
15 “4 succeeding” and inserting “5 succeeding”;

16 (3) in paragraph (2), by striking
17 “\$40,000,000” and inserting “such sums as may be
18 necessary”;

19 (4) in paragraph (3), by striking
20 “\$10,000,000” and inserting “such sums as may be
21 necessary”; and

22 (5) in paragraph (4), by striking “succeeding
23 4” and inserting “5 succeeding”.

24 (h) ENDOWMENT PROGRAM REAUTHORIZATION.—
25 Section 306(a) of the Tribally Controlled College or Uni-

1 versity Assistance Act of 1978 (25 U.S.C. 1836(a)) is
2 amended—

3 (1) by striking “1999” and inserting “2008”;

4 and

5 (2) by striking “4 succeeding” and inserting “5
6 succeeding”.

7 (i) TRIBAL ECONOMIC DEVELOPMENT REAUTHOR-
8 IZATION.—Section 403 of the Tribal Economic Develop-
9 ment and Technology Related Education Assistance Act
10 of 1990 (25 U.S.C. 1852) is amended—

11 (1) by striking “\$2,000,000 for fiscal year
12 1999” and inserting “such sums as may be nec-
13 essary for fiscal year 2008”; and

14 (2) by striking “4 succeeding” and inserting “5
15 succeeding”.

16 (j) TRIBALLY CONTROLLED POSTSECONDARY CA-
17 REER AND TECHNICAL INSTITUTIONS.—

18 (1) IN GENERAL.—The Tribally Controlled Col-
19 lege or University Assistance Act of 1978 (25 U.S.C.
20 1801 et seq.) is amended by adding at the end the
21 following:

1 **“Subtitle V—Tribally Controlled**
2 **Postsecondary Career and Tech-**
3 **nical Institutions**

4 **“SEC. 501. DEFINITION OF TRIBALLY CONTROLLED POST-**
5 **SECONDARY CAREER AND TECHNICAL INSTI-**
6 **TUTION.**

7 “In this title, the term ‘tribally controlled postsec-
8 ondary career and technical institution’ has the meaning
9 given the term in section 3 of the Carl D. Perkins Career
10 and Technical Education Act of 2006 (20 U.S.C. 2302).

11 **“SEC. 502. TRIBALLY CONTROLLED POSTSECONDARY CA-**
12 **REER AND TECHNICAL INSTITUTIONS PRO-**
13 **GRAM.**

14 “(a) IN GENERAL.—Subject to the availability of ap-
15 propriations, for fiscal year 2008 and each fiscal year
16 thereafter, the Secretary shall—

17 “(1) subject to subsection (b), select 2 tribally
18 controlled postsecondary career and technical insti-
19 tutions to receive assistance under this title; and

20 “(2) provide funding to the selected tribally
21 controlled postsecondary career and technical insti-
22 tutions to pay the costs (including institutional sup-
23 port costs) of operating postsecondary career and
24 technical education programs for Indian students at

1 the tribally controlled postsecondary career and tech-
2 nical institutions.

3 “(b) SELECTION OF CERTAIN INSTITUTIONS.—

4 “(1) REQUIREMENT.—For each fiscal year dur-
5 ing which the Secretary determines that a tribally
6 controlled postsecondary career and technical insti-
7 tution described in paragraph (2) meets the defini-
8 tion referred to in section 501, the Secretary shall
9 select that tribally controlled postsecondary career
10 and technical institution under subsection (a)(1) to
11 receive funding under this section.

12 “(2) INSTITUTIONS.—The 2 tribally controlled
13 postsecondary career and technical institutions re-
14 ferred to in paragraph (1) are—

15 “(A) the United Tribes Technical College;

16 and

17 “(B) the Navajo Technical College.

18 “(c) METHOD OF PAYMENT.—For each applicable
19 fiscal year, the Secretary shall provide funding under this
20 section to each tribally controlled postsecondary career
21 and technical institution selected for the fiscal year under
22 subsection (a)(1) in a lump sum payment for the fiscal
23 year.

