

In the Senate of the United States,

July 29 (legislative day, July 28), 2008.

Resolved, That the bill from the House of Representatives (H.R. 4137) entitled “An Act to amend and extend the Higher Education Act of 1965, and for other purposes.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause, and insert the following:

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:*

Sec. 1. Short title; table of contents.

Sec. 2. References.

Sec. 3. General effective date.

TITLE I—GENERAL PROVISIONS

Sec. 101. Additional definitions.

Sec. 102. General definition of institution of higher education.

Sec. 103. Definition of institution of higher education for purposes of title IV programs.

Sec. 104. Protection of student speech and association rights.

- Sec. 105. Accreditation and Institutional Quality and Integrity Advisory Committee.*
- Sec. 106. Drug and alcohol abuse prevention.*
- Sec. 107. Prior rights and obligations.*
- Sec. 108. Transparency in college tuition for consumers.*
- Sec. 109. Databases of student information prohibited.*
- Sec. 110. Clear and easy-to-find information on student financial aid.*
- Sec. 110A. State higher education information system pilot program.*
- Sec. 111. Performance-based organization for the delivery of Federal student financial assistance.*
- Sec. 112. Procurement flexibility.*
- Sec. 113. Institution and lender reporting and disclosure requirements.*
- Sec. 114. Employment of postsecondary education graduates.*
- Sec. 115. Foreign medical schools.*
- Sec. 116. Demonstration and certification regarding the use of certain Federal funds.*

TITLE II—TEACHER QUALITY ENHANCEMENT

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

TITLE III—INSTITUTIONAL AID

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

TITLE IV—STUDENT ASSISTANCE

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

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

PART B—FEDERAL FAMILY EDUCATION LOAN PROGRAM

- Sec. 421. Federal payments to reduce student interest costs.*
- Sec. 422. Federal Consolidation Loans.*
- Sec. 423. Default reduction program.*
- Sec. 424. Reports to consumer reporting agencies and institutions of higher education.*
- Sec. 425. Common forms and formats.*
- Sec. 426. Student loan information by eligible lenders.*
- Sec. 427. Consumer education information.*
- Sec. 428. Definition of eligible lender.*
- Sec. 429. Discharge and cancellation rights in cases of disability.*

PART C—FEDERAL WORK-STUDY PROGRAMS

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

PART D—FEDERAL PERKINS LOANS

- Sec. 451. Program authority.*
- Sec. 451A. Allowance for books and supplies.*
- Sec. 451B. Perkins loan forbearance.*
- Sec. 452. Cancellation of loans for certain public service.*

PART E—NEED ANALYSIS

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

PART F—GENERAL PROVISIONS RELATING TO STUDENT ASSISTANCE

- Sec. 471. Definitions.*
- Sec. 472. Compliance calendar.*
- Sec. 473. Forms and regulations.*
- Sec. 474. Student eligibility.*
- Sec. 475. Statute of limitations and State court judgments.*
- Sec. 476. Institutional refunds.*
- Sec. 477. Institutional and financial assistance information for students.*
- Sec. 478. Entrance counseling required.*
- Sec. 479. National Student Loan Data System.*
- Sec. 480. Early awareness of financial aid eligibility.*
- Sec. 481. Program participation agreements.*
- Sec. 482. Regulatory relief and improvement.*
- Sec. 483. Transfer of allotments.*
- Sec. 484. Purpose of administrative payments.*
- Sec. 485. Advisory Committee on student financial assistance.*
- Sec. 486. Regional meetings.*
- Sec. 487. Year 2000 requirements at the Department.*

PART G—PROGRAM INTEGRITY

- Sec. 491. Recognition of accrediting agency or association.*
- Sec. 492. Administrative capacity standard.*
- Sec. 493. Program review and data.*

- Sec. 494. Timely information about loans.*
Sec. 495. Auction evaluation and report.

TITLE V—DEVELOPING INSTITUTIONS

- Sec. 501. Authorized activities.*
Sec. 502. Postbaccalaureate opportunities for Hispanic Americans.
Sec. 503. Applications.
Sec. 504. Cooperative arrangements.
Sec. 505. Authorization of appropriations.

TITLE VI—INTERNATIONAL EDUCATION PROGRAMS

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

TITLE VII—GRADUATE AND POSTSECONDARY IMPROVEMENT PROGRAMS

- Sec. 701. Purpose.*
Sec. 702. Allocation of Jacob K. Javits Fellowships.
Sec. 703. Stipends.
Sec. 704. Authorization of appropriations for the Jacob K. Javits Fellowship Program.
Sec. 705. Institutional eligibility under the Graduate Assistance in Areas of National Need Program.
Sec. 706. Awards to graduate students.
Sec. 707. Additional assistance for cost of education.
Sec. 708. Authorization of appropriations for the Graduate Assistance in Areas of National Need Program.
Sec. 709. Legal educational opportunity program.
Sec. 710. Fund for the improvement of postsecondary education.

- Sec. 711. Special projects.*
Sec. 712. Authorization of appropriations for the fund for the improvement of postsecondary education.
Sec. 713. Repeal of the urban community service program.
Sec. 714. Grants for students with disabilities.
Sec. 715. Applications for demonstration projects to ensure students with disabilities receive a quality higher education.
Sec. 716. Authorization of appropriations for demonstration projects to ensure students with disabilities receive a quality higher education.
Sec. 717. Research grants.

TITLE VIII—MISCELLANEOUS

- Sec. 801. Miscellaneous.*
Sec. 802. Additional programs.
Sec. 803. Student loan clearinghouse.
Sec. 804. Minority serving institutions for advanced technology and education.

TITLE IX—AMENDMENTS TO OTHER LAWS

PART A—EDUCATION OF THE DEAF ACT OF 1986

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

PART B—UNITED STATES INSTITUTE OF PEACE ACT

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

PART C—THE HIGHER EDUCATION AMENDMENTS OF 1998

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

PART D—INDIAN EDUCATION

SUBPART 1—TRIBAL COLLEGES AND UNIVERSITIES

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

SUBPART 2—NAVAJO HIGHER EDUCATION

Sec. 945. Short title.

Sec. 946. Reauthorization of Navajo Community College Act.

PART E—OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968

Sec. 951. Short title.

Sec. 952. Loan repayment for prosecutors and defenders.

1 **SEC. 2. REFERENCES.**

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

8 **SEC. 3. GENERAL EFFECTIVE DATE.**

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

12 **TITLE I—GENERAL PROVISIONS**13 **SEC. 101. ADDITIONAL DEFINITIONS.**

14 (a) *AMENDMENT.*—*Section 103 (20 U.S.C. 1003) is*
 15 *amended—*

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

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

20 (3) *by redesignating paragraphs (1), (2), and (3)*
 21 *as paragraphs (2), (4), and (5), respectively;*

1 (4) by inserting before paragraph (2) (as redesignated by paragraph (2)) the following:

3 “(1) *AUTHORIZING COMMITTEES.*—The term ‘authorizing committees’ means the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Labor of the House of Representatives.”;

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

10 “(3) *CRITICAL FOREIGN LANGUAGE.*—The term ‘critical foreign language’ means each of the languages contained in the list of critical languages designated by the Secretary in the Federal Register on August 2, 1985 (50 Fed. Reg. 149, 31412; promulgated under the authority of section 212(d) of the Education for Economic Security Act (repealed by section 2303 of the Augustus F. Hawkins-Robert T. Stafford Elementary and Secondary School Improvement Amendments of 1988)), except that in the implementation of this definition with respect to a specific title, the Secretary may set priorities according to the purposes of such title and the national security, economic competitiveness, and educational needs of the United States.”;

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

2 “(6) *DISTANCE EDUCATION.*—

3 “(A) *IN GENERAL.*—*Except as otherwise provided, the term ‘distance education’ means education that uses 1 or more of the technologies described in subparagraph (B)—*

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

5 “(ii) *to support regular and substantive interaction between the students and the instructor, synchronously or asynchronously.*

6 “(B) *INCLUSIONS.*—*For the purposes of subparagraph (A), the technologies used may include—*

7 “(i) *the Internet;*

8 “(ii) *one-way and two-way transmissions through open broadcast, closed circuit, cable, microwave, broadband lines, fiber optics, satellite, or wireless communications devices;*

9 “(iii) *audio conferencing; or*

10 “(iv) *video cassette, DVDs, and CD-ROMs, if the cassette, DVDs, and CD-*

1 ROMs are used in a course in conjunction
2 with the technologies listed in clauses (i)
3 through (iii).”; and

4 (7) by inserting after paragraph (11) (as reded-
5 ignated by paragraph (2)) the following:

6 “(12) *POVERTY LINE*.—The term ‘poverty line’
7 means the poverty line (as defined in section 673(2)
8 of the Community Services Block Grant Act (42
9 U.S.C. 9902(2))) applicable to a family of the size in-
10 volved.”.

11 (b) *CONFORMING AMENDMENTS*.—The Act (20 U.S.C.
12 1001 et seq.) is amended—

13 (1) in section 131(a)(3)(B) (20 U.S.C.
14 1015(a)(3)(B)), by striking “Committee on Labor and
15 Human Resources of the Senate and the Committee
16 on Education and the Workforce of the House of Rep-
17 resentatives” and inserting “authorizing committees”;

18 (2) in section 141(d)(4)(B) (20 U.S.C.
19 1018(d)(4)(B)), by striking “Committee on Education
20 and the Workforce of the House of Representatives
21 and the Committee on Labor and Human Resources
22 of the Senate” and inserting “authorizing commit-
23 tees”;

24 (3) in section 401(f)(3) (20 U.S.C. 1070a(f)(3)),
25 by striking “to the Committee on Appropriations”

1 *and all that follows through “House of Representa-*
2 *tives” and inserting “to the Committee on Appropria-*
3 *tions of the Senate, the Committee on Appropriations*
4 *of the House of Representatives, and the authorizing*
5 *committees”;*

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

7 *(A) in subsection (c)(9)(K), by striking*
8 *“House Committee on Education and the Work-*
9 *force and the Senate Committee on Labor and*
10 *Human Resources” and inserting “authorizing*
11 *committees”;*

12 *(B) in the matter following paragraph (2)*
13 *of subsection (g), by striking “Committee on*
14 *Labor and Human Resources of the Senate and*
15 *the Committee on Education and the Workforce*
16 *of the House of Representatives” and inserting*
17 *“authorizing committees”; and*

18 *(C) in subsection (n)(4), by striking “Com-*
19 *mittee on Education and the Workforce of the*
20 *House of Representatives and the Committee on*
21 *Labor and Human Resources of the Senate” and*
22 *inserting “authorizing committees”;*

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

24 *(A) in the matter preceding subparagraph*
25 *(A) of paragraph (2), by striking “Chairperson”*

1 *and all that follows through “House of Rep-*
2 *resentatives” and inserting “members of the au-*
3 *thorizing committees”;*

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

8 *(C) in paragraph (5), by striking “Chair-*
9 *person” and all that follows through “House of*
10 *Representatives” and inserting “members of the*
11 *authorizing committees”;*

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

13 *(A) in subsection (f)(1)(C), by striking “the*
14 *Committee on Education and the Workforce of*
15 *the House of Representatives or the Committee*
16 *on Labor and Human Resources of the Senate”*
17 *and inserting “either of the authorizing commit-*
18 *tees”; and*

19 *(B) in the matter following subparagraph*
20 *(D) of subsection (n)(3), by striking “Committee*
21 *on Education and the Workforce of the House of*
22 *Representatives and the Committee on Labor*
23 *and Human Resources of the Senate” and insert-*
24 *ing “authorizing committees”;*

1 (7) *in section 437(c)(1) (20 U.S.C. 1087(c)(1)),*
2 *by striking “Committee on Education and the Work-*
3 *force of the House of Representatives and the Com-*
4 *mittee on Labor and Human Resources of the Senate”*
5 *and inserting “authorizing committees”;*

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

7 (A) *in subsection (d)(1)(E)(iii), by striking*
8 *“advise the Chairman” and all that follows*
9 *through “House of Representatives” and insert-*
10 *ing “advise the members of the authorizing com-*
11 *mittees”;*

12 (B) *in subsection (r)—*

13 (i) *in paragraph (3), by striking “in-*
14 *form the Chairman” and all that follows*
15 *through “House of Representatives,” and in-*
16 *serting “inform the members of the author-*
17 *izing committees”;*

18 (ii) *in paragraph (5)(B), by striking*
19 *“plan, to the Chairman” and all that fol-*
20 *lows through “Education and Labor” and*
21 *inserting “plan, to the members of the au-*
22 *thorizing committees”;*

23 (iii) *in paragraph (6)(B)—*

24 (I) *by striking “plan, to the*
25 *Chairman” and all that follows*

1 *through “House of Representatives”*
2 *and inserting “plan, to the members of*
3 *the authorizing committees”; and*

4 *(II) by striking “Chairmen and*
5 *ranking minority members of such*
6 *Committees” and inserting “members*
7 *of the authorizing committees”;*

8 *(iv) in paragraph (8)(C), by striking*
9 *“implemented to the Chairman” and all*
10 *that follows through “House of Representa-*
11 *tives, and” and inserting “implemented to*
12 *the members of the authorizing committees,*
13 *and to”;* and

14 *(v) in the matter preceding subpara-*
15 *graph (A) of paragraph (10), by striking*
16 *“days to the Chairman” and all that follows*
17 *through “Education and Labor” and insert-*
18 *ing “days to the members of the authorizing*
19 *committees”;* and

20 *(C) in subsection (s)(2)—*

21 *(i) in the matter preceding clause (i) of*
22 *subparagraph (A), by striking “Treasury*
23 *and to the Chairman” and all that follows*
24 *through “House of Representatives” and in-*

1 *serting “Treasury and to the members of the*
2 *authorizing committees”*; and

3 *(ii) in subparagraph (B), by striking*
4 *“Treasury and to the Chairman” and all*
5 *that follows through “House of Representa-*
6 *tives” and inserting “Treasury and to the*
7 *members of the authorizing committees”*;

8 *(9) in section 455(b)(8)(B) (20 U.S.C.*
9 *1087e(b)(8)(B)), by striking “Committee on Labor*
10 *and Human Resources of the Senate and the Com-*
11 *mittee on Education and the Workforce of the House*
12 *of Representatives” and inserting “authorizing com-*
13 *mittees”*;

14 *(10) in section 482(d) (20 U.S.C. 1089(d)), by*
15 *striking “Committee on Labor and Human Resources*
16 *of the Senate and the Committee on Education and*
17 *Labor of the House of Representatives” and inserting*
18 *“authorizing committees”*;

19 *(11) in section 483(c) (20 U.S.C. 1090(c)), by*
20 *striking “Committee on Labor and Human Resources*
21 *of the Senate and the Committee on Education and*
22 *the Workforce of the House of Representatives” and*
23 *inserting “authorizing committees”*;

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

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

6 (B) in subsection (g)(4)(B), by striking
7 “Committee on Education and the Workforce of
8 the House of Representatives and the Committee
9 on Labor and Human Resources of the Senate”
10 and inserting “authorizing committees”;

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

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

17 (B) in subsection (f)(3)—

18 (i) in the matter preceding clause (i) of
19 subparagraph (A), by striking “Committee
20 on Labor and Human Resources of the Sen-
21 ate and the Committee on Education and
22 the Workforce of the House of Representa-
23 tives” and inserting “authorizing commit-
24 tees”; and

1 (ii) in the matter preceding clause (i)
2 of subparagraph (B), by striking “Com-
3 mittee on Labor and Human Resources of
4 the Senate and the Committee on Education
5 and the Workforce of the House of Rep-
6 resentatives” and inserting “authorizing
7 committees”;

8 (14) in section 487A(a)(5) (20 U.S.C.
9 1094a(a)(5)), by striking “Committee on Labor and
10 Human Resources of the Senate and the Committee
11 on Education and the Workforce of the House of Rep-
12 resentatives” and inserting “authorizing committees”;
13 and

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

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

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

1 **SEC. 102. GENERAL DEFINITION OF INSTITUTION OF HIGH-**
2 **ER EDUCATION.**

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

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

9 *(2) by striking subsection (b)(2) and inserting*
10 *the following:*

11 *“(2) a public or nonprofit private educational*
12 *institution in any State that, in lieu of the require-*
13 *ment in subsection (a)(1), admits as regular students*
14 *persons—*

15 *“(A) who are beyond the age of compulsory*
16 *school attendance in the State in which the insti-*
17 *tution is located; or*

18 *“(B) who will be dually or concurrently en-*
19 *rolled in the institution and a secondary*
20 *school.”.*

21 **SEC. 103. DEFINITION OF INSTITUTION OF HIGHER EDU-**
22 **CATION FOR PURPOSES OF TITLE IV PRO-**
23 **GRAMS.**

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

25 *(1) by striking subclause (II) of subsection*
26 *(a)(2)(A)(i) and inserting the following:*

1 “(II) *the institution has or had a*
 2 *clinical training program that was ap-*
 3 *proved by a State as of January 1,*
 4 *1992, and has continuously operated a*
 5 *clinical training program in not less*
 6 *than 1 State that is approved by such*
 7 *State;”;*

8 (2) *in subsection (b)—*

9 (A) *in paragraph (1)—*

10 (i) *in subparagraph (D), by inserting*
 11 *“and” after the semicolon;*

12 (ii) *in subparagraph (E), by striking*
 13 *“; and” and inserting a period; and*

14 (iii) *by striking subparagraph (F);*

15 *and*

16 (B) *by striking paragraph (2) and inserting*
 17 *the following:*

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

23 *“(A) who are beyond the age of compulsory*
 24 *school attendance in the State in which the insti-*
 25 *tution is located; or*

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

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

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

11 “(A) who are beyond the age of compulsory
12 school attendance in the State in which the insti-
13 tution is located; or

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

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

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

20 (1) in subsection (a)—

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

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

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

1 “(A) *the diversity of institutions and educational*
2 *missions is one of the key strengths of American high-*
3 *er education;*

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

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

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

13 “(E) *students should be treated equally and fair-*
14 *ly; and*

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

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

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

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

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

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

9 “(b) *MEMBERSHIP.*—

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

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

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

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

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

25 “(A) *the basis of the individuals’ experience,*
26 *integrity, impartiality, and good judgment;*

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

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

11 “(3) *TERMS OF MEMBERS.*—The term of office of
12 each member of the Committee shall be for 6 years,
13 except that any member appointed to fill a vacancy
14 occurring prior to the expiration of the term for
15 which the member’s predecessor was appointed shall
16 be appointed for the remainder of such term.

17 “(4) *VACANCY.*—A vacancy on the Committee
18 shall be filled in the same manner as the original ap-
19 pointment was made not later than 90 days after the
20 vacancy occurred. If a vacancy occurs in a position
21 to be filled by the Secretary, the Secretary shall pub-
22 lish a Federal Register notice soliciting nominations
23 for the position not later than 30 days after being no-
24 tified of the vacancy.

1 “(5) *INITIAL TERMS.*—*The terms of office for the*
2 *initial members of the Committee shall be—*

3 “(A) *2 years for members appointed under*
4 *paragraph (1)(A);*

5 “(B) *4 years for members appointed under*
6 *paragraph (1)(B); and*

7 “(C) *6 years for members appointed under*
8 *paragraph (1)(C).*

9 “(6) *CHAIRPERSON.*—*The members of the Com-*
10 *mittee shall select a chairperson from among the*
11 *members.*

12 “(c) *FUNCTIONS.*—*The Committee shall—*

13 “(1) *advise the Secretary with respect to estab-*
14 *lishment and enforcement of the standards of accred-*
15 *iting agencies or associations under subpart 2 of part*
16 *H of title IV;*

17 “(2) *advise the Secretary with respect to the rec-*
18 *ognition of a specific accrediting agency or associa-*
19 *tion;*

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

23 “(4) *advise the Secretary with respect to the eli-*
24 *gibility and certification process for institutions of*

1 *higher education under title IV, together with rec-*
2 *ommendations for improvements in such process;*

3 *“(5) advise the Secretary with respect to the re-*
4 *lationship between—*

5 *“(A) accreditation of institutions of higher*
6 *education and the certification and eligibility of*
7 *such institutions; and*

8 *“(B) State licensing responsibilities with re-*
9 *spect to such institutions; and*

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

13 *“(d) MEETING PROCEDURES.—*

14 *“(1) SCHEDULE.—*

15 *“(A) BIENNIAL MEETINGS.—The Committee*
16 *shall meet not less often than twice each year, at*
17 *the call of the Chairperson.*

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

24 *“(2) AGENDA.—*

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

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

10 “(3) *SECRETARY’S DESIGNEE.*—

11 “(A) *ATTENDANCE AT MEETING.*—*The*
12 *Chairperson shall invite the Secretary’s designee*
13 *to attend all meetings of the Committee.*

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

21 “(4) *FEDERAL ADVISORY COMMITTEE ACT.*—*The*
22 *provisions of the Federal Advisory Committee Act (5*
23 *U.S.C. App.) shall apply to the Committee, except*
24 *that section 14 of such Act shall not apply.*

25 “(e) *REPORT AND NOTICE.*—

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

3 “(A) a list containing, for each member of
4 the Committee—

5 “(i) the member’s name;

6 “(ii) the date of the expiration of the
7 member’s term of office; and

8 “(iii) the individual described in sub-
9 section (b)(1) who appointed the member;
10 and

11 “(B) a solicitation of nominations for each
12 expiring term of office on the Committee of a
13 member appointed by the Secretary.

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

18 “(A) a detailed summary of the agenda and
19 activities of, and the findings and recommenda-
20 tions made by, the Committee during the pre-
21 ceding fiscal year;

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

24 “(C) a list of the members of the Committee
25 and appropriate contact information; and

1 “(D) a list of the functions of the Com-
2 mittee, including any additional functions estab-
3 lished by the Secretary through regulation.

4 “(f) *TERMINATION*.—The Committee shall terminate
5 on September 30, 2012.”.

6 (b) *TERMINATION OF NACIQI*.—The National Advi-
7 sory Committee on Institutional Quality and Integrity, es-
8 tablished under section 114 of the Higher Education Act
9 of 1965 (as such section was in effect the day before the
10 date of enactment of this Act) shall terminate 30 days after
11 such date.

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

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

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

17 (2) by redesignating subparagraph (B) as sub-
18 paragraph (D); and

19 (3) by inserting after subparagraph (A) (as
20 amended by paragraph (1)) the following:

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

23 “(i) occur on the institution’s property
24 or as part of any of the institution’s activi-
25 ties; and

1 “(ii) are reported to the institution;

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

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

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

10 (1) in paragraph (1), by striking “1999 and for
11 each of the 4 succeeding fiscal years” and inserting
12 “2008 and for each succeeding fiscal year”; and

13 (2) in paragraph (2), by striking “1999 and for
14 each of the 4 succeeding fiscal years” and inserting
15 “2008 and for each succeeding fiscal year”.

16 **SEC. 108. TRANSPARENCY IN COLLEGE TUITION FOR CON-**
17 **SUMERS.**

18 Part C of title I (20 U.S.C. 1015) is amended by add-
19 ing at the end the following:

20 **“SEC. 132. TRANSPARENCY IN COLLEGE TUITION FOR CON-**
21 **SUMERS.**

22 “(a) *NET PRICE.*—In this section, the term ‘net price’
23 means the average yearly tuition and fees paid by a full-
24 time undergraduate student at an institution of higher edu-
25 cation, after discounts and grants from the institution, Fed-

1 *eral Government, or a State have been applied to the full*
2 *price of tuition and fees at the institution.*

3 *“(b) HIGHER EDUCATION PRICE INDEX.—*

4 *“(1) IN GENERAL.—Not later than 1 year after*
5 *the date of enactment of the Higher Education*
6 *Amendments of 2007, the Commission of the Bureau*
7 *of Labor Statistics, in consultation with the Commis-*
8 *sioner of Education Statistics and representatives of*
9 *institutions of higher education, shall develop higher*
10 *education price indices that accurately reflect the an-*
11 *nuual change in tuition and fees for undergraduate*
12 *students in the categories of institutions listed in*
13 *paragraph (2). Such indices shall be updated annu-*
14 *ally.*

15 *“(2) DEVELOPMENT.—The higher education*
16 *price index under paragraph (1) shall be developed*
17 *for each of the following categories:*

18 *“(A) 4-year public degree-granting institu-*
19 *tions of higher education.*

20 *“(B) 4-year private degree-granting institu-*
21 *tions of higher education.*

22 *“(C) 2-year public degree-granting institu-*
23 *tions of higher education.*

24 *“(D) 2-year private degree-granting institu-*
25 *tions of higher education.*

1 “(E) *Less than 2-year institutions of higher*
2 *education.*

3 “(F) *All types of institutions described in*
4 *subparagraphs (A) through (E).*

5 “(3) *AUTHORIZATION OF APPROPRIATIONS.—*
6 *There are authorized to be appropriated to carry out*
7 *this subsection such sums as may be necessary.*

8 “(c) *REPORTING.—*

9 “(1) *IN GENERAL.—The Secretary shall annually*
10 *report, in a national list and in a list for each State,*
11 *a ranking of institutions of higher education accord-*
12 *ing to such institutions’ change in tuition and fees*
13 *over the preceding 2 years. The purpose of such lists*
14 *is to provide consumers with general information on*
15 *pricing trends among institutions of higher education*
16 *nationally and in each State.*

17 “(2) *COMPILATION.—*

18 “(A) *IN GENERAL.—The lists described in*
19 *paragraph (1) shall be compiled according to the*
20 *following categories:*

21 “(i) *4-year public institutions of high-*
22 *er education.*

23 “(ii) *4-year private, nonprofit institu-*
24 *tions of higher education.*

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

3 “(iv) 2-year public institutions of high-
4 er education.

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

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

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

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

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

15 “(B) PERCENTAGE AND DOLLAR CHANGE.—
16 The lists described in paragraph (1) shall in-
17 clude 2 lists for each of the categories under sub-
18 paragraph (A) as follows:

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

22 “(ii) 1 list in which data is compiled
23 by dollar change in tuition and fees over the
24 preceding 2 years.

1 “(3) *HIGHER EDUCATION PRICE INCREASE*
2 *WATCH LISTS.*—Upon completion of the development
3 of the higher education price indices described in
4 paragraph (1), the Secretary shall annually report, in
5 a national list, and in a list for each State, a ranking
6 of each institution of higher education whose tuition
7 and fees outpace such institution’s applicable higher
8 education price index described in subsection (b).
9 Such lists shall—

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

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

14 “(C) where applicable, report the average
15 price of room and board for students living on
16 campus at the institution, except that such price
17 shall not be used in determining whether an in-
18 stitution’s cost outpaces such institution’s appli-
19 cable higher education price index; and

20 “(D) be compiled by the Secretary in a pub-
21 lic document to be widely published and dissemi-
22 nated in paper form and through the website of
23 the Department.

1 “(4) *STATE HIGHER EDUCATION APPROPRIA-*
2 *TIONS CHART.—The Secretary shall annually report,*
3 *in charts for each State—*

4 “(A) *a comparison of the percentage change*
5 *in State appropriations per enrolled student in*
6 *a public institution of higher education in the*
7 *State to the percentage change in tuition and*
8 *fees for each public institution of higher edu-*
9 *cation in the State for each of the previous 5*
10 *years; and*

11 “(B) *the total amount of need-based and*
12 *merit-based aid provided by the State to students*
13 *enrolled in a public institution of higher edu-*
14 *cation in the State.*

15 “(5) *SHARING OF INFORMATION.—The Secretary*
16 *shall share the information under paragraphs (1)*
17 *through (4) with the public, including with private*
18 *sector college guidebook publishers.*

19 “(d) *NET PRICE CALCULATOR.—*

20 “(1) *DEVELOPMENT.—Not later than 1 year*
21 *after the date of enactment of the Higher Education*
22 *Amendments of 2007, the Secretary shall, in consulta-*
23 *tion with institutions of higher education, develop*
24 *and make several model net price calculators to help*
25 *students, families, and consumers determine the net*

1 *price of an institution of higher education, which in-*
2 *stitutions of higher education may, at their discre-*
3 *tion, elect to use pursuant to paragraph (3).*

4 *“(2) CATEGORIES.—The model net price calcula-*
5 *tors described in paragraph (1) shall be developed for*
6 *each of the following categories:*

7 *“(A) 4-year public institutions of higher*
8 *education.*

9 *“(B) 4-year private, nonprofit institutions*
10 *of higher education.*

11 *“(C) 4-year private, for-profit institutions*
12 *of higher education.*

13 *“(D) 2-year public institutions of higher*
14 *education.*

15 *“(E) 2-year private, nonprofit institutions*
16 *of higher education.*

17 *“(F) 2-year private, for-profit institutions*
18 *of higher education.*

19 *“(G) Less than 2-year public institutions of*
20 *higher education.*

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

23 *“(I) Less than 2-year private, for-profit in-*
24 *stitutions of higher education.*

1 “(3) *USE OF NET PRICE CALCULATOR BY INSTI-*
2 *TUTIONS.—Not later than 3 years after the date of en-*
3 *actment of the Higher Education Amendments of*
4 *2007, each institution of higher education that re-*
5 *ceives Federal funds under this Act shall adopt and*
6 *use a net price calculator to help students, families,*
7 *and other consumers determine the net price of such*
8 *institution of higher education. Such calculator may*
9 *be—*

10 “(A) *based on a model calculator developed*
11 *by the Department; or*

12 “(B) *developed by the institution of higher*
13 *education.*

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

17 “(e) *NET PRICE REPORTING IN APPLICATION INFOR-*
18 *MATION.—An institution of higher education that receives*
19 *Federal funds under this Act shall include, in the materials*
20 *accompanying an application for admission to the institu-*
21 *tion, the most recent information regarding the net price*
22 *of the institution, calculated for each quartile of students*
23 *based on the income of either the students’ parents or, in*
24 *the case of independent students (as such term is described*
25 *in section 480), of the students, for each of the 2 academic*

1 *years preceding the academic year for which the application*
2 *is produced.*

3 “(f) *ENHANCED COLLEGE INFORMATION WEBSITE.*—

4 “(1) *IN GENERAL.*—

5 “(A) *IN GENERAL.*—*Not later than 90 days*
6 *after the date of enactment of the Higher Edu-*
7 *cation Amendments of 2007, the Secretary shall*
8 *contract with an independent organization with*
9 *demonstrated experience in the development of*
10 *consumer-friendly websites to develop improve-*
11 *ments to the website known as the College Oppor-*
12 *tunities On-Line (COOL) so that it better meets*
13 *the needs of students, families, and consumers for*
14 *accurate and appropriate information on insti-*
15 *tutions of higher education.*

16 “(B) *IMPLEMENTATIONS.*—*Not later than 1*
17 *year after the date of enactment of the Higher*
18 *Education Amendments of 2007, the Secretary*
19 *shall implement the improvements developed by*
20 *the independent organization described under*
21 *subparagraph (A) to the college information*
22 *website.*

23 “(2) *UNIVERSITY AND COLLEGE ACCOUNTABILITY*
24 *NETWORK.*—*Not later than 1 year after the date of*
25 *enactment of the Higher Education Amendments of*

1 2007, the Secretary shall develop a model document
2 for annually reporting basic information about an in-
3 stitution of higher education that chooses to partici-
4 pate, to be posted on the college information website
5 and made available to institutions of higher edu-
6 cation, students, families, and other consumers. Such
7 document shall be known as the ‘University and Col-
8 lege Accountability Network’ (U–CAN), and shall in-
9 clude, the following information about the institution
10 of higher education for the most recent academic year
11 for which the institution has available data, presented
12 in a consumer-friendly manner:

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

15 “(B) The total number of undergraduate
16 students who applied, were admitted, and en-
17 rolled at the institution.

18 “(C) Where applicable, reading, writing,
19 mathematics, and combined scores on the SAT or
20 ACT for the middle 50 percent range of the insti-
21 tution’s freshman class.

22 “(D) Enrollment of full-time, part-time,
23 and transfer students at the institution, at the
24 undergraduate and (where applicable) graduate
25 levels.

1 “(E) Percentage of male and female under-
2 graduate students enrolled at the institution.

3 “(F) Percentage of enrolled undergraduate
4 students from the State in which the institution
5 is located, from other States, and from other
6 countries.

7 “(G) Percentage of enrolled undergraduate
8 students at the institution by race and ethnic
9 background.

10 “(H) Retention rates for full-time and part-
11 time first-time first-year undergraduate students
12 enrolled at the institution.

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

16 “(J) Percentage of enrolled undergraduate
17 students who graduate within 2 years (in the
18 case of 2-year institutions), and 4, 5 and 6 years
19 (in the case of 2 and 4-year institutions).

20 “(K) Number of students who obtained a
21 certificate or an associate’s, bachelor’s, master’s,
22 or doctoral degree at the institution.

23 “(L) The undergraduate major areas of
24 study with the highest number of degrees award-
25 ed.

1 “(M) *The student-faculty ratio, and number*
2 *of full-time, part-time, and adjunct faculty at*
3 *the institution.*

4 “(N) *Percentage of faculty at the institution*
5 *with the highest degree in their field.*

6 “(O) *The percentage change in total price*
7 *in tuition and fees and the net price for an un-*
8 *dergraduate at the institution in each of the pre-*
9 *ceding 5 academic years.*

10 “(P) *The total average yearly cost of tuition*
11 *and fees, room and board, and books and other*
12 *related costs for an undergraduate student en-*
13 *rolled at the institution, for—*

14 “(i) *full-time undergraduate students*
15 *living on campus;*

16 “(ii) *full-time undergraduate students*
17 *living off-campus; and*

18 “(iii) *in the case of students attending*
19 *a public institution of higher education,*
20 *such costs for in-State and out-of-State stu-*
21 *dents living on and off-campus.*

22 “(Q) *The average yearly grant amount (in-*
23 *cluding Federal, State, and institutional aid) for*
24 *a student enrolled at the institution.*

1 “(R) *The average yearly amount of Federal*
2 *student loans, and other loans provided through*
3 *the institution, to undergraduate students en-*
4 *rolled at the institution.*

5 “(S) *The total yearly grant aid available to*
6 *undergraduate students enrolled at the institu-*
7 *tion, from the Federal Government, a State, the*
8 *institution, and other sources.*

9 “(T) *The percentage of undergraduate stu-*
10 *dents enrolled at the institution receiving Fed-*
11 *eral, State, and institutional grants, student*
12 *loans, and any other type of student financial*
13 *assistance provided publicly or through the insti-*
14 *tution, such as Federal work-study funds.*

15 “(U) *The average net price for all under-*
16 *graduate students enrolled at the institution.*

17 “(V) *The percentage of first-year under-*
18 *graduate students enrolled at the institution who*
19 *live on campus and off campus.*

20 “(W) *Information on the policies of the in-*
21 *stitution related to transfer of credit from other*
22 *institutions.*

23 “(X) *Information on campus safety required*
24 *to be collected under section 485(f).*

1 “(Y) *Links to the appropriate sections of the*
2 *institution’s website that provide information on*
3 *student activities offered by the institution, such*
4 *as intercollegiate sports, student organizations,*
5 *study abroad opportunities, intramural and club*
6 *sports, specialized housing options, community*
7 *service opportunities, cultural and arts opportu-*
8 *nities on campus, religious and spiritual life on*
9 *campus, and lectures and outside learning op-*
10 *portunities.*

11 “(Z) *Links to the appropriate sections of*
12 *the institution’s website that provide information*
13 *on services offered by the institution to students*
14 *during and after college, such as internship op-*
15 *portunities, career and placement services, and*
16 *preparation for further education.*

17 “(3) *CONSULTATION.—The Secretary shall en-*
18 *sure that current and prospective college students,*
19 *family members of such students, and institutions of*
20 *higher education are consulted in carrying out para-*
21 *graphs (1) and (2).*

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

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

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

7 “(A) report on the time and cost burden of
8 completing the IPEDS survey for 4-year, 2-year,
9 and less than 2-year institutions of higher edu-
10 cation; and

11 “(B) present recommendations for reducing
12 such burden;

13 “(2) not later than 1 year after the date of enact-
14 ment of the Higher Education Amendments of 2007,
15 submit to Congress a preliminary report regarding
16 the findings of the study described in paragraph (1);
17 and

18 “(3) not later than 2 years after the date of en-
19 actment of the Higher Education Amendments of
20 2007, submit to Congress a final report regarding
21 such findings.”.

1 **SEC. 109. DATABASES OF STUDENT INFORMATION PROHIB-**
2 **ITED.**

3 *Part C of title I (20 U.S.C. 1015), as amended by sec-*
4 *tion 108, is further amended by adding at the end the fol-*
5 *lowing:*

6 **“SEC. 133. DATABASE OF STUDENT INFORMATION PROHIB-**
7 **ITED.**

8 *“(a) PROHIBITION.—Except as described in (b), noth-*
9 *ing in this Act shall be construed to authorize the develop-*
10 *ment, implementation, or maintenance of a Federal data-*
11 *base of personally identifiable information on individuals*
12 *receiving assistance under this Act, attending institutions*
13 *receiving assistance under this Act, or otherwise involved*
14 *in any studies or other collections of data under this Act,*
15 *including a student unit record system, an education bar*
16 *code system, or any other system that tracks individual stu-*
17 *dents over time.*

18 *“(b) EXCEPTION.—The provisions of subsection (a)*
19 *shall not apply to a system (or a successor system) that*
20 *is necessary for the operation of programs authorized by*
21 *title II, IV, or VII that were in use by the Secretary, di-*
22 *rectly or through a contractor, as of the day before the date*
23 *of enactment of the Higher Education Amendments of 2007.*

24 *“(c) STATE DATABASES.—Nothing in this Act shall*
25 *prohibit a State or a consortium of States from developing,*
26 *implementing, or maintaining State-developed databases*

1 *that track individuals over time, including student unit*
2 *record systems that contain information related to enroll-*
3 *ment, attendance, graduation and retention rates, student*
4 *financial assistance, and graduate employment outcomes.”.*

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

7 *Part C of title I (as amended by sections 108 and 109)*
8 *is further amended by adding at the end the following:*

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

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

15 *“(b) ENHANCED STUDENT FINANCIAL AID INFORMA-*
16 *TION.—*

17 *“(1) IN GENERAL.—Not later than 180 days*
18 *after the date of enactment of the Higher Education*
19 *Amendments of 2007, the Secretary shall contract*
20 *with an independent organization with demonstrated*
21 *expertise in the development of consumer-friendly*
22 *websites to develop improvements to the usefulness*
23 *and accessibility of the information provided by the*
24 *Department on college financial planning and stu-*
25 *dent financial aid.*

1 “(2) *IMPLEMENTATION.*—Not later than 1 year
 2 after the date of enactment of the Higher Education
 3 Amendments of 2007, the Secretary shall implement
 4 the improvements developed by the independent orga-
 5 nization described under paragraph (1) to the college
 6 financial planning and student financial aid website
 7 of the Department.

8 “(3) *DISSEMINATION.*—The Secretary shall make
 9 the availability of the information on the website
 10 widely known through a major media campaign and
 11 other forms of communication.”.

12 **SEC. 110A. STATE HIGHER EDUCATION INFORMATION SYS-**
 13 **TEM PILOT PROGRAM.**

14 Part C of title I of the Higher Education Act of 1965
 15 (as amended by this title) is further amended by adding
 16 at the end the following:

17 **“SEC. 135. STATE HIGHER EDUCATION INFORMATION SYS-**
 18 **TEM PILOT PROGRAM.**

19 “(a) *PURPOSE.*—It is the purpose of this section to
 20 carry out a pilot program to assist not more than 5 States
 21 to develop State-level postsecondary student data systems
 22 to—

23 “(1) improve the capacity of States and institu-
 24 tions of higher education to generate more comprehen-
 25 sive and comparable data, in order to develop better-

1 *informed educational policy at the State level and to*
2 *evaluate the effectiveness of institutional performance*
3 *while protecting the confidentiality of students' per-*
4 *sonally identifiable information; and*

5 *“(2) identify how to best minimize the data-re-*
6 *porting burden placed on institutions of higher edu-*
7 *cation, particularly smaller institutions, and to*
8 *maximize and improve the information institutions*
9 *receive from the data systems, in order to assist insti-*
10 *tutions in improving educational practice and post-*
11 *secondary outcomes.*

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

14 *“(1) a State higher education system; or*

15 *“(2) a consortium of State higher education sys-*
16 *tems, or a consortium of individual institutions of*
17 *higher education, that is broadly representative of in-*
18 *stitutions in different sectors and geographic loca-*
19 *tions.*

20 *“(c) COMPETITIVE GRANTS.—*

21 *“(1) GRANTS AUTHORIZED.—The Secretary shall*
22 *award grants, on a competitive basis, to not more*
23 *than 5 eligible entities to enable the eligible entities*
24 *to—*

1 “(A) design, test, and implement systems of
2 postsecondary student data that provide the
3 maximum benefits to States, institutions of high-
4 er education, and State policymakers; and

5 “(B) examine the costs and burdens in-
6 volved in implementing a State-level postsec-
7 ondary student data system.

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

10 “(d) APPLICATION REQUIREMENTS.—An eligible enti-
11 ty desiring a grant under this section shall submit an ap-
12 plication to the Secretary at such time, in such manner,
13 and containing such information as the Secretary deter-
14 mines is necessary, including a description of—

15 “(1) how the eligible entity will ensure that stu-
16 dent privacy is protected and that individually iden-
17 tifiable information about students, the students’
18 achievements, and the students’ families remains con-
19 fidential in accordance with the Family Educational
20 Rights and Privacy Act of 1974 (20 U.S.C. 1232g);
21 and

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

24 “(e) USE OF FUNDS.—A grant awarded under this sec-
25 tion shall be used to—

1 “(1) design, develop, and implement the compo-
2 nents of a comprehensive postsecondary student data
3 system with the capacity to transmit student infor-
4 mation within States;

5 “(2) improve the capacity of institutions of high-
6 er education to analyze and use student data;

7 “(3) select and define common data elements,
8 data quality, and other elements that will enable the
9 data system to—

10 “(A) serve the needs of institutions of higher
11 education for institutional research and im-
12 provement;

13 “(B) provide students and the students’
14 families with useful information for decision-
15 making about postsecondary education;

16 “(C) provide State policymakers with im-
17 proved information to monitor and guide efforts
18 to improve student outcomes and success in high-
19 er education;

20 “(4) estimate costs and burdens at the institu-
21 tional level for the reporting system for different types
22 of institutions; and

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

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

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

6 “(2) report the Secretary’s findings, as well as
7 recommendations regarding the implementation of
8 State-level postsecondary student data systems to the
9 authorizing committees.

10 “(g) *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. 111. PERFORMANCE-BASED ORGANIZATION FOR THE**
15 **DELIVERY OF FEDERAL STUDENT FINANCIAL**
16 **ASSISTANCE.**

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

18 (1) in subsection (a)—

19 (A) in paragraph (1), by striking “oper-
20 ational” and inserting “administrative and
21 oversight”; and

22 (B) in paragraph (2)(D), by striking “of
23 the operational functions” and inserting “and
24 administration”;

25 (2) in subsection (b)—

1 (A) in paragraph (1)—

2 (i) in subparagraph (A), by striking
3 “the information systems administered by
4 the PBO, and other functions performed by
5 the PBO” and inserting “the Federal stu-
6 dent financial assistance programs author-
7 ized under title IV”; and

8 (ii) by striking subparagraph (C) and
9 inserting the following:

10 “(C) assist the Chief Operating Officer in
11 identifying goals for—

12 “(i) the administration of the systems
13 used to administer the Federal student fi-
14 nancial assistance programs authorized
15 under title IV; and

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

18 (B) in paragraph (2)—

19 (i) in the matter preceding subpara-
20 graph (A), by striking “administration of
21 the information and financial systems that
22 support” and inserting “the administration
23 of Federal”;

24 (ii) in subparagraph (A)—

1 (I) *in the matter preceding clause*
2 *(i), by striking “of the delivery system*
3 *for Federal student assistance” and in-*
4 *serting “for the Federal student assist-*
5 *ance programs authorized under title*
6 *IV”;*

7 (II) *by striking clauses (i) and*
8 *(ii) and inserting the following:*

9 “*(i) the collection, processing, and*
10 *transmission of data to students, institu-*
11 *tions, lenders, State agencies, and other au-*
12 *thorized parties;*

13 “*(ii) the design and technical specifica-*
14 *tions for software development and procure-*
15 *ment for systems supporting the student fi-*
16 *nancial assistance programs authorized*
17 *under title IV;”;*

18 (III) *in clause (iii), by striking*
19 “*delivery” and inserting “administra-*
20 *tion”;*

21 (IV) *in clause (iv)—*

22 *(aa) by inserting “the” after*
23 “*supporting”;* *and*

24 *(bb) by striking “and” after*
25 *the semicolon;*

1 (V) in clause (v), by striking “sys-
2 tems that support those programs.”
3 and inserting “the administration of
4 the Federal student assistance pro-
5 grams authorized under title IV; and”;
6 and

7 (VI) by adding at the end the fol-
8 lowing:

9 “(vi) ensuring the integrity of the stu-
10 dent assistance programs authorized under
11 title IV.”; and

12 (iii) in subparagraph (B), by striking
13 “operations and services” and inserting
14 “activities and functions”; and

15 (3) in subsection (c)—

16 (A) in the subsection heading, by striking
17 “PERFORMANCE PLAN AND REPORT” and insert-
18 ing “PERFORMANCE PLAN, REPORT, AND BRIEF-
19 ING”;

20 (B) in paragraph (1)(C)—

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

23 (ii) in clause (iv)—

24 (I) by striking “Developing an”
25 and inserting “Developing”; and

1 (II) by striking “delivery and in-
2 formation system” and inserting “sys-
3 tems”;

4 (C) in paragraph (2)—

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

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

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

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

12 “(4) BRIEFING ON ENFORCEMENT OF STUDENT
13 LOAN PROVISIONS.—The Chief Operating Officer shall
14 provide an annual briefing to the members of the au-
15 thorizing committees on the steps the PBO has taken
16 and is taking to ensure that lenders are providing the
17 information required under clauses (iii) and (iv) of
18 section 428(c)(3)(C) and sections 428(b)(1)(Z) and
19 428C(b)(1)(F).”;

20 (4) in subsection (d)—

21 (A) in paragraph (1), by striking the second
22 sentence; and

23 (B) in paragraph (5)—

1 (i) in subparagraph (B), by striking
2 “paragraph (2)” and inserting “paragraph
3 (4)”; and

4 (ii) in subparagraph (C), by striking
5 “this”;

6 (5) in subsection (f)—

7 (A) in paragraph (2), by striking “to bor-
8 rowers” and inserting “to students, borrowers,”;
9 and

10 (B) in paragraph (3)(A), by striking
11 “(1)(A)” and inserting “(1)”;

12 (6) in subsection (g)(3), by striking “not more
13 than 25”;

14 (7) in subsection (h), by striking “organizational
15 effectiveness” and inserting “effectiveness”;

16 (8) by striking subsection (i);

17 (9) by redesignating subsection (j) as subsection
18 (i); and

19 (10) in subsection (i) (as redesignated by para-
20 graph (9)), by striking “, including transition costs”.

21 **SEC. 112. PROCUREMENT FLEXIBILITY.**

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

23 (1) in subsection (b)—

24 (A) in paragraph (1)—

1 (i) by striking “for information sys-
2 tems supporting the programs authorized
3 under title IV”; and

4 (ii) by striking “and” after the semi-
5 colon;

6 (B) in paragraph (2), by striking the period
7 at the end and inserting “; and”; and

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

9 “(3) through the Chief Operating Officer—

10 “(A) to the maximum extent practicable,
11 utilize procurement systems that streamline op-
12 erations, improve internal controls, and enhance
13 management; and

14 “(B) assess the efficiency of such systems
15 and assess such systems’ ability to meet PBO re-
16 quirements.”;

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

19 “(2) *FEE FOR SERVICE ARRANGEMENTS.*—*The*
20 *Chief Operating Officer shall, when appropriate and*
21 *consistent with the purposes of the PBO, acquire serv-*
22 *ices related to the functions set forth in section*
23 *141(b)(2) from any entity that has the capability and*
24 *capacity to meet the requirements set by the PBO.*
25 *The Chief Operating Officer is authorized to pay fees*

1 *that are equivalent to those paid by other entities to*
2 *an organization that provides services that meet the*
3 *requirements of the PBO, as determined by the Chief*
4 *Operating Officer.”;*

5 *(3) in subsection (d)(2)(B), by striking “on Fed-*
6 *eral Government contracts”;*

7 *(4) in subsection (g)—*

8 *(A) in paragraph (4)(A)—*

9 *(i) in the subparagraph heading, by*
10 *striking “SOLE SOURCE.—” and inserting*
11 *“SINGLE-SOURCE BASIS.—”; and*

12 *(ii) by striking “sole-source” and in-*
13 *serting “single-source”; and*

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

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

18 *(6) in subsection (l), by striking paragraph (3)*
19 *and inserting the following:*

20 *“(3) SINGLE-SOURCE BASIS.—The term ‘single-*
21 *source basis’, with respect to an award of a contract,*
22 *means that the contract is awarded to a source after*
23 *soliciting an offer or offers from, and negotiating*
24 *with, only such source (although such source is not*
25 *the only source in the marketplace capable of meeting*

1 “(3) *EDUCATIONAL LOAN*.—The term ‘edu-
2 *cat*ional loan’ means any loan made, insured, or
3 *guaranteed under title IV.*

4 “(4) *EDUCATIONAL LOAN ARRANGEMENT*.—The
5 term ‘*educational loan arrangement*’ means an ar-
6 *rang*ement or agreement between a lender and a cov-
7 *ered institution—*

8 “(A) *under which arrangement or agree-*
9 *ment a lender provides or otherwise issues edu-*
10 *cat*ional loans to the students attending the cov-
11 *ered institution or the parents of such students;*
12 *and*

13 “(B) *which arrangement or agreement—*

14 “(i) *relates to the covered institution*
15 *recommending, promoting, endorsing, or*
16 *using educational loans of the lender; and*

17 “(ii) *involves the payment of any fee*
18 *or provision of other material benefit by the*
19 *lender to the institution or to groups of stu-*
20 *dents who attend the institution.*

21 “(5) *LENDER*.—The term ‘*lender*’—

22 “(A) *means—*

23 “(i) *any lender—*

1 “(I) of a loan made, insured, or
2 guaranteed under part B of title IV;
3 and

4 “(II) that is a financial institu-
5 tion, as such term is defined in section
6 509 of the Gramm-Leach-Bliley Act
7 (15 U.S.C. 6809); and

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

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

14 “(6) OFFICER.—The term ‘officer’ includes a di-
15 rector or trustee of an institution.