24 “(d) DISTRIBUTION.—

1 “(1) IN GENERAL.—For fiscal year 2009 and
2 each fiscal year thereafter, of amounts made avail-
3 able pursuant to section 504, the Secretary shall dis-
4 tribute to each tribally controlled postsecondary ca-
5 reer and technical institution selected for the fiscal
6 year under subsection (a)(1) an amount equal to the
7 greater of—

8 “(A) the total amount appropriated for the
9 tribally controlled postsecondary career and
10 technical institution for fiscal year 2006; or

11 “(B) the total amount appropriated for the
12 tribally controlled postsecondary career and
13 technical institution for fiscal year 2008.

14 “(2) EXCESS AMOUNTS.—If, for any fiscal year,
15 the amount made available pursuant to section 504
16 exceeds the sum of the amounts required to be dis-
17 tributed under paragraph (1) to the tribally con-
18 trolled postsecondary career and technical institu-
19 tions selected for the fiscal year under subsection
20 (a)(1), the Secretary shall distribute to each tribally
21 controlled postsecondary career and technical insti-
22 tution selected for that fiscal year a portion of the
23 excess amount, to be determined by—

24 “(A) dividing the excess amount by the ag-
25 gregate Indian student count (as defined in sec-

1 tion 117(h) of the Carl D. Perkins Career and
2 Technical Education Act of 2006 (20 U.S.C.
3 2327(h)) of such institutions for the prior aca-
4 demic year; and

5 “(B) multiplying the quotient described in
6 subparagraph (A) by the Indian student count
7 of each such institution for the prior academic
8 year.

9 **“SEC. 503. APPLICABILITY OF OTHER LAWS.**

10 “(a) IN GENERAL.—Paragraphs (4) and (7) of sub-
11 section (a), and subsection (b), of section 2, sections 105,
12 108, 111, 112 and 113, and titles II, III, and IV shall
13 not apply to this title.

14 “(b) INDIAN SELF-DETERMINATION AND EDU-
15 CATION ASSISTANCE.—Funds made available pursuant to
16 this title shall be subject to the Indian Self-Determination
17 and Education Assistance Act (25 U.S.C. 450 et seq.).

18 “(c) ELECTION TO RECEIVE.—A tribally controlled
19 postsecondary career and technical institution selected for
20 a fiscal year under section 502(b) may elect to receive
21 funds pursuant to section 502 in accordance with an
22 agreement between the tribally controlled postsecondary
23 career and technical institution and the Secretary under
24 the Indian Self-Determination and Education Assistance
25 Act (25 U.S.C. 450 et seq.) if the agreement is in exist-

1 ence on the date of enactment of the Higher Education
2 Amendments of 2007.

3 “(d) OTHER ASSISTANCE.—Eligibility for, or receipt
4 of, assistance under this title shall not preclude the eligi-
5 bility of a tribally controlled postsecondary career and
6 technical institutions to receive Federal financial assist-
7 ance under—

8 “(1) any program under the Higher Education
9 Act of 1965 (20 U.S.C. 1001 et seq.);

10 “(2) any program under the Carl D. Perkins
11 Career and Technical Education Act of 2006; or

12 “(3) any other applicable program under which
13 a benefit is provided for—

14 “(A) institutions of higher education;

15 “(B) community colleges; or

16 “(C) postsecondary educational institu-
17 tions.

18 **“SEC. 504. AUTHORIZATION OF APPROPRIATIONS.**

19 “There are authorized to be appropriated such sums
20 as are necessary for fiscal year 2008 and each fiscal year
21 thereafter to carry out this title.”.

22 (2) CONFORMING AMENDMENTS.—Section 117
23 of the Carl D. Perkins Career and Technical Edu-
24 cation Act of 2006 (20 U.S.C. 2327) is amended—

1 (A) by striking subsection (a) and insert-
2 ing the following:

3 “(a) GRANT PROGRAM.—Subject to the availability of
4 appropriations, the Secretary shall make grants under this
5 section, to provide basic support for the education and
6 training of Indian students, to tribally controlled postsec-
7 ondary career and technical institutions that are not re-
8 ceiving Federal assistance as of the date on which the
9 grant is provided under—

10 “(1) title I of the Tribally Controlled College or
11 University Assistance Act of 1978 (25 U.S.C. 1802
12 et seq.); or

13 “(2) the Navajo Community College Act (25
14 U.S.C. 640a et seq.).”; and

15 (B) by striking subsection (d) and insert-
16 ing the following:

17 “(d) APPLICATIONS.—To be eligible to receive a
18 grant under this section, a tribally controlled postsec-
19 ondary career and technical institution that is not receiv-
20 ing Federal assistance under title I of the Tribally Con-
21 trolled College or University Assistance Act (25 U.S.C.
22 1802 et seq.) or the Navajo Community College Act (25
23 U.S.C. 640a et seq.) shall submit to the Secretary an ap-
24 plication at such time, in such manner, and containing
25 such information as the Secretary may require.”.

1 (k) SHORT TITLE.—

2 (1) IN GENERAL.—The first section of the Trib-
3 ally Controlled College or University Assistance Act
4 of 1978 (25 U.S.C. 1801 note; Public Law 95–471)
5 is amended to read as follows:

6 **“SECTION 1. SHORT TITLE.**

7 “This Act may be cited as the ‘Tribally Controlled
8 Colleges and Universities Assistance Act of 1978’.”.

9 (2) REFERENCES.—Any reference in law (in-
10 cluding regulations) to the Tribally Controlled Col-
11 lege or University Assistance Act of 1978 shall be
12 considered to be a reference to the “Tribally Con-
13 trolled Colleges and Universities Assistance Act of
14 1978”.

15 **Subpart 2—Navajo Higher Education**

16 **SEC. 945. SHORT TITLE.**

17 This subpart may be cited as the “Navajo Nation
18 Higher Education Act of 2006”.

19 **SEC. 946. REAUTHORIZATION OF NAVAJO COMMUNITY COL-**
20 **LEGE ACT.**

21 (a) PURPOSE.—Section 2 of the Navajo Community
22 College Act (25 U.S.C. 640a) is amended—

23 (1) by striking “Navajo Tribe of Indians” and
24 inserting “Navajo Nation”; and

1 (2) by striking “the Navajo Community Col-
2 lege” and inserting “Diné College”.

3 (b) GRANTS.—Section 3 of the Navajo Community
4 College Act (25 U.S.C. 640b) is amended—

5 (1) in the first sentence—

6 (A) by inserting “the” before “Interior”;

7 (B) by striking “Navajo Tribe of Indians”
8 and inserting “Navajo Nation”; and

9 (C) by striking “the Navajo Community
10 College” and inserting “Diné College”; and

11 (2) in the second sentence—

12 (A) by striking “Navajo Tribe” and insert-
13 ing “Navajo Nation”; and

14 (B) by striking “Navajo Indians” and in-
15 serting “Navajo people”.

16 (c) STUDY OF FACILITIES NEEDS.—Section 4 of the
17 Navajo Community College Act (25 U.S.C. 640c) is
18 amended—

19 (1) in subsection (a)—

20 (A) in the first sentence—

21 (i) by striking “the Navajo Commu-
22 nity College” and inserting “Dine College”;
23 and

24 (ii) by striking “August 1, 1979” and
25 inserting “October 31, 2010”; and

1 (B) in the second sentence, by striking
2 “Navajo Tribe” and inserting “Navajo Nation”;

3 (2) in subsection (b), by striking “the date of
4 enactment of the Tribally Controlled Community
5 College Assistance Act of 1978” and inserting “Oc-
6 tober 1, 2007”; and

7 (3) in subsection (c), in the first sentence, by
8 striking “the Navajo Community College” and in-
9 serting “Diné College”.

10 (d) AUTHORIZATION OF APPROPRIATIONS.—Section
11 5 of the Navajo Community College Act (25 U.S.C. 640c-
12 1) is amended—

13 (1) in subsection (a)—

14 (A) in paragraph (1), by striking
15 “\$2,000,000” and all that follows through the
16 end of the paragraph and inserting “such sums
17 as are necessary for fiscal years 2008 through
18 2013.”; and

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

20 “(3) Sums described in paragraph (2) shall be used
21 to provide grants for construction activities, including the
22 construction of buildings, water and sewer facilities, roads,
23 information technology and telecommunications infra-
24 structure, classrooms, and external structures (such as
25 walkways).”;

1 (2) in subsection (b)(1)—

2 (A) in the matter preceding subparagraph

3 (A)—

4 (i) by striking “the Navajo Commu-
5 nity College” and inserting “Diné College”;
6 and