16 **“SEC. 152. REQUIREMENTS FOR LENDERS AND INSTITU-**
17 **TIONS PARTICIPATING IN EDUCATIONAL**
18 **LOAN ARRANGEMENTS.**

19 “(a) USE OF LENDER NAME.—A covered institution
20 that enters into an educational loan arrangement shall dis-
21 close the name of the lender in documentation related to
22 the loan.

23 “(b) DISCLOSURES.—

24 “(1) DISCLOSURES BY LENDERS.—Before a lend-
25 er issues or otherwise provides an educational loan to

1 *a student, the lender shall provide the student, in*
2 *writing, with the disclosures described in paragraph*
3 *(2).*

4 *“(2) DISCLOSURES.—The disclosures required by*
5 *this paragraph shall include a clear and prominent*
6 *statement—*

7 *“(A) of the interest rates of the educational*
8 *loan being offered;*

9 *“(B) showing sample educational loan costs,*
10 *disaggregated by type;*

11 *“(C) that describes, with respect to each*
12 *type of educational loan being offered—*

13 *“(i) the types of repayment plans that*
14 *are available;*

15 *“(ii) whether, and under what condi-*
16 *tions, early repayment may be made with-*
17 *out penalty;*

18 *“(iii) when and how often interest on*
19 *the loan will be capitalized;*

20 *“(iv) the terms and conditions of*
21 *deferments or forbearance;*

22 *“(v) all available repayment benefits,*
23 *the percentage of all borrowers who qualify*
24 *for such benefits, and the percentage of bor-*
25 *rowers who received such benefits in the pre-*

1 ceding academic year, for each type of loan
2 being offered;

3 “(vi) the collection practices in the case
4 of default; and

5 “(vii) all fees that the borrower may be
6 charged, including late payment penalties
7 and associated fees; and

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

10 “(c) *DISCLOSURES TO THE SECRETARY BY LENDER.*—

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

20 “(A) the amount of each specific instance in
21 which the lender provided such reimbursement;

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

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

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

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

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

12 “(a) SECRETARY DUTIES.—

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

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

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

1 *ers and covered institutions in carrying out sub-*
2 *sections (b) and (c)—*

3 *“(i) that provides information on the*
4 *applicable interest rates and other terms*
5 *and conditions of the educational loans pro-*
6 *vided by a lender to students attending the*
7 *institution, or the parents of such students,*
8 *disaggregated by each type of educational*
9 *loans provided to such students or parents*
10 *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 the*
17 *repayment behavior of the borrower;*

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

23 *“(IV) the average interest rate on*
24 *such loans provided to such students*
25 *for the preceding academic year; and*

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

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

13 “(C)(i) submit the report and model format
14 to the authorizing committees; and

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

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

21 “(A) lenders subject to subsection (b) to use
22 the model format in providing the information
23 required under subsection (b); and

1 “(B) covered institutions to use such format
2 in preparing the information report under sub-
3 section (c).

4 “(b) *LENDER DUTIES.*—Each lender that has an edu-
5 cational loan arrangement with a covered institution shall
6 annually, by a date determined by the Secretary, provide
7 to the covered institution and to the Secretary the informa-
8 tion included on the model format for each type of edu-
9 cational loan provided by the lender to students attending
10 the covered institution, or the parents of such students, for
11 the preceding academic year.

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

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

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

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

7 “(2) ensure that the report required under para-
 8 graph (1) is made available to the public and pro-
 9 vided to students attending or planning to attend the
 10 covered institution, and the parents of such students,
 11 in time for the student or parent to take such infor-
 12 mation into account before applying for or selecting
 13 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 such
16 job and guidance provided with respect
17 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 var-
21 ious education programs;

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

1 (D) the best means of collecting information
2 from or regarding recent postsecondary grad-
3 uates, including—

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

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

15 (iii) whether employers could be en-
16 couraged to submit information by allowing
17 an employer to access aggregated informa-
18 tion about graduates (such as institutions of
19 higher education attended, degrees, or start-
20 ing pay) if the employer completes an on-
21 line questionnaire to evaluate the employer's
22 satisfaction with the graduates the employer
23 hires; and

24 (iv) whether postsecondary institutions
25 that receive Federal funds or whose students

1 *have received Federal student financial aid*
2 *could be required to submit aggregated in-*
3 *formation about the graduates of the insti-*
4 *tutions; and*

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

7 *(2) provide assessments and recommendations re-*
8 *garding—*

9 *(A) whether successful State cooperative re-*
10 *lationships between higher education system of-*
11 *fices and State agencies responsible for employ-*
12 *ment statistics can be encouraged and replicated*
13 *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 recently*
17 *completed a postsecondary educational program;*

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

21 *(D) if a website is used for such informa-*
22 *tion, whether the website should be run by a gov-*
23 *ernmental agency or contracted out to an inde-*
24 *pendent education or employment organization;*

1 (E) whether a voluntary information system
2 would work, both from the graduates' and em-
3 ployers' perspectives;

4 (F) the value of such information to future
5 students, institutions, accrediting agencies or as-
6 sociations, policymakers, and employers, includ-
7 ing how the information would be used and the
8 practical applications of the information;

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

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

16 (b) *REPORTS.*—

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

22 (2) *FINAL REPORT.*—Not later than 2 years after
23 the date of enactment of this Act, the Comptroller
24 General shall submit to Congress a final report re-

1 *garding such study, assessments, and recommenda-*
2 *tions.*

3 **SEC. 115. FOREIGN MEDICAL SCHOOLS.**

4 *(a) PERCENTAGE PASS RATE.—*

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

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

10 *(b) STUDY.—*

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

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

18 *(B) submit to Congress a report setting*
19 *forth the conclusions of the study.*

20 *(2) CONTENTS.—The study conducted under this*
21 *subsection shall include the following:*

22 *(A) The amount of Federal student finan-*
23 *cial aid dollars that are being spent on graduate*
24 *medical schools located outside of the United*

1 *States every year, and the percentage of overall*
2 *student aid such amount represents.*

3 *(B) The percentage of students of such med-*
4 *ical schools who pass the examinations adminis-*
5 *tered by the Educational Commission for For-*
6 *ign Medical Graduates the first time.*

7 *(C) The percentage of students of such med-*
8 *ical schools who pass the examinations adminis-*
9 *tered by the Educational Commission for For-*
10 *ign Medical Graduates after taking such exami-*
11 *nations multiple times, disaggregated by how*
12 *many times the students had to take the exami-*
13 *nations to pass.*

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

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

24 *(F) Recommendations regarding the per-*
25 *centage passing rate of the examinations admin-*

1 *istered by the Educational Commission for For-*
2 *oreign Medical Graduates that the United States*
3 *should require of graduate medical schools lo-*
4 *cated outside of the United States for Federal fi-*
5 *nancial aid purposes.*

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

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

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

18 *(1) The awarding of any Federal contract.*

19 *(2) The making of any Federal grant.*

20 *(3) The making of any Federal loan.*

21 *(4) The entering into of any Federal cooperative*
22 *agreement.*

23 *(5) The extension, continuation, renewal, amend-*
24 *ment, or modification of any Federal contract, grant,*
25 *loan, or cooperative agreement.*

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

4 (d) *DEMONSTRATION AND CERTIFICATION.*—Each in-
5 stitution of higher education or other postsecondary edu-
6 cational institution receiving Federal funding, as a condi-
7 tion for receiving such funding, shall annually demonstrate
8 and certify to the Secretary of Education that the require-
9 ments of subsections (a) through (c) have been met.

10 (e) *ACTIONS TO IMPLEMENT AND ENFORCE.*—The Sec-
11 retary of Education shall take such actions as are necessary
12 to ensure that the provisions of this section are vigorously
13 implemented and enforced.

14 **TITLE II—TEACHER QUALITY**
15 **ENHANCEMENT**

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

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

19 **“PART A—TEACHER QUALITY PARTNERSHIP**
20 **GRANTS**

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

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

23 “(1) improve student achievement;

24 “(2) improve the quality of the current and fu-
25 ture teaching force by improving the preparation of

1 *prospective teachers and enhancing professional devel-*
2 *opment activities;*

3 “(3) *hold institutions of higher education ac-*
4 *countable for preparing highly qualified teachers; and*

5 “(4) *recruit qualified individuals, including mi-*
6 *norities and individuals from other occupations, into*
7 *the teaching force.*

8 “(b) *DEFINITIONS.—In this part:*

9 “(1) *ARTS AND SCIENCES.—The term ‘arts and*
10 *sciences’ means—*

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

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

21 “(2) *CHILDREN FROM LOW-INCOME FAMILIES.—*
22 *The term ‘children from low-income families’ means*
23 *children as described in section 1124(c)(1)(A) of the*
24 *Elementary and Secondary Education Act of 1965.*

1 “(3) *CORE ACADEMIC SUBJECTS.*—*The term ‘core*
2 *academic subjects’ has the meaning given the term in*
3 *section 9101 of the Elementary and Secondary Edu-*
4 *cation Act of 1965.*

5 “(4) *EARLY CHILDHOOD EDUCATION PRO-*
6 *GRAM.*—*The term ‘early childhood education pro-*
7 *gram’ means—*

8 “(A) *a Head Start program or an Early*
9 *Head Start program carried out under the Head*
10 *Start Act (42 U.S.C. 9831 et seq.);*

11 “(B) *a State licensed or regulated child care*
12 *program or school; or*

13 “(C) *a State prekindergarten program that*
14 *serves children from birth through kindergarten*
15 *and that addresses the children’s cognitive (in-*
16 *cluding language, early literacy, and pre-*
17 *numeracy), social, emotional, and physical devel-*
18 *opment.*

19 “(5) *EARLY CHILDHOOD EDUCATOR.*—*The term*
20 *‘early childhood educator’ means an individual with*
21 *primary responsibility for the education of children*
22 *in an early childhood education program.*

23 “(6) *EDUCATIONAL SERVICE AGENCY.*—*The term*
24 *‘educational service agency’ has the meaning given*

1 *the term in section 9101 of the Elementary and Sec-*
2 *ondary Education Act of 1965.*

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

5 “(A) *shall include—*

6 “(i) *a high-need local educational*
7 *agency;*

8 “(ii) *a high-need school or a consor-*
9 *tium of high-need schools served by the high-*
10 *need local educational agency or, as appli-*
11 *cable, a high-need early childhood education*
12 *program;*

13 “(iii) *a partner institution;*

14 “(iv) *a school, department, or program*
15 *of education within such partner institu-*
16 *tion; and*

17 “(v) *a school or department of arts and*
18 *sciences within such partner institution;*
19 *and*

20 “(B) *may include any of the following:*

21 “(i) *The Governor of the State.*

22 “(ii) *The State educational agency.*

23 “(iii) *The State board of education.*

24 “(iv) *The State agency for higher edu-*
25 *cation.*

1 “(v) *A business.*

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

4 “(vii) *An educational service agency.*

5 “(viii) *A teacher organization.*

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

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

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

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

20 “(8) *ESSENTIAL COMPONENTS OF READING IN-*
21 *STRUCTION.—The term ‘essential components of read-*
22 *ing instruction’ has the meaning given such term in*
23 *section 1208 of the Elementary and Secondary Edu-*
24 *cation Act of 1965.*

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

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

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

14 “(A)(i) *for which not less than 20 percent*
15 *of the children served by the agency are children*
16 *from low-income families;*

17 “(ii) *that serves not fewer than 10,000 chil-*
18 *dren from low-income families; or*

19 “(iii) *with a total of less than 600 students*
20 *in average daily attendance at the schools that*
21 *are served by the agency and all of whose schools*
22 *are designated with a school locale code of 6, 7,*
23 *or 8, as determined by the Secretary; and*

24 “(B)(i) *for which there is a high percentage*
25 *of teachers not teaching in the academic subject*

1 *areas or grade levels in which the teachers were*
2 *trained to teach; or*

3 “(i) *for which there is a high teacher turn-*
4 *over rate or a high percentage of teachers with*
5 *emergency, provisional, or temporary certifi-*
6 *cation or licensure.*

7 “(12) *HIGH-NEED SCHOOL.—The term ‘high-*
8 *need school’ means a public elementary school or pub-*
9 *lic secondary school that—*

10 “(A) *is among the highest 25 percent of*
11 *schools served by the local educational agency*
12 *that serves the school, in terms of the percentage*
13 *of students from families with incomes below the*
14 *poverty line; or*

15 “(B) *is designated with a school locale code*
16 *of 6, 7, or 8, as determined by the Secretary.*

17 “(13) *HIGHLY COMPETENT.—The term ‘highly*
18 *competent’, when used with respect to an early child-*
19 *hood educator, means an educator—*

20 “(A) *with specialized education and train-*
21 *ing in development and education of young chil-*
22 *dren from birth until entry into kindergarten;*

23 “(B) *with—*

24 “(i) *a baccalaureate degree in an aca-*
25 *demically major in the arts and sciences; or*

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

3 “(C) who has demonstrated a high level of
4 knowledge and use of content and pedagogy in
5 the relevant areas associated with quality early
6 childhood education.

7 “(14) *HIGHLY QUALIFIED*.—The term ‘highly
8 qualified’ has the meaning given such term in section
9 9101 of the *Elementary and Secondary Education*
10 *Act of 1965* and, with respect to special education
11 teachers, in section 602 of the *Individuals with Dis-*
12 *abilities Education Act*.

13 “(15) *INDUCTION PROGRAM*.—The term ‘induc-
14 tion program’ means a formalized program for new
15 teachers during not less than the teachers’ first 2
16 years of teaching that is designed to provide support
17 for, and improve the professional performance and
18 advance the retention in the teaching field of, begin-
19 ning teachers. Such program shall promote effective
20 teaching skills and shall include the following compo-
21 nents:

22 “(A) High-quality teacher mentoring.

23 “(B) Periodic, structured time for collabora-
24 tion with teachers in the same department or
25 field, as well as time for information-sharing

1 *among teachers, principals, administrators, and*
2 *participating faculty in the partner institution.*

3 “(C) *The application of empirically based*
4 *practice and scientifically valid research on in-*
5 *structional practices.*

6 “(D) *Opportunities for new teachers to*
7 *draw directly upon the expertise of teacher men-*
8 *tors, faculty, and researchers to support the inte-*
9 *gration of empirically based practice and sci-*
10 *entifically valid research with practice.*

11 “(E) *The development of skills in instruc-*
12 *tional and behavioral interventions derived from*
13 *empirically based practice and, where applicable,*
14 *scientifically valid research.*

15 “(F) *Faculty who—*

16 “(i) *model the integration of research*
17 *and practice in the classroom; and*

18 “(ii) *assist new teachers with the effec-*
19 *tive use and integration of technology in the*
20 *classroom.*

21 “(G) *Interdisciplinary collaboration among*
22 *exemplary teachers, faculty, researchers, and*
23 *other staff who prepare new teachers on the*
24 *learning process and the assessment of learning.*

1 “(H) Assistance with the understanding of
2 data, particularly student achievement data, and
3 the data’s applicability in classroom instruction.

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

5 “(16) LIMITED ENGLISH PROFICIENT.—The term
6 ‘limited English proficient’ has the meaning given
7 such term in section 9101 of the Elementary and Sec-
8 ondary Education Act of 1965.

9 “(17) PARTNER INSTITUTION.—The term ‘part-
10 ner institution’ means an institution of higher edu-
11 cation, which may include a 2-year institution of
12 higher education offering a dual program with a 4-
13 year institution of higher education, participating in
14 an eligible partnership that has a teacher preparation
15 program—

16 “(A) whose graduates exhibit strong per-
17 formance on State-determined qualifying assess-
18 ments for new teachers through—

19 “(i) demonstrating that 80 percent or
20 more of the graduates of the program who
21 intend to enter the field of teaching have
22 passed all of the applicable State qualifica-
23 tion assessments for new teachers, which
24 shall include an assessment of each prospec-
25 tive teacher’s subject matter knowledge in

1 *the content area in which the teacher in-*
2 *tends to teach; or*

3 “(ii) *being ranked among the highest-*
4 *performing teacher preparation programs*
5 *in the State as determined by the State—*

6 “(I) *using criteria consistent with*
7 *the requirements for the State report*
8 *card under section 205(b); and*

9 “(II) *using the State report card*
10 *on teacher preparation required under*
11 *section 205(b), after the first publica-*
12 *tion of such report card and for every*
13 *year thereafter; or*

14 “(B) *that requires—*

15 “(i) *each student in the program to*
16 *meet high academic standards and partici-*
17 *pate in intensive clinical experience;*

18 “(ii) *each student in the program pre-*
19 *paring to become a teacher to become highly*
20 *qualified; and*

21 “(iii) *each student in the program pre-*
22 *paring to become an early childhood educa-*
23 *tor to meet degree requirements, as estab-*
24 *lished by the State, and become highly com-*
25 *petent.*

1 “(18) *PRINCIPLES OF SCIENTIFIC RESEARCH.*—

2 *The term ‘principles of scientific research’ means re-*
3 *search that—*

4 “(A) *applies rigorous, systematic, and objec-*
5 *tive methodology to obtain reliable and valid*
6 *knowledge relevant to education activities and*
7 *programs;*

8 “(B) *presents findings and makes claims*
9 *that are appropriate to and supported by the*
10 *methods that have been employed; and*

11 “(C) *includes, appropriate to the research*
12 *being conducted—*

13 “(i) *use of systematic, empirical meth-*
14 *ods that draw on observation or experiment;*

15 “(ii) *use of data analyses that are ade-*
16 *quate to support the general findings;*

17 “(iii) *reliance on measurements or ob-*
18 *servational methods that provide reliable*
19 *and generalizable findings;*

20 “(iv) *claims of causal relationships*
21 *only in research designs that substantially*
22 *eliminate plausible competing explanations*
23 *for the obtained results, which may include*
24 *but shall not be limited to random-assign-*
25 *ment experiments;*

1 “(v) presentation of studies and meth-
2 ods in sufficient detail and clarity to allow
3 for replication or, at a minimum, to offer
4 the opportunity to build systematically on
5 the findings of the research;

6 “(vi) acceptance by a peer-reviewed
7 journal or critique by a panel of inde-
8 pendent experts through a comparably rig-
9 orous, objective, and scientific review; and

10 “(vii) use of research designs and
11 methods appropriate to the research ques-
12 tion posed.

13 “(19) *PROFESSIONAL DEVELOPMENT*.—The term
14 ‘professional development’ has the meaning given the
15 term in section 9101 of the *Elementary and Sec-*
16 *ondary Education Act of 1965*.

17 “(20) *SCIENTIFICALLY VALID RESEARCH*.—The
18 term ‘scientifically valid research’ includes applied
19 research, basic research, and field-initiated research
20 in which the rationale, design, and interpretation are
21 soundly developed in accordance with accepted prin-
22 ciples of scientific research.

23 “(21) *TEACHER MENTORING*.—The term ‘teacher
24 mentoring’ means the mentoring of new or prospective
25 teachers through a new or established program that—

1 “(A) includes clear criteria for the selection
2 of teacher mentors who will provide role model
3 relationships for mentees, which criteria shall be
4 developed by the eligible partnership and based
5 on measures of teacher effectiveness;

6 “(B) provides high-quality training for such
7 mentors, including instructional strategies for
8 literacy instruction;

9 “(C) provides regular and ongoing opportu-
10 nities for mentors and mentees to observe each
11 other’s teaching methods in classroom settings
12 during the day in a high-need school in the high-
13 need local educational agency in the eligible
14 partnership;

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

18 “(E) promotes empirically based practice of,
19 and scientifically valid research on, where appli-
20 cable—

21 “(i) teaching and learning;

22 “(ii) assessment of student learning;

23 “(iii) the development of teaching skills
24 through the use of instructional and behav-
25 ioral interventions; and

1 “(iv) the improvement of the mentees’
2 *capacity to measurably advance student*
3 *learning; and*

4 “(F) includes—

5 “(i) common planning time or regu-
6 *larly scheduled collaboration for the mentor*
7 *and mentee; and*

8 “(ii) joint professional development op-
9 *portunities.*

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

12 “(A) increase student learning, achievement,
13 *and the ability to apply knowledge;*

14 “(B) effectively convey and explain aca-
15 *demically subject matter;*

16 “(C) employ strategies grounded in the dis-
17 *ciplines of teaching and learning that—*

18 “(i) are based on empirically based
19 *practice and scientifically valid research,*
20 *where applicable, on teaching and learning;*

21 “(ii) are specific to academic subject
22 *matter; and*

23 “(iii) focus on the identification of stu-
24 *dents’ specific learning needs, particularly*
25 *students with disabilities, students who are*

1 *limited English proficient, students who are*
2 *gifted and talented, and students with low*
3 *literacy levels, and the tailoring of academic*
4 *instruction to such needs;*

5 “(D) *conduct an ongoing assessment of stu-*
6 *dent learning, which may include the use of*
7 *formative assessments, performance-based assess-*
8 *ments, project-based assessments, or portfolio as-*
9 *essments, that measure higher-order thinking*
10 *skills, including application, analysis, synthesis,*
11 *and evaluation;*

12 “(E) *effectively manage a classroom;*

13 “(F) *communicate and work with parents*
14 *and guardians, and involve parents and guard-*
15 *ians in their children’s education; and*

16 “(G) *use, in the case of an early childhood*
17 *educator, age- and developmentally-appropriate*
18 *strategies and practices for children in early*
19 *education programs.*

20 “(23) *TEACHING RESIDENCY PROGRAM.—The*
21 *term ‘teaching residency program’ means a school-*
22 *based teacher preparation program in which a pro-*
23 *spective teacher—*

24 “(A) *for 1 academic year, teaches alongside*
25 *a mentor teacher, who is the teacher of record;*

1 “(B) receives concurrent instruction during
2 the year described in subparagraph (A) from the
3 partner institution, which courses may be taught
4 by local educational agency personnel or resi-
5 dency program faculty, in the teaching of the
6 content area in which the teacher will become
7 certified or licensed;

8 “(C) acquires effective teaching skills; and

9 “(D) prior to completion of the program,
10 earns a master’s degree, attains full State teacher
11 certification or licensure, and becomes highly
12 qualified.

13 **“SEC. 202. PARTNERSHIP GRANTS.**

14 “(a) *PROGRAM AUTHORIZED.*—From amounts made
15 available under section 208, the Secretary is authorized to
16 award grants, on a competitive basis, to eligible partner-
17 ships, to enable the eligible partnerships to carry out the
18 activities described in subsection (c).

19 “(b) *APPLICATION.*—Each eligible partnership desir-
20 ing a grant under this section shall submit an application
21 to the Secretary at such time, in such manner, and accom-
22 panied by such information as the Secretary may require.
23 Each such application shall contain—

24 “(1) a needs assessment of all the partners in the
25 eligible partnership with respect to the preparation,

1 *ongoing training, professional development, and re-*
2 *tention, of general and special education teachers,*
3 *principals, and, as applicable, early childhood edu-*
4 *cators;*

5 *“(2) a description of the extent to which the pro-*
6 *gram prepares prospective and new teachers with*
7 *strong teaching skills;*

8 *“(3) a description of the extent to which the pro-*
9 *gram will prepare prospective and new teachers to*
10 *understand research and data and the applicability of*
11 *research and data in the classroom;*

12 *“(4) a description of how the partnership will*
13 *coordinate strategies and activities assisted under the*
14 *grant with other teacher preparation or professional*
15 *development programs, including those funded under*
16 *the Elementary and Secondary Education Act of*
17 *1965 and the Individuals with Disabilities Education*
18 *Act, and through the National Science Foundation,*
19 *and how the activities of the partnership will be con-*
20 *sistent with State, local, and other education reform*
21 *activities that promote student achievement;*

22 *“(5) a resource assessment that describes the re-*
23 *sources available to the partnership, including—*

24 *“(A) the integration of funds from other re-*
25 *lated sources;*

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

2 “(C) the commitment of the resources of the
3 partnership to the activities assisted under this
4 section, including financial support, faculty par-
5 ticipation, and time commitments, and to the
6 continuation of the activities when the grant
7 ends;

8 “(6) a description of—

9 “(A) how the partnership will meet the pur-
10 poses of this part;

11 “(B) how the partnership will carry out the
12 activities required under subsection (d) or (e)
13 based on the needs identified in paragraph (1),
14 with the goal of improving student achievement;

15 “(C) the partnership’s evaluation plan
16 under section 204(a);

17 “(D) how the partnership will align the
18 teacher preparation program with the—

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

23 “(ii) the student academic achievement
24 standards and academic content standards
25 under section 1111(b)(2) of the Elementary

1 *and Secondary Education Act of 1965, es-*
2 *tablished by the State in which the partner-*
3 *ship is located;*

4 “(E) *how faculty at the partner institution*
5 *will work with, during the term of the grant,*
6 *highly qualified teachers in the classrooms of*
7 *schools served by the high-need local educational*
8 *agency in the partnership to provide high-qual-*
9 *ity professional development activities;*

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

14 “(G) *the in-service professional development*
15 *strategies and activities to be supported; and*

16 “(H) *how the partnership will collect, ana-*
17 *lyze, and use data on the retention of all teachers*
18 *and early childhood educators in schools and*
19 *early childhood programs located in the geo-*
20 *graphic area served by the partnership to evalu-*
21 *ate the effectiveness of the partnership’s teacher*
22 *and educator support system; and*

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

1 “(A) a demonstration that the schools and
2 departments within the institution of higher edu-
3 cation that are part of the induction program
4 have relevant and essential roles in the effective
5 preparation of teachers, including content exper-
6 tise and expertise in teaching;

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

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

20 “(D) a description of how faculty involved
21 in the induction program will be able to substan-
22 tially participate in an early childhood edu-
23 cation program or an elementary or secondary
24 school classroom setting, as applicable, including

1 *release time and receiving workload credit for*
2 *such participation.*

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

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

14 “(1) *REFORMS.*—

15 “(A) *IN GENERAL.*—*Implementing reforms,*
16 *described in subparagraph (B), within each*
17 *teacher preparation program and, as applicable,*
18 *each preparation program for early childhood*
19 *education programs, of the eligible partnership*
20 *that is assisted under this section, to hold each*
21 *program accountable for—*

22 “(i) *preparing—*

23 “(I) *current or prospective teach-*
24 *ers to be highly qualified (including*
25 *teachers in rural school districts who*

1 *may teach multiple subjects, special*
2 *educators, and teachers of students who*
3 *are limited English proficient who*
4 *may teach multiple subjects);*

5 *“(II) such teachers and, as appli-*
6 *cable, early childhood educators, to un-*
7 *derstand empirically based practice*
8 *and scientifically valid research on*
9 *teaching and learning and its applica-*
10 *bility, and to use technology effectively,*
11 *including the use of instructional tech-*
12 *niques to improve student achievement;*
13 *and*

14 *“(III) as applicable, early child-*
15 *hood educators to be highly competent;*
16 *and*

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

22 *“(B) REQUIRED REFORMS.—The reforms*
23 *described in subparagraph (A) shall include—*

24 *“(i) implementing teacher preparation*
25 *program curriculum changes that improve,*

1 *evaluate, and assess how well all prospective*
2 *and new teachers develop teaching 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 teachers*
7 *and, as applicable, early childhood edu-*
8 *cators—*

9 *“(I) can understand and imple-*
10 *ment research-based teaching practices*
11 *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 learning*
17 *and use such data and measures to im-*
18 *prove instruction in the classroom;*

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

24 *“(aa) meet the specific learn-*
25 *ing needs of all students, includ-*

1 *ing students with disabilities, stu-*
2 *dents who are limited English*
3 *proficient, students who are gifted*
4 *and talented, students with low*
5 *literacy levels and, as applicable,*
6 *children in early childhood edu-*
7 *cation programs; and*

8 *“(bb) differentiate instruc-*
9 *tion for such students; and*

10 *“(V) can successfully employ effec-*
11 *tive strategies for reading instruction*
12 *using the essential components of read-*
13 *ing instruction;*

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

21 *“(iv) developing and implementing an*
22 *induction program; and*

23 *“(v) developing admissions goals and*
24 *priorities with the hiring objectives of the*

1 *high-need local educational agency in the el-*
2 *igible partnership.*

3 “(2) *CLINICAL EXPERIENCE AND INTERACTION.*—
4 *Developing and improving a sustained and high-qual-*
5 *ity pre-service clinical education program to further*
6 *develop the teaching skills of all prospective teachers*
7 *and, as applicable, early childhood educators, in-*
8 *volved in the program. Such program shall do the fol-*
9 *lowing:*

10 “(A) *Incorporate year-long opportunities for*
11 *enrichment activity or a combination of activi-*
12 *ties, including—*

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

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

1 “(B) *Integrate pedagogy and classroom*
2 *practice and promote effective teaching skills in*
3 *academic content areas.*

4 “(C) *Provide high-quality teacher men-*
5 *toring.*

6 “(D)(i) *Be offered over the course of a pro-*
7 *gram of teacher preparation;*

8 “(i) *be tightly aligned with course work*
9 *(and may be developed as a 5th year of a teacher*
10 *preparation program); and*

11 “(iii) *where feasible, allow prospective*
12 *teachers to learn to teach in the same school dis-*
13 *trict in which the teachers will work, learning*
14 *the instructional initiatives and curriculum of*
15 *that district.*

16 “(E) *Provide support and training for those*
17 *individuals participating in an activity for pro-*
18 *spective teachers described in this paragraph or*
19 *paragraph (1) or (2), and for those who serve as*
20 *mentors for such teachers, based on each individ-*
21 *ual’s experience. Such support may include—*

22 “(i) *with respect to a prospective teach-*
23 *er or a mentor, release time for such indi-*
24 *vidual’s participation;*

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

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

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

14 “(4) *SUPPORT AND TRAINING FOR PARTICIPANTS*
15 *IN EARLY CHILDHOOD EDUCATION PROGRAMS.—In*
16 *the case of an eligible partnership focusing on early*
17 *childhood educator preparation, implementing initia-*
18 *tives that increase compensation for early childhood*
19 *educators who attain associate or baccalaureate de-*
20 *grees in early childhood education.*

21 “(5) *TEACHER RECRUITMENT.—Developing and*
22 *implementing effective mechanisms to ensure that the*
23 *eligible partnership is able to recruit qualified indi-*
24 *viduals to become highly qualified teachers through*
25 *the activities of the eligible partnership.*

1 “(e) *PARTNERSHIP GRANTS FOR THE ESTABLISHMENT*
2 *OF TEACHING RESIDENCY PROGRAMS.*—

3 “(1) *IN GENERAL.*—*An eligible partnership re-*
4 *ceiving a grant to carry out an effective teaching resi-*
5 *dency program shall carry out a program that in-*
6 *cludes all of the following activities:*

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

12 “(B) *Modifying staffing procedures to pro-*
13 *vide greater flexibility for local educational agen-*
14 *cy and school leaders to establish effective school-*
15 *level staffing in order to facilitate placement of*
16 *graduates of the teaching residency program in*
17 *cohorts that facilitate professional collaboration,*
18 *both among graduates of the teaching residency*
19 *program and between such graduates and mentor*
20 *teachers in the receiving school.*

21 “(C) *Ensuring that teaching residents that*
22 *participated in the teaching residency program*
23 *receive—*

24 “(i) *effective preservice preparation as*
25 *described in paragraph (2);*

1 “(ii) *teacher mentoring;*

2 “(iii) *induction through the induction*
3 *program as the teaching residents enter the*
4 *classroom as new teachers; and*

5 “(iv) *the preparation described in sub-*
6 *paragraphs (A), (B), and (C) of subsection*
7 *(d)(2).*

8 “(2) *TEACHING RESIDENCY PROGRAMS.—*

9 “(A) *ESTABLISHMENT AND DESIGN.—A*
10 *teaching residency program under this para-*
11 *graph shall be a program based upon models of*
12 *successful teaching residencies that serves as a*
13 *mechanism to prepare teachers for success in the*
14 *high-need schools in the eligible partnership, and*
15 *shall be designed to include the following charac-*
16 *teristics of successful programs:*

17 “(i) *The integration of pedagogy, class-*
18 *room practice, and teacher mentoring.*

19 “(ii) *Engagement of teaching residents*
20 *in rigorous graduate-level coursework to*
21 *earn a master’s degree while undertaking a*
22 *guided teaching apprenticeship.*

23 “(iii) *Experience and learning oppor-*
24 *tunities alongside a trained and experienced*
25 *mentor teacher—*

1 “(I) whose teaching shall com-
2 plement the residency program so that
3 classroom clinical practice is tightly
4 aligned with coursework;

5 “(II) who shall have extra respon-
6 sibilities as a teacher leader of the
7 teaching residency program, as a men-
8 tor for residents, and as a teacher
9 coach during the induction program
10 for novice teachers, and for estab-
11 lishing, within the program, a learning
12 community in which all individuals
13 are expected to continually improve
14 their capacity to advance student
15 learning; and

16 “(III) who may have full relief
17 from teaching duties as a result of such
18 additional responsibilities.

19 “(iv) The establishment of clear cri-
20 teria for the selection of mentor teachers
21 based on measures of teacher effectiveness
22 and the appropriate subject area knowledge.
23 Evaluation of teacher effectiveness shall be
24 based on observations of such domains of
25 teaching as the following:

1 “(I) *Planning and preparation,*
2 *including demonstrated knowledge of*
3 *content, pedagogy, and assessment, in-*
4 *cluding the use of formative assess-*
5 *ments to improve student learning.*

6 “(II) *Appropriate instruction that*
7 *engages students with different learn-*
8 *ing styles.*

9 “(III) *Collaboration with col-*
10 *leagues to improve instruction.*

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

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

1 *training in mathematics instructional*
2 *strategies, as appropriate.*

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

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

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

21 “(B) *SELECTION OF INDIVIDUALS AS*
22 *TEACHER RESIDENTS.—*

23 “(i) *ELIGIBLE INDIVIDUAL.—In order*
24 *to be eligible to be a teacher resident in a*

1 *teaching residency program under this*
2 *paragraph, an individual shall—*

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

9 *“(II) submit an application to the*
10 *teaching residency program.*

11 *“(ii) SELECTION CRITERIA.—An eligi-*
12 *ble partnership carrying out a teaching*
13 *residency program under this subparagraph*
14 *shall establish criteria for the selection of el-*
15 *igible individuals to participate in the*
16 *teaching residency program based on the*
17 *following characteristics:*

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

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

1 “(III) *Other attributes linked to*
2 *effective teaching, which may be deter-*
3 *mined by interviews or performance*
4 *assessments, as specified by the eligible*
5 *partnership.*

6 “(C) *STIPEND AND SERVICE REQUIRE-*
7 *MENT.—*

8 “(i) *STIPEND.—A teaching residency*
9 *program under this paragraph shall provide*
10 *a 1-year living stipend or salary to teach-*
11 *ing residents during the 1-year teaching*
12 *residency program.*

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

21 “(iii) *REPAYMENT.—If a teaching resi-*
22 *dent who received a stipend under this sub-*
23 *paragraph does not complete the service re-*
24 *quirement described in clause (ii), such in-*
25 *dividual shall repay to the high-need local*

1 *educational agency a pro rata portion of*
2 *the stipend amount for the amount of teach-*
3 *ing time that the individual did not com-*
4 *plete.*

5 “(f) *ALLOWABLE USE OF GRANT FUNDS.—An eligible*
6 *partnership that receives a grant under this part may use*
7 *grant funds provided to carry out the activities described*
8 *in subsections (d) and (e) to partner with a television pub-*
9 *lic broadcast station, as defined in section 397(6) of the*
10 *Communications Act of 1934 (47 U.S.C. 397(6)), for the*
11 *purpose of improving the quality of pre-baccalaureate*
12 *teacher preparation programs. The partnership may use*
13 *such funds to enhance the quality of pre-service training*
14 *for prospective teachers, including through the use of digital*
15 *educational content and related services.*

16 “(g) *CONSULTATION.—*

17 “(1) *IN GENERAL.—Members of an eligible part-*
18 *nership that receives a grant under this section shall*
19 *engage in regular consultation throughout the develop-*
20 *ment and implementation of programs and activities*
21 *under this section.*

22 “(2) *REGULAR COMMUNICATION.—To ensure*
23 *timely and meaningful consultation, regular commu-*
24 *nication shall occur among all members of the eligible*
25 *partnership, including the high-need local educational*

1 *agency. Such communication shall continue through-*
2 *out the implementation of the grant and the assess-*
3 *ment of programs and activities under this section.*

4 *“(3) WRITTEN CONSENT.—The Secretary may*
5 *approve changes in grant activities of a grant under*
6 *this section only if a written consent signed by all*
7 *members of the eligible partnership is submitted to the*
8 *Secretary.*

9 *“(h) CONSTRUCTION.—Nothing in this section shall be*
10 *construed to prohibit an eligible partnership from using*
11 *grant funds to coordinate with the activities of eligible part-*
12 *nerships in other States or on a regional basis through Gov-*
13 *ernors, State boards of education, State educational agen-*
14 *cies, State agencies responsible for early childhood edu-*
15 *cation, local educational agencies, or State agencies for*
16 *higher education.*

17 *“(i) SUPPLEMENT, NOT SUPPLANT.—Funds made*
18 *available under this section shall be used to supplement,*
19 *and not supplant, other Federal, State, and local funds that*
20 *would otherwise be expended to carry out activities under*
21 *this section.*

22 **“SEC. 203. ADMINISTRATIVE PROVISIONS.**

23 *“(a) DURATION; NUMBER OF AWARDS; PAYMENTS.—*

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

1 “(2) *NUMBER OF AWARDS.*—*An eligible partner-*
2 *ship may not receive more than 1 grant during a 5-*
3 *year period. Nothing in this title shall be construed*
4 *to prohibit an individual member, that can dem-*
5 *onstrate need, of an eligible partnership that receives*
6 *a grant under this title from entering into another el-*
7 *igible partnership consisting of new members and re-*
8 *ceiving a grant with such other eligible partnership*
9 *before the 5-year period described in the preceding*
10 *sentence applicable to the eligible partnership with*
11 *which the individual member has first partnered has*
12 *expired.*

13 “(3) *PAYMENTS.*—*The Secretary shall make an-*
14 *ual payments of grant funds awarded under this*
15 *part.*

16 “(b) *PEER REVIEW.*—

17 “(1) *PANEL.*—*The Secretary shall provide the*
18 *applications submitted under this part to a peer re-*
19 *view panel for evaluation. With respect to each appli-*
20 *cation, the peer review panel shall initially rec-*
21 *ommend the application for funding or for dis-*
22 *approval.*

23 “(2) *PRIORITY.*—*In recommending applications*
24 *to the Secretary for funding under this part, the*
25 *panel shall give priority—*

1 “(A) to applications from broad-based eligi-
2 ble partnerships that involve businesses and com-
3 munity organizations; and

4 “(B) to eligible partnerships so that the
5 awards promote an equitable geographic dis-
6 tribution of grants among rural and urban
7 areas.

8 “(3) *SECRETARIAL SELECTION.*—*The Secretary*
9 *shall determine, based on the peer review process,*
10 *which applications shall receive funding and the*
11 *amounts of the grants. In determining the grant*
12 *amount, the Secretary shall take into account the*
13 *total amount of funds available for all grants under*
14 *this part and the types of activities proposed to be*
15 *carried out by the eligible partnership.*

16 “(c) *MATCHING REQUIREMENTS.*—

17 “(1) *IN GENERAL.*—*Each eligible partnership re-*
18 *ceiving a grant under this part shall provide, from*
19 *non-Federal sources, an amount equal to 100 percent*
20 *of the amount of the grant, which may be provided*
21 *in cash or in-kind, to carry out the activities sup-*
22 *ported by the grant.*

23 “(2) *WAIVER.*—*The Secretary may waive all or*
24 *part of the matching requirement described in para-*
25 *graph (1) for any fiscal year for an eligible partner-*

1 *ship, if the Secretary determines that applying the*
2 *matching requirement to the eligible partnership*
3 *would result in serious hardship or an inability to*
4 *carry out the authorized activities described in this*
5 *part.*

6 “(d) *LIMITATION ON ADMINISTRATIVE EXPENSES.—*
7 *An eligible partnership that receives a grant under this part*
8 *may use not more than 2 percent of the grant funds for*
9 *purposes of administering the grant.*

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

11 “(a) *ELIGIBLE PARTNERSHIP EVALUATION.—Each el-*
12 *igible partnership submitting an application for a grant*
13 *under this part shall establish and include in such applica-*
14 *tion, an evaluation plan that includes strong performance*
15 *objectives. The plan shall include objectives and measures*
16 *for increasing—*

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

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

21 “(3) *improvement in the pass rates and scaled*
22 *scores for initial State certification or licensure of*
23 *teachers; and*

1 “(4)(A) *the percentage of highly qualified teach-*
2 *ers hired by the high-need local educational agency*
3 *participating in the eligible partnership;*

4 “(B) *the percentage of such teachers who are*
5 *members of under represented groups;*

6 “(C) *the percentage of such teachers who teach*
7 *high-need academic subject areas (such as reading,*
8 *mathematics, science, and foreign language, including*
9 *less commonly taught languages and critical foreign*
10 *languages);*

11 “(D) *the percentage of such teachers who teach in*
12 *high-need areas (including special education, lan-*
13 *guage instruction educational programs for limited*
14 *English proficient students, and early childhood edu-*
15 *cation);*

16 “(E) *the percentage of such teachers in high-need*
17 *schools, disaggregated by the elementary, middle, and*
18 *high school levels; and*

19 “(F) *as applicable, the percentage of early child-*
20 *hood education program classes in the geographic*
21 *area served by the eligible partnership taught by early*
22 *childhood educators who are highly competent.*

23 “(b) *INFORMATION.—An eligible partnership receiving*
24 *a grant under this part shall ensure that teachers, prin-*
25 *cipals, school superintendents, and faculty and leadership*

1 *at institutions of higher education located in the geographic*
2 *areas served by the eligible partnership under this part are*
3 *provided information about the activities carried out with*
4 *funds under this part, including through electronic means.*

5 “(c) *REVOCAION OF GRANT.*—*If the Secretary deter-*
6 *mines that an eligible partnership receiving a grant under*
7 *this part is not making substantial progress in meeting the*
8 *purposes, goals, objectives, and measures, as appropriate,*
9 *of the grant by the end of the third year of a grant under*
10 *this part, then the Secretary shall require such eligible part-*
11 *nership to submit a revised application that identifies the*
12 *steps the partnership will take to make substantial progress*
13 *to meet the purposes, goals, objectives, and measures, as ap-*
14 *propriate, of this part.*

15 “(d) *EVALUATION AND DISSEMINATION.*—*The Sec-*
16 *retary shall evaluate the activities funded under this part*
17 *and report the Secretary’s findings regarding the activities*
18 *to the authorizing committees. The Secretary shall broadly*
19 *disseminate—*

20 “(1) *successful practices developed by eligible*
21 *partnerships under this part; and*

22 “(2) *information regarding such practices that*
23 *were found to be ineffective.*

1 **“SEC. 205. ACCOUNTABILITY FOR PROGRAMS THAT PRE-**
2 **PARE TEACHERS.**

3 *“(a) INSTITUTIONAL AND PROGRAM REPORT CARDS*
4 *ON THE QUALITY OF TEACHER PREPARATION.—*

5 *“(1) REPORT CARD.—Each institution of higher*
6 *education that conducts a traditional teacher prepa-*
7 *ration program or alternative routes to State certifi-*
8 *cation or licensure program and that enrolls students*
9 *receiving Federal assistance under this Act shall re-*
10 *port annually to the State and the general public, in*
11 *a uniform and comprehensible manner that conforms*
12 *with the definitions and methods established by the*
13 *Secretary, both for traditional teacher preparation*
14 *programs and alternative routes to State certification*
15 *or licensure programs, the following information:*

16 *“(A) PASS RATES AND SCALED SCORES.—*
17 *For the most recent year for which the informa-*
18 *tion is available for those students who took the*
19 *assessments and are enrolled in the traditional*
20 *teacher preparation program or alternative*
21 *routes to State certification or licensure pro-*
22 *gram, and for those who have taken the assess-*
23 *ments and have completed the traditional teacher*
24 *preparation program or alternative routes to*
25 *State certification or licensure program during*
26 *the 2-year period preceding such year, for each*

1 *of the assessments used for teacher certification*
2 *or licensure by the State in which the program*
3 *is located—*

4 “(i) *the percentage of students who*
5 *have completed 100 percent of the nonclin-*
6 *ical coursework and taken the assessment*
7 *who pass such assessment;*

8 “(ii) *the percentage of all such students*
9 *who passed each such assessment;*

10 “(iii) *the percentage of students taking*
11 *an assessment who completed the teacher*
12 *preparation program after enrolling in the*
13 *program, which shall be made available*
14 *widely and publicly by the State;*

15 “(iv) *the average scaled score for all*
16 *students who took each such assessment;*

17 “(v) *a comparison of the program’s*
18 *pass rates with the average pass rates for*
19 *programs in the State; and*

20 “(vi) *a comparison of the program’s*
21 *average scaled scores with the average scaled*
22 *scores for programs in the State.*

23 “(B) *PROGRAM INFORMATION.—The criteria*
24 *for admission into the program, the number of*
25 *students in the program (disaggregated by race*

1 *and gender), the average number of hours of su-*
2 *pervised clinical experience required for those in*
3 *the program, the number of full-time equivalent*
4 *faculty and students in the supervised clinical*
5 *experience, and the total number of students who*
6 *have been certified or licensed as teachers,*
7 *disaggregated by subject and area of certification*
8 *or licensure.*

9 “(C) *STATEMENT.—In States that require*
10 *approval or accreditation of teacher preparation*
11 *programs, a statement of whether the institu-*
12 *tion’s program is so approved or accredited, and*
13 *by whom.*

14 “(D) *DESIGNATION AS LOW-PERFORMING.—*
15 *Whether the program has been designated as low-*
16 *performing by the State under section 207(a).*

17 “(E) *USE OF TECHNOLOGY.—A description*
18 *of the activities that prepare teachers to effec-*
19 *tively integrate technology into curricula and in-*
20 *struction and effectively use technology to collect,*
21 *manage, and analyze data in order to improve*
22 *teaching, learning, and decisionmaking for the*
23 *purpose of increasing student academic achieve-*
24 *ment.*

1 “(2) *REPORT.*—*Each eligible partnership receiving a grant under section 202 shall report annually*
2 *on the progress of the eligible partnership toward*
3 *meeting the purposes of this part and the objectives*
4 *and measures described in section 204(a).*

6 “(3) *FINES.*—*The Secretary may impose a fine*
7 *not to exceed \$25,000 on an institution of higher edu-*
8 *cation for failure to provide the information described*
9 *in this subsection in a timely or accurate manner.*

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

21 “(b) *STATE REPORT CARD ON THE QUALITY OF*
22 *TEACHER PREPARATION.*—

23 “(1) *IN GENERAL.*—*Each State that receives*
24 *funds under this Act shall provide to the Secretary,*
25 *annually, in a uniform and comprehensible manner*

1 *that conforms with the definitions and methods estab-*
2 *lished by the Secretary, a State report card on the*
3 *quality of teacher preparation in the State, both for*
4 *traditional teacher preparation programs and for al-*
5 *ternative routes to State certification or licensure pro-*
6 *grams, which shall include not less than the following:*

7 *“(A) A description of reliability and valid-*
8 *ity of the teacher certification and licensure as-*
9 *sessments, and any other certification and licen-*
10 *sure requirements, used by the State.*

11 *“(B) The standards and criteria that pro-*
12 *spective teachers must meet in order to attain*
13 *initial teacher certification or licensure and to be*
14 *certified or licensed to teach particular academic*
15 *subject areas or in particular grades within the*
16 *State.*

17 *“(C) A description of how the assessments*
18 *and requirements described in subparagraph (A)*
19 *are aligned with the State’s challenging aca-*
20 *demie content standards required under section*
21 *1111(b)(1) of the Elementary and Secondary*
22 *Education Act of 1965 and State early learning*
23 *standards for early childhood education pro-*
24 *grams.*

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

3 “(i) for each institution of higher edu-
4 cation located in the State and each entity
5 located in the State that offers an alter-
6 native route for teacher certification or li-
7 censure, the percentage of students at such
8 institution or entity who have completed
9 100 percent of the nonclinical coursework
10 and taken the assessment who pass such as-
11 sessment;

12 “(ii) the percentage of all such students
13 at all such institutions taking the assess-
14 ment who pass such assessment; and

15 “(iii) the percentage of students taking
16 an assessment who completed the teacher
17 preparation program after enrolling in the
18 program, which shall be made available
19 widely and publicly by the State.