7 (ii) by striking “, for each fiscal year”
8 and all that follows through “for—” and
9 inserting “such sums as are necessary for
10 fiscal years 2008 through 2013 to pay the
11 cost of—”;

12 (B) in subparagraph (A)—

13 (i) by striking “college” and inserting
14 “College”;

15 (ii) in clauses (i) and (iii), by striking
16 the commas at the ends of the clauses and
17 inserting semicolons; and

18 (iii) in clause (ii), by striking “, and”
19 at the end and inserting “; and”;

20 (C) in subparagraph (B), by striking the
21 comma at the end and inserting a semicolon;

22 (D) in subparagraph (C), by striking “,
23 and” at the end and inserting a semicolon;

24 (E) in subparagraph (D), by striking the
25 period at the end and inserting “; and”; and

1 (F) by adding at the end the following:

2 “(E) improving and expanding the College,
3 including by providing, for the Navajo people
4 and others in the community of the College—

5 “(i) higher education programs;

6 “(ii) career and technical education;

7 “(iii) activities relating to the preser-
8 vation and protection of the Navajo lan-
9 guage, philosophy, and culture;

10 “(iv) employment and training oppor-
11 tunities;

12 “(v) economic development and com-
13 munity outreach; and

14 “(vi) a safe learning, working, and liv-
15 ing environment.”; and

16 (3) in subsection (c), by striking “the Navajo
17 Community College” and inserting “Diné College”.

18 (e) EFFECT ON OTHER LAWS.—Section 6 of the
19 Navajo Community College Act (25 U.S.C. 640c–2) is
20 amended—

21 (1) by striking “the Navajo Community Col-
22 lege” each place it appears and inserting “Diné Col-
23 lege”; and

24 (2) in subsection (b), by striking “college” and
25 inserting “College”.

1 (f) PAYMENTS; INTEREST.—Section 7 of the Navajo
2 Community College Act (25 U.S.C. 640c-3) is amended
3 by striking “the Navajo Community College” each place
4 it appears and inserting “Diné College”.

5 **“SEC. 428L. LOAN REPAYMENT FOR CIVIL LEGAL ASSIST-**
6 **ANCE ATTORNEYS.**

7 “(a) PURPOSE.—The purpose of this section is to en-
8 courage qualified individuals to enter and continue em-
9 ployment as civil legal assistance attorneys.

10 “(b) DEFINITIONS.—In this section:

11 “(1) CIVIL LEGAL ASSISTANCE ATTORNEY.—
12 The term ‘civil legal assistance attorney’ means an
13 attorney who—

14 “(A) is a full-time employee of a nonprofit
15 organization that provides legal assistance with
16 respect to civil matters to low-income individ-
17 uals without a fee;

18 “(B) as such employee, provides civil legal
19 assistance as described in subparagraph (A) on
20 a full-time basis; and

21 “(C) is continually licensed to practice law.

22 “(2) STUDENT LOAN.—The term ‘student loan’
23 means—

1 “(A) subject to subparagraph (B), a loan
2 made, insured, or guaranteed under part B, D,
3 or E of this title; and

4 “(B) a loan made under section 428C or
5 455(g), to the extent that such loan was used
6 to repay—

7 “(i) a Federal Direct Stafford Loan, a
8 Federal Direct Unsubsidized Stafford
9 Loan, or a Federal Direct PLUS Loan;

10 “(ii) a loan made under section 428,
11 428B, or 428H; or

12 “(iii) a loan made under part E.

13 “(c) PROGRAM AUTHORIZED.—The Secretary shall
14 carry out a program of assuming the obligation to repay
15 a student loan, by direct payments on behalf of a borrower
16 to the holder of such loan, in accordance with subsection
17 (d), for any borrower who—

18 “(1) is employed as a civil legal assistance at-
19 torney; and

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

22 “(d) TERMS OF AGREEMENT.—

23 “(1) IN GENERAL.—To be eligible to receive re-
24 payment benefits under subsection (c), a borrower

1 shall enter into a written agreement with the Sec-
2 retary that specifies that—

3 “(A) the borrower will remain employed as
4 a civil legal assistance attorney for a required
5 period of service of not less than 3 years, unless
6 involuntarily separated from that employment;