20 “(E) A description of alternative routes to
21 State certification or licensure in the State (in-
22 cluding any such routes operated by entities that
23 are not institutions of higher education), if any,
24 including, for each of the assessments used by the
25 State for teacher certification or licensure—

1 “(i) the percentage of individuals par-
2 ticipating in such routes, or who have com-
3 pleted such routes during the 2-year period
4 preceding the date of the determination,
5 who passed each such assessment; and

6 “(ii) the average scaled score of indi-
7 viduals participating in such routes, or who
8 have completed such routes during the pe-
9 riod preceding the date of the determina-
10 tion, who took each such assessment.

11 “(F) A description of the State’s criteria for
12 assessing the performance of teacher preparation
13 programs within institutions of higher education
14 in the State. Such criteria shall include indica-
15 tors of the academic content knowledge and
16 teaching skills of students enrolled in such pro-
17 grams.

18 “(G) For each teacher preparation program
19 in the State, the criteria for admission into the
20 program, the number of students in the program,
21 disaggregated by race and gender (except that
22 such disaggregation shall not be required in a
23 case in which the number of students in a cat-
24 egory is insufficient to yield statistically reliable
25 information or the results would reveal person-

1 *ally identifiable information about an indi-*
2 *vidual student), the average number of hours of*
3 *supervised clinical experience required for those*
4 *in the program, and the number of full-time*
5 *equivalent faculty, adjunct faculty, and students*
6 *in supervised clinical experience.*

7 *“(H) For the State as a whole, and for each*
8 *teacher preparation program in the State, the*
9 *number of teachers prepared, in the aggregate*
10 *and reported separately by—*

11 *“(i) area of certification or licensure;*

12 *“(ii) academic major; and*

13 *“(iii) subject area for which the teacher*
14 *has been prepared to teach.*

15 *“(I) Using the data generated under sub-*
16 *paragraphs (G) and (H), a description of the ex-*
17 *tent to which teacher preparation programs are*
18 *helping to address shortages of highly qualified*
19 *teachers, by area of certification or licensure,*
20 *subject, and specialty, in the State’s public*
21 *schools.*

22 *“(J) A description of the activities that pre-*
23 *pare teachers to effectively integrate technology*
24 *into curricula and instruction and effectively use*
25 *technology to collect, manage, and analyze data*

1 *in order to improve teaching, learning, and deci-*
2 *sionmaking for the purpose of increasing student*
3 *academic achievement.*

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

9 “(c) *REPORT OF THE SECRETARY ON THE QUALITY*
10 *OF TEACHER PREPARATION.—*

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

20 “(2) *REPORT TO CONGRESS.—The Secretary*
21 *shall prepare and submit a report to Congress that*
22 *contains the following:*

23 “(A) *A comparison of States’ efforts to im-*
24 *prove the quality of the current and future teach-*
25 *ing force.*

1 “(B) *A comparison of eligible partnerships’*
2 *efforts to improve the quality of the current and*
3 *future teaching force.*

4 “(C) *The national mean and median scaled*
5 *scores and pass rate on any standardized test*
6 *that is used in more than 1 State for teacher cer-*
7 *tification or licensure.*

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

16 “(d) *COORDINATION.—The Secretary, to the extent*
17 *practicable, shall coordinate the information collected and*
18 *published under this part among States for individuals who*
19 *took State teacher certification or licensure assessments in*
20 *a State other than the State in which the individual re-*
21 *ceived the individual’s most recent degree.*

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

23 “(a) *ANNUAL GOALS.—As a condition of receiving as-*
24 *sistance under title IV, each institution of higher education*
25 *that conducts a traditional teacher preparation program or*

1 *alternative routes to State certification or licensure pro-*
2 *gram and that enrolls students receiving Federal assistance*
3 *under this Act shall set annual quantifiable goals for—*

4 “(1) *increasing the number of prospective teach-*
5 *ers trained in teacher shortage areas designated by*
6 *the Secretary, including mathematics, science, special*
7 *education, and instruction of limited English pro-*
8 *ficient students; and*

9 “(2) *more closely linking the training provided*
10 *by the institution with the needs of schools and the*
11 *instructional decisions new teachers face in the class-*
12 *room.*

13 “(b) *ASSURANCE.—As a condition of receiving assist-*
14 *ance under title IV, each institution described in subsection*
15 *(a) shall provide an assurance to the Secretary that—*

16 “(1) *training provided to prospective teachers re-*
17 *sponds to the identified needs of the local educational*
18 *agencies or States where the institution’s graduates*
19 *are likely to teach, based on past hiring and recruit-*
20 *ment trends;*

21 “(2) *prospective special education teachers re-*
22 *ceive coursework in core academic subjects and receive*
23 *training in providing instruction in core academic*
24 *subjects;*

1 “(3) regular education teachers receive training
2 in providing instruction to diverse populations, in-
3 cluding children with disabilities, limited English
4 proficient students, and children from low-income
5 families; and

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

8 “(c) *PUBLIC REPORTING.*—As part of the annual re-
9 port card required under section 205(a)(1), an institution
10 of higher education described in subsection (a) shall pub-
11 licly report whether the goals established under such sub-
12 section have been met.

13 **“SEC. 206. STATE FUNCTIONS.**

14 “(a) *STATE ASSESSMENT.*—In order to receive funds
15 under this Act, a State shall have in place a procedure to
16 identify and assist, through the provision of technical as-
17 sistance, low-performing programs of teacher preparation.
18 Such State shall provide the Secretary an annual list of
19 such low-performing teacher preparation programs that in-
20 cludes an identification of those programs at risk of being
21 placed on such list. Such levels of performance shall be de-
22 termined solely by the State and may include criteria based
23 on information collected pursuant to this part. Such assess-
24 ment shall be described in the report under section 205(b).

1 “(b) *TERMINATION OF ELIGIBILITY.*—Any program of
2 teacher preparation from which the State has withdrawn
3 the State’s approval, or terminated the State’s financial
4 support, due to the low performance of the program based
5 upon the State assessment described in subsection (a)—

6 “(1) shall be ineligible for any funding for pro-
7 fessional development activities awarded by the De-
8 partment;

9 “(2) shall not be permitted to accept or enroll
10 any student that receives aid under title IV in the in-
11 stitution’s teacher preparation program; and

12 “(3) shall provide transitional support, includ-
13 ing remedial services if necessary, for students en-
14 rolled at the institution at the time of termination of
15 financial support or withdrawal of approval.

16 “(c) *NEGOTIATED RULEMAKING.*—If the Secretary de-
17 velops any regulations implementing subsection (b)(2), the
18 Secretary shall submit such proposed regulations to a nego-
19 tiated rulemaking process, which shall include representa-
20 tives of States, institutions of higher education, and edu-
21 cational and student organizations.

22 “(d) *APPLICATION OF THE REQUIREMENTS.*—The re-
23 quirements of this section shall apply to both traditional
24 teacher preparation programs and alternative routes to
25 State certification and licensure programs.

1 **“SEC. 207. GENERAL PROVISIONS.**

2 “(a) *METHODS.*—*In complying with sections 205 and*
3 *206, the Secretary shall ensure that States and institutions*
4 *of higher education use fair and equitable methods in re-*
5 *porting and that the reporting methods do not allow identi-*
6 *fication of individuals.*

7 “(b) *SPECIAL RULE.*—*For each State that does not use*
8 *content assessments as a means of ensuring that all teachers*
9 *teaching in core academic subjects within the State are*
10 *highly qualified, as required under section 1119 of the Ele-*
11 *mentary and Secondary Education Act of 1965 and in ac-*
12 *cordance with the State plan submitted or revised under*
13 *section 1111 of such Act, and that each person employed*
14 *as a special education teacher in the State who teaches ele-*
15 *mentary school, middle school, or secondary school is highly*
16 *qualified by the deadline, as required under section*
17 *612(a)(14)(C) of the Individuals with Disabilities Edu-*
18 *cation Act,—*

19 “(1) *the Secretary shall, to the extent practicable,*
20 *collect data comparable to the data required under*
21 *this part from States, local educational agencies, in-*
22 *stitutions of higher education, or other entities that*
23 *administer such assessments to teachers or prospective*
24 *teachers; and*

25 “(2) *notwithstanding any other provision of this*
26 *part, the Secretary shall use such data to carry out*

1 *requirements of this part related to assessments, pass*
2 *rates, and scaled scores.*

3 “(c) *RELEASE OF INFORMATION TO TEACHER PREPA-*
4 *RATION PROGRAMS.—*

5 “(1) *IN GENERAL.—For the purpose of improv-*
6 *ing teacher preparation programs, a State edu-*
7 *cational agency that receives funds under this Act, or*
8 *that participates as a member of a partnership, con-*
9 *sortium, or other entity that receives such funds, shall*
10 *provide to a teacher preparation program, upon the*
11 *request of the teacher preparation program, any and*
12 *all pertinent education-related information that—*

13 “(A) *may enable the teacher preparation*
14 *program to evaluate the effectiveness of the pro-*
15 *gram’s graduates or the program itself; and*

16 “(B) *is possessed, controlled, or accessible by*
17 *the State educational agency.*

18 “(2) *CONTENT OF INFORMATION.—The informa-*
19 *tion described in paragraph (1)—*

20 “(A) *shall include an identification of spe-*
21 *cific individuals who graduated from the teacher*
22 *preparation program to enable the teacher prep-*
23 *aration program to evaluate the information*
24 *provided to the program from the State edu-*
25 *cational agency with the program’s own data*

1 *about the specific courses taken by, and field ex-*
 2 *periences of, the individual graduates; and*

3 “(B) may include—

4 “(i) kindergarten through grade 12
 5 *academic achievement and demographic*
 6 *data, without revealing personally identifi-*
 7 *able information about an individual stu-*
 8 *dent, for students who have been taught by*
 9 *graduates of the teacher preparation pro-*
 10 *gram; and*

11 “(ii) teacher effectiveness evaluations
 12 *for teachers who graduated from the teacher*
 13 *preparation program.*

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

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

18 **SEC. 202. GENERAL PROVISIONS.**

19 *Title II (20 U.S.C. 1021 et seq.) is amended by adding*
 20 *at the end the following:*

21 **“PART C—GENERAL PROVISIONS**

22 **“SEC. 231. LIMITATIONS.**

23 “(a) *FEDERAL CONTROL PROHIBITED.—Nothing in*
 24 *this title shall be construed to permit, allow, encourage, or*
 25 *authorize any Federal control over any aspect of any pri-*

1 *vate, religious, or home school, whether or not a home school*
 2 *is treated as a private school or home school under State*
 3 *law. This section shall not be construed to prohibit private,*
 4 *religious, or home schools from participation in programs*
 5 *or services under this title.*

6 “(b) *NO CHANGE IN STATE CONTROL ENCOURAGED OR*
 7 *REQUIRED.—Nothing in this title shall be construed to en-*
 8 *courage or require any change in a State’s treatment of any*
 9 *private, religious, or home school, whether or not a home*
 10 *school is treated as a private school or home school under*
 11 *State law.*

12 “(c) *NATIONAL SYSTEM OF TEACHER CERTIFICATION*
 13 *OR LICENSURE PROHIBITED.—Nothing in this title shall*
 14 *be construed to permit, allow, encourage, or authorize the*
 15 *Secretary to establish or support any national system of*
 16 *teacher certification or licensure.”.*

17 **TITLE III—INSTITUTIONAL AID**

18 **SEC. 301. PROGRAM PURPOSE.**

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

20 *(1) in subsection (b)—*

21 *(A) in paragraph (1), by striking “351”*
 22 *and inserting “391”; and*

23 *(B) in paragraph (3)(F), by inserting “, in-*
 24 *cluding services that will assist in the education*
 25 *of special populations” before the period; and*

1 (2) *in subsection (c)—*

2 (A) *in paragraph (6), by inserting “, in-*
3 *cluding innovative, customized, remedial edu-*
4 *cation and English language instruction courses*
5 *designed to help retain students and move the*
6 *students rapidly into core courses and through*
7 *program completion” before the period;*

8 (B) *by redesignating paragraphs (7)*
9 *through (12) as paragraphs (8) through (13), re-*
10 *spectively;*

11 (C) *by inserting after paragraph (6) the fol-*
12 *lowing:*

13 “*(7) Education or counseling services designed to*
14 *improve the financial literacy and economic literacy*
15 *of students or the students’ parents.”;*

16 (D) *in paragraph (12) (as redesignated by*
17 *subparagraph (B)), by striking “distance learn-*
18 *ing academic instruction capabilities” and in-*
19 *serting “distance education technologies”; and*

20 (E) *in the matter preceding subparagraph*
21 *(A) of paragraph (13) (as redesignated by sub-*
22 *paragraph (B)), by striking “subsection (c)” and*
23 *inserting “subsection (b) and section 391”.*

24 **SEC. 302. DEFINITIONS; ELIGIBILITY.**

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

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

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

6 **SEC. 303. AMERICAN INDIAN TRIBALLY CONTROLLED COL-**
7 **LEGES AND UNIVERSITIES.**

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

9 (1) by striking subsection (b)(3) and inserting
10 *the following:*

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

14 *“(A) qualifies for funding under the Trib-*
15 *ally Controlled College or University Assistance*
16 *Act of 1978 (25 U.S.C. 1801 et seq.) or the Nav-*
17 *ajo Community College Assistance Act of 1978*
18 *(25 U.S.C. 640a note); or*

19 *“(B) is cited in section 532 of the Equity*
20 *in Educational Land-Grant Status Act of 1994*
21 *(7 U.S.C. 301 note).”;*

22 (2) in subsection (c)(2)—

23 (A) in subparagraph (B), by inserting be-
24 *fore the semicolon at the end the following: “and*

1 *the acquisition of real property adjacent to the*
2 *campus of the institution”;*

3 *(B) by redesignating subparagraphs (G),*
4 *(H), (I), (J), (K), and (L) as subparagraphs*
5 *(H), (I), (J), (K), (L), and (N), respectively;*

6 *(C) by inserting after subparagraph (F) the*
7 *following:*

8 *“(G) education or counseling services de-*
9 *signed to improve the financial literacy and eco-*
10 *nomical literacy of students or the students’ par-*
11 *ents;”;*

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

15 *(E) by inserting after subparagraph (L) (as*
16 *redesignated by subparagraph (B)) the following:*

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

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

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

1 “(d) *APPLICATION, PLAN, AND ALLOCATION.*—

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

6 “(2) *APPLICATION.*—

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

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

16 “(3) *ALLOCATIONS TO INSTITUTIONS.*—

17 “(A) *CONSTRUCTION GRANTS.*—

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

1 “(ii) *PREFERENCE.—In providing*
2 *grants under clause (i), the Secretary shall*
3 *give preference to eligible institutions that*
4 *have not yet received an award under this*
5 *section.*

6 “(B) *ALLOTMENT OF REMAINING FUNDS.—*

7 “(i) *IN GENERAL.—Except as provided*
8 *in clause (ii), the Secretary shall distribute*
9 *the remaining funds appropriated for any*
10 *fiscal year to each eligible institution as fol-*
11 *lows:*

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

22 “(II) *the remaining 40 percent*
23 *shall be distributed in equal shares to*
24 *the eligible Tribal Colleges and Univer-*
25 *sities.*

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

5 “(4) *SPECIAL RULES.*—

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

11 “(B) *EXEMPTION.*—*Section 313(d) shall not*
 12 *apply to institutions that are eligible to receive*
 13 *funds under this section.”*

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

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

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

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

22 (3) *by adding at the end the following:*

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

1 *conomic 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 Amer-*
14 *icans.*

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 IN-*
21 *STITUTION.—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 as-
10 sist such institutions to plan, develop, undertake, and
11 carry out activities to improve and expand such in-
12 stitutions’ 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 academic
2 instruction;

3 “(E) the purchase of library books, periodicals,
4 microfilm, and other educational materials;

5 “(F) funds and administrative management,
6 and acquisition of equipment for use in
7 strengthening funds management;

8 “(G) the joint use of facilities such as laboratories
9 and libraries; and

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

12 “(d) APPLICATION PROCESS.—

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

21 “(2) APPLICATIONS.—

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

1 *nontribal institution may submit an application*
2 *for assistance under this section to the Secretary.*

3 “(B) *SIMPLIFIED AND STREAMLINED FOR-*
4 *MAT.—The Secretary shall, to the extent possible,*
5 *prescribe a simplified and streamlined format*
6 *for applications under this section that takes*
7 *into account the limited number of institutions*
8 *that are eligible for assistance under this section.*

9 “(C) *CONTENT.—An application submitted*
10 *under subparagraph (A) shall include—*

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

15 “(ii) *such other information and assur-*
16 *ances as the Secretary may require.*

17 “(3) *SPECIAL RULES.—*

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

23 “(B) *EXEMPTION.—Section 313(d) shall not*
24 *apply to institutions that are eligible to receive*
25 *funds under this section.*

1 “(C) *DISTRIBUTION.*—*In awarding grants*
2 *under this section, the Secretary shall, to the ex-*
3 *tent possible and consistent with the competitive*
4 *process under which such grants are awarded,*
5 *ensure maximum and equitable distribution*
6 *among all eligible institutions.”.*

7 (b) *MINIMUM GRANT AMOUNT.*—*Section 399 (20*
8 *U.S.C. 1068h) is amended by adding at the end the fol-*
9 *lowing:*

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

12 **SEC. 306. PART B DEFINITIONS.**

13 *Section 322(4) (20 U.S.C. 1061(4)) is amended by in-*
14 *serting “, in consultation with the Commissioner for Edu-*
15 *cation Statistics” before “and the Commissioner”.*

16 **SEC. 307. GRANTS TO INSTITUTIONS.**

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

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

20 (2) *by redesignating paragraphs (7) through (12)*
21 *as paragraphs (8) through (13), respectively; and*

22 (3) *by inserting after paragraph (6) the fol-*
23 *lowing:*

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

4 **SEC. 308. ALLOTMENTS TO INSTITUTIONS.**

5 *Section 324 (20 U.S.C. 1063) is amended by adding*
6 *at the end the following:*

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

12 “(1) *enrolled Federal Pell Grant recipients in the*
13 *preceding academic year;*

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

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

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

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

25 (1) *in subsection (c)—*

1 (A) in paragraph (2), by inserting “, and
2 for the acquisition and development of real prop-
3 erty that is adjacent to the campus for such con-
4 struction, maintenance, renovation, or improve-
5 ment” after “services”;

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

9 (C) by inserting after paragraph (4) the fol-
10 lowing:

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

13 “(6) education or counseling services designed to
14 improve the financial literacy and economic literacy
15 of students or the students’ parents;”;

16 (D) in paragraph (7) (as redesignated by
17 subparagraph (B)), by striking “establish or im-
18 prove” and inserting “establishing or improv-
19 ing”;

20 (E) in paragraph (8) (as redesignated by
21 subparagraph (B))—

22 (i) by striking “assist” and inserting
23 “assisting”; and

24 (ii) by striking “and” after the semi-
25 colon;

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

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

5 “(10) other activities proposed in the application
6 submitted under subsection (d) that—

7 “(A) contribute to carrying out the purposes
8 of this part; and

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

12 (2) in subsection (e)—

13 (A) in paragraph (1)—

14 (i) by inserting a colon after “the fol-
15 lowing”;

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

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

20 (iv) by adding at the end the following:

21 “(S) Alabama State University qualified
22 graduate program;

23 “(T) Coppin State University qualified
24 graduate program;

1 “(U) *Prairie View A & M University* quali-
2 *fied graduate program;*

3 “(V) *Fayetteville State University* qualified
4 *graduate program;*

5 “(W) *Delaware State University* qualified
6 *graduate program;*

7 “(X) *Langston University* qualified grad-
8 *uate program;*

9 “(Y) *West Virginia State University* quali-
10 *fied graduate program;*

11 “(Z) *Kentucky State University* qualified
12 *graduate program; and*

13 “(AA) *Grambling State University* qualified
14 *graduate program.”;*

15 (B) *in paragraph (2)(A)—*

16 (i) *by inserting “in law or” after “in-*
17 *struction”;* and

18 (ii) *by striking “mathematics, or” and*
19 *inserting “mathematics, psychometrics, or”;*

20 (C) *in paragraph (3)—*

21 (i) *by striking “1998” and inserting*
22 *“2007”;* and

23 (ii) *by striking “(Q) and (R)” and in-*
24 *serting “(S), (T), (U), (V), (W), (X), (Y),*
25 *(Z), and (AA)”;*

1 (3) in subsection (f)—

2 (A) in paragraph (1), by striking “(P)”
3 and inserting “(R)”;

4 (B) in paragraph (2), by striking “(Q) and
5 (R)” and inserting “(S), (T), (U), (V), (W), (X),
6 (Y), (Z), and (AA)”;

7 (C) in paragraph (3)—

8 (i) in the matter preceding subpara-
9 graph (A), by striking “(R)” and inserting
10 “(AA)”;

11 (ii) by striking subparagraphs (A) and
12 (B) and inserting the following:

13 “(A) The amount of non-Federal funds for
14 the fiscal year for which the determination is
15 made that the institution or program listed in
16 subsection (e)—

17 “(i) allocates from institutional re-
18 sources;

19 “(ii) secures from non-Federal sources,
20 including amounts appropriated by the
21 State and amounts from the private sector;
22 and

23 “(iii) will utilize to match Federal
24 funds awarded for the fiscal year for which

1 *the determination is made under this sec-*
2 *tion to the institution or program.*

3 “(B) *The number of students enrolled in the*
4 *qualified graduate programs of the eligible insti-*
5 *tution or program, for which the institution or*
6 *program received and allocated funding under*
7 *this section in the preceding year.”;*

8 *(iii) in subparagraph (C), by striking*
9 *“(or the equivalent) enrolled in the eligible*
10 *professional or graduate school” and all*
11 *that follows through the period and insert-*
12 *ing “enrolled in the qualified programs or*
13 *institutions listed in paragraph (1).”;*

14 *(iv) in subparagraph (D)—*

15 *(I) by striking “students” and in-*
16 *serting “Black American students or*
17 *minority students”;* and

18 *(II) by striking “institution” and*
19 *inserting “institution or program”;*
20 and

21 *(v) by striking subparagraph (E) and*
22 *inserting the following:*

23 *“(E) The percentage that the total number*
24 *of Black American students and minority stu-*
25 *dents who receive their first professional, mas-*

1 *ter's, or doctoral degrees from the institution or*
2 *program in the academic year preceding the aca-*
3 *ademic year for which the determination is made,*
4 *represents of the total number of Black American*
5 *students and minority students in the United*
6 *States who receive their first professional, mas-*
7 *ter's, or doctoral degrees in the professions or*
8 *disciplines related to the course of study at such*
9 *institution or program, respectively, in the pre-*
10 *ceding academic year.”; and*

11 *(4) in subsection (g), by striking “1998” and in-*
12 *serting “2007”.*

13 **SEC. 310. AUTHORITY OF THE SECRETARY.**

14 *Section 345 (20 U.S.C. 1066d) is amended—*

15 *(1) in paragraph (6), by striking “and” after the*
16 *semicolon;*

17 *(2) in paragraph (7), by striking the period at*
18 *the end and inserting “; and”; and*

19 *(3) by adding at the end the following:*

20 *“(8) not later than 90 days after the date of en-*
21 *actment of the Higher Education Amendments of*
22 *2007, shall submit to the authorizing committees a re-*
23 *port on the progress of the Department in imple-*
24 *menting the recommendations made by the Govern-*
25 *ment Accountability Office in October 2006 for im-*

1 *proving the Historically Black College and Univer-*
2 *sities Capital Financing Program.”.*

3 **SEC. 311. AUTHORIZATION OF APPROPRIATIONS.**

4 *Subsection (a) of section 399 (20 U.S.C. 1068h) is*
5 *amended to read as follows:*

6 “(a) *AUTHORIZATIONS.—*

7 “(1) *PART A.—(A) There are authorized to be*
8 *appropriated to carry out part A (other than sections*
9 *316, 317, and 318) such sums as may be necessary*
10 *for fiscal year 2008 and each of the 5 succeeding fis-*
11 *cal years.*

12 “(B) *There are authorized to be appropriated to*
13 *carry out section 316 such sums as may be necessary*
14 *for fiscal year 2008 and each of the 5 succeeding fis-*
15 *cal years.*

16 “(C) *There are authorized to be appropriated to*
17 *carry out section 317 such sums as may be necessary*
18 *for fiscal year 2008 and each of the 5 succeeding fis-*
19 *cal years.*

20 “(D) *There are authorized to be appropriated to*
21 *carry out section 318 such sums as may be necessary*
22 *for fiscal year 2008 and each of the 5 succeeding fis-*
23 *cal years.*

24 “(2) *PART B.—(A) There are authorized to be*
25 *appropriated to carry out part B (other than section*

1 326) such sums as may be necessary for fiscal year
2 2008 and each of the 5 succeeding fiscal years.

3 “(B) There are authorized to be appropriated to
4 carry out section 326 such sums as may be necessary
5 for fiscal year 2008 and each of the 5 succeeding fis-
6 cal years.

7 “(3) PART C.—There are authorized to be appro-
8 priated to carry out part C such sums as may be nec-
9 essary for fiscal year 2008 and each of the 5 suc-
10 ceeding fiscal years.

11 “(4) PART D.—(A) There are authorized to be
12 appropriated to carry out part D (other than section
13 345(7), but including section 347) such sums as may
14 be necessary for fiscal year 2008 and each of the 5
15 succeeding fiscal years.

16 “(B) There are authorized to be appropriated to
17 carry out section 345(7) such sums as may be nec-
18 essary for fiscal year 2008 and each of the 5 suc-
19 ceeding fiscal years.

20 “(5) PART E.—There are authorized to be appro-
21 priated to carry out part E such sums as may be nec-
22 essary for fiscal year 2008 and each of the 5 suc-
23 ceeding fiscal years.”

24 **SEC. 312. TECHNICAL CORRECTIONS.**

25 Title III (20 U.S.C. 1051 et seq.) is further amended—

1 (1) in section 342(5)(C) (20 U.S.C.
2 1066a(5)(C)), by striking “,” and inserting “,”;

3 (2) in section 343(e) (20 U.S.C. 1066b(e)), by in-
4 serting “SALE OF QUALIFIED BONDS.—” before “Not-
5 withstanding”;

6 (3) in the matter preceding clause (i) of section
7 365(9)(A) (20 U.S.C. 1067k(9)(A)), by striking “sup-
8 port” and inserting “supports”;

9 (4) in section 391(b)(7)(E) (20 U.S.C.
10 1068(b)(7)(E)), by striking “subparagraph (E)” and
11 inserting “subparagraph (D)”;

12 (5) in the matter preceding subparagraph (A) of
13 section 392(b)(2) (20 U.S.C. 1068a(b)(2)), by striking
14 “eligible institutions under part A institutions” and
15 inserting “eligible institutions under part A”; and

16 (6) in the matter preceding paragraph (1) of sec-
17 tion 396 (20 U.S.C. 1068e), by striking “360” and
18 inserting “399”.

19 **TITLE IV—STUDENT ASSISTANCE**

20 **PART A—GRANTS TO STUDENTS IN ATTENDANCE**

21 **AT INSTITUTIONS OF HIGHER EDUCATION**

22 **SEC. 401. FEDERAL PELL GRANTS.**

23 (a) AMENDMENTS.—Section 401 (20 U.S.C. 1070a) is
24 amended—

25 (1) in subsection (a)—

1 (A) in paragraph (1)—

2 (i) in the first sentence, by striking

3 “2004” and inserting “2013”; and

4 (ii) in the second sentence, by striking

5 “,” and inserting “;”; and

6 (B) in paragraph (3), by striking “this sub-
7 part” and inserting “this section”;

8 (2) in subsection (b)—

9 (A) by striking paragraph (2)(A) and in-
10 serting the following:

11 “(2)(A) The amount of the Federal Pell Grant for a
12 student eligible under this part shall be—

13 “(i) \$5,400 for academic year 2008–2009;

14 “(ii) \$5,700 for academic year 2009–2010;

15 “(iii) \$6,000 for academic year 2010–2011; and

16 “(iv) \$6,300 for academic year 2011–2012,

17 less an amount equal to the amount determined to be the
18 expected family contribution with respect to that student
19 for that year.”;

20 (B) by striking paragraph (3);

21 (C) in paragraph (5), by striking “\$400, ex-
22 cept” and all that follows through the period and
23 inserting “10 percent of the maximum basic
24 grant level specified in the appropriate Appro-
25 priation Act for such academic year, except that

1 *a student who is eligible for a Federal Pell Grant*
2 *in an amount that is equal to or greater than 5*
3 *percent of such level but less than 10 percent of*
4 *such level shall be awarded a Federal Pell grant*
5 *in the amount of 10 percent of such level.”; and*

6 *(D) by striking paragraph (6) and insert-*
7 *ing the following:*

8 *“(6) In the case of a student who is enrolled, on at*
9 *least a half-time basis and for a period of more than 1 aca-*
10 *demic year in a single award year in a 2-year or 4-year*
11 *program of instruction for which an institution of higher*
12 *education awards an associate or baccalaureate degree, the*
13 *Secretary shall award such student not more than 2 Federal*
14 *Pell Grants during that award year to permit such student*
15 *to accelerate the student’s progress toward a degree. In the*
16 *case of a student receiving more than 1 Federal Pell Grant*
17 *in a single award year, the total amount of Federal Pell*
18 *Grants awarded to such student for the award year may*
19 *exceed the maximum basic grant level specified in the ap-*
20 *propriate appropriations Act for such award year.”; and*

21 *(3) in subsection (c), by adding at the end the*
22 *following:*

23 *“(5) The period of time during which a student may*
24 *receive Federal Pell Grants shall not exceed 18 semesters,*

1 *or an equivalent period of time as determined by the Sec-*
 2 *retary pursuant to regulations, which period shall—*

3 “(A) *be determined without regard to whether*
 4 *the student is enrolled on a full-time basis during any*
 5 *portion of the period of time; and*

6 “(B) *include any period of time for which the*
 7 *student received a Federal Pell Grant prior to July*
 8 *1, 2008.”.*

9 **(b) EFFECTIVE DATE.**—*The amendments made by sub-*
 10 *section (a) shall take effect on July 1, 2008.*

11 **SEC. 402. ACADEMIC COMPETITIVENESS GRANTS.**

12 *Section 401A (20 U.S.C. 1070a-1) is amended—*

13 (1) *by striking subsection (a) and inserting the*
 14 *following:*

15 “(a) **ACADEMIC COMPETITIVENESS GRANT PROGRAM**
 16 **AUTHORIZED.**—*The Secretary shall award grants, in the*
 17 *amounts specified in subsection (d)(1), to eligible students*
 18 *to assist the eligible students in paying their college edu-*
 19 *cation expenses.”;*

20 (2) *in subsection (b)—*

21 (A) *in paragraph (1), by striking “aca-*
 22 *demic”;* and

23 (B) *in paragraph (2), by striking “third or*
 24 *fourth academic” and inserting “third, fourth, or*
 25 *fifth”;*

1 (3) *in subsection (c)—*

2 (A) *in the matter preceding paragraph (1),*
3 *by striking “full-time” and all that follows*
4 *through “is made” and inserting “student who”;*

5 (B) *by striking paragraph (1) and inserting*
6 *the following:*

7 “(1) *is eligible for a Federal Pell Grant for the*
8 *award year in which the determination of eligibility*
9 *is made for a grant under this section;”;*

10 (C) *by striking paragraph (2) and inserting*
11 *the following:*

12 “(2) *is enrolled or accepted for enrollment in an*
13 *institution of higher education on not less than a*
14 *half-time basis; and”;* and

15 (D) *in paragraph (3)—*

16 (i) *by striking subparagraph (A) and*
17 *inserting the following:*

18 “(A) *the first year of a program of under-*
19 *graduate education at a 2- or 4-year degree-*
20 *granting institution of higher education (includ-*
21 *ing a program of not less than 1 year for which*
22 *the institution awards a certificate), has success-*
23 *fully completed, after January 1, 2006, a rig-*
24 *orous secondary school program of study estab-*

1 *lished by a State or local educational agency and*
2 *recognized as such by the Secretary;”;*

3 *(ii) in subparagraph (B)—*

4 *(I) in the matter preceding clause*
5 *(i), by striking “academic” and all*
6 *that follows through “higher edu-*
7 *cation” and inserting “year of a pro-*
8 *gram of undergraduate education at a*
9 *2- or 4-year degree-granting institu-*
10 *tion of higher education (including a*
11 *program of not less than 2 years for*
12 *which the institution awards a certifi-*
13 *cate)”;* *and*

14 *(II) in clause (ii)—*

15 *(aa) by striking “academic”;*

16 *and*

17 *(bb) by striking “or” after*

18 *the semicolon at the end;*

19 *(iii) in subparagraph (C)—*

20 *(I) by striking “academic”;*

21 *(II) by striking “four” and insert-*
22 *ing “4”;*

23 *(III) by striking clause (i)(II)*
24 *and inserting the following:*

1 “(II) a critical foreign language;
2 and”;

3 (IV) in clause (ii), by striking the
4 period at the end and inserting a semi-
5 colon; and

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

7 “(D) the third or fourth year of a program
8 of undergraduate education at an institution of
9 higher education (as defined in section 101(a))
10 that demonstrates, to the satisfaction of the Sec-
11 retary, that the institution—

12 “(i) offers a single liberal arts cur-
13 riculum leading to a baccalaureate degree,
14 under which students are not permitted by
15 the institution to declare a major in a par-
16 ticular subject area, and those students—

17 “(I) study, in such years, a sub-
18 ject described in subparagraph (C)(i)
19 that is at least equal to the require-
20 ments for an academic major at an in-
21 stitution of higher education that offers
22 a baccalaureate degree in such subject,
23 as certified by an appropriate official
24 from the institution; or

1 “(II) are required, as part of their
2 degree program, to undertake a rig-
3 orous course of study in mathematics,
4 biology, chemistry, and physics, which
5 consists of at least—

6 “(aa) 4 years of study in
7 mathematics; and

8 “(bb) 3 years of study in the
9 sciences, with a laboratory compo-
10 nent in each of those years; and

11 “(ii) offered such curriculum prior to
12 February 8, 2006; or

13 “(E) the fifth year of a program of under-
14 graduate education that requires 5 full years of
15 coursework for which a baccalaureate degree is
16 awarded by a degree-granting institution of
17 higher education, as certified by the appropriate
18 official of such institution—

19 “(i) is pursuing a major in—

20 “(I) the physical, life, or computer
21 sciences, mathematics, technology, or
22 engineering (as determined by the Sec-
23 retary pursuant to regulations); or

24 “(II) a critical foreign language;
25 and

1 “(ii) has obtained a cumulative grade
2 point average of at least 3.0 (or the equiva-
3 lent, as determined under regulations pre-
4 scribed by the Secretary) in the coursework
5 required for the major described in clause
6 (i).”;

7 (4) in subsection (d)—

8 (A) in paragraph (1)—

9 (i) in subparagraph (A)—

10 (I) by striking “The” and insert-
11 ing “IN GENERAL.—The”;

12 (II) in clause (ii), by striking
13 “or” after the semicolon at the end;

14 (III) in clause (iii), by striking
15 “subsection (c)(3)(C).” and inserting
16 “subparagraph (C) or (D) of subsection
17 (c)(3), for each of the 2 years described
18 in such subparagraphs; or”; and

19 (IV) by adding at the end the fol-
20 lowing:

21 “(iv) \$4,000 for an eligible student
22 under subsection (c)(3)(E).”; and

23 (ii) in subparagraph (B)—

1 (I) by striking “Notwithstanding”
2 and inserting “LIMITATION; RATABLE
3 REDUCTION.—Notwithstanding”;

4 (II) by redesignating clauses (i),
5 (ii), and (iii), as clauses (ii), (iii), and
6 (iv), respectively; and

7 (III) by inserting before clause
8 (ii), as redesignated under subclause
9 (II), the following:

10 “(i) in any case in which a student at-
11 tends an institution of higher education on
12 less than a full-time basis, the amount of
13 the grant that such student may receive
14 shall be reduced in the same manner as a
15 Federal Pell Grant is reduced under section
16 401(b)(2)(B);”;

17 (B) by striking paragraph (2) and inserting
18 the following:

19 “(2) LIMITATIONS.—

20 “(A) NO GRANTS FOR PREVIOUS CREDIT.—
21 The Secretary may not award a grant under this
22 section to any student for any year of a program
23 of undergraduate education for which the student
24 received credit before the date of enactment of the
25 Higher Education Reconciliation Act of 2005.

1 “(B) NUMBER OF GRANTS.—

2 “(i) FIRST YEAR.—In the case of a stu-
3 dent described in subsection (c)(3)(A), the
4 Secretary may not award more than 1
5 grant to such student for such first year of
6 study.

7 “(ii) SECOND YEAR.—In the case of a
8 student described in subsection (c)(3)(B),
9 the Secretary may not award more than 1
10 grant to such student for such second year
11 of study.

12 “(iii) THIRD AND FOURTH YEARS.—In
13 the case of a student described in subpara-
14 graph (C) or (D) of subsection (c)(3), the
15 Secretary may not award more than 1
16 grant to such student for each of the third
17 and fourth years of study.

18 “(iv) FIFTH YEAR.—In the case of a
19 student described in subsection (c)(3)(E),
20 the Secretary may not award more than 1
21 grant to such student for such fifth year of
22 study.”; and

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

24 “(3) CALCULATION OF GRANT PAYMENTS.—An
25 institution of higher education shall make payments

1 of a grant awarded under this section in the same
2 manner, using the same payment periods, as such in-
3 stitution makes payments for Federal Pell Grants
4 under section 401.”;

5 (5) by striking subsection (e)(2) and inserting
6 the following:

7 “(2) AVAILABILITY OF FUNDS.—Funds made
8 available under paragraph (1) for a fiscal year shall
9 remain available for the succeeding fiscal year.”;

10 (6) in subsection (f)—

11 (A) by striking “at least one” and inserting
12 “not less than 1”; and

13 (B) by striking “subsection (c)(3)(A) and
14 (B)” and inserting “subparagraphs (A) and (B)
15 of subsection (c)(3)”; and

16 (7) in subsection (g), by striking “academic”
17 and inserting “award”.

18 **SEC. 403. FEDERAL TRIO PROGRAMS.**

19 (a) PROGRAM AUTHORITY; AUTHORIZATION OF AP-
20 PROPRIATIONS.—Section 402A (20 U.S.C. 1070a–11) is
21 amended—

22 (1) in subsection (b)—

23 (A) in paragraph (2)—

1 (i) in the matter preceding subpara-
2 graph (A), by striking “4” and inserting
3 “5”;

4 (ii) by striking subparagraph (A); and

5 (iii) by redesignating subparagraphs
6 (B) and (C) as subparagraphs (A) and (B),
7 respectively; and

8 (B) by striking paragraph (3) and inserting
9 the following:

10 “(3) *MINIMUM GRANTS.*—Unless the institution
11 or agency requests a smaller amount, an individual
12 grant authorized under this chapter shall be awarded
13 in an amount that is not less than \$200,000, except
14 that an individual grant authorized under section
15 402G shall be awarded in an amount that is not less
16 than \$170,000.”;

17 (2) in subsection (c)—

18 (A) in paragraph (2), by striking “service
19 delivery” and inserting “high quality service de-
20 livery, as determined under subsection (f),”;

21 (B) in paragraph (3)(B), by striking “is
22 not required to” and inserting “shall not”; and

23 (C) in paragraph (5), by striking “cam-
24 puses” and inserting “different campuses”;

1 (3) in subsection (e), by striking “(g)(2)” each
2 place the term occurs and inserting “(h)(4)”;

3 (4) by redesignating subsections (f) and (g) as
4 subsections (g) and (h), respectively;

5 (5) by inserting after subsection (e) the following:
6 “(f) *OUTCOME CRITERIA.*—

7 “(1) *USE FOR PRIOR EXPERIENCE DETERMINA-*
8 *TION.*—The Secretary shall use the outcome criteria
9 described in paragraphs (2) and (3) to evaluate the
10 programs provided by a recipient of a grant under
11 this chapter, and the Secretary shall determine an eli-
12 gible entity’s prior experience of high quality service
13 delivery, as required under subsection (c)(2), based on
14 the outcome criteria.

15 “(2) *DISAGGREGATION OF RELEVANT DATA.*—
16 The outcome criteria under this subsection shall be
17 disaggregated by low-income students, first generation
18 college students, and individuals with disabilities, in
19 the schools and institutions of higher education served
20 by the program to be evaluated.

21 “(3) *CONTENTS OF OUTCOME CRITERIA.*—The
22 outcome criteria under this subsection shall measure,
23 annually and for longer periods, the quality and ef-
24 fectiveness of programs authorized under this chapter
25 and shall include the following:

1 “(A) For programs authorized under section
2 402B, the extent to which the eligible entity met
3 or exceeded the entity’s objectives established in
4 the entity’s application for such program regard-
5 ing—

6 “(i) the delivery of service to a total
7 number of students served by the program;

8 “(ii) the continued secondary school
9 enrollment of such students;

10 “(iii) the graduation of such students
11 from secondary school;

12 “(iv) the enrollment of such students in
13 an institution of higher education; and

14 “(v) to the extent practicable, the post-
15 secondary education completion of such stu-
16 dents.

17 “(B) For programs authorized under section
18 402C, the extent to which the eligible entity met
19 or exceeded the entity’s objectives for such pro-
20 gram regarding—

21 “(i) the delivery of service to a total
22 number of students served by the program,
23 as agreed upon by the entity and the Sec-
24 retary for the period;

1 “(ii) such students’ school performance,
2 as measured by the grade point average, or
3 its equivalent;

4 “(iii) such students’ academic perform-
5 ance, as measured by standardized tests, in-
6 cluding tests required by the students’ State;

7 “(iv) the retention in, and graduation
8 from, secondary school of such students; and

9 “(v) the enrollment of such students in
10 an institution of higher education.

11 “(C) For programs authorized under section
12 402D—

13 “(i) the extent to which the eligible en-
14 tity met or exceeded the entity’s objectives
15 regarding the retention in postsecondary
16 education of the students served by the pro-
17 gram;

18 “(ii)(I) in the case of an entity that is
19 an institution of higher education offering a
20 baccalaureate degree, the extent to which the
21 entity met or exceeded the entity’s objectives
22 regarding such students’ completion of the
23 degree programs in which such students
24 were enrolled; or

1 “(II) in the case of an entity that is an
2 institution of higher education that does not
3 offer a baccalaureate degree, the extent to
4 which the entity met or exceeded the entity’s
5 objectives regarding—

6 “(aa) the completion of a degree
7 or certificate by such students; and

8 “(bb) the transfer of such students
9 to institutions of higher education that
10 offer baccalaureate degrees;

11 “(iii) the extent to which the entity
12 met or exceeded the entity’s objectives re-
13 garding the delivery of service to a total
14 number of students, as agreed upon by the
15 entity and the Secretary for the period; and

16 “(iv) the extent to which the entity met
17 or exceeded the entity’s objectives regarding
18 such students remaining in good academic
19 standing.

20 “(D) For programs authorized under sec-
21 tion 402E, the extent to which the entity met or
22 exceeded the entity’s objectives for such program
23 regarding—

1 “(i) the delivery of service to a total
2 number of students, as agreed upon by the
3 entity and the Secretary for the period;

4 “(ii) the provision of appropriate
5 scholarly and research activities for the stu-
6 dents served by the program;

7 “(iii) the acceptance and enrollment of
8 such students in graduate programs; and

9 “(iv) the continued enrollment of such
10 students in graduate study and the attain-
11 ment of doctoral degrees by former program
12 participants.

13 “(E) For programs authorized under section
14 402F, the extent to which the entity met or ex-
15 ceeded the entity’s objectives for such program re-
16 garding—

17 “(i) the enrollment of students without
18 a secondary school diploma or its recognized
19 equivalent, who were served by the program,
20 in programs leading to such diploma or
21 equivalent;

22 “(ii) the enrollment of secondary school
23 graduates who were served by the program
24 in programs of postsecondary education;

1 “(iii) the delivery of service to a total
2 number of students, as agreed upon by the
3 entity and the Secretary for the period; and

4 “(iv) the provision of assistance to stu-
5 dents served by the program in completing
6 financial aid applications and college ad-
7 mission applications.

8 “(4) MEASUREMENT OF PROGRESS.—In order to
9 determine the extent to which an outcome criterion
10 described in paragraphs (2) or (3) is met or exceeded,
11 an eligible entity receiving assistance under this
12 chapter shall compare the eligible entity’s target for
13 the criterion, as established in the eligible entity’s ap-
14 plication, with the results for the criterion, measured
15 as of the last day of the applicable time period for the
16 determination.”;

17 (6) in subsection (g) (as redesignated by para-
18 graph (4))—

19 (A) in the first sentence, by striking
20 “\$700,000,000 for fiscal year 1999” and all that
21 follows through the period and inserting “such
22 sums as may be necessary for fiscal year 2008
23 and each of the 5 succeeding fiscal 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 following:*

8 “(1) *DIFFERENT CAMPUS.—The term ‘different*
9 *campus’ means a site of an institution of higher edu-*
10 *cation that—*

11 “(A) *is geographically apart from the main*
12 *campus of the institution;*

13 “(B) *is permanent in nature; and*

14 “(C) *offers courses in educational programs*
15 *leading to a degree, certificate, or other recog-*
16 *nized educational credential.*

17 “(2) *DIFFERENT POPULATION.—The term ‘dif-*
18 *ferent population’ means a group of individuals, with*
19 *respect to whom an eligible entity desires to serve*
20 *through an application for a grant under this chap-*
21 *ter, that—*

22 “(A) *is separate and distinct from any*
23 *other population that the entity has applied for*
24 *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 has
3 applied for a grant under this chapter to serve,
4 has distinct needs for specialized services.”;

5 (C) in paragraph (5) (as redesignated by
6 subparagraph (A))—

7 (i) in subparagraph (A), by striking
8 “or” after the semicolon;

9 (ii) in subparagraph (B), by striking
10 the period at the end and inserting “; or”;
11 and

12 (iii) by adding at the end the fol-
13 lowing:

14 “(C) was a member of a reserve component
15 of the Armed Forces called to active duty for a
16 period of more than 180 days.”; and

17 (D) in paragraph (6), by striking “sub-
18 paragraph (A) or (B) of paragraph (3)” and in-
19 serting “subparagraph (A), (B), or (C) of para-
20 graph (5)”.

21 (b) *TALENT SEARCH*.—Section 402B (20 U.S.C.
22 1070a–12) is amended—

23 (1) in subsection (a)—

24 (A) in paragraph (1), by striking “to iden-
25 tify qualified youths with potential for education

1 *at the postsecondary level and to encourage such*
2 *youths” and inserting “to encourage eligible*
3 *youths”;*

4 *(B) in paragraph (2), by inserting “, and*
5 *facilitate the application for,” after “the avail-*
6 *ability of”;* and

7 *(C) in paragraph (3), by striking “, but*
8 *who have the ability to complete such programs,*
9 *to reenter” and inserting “to enter or reenter,*
10 *and complete”;*

11 *(2) by redesignating subsection (c) as subsection*
12 *(d);*

13 *(3) by striking subsection (b) and inserting the*
14 *following:*

15 *“(b) REQUIRED SERVICES.—Any project assisted*
16 *under this section shall provide—*

17 *“(1) academic tutoring, or connections to high*
18 *quality academic tutoring services, to enable students*
19 *to complete secondary or postsecondary courses, which*
20 *may include instruction in reading, writing, study*
21 *skills, mathematics, science, and other subjects;*

22 *“(2) advice and assistance in secondary course*
23 *selection and, if applicable, initial postsecondary*
24 *course selection;*

1 “(3) assistance in preparing for college entrance
2 examinations and completing college admission appli-
3 cations;

4 “(4)(A) information on both the full range of
5 Federal student financial aid programs (including
6 Federal Pell Grant awards and loan forgiveness) and
7 resources for locating public and private scholarships;
8 and

9 “(B) assistance in completing financial aid ap-
10 plications, including the Free Application for Federal
11 Student Aid described in section 483(a);

12 “(5) guidance on and assistance in—

13 “(A) secondary school reentry;

14 “(B) alternative education programs for sec-
15 ondary school dropouts that lead to the receipt of
16 a regular secondary school diploma;

17 “(C) entry into general educational develop-
18 ment (GED) programs; or

19 “(D) postsecondary education; and

20 “(6) education or counseling services designed to
21 improve the financial literacy and economic literacy
22 of students or the students’ parents, including finan-
23 cial planning for postsecondary education.

24 “(c) *PERMISSIBLE SERVICES*.—Any project assisted
25 under this section may provide services such as—

1 “(1) *personal and career counseling or activities;*

2 “(2) *information and activities designed to ac-*
3 *quaint youths with the range of career options avail-*
4 *able to the youths;*

5 “(3) *exposure to the campuses of institutions of*
6 *higher education, as well as cultural events, academic*
7 *programs, and other sites or activities not usually*
8 *available to disadvantaged youth;*

9 “(4) *workshops and counseling for families of*
10 *students served;*

11 “(5) *mentoring programs involving elementary*
12 *or secondary school teachers or counselors, faculty*
13 *members at institutions of higher education, students,*
14 *or any combination of such persons; and*

15 “(6) *programs and activities as described in sub-*
16 *section (b) or paragraphs (1) through (5) of this sub-*
17 *section that are specially designed for students who*
18 *are limited English proficient, students with disabil-*
19 *ities, students who are homeless children and youths*
20 *(as such term is defined in section 725 of the McKin-*
21 *ney-Vento Homeless Assistance Act (42 U.S.C.*
22 *11434a)), or students who are in foster care or are*
23 *aging out of the foster care system.”; and*

24 (4) *in the matter preceding paragraph (1) of*
25 *subsection (d) (as redesignated by paragraph (2)), by*

1 *striking “talent search projects under this chapter”*
2 *and inserting “projects under this section”.*

3 *(c) UPWARD BOUND.—Section 402C (20 U.S.C.*
4 *1070a–13) is amended—*

5 *(1) by striking subsection (b) and inserting the*
6 *following:*

7 *“(b) REQUIRED SERVICES.—Any project assisted*
8 *under this section shall provide—*

9 *“(1) academic tutoring to enable students to*
10 *complete secondary or postsecondary courses, which*
11 *may include instruction in reading, writing, study*
12 *skills, mathematics, science, and other subjects;*

13 *“(2) advice and assistance in secondary and*
14 *postsecondary course selection;*

15 *“(3) assistance in preparing for college entrance*
16 *examinations and completing college admission appli-*
17 *cations;*

18 *“(4)(A) information on both the full range of*
19 *Federal student financial aid programs (including*
20 *Federal Pell Grant awards and loan forgiveness) and*
21 *resources for locating public and private scholarships;*
22 *and*

23 *“(B) assistance in completing financial aid ap-*
24 *plications, including the Free Application for Federal*
25 *Student Aid described in section 483(a);*

1 “(5) guidance on and assistance in—

2 “(A) secondary school reentry;

3 “(B) alternative education programs for sec-
4 ondary school dropouts that lead to the receipt of
5 a regular secondary school diploma;

6 “(C) entry into general educational develop-
7 ment (GED) programs; or

8 “(D) postsecondary education; and

9 “(6) education or counseling services designed to
10 improve the financial literacy and economic literacy
11 of students or the students’ parents, including finan-
12 cial planning for postsecondary education.”;

13 (2) in subsection (c)—

14 (A) in the subsection heading, by striking
15 “REQUIRED SERVICES” and inserting “ADDI-
16 TIONAL REQUIRED SERVICES FOR MULTIPLE-
17 YEAR GRANT RECIPIENTS”; and

18 (B) by striking “upward bound project as-
19 sisted under this chapter” and inserting “project
20 assisted under this section”;

21 (3) by redesignating subsections (d) and (e) as
22 subsections (f) and (g), respectively;

23 (4) by inserting after subsection (c) the fol-
24 lowing:

1 “(d) *PERMISSIBLE SERVICES.*—*Any project assisted*
2 *under this section may provide such services as—*

3 “(1) *exposure to cultural events, academic pro-*
4 *grams, and other activities not usually available to*
5 *disadvantaged youth;*

6 “(2) *information, activities and instruction de-*
7 *signed to acquaint youths participating in the project*
8 *with the range of career options available to the*
9 *youths;*

10 “(3) *on-campus residential programs;*

11 “(4) *mentoring programs involving elementary*
12 *school or secondary school teachers or counselors, fac-*
13 *ulty members at institutions of higher education, stu-*
14 *dents, or any combination of such persons;*

15 “(5) *work-study positions where youth partici-*
16 *pating in the project are exposed to careers requiring*
17 *a postsecondary degree;*

18 “(6) *special services to enable veterans to make*
19 *the transition to postsecondary education; and*

20 “(7) *programs and activities as described in sub-*
21 *section (b), subsection (c), or paragraphs (1) through*
22 *(6) of this subsection that are specially designed for*
23 *students who are limited English proficient, students*
24 *with disabilities, students who are homeless children*
25 *and youths (as such term is defined in section 725 of*

1 *the McKinney-Vento Homeless Assistance Act (42*
2 *U.S.C. 11434a)), or students who are in foster care or*
3 *are aging out of the foster care system.*

4 “(e) *PRIORITY.—In providing assistance under this*
5 *section the Secretary—*

6 “(1) *shall give priority to projects assisted under*
7 *this section that select not less than 30 percent of all*
8 *first-time participants in the projects from students*
9 *who have a high academic risk for failure; and*

10 “(2) *shall not deny participation in a project as-*
11 *sisted under this section to a student because the stu-*
12 *dent will enter the project after the 9th grade.”;*

13 “(5) *in the matter preceding paragraph (1) of*
14 *subsection (f) (as redesignated by paragraph (3)), by*
15 *striking “upward bound projects under this chapter”*
16 *and inserting “projects under this section”; and*

17 “(6) *in subsection (g) (as redesignated by para-*
18 *graph (3))—*

19 “(A) *by striking “during June, July, and*
20 *August” each place the term occurs and inserting*
21 *“during the summer school recess, for a period*
22 *not to exceed 3 months”; and*

23 “(B) *by striking “(b)(10)” and inserting*
24 *“(d)(5)”.*

25 “(7) *by adding at the end the following:*

1 “(h) *ADDITIONAL FUNDS.*—

2 “(1) *AUTHORIZATION.*—*There are authorized to*
3 *be appropriated for the upward bound program under*
4 *this chapter, in addition to any amounts appro-*
5 *priated under section 402A(g), \$57,000,000 for each*
6 *of the fiscal years 2008 through 2011 for the Sec-*
7 *retary to carry out paragraph (2), except that any*
8 *amounts that remain unexpended for such purpose for*
9 *each of such fiscal years may be available for tech-*
10 *nical assistance and administration costs for the up-*
11 *ward bound program under this chapter.*

12 “(2) *USE OF FUNDS.*—

13 “(A) *IN GENERAL.*—*The amounts made*
14 *available by paragraph (1) for a fiscal year shall*
15 *be available to provide assistance to applicants*
16 *for an upward bound project under this chapter*
17 *for such fiscal year that—*

18 “(i) *did not apply for assistance, or*
19 *applied but did not receive assistance,*
20 *under this section in fiscal year 2007; and*

21 “(ii) *receive a grant score above 70 on*
22 *the applicant’s application.*

23 “(B) *4-YEAR GRANTS.*—*The assistance de-*
24 *scribed in subparagraph (A) shall be made avail-*
25 *able in the form of 4-year grants.”.*

1 (d) *STUDENT SUPPORT SERVICES.—Section 402D (20*
2 *U.S.C. 1070a–14) is amended—*

3 (1) *in subsection (a)—*

4 (A) *in paragraph (2), by striking “and”*
5 *after the semicolon;*

6 (B) *by striking paragraph (3) and inserting*
7 *the following:*

8 “*(3) to foster an institutional climate supportive*
9 *of the success of low-income and first generation col-*
10 *lege students, students with disabilities, students who*
11 *are limited English proficient, students who are*
12 *homeless children and youths (as such term is defined*
13 *in section 725 of the McKinney-Vento Homeless As-*
14 *sistance Act (42 U.S.C. 11434a)), and students who*
15 *are in foster care or are aging out of the foster care*
16 *system.”; and*

17 (C) *by adding at the end the following:*

18 “*(4) to improve the financial literacy and eco-*
19 *nomie literacy of students, including—*

20 (A) *basic personal income, household*
21 *money management, and financial planning*
22 *skills; and*

23 (B) *basic economic decisionmaking skills.”;*

24 (2) *by redesignating subsections (c) and (d) as*
25 *subsections (d) and (e);*

1 (3) *by striking subsection (b) and inserting the*
2 *following:*

3 “(b) *REQUIRED SERVICES.—A project assisted under*
4 *this section shall provide—*

5 “(1) *academic tutoring to enable students to*
6 *complete postsecondary courses, which may include*
7 *instruction in reading, writing, study skills, mathe-*
8 *matics, science, and other subjects;*

9 “(2) *advice and assistance in postsecondary*
10 *course selection;*

11 “(3)(A) *information on both the full range of*
12 *Federal student financial aid programs (including*
13 *Federal Pell Grant awards and loan forgiveness) and*
14 *resources for locating public and private scholarships;*
15 *and*

16 “(B) *assistance in completing financial aid ap-*
17 *plications, including the Free Application for Federal*
18 *Student Aid described in section 483(a);*

19 “(4) *education or counseling services designed to*
20 *improve the financial literacy and economic literacy*
21 *of students, including financial planning for postsec-*
22 *ondary education;*

23 “(5) *activities designed to assist students partici-*
24 *pating in the project in securing college admission*

1 *and financial assistance for enrollment in graduate*
2 *and professional programs; and*

3 *“(6) activities designed to assist students enrolled*
4 *in 2-year institutions of higher education in securing*
5 *admission and financial assistance for enrollment in*
6 *a 4-year program of postsecondary education.*

7 *“(c) PERMISSIBLE SERVICES.—A project assisted*
8 *under this section may provide services such as—*

9 *“(1) consistent, individualized personal, career,*
10 *and academic counseling, provided by assigned coun-*
11 *selors;*

12 *“(2) information, activities, and instruction de-*
13 *signed to acquaint youths participating in the project*
14 *with the range of career options available to the stu-*
15 *dents;*

16 *“(3) exposure to cultural events and academic*
17 *programs not usually available to disadvantaged stu-*
18 *dents;*

19 *“(4) activities designed to acquaint students par-*
20 *ticipating in the project with the range of career op-*
21 *tions available to the students;*

22 *“(5) mentoring programs involving faculty or*
23 *upper class students, or a combination thereof;*

24 *“(6) securing temporary housing during breaks*
25 *in the academic year for students who are homeless*

1 *children and youths (as such term is defined in sec-*
2 *tion 725 of the McKinney-Vento Homeless Assistance*
3 *Act (42 U.S.C. 11434a)) or were formerly homeless*
4 *children and youths and students who are in foster*
5 *care or are aging out of the foster care system; and*

6 *“(7) programs and activities as described in sub-*
7 *section (b) or paragraphs (1) through (5) of this sub-*
8 *section that are specially designed for students who*
9 *are limited English proficient, students with disabil-*
10 *ities, students who are homeless children and youths*
11 *(as such term is defined in section 725 of the McKin-*
12 *ney-Vento Homeless Assistance Act (42 U.S.C.*
13 *11434a)) or were formerly homeless children and*
14 *youths, or students who are in foster care or are*
15 *aging out of the foster care system.”;*

16 *(4) in subsection (d)(1) (as redesignated by*
17 *paragraph (2)), by striking “subsection (b)” and in-*
18 *serting “subsection (c)”;* and

19 *(5) in the matter preceding paragraph (1) of*
20 *subsection (e) (as redesignated by paragraph (2)), by*
21 *striking “student support services projects under this*
22 *chapter” and inserting “projects under this section”.*

23 *(e) POSTBACCALAUREATE ACHIEVEMENT PROGRAM*

24 *AUTHORITY.—Section 402E (20 U.S.C. 1070a–15) is*
25 *amended—*

1 (1) *in subsection (b)—*

2 (A) *in the subsection heading, by inserting*
3 “*REQUIRED*” *before “SERVICES”;*

4 (B) *in the matter preceding paragraph (1),*
5 *by striking “A postbaccalaureate achievement*
6 *project assisted under this section may provide*
7 *services such as—” and inserting “A project as-*
8 *sisted under this section shall provide—”;*

9 (C) *in paragraph (5), by inserting “and”*
10 *after the semicolon;*

11 (D) *in paragraph (6), by striking the semi-*
12 *colon and inserting a period; and*

13 (E) *by striking paragraphs (7) and (8);*

14 (2) *by redesignating subsections (c) through (f)*
15 *as subsections (d) through (g), respectively;*

16 (3) *by inserting after subsection (b) the fol-*
17 *lowing:*

18 “(c) *PERMISSIBLE SERVICES.—A project assisted*
19 *under this section may provide services such as—*

20 “(1) *education or counseling services designed to*
21 *improve the financial literacy and economic literacy*
22 *of students, including financial planning for postsec-*
23 *ondary education;*

1 “(2) mentoring programs involving faculty mem-
2 bers at institutions of higher education, students, or
3 any combination of such persons; and

4 “(3) exposure to cultural events and academic
5 programs not usually available to disadvantaged stu-
6 dents.”;

7 (4) in the matter preceding paragraph (1) of
8 subsection (d) (as redesignated by paragraph (2)), by
9 striking “postbaccalaureate achievement”;

10 (5) in the matter preceding paragraph (1) of
11 subsection (f) (as redesignated by paragraph (2)), by
12 striking “postbaccalaureate achievement project” and
13 inserting “project under this section”; and

14 (6) in subsection (g) (as redesignated by para-
15 graph (2))—

16 (A) by striking “402A(f)” and inserting
17 “402A(g)”; and

18 (B) by striking “1993 through 1997” and
19 inserting “2007 through 2012”.

20 (f) *EDUCATIONAL OPPORTUNITY CENTERS.*—Section
21 402F (20 U.S.C. 1070a–16) is amended—

22 (1) in subsection (a)—

23 (A) in paragraph (1), by striking “and”
24 after the semicolon;

1 (B) in paragraph (2), by striking the period
2 at the end and inserting “; and”; and

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

4 “(3) to improve the financial literacy and eco-
5 nomic literacy of students, including—

6 “(A) basic personal income, household
7 money management, and financial planning
8 skills; and

9 “(B) basic economic decisionmaking skills.”;
10 and

11 (2) in subsection (b)—

12 (A) by redesignating paragraphs (5)
13 through (10) as paragraphs (6) through (11), re-
14 spectively;

15 (B) by inserting after paragraph (4) the fol-
16 lowing:

17 “(5) education or counseling services designed to
18 improve the financial literacy and economic literacy
19 of students;”;

20 (C) by striking paragraph (7) (as redesign-
21 ated by subparagraph (A)) and inserting the
22 following:

23 “(7) individualized personal, career, and aca-
24 demic counseling;”; and

1 (D) by striking paragraph (11) (as redesignated by subparagraph (A)) and inserting the following:

2 “(11) programs and activities as described in paragraphs (1) through (10) that are specially designed for students who are limited English proficient, students with disabilities, or students who are homeless children and youths (as such term is defined in section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a)), or programs and activities for students who are in foster care or are aging out of the foster care system.”.

3 (g) *STAFF DEVELOPMENT ACTIVITIES*.—Section 402G(b)(3) (20 U.S.C. 1070a–17(b)(3)) is amended by inserting “, including strategies for recruiting and serving students who are homeless children and youths (as such term is defined in section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a)) and students who are in foster care or are aging out of the foster care system” before the period at the end.

4 (h) *REPORTS, EVALUATIONS, AND GRANTS FOR PROJECT IMPROVEMENT AND DISSEMINATION*.—Section 402H (20 U.S.C. 1070a–18) is amended—

5 (1) by striking the section heading and inserting
6 “**REPORTS, EVALUATIONS, AND GRANTS FOR**

1 **PROJECT IMPROVEMENT AND DISSEMINA-**
2 **TION.”;**

3 (2) by redesignating subsections (a) through (c)
4 as subsections (b) through (d), respectively;

5 (3) by inserting before subsection (b) (as redesign-
6 ated by paragraph (2)) the following:

7 “(a) **REPORTS TO THE AUTHORIZING COMMITTEES.—**
8 *The Secretary shall submit annually, to the authorizing*
9 *committees, a report that documents the performance of all*
10 *programs funded under this chapter. The report shall—*

11 “(1) *be submitted not later than 24 months after*
12 *the eligible entities receiving funds under this chapter*
13 *are required to report their performance to the Sec-*
14 *retary;*

15 “(2) *focus on the programs’ performance on the*
16 *relevant outcome criteria determined under section*
17 *402A(f)(4);*

18 “(3) *aggregate individual project performance*
19 *data on the outcome criteria in order to provide na-*
20 *tional performance data for each program;*

21 “(4) *include, when appropriate, descriptive data,*
22 *multi-year data, and multi-cohort data; and*

23 “(5) *include comparable data on the performance*
24 *nationally of low-income students, first-generation*
25 *students, and students with disabilities.”; and*

1 (4) *in subsection (b) (as redesignated by para-*
2 *graph (2)), by striking paragraph (2) and inserting*
3 *the following:*

4 “(2) *PRACTICES.—*

5 “(A) *IN GENERAL.—The evaluations de-*
6 *scribed in paragraph (1) shall identify institu-*
7 *tional, community, and program or project prac-*
8 *tices that are particularly effective in—*

9 “(i) *enhancing the access of low-income*
10 *individuals and first-generation college stu-*
11 *dents to postsecondary education;*

12 “(ii) *the preparation of the individuals*
13 *and students for postsecondary education;*
14 *and*

15 “(iii) *fostering the success of the indi-*
16 *viduals and students in postsecondary edu-*
17 *cation.*

18 “(B) *PRIMARY PURPOSE.—Any evaluation*
19 *conducted under this chapter shall have as its*
20 *primary purpose the identification of particular*
21 *practices that further the achievement of the out-*
22 *come criteria determined under section*
23 *402A(f)(4).*

24 “(C) *DISSEMINATION AND USE OF EVALUA-*
25 *TION FINDINGS.—The Secretary shall dissemi-*

1 nate to eligible entities and make available to the
 2 public the practices identified under subpara-
 3 graph (B). The practices may be used by eligible
 4 entities that receive assistance under this chapter
 5 after the dissemination.

6 “(3) *RECRUITMENT*.—The Secretary shall not re-
 7 quire an eligible entity desiring to receive assistance
 8 under this chapter to recruit students to serve as a
 9 control group for purposes of evaluating any program
 10 or project assisted under this chapter.”.

11 (i) *ADDITIONAL AMENDMENT TO*
 12 *POSTBACCALAUREATE ACHIEVEMENT PROGRAM*.—Section
 13 402E(d)(2) (as redesignated by subsection (e)(2)) (20
 14 U.S.C. 1070a–15(d)(2)) is further amended by inserting “,
 15 including Native Hawaiians, as defined in section 7207 of
 16 the Elementary and Secondary Education Act of 1965, and
 17 Pacific Islanders” after “graduate education”.

18 **SEC. 404. GAINING EARLY AWARENESS AND READINESS**
 19 **FOR UNDERGRADUATE PROGRAMS.**

20 (a) *EARLY INTERVENTION AND COLLEGE AWARENESS*
 21 *PROGRAM AUTHORIZED*.—Section 404A (20 U.S.C. 1070a–
 22 21) is amended—

23 (1) by striking subsection (a) and inserting the
 24 following:

1 “(a) *PROGRAM AUTHORIZED.*—*The Secretary is au-*
2 *thorized, in accordance with the requirements of this chap-*
3 *ter, to establish a program that encourages eligible entities*
4 *to provide support to eligible low-income students to assist*
5 *the students in obtaining a secondary school diploma (or*
6 *its recognized equivalent) and to prepare for and succeed*
7 *in postsecondary education, by providing—*

8 “(1) *financial assistance, academic support, ad-*
9 *ditional counseling, mentoring, outreach, and sup-*
10 *portive services to middle school and secondary school*
11 *students to reduce—*

12 “(A) *the risk of such students dropping out*
13 *of school; or*

14 “(B) *the need for remedial education for*
15 *such students at the postsecondary level; and*

16 “(2) *information to students and their parents*
17 *about the advantages of obtaining a postsecondary*
18 *education and the college financing options for the*
19 *students and their parents.”;*

20 (2) *by striking subsection (b)(2)(A) and inserting*
21 *the following:*

22 “(A) *give priority to eligible entities that*
23 *have a prior, demonstrated commitment to early*
24 *intervention leading to college access through col-*

1 *laboration and replication of successful strate-*
2 *gies;”;* and

3 (3) *in subsection (b), by adding at the end the*
4 *following:*

5 “(3) *CARRY OVER.—An eligible entity that re-*
6 *ceives a grant under this chapter may carry over any*
7 *unspent grant funds from the final year of the grant*
8 *period into the following year.”;*

9 (4) *by striking subsection (c)(2) and inserting*
10 *the following:*

11 “(2) *a partnership—*

12 “(A) *consisting of—*

13 “(i) *1 or more local educational agen-*
14 *cies; and*

15 “(ii) *1 or more degree granting institu-*
16 *tions of higher education; and*

17 “(B) *which may include not less than 2*
18 *other community organizations or entities, such*
19 *as businesses, professional organizations, State*
20 *agencies, institutions or agencies sponsoring pro-*
21 *grams authorized under subpart 4, or other pub-*
22 *lic or private agencies or organizations.”.*

23 (b) *REQUIREMENTS.—Section 404B (20 U.S.C.*
24 *1070a-22) is amended—*

1 (1) *by striking subsection (a) and inserting the*
2 *following: —*

3 “(a) *FUNDING RULES.—*

4 “(1) *DISTRIBUTION.—In awarding grants from*
5 *the amount appropriated under section 404G for a*
6 *fiscal year, the Secretary shall take into consider-*
7 *ation—*

8 “(A) *the geographic distribution of such*
9 *awards; and*

10 “(B) *the distribution of such awards be-*
11 *tween urban and rural applicants.*

12 “(2) *SPECIAL RULE.—The Secretary shall annu-*
13 *ally reevaluate the distribution of funds described in*
14 *paragraph (1) based on number, quality, and promise*
15 *of the applications.”;*

16 (2) *by striking subsections (b), (e), and (f);*

17 (3) *by redesignating subsections (c), (d), and (g)*
18 *as subsections (b), (c), and (d), respectively; and*

19 (4) *by adding at the end the following:*

20 “(e) *SUPPLEMENT, NOT SUPPLANT.—Grant funds*
21 *awarded under this chapter shall be used to supplement,*
22 *and not supplant, other Federal, State, and local funds that*
23 *would otherwise be expended to carry out activities assisted*
24 *under this chapter.”.*

1 (c) *APPLICATION.*—Section 404C (20 U.S.C. 1070a–
2 23) is amended—

3 (1) in the section heading, by striking “**ELIGI-**
4 **BLE ENTITY PLANS**” and inserting “**APPLICA-**
5 **TIONS**”;

6 (2) in subsection (a)—

7 (A) in the subsection heading, by striking
8 “PLAN” and inserting “APPLICATION”;

9 (B) in paragraph (1)—

10 (i) by striking “a plan” and inserting
11 “an application”; and

12 (ii) by striking the second sentence;

13 and

14 (C) by striking paragraph (2) and inserting
15 the following:

16 “(2) *CONTENTS.*—Each application submitted
17 pursuant to paragraph (1) shall be in such form, con-
18 tain or be accompanied by such information or assur-
19 ances, and be submitted at such time as the Secretary
20 may require. Each such application shall, at a min-
21 imum—

22 “(A) describe the activities for which assist-
23 ance under this chapter is sought, including how
24 the eligible entity will carry out the required ac-
25 tivities described in section 404D(a);

1 “(B) describe how the eligible agency will
2 meet the requirements of section 404E;

3 “(C) provide assurances that adequate ad-
4 ministrative and support staff will be responsible
5 for coordinating the activities described in sec-
6 tion 404D;

7 “(D) ensure that activities assisted under
8 this chapter will not displace an employee or
9 eliminate a position at a school assisted under
10 this chapter, including a partial displacement
11 such as a reduction in hours, wages or employ-
12 ment benefits;

13 “(E) describe, in the case of an eligible enti-
14 ty described in section 404A(c)(2), how the eligi-
15 ble entity will define the cohorts of the students
16 served by the eligible entity pursuant to section
17 404B(d), and how the eligible entity will serve
18 the cohorts through grade 12, including—

19 “(i) how vacancies in the program
20 under this chapter will be filled; and

21 “(ii) how the eligible entity will serve
22 students attending different secondary
23 schools;

24 “(F) describe how the eligible entity will co-
25 ordinate programs with other existing Federal,

1 *State, or local programs to avoid duplication*
2 *and maximize the number of students served;*

3 “(G) *provide such additional assurances as*
4 *the Secretary determines necessary to ensure*
5 *compliance with the requirements of this chapter;*
6 *and*

7 “(H) *provide information about the activi-*
8 *ties that will be carried out by the eligible entity*
9 *to support systemic changes from which future*
10 *cohorts of students will benefit.”;*

11 (3) *in the matter preceding subparagraph (A) of*
12 *subsection (b)(1)—*

13 (A) *by striking “a plan” and inserting “an*
14 *application”;* and

15 (B) *by striking “such plan” and inserting*
16 *“such application”;* and

17 (4) *in subsection (c)(1), by striking “paid to stu-*
18 *dents from State, local, institutional, or private funds*
19 *under this chapter” and inserting “obligated to stu-*
20 *dents from State, local, institutional, or private funds*
21 *under this chapter, including pre-existing non-Fed-*
22 *eral financial assistance programs,”;*

23 (5) *in subsection (c)(1), by striking the semicolon*
24 *at the end and inserting “including—*

1 “(A) the amount contributed to a student
2 scholarship fund established under section 404E;
3 and

4 “(B) the amount of the costs of admin-
5 istering the scholarship program under section
6 404E;”.

7 (6) in subsection (c)—

8 (A) in paragraph (2), by striking “and”
9 after the semicolon;

10 (B) in paragraph (3), by striking the period
11 at the end and inserting “; and”; and

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

13 “(4) other resources recognized by the Secretary,
14 including equipment and supplies, cash contributions
15 from non-Federal sources, transportation expenses, in-
16 kind or discounted program services, indirect costs,
17 and facility usage.”.

18 (d) *ACTIVITIES*.—Section 404D (20 U.S.C. 1070a–24)
19 is amended to read as follows:

20 **“SEC. 404D. ACTIVITIES.**

21 “(a) *REQUIRED ACTIVITIES*.—Each eligible entity re-
22 ceiving a grant under this chapter shall carry out the fol-
23 lowing:

24 “(1) Provide information regarding financial
25 aid for postsecondary education to participating stu-

1 *dents in the cohort described in subsection*
2 *404B(d)(1)(A).*

3 *“(2) Encourage student enrollment in rigorous*
4 *and challenging curricula and coursework, in order to*
5 *reduce the need for remedial coursework at the post-*
6 *secondary level.*

7 *“(3) Support activities designed to improve the*
8 *number of participating students who—*

9 *“(A) obtain a secondary school diploma;*
10 *and*

11 *“(B) complete applications for and enroll in*
12 *a program of postsecondary education.*

13 *“(4) In the case of an eligible entity described in*
14 *section 404A(c)(1), provide for the scholarships de-*
15 *scribed in section 404E.*

16 *“(b) OPTIONAL ACTIVITIES FOR STATES AND PART-*
17 *NERSHIPS.—An eligible entity that receives a grant under*
18 *this chapter may use grant funds to carry out 1 or more*
19 *of the following activities:*

20 *“(1) Providing tutoring and supporting mentors,*
21 *including adults or former participants of a program*
22 *under this chapter, for eligible students.*

23 *“(2) Conducting outreach activities to recruit*
24 *priority students described in subsection (d) to par-*
25 *ticipate in program activities.*

1 “(3) *Providing supportive services to eligible stu-*
2 *dents.*

3 “(4) *Supporting the development or implementa-*
4 *tion of rigorous academic curricula, which may in-*
5 *clude college preparatory, Advanced Placement, or*
6 *International Baccalaureate programs, and providing*
7 *participating students access to rigorous core courses*
8 *that reflect challenging State academic standards.*

9 “(5) *Supporting dual or concurrent enrollment*
10 *programs between the secondary school and institu-*
11 *tion of higher education partners of an eligible entity*
12 *described in section 404A(c)(2), and other activities*
13 *that support participating students in—*

14 “(A) *meeting challenging academic stand-*
15 *ards;*

16 “(B) *successfully applying for postsecondary*
17 *education;*

18 “(C) *successfully applying for student fi-*
19 *nancial aid; and*

20 “(D) *developing graduation and career*
21 *plans.*

22 “(6) *Providing support for scholarships described*
23 *in section 404E.*

1 “(7) *Introducing eligible students to institutions*
2 *of higher education, through trips and school-based*
3 *sessions.*

4 “(8) *Providing an intensive extended school day,*
5 *school year, or summer program that offers—*

6 “(A) *additional academic classes; or*

7 “(B) *assistance with college admission ap-*
8 *plications.*

9 “(9) *Providing other activities designed to ensure*
10 *secondary school completion and postsecondary edu-*
11 *cation enrollment of at-risk children, such as—*

12 “(A) *the identification of at-risk children;*

13 “(B) *after-school and summer tutoring;*

14 “(C) *assistance to at-risk children in ob-*
15 *taining summer jobs;*

16 “(D) *academic counseling;*

17 “(E) *volunteer and parent involvement;*

18 “(F) *encouraging former or current partici-*
19 *pants of a program under this chapter to serve*
20 *as peer counselors;*

21 “(G) *skills assessments;*

22 “(H) *personal counseling;*

23 “(I) *family counseling and home visits;*

24 “(J) *staff development; and*

1 “(K) programs and activities described in
2 this subsection that are specially designed for
3 students who are limited English proficient.

4 “(10) Enabling eligible students to enroll in Ad-
5 vanced Placement or International Baccalaureate
6 courses, or college entrance examination preparation
7 courses.

8 “(11) Providing services to eligible students in
9 the participating cohort described in section
10 404B(d)(1)(A), through the first year of attendance at
11 an institution of higher education.

12 “(12) Fostering and improving parent and fam-
13 ily involvement in elementary and secondary edu-
14 cation by promoting the advantages of a college edu-
15 cation, and emphasizing academic admission require-
16 ments and the need to take college preparation
17 courses, through parent engagement and leadership
18 activities.

19 “(13) Disseminating information that promotes
20 the importance of higher education, explains college
21 preparation and admissions requirements, and raises
22 awareness of the resources and services provided by
23 the eligible entities to eligible students, their families,
24 and communities.

1 “(c) *ADDITIONAL OPTIONAL ACTIVITIES FOR*
2 *STATES.—In addition to the required activities described*
3 *in subsection (a) and the optional activities described in*
4 *subsection (b), an eligible entity described in section*
5 *404A(c)(1) receiving funds under this chapter may use*
6 *grant funds to carry out 1 or more of the following activi-*
7 *ties:*

8 “(1) *Providing technical assistance to—*
9 “(A) *middle schools or secondary schools*
10 *that are located within the State; or*

11 “(B) *partnerships described in section*
12 *404A(c)(2) that are located within the State.*

13 “(2) *Providing professional development oppor-*
14 *tunities to individuals working with eligible cohorts*
15 *of students described in section 404B(d)(1)(A).*

16 “(3) *Providing strategies and activities that*
17 *align efforts in the State to prepare eligible students*
18 *for attending and succeeding in postsecondary edu-*
19 *cation, which may include the development of gradua-*
20 *tion and career plans.*

21 “(4) *Disseminating information on the use of*
22 *scientifically based research and best practices to im-*
23 *prove services for eligible students.*

24 “(5)(A) *Disseminating information on effective*
25 *coursework and support services that assist students*

1 *in obtaining the goals described in subparagraph*
2 *(B)(ii).*

3 *“(B) Identifying and disseminating information*
4 *on best practices with respect to—*

5 *“(i) increasing parental involvement; and*

6 *“(ii) preparing students, including students*
7 *with disabilities and students who are limited*
8 *English proficient, to succeed academically in,*
9 *and prepare financially for, postsecondary edu-*
10 *cation.*

11 *“(6) Working to align State academic standards*
12 *and curricula with the expectations of postsecondary*
13 *institutions and employers.*

14 *“(7) Developing alternatives to traditional sec-*
15 *ondary school that give students a head start on at-*
16 *taining a recognized postsecondary credential (includ-*
17 *ing an industry certificate, an apprenticeship, or an*
18 *associate’s or a bachelor’s degree), including school de-*
19 *signs that give students early exposure to college-level*
20 *courses and experiences and allow students to earn*
21 *transferable college credits or an associate’s degree at*
22 *the same time as a secondary school diploma.*

23 *“(8) Creating community college programs for*
24 *drop-outs that are personalized drop-out recovery pro-*

1 *grams that allow drop-outs to complete a regular sec-*
2 *ondary school diploma and begin college-level work.*

3 *“(d) PRIORITY STUDENTS.—For eligible entities not*
4 *using a cohort approach, the eligible entity shall treat as*
5 *priority students any student in middle or secondary school*
6 *who is eligible—*

7 *“(1) to be counted under section 1124(c) of the*
8 *Elementary and Secondary Education Act of 1965;*

9 *“(2) for free or reduced price meals under the*
10 *Richard B. Russell National School Lunch Act;*

11 *“(3) for assistance under a State program fund-*
12 *ed under part A or E of title IV of the Social Secu-*
13 *rity Act (42 U.S.C. 601 et seq., 670 et seq.); or*

14 *“(4) for assistance under subtitle B of title VII*
15 *of the McKinney-Vento Homeless Assistance Act (42*
16 *U.S.C. 11431 et seq.).*

17 *“(e) ALLOWABLE PROVIDERS.—In the case of eligible*
18 *entities described in section 404A(c)(1), the activities re-*
19 *quired by this section may be provided by service providers*
20 *such as community-based organizations, schools, institu-*
21 *tions of higher education, public and private agencies, non-*
22 *profit and philanthropic organizations, businesses, institu-*
23 *tions and agencies sponsoring programs authorized under*
24 *subpart 4, and other organizations the State determines ap-*
25 *propriate.”.*

1 (e) *SCHOLARSHIP COMPONENT.*—Section 404E (20
2 *U.S.C. 1070a–25*) is amended—

3 (1) *by striking subsections (e) and (f);*

4 (2) *by redesignating subsections (b), (c), and (d)*
5 *as subsections (d), (f), and (g), respectively;*

6 (3) *by inserting after subsection (a) the fol-*
7 *lowing:*

8 “(b) *LIMITATION.*—

9 “(1) *IN GENERAL.*—Subject to paragraph (2),
10 *each eligible entity described in section 404A(c)(1)*
11 *that receives a grant under this chapter shall use not*
12 *less than 25 percent and not more than 50 percent of*
13 *the grant funds for activities described in section*
14 *404D (except for the activity described in subsection*
15 *(a)(4) of such section), with the remainder of such*
16 *funds to be used for a scholarship program under this*
17 *section in accordance with such subsection.*

18 “(2) *EXCEPTION.*—Notwithstanding paragraph
19 *(1), the Secretary may allow an eligible entity to use*
20 *more than 50 percent of grant funds received under*
21 *this chapter for such activities, if the eligible entity*
22 *demonstrates that the eligible entity has another*
23 *means of providing the students with the financial as-*
24 *sistance described in this section and describes such*

1 *means in the application submitted under section*
2 *404C.*

3 “(c) *NOTIFICATION OF ELIGIBILITY.—Each eligible en-*
4 *tity providing scholarships under this section shall provide*
5 *information on the eligibility requirements for the scholar-*
6 *ships to all participating students upon the students’ entry*
7 *into the programs assisted under this chapter.”;*

8 *(4) in subsection (d) (as redesignated by para-*
9 *graph (2)), by striking “the lesser of” and all that fol-*
10 *lows through the period at the end of paragraph (2)*
11 *and inserting “the minimum Federal Pell Grant*
12 *award under section 401 for such award year.”;*

13 *(5) by inserting after subsection (d) (as redesign-*
14 *ated by paragraph (2) and amended by paragraph*
15 *(4)) the following:*

16 “(e) *PORTABILITY OF ASSISTANCE.—*

17 “(1) *IN GENERAL.—Each eligible entity de-*
18 *scribed in section 404A(c)(1) that receives a grant*
19 *under this chapter shall create or organize a trust for*
20 *each cohort described in section 404B(d)(1)(A) for*
21 *which the grant is sought in the application sub-*
22 *mitted by the entity, which trust shall be an amount*
23 *that is not less than the minimum scholarship*
24 *amount described in subsection (d), multiplied by the*
25 *number of students participating in the cohort.*

1 “(2) *REQUIREMENT FOR PORTABILITY.*—*Funds*
2 *contributed to the trust for a cohort shall be available*
3 *to a student in the cohort when the student has—*

4 “(A) *completed a secondary school diploma,*
5 *its recognized equivalent, or other recognized al-*
6 *ternative standard for individuals with disabil-*
7 *ities; and*

8 “(B) *enrolled in an institution of higher*
9 *education.*

10 “(3) *QUALIFIED EDUCATIONAL EXPENSES.*—
11 *Funds available to an eligible student from a trust*
12 *may be used for—*

13 “(A) *tuition, fees, books, supplies, and*
14 *equipment required for the enrollment or attend-*
15 *ance of the eligible student at an institution of*
16 *higher education; and*

17 “(B) *in the case of an eligible student with*
18 *special needs, expenses for special needs services*
19 *which are incurred in connection with such en-*
20 *rollment or attendance.*

21 “(4) *RETURN OF FUNDS.*—

22 “(A) *REDISTRIBUTION.*—

23 “(i) *IN GENERAL.*—*Trust funds that*
24 *are not used by an eligible student within*
25 *6 years of the student’s scheduled comple-*

1 *tion of secondary school may be redistrib-*
2 *uted by the eligible entity to other eligible*
3 *students.*

4 *“(i) RETURN OF EXCESS TO THE SEC-*
5 *RETARY.—If, after meeting the requirements*
6 *of paragraph (1) and, if applicable, redis-*
7 *tributing excess funds in accordance with*
8 *clause (i), an eligible entity has funds re-*
9 *maining, the eligible entity shall return ex-*
10 *cess funds to the Secretary for distribution*
11 *to other grantees under this chapter.*

12 *“(B) NONPARTICIPATING ENTITY.—Notwith-*
13 *standing subparagraph (A), in the case of an eli-*
14 *gible entity described in section 404A(c)(1)(A)*
15 *that does not receive assistance under this sub-*
16 *part for 6 fiscal years, the eligible entity shall*
17 *return any trust funds not awarded or obligated*
18 *to eligible students to the Secretary for distribu-*
19 *tion to other grantees under this chapter.”; and*
20 *(6) in subsection (g) (as redesignated by para-*
21 *graph (2))—*

22 *(A) in paragraph (2), by striking “1993”*
23 *and inserting “2001”; and*

24 *(B) in paragraph (4), by striking “early*
25 *intervention component required under section*

1 404D” and inserting “activities required under
2 section 404D(a)”.

3 (f) *REPEAL OF 21ST CENTURY SCHOLAR CERTIFI-*
4 *CATES.*—Chapter 2 of subpart 2 of part A of title IV (20
5 *U.S.C. 1070a–21 et seq.*) is further amended—

6 (1) by striking section 404F; and

7 (2) by redesignating sections 404G and 404H as
8 sections 404F and 404G, respectively.

9 (g) *AUTHORIZATION OF APPROPRIATIONS.*—Section
10 404G (as redesignated by subsection (f)) (20 *U.S.C. 1070a–*
11 *28*) is amended by striking “\$200,000,000 for fiscal year
12 1999” and all that follows through the period and inserting
13 “such sums as may be necessary for fiscal year 2008 and
14 each of the 5 succeeding fiscal years.”.

15 (h) *CONFORMING AMENDMENTS.*—Chapter 2 of sub-
16 part 2 of part A of title IV (20 *U.S.C. 1070a–21 et seq.*)
17 is further amended—

18 (1) in section 404A(b)(1), by striking “404H”
19 and inserting “404G”;

20 (2) in section 404B(a)(1), by striking “404H”
21 and inserting “404G”; and

22 (3) in section 404F(c) (as redesignated by sub-
23 section (f)(2)), by striking “404H” and inserting
24 “404G”.

1 **SEC. 405. ACADEMIC ACHIEVEMENT INCENTIVE SCHOLAR-**
2 **SHIPS.**

3 *Chapter 3 of subpart 2 of part A of title IV (20 U.S.C.*
4 *1070a–31 et seq.) is repealed.*

5 **SEC. 406. FEDERAL SUPPLEMENTAL EDUCATIONAL OPPOR-**
6 **TUNITY GRANTS.**

7 (a) *APPROPRIATIONS AUTHORIZED.—Section*
8 *413A(b)(1) (20 U.S.C. 1070b(b)(1)) is amended by striking*
9 *“\$675,000,000 for fiscal year 1999” and all that follows*
10 *through the period and inserting “such sums as may be nec-*
11 *essary for fiscal year 2008 and each of the 5 succeeding*
12 *fiscal years.”.*

13 (b) *ALLOCATION OF FUNDS.—*

14 (1) *ALLOCATION OF FUNDS.—Section 413D (20*
15 *U.S.C. 1070b–3) is amended—*

16 (A) *by striking subsection (a)(4); and*

17 (B) *in subsection (c)(3)(D), by striking*
18 *“\$450” and inserting “\$600”.*

19 (2) *TECHNICAL CORRECTION.—Section*
20 *413D(a)(1) (20 U.S.C. 1070b–3(a)(1)) is amended by*
21 *striking “such institution” and all that follows*
22 *through the period and inserting “such institution re-*
23 *ceived under subsections (a) and (b) of this section for*
24 *fiscal year 1999 (as such subsections were in effect*
25 *with respect to allocations for such fiscal year).”.*

1 **SEC. 407. LEVERAGING EDUCATIONAL ASSISTANCE PART-**
2 **nership Program.**

3 (a) *APPROPRIATIONS AUTHORIZED.*—Section
4 415A(b)(1) (20 U.S.C. 1070c(b)(1)) is amended to read as
5 follows:

6 “(1) *IN GENERAL.*—There are authorized to be
7 appropriated to carry out this subpart such sums as
8 may be necessary for fiscal year 2008 and each of the
9 5 succeeding fiscal years.”.

10 (b) *APPLICATIONS.*—Section 415C(b) (20 U.S.C.
11 1070c–2(b)) is amended—

12 (1) in the matter preceding subparagraph (A) of
13 paragraph (2), by striking “not in excess of \$5,000
14 per academic year” and inserting “not to exceed the
15 lesser of \$12,500 or the student’s cost of attendance
16 per academic year”; and

17 (2) by striking paragraph (10) and inserting the
18 following:

19 “(10) provides notification to eligible students
20 that such grants are—

21 “(A) Leveraging Educational Assistance
22 Partnership grants; and

23 “(B) funded by the Federal Government, the
24 State, and other contributing partners.”.

25 (c) *GRANTS FOR ACCESS AND PERSISTENCE.*—Section
26 415E (20 U.S.C. 1070c–3a) is amended to read as follows:

1 **“SEC. 415E. GRANTS FOR ACCESS AND PERSISTENCE.**

2 “(a) *PURPOSE.*—*It is the purpose of this section to ex-*
3 *pend college access and increase college persistence by mak-*
4 *ing allotments to States to enable the States to—*

5 “(1) *expand and enhance partnerships with in-*
6 *stitutions of higher education, early information and*
7 *intervention, mentoring, or outreach programs, pri-*
8 *vate corporations, philanthropic organizations, and*
9 *other interested parties in order to—*

10 “(A) *carry out activities under this section;*
11 *and*

12 “(B) *provide coordination and cohesion*
13 *among Federal, State, and local governmental*
14 *and private efforts that provide financial assist-*
15 *ance to help low-income students attend an insti-*
16 *tution of higher education;*

17 “(2) *provide need-based grants for access and*
18 *persistence to eligible low-income students;*

19 “(3) *provide early notification to low-income*
20 *students of the students’ eligibility for financial aid;*
21 *and*

22 “(4) *encourage increased participation in early*
23 *information and intervention, mentoring, or outreach*
24 *programs.*

25 “(b) *ALLOTMENTS TO STATES.*—

26 “(1) *IN GENERAL.*—

1 “(A) *AUTHORIZATION.*—From sums re-
2 served under section 415A(b)(2) for each fiscal
3 year, the Secretary shall make an allotment to
4 each State that submits an application for an al-
5 lotment in accordance with subsection (c) to en-
6 able the State to pay the Federal share, as de-
7 scribed in paragraph (2), of the cost of carrying
8 out the activities under subsection (d).

9 “(B) *DETERMINATION OF ALLOTMENT.*—In
10 making allotments under subparagraph (A), the
11 Secretary shall consider the following:

12 “(i) *CONTINUATION OF AWARD.*—If a
13 State continues to meet the specifications es-
14 tablished in such State’s application under
15 subsection (c), the Secretary shall make an
16 allotment to such State that is not less than
17 the allotment made to such State for the
18 previous fiscal year.

19 “(ii) *PRIORITY.*—The Secretary shall
20 give priority in making allotments to States
21 that meet the requirements described in
22 paragraph (2)(A)(ii).

23 “(2) *FEDERAL SHARE.*—

1 “(A) *IN GENERAL.*—*The Federal share*
2 *under this section shall be determined in accord-*
3 *ance with the following:*

4 “(i) *If a State applies for an allotment*
5 *under this section in partnership with—*

6 “(I) *any number of degree grant-*
7 *ing institutions of higher education in*
8 *the State whose combined full-time en-*
9 *rollment represents less than a major-*
10 *ity of all students attending institu-*
11 *tions of higher education in the State;*
12 *and*

13 “(II)(aa) *philanthropic organiza-*
14 *tions that are located in, or that pro-*
15 *vide funding in, the State; or*

16 “(bb) *private corporations that*
17 *are located in, or that do business in,*
18 *the State,*

19 *then the Federal share of the cost of car-*
20 *rying out the activities under subsection (d)*
21 *shall be equal to 50 percent.*

22 “(ii) *If a State applies for an allot-*
23 *ment under this section in partnership*
24 *with—*

1 “(I) any number of degree grant-
2 ing institutions of higher education in
3 the State whose combined full-time en-
4 rollment represents a majority of all
5 students attending institutions of high-
6 er education in the State; and

7 “(II)(aa) philanthropic organiza-
8 tions that are located in, or that pro-
9 vide funding in, the State; or

10 “(bb) private corporations that
11 are located in, or that do business in,
12 the State,

13 then the Federal share of the cost of car-
14 rying out the activities under subsection (d)
15 shall be equal to 57 percent.

16 “(B) NON-FEDERAL SHARE.—

17 “(i) IN GENERAL.—The non-Federal
18 share under this section may be provided in
19 cash or in kind, fully evaluated and in ac-
20 cordance with this subparagraph.