7 “(B) if the borrower is involuntarily sepa-
8 rated from employment on account of mis-
9 conduct, or voluntarily separates from employ-
10 ment, before the end of the period specified in
11 the agreement, the borrower will repay the Sec-
12 retary the amount of any benefits received by
13 such employee under this agreement;

14 “(C) if the borrower is required to repay
15 an amount to the Secretary under subpara-
16 graph (B) and fails to repay such amount, a
17 sum equal to that amount shall be recoverable
18 by the Federal Government from the employee
19 by such methods as are provided by law for the
20 recovery of amounts owed to the Federal Gov-
21 ernment;

22 “(D) the Secretary may waive, in whole or
23 in part, a right of recovery under this sub-
24 section if it is shown that recovery would be

1 against equity and good conscience or against
2 the public interest; and

3 “(E) the Secretary shall make student loan
4 payments under this section for the period of
5 the agreement, subject to the availability of ap-
6 propriations.

7 “(2) REPAYMENTS.—

8 “(A) IN GENERAL.—Any amount repaid
9 by, or recovered from, an individual under this
10 subsection shall be credited to the appropriation
11 account from which the amount involved was
12 originally paid.

13 “(B) MERGER.—Any amount credited
14 under subparagraph (A) shall be merged with
15 other sums in such account and shall be avail-
16 able for the same purposes and period, and sub-
17 ject to the same limitations, if any, as the sums
18 with which the amount was merged.

19 “(3) LIMITATIONS.—

20 “(A) STUDENT LOAN PAYMENT
21 AMOUNT.—Student loan repayments made by
22 the Secretary under this section shall be made
23 subject to such terms, limitations, or conditions
24 as may be mutually agreed upon by the bor-
25 rower and the Secretary in an agreement under

1 paragraph (1), except that the amount paid by
2 the Secretary under this section shall not ex-
3 ceed—

4 “(i) \$6,000 for any borrower in any
5 calendar year; or

6 “(ii) an aggregate total of \$40,000 in
7 the case of any borrower.

8 “(B) BEGINNING OF PAYMENTS.—Nothing
9 in this section shall authorize the Secretary to
10 pay any amount to reimburse a borrower for
11 any repayments made by such borrower prior to
12 the date on which the Secretary entered into an
13 agreement with the borrower under this sub-
14 section.

15 “(e) ADDITIONAL AGREEMENTS.—

16 “(1) IN GENERAL.—On completion of the re-
17 quired period of service under an agreement under
18 subsection (d), the borrower and the Secretary may,
19 subject to paragraph (2), enter into an additional
20 agreement in accordance with subsection (d).

21 “(2) TERM.—An agreement entered into under
22 paragraph (1) may require the borrower to remain
23 employed as a civil legal assistance attorney for less
24 than 3 years.

25 “(f) AWARD BASIS; PRIORITY.—

1 “(1) AWARD BASIS.—Subject to paragraph (2),
2 the Secretary shall provide repayment benefits under
3 this section on a first-come, first-served basis, and
4 subject to the availability of appropriations.

5 “(2) PRIORITY.—The Secretary shall give pri-
6 ority in providing repayment benefits under this sec-
7 tion in any fiscal year to a borrower who—

8 “(A) has practiced law for 5 years or less
9 and, for at least 90 percent of the time in such
10 practice, has served as a civil legal assistance
11 attorney;

12 “(B) received repayment benefits under
13 this section during the preceding fiscal year;
14 and

15 “(C) has completed less than 3 years of
16 the first required period of service specified for
17 the borrower in an agreement entered into
18 under subsection (d).

19 “(g) REGULATIONS.—The Secretary is authorized to
20 issue such regulations as may be necessary to carry out
21 the provisions of this section.

22 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
23 are authorized to be appropriated to carry out this section
24 \$10,000,000 for fiscal year 2008 and such sums as may
25 be necessary for each succeeding fiscal year.”.

1 **PART E—OMNIBUS CRIME CONTROL AND SAFE**
 2 **STREETS ACT OF 1968**

3 **SEC. 951. SHORT TITLE.**

4 This part may be cited as the “John R. Justice Pros-
 5 ecutors and Defenders Incentive Act of 2007”.

6 **SEC. 952. LOAN REPAYMENT FOR PROSECUTORS AND DE-**
 7 **FENDERS.**

8 Title I of the Omnibus Crime Control and Safe
 9 Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended
 10 by inserting after part II (42 U.S.C. 3797cc et seq.) the
 11 following:

12 **“PART JJ—LOAN REPAYMENT FOR**
 13 **PROSECUTORS AND PUBLIC DEFENDERS**

14 **“SEC. 3001. GRANT AUTHORIZATION.**

15 “(a) PURPOSE.—The purpose of this section is to en-
 16 courage qualified individuals to enter and continue em-
 17 ployment as prosecutors and public defenders.

18 “(b) DEFINITIONS.—In this section:

19 “(1) PROSECUTOR.—The term ‘prosecutor’
 20 means a full-time employee of a State or local agen-
 21 cy who—

22 “(A) is continually licensed to practice law;

23 and

24 “(B) prosecutes criminal or juvenile delin-
 25 quency cases at the State or local level (includ-

1 ing supervision, education, or training of other
2 persons prosecuting such cases).

3 “(2) PUBLIC DEFENDER.—The term ‘public de-
4 fender’ means an attorney who—

5 “(A) is continually licensed to practice law;
6 and

7 “(B) is—

8 “(i) a full-time employee of a State or
9 local agency who provides legal representa-
10 tion to indigent persons in criminal or ju-
11 venile delinquency cases (including super-
12 vision, education, or training of other per-
13 sons providing such representation);

14 “(ii) a full-time employee of a non-
15 profit organization operating under a con-
16 tract with a State or unit of local govern-
17 ment, who devotes substantially all of his
18 or her full-time employment to providing
19 legal representation to indigent persons in
20 criminal or juvenile delinquency cases, (in-
21 cluding supervision, education, or training
22 of other persons providing such representa-
23 tion); or

24 “(iii) employed as a full-time Federal
25 defender attorney in a defender organiza-

1 tion established pursuant to subsection (g)
2 of section 3006A of title 18, United States
3 Code, that provides legal representation to
4 indigent persons in criminal or juvenile de-
5 linquency cases.

6 “(3) STUDENT LOAN.—The term ‘student loan’
7 means—

8 “(A) a loan made, insured, or guaranteed
9 under part B of title IV of the Higher Edu-
10 cation Act of 1965 (20 U.S.C. 1071 et seq.);

11 “(B) a loan made under part D or E of
12 title IV of the Higher Education Act of 1965
13 (20 U.S.C. 1087a et seq. and 1087aa et seq.);
14 and

15 “(C) a loan made under section 428C or
16 455(g) of the Higher Education Act of 1965
17 (20 U.S.C. 1078–3 and 1087e(g)) to the extent
18 that such loan was used to repay a Federal Di-
19 rect Stafford Loan, a Federal Direct Unsub-
20 sidized Stafford Loan, or a loan made under
21 section 428 or 428H of such Act.

22 “(c) PROGRAM AUTHORIZED.—The Attorney General
23 shall establish a program by which the Department of Jus-
24 tice shall assume the obligation to repay a student loan,
25 by direct payments on behalf of a borrower to the holder

1 of such loan, in accordance with subsection (d), for any
2 borrower who—

3 “(1) is employed as a prosecutor or public de-
4 fender; and

5 “(2) is not in default on a loan for which the
6 borrower seeks forgiveness.

7 “(d) TERMS OF AGREEMENT.—

8 “(1) IN GENERAL.—To be eligible to receive re-
9 payment benefits under subsection (c), a borrower
10 shall enter into a written agreement that specifies
11 that—

12 “(A) the borrower will remain employed as
13 a prosecutor or public defender for a required
14 period of service of not less than 3 years, unless
15 involuntarily separated from that employment;

16 “(B) if the borrower is involuntarily sepa-
17 rated from employment on account of mis-
18 conduct, or voluntarily separates from employ-
19 ment, before the end of the period specified in
20 the agreement, the borrower will repay the At-
21 torney General the amount of any benefits re-
22 ceived by such employee under this section;

23 “(C) if the borrower is required to repay
24 an amount to the Attorney General under sub-
25 paragraph (B) and fails to repay such amount,

1 a sum equal to that amount shall be recoverable
2 by the Federal Government from the employee
3 (or such employee's estate, if applicable) by
4 such methods as are provided by law for the re-
5 covery of amounts owed to the Federal Govern-
6 ment;

7 “(D) the Attorney General may waive, in
8 whole or in part, a right of recovery under this
9 subsection if it is shown that recovery would be
10 against equity and good conscience or against
11 the public interest; and

12 “(E) the Attorney General shall make stu-
13 dent loan payments under this section for the
14 period of the agreement, subject to the avail-
15 ability of appropriations.