21 “(ii) IN KIND CONTRIBUTION.—For the
22 purpose of calculating the non-Federal share
23 under this section, an in kind contribution
24 is a non-cash award that has monetary
25 value, such as provision of room and board

1 *and transportation passes, and that helps a*
2 *student meet the cost of attendance.*

3 “(iii) *EFFECT ON NEED ANALYSIS.—*

4 *For the purpose of calculating a student’s*
5 *need in accordance with part F of this title,*
6 *an in-kind contribution described in clause*
7 *(ii) shall not be considered an asset or in-*
8 *come.*

9 “(c) *APPLICATION FOR ALLOTMENT.—*

10 “(1) *IN GENERAL.—*

11 “(A) *SUBMISSION.—A State that desires to*
12 *receive an allotment under this section on behalf*
13 *of a partnership described in paragraph (3) shall*
14 *submit an application to the Secretary at such*
15 *time, in such manner, and containing such in-*
16 *formation as the Secretary may require.*

17 “(B) *CONTENT.—An application submitted*
18 *under subparagraph (A) shall include the fol-*
19 *lowing:*

20 “(i) *A description of the State’s plan*
21 *for using the allotted funds.*

22 “(ii) *Assurances that the State will*
23 *provide the non-Federal share from State,*
24 *institutional, philanthropic, or private*
25 *funds, of not less than the required share of*

1 *the cost of carrying out the activities under*
2 *subsection (d), as determined under sub-*
3 *section (b), in accordance with the fol-*
4 *lowing:*

5 *“(I) The State shall specify the*
6 *methods by which non-Federal share*
7 *funds will be paid, and include provi-*
8 *sions designed to ensure that funds*
9 *provided under this section will be*
10 *used to supplement, and not supplant,*
11 *Federal and non-Federal funds avail-*
12 *able for carrying out the activities*
13 *under this title.*

14 *“(II) A State that uses non-Fed-*
15 *eral funds to create or expand existing*
16 *partnerships with nonprofit organiza-*
17 *tions or community-based organiza-*
18 *tions in which such organizations*
19 *match State funds for student scholar-*
20 *ships, may apply such matching funds*
21 *from such organizations toward ful-*
22 *filling the State’s non-Federal share*
23 *obligation under this clause.*

24 *“(iii) Assurances that early informa-*
25 *tion and intervention, mentoring, or out-*

1 *reach programs exist within the State or*
2 *that there is a plan to make such programs*
3 *widely available.*

4 “(iv) *A description of the organiza-*
5 *tional structure that the State has in place*
6 *to administer the activities under subsection*
7 *(d), including a description of the system*
8 *the State will use to track the participation*
9 *of students who receive grants under this*
10 *section to degree completion.*

11 “(v) *Assurances that the State has a*
12 *method in place, such as acceptance of the*
13 *automatic zero expected family contribution*
14 *determination described in section 479, to*
15 *identify eligible low-income students and*
16 *award State grant aid to such 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 submits*
4 *an application under paragraph (1) for such State.*

5 “(3) *PARTNERSHIP.*—*In applying for an allot-*
6 *ment under this section, the State agency shall apply*
7 *for the allotment in partnership with—*

8 “(A) *not less than 1 public and 1 private*
9 *degree granting institution of higher education*
10 *that are located in the State, if applicable;*

11 “(B) *new or existing early information and*
12 *intervention, mentoring, or outreach programs*
13 *located in the State; and*

14 “(C) *not less than 1—*

15 “(i) *philanthropic organization located*
16 *in, or that provides funding in, the State;*
17 *or*

18 “(ii) *private corporation located in, or*
19 *that does business in, the State.*

20 “(4) *ROLES OF PARTNERS.*—

21 “(A) *STATE AGENCY.*—*A State agency that*
22 *is in a partnership receiving an allotment under*
23 *this section—*

24 “(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 par-
8 ticipate 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 in
14 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 institu-
21 tion of higher education that is in a partnership
22 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 iden-*
9 *tification of eligible students and the*
10 *dissemination of early notifications of*
11 *assistance as agreed to with the State*
12 *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 serv-*
21 *ices, support, and information to participating*
22 *students.*

23 “(D) *PHILANTHROPIC ORGANIZATION OR*
24 *PRIVATE CORPORATION.—A philanthropic orga-*
25 *nization or private corporation that is in a*

1 *partnership receiving an allotment under this*
2 *section 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 PARTNERSHIP.—*

10 *Each State receiving an allotment under this*
11 *section shall use the funds to establish a partner-*
12 *ship to award grants for access and persistence*
13 *to eligible low-income students in order to in-*
14 *crease the amount of financial assistance such*
15 *students receive under this subpart for under-*
16 *graduate education expenses.*

17 “(B) *AMOUNT OF GRANTS.—*

18 “(i) *PARTNERSHIPS WITH INSTITU-*
19 *TIONS SERVING LESS THAN A MAJORITY OF*
20 *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), the*
25 *amount of a grant for access and per-*

1 *sistence awarded to a student by such*
2 *State shall be not less than the amount*
3 *that is equal to the average under-*
4 *graduate tuition and mandatory fees*
5 *at 4-year public institutions of higher*
6 *education in the State where the stu-*
7 *dent resides (less any amounts of other*
8 *Federal or State sponsored grants,*
9 *work study, and scholarships received*
10 *by the student), and such grant for ac-*
11 *cess and persistence shall be used to-*
12 *ward the cost of attendance at an in-*
13 *stitution of higher education located in*
14 *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 manda-*
21 *tory fees at 4-year public institutions*
22 *of higher education in the State, may*
23 *increase the amount of grants for ac-*
24 *cess 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 State*
5 *sponsored grants, work study, and*
6 *scholarships received by the student).*

7 “(i) *PARTNERSHIPS WITH INSTITU-*
8 *TIONS SERVING THE MAJORITY OF STU-*
9 *DENTS IN THE STATE.—In the case where a*
10 *State receiving an allotment under this sec-*
11 *tion is in a partnership described in sub-*
12 *section (b)(2)(A)(ii), the amount of a grant*
13 *for access and persistence awarded to a stu-*
14 *dent by such State shall be not more than*
15 *an amount that is equal to the average cost*
16 *of attendance at 4-year public institutions*
17 *of higher education in the State where the*
18 *student resides (less any amounts of other*
19 *Federal or State sponsored grants, work*
20 *study, and scholarships received by the stu-*
21 *dent), and such grant for access and persist-*
22 *ence shall be used by the student to attend*
23 *an institution of higher education located in*
24 *the State.*

25 “(C) *SPECIAL RULES.—*

1 “(i) *PARTNERSHIP INSTITUTIONS.*—A
2 *State receiving an allotment under this sec-*
3 *tion may restrict the use of grants for access*
4 *and persistence under this section by*
5 *awarding the grants only to students at-*
6 *tending institutions of higher education that*
7 *are participating in the partnership.*

8 “(ii) *OUT-OF-STATE INSTITUTIONS.*—If
9 *a State provides grants through another*
10 *program under this subpart to students at-*
11 *tending institutions of higher education lo-*
12 *cated in another State, such agreement may*
13 *also apply to grants awarded under this*
14 *section.*

15 “(2) *EARLY NOTIFICATION.*—

16 “(A) *IN GENERAL.*—Each State receiving
17 *an allotment under this section shall annually*
18 *notify low-income students, such as students who*
19 *are eligible to receive a free lunch under the*
20 *school lunch program established under the Rich-*
21 *ard B. Russell National School Lunch Act, in*
22 *grade 7 through grade 12 in the State, of the stu-*
23 *dents’ potential eligibility for student financial*
24 *assistance, including a grant for access and per-*

1 *sistence, to attend an institution of higher edu-*
2 *cation.*

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, mentoring,*
8 *or outreach programs available to the*
9 *student;*

10 “(II) *information that a student’s*
11 *eligibility for a grant for access and*
12 *persistence is enhanced through par-*
13 *ticipation in an early information and*
14 *intervention, mentoring, or outreach*
15 *program;*

16 “(III) *an explanation that student*
17 *and family eligibility for, and partici-*
18 *ipation in, other Federal means-tested*
19 *programs may indicate eligibility for a*
20 *grant for access and persistence and*
21 *other student aid programs;*

22 “(IV) *a nonbinding estimate of*
23 *the total amount of financial aid that*
24 *a low-income student with a similar*
25 *income level may expect to receive, in-*

1 *cluding an estimate of the amount of a*
2 *grant for access and persistence and an*
3 *estimate of the amount of grants,*
4 *loans, and all other available types of*
5 *aid from the major Federal and State*
6 *financial aid programs;*

7 *“(V) an explanation that in order*
8 *to be eligible for a grant for access and*
9 *persistence, at a minimum, a student*
10 *shall—*

11 *“(aa) meet the requirement*
12 *under paragraph (3);*

13 *“(bb) graduate from sec-*
14 *ondary school; and*

15 *“(cc) enroll at an institution*
16 *of higher education that is a part-*
17 *ner in the partnership or qualifies*
18 *under subsection (d)(1)(C)(ii);*

19 *“(VI) information on any addi-*
20 *tional requirements (such as a student*
21 *pledge detailing student responsibil-*
22 *ities) that the State may impose for re-*
23 *ceipt of a grant for access and persist-*
24 *ence under this section; and*

1 “(VII) instructions on how to
2 apply for a grant for access and per-
3 sistence and an explanation that a stu-
4 dent is required to file a Free Applica-
5 tion for Federal Student Aid author-
6 ized under section 483(a) to be eligible
7 for such grant and assistance from
8 other Federal and State financial aid
9 programs; and

10 “(ii) may include a disclaimer that
11 grant awards for access and persistence are
12 contingent upon—

13 “(I) a determination of the stu-
14 dent’s financial eligibility at the time
15 of the student’s enrollment at an insti-
16 tution of higher education that is a
17 partner in the partnership or qualifies
18 under subsection (d)(1)(C)(ii);

19 “(II) annual Federal and State
20 appropriations; and

21 “(III) other aid received by the
22 student at the time of the student’s en-
23 rollment at such institution of higher
24 education.

1 “(3) *ELIGIBILITY.*—*In determining which stu-*
2 *dents are eligible to receive grants for access and per-*
3 *sistence, the State shall ensure that each such student*
4 *meets not less than 1 of the following:*

5 “(A) *Meets not less than 2 of the following*
6 *criteria, with priority given to students meeting*
7 *all of the following criteria:*

8 “(i) *Has an expected family contribu-*
9 *tion equal to zero (as described in section*
10 *479) or a comparable alternative based*
11 *upon the State’s approved criteria in sec-*
12 *tion 415C(b)(4).*

13 “(ii) *Has qualified for a free lunch, or*
14 *at the State’s discretion a reduced price*
15 *lunch, under the school lunch program es-*
16 *tablished under the Richard B. Russell Na-*
17 *tional School Lunch Act.*

18 “(iii) *Qualifies for the State’s max-*
19 *imum undergraduate award, as authorized*
20 *under section 415C(b).*

21 “(iv) *Is participating in, or has par-*
22 *ticipated in, a Federal, State, institutional,*
23 *or community early information and inter-*
24 *vention, mentoring, or outreach program, as*

1 *recognized by the State agency admin-*
2 *istering activities under this section.*

3 “(B) *Is receiving, or has received, a grant*
4 *for access and persistence under this section, in*
5 *accordance with paragraph (5).*

6 “(4) *GRANT AWARD.—Once a student, including*
7 *those students who have received early notification*
8 *under paragraph (2) from the State, applies for ad-*
9 *mission to an institution that is a partner in the*
10 *partnership, files a Free Application for Federal Stu-*
11 *dent Aid and any related existing State form, and is*
12 *determined eligible by the State under paragraph (3),*
13 *the State shall—*

14 “(A) *issue the student a preliminary award*
15 *certificate for a grant for access and persistence*
16 *with tentative award amounts; and*

17 “(B) *inform the student that payment of the*
18 *grant for access and persistence award amounts*
19 *is subject to certification of enrollment and*
20 *award eligibility by the institution of higher*
21 *education.*

22 “(5) *DURATION OF AWARD.—An eligible student*
23 *that receives a grant for access and persistence under*
24 *this section shall receive such grant award for each*
25 *year of such student’s undergraduate education in*

1 *which the student remains eligible for assistance*
2 *under this title, including pursuant to section 484(c),*
3 *and remains financially eligible as determined by the*
4 *State, except that the State may impose reasonable*
5 *time limits to degree completion.*

6 “(e) *USE OF FUNDS FOR ADMINISTRATIVE COSTS*
7 *PROHIBITED.—A State that receives an allotment under*
8 *this section shall not use any of the allotted funds to pay*
9 *administrative costs associated with any of the authorized*
10 *activities described in subsection (d).*

11 “(f) *STATUTORY AND REGULATORY RELIEF FOR INSTI-*
12 *TUTIONS OF HIGHER EDUCATION.—The Secretary may*
13 *grant, upon the request of an institution of higher education*
14 *that is in a partnership described in subsection*
15 *(b)(2)(A)(ii) and that receives an allotment under this sec-*
16 *tion, a waiver for such institution from statutory or regu-*
17 *latory requirements that inhibit the ability of the institu-*
18 *tion to successfully and efficiently participate in the activi-*
19 *ties of the partnership.*

20 “(g) *APPLICABILITY RULE.—The provisions of this*
21 *subpart which are not inconsistent with this section shall*
22 *apply to the program authorized by this section.*

23 “(h) *MAINTENANCE OF EFFORT REQUIREMENT.—*
24 *Each State receiving an allotment under this section for*
25 *a fiscal year shall provide the Secretary with an assurance*

1 *that the aggregate amount expended per student or the ag-*
2 *gregate expenditures by the State, from funds derived from*
3 *non-Federal sources, for the authorized activities described*
4 *in subsection (d) for the preceding fiscal year were not less*
5 *than the amount expended per student or the aggregate ex-*
6 *penditure by the State for the activities for the second pre-*
7 *ceding fiscal year.*

8 “(i) *SPECIAL RULE.—Notwithstanding subsection (h),*
9 *for purposes of determining a State’s share of the cost of*
10 *the authorized activities described in subsection (d), the*
11 *State shall consider only those expenditures from non-Fed-*
12 *eral sources that exceed the State’s total expenditures for*
13 *need-based grants, scholarships, and work-study assistance*
14 *for fiscal year 1999 (including any such assistance provided*
15 *under this subpart).*

16 “(j) *CONTINUATION AND TRANSITION.—For the 2-year*
17 *period that begins on the date of enactment of the Higher*
18 *Education Amendments of 2007, the Secretary shall con-*
19 *tinue to award grants under section 415E of the Higher*
20 *Education Act of 1965 as such section existed on the day*
21 *before the date of enactment of such Act to States that choose*
22 *to apply for grants under such predecessor section.*

23 “(k) *REPORTS.—Not later than 3 years after the date*
24 *of enactment of the Higher Education Amendments of 2007*
25 *and annually thereafter, the Secretary shall submit a report*

1 *describing the activities and the impact of the partnerships*
2 *under this section to the authorizing committees.”.*

3 **SEC. 408. SPECIAL PROGRAMS FOR STUDENTS WHOSE FAMI-**
4 **LIES ARE ENGAGED IN MIGRANT AND SEA-**
5 **SONAL FARMWORK.**

6 *Section 418A (20 U.S.C. 1070d-2) is amended—*

7 *(1) in subsection (b)—*

8 *(A) in paragraph (1)(B)(i), by striking*
9 *“parents” and inserting “immediate family”;*

10 *(B) in paragraph (3)(B), by inserting “(in-*
11 *cluding preparation for college entrance exami-*
12 *nations)” after “college program”;*

13 *(C) in paragraph (5), by striking “weekly”;*

14 *(D) in paragraph (7), by striking “and”*
15 *after the semicolon;*

16 *(E) in paragraph (8)—*

17 *(i) by inserting “(such as transpor-*
18 *tation and child care)” after “services”; and*

19 *(ii) by striking the period at the end*
20 *and inserting “; and”; and*

21 *(F) by adding at the end the following:*

22 *“(9) other activities to improve persistence and*
23 *retention in postsecondary education.”;*

24 *(2) in subsection (c)—*

25 *(A) in paragraph (1)—*

- 1 (i) in subparagraph (A), by striking
2 “parents” and inserting “immediate fam-
3 ily”; and
- 4 (ii) in subparagraph (B)—
- 5 (I) in the matter preceding clause
6 (i), by inserting “to improve place-
7 ment, persistence, and retention in
8 postsecondary education,” after “serv-
9 ices”; and
- 10 (II) in clause (i), by striking
11 “and career” and inserting “career,
12 and economic education or personal fi-
13 nance”;
- 14 (iii) in subparagraph (E), by striking
15 “and” after the semicolon;
- 16 (iv) by redesignating subparagraph (F)
17 as subparagraph (G);
- 18 (v) by inserting after subparagraph
19 (E) the following:
20 “(F) internships; and”; and
- 21 (vi) in subparagraph (G) (as redesign-
22 ated by clause (iv)), by striking “support
23 services” and inserting “essential supportive
24 services (such as transportation and child
25 care)”; and

1 (B) in paragraph (2)—

2 (i) in subparagraph (A), by striking
3 “and” after the semicolon;

4 (ii) in subparagraph (B), by striking
5 the period at the end and inserting “, and
6 coordinating such services, assistance, and
7 aid with other non-program services, assist-
8 ance, and aid, including services, assist-
9 ance, and aid provided by community-based
10 organizations, which may include men-
11 toring and guidance; and”;

12 (iii) by adding at the end the fol-
13 lowing:

14 “(C) for students attending 2-year institutions of
15 higher education, encouraging the students to transfer
16 to 4-year institutions of higher education, where ap-
17 propriate, and monitoring the rate of transfer of such
18 students.”;

19 (3) in subsection (e), by striking “section
20 402A(c)(1)” and inserting “section 402A(c)(2)”;

21 (4) in subsection (f)—

22 (A) in paragraph (1), by striking
23 “\$150,000” and inserting “\$180,000”; and

24 (B) in paragraph (2), by striking
25 “\$150,000” and inserting “\$180,000”;

1 (5) by redesignating subsections (g) and (h) as
2 subsections (h) and (i), respectively;

3 (6) by inserting after subsection (f) the following:

4 “(g) *RESERVATION OF FUNDS.*—From the amounts
5 made available under subsection (i), the Secretary may re-
6 serve not more than a total of $\frac{1}{2}$ of 1 percent for outreach
7 activities, technical assistance, and professional develop-
8 ment programs relating to the programs under subsection
9 (a).”;

10 (7) by striking subsection (h) (as redesignated by
11 paragraph (5)) and inserting the following:

12 “(h) *DATA COLLECTION.*—The Commissioner for Edu-
13 cation Statistics shall—

14 “(1) annually collect data on persons receiving
15 services authorized under this subpart regarding such
16 persons’ rates of secondary school graduation, en-
17 trance into postsecondary education, and completion
18 of postsecondary education;

19 “(2) not less often than once every 2 years, pre-
20 pare and submit a report based on the most recently
21 available data under paragraph (1) to the author-
22 izing committees; and

23 “(3) make such report available to the public.”;
24 and

1 (8) *in subsection (i) (as redesignated by para-*
2 *graph (5))—*

3 (A) *in paragraph (1), by striking*
4 *“\$15,000,000 for fiscal year 1999” and all that*
5 *follows through the period and inserting “such*
6 *sums as may be necessary for fiscal year 2008*
7 *and each of the 5 succeeding fiscal years.”; and*

8 (B) *in paragraph (2), by striking*
9 *“\$5,000,000 for fiscal year 1999” and all that*
10 *follows through the period and inserting “such*
11 *sums as may be necessary for fiscal year 2008*
12 *and each of the 5 succeeding fiscal years.”.*

13 **SEC. 409. ROBERT C. BYRD HONORS SCHOLARSHIP PRO-**
14 **GRAM.**

15 (a) *ELIGIBILITY OF SCHOLARS.—Section 419F(a) (20*
16 *U.S.C. 1070d–36(a)) is amended by inserting “(or a home*
17 *school, whether treated as a home school or a private school*
18 *under State law)” after “public or private secondary*
19 *school”.*

20 (b) *AUTHORIZATION OF APPROPRIATIONS.—Section*
21 *419K (20 U.S.C. 1070d–41) is amended by striking*
22 *“\$45,000,000 for fiscal year 1999” and all that follows*
23 *through the period and inserting “such sums as may be nec-*
24 *essary for fiscal year 2008 and each of the 5 succeeding*
25 *fiscal years.”.*

1 **SEC. 410. CHILD CARE ACCESS MEANS PARENTS IN**
2 **SCHOOL.**

3 (a) *MINIMUM GRANT.*—Section 419N(b)(2)(B) (20
4 U.S.C. 1070e(b)(2)(B)) is amended—

5 (1) by striking “A grant” and inserting the fol-
6 lowing:

7 “(i) *IN GENERAL.*—Except as provided
8 in clause (ii), a grant”; and

9 (2) by adding at the end the following:

10 “(ii) *INCREASE TRIGGER.*—For any
11 fiscal year for which the amount appro-
12 priated under the authority of subsection
13 (g) is equal to or greater than \$20,000,000,
14 a grant under this section shall be awarded
15 in an amount that is not less than
16 \$30,000.”.

17 (b) *DEFINITION OF LOW-INCOME STUDENT.*—Para-
18 graph (7) of section 419N(b) (20 U.S.C. 1070e(b)) is amend-
19 ed to read as follows:

20 “(7) *DEFINITION OF LOW-INCOME STUDENT.*—
21 For the purpose of this section, the term ‘low-income
22 student’ means a student who—

23 “(A) is eligible to receive a Federal Pell
24 Grant for the award year for which the deter-
25 mination is made; or

1 (1) *in subsection (b)—*

2 (A) *in paragraph (1)—*

3 (i) *in subparagraph (X), by striking*

4 “and” *after the semicolon;*

5 (ii) *in subparagraph (Y)—*

6 (I) *by striking clause (i) and in-*

7 serting the following:

8 “(i) *the lender shall determine the eli-*
9 *gibility of a borrower for a deferment de-*
10 *scribed in subparagraph (M)(i) based on—*

11 “(I) *receipt of a request for*
12 *deferment from the borrower and docu-*
13 *mentation of the borrower’s eligibility*
14 *for the deferment;*

15 “(II) *receipt of a newly completed*
16 *loan application that documents the*
17 *borrower’s eligibility for a deferment;*

18 “(III) *receipt of student status in-*
19 *formation received by the lender that*
20 *the borrower is enrolled on at least a*
21 *half-time basis; or*

22 “(IV) *the lender’s confirmation of*
23 *the borrower’s half-time enrollment sta-*
24 *tus through use of the National Stu-*
25 *dent Loan Data System, if the con-*

1 *firmation is requested by the institu-*
2 *tion of higher education.”; and*

3 *(II) in clause (ii), by striking the*
4 *period at the end and inserting “;*
5 *and”;* and

6 *(iii) by adding at the end the fol-*
7 *lowing:*

8 *“(Z) provides that the lender shall, at the*
9 *time the lender grants a deferment to a borrower*
10 *who received a loan under section 428H and is*
11 *eligible for a deferment under section*
12 *428(b)(1)(M), provide information to the bor-*
13 *rower to enable the borrower to understand the*
14 *impact of capitalization of interest on the bor-*
15 *rower’s loan principal and total amount of in-*
16 *terest to be paid during the life of the loan.”;*

17 *(B) in paragraph (2)(F)—*

18 *(i) in clause (i)—*

19 *(I) in subclause (III), by striking*
20 *“and” after the semicolon;*

21 *(II) in subclause (IV), by striking*
22 *“and” after the semicolon; and*

23 *(III) by adding at the end the fol-*
24 *lowing:*

1 “(V) the effective date of the trans-
2 fer;

3 “(VI) the date the current servicer
4 will stop accepting payments; and

5 “(VII) the date at which the new
6 servicer will begin accepting pay-
7 ments.”; and

8 (C) by striking paragraph (3) and inserting
9 the following:

10 “(3) RESTRICTIONS ON INDUCEMENTS, PAY-
11 MENTS, MAILINGS, AND ADVERTISING.—A guaranty
12 agency shall not—

13 “(A) offer, directly or indirectly, premiums,
14 payments, stock or other securities, prizes, travel,
15 entertainment expenses, tuition repayment, or
16 other inducements to—

17 “(i) any institution of higher edu-
18 cation or the employees of an institution of
19 higher education in order to secure appli-
20 cants for loans made under this part; or

21 “(ii) any lender, or any agent, em-
22 ployee, or independent contractor of any
23 lender or guaranty agency, in order to ad-
24 minister or market loans made under this
25 part (other than a loan made under section

1 428H or a loan made as part of the guar-
2 anty agency’s lender-of-last-resort program
3 pursuant to section 439(q)) for the purpose
4 of securing the designation of the guaranty
5 agency as the insurer of such loans;

6 “(B) conduct unsolicited mailings, by postal
7 or electronic means, of educational loan applica-
8 tion forms to students enrolled in secondary
9 school or postsecondary educational institutions,
10 or to the parents of such students, except that ap-
11 plications may be mailed, by postal or electronic
12 means, to students or borrowers who have pre-
13 viously received loans guaranteed under this
14 part by the guaranty agency;

15 “(C) perform, for an institution of higher
16 education participating in a program under this
17 title, any function that the institution is re-
18 quired to perform under part B, D, or G;

19 “(D) pay, on behalf of the institution of
20 higher education, another person to perform any
21 function that the institution of higher education
22 is required to perform under part B, D, or G; or

23 “(E) conduct fraudulent or misleading ad-
24 vertising concerning loan availability, terms, or
25 conditions.

1 *It shall not be a violation of this paragraph for a*
2 *guaranty agency to provide technical assistance to in-*
3 *stitutions of higher education comparable to the tech-*
4 *nical assistance provided to institutions of higher*
5 *education by the Department.”; and*

6 *(2) in subsection (c)—*

7 *(A) in paragraph (2)(H)(i), by striking*
8 *“preclaims” and inserting “default aversion”;*
9 *and*

10 *(B) in paragraph (3)(D)—*

11 *(i) in clause (i), by striking “and”*
12 *after the comma at the end;*

13 *(ii) in clause (ii), by striking the pe-*
14 *riod and inserting a semicolon; and*

15 *(iii) by inserting after clause (ii) the*
16 *following:*

17 *“(iii) the lender shall, at the time of*
18 *granting a borrower forbearance, provide*
19 *information to the borrower to enable the*
20 *borrower to understand the impact of cap-*
21 *italization of interest on the borrower’s loan*
22 *principal and total amount of interest to be*
23 *paid during the life of the loan; and*

24 *“(iv) the lender shall contact the bor-*
25 *rower not less often than once every 180*

1 days during the period of forbearance to in-
2 form the borrower of—

3 “(I) the amount of unpaid prin-
4 cipal and the amount of interest that
5 has accrued since the last statement of
6 such amounts provided to the borrower
7 by the lender;

8 “(II) the fact that interest will ac-
9 cruce on the loan for the period of for-
10 bearance;

11 “(III) the amount of interest that
12 will be capitalized, and the date on
13 which capitalization will occur;

14 “(IV) the ability of the borrower
15 to pay the interest that has accrued be-
16 fore the interest is capitalized; and

17 “(V) the borrower’s option to dis-
18 continue the forbearance at any time.”.

19 **SEC. 422. FEDERAL CONSOLIDATION LOANS.**

20 (a) *AMENDMENTS.*—Section 428C(b)(1) (20 U.S.C.
21 1078–3(b)(1)) is amended—

22 (1) in subparagraph (E), by striking “and” after
23 the semicolon;

24 (2) by redesignating subparagraph (F) as sub-
25 paragraph (H); and

1 (3) *by inserting after subparagraph (E) the fol-*
2 *lowing:*

3 “(F) *that the lender will disclose, in a clear*
4 *and conspicuous manner, to borrowers who con-*
5 *solidate loans made under part E of this title—*

6 “(i) *that once the borrower adds the*
7 *borrower’s Federal Perkins Loan to a Fed-*
8 *eral Consolidation Loan, the borrower will*
9 *lose all interest-free periods that would have*
10 *been available, such as those periods when*
11 *no interest accrues on the Federal Perkins*
12 *Loan while the borrower is enrolled in*
13 *school at least half-time, during the grace*
14 *period, and during periods when the bor-*
15 *rower’s student loan repayments are de-*
16 *ferred;*

17 “(ii) *that the borrower will no longer*
18 *be eligible for loan cancellation of Federal*
19 *Perkins Loans under any provision of sec-*
20 *tion 465; and*

21 “(iii) *the occupations described in sec-*
22 *tion 465(a)(2), individually and in detail,*
23 *for which the borrower will lose eligibility*
24 *for Federal Perkins Loan cancellation; and*

1 “(G) that the lender shall, upon application
2 for a consolidation loan, provide the borrower
3 with information about the possible impact of
4 loan consolidation, including—

5 “(i) the total interest to be paid and
6 fees to be paid on the consolidation loan,
7 and the length of repayment for the loan;

8 “(ii) whether consolidation would re-
9 sult in a loss of loan benefits under this
10 part or part D, including loan forgiveness,
11 cancellation, and deferment;

12 “(iii) in the case of a borrower that
13 plans to include a Federal Perkins Loan
14 under part E in the consolidation loan, that
15 once the borrower adds the borrower’s Fed-
16 eral Perkins Loan to a consolidation loan—

17 “(I) the borrower will lose all in-
18 terest-free periods that would have
19 been available for such loan under part
20 E, such as the periods during which no
21 interest accrues on the Federal Perkins
22 Loan while the borrower is enrolled in
23 school at least half-time, the grace pe-
24 riod, and the periods during which the

1 *borrower’s student loan repayments are*
2 *deferred under section 464(c)(2); and*

3 *“(II) the borrower will no longer*
4 *be eligible for cancellation of part or*
5 *all of a Federal Perkins loan under*
6 *section 465(a);*

7 *“(iv) the ability of the borrower to pre-*
8 *pay the consolidation loan, pay such loan*
9 *on a shorter schedule, and to change repay-*
10 *ment plans;*

11 *“(v) that borrower benefit programs for*
12 *a consolidation loan may vary among dif-*
13 *ferent lenders;*

14 *“(vi) the consequences of default on the*
15 *consolidation loan; and*

16 *“(vii) that by applying for a consoli-*
17 *dation loan, the borrower is not obligated to*
18 *agree to take the consolidation loan; and”.*

19 *(b) CONFORMING AMENDMENT.—Section 455(g) (20*
20 *U.S.C. 1087e(g)) is amended by striking “428C(b)(1)(F)”*
21 *and inserting “428C(b)(1)(H)”.*

22 **SEC. 423. DEFAULT REDUCTION PROGRAM.**

23 *Section 428F (20 U.S.C. 1078–6) is amended—*

24 *(1) in subsection (a)—*

1 (1) *in the section heading, by striking “**CREDIT***
2 ***BUREAUS” and inserting “**CONSUMER REPORT-*****
3 ***ING AGENCIES”**; and*

4 (2) *in subsection (a)—*

5 (A) *in the first sentence, by striking “with*
6 *credit bureau organizations” and inserting*
7 *“with each consumer reporting agency that com-*
8 *plies and maintains files on consumers on a na-*
9 *tionwide basis (as defined in section 603(p) of*
10 *the Fair Credit Reporting Act (15 U.S.C.*
11 *1681a(p))”*;

12 (B) *by redesignating paragraphs (1), (2),*
13 *and (3) as paragraphs (2), (4), and (5), respec-*
14 *tively;*

15 (C) *by inserting before paragraph (2) (as*
16 *redesignated by subparagraph (B)), the fol-*
17 *lowing:*

18 *“(1) the type of loan made, insured, or guaran-*
19 *teed under this title;”*;

20 (D) *by inserting after paragraph (2) (as re-*
21 *designated by subparagraph (B)), the following:*

22 *“(3) information concerning the repayment sta-*
23 *tus of the loan, which information shall be included*
24 *in the file of the borrower, except that nothing in this*
25 *subsection shall be construed to affect any otherwise*

1 applicable provision of the Fair Credit Reporting Act
2 (15 U.S.C. 1681 et seq.)”;

3 (E) in paragraph (4) (as redesignated by
4 subparagraph (B)), by striking “and” after the
5 semicolon;

6 (F) in paragraph (5) (as redesignated by
7 subparagraph (B)), by striking the period and
8 inserting “; and”; and

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

10 “(6) any other information required to be re-
11 ported by Federal law.”.

12 **SEC. 425. COMMON FORMS AND FORMATS.**

13 Section 432(m)(1)(D)(i) (20 U.S.C. 1082(m)(1)(D)(i))
14 is amended by adding at the end the following: “Unless oth-
15 erwise notified by the Secretary, each institution of higher
16 education that participates in the program under this part
17 or part D may use a master promissory note for loans
18 under this part and part D.”.

19 **SEC. 426. STUDENT LOAN INFORMATION BY ELIGIBLE**
20 **LENDERS.**

21 Section 433 (20 U.S.C. 1083) is amended by adding
22 at the end the following:

23 “(f) **BORROWER INFORMATION AND PRIVACY.**—Each
24 entity participating in a program under this part that is
25 subject to subtitle A of title V of the Gramm-Leach-Bliley

1 *Act (15 U.S.C. 6801 et seq.) shall only use, release, disclose,*
2 *sell, transfer, or give student information, including the*
3 *name, address, social security number, or amount borrowed*
4 *by a borrower or a borrower's parent, in accordance with*
5 *the provisions of such subtitle.*

6 “(g) *LOAN BENEFIT DISCLOSURES.*—

7 “(1) *IN GENERAL.*—*Each eligible lender, holder,*
8 *or servicer of a loan made, insured, or guaranteed*
9 *under this part shall provide the borrower with infor-*
10 *mation on the loan benefit repayment options the*
11 *lender, holder, or servicer offer, including information*
12 *on reductions in interest rates—*

13 “(A) *by repaying the loan by automatic*
14 *payroll or checking account deduction;*

15 “(B) *by completing a program of on-time*
16 *repayment; and*

17 “(C) *under any other interest rate reduction*
18 *program.*

19 “(2) *INFORMATION.*—*Such borrower information*
20 *shall include—*

21 “(A) *any limitations on such options;*

22 “(B) *explicit information on the reasons a*
23 *borrower may lose eligibility for such an option;*

1 “(C) examples of the impact the interest
2 rate reductions will have on a borrower’s time
3 for repayment and amount of repayment;

4 “(D) upon the request of the borrower, the
5 effect the reductions in interest rates will have
6 with respect to the borrower’s payoff amount and
7 time for repayment; and

8 “(E) information on borrower recertifi-
9 cation requirements.”.

10 **SEC. 427. CONSUMER EDUCATION INFORMATION.**

11 *Part B (20 U.S.C. 1071 et seq.) is amended by insert-*
12 *ing after section 433 (20 U.S.C. 1083) the following:*

13 **“SEC. 433A. CONSUMER EDUCATION INFORMATION.**

14 *“Each guaranty agency participating in a program*
15 *under this part, working with the institutions of higher edu-*
16 *cation served by such guaranty agency (or in the case of*
17 *an institution of higher education that provides loans exclu-*
18 *sively through part D, the institution working with a guar-*
19 *anty agency or with the Secretary), shall develop and make*
20 *available a high-quality educational program and mate-*
21 *rials to provide training for students in budgeting and fi-*
22 *nanacial management, including debt management and*
23 *other aspects of financial literacy, such as the cost of using*
24 *very high interest loans to pay for postsecondary education,*
25 *particularly as budgeting and financial management re-*

1 *lates to student loan programs authorized by this title.*
2 *Nothing in this section shall be construed to prohibit a*
3 *guaranty agency from using an existing program or exist-*
4 *ing materials to meet the requirement of this section. The*
5 *activities described in this section shall be considered de-*
6 *fault reduction activities for the purposes of section 422.”.*

7 **SEC. 428. DEFINITION OF ELIGIBLE LENDER.**

8 *Section 435(d) (20 U.S.C. 1085(d)) is amended—*

9 *(1) in paragraph (5)—*

10 *(A) by redesignating subparagraphs (C)*
11 *and (D) as subparagraphs (H) and (I), respec-*
12 *tively; and*

13 *(B) by striking subparagraphs (A) and (B)*
14 *and inserting the following:*

15 *“(A) offered, directly or indirectly, points,*
16 *premiums, payments (including payments for re-*
17 *ferrals and for processing or finder fees), prizes,*
18 *stock or other securities, travel, entertainment ex-*
19 *penses, tuition repayment, the provision of infor-*
20 *mation technology equipment at below-market*
21 *value, additional financial aid funds, or other*
22 *inducements to any institution of higher edu-*
23 *cation or any employee of an institution of high-*
24 *er education in order to secure applicants for*
25 *loans under this part;*

1 “(B) conducted unsolicited mailings, by
2 postal or electronic means, of student loan appli-
3 cation forms to students enrolled in secondary
4 school or postsecondary institutions, or to par-
5 ents of such students, except that applications
6 may be mailed, by postal or electronic means, to
7 students or borrowers who have previously re-
8 ceived loans under this part from such lender;

9 “(C) entered into any type of consulting ar-
10 rangement, or other contract to provide services
11 to a lender, with an employee who is employed
12 in the financial aid office of an institution of
13 higher education, or who otherwise has respon-
14 sibilities with respect to student loans or other fi-
15 nancial aid of the institution;

16 “(D) compensated an employee who is em-
17 ployed in the financial aid office of an institu-
18 tion of higher education, or who otherwise has
19 responsibilities with respect to educational loans
20 or other financial aid of the institution, and who
21 is serving on an advisory board, commission, or
22 group established by a lender or group of lenders
23 for providing such service, except that the eligible
24 lender may reimburse such employee for reason-
25 able expenses incurred in providing such service;

1 “(E) performed for an institution of higher
2 education any function that the institution of
3 higher education is required to carry out under
4 part B, D, or G;

5 “(F) paid, on behalf of an institution of
6 higher education, another person to perform any
7 function that the institution of higher education
8 is required to perform under part B, D, or G;

9 “(G) provided payments or other benefits to
10 a student at an institution of higher education
11 to act as the lender’s representative to secure ap-
12 plications under this title from individual pro-
13 spective borrowers, unless such student—

14 “(i) is also employed by the lender for
15 other purposes; and

16 “(ii) made all appropriate disclosures
17 regarding such employment;”;

18 (2) by adding at the end the following:

19 “(8) *SUNSET OF AUTHORITY FOR SCHOOL AS*
20 *LENDER PROGRAM.*—

21 “(A) *SUNSET.*—*The authority provided*
22 *under subsection (d)(1)(E) for an institution to*
23 *serve as an eligible lender, and under paragraph*
24 *(7) for an eligible lender to serve as a trustee for*
25 *an institution of higher education or an organi-*

1 *zation affiliated with an institution of higher*
2 *education, shall expire on June 30, 2012.*

3 “(B) *APPLICATION TO EXISTING INSTITU-*
4 *TIONAL LENDERS.—An institution that was an*
5 *eligible lender under this subsection, or an eligi-*
6 *ble lender that served as a trustee for an institu-*
7 *tion of higher education or an organization af-*
8 *filiated with an institution of higher education*
9 *under paragraph (7), before June 30, 2012,*
10 *shall—*

11 *“(i) not issue any new loans in such a*
12 *capacity under part B after June 30, 2012;*
13 *and*

14 *“(ii) continue to carry out the institu-*
15 *tion’s responsibilities for any loans issued*
16 *by the institution under part B on or before*
17 *June 30, 2012, except that, beginning on*
18 *June 30, 2011, the eligible institution or*
19 *trustee may, notwithstanding any other*
20 *provision of this Act, sell or otherwise dis-*
21 *pose of such loans if all profits from the di-*
22 *vestiture are used for need-based grant pro-*
23 *grams at the institution.*

24 “(C) *AUDIT REQUIREMENT.—All institu-*
25 *tions serving as an eligible lender under sub-*

1 *section (d)(1)(E) and all eligible lenders serving*
2 *as a trustee for an institution of higher edu-*
3 *cation or an organization affiliated with an in-*
4 *stitution of higher education shall annually com-*
5 *plete and submit to the Secretary a compliance*
6 *audit to determine whether—*

7 *“(i) the institution or lender is using*
8 *all proceeds from special allowance pay-*
9 *ments and interest payments from bor-*
10 *rowers, interest subsidies received from the*
11 *Department, and any proceeds from the sale*
12 *or other disposition of loans, for need-based*
13 *aid programs, in accordance with section*
14 *435(d)(2)(A)(viii);*

15 *“(ii) the institution or lender is using*
16 *no more than a reasonable portion of the*
17 *proceeds described in section*
18 *435(d)(2)(A)(viii) for direct administrative*
19 *expenses; and*

20 *“(iii) the institution or lender is en-*
21 *sureing that the proceeds described in section*
22 *435(d)(2)(A)(viii) are being used to supple-*
23 *ment, and not to supplant, non-Federal*
24 *funds that would otherwise be used for need-*
25 *based grant programs.”.*

1 **SEC. 429. DISCHARGE AND CANCELLATION RIGHTS IN**
2 **CASES OF DISABILITY.**

3 (a) *FFEL AND DIRECT LOANS.*—Section 437(a) (20
4 *U.S.C. 1087) is amended—*

5 (1) *by inserting “, or if a student borrower who*
6 *has received such a loan is unable to engage in any*
7 *substantial gainful activity by reason of any medi-*
8 *cally determinable physical or mental impairment*
9 *that can be expected to result in death, has lasted for*
10 *a continuous period of not less than 60 months, or*
11 *can be expected to last for a continuous period of not*
12 *less than 60 months” after “of the Secretary,”; and*

13 (2) *by adding at the end the following: “The Sec-*
14 *retary may develop such safeguards as the Secretary*
15 *determines necessary to prevent fraud and abuse in*
16 *the discharge of liability under this subsection. Not-*
17 *withstanding any other provision of this subsection,*
18 *the Secretary may promulgate regulations to resume*
19 *collection on loans discharged under this subsection in*
20 *any case in which—*

21 “(1) *a borrower received a discharge of liability*
22 *under this subsection and after the discharge the bor-*
23 *rower—*

24 “(A) *receives a loan made, insured or guar-*
25 *anteed under this title; or*

1 “(B) has earned income in excess of the pov-
2 erty line; or

3 “(2) the Secretary determines necessary.”.

4 (b) PERKINS.—Section 464(c) (20 U.S.C. 1087dd(c))
5 is amended—

6 (1) in paragraph (1)(F)—

7 (A) by striking “or if he” and inserting “if
8 the borrower”; and

9 (B) by inserting “, or if the borrower is un-
10 able to engage in any substantial gainful activ-
11 ity by reason of any medically determinable
12 physical or mental impairment that can be ex-
13 pected to result in death, has lasted for a contin-
14 uous period of not less than 60 months, or can
15 be expected to last for a continuous period of not
16 less than 60 months” after “the Secretary”; and
17 (2) by adding at the end the following:

18 “(8) The Secretary may develop such additional
19 safeguards as the Secretary determines necessary to
20 prevent fraud and abuse in the cancellation of liabil-
21 ity under paragraph (1)(F). Notwithstanding para-
22 graph (1)(F), the Secretary may promulgate regula-
23 tions to resume collection on loans cancelled under
24 paragraph (1)(F) in any case in which—

1 “(A) a borrower received a cancellation of
2 liability under paragraph (1)(F) and after the
3 cancellation the borrower—

4 “(i) receives a loan made, insured or
5 guaranteed under this title; or

6 “(ii) has earned income in excess of the
7 poverty line; or

8 “(B) the Secretary determines necessary.”.

9 (c) *EFFECTIVE DATE.*—The amendments made by sub-
10 sections (a) and (b) shall take effect on July 1, 2008.

11 **PART C—FEDERAL WORK-STUDY PROGRAMS**

12 **SEC. 441. AUTHORIZATION OF APPROPRIATIONS.**

13 Section 441(b) (42 U.S.C. 2751(b)) is amended by
14 striking “\$1,000,000,000 for fiscal year 1999” and all that
15 follows through the period and inserting “such sums as may
16 be necessary for fiscal year 2008 and each of the 5 suc-
17 ceeding fiscal years.”.

18 **SEC. 442. ALLOWANCE FOR BOOKS AND SUPPLIES.**

19 Section 442(c)(4)(D) (42 U.S.C. 2752(c)(4)(D)) is
20 amended by striking “\$450” and inserting “\$600”.

21 **SEC. 443. GRANTS FOR FEDERAL WORK-STUDY PROGRAMS.**

22 Section 443(b)(2) (42 U.S.C. 2753(b)(2)) is amend-
23 ed—

24 (1) by striking subparagraph (A);

1 (2) by redesignating subparagraphs (B) and (C)
2 as subparagraphs (A) and (B), respectively; and

3 (3) in subparagraph (A) (as redesignated by
4 paragraph (2)), by striking “this subparagraph if”
5 and all that follows through “institution;” and insert-
6 ing “this subparagraph if—

7 “(i) the Secretary determines that en-
8 forcing this subparagraph would cause
9 hardship for students at the institution; or

10 “(ii) the institution certifies to the Sec-
11 retary that 15 percent or more of its total
12 full-time enrollment participates in commu-
13 nity service activities described in section
14 441(c) or tutoring and literacy activities
15 described in subsection (d) of this section;”.

16 **SEC. 444. JOB LOCATION AND DEVELOPMENT PROGRAMS.**

17 Section 446(a)(1) (42 U.S.C. 2756(a)(1)) is amended
18 by striking “\$50,000” and inserting “\$75,000”.

19 **SEC. 445. WORK COLLEGES.**

20 Section 448 (42 U.S.C. 2756b) is amended—

21 (1) in subsection (a), by striking “work-learn-
22 ing” and inserting “work-learning-service”;

23 (2) in subsection (b)—

1 (A) in paragraph (1), by striking “under
2 subsection (f)” and inserting “for this section
3 under section 441(b)”; and

4 (B) in paragraph (2)—

5 (i) in the matter preceding subpara-
6 graph (A), by striking “pursuant to sub-
7 section (f)” and inserting “for this section
8 under section 441(b)”; and

9 (ii) in subparagraph (A), by striking
10 “work-learning program” and inserting
11 “comprehensive work-learning-service pro-
12 gram”;

13 (iii) by redesignating subparagraphs
14 (C) through (F) as subparagraphs (D)
15 through (G), respectively;

16 (iv) by inserting after subparagraph
17 (B) the following:

18 “(C) support existing and new model stu-
19 dent volunteer community service projects associ-
20 ated with local institutions of higher education,
21 such as operating drop-in resource centers that
22 are staffed by students and that link people in
23 need with the resources and opportunities nec-
24 essary to become self-sufficient; and”;

1 (v) in subparagraph (E) (as redesignig-
2 nated by clause (iii)), by striking “work-
3 learning” each place the term occurs and
4 inserting “work-learning-service”; and

5 (vi) in subparagraph (F) (as redesignig-
6 nated by clause (iii)), by striking “work
7 service learning” and inserting “work-
8 learning-service”;

9 (3) in subsection (c), by striking “by subsection
10 (f) to use funds under subsection (b)(1)” and insert-
11 ing “for this section under section 441(b) or to use
12 funds under subsection (b)(1),”;

13 (4) in subsection (e)—

14 (A) in paragraph (1)—

15 (i) in subparagraph (A), by inserting
16 “4-year, degree-granting” after “nonprofit”;

17 (ii) in subparagraph (B), by striking
18 “work-learning” and inserting “work-learn-
19 ing-service”;

20 (iii) by striking subparagraph (C) and
21 inserting the following:

22 “(C) requires all resident students, includ-
23 ing at least $\frac{1}{2}$ of all resident students who are
24 enrolled on a full-time basis, to participate in a
25 comprehensive work-learning-service program for

1 *not less than 5 hours each week, or not less than*
2 *80 hours during each period of enrollment except*
3 *summer school, unless the student is engaged in*
4 *a study abroad or externship program that is or-*
5 *ganized or approved by the institution; and”;*
6 *and*

7 *(iv) in subparagraph (D), by striking*
8 *“work-learning” and inserting “work-learn-*
9 *ing-service”;* and

10 *(B) by striking paragraph (2) and inserting*
11 *the following:*

12 *“(2) the term ‘comprehensive work-learning-serv-*
13 *ice program’ means a student work-learning-service*
14 *program that—*

15 *“(A) is an integral and stated part of the*
16 *institution’s educational philosophy and pro-*
17 *gram;*

18 *“(B) requires participation of all resident*
19 *students for enrollment and graduation;*

20 *“(C) includes learning objectives, evalua-*
21 *tion, and a record of work performance as part*
22 *of the student’s college record;*

23 *“(D) provides programmatic leadership by*
24 *college personnel at levels comparable to tradi-*
25 *tional academic programs;*

1 “(E) recognizes the educational role of
2 work-learning-service supervisors; and

3 “(F) includes consequences for nonperform-
4 ance or failure in the work-learning-service pro-
5 gram similar to the consequences for failure in
6 the regular academic program.”; and

7 (5) by striking subsection (f).

8 **PART D—FEDERAL PERKINS LOANS**

9 **SEC. 451. PROGRAM AUTHORITY.**

10 Section 461(b)(1) (20 U.S.C. 1087aa(b)(1)) is amend-
11 ed by striking “\$250,000,000 for fiscal year 1999” and all
12 that follows through the period and inserting “such sums
13 as may be necessary for each of the fiscal years 2008
14 through 2012.”.

15 **SEC. 451A. ALLOWANCE FOR BOOKS AND SUPPLIES.**

16 Section 462(c)(4)(D) (20 U.S.C. 1087bb(c)(4)(D)) is
17 amended by striking “\$450” and inserting “\$600”.

18 **SEC. 451B. PERKINS LOAN FORBEARANCE.**

19 Section 464 (20 U.S.C. 1087dd) is amended—

20 (1) in subsection (e)—

21 (A) in the matter preceding paragraph (1),
22 by striking “, upon written request,” and insert-
23 ing “, as documented in accordance with para-
24 graph (2),”;

1 (B) by redesignating paragraphs (1)
2 through (3) as subparagraphs (A) through (C),
3 respectively;

4 (C) by inserting “(1)” after “FORBEAR-
5 ANCE.—”; and

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

7 “(2) For the purpose of paragraph (1), the terms of
8 forbearance agreed to by the parties shall be documented
9 by—

10 “(A) confirming the agreement of the borrower
11 by notice to the borrower from the institution of high-
12 er education; and

13 “(B) recording the terms in the borrower’s file.”;
14 and

15 (2) in subsection (j), by striking “(e)(3)” and in-
16 serting “(e)(1)(C)”.