16 “(2) REPAYMENTS.—

17 “(A) IN GENERAL.—Any amount repaid
18 by, or recovered from, an individual or the es-
19 tate of an individual under this subsection shall
20 be credited to the appropriation account from
21 which the amount involved was originally paid.

22 “(B) MERGER.—Any amount credited
23 under subparagraph (A) shall be merged with
24 other sums in such account and shall be avail-
25 able for the same purposes and period, and sub-

1 ject to the same limitations, if any, as the sums
2 with which the amount was merged.

3 “(3) LIMITATIONS.—

4 “(A) STUDENT LOAN PAYMENT
5 AMOUNT.—Student loan repayments made by
6 the Attorney General under this section shall be
7 made subject to such terms, limitations, or con-
8 ditions as may be mutually agreed upon by the
9 borrower and the Attorney General in an agree-
10 ment under paragraph (1), except that the
11 amount paid by the Attorney General under
12 this section shall not exceed—

13 “(i) \$10,000 for any borrower in any
14 calendar year; or

15 “(ii) an aggregate total of \$60,000 in
16 the case of any borrower.

17 “(B) BEGINNING OF PAYMENTS.—Nothing
18 in this section shall authorize the Attorney Gen-
19 eral to pay any amount to reimburse a borrower
20 for any repayments made by such borrower
21 prior to the date on which the Attorney General
22 entered into an agreement with the borrower
23 under this subsection.

24 “(e) ADDITIONAL AGREEMENTS.—

1 “(1) IN GENERAL.—On completion of the re-
2 quired period of service under an agreement under
3 subsection (d), the borrower and the Attorney Gen-
4 eral may, subject to paragraph (2), enter into an ad-
5 ditional agreement in accordance with subsection
6 (d).

7 “(2) TERM.—An agreement entered into under
8 paragraph (1) may require the borrower to remain
9 employed as a prosecutor or public defender for less
10 than 3 years.

11 “(f) AWARD BASIS; PRIORITY.—

12 “(1) AWARD BASIS.—Subject to paragraph (2),
13 the Attorney General shall provide repayment bene-
14 fits under this section—

15 “(A) giving priority to borrowers who have
16 the least ability to repay their loans, except that
17 the Attorney General shall determine a fair al-
18 location of repayment benefits among prosecu-
19 tors and public defenders, and among employ-
20 ing entities nationwide; and

21 “(B) subject to the availability of appro-
22 priations.

23 “(2) PRIORITY.—The Attorney General shall
24 give priority in providing repayment benefits under
25 this section in any fiscal year to a borrower who—

1 “(A) received repayment benefits under
2 this section during the preceding fiscal year;
3 and

4 “(B) has completed less than 3 years of
5 the first required period of service specified for
6 the borrower in an agreement entered into
7 under subsection (d).

8 “(g) REGULATIONS.—The Attorney General is au-
9 thorized to issue such regulations as may be necessary to
10 carry out the provisions of this section.

11 “(h) STUDY.—Not later than 1 year after the date
12 of enactment of this section, the Government Account-
13 ability Office shall study and report to Congress on the
14 impact of law school accreditation requirements and other
15 factors on law school costs and access, including the im-
16 pact of such requirements on racial and ethnic minorities.

17 “(i) AUTHORIZATION OF APPROPRIATIONS.—There
18 are authorized to be appropriated to carry out this section
19 \$25,000,000 for fiscal year 2008 and such sums as may
20 be necessary for each succeeding fiscal year.”.

Passed the Senate July 24, 2007.

Attest:

Secretary.

110TH CONGRESS
1ST SESSION

S. 1642

AN ACT

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