17 **SEC. 452. CANCELLATION OF LOANS FOR CERTAIN PUBLIC**
18 **SERVICE.**

19 Section 465(a) (20 U.S.C. 1087ee(a)) is amended—

20 (1) in paragraph (2)—

21 (A) in subparagraph (B), by striking
22 “Head Start Act which” and inserting “Head
23 Start Act, or in a prekindergarten or child care
24 program that is licensed or regulated by the
25 State, that”;

1 (B) in subparagraph (H), by striking “or”
2 after the semicolon;

3 (C) in subparagraph (I), by striking the pe-
4 riod and inserting a semicolon; and

5 (D) by inserting before the matter following
6 subparagraph (I) (as amended by subparagraph
7 (C)) the following:

8 “(J) as a full-time faculty member at a Tribal
9 College or University, as that term is defined in sec-
10 tion 316;

11 “(K) as a librarian, if the librarian has a mas-
12 ter’s degree in library science and is employed in—

13 “(i) an elementary school or secondary
14 school that is eligible for assistance under title I
15 of the Elementary and Secondary Education Act
16 of 1965; or

17 “(ii) a public library that serves a geo-
18 graphic area that contains 1 or more schools eli-
19 gible for assistance under title I of the Elemen-
20 tary and Secondary Education Act of 1965; or

21 “(L) as a full-time speech language therapist, if
22 the therapist has a master’s degree and is working ex-
23 clusively with schools that are eligible for assistance
24 under title I of the Elementary and Secondary Edu-
25 cation Act of 1965.”; and

1 (2) *in paragraph (3)(A)—*

2 (A) *in clause (i)—*

3 (i) *by inserting “(D),” after “(C),”;*

4 *and*

5 (ii) *by striking “or (I)” and inserting*

6 *“(I), (J), (K), or (L)”;*

7 (B) *in clause (ii), by inserting “or” after*

8 *the semicolon;*

9 (C) *by striking clause (iii); and*

10 (D) *by redesignating clause (iv) as clause*

11 *(iii).*

12 **PART E—NEED ANALYSIS**

13 **SEC. 461. COST OF ATTENDANCE.**

14 (a) *AMENDMENTS.—Section 472(3) (20 U.S.C.*

15 *1087kk(3)) is amended—*

16 (1) *in subparagraph (B), by striking “and” after*

17 *the semicolon;*

18 (2) *by redesignating subparagraph (C) as sub-*

19 *paragraph (D); and*

20 (3) *by inserting after subparagraph (B), as*

21 *amended by paragraph (1), the following:*

22 “(C) *for students who live in housing lo-*

23 *cated on a military base or for which a basic al-*

24 *lowance is provided under section 403(b) of title*

25 *37, United States Code, shall be an allowance*

1 “(e) *COMPLIANCE CALENDAR.*—Prior to the beginning
2 of each award year, the Secretary shall provide to institu-
3 tions of higher education a list of all the reports and disclo-
4 sures required under this Act. The list shall include—

5 “(1) the date each report or disclosure is required
6 to be completed and to be submitted, made available,
7 or disseminated;

8 “(2) the required recipients of each report or dis-
9 closure;

10 “(3) any required method for transmittal or dis-
11 semination of each report or disclosure;

12 “(4) a description of the content of each report
13 or disclosure sufficient to allow the institution to
14 identify the appropriate individuals to be assigned
15 the responsibility for such report or disclosure;

16 “(5) references to the statutory authority, appli-
17 cable regulations, and current guidance issued by the
18 Secretary regarding each report or disclosure; 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 forms*
9 *as described in this subsection to be used to de-*
10 *termine the need and eligibility of a student for*
11 *financial assistance under parts A through E of*
12 *this title (other than under subpart 4 of part A).*
13 *The forms shall be made available to applicants*
14 *in both paper and electronic formats.*

15 “(B) *FAFSA.*—*The common financial re-*
16 *porting forms described in this subsection (ex-*
17 *cluding the form described in paragraph (2)(B)),*
18 *shall be referred to collectively as the ‘Free Ap-*
19 *plication for Federal Student Aid’, or ‘FAFSA’.*

20 “(2) *PAPER FORMAT.*—

21 “(A) *IN GENERAL.*—*The Secretary shall en-*
22 *courage applicants to file the electronic versions*
23 *of the forms described in paragraph (3), but*
24 *shall develop, make available, and process—*

1 “(i) a paper version of EZ FAFSA, as
2 described in subparagraph (B); and

3 “(ii) a paper version of the other forms
4 described in this subsection, in accordance
5 with subparagraph (C), for any applicant
6 who does not meet the requirements of or
7 does not wish to use the process described in
8 subparagraph (B).

9 “(B) EZ FAFSA.—

10 “(i) IN GENERAL.—The Secretary shall
11 develop and use, after appropriate field test-
12 ing, a simplified paper application form for
13 applicants meeting the requirements of sec-
14 tion 479(c), which form shall be referred to
15 as the ‘EZ FAFSA’.

16 “(ii) REQUIRED FEDERAL DATA ELE-
17 MENTS.—The Secretary shall include on the
18 EZ FAFSA only the data elements required
19 to determine student eligibility and whether
20 the applicant meets the requirements of sec-
21 tion 479(c).

22 “(iii) REQUIRED STATE DATA ELE-
23 MENTS.—The Secretary shall include on the
24 EZ FAFSA such data items as may be nec-
25 essary to award State financial assistance,

1 as provided under paragraph (5), except the
2 Secretary shall not include a State's data if
3 that State does not permit its applicants for
4 State assistance to use the EZ FAFSA.

5 “(iv) *FREE AVAILABILITY AND DATA*
6 *DISTRIBUTION.*—The provisions of para-
7 graphs (6) and (10) shall apply to the EZ
8 FAFSA.

9 “(C) *PHASE-OUT OF FULL PAPER FAFSA.*—

10 “(i) *PHASE-OUT OF PRINTING OF FULL*
11 *PAPER FAFSA.*—At such time as the Sec-
12 retary determines that it is not cost-effective
13 to print the full paper version of FAFSA,
14 the Secretary shall—

15 “(I) phase out the printing of the
16 full paper version of FAFSA;

17 “(II) maintain on the Internet
18 easily accessible, downloadable formats
19 of the full paper version of FAFSA;
20 and

21 “(III) provide a printed copy of
22 the full paper version of FAFSA upon
23 request.

24 “(ii) *USE OF SAVINGS.*—The Secretary
25 shall utilize any savings realized by phas-

1 *ing out the printing of the full paper*
2 *version of FAFSA and moving applicants*
3 *to the electronic versions of FAFSA, to im-*
4 *prove access to the electronic versions for*
5 *applicants meeting the requirements of sec-*
6 *tion 479(c).*

7 *“(3) ELECTRONIC VERSIONS.—*

8 *“(A) IN GENERAL.—The Secretary shall*
9 *produce, make available through a broadly avail-*
10 *able website, and process electronic versions of*
11 *the FAFSA and the EZ FAFSA.*

12 *“(B) MINIMUM QUESTIONS.—The Secretary*
13 *shall use all available technology to ensure that*
14 *a student using an electronic version of the*
15 *FAFSA under this paragraph answers only the*
16 *minimum number of questions necessary.*

17 *“(C) REDUCED REQUIREMENTS.—The Sec-*
18 *retary shall enable applicants who meet the re-*
19 *quirements of subsection (b) or (c) of section 479*
20 *to provide information on the electronic version*
21 *of the FAFSA only for the data elements re-*
22 *quired to determine student eligibility and*
23 *whether the applicant meets the requirements of*
24 *subsection (b) or (c) of section 479.*

1 “(D) *STATE DATA.*—*The Secretary shall in-*
2 *clude on the electronic version of the FAFSA the*
3 *questions needed to determine whether the appli-*
4 *cant is eligible for State financial assistance, as*
5 *provided under paragraph (5), except that the*
6 *Secretary shall not—*

7 “(i) *require applicants to complete*
8 *data required by any State other than the*
9 *applicant’s State of residence; and*

10 “(ii) *include a State’s data if such*
11 *State does not permit its applicants for*
12 *State assistance to use the electronic version*
13 *of the FAFSA described in this paragraph.*

14 “(E) *FREE AVAILABILITY AND DATA DIS-*
15 *TRIBUTION.*—*The provisions of paragraphs (6)*
16 *and (10) shall apply to the electronic version of*
17 *the FAFSA.*

18 “(F) *USE OF FORMS.*—*Nothing in this sub-*
19 *section shall be construed to prohibit the use of*
20 *the electronic versions of the forms developed by*
21 *the Secretary pursuant to this paragraph by an*
22 *eligible institution, eligible lender, a guaranty*
23 *agency, a State grant agency, a private com-*
24 *puter software provider, a consortium of such en-*
25 *tities, or such other entity as the Secretary may*

1 *designate. Data collected by the electronic*
2 *versions of such forms shall be used only for the*
3 *application, award, and administration of aid*
4 *awarded under this title, State aid, or aid*
5 *awarded by eligible institutions or such entities*
6 *as the Secretary may designate. No data col-*
7 *lected by such electronic versions of the forms*
8 *shall be used for making final aid awards under*
9 *this title until such data have been processed by*
10 *the Secretary or a contractor or designee of the*
11 *Secretary, except as may be permitted under this*
12 *title.*

13 “(G) *PRIVACY.—The Secretary shall ensure*
14 *that data collection under this paragraph com-*
15 *plies with section 552a of title 5, United States*
16 *Code, and that any entity using an electronic*
17 *version of a form developed by the Secretary*
18 *under this paragraph shall maintain reasonable*
19 *and appropriate administrative, technical, and*
20 *physical safeguards to ensure the integrity and*
21 *confidentiality of the information, and to protect*
22 *against security threats, or unauthorized uses or*
23 *disclosures of the information provided on the*
24 *electronic version of the form.*

1 “(H) *SIGNATURE.*—*Notwithstanding any*
2 *other provision of this Act, the Secretary may*
3 *permit an electronic version of a form developed*
4 *under this paragraph to be submitted without a*
5 *signature, if a signature is subsequently sub-*
6 *mitted by the applicant or if the applicant uses*
7 *a personal identification number provided by the*
8 *Secretary under subparagraph (I).*

9 “(I) *PERSONAL IDENTIFICATION NUMBERS*
10 *AUTHORIZED.*—*The Secretary is authorized to*
11 *assign to an applicant a personal identification*
12 *number—*

13 “(i) *to enable the applicant to use such*
14 *number as a signature for purposes of com-*
15 *pleting an electronic version of a form de-*
16 *veloped under this paragraph; and*

17 “(ii) *for any purpose determined by*
18 *the Secretary to enable the Secretary to*
19 *carry out this title.*

20 “(J) *PERSONAL IDENTIFICATION NUMBER*
21 *IMPROVEMENT.*—*Not later than 180 days after*
22 *the date of enactment of the Higher Education*
23 *Amendments of 2007, the Secretary shall imple-*
24 *ment a real-time data match between the Social*
25 *Security Administration and the Department to*

1 *minimize the time required for an applicant to*
2 *obtain a personal identification number when*
3 *applying for aid under this title through an elec-*
4 *tronic version of a form developed under this*
5 *paragraph.*

6 “(4) *STREAMLINED REAPPLICATION PROCESS.*—

7 “(A) *IN GENERAL.*—*The Secretary shall de-*
8 *velop streamlined paper and electronic re-*
9 *application forms and processes for an applicant*
10 *who applies for financial assistance under this*
11 *title in the next succeeding academic year subse-*
12 *quent to an academic year for which such appli-*
13 *cant applied for financial assistance under this*
14 *title.*

15 “(B) *UPDATING OF DATA ELEMENTS.*—*The*
16 *Secretary shall determine, in cooperation with*
17 *States, institutions of higher education, agencies,*
18 *and organizations involved in student financial*
19 *assistance, the data elements that may be trans-*
20 *ferred from the previous academic year’s appli-*
21 *cation and those data elements that shall be up-*
22 *dated.*

23 “(C) *REDUCED DATA AUTHORIZED.*—*Noth-*
24 *ing in this title shall be construed as limiting the*

1 authority of the Secretary to reduce the number
2 of data elements required of reapplicants.

3 “(D) ZERO FAMILY CONTRIBUTION.—Appli-
4 cants determined to have a zero family contribu-
5 tion pursuant to section 479(c) shall not be re-
6 quired to provide any financial data in a re-
7 application form, except data that are necessary
8 to determine eligibility under such section.

9 “(5) STATE REQUIREMENTS.—

10 “(A) IN GENERAL.—Except as provided in
11 paragraphs (2)(B)(iii), (3)(D), and (4)(B), the
12 Secretary shall include on the forms developed
13 under this subsection, such State-specific data
14 items as the Secretary determines are necessary
15 to meet State requirements for need-based State
16 aid. Such items shall be selected in consultation
17 with State agencies in order to assist in the
18 awarding of State financial assistance in accord-
19 ance with the terms of this subsection. The num-
20 ber of such data items shall not be less than the
21 number included on the common financial re-
22 porting form for the 2005–2006 award year un-
23 less a State notifies the Secretary that the State
24 no longer requires those data items for the dis-
25 tribution of State need-based aid.

1 “(B) *ANNUAL REVIEW.*—*The Secretary shall*
2 *conduct an annual review to determine—*

3 “(i) *which data items each State re-*
4 *quires to award need-based State aid; and*

5 “(ii) *if the State will permit an appli-*
6 *cant to file a form described in paragraph*
7 *(2)(B) or (3)(C).*

8 “(C) *USE OF SIMPLIFIED APPLICATION*
9 *FORMS ENCOURAGED.*—*The Secretary shall en-*
10 *courage States to take such steps as are necessary*
11 *to encourage the use of simplified forms under*
12 *this subsection, including those forms described*
13 *in paragraphs (2)(B) and (3)(C), for applicants*
14 *who meet the requirements of subsection (b) or*
15 *(c) of section 479.*

16 “(D) *CONSEQUENCES IF STATE DOES NOT*
17 *ACCEPT SIMPLIFIED FORMS.*—*If a State does not*
18 *permit an applicant to file a form described in*
19 *paragraph (2)(B) or (3)(C) for purposes of deter-*
20 *mining eligibility for State need-based financial*
21 *aid, the Secretary may determine that State-spe-*
22 *cific questions for such State will not be included*
23 *on a form described in paragraph (2)(B) or*
24 *(3)(B). If the Secretary makes such determina-*

1 *tion, the Secretary shall advise the State of the*
2 *Secretary's determination.*

3 *“(E) LACK OF STATE RESPONSE TO RE-*
4 *QUEST FOR INFORMATION.—If a State does not*
5 *respond to the Secretary's request for informa-*
6 *tion under subparagraph (B), the Secretary*
7 *shall—*

8 *“(i) permit residents of that State to*
9 *complete simplified forms under paragraphs*
10 *(2)(B) and (3)(B); and*

11 *“(ii) not require any resident of such*
12 *State to complete any data items previously*
13 *required by that State under this section.*

14 *“(F) RESTRICTION.—The Secretary shall*
15 *not require applicants to complete any financial*
16 *or non-financial data items that are not re-*
17 *quired—*

18 *“(i) by the applicant's State; or*

19 *“(ii) by the Secretary.*

20 *“(6) CHARGES TO STUDENTS AND PARENTS FOR*
21 *USE OF FORMS PROHIBITED.—The need and eligi-*
22 *bility of a student for financial assistance under*
23 *parts A through E (other than under subpart 4 of*
24 *part A) may be determined only by using a form de-*
25 *veloped by the Secretary under this subsection. Such*

1 forms shall be produced, distributed, and processed by
2 the Secretary, and no parent or student shall be
3 charged a fee by the Secretary, a contractor, a third-
4 party servicer or private software provider, or any
5 other public or private entity for the collection, proc-
6 essing, or delivery of financial aid through the use of
7 such forms. No data collected on a paper or electronic
8 version of a form developed under this subsection, or
9 other document that was created to replace, or used
10 to complete, such a form, and for which a fee was
11 paid, shall be used.

12 “(7) *RESTRICTIONS ON USE OF PIN.*—No person,
13 commercial entity, or other entity shall request, ob-
14 tain, or utilize an applicant’s personal identification
15 number assigned under paragraph (3)(I) for purposes
16 of submitting a form developed under this subsection
17 on an applicant’s behalf.

18 “(8) *APPLICATION PROCESSING CYCLE.*—The
19 Secretary shall enable students to submit forms devel-
20 oped under this subsection and initiate the processing
21 of such forms under this subsection, as early as prac-
22 ticable prior to January 1 of the student’s planned
23 year of enrollment.

24 “(9) *EARLY ESTIMATES OF EXPECTED FAMILY*
25 *CONTRIBUTIONS.*—The Secretary shall permit an ap-

1 *plicant to complete a form described in this subsection*
2 *in the years prior to enrollment in order to obtain*
3 *from the Secretary a nonbinding estimate of the ap-*
4 *plicant's expected family contribution, computed in*
5 *accordance with part F. Such applicant shall be per-*
6 *mitted to update information submitted on a form de-*
7 *scribed in this subsection using the process required*
8 *under paragraph (4).*

9 “(10) *DISTRIBUTION OF DATA.—Institutions of*
10 *higher education, guaranty agencies, and States shall*
11 *receive, without charge, the data collected by the Sec-*
12 *retary using a form developed under this subsection*
13 *for the purposes of processing loan applications and*
14 *determining need and eligibility for institutional and*
15 *State financial aid awards. Entities designated by*
16 *institutions of higher education, guaranty agencies, or*
17 *States to receive such data shall be subject to all the*
18 *requirements of this section, unless such requirements*
19 *are waived by the Secretary.*

20 “(11) *THIRD PARTY SERVICERS AND PRIVATE*
21 *SOFTWARE PROVIDERS.—To the extent practicable*
22 *and in a timely manner, the Secretary shall provide,*
23 *to private organizations and consortia that develop*
24 *software used by institutions of higher education for*
25 *the administration of funds under this title, all the*

1 *necessary specifications that the organizations and*
2 *consortia must meet for the software the organizations*
3 *and consortia develop, produce, and distribute (in-*
4 *cluding any diskette, modem, or network communica-*
5 *tions) which are so used. The specifications shall con-*
6 *tain record layouts for required data. The Secretary*
7 *shall develop in advance of each processing cycle an*
8 *annual schedule for providing such specifications. The*
9 *Secretary, to the extent practicable, shall use multiple*
10 *means of providing such specifications, including con-*
11 *ferences and other meetings, outreach, and technical*
12 *support mechanisms (such as training and printed*
13 *reference materials). The Secretary shall, from time to*
14 *time, solicit from such organizations and consortia*
15 *means of improving the support provided by the Sec-*
16 *retary.*

17 *“(12) PARENT’S SOCIAL SECURITY NUMBER AND*
18 *BIRTH DATE.—The Secretary is authorized to include*
19 *space on the forms developed under this subsection for*
20 *the social security number and birth date of parents*
21 *of dependent students seeking financial assistance*
22 *under this title.”;*

23 *(2) by redesignating subsections (c) through (e)*
24 *(as amended by section 101(b)(11)) as subsections (b)*
25 *through (d), respectively;*

1 (3) *in subsection (c) (as redesignated by para-*
2 *graph (2)), by striking “that is authorized” and all*
3 *that follows through the period at the end and insert-*
4 *ing “or other appropriate provider of technical assist-*
5 *ance and information on postsecondary educational*
6 *services that is authorized under section 663(a) of the*
7 *Individuals with Disabilities Education Act. Not*
8 *later than 2 years after the date of enactment of the*
9 *Higher Education Amendments of 2007, the Secretary*
10 *shall test and implement, to the extent practicable, a*
11 *toll-free telephone based system to permit applicants*
12 *who meet the requirements of 479(c) to submit an ap-*
13 *plication over such system.”;*

14 (4) *by striking subsection (d) (as redesignated by*
15 *paragraph (2)) and inserting the following:*

16 “(d) *ASSISTANCE IN PREPARATION OF FINANCIAL AID*
17 *APPLICATION.—*

18 “(1) *PREPARATION AUTHORIZED.—Notwith-*
19 *standing any provision of this Act, an applicant may*
20 *use a preparer for consultative or preparation services*
21 *for the completion of a form developed under sub-*
22 *section (a) if the preparer satisfies the requirements*
23 *of this subsection.*

24 “(2) *PREPARER IDENTIFICATION REQUIRED.—If*
25 *an applicant uses a preparer for consultative or prep-*

1 *aration services for the completion of a form devel-*
2 *oped under subsection (a), the preparer shall include*
3 *the name, signature, address or employer’s address,*
4 *social security number or employer identification*
5 *number, and organizational affiliation of the pre-*
6 *parer on the applicant’s form.*

7 *“(3) ADDITIONAL REQUIREMENTS.—A preparer*
8 *that provides consultative or preparation services*
9 *pursuant to this subsection shall—*

10 *“(A) clearly inform each individual upon*
11 *initial contact, including contact through the*
12 *Internet or by telephone, that the FAFSA and*
13 *EZ FAFSA may be completed for free via paper*
14 *or electronic versions of the forms that are pro-*
15 *vided by the Secretary;*

16 *“(B) include in any advertising clear and*
17 *conspicuous information that the FAFSA and*
18 *EZ FAFSA may be completed for free via paper*
19 *or electronic versions of the forms that are pro-*
20 *vided by the Secretary;*

21 *“(C) if advertising or providing any infor-*
22 *mation on a website, or if providing services*
23 *through a website, include on the website a link*
24 *to the website described in subsection (a)(3) that*

1 *provides the electronic versions of the forms de-*
2 *veloped under subsection (a);*

3 “(D) *refrain from producing or dissemi-*
4 *nating any form other than the forms developed*
5 *by the Secretary under subsection (a); and*

6 “(E) *not charge any fee to any individual*
7 *seeking services who meets the requirements of*
8 *subsection (b) or (c) of section 479.*

9 “(4) *SPECIAL RULE.—Nothing in this Act shall*
10 *be construed to limit preparers of the financial re-*
11 *porting forms required to be made under this title*
12 *that meet the requirements of this subsection from col-*
13 *lecting source information from a student or parent,*
14 *including Internal Revenue Service tax forms, in pro-*
15 *viding consultative and preparation services in com-*
16 *pleting the forms.”; and*

17 (5) *by adding at the end the following:*

18 “(e) *EARLY APPLICATION AND AWARD DEMONSTRA-*
19 *TION PROGRAM.—*

20 “(1) *PURPOSE.—The purpose of the demonstra-*
21 *tion program implemented under this subsection is to*
22 *determine the feasibility of implementing a com-*
23 *prehensive early application and notification system*
24 *for all dependent students and to measure the benefits*
25 *and costs of such a system.*

1 “(2) *PROGRAM AUTHORIZED.*—Not later than 2
2 *years after the date of enactment of the Higher Edu-*
3 *cation Amendments of 2007, the Secretary shall im-*
4 *plement an early application demonstration program*
5 *enabling dependent students who wish to participate*
6 *in the program—*

7 “(A) *to complete an application under this*
8 *subsection during the academic year that is 2*
9 *years prior to the year such students plan to en-*
10 *roll in an institution of higher education; and*

11 “(B) *based on the application described in*
12 *subparagraph (A), to obtain, not later than 1*
13 *year prior to the year of the students’ planned*
14 *enrollment, information on eligibility for Federal*
15 *Pell Grants, Federal student loans under this*
16 *title, and State and institutional financial aid*
17 *for the student’s first year of enrollment in an*
18 *the institution of higher education.*

19 “(3) *EARLY APPLICATION AND AWARD.*—For all
20 *dependent students selected for participation in the*
21 *demonstration program who submit a completed*
22 *FAFSA, or, as appropriate, an EZ FAFSA, 2 years*
23 *prior to the year such students plan to enroll in an*
24 *institution of higher education, the Secretary shall,*

1 *not later than 1 year prior to the year of such*
2 *planned enrollment—*

3 “(A) *provide each student who meets the re-*
4 *quirements under section 479(c) with a deter-*
5 *mination of such student’s—*

6 “(i) *expected family contribution for*
7 *the first year of the student’s enrollment in*
8 *an institution of higher education; and*

9 “(ii) *Federal Pell Grant award for the*
10 *first such year, based on the maximum Fed-*
11 *eral Pell Grant award at the time of appli-*
12 *cation;*

13 “(B) *provide each student who does not*
14 *meet the requirements under section 479(c) with*
15 *an estimate of such student’s—*

16 “(i) *expected family contribution for*
17 *the first year of the student’s planned en-*
18 *rollment; and*

19 “(ii) *Federal Pell Grant award for the*
20 *first such year, based on the maximum Fed-*
21 *eral Pell Grant award at the time of appli-*
22 *cation; and*

23 “(C) *remind the students of the need to up-*
24 *date the students’ information during the cal-*
25 *endar year of enrollment using the expedited re-*

1 *application process provided for in subsection*
2 *(a)(4).*

3 “(4) *PARTICIPANTS.—The Secretary shall in-*
4 *clude, as participants in the demonstration pro-*
5 *gram—*

6 “(A) *States selected through the application*
7 *process described in paragraph (5);*

8 “(B) *institutions of higher education within*
9 *the selected States that are interested in partici-*
10 *pating in the demonstration program, and that*
11 *can make estimates or commitments of institu-*
12 *tional student financial aid, as appropriate, to*
13 *students the year before the students’ planned en-*
14 *rollment date; and*

15 “(C) *secondary schools within the selected*
16 *States that are interested in participating in the*
17 *demonstration program, and can commit re-*
18 *sources to—*

19 “(i) *advertising the availability of the*
20 *program;*

21 “(ii) *identifying students who might be*
22 *interested in participating in the program;*

23 “(iii) *encouraging such students to*
24 *apply; and*

1 “(iv) participating in the evaluation of
2 the program.

3 “(5) *APPLICATIONS*.—States that are interested
4 in participating in the demonstration program shall
5 submit an application, to the Secretary at such time,
6 in such form, and containing such information as the
7 Secretary shall require. The application shall in-
8 clude—

9 “(A) information on the amount of the
10 State’s need-based student financial assistance
11 available, and the eligibility criteria for receiv-
12 ing such assistance;

13 “(B) a commitment to make, not later than
14 the year before the dependent students partici-
15 pating in the demonstration program plan to en-
16 roll in an institution of higher education—

17 “(i) determinations of State financial
18 aid awards to dependent students partici-
19 pating in the program who meet the re-
20 quirements of section 479(c); and

21 “(ii) estimates of State financial aid
22 awards to other dependent students partici-
23 pating in the program;

24 “(C) a plan for recruiting institutions of
25 higher education and secondary schools with dif-

1 *ferent demographic characteristics to participate*
2 *in the program;*

3 “(D) a plan for selecting institutions of
4 higher education and secondary schools to par-
5 ticipate in the program that—

6 “(i) demonstrate a commitment to en-
7 couraging students to submit a FAFSA, or,
8 as appropriate, an EZ FAFSA, 2 years be-
9 fore the students’ planned date of enrollment
10 in an institution of higher education;

11 “(ii) serve different populations of stu-
12 dents;

13 “(iii) in the case of institutions of
14 higher education—

15 “(I) to the extent possible, are of
16 varying types and control; and

17 “(II) commit to making, not later
18 than the year prior to the year that de-
19 pendent students participating in the
20 demonstration program plan to enroll
21 in the institution—

22 “(aa) institutional awards to
23 participating dependent students
24 who meet the requirements of sec-
25 tion 479(c);

1 “(bb) estimates of institu-
2 tional awards to other partici-
3 pating dependent students; and

4 “(cc) expected or tentative
5 awards of grants or other finan-
6 cial aid available under this title
7 (including supplemental grants
8 under subpart 3 of part A), for all
9 participating dependent students,
10 along with information on State
11 awards, as provided to the insti-
12 tution by the State;

13 “(E) a commitment to participate in the
14 evaluation conducted by the Secretary; and

15 “(F) such other information as the Sec-
16 retary may require.

17 “(6) SPECIAL PROVISIONS.—

18 “(A) DISCRETION OF STUDENT FINANCIAL
19 AID ADMINISTRATORS.—A financial aid admin-
20 istrator at an institution of higher education
21 participating in a demonstration program under
22 this subsection may use the discretion provided
23 under section 479A as necessary in awarding fi-
24 nancial aid to students participating in the
25 demonstration program.

1 “(B) *WAIVERS.*—*The Secretary is author-*
2 *ized to waive, for an institution participating in*
3 *the demonstration program, any requirements*
4 *under the title, or regulations prescribed under*
5 *this title, that would make the demonstration*
6 *program unworkable, except that the Secretary*
7 *shall not waive any provisions with respect to*
8 *the maximum award amounts for grants and*
9 *loans under this title.*

10 “(7) *OUTREACH.*—*The Secretary shall make ap-*
11 *propriate efforts in order to notify States, institutions*
12 *of higher education, and secondary schools of the dem-*
13 *onstration program.*

14 “(8) *EVALUATION.*—*The Secretary shall conduct*
15 *a rigorous evaluation of the demonstration program*
16 *to measure the program’s benefits and adverse effects,*
17 *as the benefits and effects relate to the purpose of the*
18 *program described in paragraph (1). In conducting*
19 *the evaluation, the Secretary shall—*

20 “(A) *identify whether receiving financial*
21 *aid awards or estimates, as applicable, 1 year*
22 *prior to the year in which the student plans to*
23 *enroll in an institution of higher education, has*
24 *a positive impact on the higher education aspi-*
25 *rations and plans of such student;*

1 “(B) measure the extent to which using a
2 student’s income information from the year that
3 is 2 years prior to the student’s planned enroll-
4 ment date had an impact on the ability of States
5 and institutions to make financial aid awards
6 and commitments;

7 “(C) determine what operational changes
8 would be required to implement the program on
9 a larger scale;

10 “(D) identify any changes to Federal law
11 that would be necessary to implement the pro-
12 gram on a permanent basis; and

13 “(E) identify the benefits and adverse effects
14 of providing early awards or estimates on pro-
15 gram costs, program operations, program integ-
16 rity, award amounts, distribution, and delivery
17 of aid.

18 “(9) CONSULTATION.—The Secretary shall con-
19 sult, as appropriate, with the Advisory Committee on
20 Student Financial Assistance established under sec-
21 tion 491 on the design, implementation, and evalua-
22 tion of the demonstration program.

23 “(f) USE OF IRS DATA AND REDUCED INCOME AND
24 ASSET INFORMATION TO DETERMINE ELIGIBILITY FOR
25 STUDENT FINANCIAL AID.—

1 “(1) *FORMATION OF STUDY GROUP.*—Not later
2 than 90 days after the date of enactment of the High-
3 er Education Amendments of 2007, the Comptroller
4 General of the United States and the Secretary of
5 Education shall convene a study group whose mem-
6 bership shall include the Secretary of the Treasury,
7 the Director of the Office of Management and Budget,
8 the Director of the Congressional Budget Office, rep-
9 resentatives of institutions of higher education with
10 expertise in Federal and State financial aid assist-
11 ance, State chief executive officers of higher education
12 with a demonstrated commitment to simplifying the
13 FAFSA, and such other individuals as the Comp-
14 troller General and the Secretary of Education may
15 designate.

16 “(2) *STUDY REQUIRED.*—The Comptroller Gen-
17 eral and the Secretary, in consultation with the study
18 group convened under paragraph (1), shall design
19 and conduct a study to identify and evaluate the
20 means of simplifying the process of applying for Fed-
21 eral financial aid available under this title. The
22 study shall focus on developing alternative approaches
23 for calculating the expected family contribution that
24 use substantially less income and asset data than the
25 methodology currently used, as of the time of the

1 study, for determining the expected family contribu-
2 tion.

3 “(3) *OBJECTIVES OF STUDY.*—The objectives of
4 the study required under paragraph (2) are—

5 “(A) to shorten the *FAFSA* and make it
6 easier and less time-consuming to complete,
7 thereby increasing higher education access for
8 low-income students;

9 “(B) to examine the feasibility, and evalu-
10 ate the costs and benefits, of using income data
11 from the Internal Revenue Service to pre-popu-
12 late the electronic version of the *FAFSA*;

13 “(C) to determine ways in which to provide
14 reliable information on the amount of Federal
15 grant aid and financial assistance a student can
16 expect to receive, assuming constant income, 2 to
17 3 years before the student’s enrollment; and

18 “(D) to simplify the process for determining
19 eligibility for student financial aid without caus-
20 ing significant redistribution of Federal grants
21 and subsidized loans under this title.

22 “(4) *REQUIRED SUBJECTS OF STUDY.*—The
23 study required under paragraph (2) shall consider—

24 “(A) how the expected family contribution
25 of a student could be calculated using substan-

1 *tially less income and asset information than the*
2 *approach currently used, as of the time of the*
3 *study, to calculate the expected family contribu-*
4 *tion without causing significant redistribution of*
5 *Federal grants and subsidized loans under this*
6 *title, State aid, or institutional aid, or change in*
7 *the composition of the group of recipients of such*
8 *aid, which alternative approaches for calculating*
9 *the expected family contribution shall, to the ex-*
10 *tent practicable—*

11 *“(i) rely mainly, in the case of stu-*
12 *dents and parents who file income tax re-*
13 *turns, on information available on the*
14 *1040, 1040EZ, and 1040A; and*

15 *“(ii) include formulas for adjusting in-*
16 *come or asset information to produce simi-*
17 *lar results to the existing approach with less*
18 *data;*

19 *“(B) how the Internal Revenue Service can*
20 *provide income and other data needed to com-*
21 *pute an expected family contribution for tax-*
22 *payers and dependents of taxpayers to the Sec-*
23 *retary of Education, and when in the applica-*
24 *tion cycle the data can be made available;*

1 “(C) whether data provided by the Internal
2 Revenue could be used to—

3 “(i) prepopulate the electronic version
4 of the FAFSA with student and parent tax-
5 payer data; or

6 “(ii) generate an expected family con-
7 tribution without additional action on the
8 part of the student and taxpayer;

9 “(D) the extent to which the use of income
10 data from 2 years prior to a student’s planned
11 enrollment date would change the expected fam-
12 ily contribution computed in accordance with
13 part F, and potential adjustments to the need
14 analysis formula that would minimize the
15 change;

16 “(E) the extent to which States and institu-
17 tions would accept the data provided by the In-
18 ternal Revenue Service to prepopulate the elec-
19 tronic version of the FAFSA in determining the
20 distribution of State and institutional student fi-
21 nancial aid funds;

22 “(F) the changes to the electronic version of
23 the FAFSA and verification processes that would
24 be needed or could be made if Internal Revenue

1 *Service data were used to prepopulate such elec-*
2 *tronic version;*

3 “(G) the data elements currently collected,
4 as of the time of the study, on the FAFSA that
5 are needed to determine eligibility for student
6 aid, or to administer Federal student financial
7 aid programs, but are not needed to compute an
8 expected family contribution, such as whether in-
9 formation regarding the student’s citizenship or
10 permanent residency status, registration for se-
11 lective service, or driver’s license number could
12 be reduced without adverse effects;

13 “(H) additional steps that can be taken to
14 simplify the financial aid application process for
15 students who (or, in the case of dependent stu-
16 dents, whose parents) are not required to file an
17 income tax return for the prior taxable year;

18 “(I) information on the State need for and
19 usage of the full array of income, asset, and
20 other information currently collected, as of the
21 time of the study, on the FAFSA, including
22 analyses of—

23 “(i) what data are currently used by
24 States to determine eligibility for State stu-

1 *dent financial aid, and whether the data*
2 *are used for merit or need-based aid;*

3 “(ii) *the extent to which the full array*
4 *of income and asset information currently*
5 *collected on the FAFSA play an important*
6 *role in the awarding of need-based State fi-*
7 *nancial aid, and whether the State could*
8 *use income and asset information that was*
9 *more limited to support determinations of*
10 *eligibility for such State aid programs;*

11 “(iii) *whether data are required by*
12 *State law, State regulations, or policy di-*
13 *rectives;*

14 “(iv) *what State official has the au-*
15 *thority to advise the Department on what*
16 *the State requires to calculate need-based*
17 *State student financial aid;*

18 “(v) *the extent to which any State-spe-*
19 *cific information requirements could be met*
20 *by completion of a State application linked*
21 *to the electronic version of the FAFSA; and*

22 “(vi) *whether the State can use, as of*
23 *the time of the study, or could use, a stu-*
24 *dent’s expected family contribution based on*
25 *data from 2 years prior to the student’s*

1 *planned enrollment date and a calculation*
2 *with reduced data elements and, if not,*
3 *what additional information would be need-*
4 *ed or what changes would be required; and*
5 “(J) *information on institutional needs, in-*
6 *cluding the extent to which institutions of higher*
7 *education are already using supplemental forms*
8 *to collect additional data from students and their*
9 *families to determine eligibility for institutional*
10 *funds.*

11 “(5) *USE OF DATA FROM THE INTERNAL REV-*
12 *ENUE SERVICE TO PREPOPULATE FAFSA FORMS.—*
13 *After the study required under this subsection has*
14 *been completed, the Secretary may use Internal Rev-*
15 *enue Service data to prepopulate the electronic*
16 *version of the FAFSA if the Secretary, in a joint de-*
17 *cision with the Secretary of Treasury, determines that*
18 *such use will not significantly negatively impact stu-*
19 *dents, institutions of higher education, States, or the*
20 *Federal Government based on each of the following*
21 *criteria:*

22 “(A) *Program costs.*

23 “(B) *Redistributive effects on students.*

24 “(C) *Accuracy of aid determinations.*

1 “(D) *Reduction of burden to the FAFSA fil-*
2 *ers.*

3 “(E) *Whether all States and institutions*
4 *that currently accept the Federal aid formula ac-*
5 *cept the use of data from 2 years prior to the*
6 *date of a student’s planned enrollment in an in-*
7 *stitution of higher education to award Federal,*
8 *State, and institutional aid, and as a result will*
9 *not require students to complete any additional*
10 *forms to receive this aid.*

11 “(6) *CONSULTATION.—The Secretary shall con-*
12 *sult with the Advisory Committee on Student Finan-*
13 *cial Assistance established under section 491 as ap-*
14 *propriate in carrying out this subsection.*

15 “(7) *REPORT.—Not later than 1 year after the*
16 *date of enactment of the Higher Education Amend-*
17 *ments of 2007, the Comptroller General and the Sec-*
18 *retary shall prepare and submit a report on the re-*
19 *sults of the study required under this subsection to the*
20 *authorizing committees.”.*

21 **SEC. 474. STUDENT ELIGIBILITY.**

22 “(a) *AMENDMENTS.—Section 484 (20 U.S.C. 1091) is*
23 *amended—*

24 “(1) *in subsection (d), by adding at the end the*
25 *following:*

1 “(4) *The student shall be determined by the in-*
2 *stitution of higher education as having the ability to*
3 *benefit from the education or training offered by the*
4 *institution of higher education, upon satisfactory*
5 *completion of 6 credit hours or the equivalent*
6 *coursework that are applicable toward a degree or cer-*
7 *tificate offered by the institution of higher edu-*
8 *cation.*”;

9 (2) *by striking subsection (l) and inserting the*
10 *following:*

11 “(l) *COURSES OFFERED THROUGH DISTANCE EDU-*
12 *CATION.—*

13 “(1) *RELATION TO CORRESPONDENCE*
14 *COURSES.—*

15 “(A) *IN GENERAL.—A student enrolled in a*
16 *course of instruction at an institution of higher*
17 *education that is offered principally through dis-*
18 *tance education and leads to a recognized certifi-*
19 *cate, or associate, baccalaureate, or graduate de-*
20 *gree, conferred by such institution, shall not be*
21 *considered to be enrolled in correspondence*
22 *courses.*

23 “(B) *EXCEPTION.—An institution of higher*
24 *education referred to in subparagraph (A) shall*
25 *not include an institution or school described in*

1 *section 3(3)(C) of the Carl D. Perkins Career*
2 *and Technical Education Act of 2006.*

3 “(2) *RESTRICTION OR REDUCTIONS OF FINAN-*
4 *CIAL AID.—A student’s eligibility to receive grants,*
5 *loans, or work assistance under this title shall be re-*
6 *duced if a financial aid officer determines under the*
7 *discretionary authority provided in section 479A that*
8 *distance education results in a substantially reduced*
9 *cost of attendance to such student.*

10 “(3) *SPECIAL RULE.—For award years prior to*
11 *July 1, 2008, the Secretary shall not take any compli-*
12 *ance, disallowance, penalty, or other action against a*
13 *student or an eligible institution when such action*
14 *arises out of such institution’s prior award of student*
15 *assistance under this title if the institution dem-*
16 *onstrates to the satisfaction of the Secretary that its*
17 *course of instruction would have been in conformance*
18 *with the requirements of this subsection.”; and*

19 (3) *by adding at the end the following:*

20 “(s) *STUDENTS WITH INTELLECTUAL DISABILITIES.—*
21 *Notwithstanding subsection (a), in order to receive any*
22 *grant or work assistance under subparts 1 and 3 of part*
23 *A and part C of this title, a student with an intellectual*
24 *disability shall—*

1 “(1) be an individual with an intellectual dis-
2 ability whose mental retardation or other significant
3 cognitive impairment substantially impacts the indi-
4 vidual’s intellectual and cognitive functioning;

5 “(2)(A) be a student eligible for assistance under
6 the Individuals with Disabilities Education Act who
7 has completed secondary school; or

8 “(B) be an individual who is no longer eligible
9 for assistance under the Individuals with Disabilities
10 Education Act because the individual has exceeded the
11 maximum age for which the State provides a free ap-
12 propriate public education;

13 “(3) be enrolled or accepted for enrollment in a
14 comprehensive transition and postsecondary edu-
15 cation program that—

16 “(A) is designed for students with an intel-
17 lectual disability who are seeking to continue
18 academic, vocational, and independent living in-
19 struction at the institution in order to prepare
20 for gainful employment and independent living;

21 “(B) includes an advising and curriculum
22 structure;

23 “(C) requires students to participate on at
24 least a half-time basis, as determined by the in-
25 stitution; or

1 “(D) includes—

2 “(i) regular enrollment in courses of-
3 fered by the institution;

4 “(ii) auditing or participating in
5 courses offered by the institution for which
6 the student does not receive regular aca-
7 demic credit;

8 “(iii) enrollment in noncredit, non-
9 degree courses;

10 “(iv) participation in internships; or

11 “(v) a combination of 2 or more of the
12 activities described in clauses (i) through
13 (iv);

14 “(4) be maintaining satisfactory progress in the
15 program as determined by the institution, in accord-
16 ance with standards established by the institution;
17 and

18 “(5) meet the requirements of paragraphs (3),
19 (4), (5), and (6) of subsection (a).”.

20 (b) *EFFECTIVE DATE.*—The amendments made by sub-
21 section (a) shall take affect on July 1, 2008.

22 **SEC. 475. STATUTE OF LIMITATIONS AND STATE COURT**
23 **JUDGMENTS.**

24 Section 484A (20 U.S.C. 1091a) is amended—

25 (1) in subsection (b)—

1 (A) in paragraph (1), by striking “and”
2 after the semicolon;

3 (B) in paragraph (2), by striking the period
4 and inserting “; and”; and

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

6 “(3) in collecting any obligation arising from a
7 loan made under part E of this title, an institution
8 of higher education that has an agreement with the
9 Secretary pursuant to section 463(a) shall not be sub-
10 ject to a defense raised by any borrower based on a
11 claim of infancy.”; and

12 (2) by adding at the end the following:

13 “(d) *SPECIAL RULE.*—This section shall not apply in
14 the case of a student who is deceased or to a deceased stu-
15 dent’s estate or the estate of such student’s family. If a stu-
16 dent is deceased, then the student’s estate or the estate of
17 the student’s family shall not be required to repay any fi-
18 nancial assistance under this title, including interest paid
19 on the student’s behalf, collection costs, or other charges
20 specified in this title.”.

21 **SEC. 476. INSTITUTIONAL REFUNDS.**

22 (a) *AMENDMENT.*—Section 484B(c)(2) (20 U.S.C.
23 1091B(c)(2)) is amended by striking “may determine the
24 appropriate withdrawal date.” and inserting “may deter-
25 mine—

1 “(A) the appropriate withdrawal date; and
2 “(B) that the requirements of subsection
3 (b)(2) do not apply to the student.”.

4 (b) *EFFECTIVE DATE.*—The amendment made by sub-
5 section (a) shall take effect on July 1, 2008.

6 **SEC. 477. INSTITUTIONAL AND FINANCIAL ASSISTANCE IN-**
7 **FORMATION FOR STUDENTS.**

8 Section 485 (20 U.S.C. 1092) is amended—

9 (1) in subsection (a)—

10 (A) in paragraph (1)—

11 (i) in subparagraph (G)—

12 (I) by striking “program, and”
13 and inserting “program,”; and

14 (II) by inserting “, and (iv) any
15 plans by the institution for improving
16 the academic program of the institu-
17 tion” after “instructional personnel”;
18 and

19 (ii) by striking subparagraph (M) and
20 inserting the following:

21 “(M) the terms and conditions of the loans
22 that students receive under parts B, D, and E;”;

23 (iii) in subparagraph (N), by striking
24 “and” after the semicolon;

1 (iv) in subparagraph (O), by striking
2 the period and inserting a semicolon; and

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

4 “(P) institutional policies and sanctions re-
5 lated to copyright infringement, including—

6 “(i) an annual disclosure that explic-
7 itly informs students that unauthorized dis-
8 tribution of copyrighted material, including
9 unauthorized peer-to-peer file sharing, may
10 subject the students to civil and criminal li-
11 abilities;

12 “(ii) a summary of the penalties for
13 violation of Federal copyright laws;

14 “(iii) a description of the institution’s
15 policies with respect to unauthorized peer-
16 to-peer file sharing, including disciplinary
17 actions that are taken against students who
18 engage in unauthorized distribution of
19 copyrighted materials using the institution’s
20 information technology system; and

21 “(iv) a description of actions that the
22 institution takes to prevent and detect un-
23 authorized distribution of copyrighted mate-
24 rial on the institution’s information tech-
25 nology system;

1 “(Q) student body diversity at the institu-
2 tion, including information on the percentage of
3 enrolled, full-time students who are—

4 “(i) male;

5 “(ii) female;

6 “(iii) from a low-income background;

7 and

8 “(iv) a self-identified member of a
9 major racial or ethnic group;

10 “(R) the placement in employment of, and
11 types of employment obtained by, graduates of
12 the institution’s degree or certificate programs,
13 gathered from such sources as alumni surveys,
14 student satisfaction surveys, the National Survey
15 of Student Engagement, the Community College
16 Survey of Student Engagement, State data sys-
17 tems, or other relevant sources;

18 “(S) the types of graduate and professional
19 education in which graduates of the institution’s
20 4-year degree programs enrolled, gathered from
21 such sources as alumni surveys, student satisfac-
22 tion surveys, the National Survey of Student En-
23 gagement, State data systems, or other relevant
24 sources;

1 “(T) the fire safety report prepared by the
2 institution pursuant to subsection (i); and

3 “(U) the retention rate of certificate- or de-
4 gree-seeking, full-time, undergraduate students
5 entering such institution.”;

6 (B) by striking paragraph (4) and inserting
7 the following:

8 “(4) For purposes of this section, institutions
9 may—

10 “(A) exclude from the information disclosed
11 in accordance with subparagraph (L) of para-
12 graph (1) the completion or graduation rates of
13 students who leave school to serve in the Armed
14 Forces, on official church missions, or with a
15 recognized foreign aid service of the Federal Gov-
16 ernment; or

17 “(B) in cases where the students described
18 in subparagraph (A) represent 20 percent or
19 more of the certificate- or degree-seeking, full-
20 time, undergraduate students at the institution,
21 the institution may recalculate the completion or
22 graduation rates of such students by excluding
23 from the calculation described in paragraph (3)
24 the time period such students were not enrolled
25 due to their service in the Armed Forces, on offi-

1 *cial church missions, or with a recognized for-*
2 *ign aid service of the Federal Government.”;*
3 *and*

4 *(C) by adding at the end the following:*

5 *“(7) The information disclosed under subparagraph*
6 *(L) of paragraph (1), or reported under subsection (e), shall*
7 *include information disaggregated by gender, by each major*
8 *racial and ethnic subgroup, by recipients of a Federal Pell*
9 *Grant, by recipients of a loan made under this part or part*
10 *D (other than a loan made under section 428H or a Federal*
11 *Direct Unsubsidized Stafford Loan) who did not receive a*
12 *Federal Pell Grant, and by recipients of neither a Federal*
13 *Pell Grant nor a loan made under this part or part D*
14 *(other than a loan made under section 428H or a Federal*
15 *Direct Unsubsidized Stafford Loan), if the number of stu-*
16 *dents in such subgroup or with such status is sufficient to*
17 *yield statistically reliable information and reporting would*
18 *not reveal personally identifiable information about an in-*
19 *dividual student. If such number is not sufficient for such*
20 *purposes, then the institution shall note that the institution*
21 *enrolled too few of such students to so disclose or report with*
22 *confidence and confidentiality.”;*

23 *(2) in subsection (b)—*

1 (A) in paragraph (1)(A), by striking the
2 subparagraph designation and all that follows
3 through “465.” and inserting the following:

4 “(A) Each eligible institution shall, through
5 financial aid offices or otherwise, provide coun-
6 seling to borrowers of loans that are made, in-
7 sured, or guaranteed under part B (other than
8 loans made pursuant to section 428C or loans
9 made to parents pursuant to section 428B), or
10 made under part D (other than Federal Direct
11 Consolidation Loans or Federal Direct PLUS
12 Loans made to parents) or E, prior to the com-
13 pletion of the course of study for which the bor-
14 rower enrolled at the institution or at the time
15 of departure from such institution. The coun-
16 seling required by this subsection shall include—

17 “(i) information on the repayment
18 plans available, including a discussion of
19 the different features of each plan and sam-
20 ple information showing the difference in
21 interest paid and total payments under
22 each plan;

23 “(ii) the average anticipated monthly
24 repayments under the standard repayment
25 plan and, at the borrower’s request, the

1 *other repayment plans for which the bor-*
2 *rower is eligible;*

3 *“(iii) such debt and management strat-*
4 *egies as the institution determines are de-*
5 *signed to facilitate the repayment of such*
6 *indebtedness;*

7 *“(iv) an explanation that the borrower*
8 *has the ability to prepay each such loan,*
9 *pay the loan on a shorter schedule, and*
10 *change repayment plans;*

11 *“(v) the terms and conditions under*
12 *which the student may obtain full or par-*
13 *tial forgiveness or cancellation of principal*
14 *or interest under sections 428J, 460, and*
15 *465 (to the extent that such sections are ap-*
16 *plicable to the student’s loans);*

17 *“(vi) the terms and conditions under*
18 *which the student may defer repayment of*
19 *principal or interest or be granted forbear-*
20 *ance under subsections (b)(1)(M) and (o) of*
21 *section 428, 428H(e)(7), subsections (f) and*
22 *(l) of section 455, and section 464(c)(2),*
23 *and the potential impact of such deferment*
24 *or forbearance;*

1 “(vii) the consequences of default on
2 such loans;

3 “(viii) information on the effects of
4 using a consolidation loan to discharge the
5 borrower’s loans under parts B, D, and E,
6 including, at a minimum—

7 “(I) the effects of consolidation on
8 total interest to be paid, fees to be
9 paid, and length of repayment;

10 “(II) the effects of consolidation
11 on a borrower’s underlying loan bene-
12 fits, including all grace periods, loan
13 forgiveness, cancellation, and deferment
14 opportunities;

15 “(III) the ability of the borrower
16 to prepay the loan or change repay-
17 ment plans; and

18 “(IV) that borrower benefit pro-
19 grams may vary among different loan
20 holders; and

21 “(ix) a notice to borrowers about the
22 availability of the National Student Loan
23 Data System and how the system can be
24 used by a borrower to obtain information
25 on the status of the borrower’s loans.”; and

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

2 “(3) Each eligible institution shall, during the
3 exit interview required by this subsection, provide to
4 a borrower of a loan made under part B, D, or E a
5 clear and conspicuous notice describing the general ef-
6 fects of using a consolidation loan to discharge the
7 borrower’s student loans, including—

8 “(A) the effects of consolidation on total in-
9 terest to be paid, fees to be paid, and length of
10 repayment;

11 “(B) the effects of consolidation on a bor-
12 rower’s underlying loan benefits, including loan
13 forgiveness, cancellation, and deferment;

14 “(C) the ability for the borrower to prepay
15 the loan, pay on a shorter schedule, and to
16 change repayment plans, and that borrower ben-
17 efit programs may vary among different loan
18 holders;

19 “(D) a general description of the types of
20 tax benefits which may be available to borrowers
21 of student loans; and

22 “(E) the consequences of default.”;

23 (3) in subsection (d)(2)—

24 (A) by inserting “grant assistance, as well
25 as State” after “describing State”; and

1 (B) by inserting “and other means, includ-
2 ing through the Internet” before the period at the
3 end;

4 (4) in subsection (e), by striking paragraph (3)
5 and inserting the following:

6 “(3) For purposes of this subsection, institutions
7 may—

8 “(A) exclude from the reporting require-
9 ments under paragraphs (1) and (2) the comple-
10 tion or graduation rates of students and student
11 athletes who leave school to serve in the Armed
12 Forces, on official church missions, or with a
13 recognized foreign aid service of the Federal Gov-
14 ernment; or

15 “(B) in cases where the students described
16 in subparagraph (A) represent 20 percent or
17 more of the certificate- or degree-seeking, full-
18 time, undergraduate students at the institution,
19 the institution may calculate the completion or
20 graduation rates of such students by excluding
21 from the calculations described in paragraph (1)
22 the time period such students were not enrolled
23 due to their service in the Armed Forces, on offi-
24 cial church missions, or with a recognized for-
25 eign aid service of the Federal Government.”;

1 (5) *in subsection (f)—*

2 (A) *in paragraph (1)—*

3 (i) *the matter preceding subparagraph*
4 (A), *by inserting “, other than a foreign in-*
5 *stitution of higher education,” after “under*
6 *this title”; and*

7 (ii) *by adding at the end the following:*

8 “(J) *A statement of current campus policies*
9 *regarding immediate emergency response and*
10 *evacuation procedures, including the use of elec-*
11 *tronic and cellular communication (if appro-*
12 *priate), which policies shall include procedures—*

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 or*
18 *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 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 in-*
14 *stitutions of higher education, of best practices infor-*
15 *mation about campus safety and emergencies.”; and*

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

17 “(h) *TRANSFER OF CREDIT POLICIES.*—

18 “(1) *DISCLOSURE.*—*Each institution of higher*
19 *education participating in any program under this*
20 *title shall publicly disclose in a readable and com-*
21 *prehensible manner the transfer of credit policies es-*
22 *tablished by the institution which shall include a*
23 *statement of the institution’s current transfer of credit*
24 *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 this
8 subsection shall be construed to—

9 “(A) authorize the Secretary or the Accredi-
10 tation and Institutional Quality and Integrity
11 Advisory Committee to require particular poli-
12 cies, procedures, or practices by institutions of
13 higher education with respect to transfer of cred-
14 it;

15 “(B) authorize an officer or employee of the
16 Department to exercise any direction, super-
17 vision, or control over the curriculum, program
18 of instruction, administration, or personnel of
19 any institution of higher education, or over any
20 accrediting agency or association;

21 “(C) limit the application of the General
22 Education Provisions Act; or

23 “(D) create any legally enforceable right on
24 the part of a student to require an institution of

1 *higher education to accept a transfer of credit*
2 *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 institution*
7 *participating in any program under this title shall,*
8 *on an annual basis, publish a fire safety report,*
9 *which shall contain information with respect to the*
10 *campus fire safety practices and standards of that in-*
11 *stitution, 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 a*
22 *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 pro-
10 grams provided to students, faculty, and staff;
11 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 COMMU-
21 NITY.—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 poli-*
16 *cies, procedures, programs, and practices;*

17 “(ii) *disseminate information to the*
18 *Administrator of the United States Fire Ad-*
19 *ministration;*

20 “(iii) *make available to the public in-*
21 *formation concerning those policies, proce-*
22 *dures, programs, and practices that have*
23 *proven effective in the reduction of fires;*
24 *and*

1 “(iv) develop a protocol for institutions
2 to review the status of their fire safety sys-
3 tems.

4 “(5) *RULES OF CONSTRUCTION.*—Nothing in this
5 subsection shall be construed to—

6 “(A) authorize the Secretary to require par-
7 ticular policies, procedures, programs, or prac-
8 tices by institutions of higher education with re-
9 spect to fire safety, other than with respect to the
10 collection, reporting, and dissemination of infor-
11 mation required by this subsection;

12 “(B) affect the Family Educational Rights
13 and Privacy Act of 1974 or the regulations
14 issued under section 264 of the Health Insurance
15 Portability and Accountability Act of 1996 (42
16 U.S.C. 1320d–2 note);

17 “(C) create a cause of action against any
18 institution of higher education or any employee
19 of such an institution for any civil liability; and

20 “(D) establish any standard of care.

21 “(6) *COMPLIANCE REPORT.*—The Secretary shall
22 annually report to the authorizing committees regard-
23 ing compliance with this subsection by institutions of
24 higher education, including an up-to-date report on
25 the Secretary’s monitoring of such compliance.

1 “(7) *EVIDENCE.*—Notwithstanding any other
2 *provision of law, evidence regarding compliance or*
3 *noncompliance with this subsection shall not be ad-*
4 *missible as evidence in any proceeding of any court,*
5 *agency, board, or other entity, except with respect to*
6 *an action to enforce this subsection.”.*

7 **SEC. 478. ENTRANCE COUNSELING REQUIRED.**

8 *Section 485 (as amended by section 477) is further*
9 *amended—*

10 (1) *by redesignating subsections (b) through (i)*
11 *as subsections (c) through (j), respectively; and*

12 (2) *by inserting after subsection (a) the fol-*
13 *lowing:*

14 “(b) *ENTRANCE COUNSELING FOR BORROWERS.*—

15 “(1) *DISCLOSURE REQUIRED PRIOR TO DIS-*
16 *BURSEMENT.*—

17 “(A) *IN GENERAL.*—Each eligible institu-
18 *tion shall, at or prior to the time of a disburse-*
19 *ment to a first-time student borrower of a loan*
20 *made, insured, or guaranteed under part B or D,*
21 *ensure that the borrower receives comprehensive*
22 *information on the terms and conditions of the*
23 *loan and the responsibilities the borrower has*
24 *with respect to such loan. Such information shall*

1 *be provided in simple and understandable terms*
2 *and may be provided—*

3 “(i) *during an entrance counseling ses-*
4 *sion conducted in person;*

5 “(ii) *on a separate written form pro-*
6 *vided to the borrower that the borrower*
7 *signs and returns to the institution; or*

8 “(iii) *online, with the borrower ac-*
9 *knowledging receipt and understanding of*
10 *the information.*

11 “(B) *USE OF INTERACTIVE PROGRAMS.—*
12 *The Secretary shall encourage institutions to*
13 *carry out the requirements of subparagraph (A)*
14 *through the use of interactive programs that test*
15 *the borrowers’ understanding of the terms and*
16 *conditions of the borrowers’ loans under part B*
17 *or D, using comprehensible language and dis-*
18 *plays with clear formatting.*

19 “(2) *INFORMATION TO BE PROVIDED.—The infor-*
20 *mation provided to the borrower under paragraph*
21 *(1)(A) shall include—*

22 “(A) *an explanation of the use of the Master*
23 *Promissory Note;*

24 “(B) *in the case of a loan made under sec-*
25 *tion 428B or 428H, a Federal Direct PLUS*

1 *Loan, or a Federal Direct Unsubsidized Stafford*
2 *Loan—*

3 “(i) *the ability of the borrower to pay*
4 *the interest while the borrower is in school;*
5 *and*

6 “(ii) *how often interest is capitalized;*

7 “(C) *the definition of half-time enrollment*
8 *at the institution, during regular terms and*
9 *summer school, if applicable, and the con-*
10 *sequences of not maintaining half-time enroll-*
11 *ment;*

12 “(D) *an explanation of the importance of*
13 *contacting the appropriate institutional offices if*
14 *the borrower withdraws prior to completing the*
15 *borrower’s program of study so that the institu-*
16 *tion can provide exit counseling, including infor-*
17 *mation regarding the borrower’s repayment op-*
18 *tions and loan consolidation;*

19 “(E) *the obligation of the borrower to repay*
20 *the full amount of the loan even if the borrower*
21 *does not complete the program in which the bor-*
22 *rower is enrolled;*

23 “(F) *information on the National Student*
24 *Loan Data System and how the borrower can*
25 *access the borrower’s records; and*

1 “(G) the name of an individual the bor-
2 rower may contact if the borrower has any ques-
3 tions about the borrower’s rights and responsibil-
4 ities or the terms and conditions of the loan.”.

5 **SEC. 479. NATIONAL STUDENT LOAN DATA SYSTEM.**

6 Section 485B (20 U.S.C. 1092b) is amended—

7 (1) in subsection (a)—

8 (A) by redesignating paragraphs (6)
9 through (10) as paragraphs (7) through (11), re-
10 spectively;

11 (B) in paragraph (5) (as added by Public
12 Law 101–610), by striking “effectiveness.” and
13 inserting “effectiveness;”; and

14 (C) by redesignating paragraph (5) (as
15 added by Public Law 101–234) as paragraph
16 (6);

17 (2) by redesignating subsections (d) through (g)
18 as subsections (e) through (h), respectively; and

19 (3) by inserting after subsection (c) the fol-
20 lowing:

21 “(d) *PRINCIPLES FOR ADMINISTERING THE DATA SYS-*
22 *TEM.—In managing the National Student Loan Data Sys-*
23 *tem, the Secretary shall take actions necessary to maintain*
24 *confidence in the data system, including, at a minimum—*

1 “(1) ensuring that the primary purpose of access
2 to the data system by guaranty agencies, eligible lend-
3 ers, and eligible institutions of higher education is for
4 legitimate program operations, such as the need to
5 verify the eligibility of a student, potential student, or
6 parent for loans under part B, D, or E;

7 “(2) prohibiting nongovernmental researchers
8 and policy analysts from accessing personally identi-
9 fiable information;

10 “(3) creating a disclosure form for students and
11 potential students that is distributed when such stu-
12 dents complete the common financial reporting form
13 under section 483, and as a part of the exit coun-
14 seling process under section 485(b), that—

15 “(A) informs the students that any title IV
16 grant or loan the students receive will be in-
17 cluded in the National Student Loan Data Sys-
18 tem, and instructs the students on how to access
19 that information;

20 “(B) describes the categories of individuals
21 or entities that may access the data relating to
22 such grant or loan through the data system, and
23 for what purposes access is allowed;

24 “(C) defines and explains the categories of
25 information included in the data system;

1 “(D) provides a summary of the provisions
2 of the Family Educational Rights and Privacy
3 Act of 1974 and other applicable Federal privacy
4 statutes, and a statement of the students’ rights
5 and responsibilities with respect to such statutes;

6 “(E) explains the measures taken by the De-
7 partment to safeguard the students’ data; and

8 “(F) includes other information as deter-
9 mined appropriate by the Secretary;

10 “(4) requiring guaranty agencies, eligible lend-
11 ers, and eligible institutions of higher education that
12 enter into an agreement with a potential student, stu-
13 dent, or parent of such student regarding a loan
14 under part B, D, or E, to inform the student or par-
15 ent that such loan shall be—

16 “(A) submitted to the data system; and

17 “(B) accessible to guaranty agencies, eligible
18 lenders, and eligible institutions of higher edu-
19 cation determined by the Secretary to be author-
20 ized users of the data system;

21 “(5) regularly reviewing the data system to—

22 “(A) delete inactive users from the data sys-
23 tem;

1 “(B) ensure that the data in the data sys-
2 tem are not being used for marketing purposes;
3 and

4 “(C) monitor the use of the data system by
5 guaranty agencies and eligible lenders to deter-
6 mine whether an agency or lender is accessing
7 the records of students in which the agency or
8 lender has no existing financial interest; and

9 “(6) developing standardized protocols for lim-
10 iting access to the data system that include—

11 “(A) collecting data on the usage of the data
12 system to monitor whether access has been or is
13 being used contrary to the purposes of the data
14 system;

15 “(B) defining the steps necessary for deter-
16 mining whether, and how, to deny or restrict ac-
17 cess to the data system; and

18 “(C) determining the steps necessary to re-
19 open access to the data system following a denial
20 or restriction of access.”; and

21 (4) by striking subsection (e) (as redesignated by
22 paragraph (1)) and inserting the following:

23 “(e) *REPORTS TO CONGRESS.*—

24 “(1) *ANNUAL REPORT.*—Not later than Sep-
25 tember 30 of each fiscal year, the Secretary shall pre-

1 *pare and submit to the appropriate committees of*
2 *Congress a report describing—*

3 *“(A) the results obtained by the establish-*
4 *ment and operation of the National Student*
5 *Loan Data System authorized by this section;*

6 *“(B) the effectiveness of existing privacy*
7 *safeguards in protecting student and parent in-*
8 *formation in the data system;*

9 *“(C) the success of any new authorization*
10 *protocols in more effectively preventing abuse of*
11 *the data system;*

12 *“(D) the ability of the Secretary to monitor*
13 *how the system is being used, relative to the in-*
14 *tended purposes of the data system; and*

15 *“(E) any protocols developed under sub-*
16 *section (d)(6) during the preceding fiscal year.*

17 *“(2) STUDY.—*

18 *“(A) IN GENERAL.—The Secretary shall*
19 *conduct a study regarding—*

20 *“(i) available mechanisms for pro-*
21 *viding students and parents with the ability*
22 *to opt in or opt out of allowing eligible*
23 *lenders to access their records in the Na-*
24 *tional Student Loan Data System; and*

1 “(ii) appropriate protocols for limiting
2 access to the data system, based on the risk
3 assessment required under subchapter III of
4 chapter 35 of title 44, United States Code.

5 “(B) *SUBMISSION OF STUDY.*—Not later
6 than 3 years after the date of enactment of the
7 Higher Education Amendments of 2007, the Sec-
8 retary shall prepare and submit a report on the
9 findings of the study to the appropriate commit-
10 tees of Congress.”.

11 **SEC. 480. EARLY AWARENESS OF FINANCIAL AID ELIGI-**
12 **BILITY.**

13 *Part G of title IV (20 U.S.C. 1088 et seq.) is further*
14 *amended by inserting after section 485D (20 U.S.C. 1092c)*
15 *the following:*

16 **“SEC. 485E. EARLY AWARENESS OF FINANCIAL AID ELIGI-**
17 **BILITY.**

18 “(a) *IN GENERAL.*—The Secretary shall implement, in
19 *cooperation with States, institutions of higher education,*
20 *secondary schools, middle schools, early intervention and*
21 *outreach programs under this title, other agencies and orga-*
22 *nizations involved in student financial assistance and col-*
23 *lege access, public libraries, community centers, employers,*
24 *and businesses, a comprehensive system of early financial*
25 *aid information in order to provide students and families*

1 *with early information about financial aid and early esti-*
2 *mates of such students' eligibility for financial aid from*
3 *multiple sources. Such system shall include the activities*
4 *described in subsections (b) and (c).*

5 “(b) *COMMUNICATION OF AVAILABILITY OF AID AND*
6 *AID ELIGIBILITY.*—

7 “(1) *STUDENTS WHO RECEIVE BENEFITS.*—*The*
8 *Secretary shall—*

9 “(A) *make special efforts to notify students,*
10 *who receive or are eligible to receive benefits*
11 *under a Federal means-tested benefit program*
12 *(including the food stamp program under the*
13 *Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.))*
14 *or another such benefit program as determined*
15 *by the Secretary, of such students' potential eli-*
16 *gibility for a maximum Federal Pell Grant*
17 *under subpart 1 of part A; and*

18 “(B) *disseminate such informational mate-*
19 *rials as the Secretary determines necessary.*

20 “(2) *MIDDLE SCHOOL STUDENTS.*—*The Sec-*
21 *retary, in cooperation with States, institutions of*
22 *higher education, other organizations involved in col-*
23 *lege access and student financial aid, middle schools,*
24 *and programs under this title that serve middle school*
25 *students, shall make special efforts to notify students*

1 *and their parents of the availability of financial aid*
2 *under this title and, in accordance with subsection*
3 *(c), shall provide nonbinding estimates of grant and*
4 *loan aid that an individual may be eligible for under*
5 *this title upon completion of an application form*
6 *under section 483(a). The Secretary shall ensure that*
7 *such information is as accurate as possible and that*
8 *such information is provided in an age-appropriate*
9 *format using dissemination mechanisms suitable for*
10 *students in middle school.*

11 *“(3) SECONDARY SCHOOL STUDENTS.—The Sec-*
12 *retary, in cooperation with States, institutions of*
13 *higher education, other organizations involved in col-*
14 *lege access and student financial aid, secondary*
15 *schools, and programs under this title that serve sec-*
16 *ondary school students, shall make special efforts to*
17 *notify students in secondary school and their parents,*
18 *as early as possible but not later than such students’*
19 *junior year of secondary school, of the availability of*
20 *financial aid under this title and, in accordance with*
21 *subsection (c), shall provide nonbinding estimates of*
22 *the amounts of grant and loan aid that an individual*
23 *may be eligible for under this title upon completion*
24 *of an application form under section 483(a). The Sec-*
25 *retary shall ensure that such information is as accu-*

1 *rate as possible and that such information is provided*
2 *in an age-appropriate format using dissemination*
3 *mechanisms suitable for students in secondary school.*

4 “(4) *ADULT LEARNERS.*—*The Secretary, in co-*
5 *operation with States, institutions of higher edu-*
6 *cation, other organizations involved in college access*
7 *and student financial aid, employers, workforce in-*
8 *vestment boards and public libraries, shall make spe-*
9 *cial efforts to provide individuals who would qualify*
10 *as independent students, as defined in section 480(d),*
11 *with information regarding the availability of finan-*
12 *cial aid under this title and, in accordance with sub-*
13 *section (c), with nonbinding estimates of the amounts*
14 *of grant and loan aid that an individual may be eli-*
15 *gible for under this title upon completion of an appli-*
16 *cation form under section 483(a). The Secretary shall*
17 *ensure that such information—*

18 “(A) *is as accurate as possible;*

19 “(B) *includes specific information regard-*
20 *ing the availability of financial aid for students*
21 *qualified as independent students, as defined in*
22 *section 480(d); and*

23 “(C) *uses dissemination mechanisms suit-*
24 *able for adult learners.*

1 “(5) *PUBLIC AWARENESS CAMPAIGN.*—Not later
2 *than 2 years after the date of enactment of the Higher*
3 *Education Amendments of 2007, the Secretary, in co-*
4 *ordination with States, institutions of higher edu-*
5 *cation, early intervention and outreach programs*
6 *under this title, other agencies and organizations in-*
7 *volved in student financial aid, local educational*
8 *agencies, public libraries, community centers, busi-*
9 *nesses, employers, employment services, workforce in-*
10 *vestment boards, and movie theaters, shall implement*
11 *a public awareness campaign in order to increase na-*
12 *tional awareness regarding the availability of finan-*
13 *cial aid under this title. The public awareness cam-*
14 *campaign shall disseminate accurate information regard-*
15 *ing the availability of financial aid under this title*
16 *and shall be implemented, to the extent practicable,*
17 *using a variety of media, including print, television,*
18 *radio and the Internet. The Secretary shall design*
19 *and implement the public awareness campaign based*
20 *upon relevant independent research and the informa-*
21 *tion and dissemination strategies found most effective*
22 *in implementing paragraphs (1) through (4).*

23 “(c) *AVAILABILITY OF NONBINDING ESTIMATES OF*
24 *FEDERAL FINANCIAL AID ELIGIBILITY.*—

1 “(1) *IN GENERAL.*—*The Secretary, in coopera-*
2 *tion with States, institutions of higher education, and*
3 *other agencies and organizations involved in student*
4 *financial aid, shall provide, via a printed form and*
5 *the Internet or other electronic means, the capability*
6 *for individuals to determine easily, by entering rel-*
7 *evant data, nonbinding estimates of amounts of grant*
8 *and loan aid an individual may be eligible for under*
9 *this title upon completion and processing of an appli-*
10 *cation and enrollment in an institution of higher edu-*
11 *cation.*”

12 “(2) *DATA ELEMENTS.*—*The Secretary, in co-*
13 *operation with States, institutions of higher edu-*
14 *cation, and other agencies and organizations involved*
15 *in student financial aid, shall determine the data ele-*
16 *ments that are necessary to create a simplified form*
17 *that individuals can use to obtain easily nonbinding*
18 *estimates of the amounts of grant and loan aid an in-*
19 *dividual may be eligible for under this title.*”

20 “(3) *QUALIFICATION TO USE SIMPLIFIED APPLI-*
21 *CATION.*—*The capability provided under this para-*
22 *graph shall include the capability to determine wheth-*
23 *er the individual is eligible to submit a simplified ap-*
24 *plication form under paragraph (2)(B) or (3)(B) of*
25 *section 483(a).”*

1 **SEC. 481. PROGRAM PARTICIPATION AGREEMENTS.**

2 *Section 487 (20 U.S.C. 1094) is amended—*

3 *(1) in subsection (a)—*

4 *(A) by redesignating paragraphs (21), (22),*
5 *and (23) as paragraphs (22), (23), and (24), re-*
6 *spectively;*

7 *(B) by inserting after paragraph (20) the*
8 *following:*

9 *“(21) CODE OF CONDUCT.—*

10 *“(A) IN GENERAL.—The institution will es-*
11 *tablish, follow, and enforce a code of conduct re-*
12 *garding student loans that includes not less than*
13 *the following:*

14 *“(i) REVENUE SHARING PROHIBI-*
15 *TION.—The institution is prohibited from*
16 *receiving anything of value from any lender*
17 *in exchange for any advantage sought by*
18 *the lender to make educational loans to a*
19 *student enrolled, or who is expected to be*
20 *enrolled, at the institution, except that an*
21 *institution shall not be prohibited from re-*
22 *ceiving a philanthropic contribution from a*
23 *lender if the contribution is not made in ex-*
24 *change for any such advantage.*

25 *“(ii) GIFT AND TRIP PROHIBITION.—*
26 *Any employee who is employed in the fi-*

1 nancial aid office of the institution, or who
2 otherwise has responsibilities with respect to
3 educational loans or other financial aid of
4 the institution, is prohibited from taking
5 from any lender any gift or trip worth more
6 than nominal value, except for reasonable
7 expenses for professional development that
8 will improve the efficiency and effectiveness
9 of programs under this title and for domes-
10 tic travel to such professional development.

11 “(iii) CONTRACTING ARRANGE-
12 MENTS.—Any employee who is employed in
13 the financial aid office of the institution, or
14 who otherwise has responsibilities with re-
15 spect to educational loans or other financial
16 aid of the institution, shall be prohibited
17 from entering into any type of consulting
18 arrangement or other contract to provide
19 services to a lender.

20 “(iv) ADVISORY BOARD COMPENSA-
21 TION.—Any employee who is employed in
22 the financial aid office of the institution, or
23 who otherwise has responsibilities with re-
24 spect to educational loans or other student
25 financial aid of the institution, and who

1 *serves on an advisory board, commission, or*
2 *group established by a lender or group of*
3 *lenders shall be prohibited from receiving*
4 *anything of value from the lender or group*
5 *of lenders, except that the employee may be*
6 *reimbursed for reasonable expenses incurred*
7 *in serving on such advisory board, commis-*
8 *sion or group.*

9 “(v) *INTERACTION WITH BOR-*
10 *ROWERS.—The institution will not—*

11 “(I) *for any first-time borrower,*
12 *assign, through award packaging or*
13 *other methods, the borrower’s loan to a*
14 *particular lender; and*

15 “(II) *refuse to certify, or, delay*
16 *certification of, any loan in accordance*
17 *with paragraph (6) based on the bor-*
18 *rower’s selection of a particular lender*
19 *or guaranty agency.*

20 “(B) *DESIGNATION.—The institution will*
21 *designate an individual who shall be responsible*
22 *for signing an annual attestation on behalf of*
23 *the institution that the institution agrees to, and*
24 *is in compliance with, the requirements of the*
25 *code of conduct described in this paragraph.*

1 *Such individual shall be the chief executive offi-*
2 *cer, chief operating officer, chief financial officer,*
3 *or comparable official, of the institution, and*
4 *shall annually submit the signed attestation to*
5 *the Secretary.*

6 *“(C) AVAILABILITY.—The institution will*
7 *make the code of conduct widely available to the*
8 *institution’s faculty members, students, and par-*
9 *ents through a variety of means, including the*
10 *institution’s website.”;*

11 *(C) in paragraph (24) (as redesignated by*
12 *subparagraph (A)), by adding at the end the fol-*
13 *lowing:*

14 *“(D) In the case of a proprietary institu-*
15 *tion of higher education as defined in section*
16 *102(b), the institution shall be considered in*
17 *compliance with the requirements of subpara-*
18 *graph (A) for any student to whom the institu-*
19 *tion electronically transmits a message con-*
20 *taining a voter registration form acceptable for*
21 *use in the State in which the institution is lo-*
22 *ated, or an Internet address where such a form*
23 *can be downloaded, if such information is in an*
24 *electronic message devoted solely to voter reg-*
25 *istration.”; and*

1 (D) by adding at the end the following:

2 “(25) In the case of a proprietary institution of
3 higher education as defined in section 102(b), the in-
4 stitution will, as calculated in accordance with sub-
5 section (h)(1), have not less than 10 percent of its rev-
6 enues from sources other than funds provided under
7 this title, or will be subject to the sanctions described
8 in subsection (h)(2).

9 “(26) *PREFERRED LENDER LISTS.*—

10 “(A) *IN GENERAL.*—In the case of an insti-
11 tution (including an employee or agent of an in-
12 stitution) that maintains a preferred lender list,
13 in print or any other medium, through which the
14 institution recommends one or more specific
15 lenders for loans made under part B to the stu-
16 dents attending the institution (or the parents of
17 such students), the institution will—

18 “(i) clearly and fully disclose on the
19 preferred lender list—

20 “(I) why the institution has in-
21 cluded each lender as a preferred lend-
22 er, especially with respect to terms and
23 conditions favorable to the borrower;
24 and

1 “(II) that the students attending
2 the institution (or the parents of such
3 students) do not have to borrow from a
4 lender on the preferred lender list;

5 “(ii) ensure, through the use of the list
6 provided by the Secretary under subpara-
7 graph (C), that—

8 “(I) there are not less than 3 lend-
9 ers named on the preferred lending list
10 that are not affiliates of each other;
11 and

12 “(II) the preferred lender list—

13 “(aa) specifically indicates,
14 for each lender on the list, whether
15 the lender is or is not an affiliate
16 of each other lender on the list;
17 and

18 “(bb) if the lender is an affil-
19 iate of another lender on the list,
20 describes the specifics of such af-
21 filiation; and

22 “(iii) establish a process to ensure that
23 lenders are placed upon the preferred lender
24 list on the basis of the benefits provided to
25 borrowers, including —

1 “(I) *highly competitive interest*
2 *rates, terms, or conditions for loans*
3 *made under part B;*

4 “(II) *high-quality customer serv-*
5 *ice for such loans; or*

6 “(III) *additional benefits beyond*
7 *the standard terms and conditions for*
8 *such loans.*

9 “(B) *DEFINITION OF AFFILIATE; CON-*
10 *TROL.—*

11 “(i) *DEFINITION OF AFFILIATE.—For*
12 *the purposes of subparagraph (A)(ii) the*
13 *term ‘affiliate’ means a person that con-*
14 *trols, is controlled by, or is under common*
15 *control with, another person.*

16 “(ii) *CONTROL.—For purposes of sub-*
17 *paragraph (A)(ii), a person has control over*
18 *another person if—*

19 “(I) *the person directly or indi-*
20 *rectly, or acting through 1 or more oth-*
21 *ers, owns, controls, or has the power to*
22 *vote 5 percent or more of any class of*
23 *voting securities of such other person;*

24 “(II) *the person controls, in any*
25 *manner, the election of a majority of*

1 *the directors or trustees of such other*
2 *person; or*

3 “(III) *the Secretary determines*
4 *(after notice and opportunity for a*
5 *hearing) that the person directly or in-*
6 *directly exercises a controlling interest*
7 *over the management or policies of*
8 *such other person.*

9 “(C) *LIST OF LENDER AFFILIATES.—The*
10 *Secretary, in consultation with the Director of*
11 *the Federal Deposit Insurance Corporation, shall*
12 *maintain and update a list of lender affiliates of*
13 *all eligible lenders, and shall provide such list to*
14 *the eligible institutions for use in carrying out*
15 *subparagraph (A).”;*

16 (2) *in subsection (c)(1)(A)(i), by inserting “, ex-*
17 *cept that the Secretary may modify the requirements*
18 *of this clause with regard to an institution outside the*
19 *United States” before the semicolon at the end;*

20 (3) *by redesignating subsections (d) and (e) as*
21 *subsection (f) and (g), respectively;*

22 (4) *by inserting after subsection (c) the fol-*
23 *lowing:*

24 “(d) *INSTITUTIONAL REQUIREMENTS FOR TEACH-*
25 *OUTS.—*

1 “(1) *IN GENERAL.*—*In the event the Secretary*
2 *initiates the limitation, suspension, or termination of*
3 *the participation of an institution of higher education*
4 *in any program under this title under the authority*
5 *of subsection (c)(1)(F) or initiates an emergency ac-*
6 *tion under the authority of subsection (c)(1)(G) and*
7 *its prescribed regulations, the Secretary shall require*
8 *that institution to prepare a teach-out plan for sub-*
9 *mission to the institution’s accrediting agency or as-*
10 *sociation in compliance with section 496(c)(4), the*
11 *Secretary’s regulations on teach-out plans, and the*
12 *standards of the institution’s accrediting agency or*
13 *association.*

14 “(2) *TEACH-OUT PLAN DEFINED.*—*In this sub-*
15 *section, the term ‘teach-out plan’ means a written*
16 *plan that provides for the equitable treatment of stu-*
17 *dents if an institution of higher education ceases to*
18 *operate before all students have completed their pro-*
19 *gram of study, and may include, if required by the*
20 *institution’s accrediting agency or association, an*
21 *agreement between institutions for such a teach-out*
22 *plan.*

23 “(e) *VIOLATION OF CODE OF CONDUCT REGARDING*
24 *STUDENT LOANS.*—

1 “(1) *IN GENERAL.*—Upon a finding by the Sec-
2 retary, after reasonable notice and an opportunity for
3 a hearing, that an institution of higher education
4 that has entered into a program participation agree-
5 ment with the Secretary under subsection (a) willfully
6 contravened the institution’s attestation of compliance
7 with the provisions of subsection (a)(21), the Sec-
8 retary may impose a penalty described in paragraph
9 (2).

10 “(2) *PENALTIES.*—A violation of paragraph (1)
11 shall result in the limitation, suspension, or termi-
12 nation of the eligibility of the institution for the loan
13 programs under this title.”; and

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

15 “(h) *IMPLEMENTATION OF NONTITLE IV REVENUE RE-*
16 *QUIREMENT.*—

17 “(1) *CALCULATION.*—In carrying out subsection
18 (a)(27), a proprietary institution of higher education
19 (as defined in section 102(b)) shall use the cash basis
20 of accounting and count the following funds as from
21 sources of funds other than funds provided under this
22 title:

23 “(A) *Funds used by students from sources*
24 *other than funds received under this title to pay*
25 *tuition, fees, and other institutional charges to*

1 *the institution, provided the institution can rea-*
2 *sonably demonstrate that such funds were used*
3 *for such purposes.*

4 “(B) *Funds used by the institution to sat-*
5 *isfy matching-fund requirements for programs*
6 *under this title.*

7 “(C) *Funds used by a student from savings*
8 *plans for educational expenses established by or*
9 *on behalf of the student and which qualify for*
10 *special tax treatment under the Internal Revenue*
11 *Code of 1986.*

12 “(D) *Funds paid by a student, or on behalf*
13 *of a student by a party other than the institu-*
14 *tion, to the institution for an education or train-*
15 *ing program that is not eligible for funds under*
16 *this title, provided that the program is approved*
17 *or licensed by the appropriate State agency or*
18 *an accrediting agency recognized by the Sec-*
19 *retary.*

20 “(E) *Funds generated by the institution*
21 *from institutional activities that are necessary*
22 *for the education and training of the institu-*
23 *tion’s students, if such activities are—*

24 “(i) *conducted on campus or at a facil-*
25 *ity under the control of the institution;*

1 “(ii) performed under the supervision
2 of a member of the institution’s faculty; and

3 “(iii) required to be performed by all
4 students in a specific educational program
5 at the institution.

6 “(F) Institutional aid, as follows:

7 “(i) In the case of loans made by the
8 institution, only the amount of loan repay-
9 ments received by the institution during the
10 fiscal year for which the determination is
11 made.

12 “(ii) In the case of scholarships pro-
13 vided by the institution, only those scholar-
14 ship funds provided by the institution that
15 are—

16 “(I) in the form of monetary aid
17 based upon the academic achievements
18 or financial need of students; and

19 “(II) disbursed during the fiscal
20 year for which the determination is
21 made from an established restricted ac-
22 count and only to the extent that the
23 funds in that account represent des-
24 ignated funds from an outside source
25 or income earned on those funds.

1 “(iii) *In the case of tuition discounts,*
2 *only those tuition discounts based upon the*
3 *academic achievement or financial need of*
4 *students.*

5 “(2) *SANCTIONS.—*

6 “(A) *FAILURE TO MEET REQUIREMENT FOR*
7 *1 YEAR.—In addition to such other means of en-*
8 *forcing the requirements of this title as may be*
9 *available to the Secretary, if an institution fails*
10 *to meet the requirements of subsection (a)(27) in*
11 *any year, the Secretary may impose 1 or both of*
12 *the following sanctions on the institution:*

13 “(i) *Place the institution on provi-*
14 *sional certification in accordance with sec-*
15 *tion 498(h) until the institution dem-*
16 *onstrates, to the satisfaction of the Sec-*
17 *retary, that it is in compliance with sub-*
18 *section (a)(27).*

19 “(ii) *Require such other increased*
20 *monitoring and reporting requirements as*
21 *the Secretary determines necessary until the*
22 *institution demonstrates, to the satisfaction*
23 *of the Secretary, that it is in compliance*
24 *with subsection (a)(27).*

1 “(B) *FAILURE TO MEET REQUIREMENT FOR*
2 *2 YEARS.—An institution that fails to meet the*
3 *requirements of subsection (a)(27) for 2 consec-*
4 *utive years shall be ineligible to participate in the*
5 *programs authorized under this title until the*
6 *institution demonstrates, to the satisfaction of*
7 *the Secretary, that it is in compliance with sub-*
8 *section (a)(27).*”

9 “(3) *PUBLIC AVAILABILITY OF INFORMATION.—*
10 *The Secretary shall make publicly available, through*
11 *the means described in subsection (b) of section 131,*
12 *any institution that fails to meet the requirements of*
13 *subsection (a)(27) in any year as an institution that*
14 *is failing to meet the minimum non-Federal source of*
15 *revenue requirements of such subsection (a)(27).”.*

16 **SEC. 482. REGULATORY RELIEF AND IMPROVEMENT.**

17 *Section 487A(b) (20 U.S.C. 1094a(b)) is amended—*

18 *(1) in paragraph (1)—*

19 *(A) by striking “1998” and inserting*
20 *“2007”; and*

21 *(B) by striking “1999” and inserting*
22 *“2008”; and*

23 *(2) by striking the matter preceding paragraph*
24 *(2)(A) and inserting the following:*

1 “(2) *REPORT.*—*The Secretary shall review and*
2 *evaluate the experience of institutions participating*
3 *as experimental sites and shall, on a biennial basis,*
4 *submit a report based on the review and evaluation*
5 *to the authorizing committees. Such report shall in-*
6 *clude—*”; and

7 (3) *in paragraph (3)—*

8 (A) *in subparagraph (A)—*

9 (i) *by striking “Upon the submission*
10 *of the report required by paragraph (2),*
11 *the” and inserting “The”; and*

12 (ii) *by inserting “periodically” after*
13 *“authorized to”;*

14 (B) *by striking subparagraph (B);*

15 (C) *by redesignating subparagraph (C) as*
16 *subparagraph (B); and*

17 (D) *in subparagraph (B) (as redesignated*
18 *by subparagraph (C))—*

19 (i) *by inserting “, including require-*
20 *ments related to the award process and dis-*
21 *bursement of student financial aid (such as*
22 *innovative delivery systems for modular or*
23 *compressed courses, or other innovative sys-*
24 *tems), verification of student financial aid*
25 *application data, entrance and exit inter-*

1 *views, or other management procedures or*
2 *processes as determined in the negotiated*
3 *rulemaking process under section 492” after*
4 *“requirements in this title”;*

5 *(ii) by inserting “(other than an*
6 *award rule related to an experiment in*
7 *modular or compressed schedules)” after*
8 *“award rules”; and*

9 *(iii) by inserting “unless the waiver of*
10 *such provisions is authorized by another*
11 *provision under this title” before the period*
12 *at the end.*

13 **SEC. 483. TRANSFER OF ALLOTMENTS.**

14 *Section 488 (20 U.S.C. 1095) is amended in the first*
15 *sentence—*

16 *(1) in paragraph (1), by striking “and” after the*
17 *semicolon;*

18 *(2) in paragraph (2), by striking “413D.” and*
19 *inserting “413D; and”;* and

20 *(3) by adding at the end “(3) transfer 25 percent*
21 *of the institution’s allotment under section 413D to*
22 *the institution’s allotment under section 442.”.*

1 **SEC. 484. PURPOSE OF ADMINISTRATIVE PAYMENTS.**

2 *Section 489(b) (20 U.S.C. 1096(b)) is amended by*
3 *striking “offsetting the administrative costs of” and insert-*
4 *ing “administering”.*

5 **SEC. 485. ADVISORY COMMITTEE ON STUDENT FINANCIAL**
6 **ASSISTANCE.**

7 *Section 491 (20 U.S.C. 1098) is amended—*

8 *(1) in subsection (a)(2)—*

9 *(A) in subparagraph (B), by striking “and”*
10 *after the semicolon;*

11 *(B) in subparagraph (C), by striking the*
12 *period and inserting a semicolon; and*

13 *(C) by adding at the end the following:*

14 *“(D) to provide knowledge and under-*
15 *standing of early intervention programs, and to*
16 *make recommendations that will result in early*
17 *awareness by low- and moderate-income students*
18 *and families—*

19 *“(i) of their eligibility for assistance*
20 *under this title; and*

21 *“(ii) to the extent practicable, of their*
22 *eligibility for other forms of State and insti-*
23 *tutional need-based student assistance; and*

24 *“(E) to make recommendations that will ex-*
25 *pand and improve partnerships among the Fed-*
26 *eral Government, States, institutions of higher*

1 *education, and private entities to increase the*
2 *awareness and the total amount of need-based*
3 *student assistance available to low- and mod-*
4 *erate-income students.”;*

5 *(2) in subsection (c), by adding at the end the*
6 *following:*

7 *“(3) The appointment of a member under subpara-*
8 *graph (A) or (B) of paragraph (1) shall be effective upon*
9 *confirmation of the member by the Senate and publication*
10 *of such appointment in the Congressional Record.”;*

11 *(3) in subsection (d)(6), by striking “, but noth-*
12 *ing” and all that follows through “or analyses”;*

13 *(4) in subsection (j)—*

14 *(A) in paragraph (1)—*

15 *(i) by inserting “and simplification”*
16 *after “modernization” each place the term*
17 *appears; and*

18 *(ii) by striking “including” and all*
19 *that follows through “Department,”; and*

20 *(B) by striking paragraphs (4) and (5) and*
21 *inserting the following:*

22 *“(4) conduct a review and analysis of regula-*
23 *tions in accordance with subsection (l); and*

24 *“(5) conduct a study in accordance with sub-*
25 *section (m).”;*

1 (5) in subsection (k), by striking “2004” and in-
2 serting “2013”; and

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

4 “(l) *REVIEW AND ANALYSIS OF REGULATIONS.*—

5 “(1) *RECOMMENDATIONS.*—*The Advisory Com-*
6 *mittee shall make recommendations to the Secretary*
7 *and Congress for consideration of future legislative*
8 *action regarding redundant or outdated regulations*
9 *under this title, consistent with the Secretary’s re-*
10 *quirements under section 498B.*

11 “(2) *REVIEW AND ANALYSIS OF REGULATIONS.*—

12 *The Advisory Committee shall conduct a review and*
13 *analysis of the regulations issued under this title that*
14 *are in effect at the time of the review and that apply*
15 *to the operations or activities of participants in the*
16 *programs assisted under this title. The review and*
17 *analysis may include a determination of whether the*
18 *regulation is duplicative, is no longer necessary, is*
19 *inconsistent with other Federal requirements, or is*
20 *overly burdensome. In conducting the review, the Ad-*
21 *visory Committee shall pay specific attention to eval-*
22 *uating ways in which regulations under this title af-*
23 *fecting institutions of higher education (other than*
24 *institutions described in section 102(a)(1)(C)), that*
25 *have received in each of the 2 most recent award*

1 *years prior to the date of enactment of the Higher*
2 *Education Amendments of 2007 less than \$200,000 in*
3 *funds through this title, may be improved, stream-*
4 *lined, or eliminated.*

5 *“(3) CONSULTATION.—*

6 *“(A) IN GENERAL.—In carrying out the re-*
7 *view and analysis under paragraph (2), the Ad-*
8 *visory Committee shall consult with the Sec-*
9 *retary, relevant representatives of institutions of*
10 *higher education, and individuals who have ex-*
11 *pertise and experience with the regulations*
12 *issued under this title, in accordance with sub-*
13 *paragraph (B).*

14 *“(B) REVIEW PANELS.—The Advisory Com-*
15 *mittee shall convene not less than 2 review pan-*
16 *els of representatives of the groups involved in*
17 *student financial assistance programs under this*
18 *title who have experience and expertise in the*
19 *regulations issued under this title to review the*
20 *regulations under this title, and to provide rec-*
21 *ommendations to the Advisory Committee with*
22 *respect to the review and analysis under para-*
23 *graph (2). The panels shall be made up of ex-*
24 *perts in areas such as the operations of the fi-*
25 *nancial assistance programs, the institutional*

1 *eligibility requirements for the financial assist-*
2 *ance programs, regulations not directly related*
3 *to the operations or the institutional eligibility*
4 *requirements of the financial assistance pro-*
5 *grams, and regulations for dissemination of in-*
6 *formation to students about the financial assist-*
7 *ance programs.*

8 “(4) *REPORTS TO CONGRESS.*—*The Advisory*
9 *Committee shall submit, not later than 2 years after*
10 *the completion of the negotiated rulemaking process*
11 *required under section 492 resulting from the amend-*
12 *ments to this Act made by the Higher Education*
13 *Amendments of 2007, a report to the authorizing*
14 *committees and the Secretary detailing the expert*
15 *panels’ findings and recommendations with respect to*
16 *the review and analysis under paragraph (2).*

17 “(5) *ADDITIONAL SUPPORT.*—*The Secretary and*
18 *the Inspector General of the Department shall provide*
19 *such assistance and resources to the Advisory Com-*
20 *mittee as the Secretary and Inspector General deter-*
21 *mine are necessary to conduct the review required by*
22 *this subsection.*

23 “(m) *STUDY OF INNOVATIVE PATHWAYS TO BACCA-*
24 *LAUREATE DEGREE ATTAINMENT.*—

1 “(1) *STUDY REQUIRED.*—*The Advisory Com-*
2 *mittee shall conduct a study of the feasibility of in-*
3 *creasing baccalaureate degree attainment rates by re-*
4 *ducing the costs and financial barriers to attaining*
5 *a baccalaureate degree through innovative programs.*

6 “(2) *SCOPE OF STUDY.*—*The Advisory Com-*
7 *mittee shall examine new and existing programs that*
8 *promote baccalaureate degree attainment through in-*
9 *novative ways, such as dual or concurrent enrollment*
10 *programs, changes made to the Federal Pell Grant*
11 *program, simplification of the needs analysis process,*
12 *compressed or modular scheduling, articulation agree-*
13 *ments, and programs that allow 2-year institutions of*
14 *higher education to offer baccalaureate degrees.*

15 “(3) *REQUIRED ASPECTS OF THE STUDY.*—*In*
16 *performing the study described in this subsection, the*
17 *Advisory Committee shall examine the following as-*
18 *pects of such innovative programs:*

19 “(A) *The impact of such programs on bac-*
20 *calaureate attainment rates.*

21 “(B) *The degree to which a student’s total*
22 *cost of attaining a baccalaureate degree can be*
23 *reduced by such programs.*

1 “(C) *The ways in which low- and moderate-*
2 *income students can be specifically targeted by*
3 *such programs.*

4 “(D) *The ways in which nontraditional stu-*
5 *dents can be specifically targeted by such pro-*
6 *grams.*

7 “(E) *The cost-effectiveness for the Federal*
8 *Government, States, and institutions of higher*
9 *education to implement such programs.*

10 “(4) *CONSULTATION.—*

11 “(A) *IN GENERAL.—In performing the*
12 *study described in this subsection the Advisory*
13 *Committee shall consult with a broad range of*
14 *interested parties in higher education, including*
15 *parents, students, appropriate representatives of*
16 *secondary schools and institutions of higher edu-*
17 *cation, appropriate State administrators, ad-*
18 *ministrators of dual or concurrent enrollment*
19 *programs, and appropriate Department officials.*

20 “(B) *CONGRESSIONAL CONSULTATION.—The*
21 *Advisory Committee shall consult on a regular*
22 *basis with the authorizing committees in car-*
23 *rying out the study required by this section.*

24 “(5) *REPORTS TO CONGRESS.—*

1 “(A) *INTERIM REPORT.*—*The Advisory*
2 *Committee shall prepare and submit to the au-*
3 *thorizing committees and the Secretary an in-*
4 *terim report, not later than 1 year after the date*
5 *of enactment of the Higher Education Amend-*
6 *ments of 2007, describing the progress that has*
7 *been made in conducting the study required by*
8 *this subsection and any preliminary findings on*
9 *the topics identified under paragraph (2).*”

10 “(B) *FINAL REPORT.*—*The Advisory Com-*
11 *mittee shall, not later than 3 years after the date*
12 *of enactment of the Higher Education Amend-*
13 *ments of 2007, prepare and submit to the au-*
14 *thorizing committees and the Secretary a final*
15 *report on the study, including recommendations*
16 *for legislative, regulatory, and administrative*
17 *changes based on findings related to the topics*
18 *identified under paragraph (2).”.*”

19 **SEC. 486. REGIONAL MEETINGS.**

20 *Section 492(a)(1) (20 U.S.C. 1098a(a)(1)) is amended*
21 *by inserting “State student grant agencies,” after “institu-*
22 *tions of higher education,”.*”

23 **SEC. 487. YEAR 2000 REQUIREMENTS AT THE DEPARTMENT.**

24 “(a) *REPEAL.*—*Section 493A (20 U.S.C. 1098c) is re-*
25 *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 inserting
9 the following:

10 “(4)(A) such agency or association consistently
11 applies and enforces standards that respect the stated
12 mission of the institution of higher education, includ-
13 ing religious missions, and that ensure that the
14 courses or programs of instruction, training, or study
15 offered by the institution of higher education, includ-
16 ing distance education courses or programs, are of
17 sufficient quality to achieve, for the duration of the
18 accreditation period, the stated objective for which the
19 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 offering
23 distance education, such agency or association shall,
24 in addition to meeting the other requirements of this
25 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 associa-
5 tion shall not be required to have separate stand-
6 ards, procedures or policies for the evaluation of
7 distance education institutions or programs in
8 order to meet the requirements of this subpara-
9 graph; and

10 “(ii) the agency or association requires an
11 institution that offers distance education to have
12 processes through which the institution estab-
13 lishes that the student who registers in a distance
14 education course or program is the same student
15 who participates in and completes the program
16 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 achieve-
20 ment in relation to the institution’s mission,
21 which may include different standards for dif-
22 ferent institutions or programs, as established by
23 the institution, including, as appropriate, con-
24 sideration of State licensing examinations and
25 job placement rates;”;

1 (C) by striking paragraph (6) and inserting
2 the following:

3 “(6) such an agency or association shall establish
4 and apply review procedures throughout the accred-
5 iting process, including evaluation and withdrawal
6 proceedings which comply with due process procedures
7 that provide for—

8 “(A) adequate specification of requirements
9 and deficiencies at the institution of higher edu-
10 cation 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 institu-
16 tion, an opportunity for the institution to appeal
17 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 de-
24 cision-making body that made the adverse
25 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 avail-
9 able to the public and the State licensing or author-
10 izing agency, and submit to the Secretary, a sum-
11 mary of agency or association actions, including—

12 “(A) the award of accreditation or re-
13 accreditation of an institution;

14 “(B) final denial, withdrawal, suspension,
15 or termination of accreditation, or placement on
16 probation of an institution, and any findings
17 made in connection with the action taken, to-
18 gether with the official comments of the affected
19 institution; and

20 “(C) any other adverse action taken with
21 respect to an institution.”;

22 (2) in subsection (c)—

23 (A) in paragraph (1), by inserting “, in-
24 cluding those regarding distance education” after
25 “their responsibilities”;

1 (B) by redesignating paragraphs (2)
2 through (6) as paragraphs (5) through (9);

3 (C) by inserting after paragraph (1) (as
4 amended by subparagraph (A)) the following:

5 “(2) ensures that the agency or association’s on-
6 site evaluation for accreditation or reaccreditation in-
7 cludes review of the Federally required information
8 the institution or program provides its current and
9 prospective students;

10 “(3) monitors the growth of programs at institu-
11 tions that are experiencing significant enrollment
12 growth;

13 “(4) requires an institution to submit a teach-
14 out plan for approval to the accrediting agency upon
15 the occurrence of any of the following events:

16 “(A) The Department notifies the accred-
17 iting agency of an action against the institution
18 pursuant to section 487(d).

19 “(B) The accrediting agency acts to with-
20 draw, terminate, or suspend the accreditation of
21 an institution.

22 “(C) The institution notifies the accrediting
23 agency that the institution intends to cease oper-
24 ations.”;

1 (D) in paragraph (8) (as redesignated by
2 subparagraph (B)), by striking “and” after the
3 semicolon;

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

7 (F) by adding at the end the following:

8 “(10) confirms, as a part of the agency or asso-
9 ciation’s review for accreditation or reaccreditation,
10 that the institution has transfer of credit policies—

11 “(A) that are publicly disclosed; and

12 “(B) that include a statement of the criteria
13 established by the institution regarding the
14 transfer of credit earned at another institution of
15 higher education.”;

16 (3) in subsection (g), by adding at the end the
17 following: “Nothing in this section shall be construed
18 to permit the Secretary to establish any criteria that
19 specifies, defines, or prescribes the standards that ac-
20 crediting agencies or associations shall use to assess
21 any institution’s success with respect to student
22 achievement.”; and

23 (4) in subsection (o), by adding at the end the
24 following: “Notwithstanding any other provision of

1 *law, the Secretary shall not promulgate any regula-*
2 *tion with respect to subsection (a)(5).”.*

3 **SEC. 492. ADMINISTRATIVE CAPACITY STANDARD.**

4 *Section 498 (20 U.S.C. 1099c) is amended—*

5 *(1) in subsection (d)(1)(B), by inserting “and”*
6 *after the semicolon; and*

7 *(2) by adding at the end the following:*

8 *“(k) TREATMENT OF TEACH-OUTS AT ADDITIONAL LO-*
9 *CATIONS.—*

10 *“(1) IN GENERAL.—A location of a closed insti-*
11 *tution of higher education shall be eligible as an addi-*
12 *tional location of an eligible institution of higher edu-*
13 *cation, as defined pursuant to regulations of the Sec-*
14 *retary, for the purposes of a teach-out, if such teach-*
15 *out has been approved by the institution’s accrediting*
16 *agency.*

17 *“(2) SPECIAL RULE.—An institution of higher*
18 *education that conducts a teach-out through the estab-*
19 *lishment of an additional location described in para-*
20 *graph (1) shall be permitted to establish a permanent*
21 *additional location at a closed institution and shall*
22 *not be required—*

23 *“(A) to meet the requirements of sections*
24 *102(b)(1)(E) and 102(c)(1)(C) for such addi-*
25 *tional location; or*

1 “(B) to assume the liabilities of the closed
2 institution.”.

3 **SEC. 493. PROGRAM REVIEW AND DATA.**

4 Section 498A(b) (20 U.S.C. 1099c-1(b)) is amended—

5 (1) in paragraph (4), by striking “and” after the
6 semicolon;

7 (2) in paragraph (5) by striking the period and
8 inserting a semicolon; and

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

10 “(6) provide to an institution of higher edu-
11 cation an adequate opportunity to review and re-
12 spond to any program review report and relevant ma-
13 terials related to the report before any final program
14 review report is issued;

15 “(7) review and take into consideration an insti-
16 tution of higher education’s response in any final
17 program review report or audit determination, and
18 include in the report or determination—

19 “(A) a written statement addressing the in-
20 stitution of higher education’s response;

21 “(B) a written statement of the basis for
22 such report or determination; and

23 “(C) a copy of the institution’s response;
24 and

1 “(8) maintain and preserve at all times the con-
2 fidentiality of any program review report until the
3 requirements of paragraphs (6) and (7) are met, and
4 until a final program review is issued, other than to
5 the extent required to comply with paragraph (5), ex-
6 cept that the Secretary shall promptly disclose any
7 and all program review reports to the institution of
8 higher education under review.”.

9 **SEC. 494. TIMELY INFORMATION ABOUT LOANS.**

10 (a) *IN GENERAL.*—Title IV (20 U.S.C. 1070 et seq.)
11 is further amended by adding at the end the following:

12 **“SEC. 499A. ACCESS TO TIMELY INFORMATION ABOUT**
13 **LOANS.**

14 “(a) *REGULAR BILL PROVIDING PERTINENT INFORMA-*
15 *TION ABOUT A LOAN.*—A lender of a loan made, insured,
16 or guaranteed under this title shall provide the borrower
17 of such loan a bill each month or, in the case of a loan
18 payable less frequently than monthly, a bill that cor-
19 responds to each payment installment time period, includ-
20 ing a clear and conspicuous notice of—

21 “(1) the borrower’s principal borrowed;

22 “(2) the borrower’s current balance;

23 “(3) the interest rate on such loan;

24 “(4) the amount the borrower has paid in inter-
25 est;

1 “(5) the amount of additional interest payments
2 the borrower is expected to pay over the life of the
3 loan;

4 “(6) the total amount the borrower has paid for
5 the loan, including the amount the borrower has paid
6 in interest, the amount the borrower has paid in fees,
7 and the amount the borrower has paid against the
8 balance, in a brief, borrower-friendly manner;

9 “(7) a description of each fee the borrower has
10 been charged for the current payment period;

11 “(8) the date by which the borrower needs to
12 make a payment in order to avoid additional fees;

13 “(9) the amount of such payment that will be
14 applied to the interest, the balance, and any fees on
15 the loan; and

16 “(10) the lender’s address and toll-free phone
17 number for payment and billing error purposes.

18 “(b) *INFORMATION PROVIDED BEFORE COMMENCE-*
19 *MENT OF REPAYMENT.*—A lender of a loan made, insured,
20 or guaranteed under this title shall provide to the borrower
21 of such loan, at least one month before the loan enters repay-
22 ment, a clear and conspicuous notice of not less than the
23 following information:

1 “(1) *The borrower’s options, including repay-*
2 *ment plans, deferments, forbearances, and discharge*
3 *options to which the borrower may be entitled.*

4 “(2) *The conditions under which a borrower may*
5 *be charged any fee, and the amount of such fee.*

6 “(3) *The conditions under which a loan may de-*
7 *fault, and the consequences of default.*

8 “(4) *Resources, including nonprofit organiza-*
9 *tions, advocates, and counselors (including the Office*
10 *of the Ombudsman at the Department), where bor-*
11 *rowers can receive advice and assistance, if such re-*
12 *sources exist.*

13 “(c) *INFORMATION PROVIDED DURING DELIN-*
14 *QUENCY.—In addition to any other information required*
15 *under law, a lender of a loan made, insured, or guaranteed*
16 *under this title shall provide a borrower in delinquency*
17 *with a clear and conspicuous notice of the date on which*
18 *the loan will default if no payment is made, the minimum*
19 *payment that must be made to avoid default, discharge op-*
20 *tions to which the borrower may be entitled, resources, in-*
21 *cluding nonprofit organizations, advocates, and counselors*
22 *(including the Office of the Ombudsman at the Depart-*
23 *ment), where borrowers can receive advice and assistance,*
24 *if such resources exist.*

1 “(d) *INFORMATION PROVIDED DURING DEFAULT.*—A
2 lender of a loan made, insured, or guaranteed under this
3 title shall provide a borrower in default, on not less than
4 2 separate occasions, with a clear and conspicuous notice
5 of not less than the following information:

6 “(1) *The options available to the borrower to be*
7 *removed from default.*

8 “(2) *The relevant fees and conditions associated*
9 *with each option.*”.

10 **SEC. 495. AUCTION EVALUATION AND REPORT.**

11 (a) *EVALUATION.*—If Congress enacts an Act that au-
12 thorizes the Secretary of Education to carry out a pilot pro-
13 gram under which the Secretary establishes a mechanism
14 for an auction of Federal PLUS Loans, then the Comp-
15 troller General shall evaluate such pilot program. The eval-
16 uation shall determine—

17 (1) *the extent of the savings to the Federal Gov-*
18 *ernment that are generated through the pilot pro-*
19 *gram, compared to the cost the Federal Government*
20 *would have incurred in operating the parent loan*
21 *program under section 428B of the Higher Education*
22 *Act of 1965 in the absence of the pilot program;*

23 (2) *the number of lenders that participated in*
24 *the pilot program, and the extent to which the pilot*

1 *program generated competition among lenders to par-*
2 *ticipate in the auctions under the pilot program;*

3 *(3) the effect of the transition to and operation*
4 *of the pilot program on the ability of—*

5 *(A) lenders participating in the pilot pro-*
6 *gram to originate loans made through the pilot*
7 *program smoothly and efficiently;*

8 *(B) institutions of higher education partici-*
9 *pating in the pilot program to disburse loans*
10 *made through the pilot program smoothly and ef-*
11 *ficiently; and*

12 *(C) the ability of parents to obtain loans*
13 *made through the pilot program in a timely and*
14 *efficient manner;*

15 *(4) the differential impact, if any, of the auction*
16 *among the States, including between rural and non-*
17 *rural States; and*

18 *(5) the feasibility of using the mechanism piloted*
19 *to operate the other loan programs under part B of*
20 *title IV of the Higher Education Act of 1965.*

21 *(b) REPORTS.—The Comptroller General shall—*

22 *(1) not later than September 1, 2010, submit to*
23 *the authorizing committees (as defined in section 103*
24 *of the Higher Education Act of 1965 (20 U.S.C.*

1 1003)) a preliminary report regarding the findings of
2 the evaluation described in subsection (a);

3 (2) not later than September 1, 2012, submit to
4 the authorizing committees an interim report regard-
5 ing such findings; and

6 (3) not later than September 1, 2014, submit to
7 the authorizing committees a final report regarding
8 such findings.

9 **TITLE V—DEVELOPING** 10 **INSTITUTIONS**

11 **SEC. 501. AUTHORIZED ACTIVITIES.**

12 Section 503(b) (20 U.S.C. 1101b(b)) is amended—

13 (1) by redesignating paragraphs (6) through (14)
14 as paragraphs (8) through (16), respectively;

15 (2) in paragraph (5), by inserting “, including
16 innovative, customized remedial education and
17 English language instruction courses designed to help
18 retain students and move the students rapidly into
19 core courses and through program completion” before
20 the period at the end;

21 (3) by inserting after paragraph (5) the fol-
22 lowing:

23 “(6) Education or counseling services designed to
24 improve the financial literacy and economic literacy
25 of students or the students’ parents.

1 “(7) *Articulation agreements and student sup-*
2 *port programs designed to facilitate the transfer from*
3 *2-year to 4-year institutions.*”; and

4 (4) *in paragraph (12) (as redesignated by para-*
5 *graph (1)), by striking “distance learning academic*
6 *instruction capabilities” and inserting “distance edu-*
7 *cation technologies”.*

8 **SEC. 502. POSTBACCALAUREATE OPPORTUNITIES FOR HIS-**
9 **PANIC AMERICANS.**

10 (a) *ESTABLISHMENT OF PROGRAM.—Title V (20*
11 *U.S.C. 1101 et seq.) is amended—*

12 (1) *by redesignating part B as part C;*

13 (2) *by redesignating sections 511 through 518 as*
14 *sections 521 through 528, respectively; and*

15 (3) *by inserting after section 505 the following:*

16 **“PART B—PROMOTING POSTBACCALAUREATE**
17 **OPPORTUNITIES FOR HISPANIC AMERICANS**

18 **“SEC. 511. PROGRAM AUTHORITY AND ELIGIBILITY.**

19 “(a) *PROGRAM AUTHORIZED.—Subject to the avail-*
20 *ability of funds appropriated to carry out this part, the*
21 *Secretary shall award grants, on a competitive basis, to eli-*
22 *gible institutions to enable the eligible institutions to carry*
23 *out the authorized activities described in section 512.*

1 “(b) *ELIGIBILITY.*—For the purposes of this part, an
2 *‘eligible institution’* means an institution of higher edu-
3 cation that—

4 “(1) is a Hispanic-serving institution (as de-
5 fined in section 502); and

6 “(2) offers a postbaccalaureate certificate or de-
7 gree granting program.

8 **“SEC. 512. AUTHORIZED ACTIVITIES.**

9 “Grants awarded under this part shall be used for 1
10 or more of the following activities:

11 “(1) Purchase, rental, or lease of scientific or
12 laboratory equipment for educational purposes, in-
13 cluding instructional and research purposes.

14 “(2) Construction, maintenance, renovation, and
15 improvement in classroom, library, laboratory, and
16 other instructional facilities, including purchase or
17 rental of telecommunications technology equipment or
18 services.

19 “(3) Purchase of library books, periodicals, tech-
20 nical and other scientific journals, microfilm, micro-
21 fiche, and other educational materials, including tele-
22 communications program materials.

23 “(4) Support for needy postbaccalaureate stu-
24 dents, including outreach, academic support services,
25 mentoring, scholarships, fellowships, and other finan-

1 *cial assistance, to permit the enrollment of such stu-*
2 *dents in postbaccalaureate certificate and degree*
3 *granting programs.*

4 *“(5) Support of faculty exchanges, faculty devel-*
5 *opment, faculty research, curriculum development,*
6 *and academic instruction.*

7 *“(6) Creating or improving facilities for Internet*
8 *or other distance education technologies, including*
9 *purchase or rental of telecommunications technology*
10 *equipment or services.*

11 *“(7) Collaboration with other institutions of*
12 *higher education to expand postbaccalaureate certifi-*
13 *cate and degree offerings.*

14 *“(8) Other activities proposed in the application*
15 *submitted pursuant to section 513 that are approved*
16 *by the Secretary as part of the review and acceptance*
17 *of such application.*

18 **“SEC. 513. APPLICATION AND DURATION.**

19 *“(a) APPLICATION.—Any eligible institution may*
20 *apply for a grant under this part by submitting an appli-*
21 *cation to the Secretary at such time and in such manner*
22 *as the Secretary may require. Such application shall dem-*
23 *onstrate how the grant funds will be used to improve*
24 *postbaccalaureate education opportunities for Hispanic*

1 *and low-income students and will lead to such students’*
2 *greater financial independence.*

3 “(b) *DURATION.*—*Grants under this part shall be*
4 *awarded for a period not to exceed 5 years.*

5 “(c) *LIMITATION.*—*The Secretary may not award*
6 *more than 1 grant under this part in any fiscal year to*
7 *any Hispanic-serving institution.”*

8 **SEC. 503. APPLICATIONS.**

9 *Section 521(b)(1)(A) (as redesignated by section*
10 *502(a)(2)) (20 U.S.C. 1103(b)(1)(A)) is amended by strik-*
11 *ing “subsection (b)” and inserting “subsection (c)”*.

12 **SEC. 504. COOPERATIVE ARRANGEMENTS.**

13 *Section 524(a) (as redesignated by section 502(a)(2))*
14 *(20 U.S.C. 1103c(a)) is amended by striking “section 503”*
15 *and inserting “sections 503 and 512”*.

16 **SEC. 505. AUTHORIZATION OF APPROPRIATIONS.**

17 *Section 528(a) (as redesignated by section 502(a)(2))*
18 *(20 U.S.C. 1103g(a)) is amended—*

19 *(1) by inserting “part A of” after “carry out”;*

20 *(2) by striking “\$62,500,000 for fiscal year*
21 *1999” and all that follows through the period and in-*
22 *serting “such sums as may be necessary for fiscal*
23 *year 2008 and each of the 5 succeeding fiscal years.”;*

24 *(3) by striking “(a) AUTHORIZATIONS.—There*
25 *are” and inserting the following:*

1 “(a) *AUTHORIZATIONS.*—

2 “(1) *PART A.*—*There are*”; and

3 (4) *by adding at the end the following:*

4 “(2) *PART B.*—*There are authorized to be appro-*
5 *propriated to carry out part B of this title such sums as*
6 *may be necessary for fiscal year 2008 and each of the*
7 *5 succeeding fiscal years.”.*

8 ***TITLE VI—INTERNATIONAL***
9 ***EDUCATION PROGRAMS***

10 ***SEC. 601. FINDINGS.***

11 *Section 601 (20 U.S.C. 1121) is amended—*

12 (1) *in the section heading, by striking “AND*
13 ***PURPOSES”*** and inserting “; ***PURPOSES; CON-***
14 ***SULTATION; SURVEY”*;**

15 (2) *in subsection (a)(3), by striking “post-Cold*
16 *War”*;

17 (3) *in subsection (b)(1)(D), by inserting “, in-*
18 *cluding through linkages with overseas institutions”*
19 *before the semicolon; and*

20 (4) *by adding at the end the following:*

21 “(c) *CONSULTATION.*—*The Secretary shall, prior to re-*
22 *questing applications for funding under this title during*
23 *each grant cycle, consult with and receive recommendations*
24 *regarding national need for expertise in foreign languages*
25 *and world regions from the head officials of a wide range*

1 of Federal agencies. Such agencies shall provide informa-
2 tion to the Secretary regarding how the agencies utilize ex-
3 pertise and resources provided by grantees under this title.
4 The Secretary shall take into account such recommenda-
5 tions and information when requesting applications for
6 funding under this title, and shall make available to appli-
7 cants a list of areas identified as areas of national need.

8 “(d) SURVEY.—The Secretary shall assist grantees in
9 developing a survey to administer to students who have par-
10 ticipated in programs under this title to determine
11 postgraduation placement. All grantees, where applicable,
12 shall administer such survey not less often than annually
13 and report such data to the Secretary.”

14 **SEC. 602. GRADUATE AND UNDERGRADUATE LANGUAGE**
15 **AND AREA CENTERS AND PROGRAMS.**

16 Section 602 (20 U.S.C. 1122) is amended—

17 (1) in subsection (a)—

18 (A) in paragraph (2)—

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

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

23 (iii) by adding at the end the fol-
24 lowing:

- 1 “(I) support for instructors of the less com-
2 monly taught languages.”; and
3 (B) in paragraph (4)—
4 (i) by redesignating subparagraphs (C)
5 through (E) as subparagraphs (D) through
6 (F), respectively;
7 (ii) by inserting after subparagraph
8 (B) the following:
9 “(C) Programs of linkage or outreach be-
10 tween or among—
11 “(i) foreign language, area studies, or
12 other international fields; and
13 “(ii) State educational agencies or
14 local educational agencies.”;
15 (iii) in subparagraph (D) (as redesign-
16 ated by clause (i)) by inserting “, includ-
17 ing Federal or State scholarship programs
18 for students in related areas” before the pe-
19 riod at the end; and
20 (iv) in subparagraph (F) (as redesign-
21 ated by clause (i)), by striking “and (D)”
22 and inserting “(D), and (E)”;
23 (2) in subsection (b)—
24 (A) in the subsection heading, by striking
25 “GRADUATE”; and

1 (B) by striking paragraph (2) and inserting
2 the following:

3 “(2) *ELIGIBLE STUDENTS.*—A student receiving
4 a stipend described in paragraph (1) shall be en-
5 gaged—

6 “(A) in an instructional program with stat-
7 ed performance goals for functional foreign lan-
8 guage use or in a program developing such per-
9 formance goals, in combination with area stud-
10 ies, international studies, or the international
11 aspects of a professional studies program; and

12 “(B)(i) in the case of an undergraduate stu-
13 dent, in the intermediate or advanced study of a
14 less commonly taught language; or

15 “(ii) in the case of a graduate student, in
16 graduate study in connection with a program
17 described in subparagraph (A), including—

18 “(I) predissertation level study;

19 “(II) preparation for dissertation re-
20 search;

21 “(III) dissertation research abroad; or

22 “(IV) dissertation writing.”;

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

25 “(d) *ALLOWANCES.*—

1 “(1) *GRADUATE LEVEL RECIPIENTS.*—A stipend
2 awarded to a graduate level recipient may include al-
3 lowances for dependents and for travel for research
4 and study in the United States and abroad.

5 “(2) *UNDERGRADUATE LEVEL RECIPIENTS.*—A
6 stipend awarded to an undergraduate level recipient
7 may include an allowance for educational programs
8 in the United States or educational programs abroad
9 that—

10 “(A) are closely linked to the overall goals
11 of the recipient’s course of study; and

12 “(B) have the purpose of promoting foreign
13 language fluency and knowledge of foreign cul-
14 tures.”; and

15 (4) by adding at the end the following:

16 “(e) *APPLICATION.*—Each institution or combination
17 of institutions desiring a grant under this section shall sub-
18 mit an application to the Secretary at such time, in such
19 manner, and accompanied by such information and assur-
20 ances as the Secretary may require. Each application shall
21 include an explanation of how the activities funded by the
22 grant will reflect diverse perspectives and a wide range of
23 views and generate debate on world regions and inter-
24 national affairs. Each application shall also describe how
25 the applicant will address disputes regarding whether ac-

1 *tivities funded under the application reflect diverse perspec-*
2 *tives and a wide range of views. Each application shall also*
3 *include a description of how the applicant will encourage*
4 *government service in areas of national need, as identified*
5 *by the Secretary, as well as in needs in the education, busi-*
6 *ness, and nonprofit sectors.”.*

7 **SEC. 603. UNDERGRADUATE INTERNATIONAL STUDIES AND**
8 **FOREIGN LANGUAGE PROGRAMS.**

9 *Section 604 (20 U.S.C. 1124) is amended—*

10 *(1) in subsection (a)—*

11 *(A) in paragraph (2)—*

12 *(i) by redesignating subparagraphs (I)*
13 *through (M) as subparagraphs (J) through*
14 *(N), respectively; and*

15 *(ii) by inserting after subparagraph*
16 *(H) the following:*

17 *“(I) providing subgrants to undergraduate*
18 *students for educational programs abroad that—*

19 *“(i) are closely linked to the overall*
20 *goals of the program for which the grant is*
21 *awarded; and*

22 *“(ii) have the purpose of promoting*
23 *foreign language fluency and knowledge of*
24 *foreign cultures;”;* and

25 *(B) in paragraph (7)—*

1 (i) in subparagraph (C), by striking
2 “and” after the semicolon;

3 (ii) in subparagraph (D), by striking
4 the period at the end and inserting a semi-
5 colon; and

6 (iii) by adding at the end the fol-
7 lowing:

8 “(E) a description of how the applicant will
9 provide information to students regarding feder-
10 ally funded scholarship programs in related
11 areas;

12 “(F) an explanation of how the activities
13 funded by the grant will reflect diverse perspec-
14 tives and a wide range of views and generate de-
15 bate on world regions and international affairs,
16 where applicable;

17 “(G) a description of how the applicant will
18 address disputes regarding whether the activities
19 funded under the application reflect diverse per-
20 spectives and a wide range of views; and

21 “(H) a description of how the applicant
22 will encourage service in areas of national need
23 as identified by the Secretary.”; and

24 (2) in subsection (c)—

1 (A) by striking “*FUNDING SUPPORT.—The*
2 *Secretary*” and inserting “*FUNDING SUPPORT.—*
3 *“(1) THE SECRETARY.—The Secretary*”;

4 (B) by striking “10” and inserting “20”;
5 and

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

7 “(2) *GRANTEES.—Of the total amount of grant*
8 *funds awarded to a grantee under this section, the*
9 *grantee may use not more than 10 percent of such*
10 *funds for the activity described in subsection*
11 *(a)(2)(I).”.*

12 **SEC. 604. RESEARCH; STUDIES.**

13 *Section 605(a) (20 U.S.C. 1125(a)) is amended—*

14 (1) *in paragraph (8), by striking “and” after the*
15 *semicolon;*

16 (2) *in paragraph (9), by striking the period and*
17 *inserting a semicolon; and*

18 (3) *by adding at the end the following:*

19 “(10) *evaluation of the extent to which programs*
20 *assisted under this title reflect diverse perspectives*
21 *and a wide range of views and generate debate on*
22 *world regions and international affairs;*

23 “(11) *the systematic collection, analysis, and dis-*
24 *semination of data that contribute to achieving the*
25 *purposes of this part; and*

1 “(12) support for programs or activities to make
2 data collected, analyzed, or disseminated under this
3 section publicly available and easy to understand.”.

4 **SEC. 605. TECHNOLOGICAL INNOVATION AND COOPERA-**
5 **TION FOR FOREIGN INFORMATION ACCESS.**

6 Section 606 (20 U.S.C. 1126) is amended—

7 (1) in subsection (a)—

8 (A) by striking “new electronic tech-
9 nologies” and inserting “electronic technologies”;

10 (B) by inserting “from foreign sources”
11 after “disseminate information”;

12 (C) in the subsection heading, by striking
13 “AUTHORITY.—The Secretary” and inserting
14 “AUTHORITY.—

15 “(1) IN GENERAL.—The Secretary”; and

16 (D) by adding at the end the following:

17 “(2) PARTNERSHIPS WITH NOT-FOR-PROFIT EDU-
18 CATIONAL ORGANIZATIONS.—The Secretary may
19 award grants under this section to carry out the ac-
20 tivities authorized under this section to the following:

21 “(A) An institution of higher education.

22 “(B) A public or nonprofit private library.

23 “(C) A consortium of an institution of high-
24 er education and 1 or more of the following:

1 “(i) *Another institution of higher edu-*
2 *cation.*

3 “(ii) *A library.*

4 “(iii) *A not-for-profit educational or-*
5 *ganization.*”;

6 (2) *in subsection (b)—*

7 (A) *in paragraph (1), by striking “to facili-*
8 *tate access to” and inserting “to acquire, facili-*
9 *tate access to,”;*

10 (B) *in paragraph (2), by inserting “or*
11 *standards for” after “means of”;*

12 (C) *in paragraph (6), by striking “and”*
13 *after the semicolon;*

14 (D) *in paragraph (7), by striking the pe-*
15 *riod and inserting a semicolon; and*

16 (E) *by adding at the end the following:*

17 “(8) *to establish linkages to facilitate carrying*
18 *out the activities described in this subsection be-*
19 *tween—*

20 “(A) *the institutions of higher education, li-*
21 *braries, and consortia receiving grants under*
22 *this section; and*

23 “(B) *institutions of higher education, not-*
24 *for-profit educational organizations, and librar-*
25 *ies overseas; and*

1 “(9) to carry out other activities that the Sec-
2 retary determines are consistent with the purpose of
3 the grants or contracts awarded under this section.”;
4 and

5 (3) in subsection (c), by striking “institution or
6 consortium” and inserting “institution of higher edu-
7 cation, library, or consortium”.

8 **SEC. 606. SELECTION OF CERTAIN GRANT RECIPIENTS.**

9 Section 607 (20 U.S.C. 1127) is amended—

10 (1) in subsection (a), by striking “evaluates the
11 applications for comprehensive and undergraduate
12 language and area centers and programs.” and in-
13 serting “evaluates—

14 “(1) the applications for comprehensive foreign
15 language and area or international studies centers
16 and programs; and

17 “(2) the applications for undergraduate foreign
18 language and area or international studies centers
19 and programs.”; and

20 (2) in subsection (b), by adding at the end the
21 following: “The Secretary shall also consider an ap-
22 plicant’s record of placing students into service in
23 areas of national need and an applicant’s stated ef-
24 forts to increase the number of such students that go
25 into such service.”.

1 **SEC. 607. AMERICAN OVERSEAS RESEARCH CENTERS.**

2 *Section 609 (20 U.S.C. 1128a) is amended by adding*
3 *at the end the following:*

4 *“(e) APPLICATION.—Each center desiring a grant*
5 *under this section shall submit an application to the Sec-*
6 *retary at such time, in such manner, and accompanied by*
7 *such information and assurances as the Secretary may re-*
8 *quire.”.*

9 **SEC. 608. AUTHORIZATION OF APPROPRIATIONS FOR**
10 **INTERNATIONAL AND FOREIGN LANGUAGE**
11 **STUDIES.**

12 *Section 610 (20 U.S.C. 1128b) is amended by striking*
13 *“\$80,000,000 for fiscal year 1999” and all that follows*
14 *through the period and inserting “such sums as may be nec-*
15 *essary for fiscal year 2008 and each of the 5 succeeding*
16 *fiscal years.”.*

17 **SEC. 609. CENTERS FOR INTERNATIONAL BUSINESS EDU-**
18 **CATION.**

19 *Section 612(f)(3) (20 U.S.C. 1130–1(f)(3)) is amended*
20 *by inserting “, and that diverse perspectives will be made*
21 *available to students in programs under this section” before*
22 *the semicolon.*

23 **SEC. 610. EDUCATION AND TRAINING PROGRAMS.**

24 *Section 613(c) (20 U.S.C. 1130a(c)) is amended by*
25 *adding at the end the following: “Each such application*
26 *shall include an assurance that, where applicable, the ac-*

1 *tivities funded by the grant will reflect diverse perspectives*
2 *and a wide range of views on world regions and inter-*
3 *national affairs.”.*

4 **SEC. 611. AUTHORIZATION OF APPROPRIATIONS FOR BUSI-**
5 **NESS AND INTERNATIONAL EDUCATION PRO-**
6 **GRAMS.**

7 *Section 614 (20 U.S.C. 1130b) is amended—*

8 *(1) in subsection (a), by striking “\$11,000,000*
9 *for fiscal year 1999” and all that follows through “fis-*
10 *cal years” and inserting “such sums as may be nec-*
11 *essary for fiscal year 2008 and each of the 5 suc-*
12 *ceeding fiscal years”; and*

13 *(2) in subsection (b), by striking “\$7,000,000 for*
14 *fiscal year 1999” and all that follows through “fiscal*
15 *years,” and inserting “such sums as may be necessary*
16 *for fiscal year 2008 and each of the 5 succeeding fis-*
17 *cal years”.*

18 **SEC. 612. MINORITY FOREIGN SERVICE PROFESSIONAL DE-**
19 **VELOPMENT PROGRAM.**

20 *Section 621 (20 U.S.C. 1131) is amended—*

21 *(1) in subsection (c), by adding at the end the*
22 *following: “Each application shall include a descrip-*
23 *tion of how the activities funded by the grant will re-*
24 *fect diverse perspectives and a wide range of views on*

1 *world regions and international affairs, where appli-*
2 *cable.”; and*

3 *(2) in subsection (e)—*

4 *(A) by striking “MATCH REQUIRED.—The*
5 *eligible” and inserting “MATCHING FUNDS.—*

6 *“(1) IN GENERAL.—Subject to paragraph (2), the*
7 *eligible”; and*

8 *(B) by adding at the end the following:*

9 *“(2) WAIVER.—The Secretary may waive the re-*
10 *quirement of paragraph (1) for an eligible recipient*
11 *if the Secretary determines such waiver is appro-*
12 *priate.”.*

13 **SEC. 613. INSTITUTIONAL DEVELOPMENT.**

14 *Section 622 (20 U.S.C. 1131–1) is amended—*

15 *(1) in subsection (a)—*

16 *(A) by striking “Tribally Controlled Col-*
17 *leges or Universities” and inserting “tribally*
18 *controlled colleges or universities”; and*

19 *(B) by striking “international affairs pro-*
20 *grams.” and inserting “international affairs,*
21 *international business, and foreign language*
22 *study programs, including the teaching of for-*
23 *ign languages, at such colleges, universities, and*
24 *institutions, respectively, which may include col-*

1 *laboration with institutions of higher education*
2 *that receive funding under this title.”; and*

3 *(2) in subsection (c)—*

4 *(A) by striking paragraphs (1) and (3);*

5 *(B) by redesignating paragraphs (2) and*
6 *(4) as paragraphs (1) and (2), respectively; and*

7 *(C) in paragraph (1) (as redesignated by*
8 *subparagraph (B)), by inserting “and” after the*
9 *semicolon.*

10 **SEC. 614. STUDY ABROAD PROGRAM.**

11 *Section 623(a) (20 U.S.C. 1131a(a)) is amended—*

12 *(1) by striking “as defined in section 322 of this*
13 *Act”;* and

14 *(2) by striking “tribally controlled Indian com-*
15 *munity colleges as defined in the Tribally Controlled*
16 *Community College Assistance Act of 1978” and in-*
17 *serting “tribally controlled colleges or universities”.*

18 **SEC. 615. ADVANCED DEGREE IN INTERNATIONAL RELA-**
19 **TIONS.**

20 *Section 624 (20 U.S.C. 1131b) is amended—*

21 *(1) in the section heading, by striking “MAS-*
22 *TERS” and inserting “ADVANCED”;*

23 *(2) in the first sentence, by inserting “, and in*
24 *exceptional circumstances, a doctoral degree,” after*
25 *“masters degree”;*

1 (3) *in the second sentence, by striking “masters*
2 *degree” and inserting “advanced degree”; and*

3 (4) *in the fourth sentence, by striking “United*
4 *States” and inserting “United States.”.*

5 **SEC. 616. INTERNSHIPS.**

6 *Section 625 (20 U.S.C. 1131c) is amended—*

7 (1) *in subsection (a)—*

8 (A) *by striking “as defined in section 322*
9 *of this Act”;*

10 (B) *by striking “tribally controlled Indian*
11 *community colleges as defined in the Tribally*
12 *Controlled Community College Assistance Act of*
13 *1978” and inserting “tribally controlled colleges*
14 *or universities”;*

15 (C) *by striking “an international” and in-*
16 *serting “international,”; and*

17 (D) *by striking “the United States Informa-*
18 *tion Agency” and inserting “the Department of*
19 *State”;* and

20 (2) *in subsection (c)(1)—*

21 (A) *in subparagraph (E), by inserting*
22 *“and” after the semicolon;*

23 (B) *in subparagraph (F), by striking “;*
24 *and” and inserting a period; and*

25 (C) *by striking subparagraph (G).*

1 **SEC. 617. FINANCIAL ASSISTANCE.**

2 *Part C of title VI (20 U.S.C. 1131 et seq.) is further*
3 *amended—*

4 *(1) by redesignating sections 626, 627, and 628*
5 *as sections 627, 628, and 629, respectively; and*

6 *(2) by inserting after section 625 the following:*

7 **“SEC. 626. FINANCIAL ASSISTANCE.**

8 *“(a) AUTHORITY.—The Institute may provide finan-*
9 *cial assistance, in the form of summer stipends described*
10 *in subsection (b) and Ralph Bunche scholarship assistance*
11 *described in subsection (c), to needy students to facilitate*
12 *the participation of the students in the Institute’s programs*
13 *under this part.*

14 *“(b) SUMMER STIPENDS.—*

15 *“(1) REQUIREMENTS.—A student receiving a*
16 *summer stipend under this section shall use such sti-*
17 *pend to defray the student’s cost of participation in*
18 *a summer institute program funded under this part,*
19 *including the costs of travel, living, and educational*
20 *expenses necessary for the student’s participation in*
21 *such program.*

22 *“(2) AMOUNT.—A summer stipend awarded to a*
23 *student under this section shall not exceed \$3,000 per*
24 *summer.*

25 *“(c) RALPH BUNCHE SCHOLARSHIP.—*

1 “(1) *REQUIREMENTS.*—A student receiving a
2 *Ralph Bunche scholarship under this section—*

3 “(A) *shall be a full-time student at an insti-*
4 *tution of higher education who is accepted into*
5 *a program funded under this part; and*

6 “(B) *shall use such scholarship to pay costs*
7 *related to the cost of attendance, as defined in*
8 *section 472, at the institution of higher edu-*
9 *cation in which the student is enrolled.*

10 “(2) *AMOUNT AND DURATION.*—A *Ralph Bunche*
11 *scholarship awarded to a student under this section*
12 *shall not exceed \$5,000 per academic year.”.*

13 **SEC. 618. REPORT.**

14 *Section 627 (as redesignated by section 617(1)) (20*
15 *U.S.C. 1131d) is amended by striking “annually” and in-*
16 *serting “biennially”.*

17 **SEC. 619. GIFTS AND DONATIONS.**

18 *Section 628 (as redesignated by section 617(1)) (20*
19 *U.S.C. 1131e) is amended by striking “annual report de-*
20 *scribed in section 626” and inserting “biennial report de-*
21 *scribed in section 627”.*

1 **SEC. 620. AUTHORIZATION OF APPROPRIATIONS FOR THE**
2 **INSTITUTE FOR INTERNATIONAL PUBLIC**
3 **POLICY.**

4 *Section 629 (as redesignated by section 617(1)) (20*
5 *U.S.C. 1131f) is amended by striking “\$10,000,000 for fis-*
6 *cal year 1999” and all that follows through the period and*
7 *inserting “such sums as may be necessary for fiscal year*
8 *2008 and each of the 5 succeeding fiscal years.”.*

9 **SEC. 621. DEFINITIONS.**

10 *Section 631 (20 U.S.C. 1132) is amended—*

11 *(1) by striking paragraph (7);*

12 *(2) by redesignating paragraphs (2), (3), (4),*
13 *(5), (6), (8), and (9), as paragraphs (7), (4), (8), (2),*
14 *(10), (6), and (3), respectively;*

15 *(3) in paragraph (2), as redesignated by para-*
16 *graph (2), by striking “comprehensive language and*
17 *area center” and inserting “comprehensive foreign*
18 *language and area or international studies center”;*

19 *(4) in paragraph (3), as redesignated by para-*
20 *graph (2), by striking the period at the end and in-*
21 *serting a semicolon;*

22 *(5) by inserting after paragraph (4), as redesign-*
23 *ated by paragraph (2), the following:*

24 *“(5) the term ‘historically Black college and uni-*
25 *versity’ has the meaning given the term ‘part B insti-*
26 *tution’ in section 322;”;*

1 *view of such complaints into account when determining the*
2 *renewal of grants.*

3 “(b) *RULE OF CONSTRUCTION.*—*Nothing in this title*
4 *shall be construed to authorize the Secretary to mandate,*
5 *direct, or control an institution of higher education’s spe-*
6 *cific instructional content, curriculum, or program of in-*
7 *struction.*

8 “**SEC. 633. EVALUATION, OUTREACH, AND INFORMATION.**

9 “*The Secretary may use not more than 1 percent of*
10 *the funds made available under this title to carry out pro-*
11 *gram evaluation, national outreach, and information dis-*
12 *semination activities relating to the programs authorized*
13 *under this title.*

14 “**SEC. 634. BIENNIAL REPORT.**

15 “*The Secretary shall, in consultation and collabora-*
16 *tion with the Secretary of State, the Secretary of Defense,*
17 *and the heads of other relevant Federal agencies, submit a*
18 *biennial report that identifies areas of national need in for-*
19 *eign language, area, and international studies as such stud-*
20 *ies relate to government, education, business, and nonprofit*
21 *needs, and a plan to address those needs. The report shall*
22 *be provided to the authorizing committees and made avail-*
23 *able to the public.”.*

1 **TITLE VII—GRADUATE AND**
2 **POSTSECONDARY IMPROVE-**
3 **MENT PROGRAMS**

4 **SEC. 701. PURPOSE.**

5 *Section 700(1)(B)(i) (20 U.S.C. 1133(1)(B)(i)) is*
6 *amended by inserting “, including those areas critical to*
7 *United States national and homeland security needs such*
8 *as mathematics, science, and engineering” before the semi-*
9 *colon at the end.*

10 **SEC. 702. ALLOCATION OF JACOB K. JAVITS FELLOWSHIPS.**

11 *Section 702(a)(1) (20 U.S.C. 1134a(a)(1)) is amended*
12 *to read as follows:*

13 *“(1) APPOINTMENT.—*

14 *“(A) IN GENERAL.—The Secretary shall ap-*
15 *point a Jacob K. Javits Fellows Program Fel-*
16 *lowship Board (referred to in this subpart as the*
17 *‘Board’) consisting of 9 individuals representa-*
18 *tive of both public and private institutions of*
19 *higher education who are especially qualified to*
20 *serve on the Board.*

21 *“(B) QUALIFICATIONS.—In making ap-*
22 *pointments under subparagraph (A), the Sec-*
23 *retary shall—*

1 **SEC. 705. INSTITUTIONAL ELIGIBILITY UNDER THE GRAD-**
2 **UATE ASSISTANCE IN AREAS OF NATIONAL**
3 **NEED PROGRAM.**

4 *Section 712(b) (20 U.S.C. 1135a(b)) is amended to*
5 *read as follows:*

6 “(b) *DESIGNATION OF AREAS OF NATIONAL NEED.—*
7 *After consultation with appropriate Federal and nonprofit*
8 *agencies and organizations, including the National Science*
9 *Foundation, the Department of Defense, the Department of*
10 *Homeland Security, the National Academy of Sciences, and*
11 *the Bureau of Labor Statistics, the Secretary shall designate*
12 *areas of national need. In making such designations, the*
13 *Secretary shall take into consideration—*

14 “(1) *the extent to which the interest in the area*
15 *is compelling;*

16 “(2) *the extent to which other Federal programs*
17 *support postbaccalaureate study in the area con-*
18 *cerned;*

19 “(3) *an assessment of how the program may*
20 *achieve the most significant impact with available re-*
21 *sources; and*

22 “(4) *an assessment of current and future profes-*
23 *sional workforce needs of the United States.”.*

24 **SEC. 706. AWARDS TO GRADUATE STUDENTS.**

25 *Section 714 (20 U.S.C. 1135c) is amended—*

26 (1) *in subsection (b)—*

1 (A) by striking “1999–2000” and inserting
2 “2008–2009”; and

3 (B) by striking “graduate fellowships” and
4 inserting “Graduate Research Fellowship Pro-
5 gram”; and

6 (2) in subsection (c)—

7 (A) by striking “716(a)” and inserting
8 “715(a)”; and

9 (B) by striking “714(b)(2)” and inserting
10 “713(b)(2)”.

11 **SEC. 707. ADDITIONAL ASSISTANCE FOR COST OF EDU-**
12 **CATION.**

13 Section 715(a)(1) (20 U.S.C. 1135d(a)(1)) is amend-
14 ed—

15 (1) by striking “1999–2000” and inserting
16 “2008–2009”; and

17 (2) by striking “1998–1999” and inserting
18 “2007–2008”.

19 **SEC. 708. AUTHORIZATION OF APPROPRIATIONS FOR THE**
20 **GRADUATE ASSISTANCE IN AREAS OF NA-**
21 **TIONAL NEED PROGRAM.**

22 Section 716 (20 U.S.C. 1135e) is amended by striking
23 “\$35,000,000 for fiscal year 1999” and all that follows
24 through the period and inserting “such sums as may be nec-

1 *essary for fiscal year 2008 and each of the 5 succeeding*
2 *fiscal years to carry out this subpart.”.*

3 **SEC. 709. LEGAL EDUCATIONAL OPPORTUNITY PROGRAM.**

4 *Section 721 (20 U.S.C. 1136) is amended—*

5 *(1) in subsection (a)—*

6 *(A) by inserting “secondary school and”*
7 *after “disadvantaged”; and*

8 *(B) by inserting “and admission to law*
9 *practice” before the period at the end;*

10 *(2) in the matter preceding paragraph (1) of*
11 *subsection (b), by inserting “secondary school student*
12 *or” before “college student”;*

13 *(3) in subsection (c)—*

14 *(A) in paragraph (1), by inserting “sec-*
15 *ondary school and” before “college students”;*

16 *(B) by striking paragraph (2) and inserting*
17 *the following:*

18 *“(2) to prepare such students for successful com-*
19 *pletion of a baccalaureate degree and for study at ac-*
20 *credited law schools, and to assist them with the de-*
21 *velopment of analytical skills, writing skills, and*
22 *study methods to enhance the students’ success and*
23 *promote the students’ admission to and completion of*
24 *law school;”;*

1 (C) in paragraph (4), by striking “and”
2 after the semicolon;

3 (D) by striking paragraph (5) and insert-
4 ing the following:

5 “(4) to motivate and prepare such students—

6 “(A) with respect to law school studies and
7 practice in low-income communities; and

8 “(B) to provide legal services to low-income
9 individuals and families; and;”;

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

11 “(6) to award Thurgood Marshall Fellowships to
12 eligible law school students—

13 “(A) who participated in summer institutes
14 under subsection (d)(6) and who are enrolled in
15 an accredited law school; or

16 “(B) who have successfully completed sum-
17 mer institute programs comparable to the sum-
18 mer institutes under subsection (d) that are cer-
19 tified by the Council on Legal Education Oppor-
20 tunity.”;

21 (4) in subsection (d)—

22 (A) in the matter preceding paragraph (1),
23 by inserting “pre-college programs, under-
24 graduate” before “pre-law”;

25 (B) in paragraph (1)—

1 (i) in subparagraph (B), by inserting
2 “law school” before “graduation”; and

3 (ii) by striking subparagraph (D) and
4 inserting the following:

5 “(D) pre-college and undergraduate pre-
6 paratory courses in analytical and writing
7 skills, study methods, and curriculum selection;”;

8 (C) by redesignating paragraphs (2)
9 through (6) as paragraphs (3) through (7), re-
10 spectively;

11 (D) by inserting after paragraph (1) the fol-
12 lowing:

13 “(2) summer academic programs for secondary
14 school students who have expressed interest in a ca-
15 reer in the law;”; and

16 (E) in paragraph (7) (as redesignated by
17 subparagraph (C)), by inserting “and Associ-
18 ates” after “Thurgood Marshall Fellows”;

19 (5) in subsection (e)(1), by inserting “, including
20 before and during undergraduate study” before the
21 semicolon;

22 (6) in subsection (f)—

23 (A) by inserting “national and State bar
24 associations,” after “agencies and organiza-
25 tions,”; and

1 (B) by striking “and organizations.” and
2 inserting “organizations, and associations.”;

3 (7) by striking subsection (g) and inserting the
4 following:

5 “(g) *FELLOWSHIPS AND STIPENDS.—The Secretary*
6 *shall annually establish the maximum fellowship to be*
7 *awarded, and stipend to be paid (including allowances for*
8 *participant travel and for the travel of the dependents of*
9 *the participant), to Thurgood Marshall Fellows or Associ-*
10 *ates for the period of participation in summer institutes,*
11 *midyear seminars, and bar preparation seminars. A Fellow*
12 *or Associate may be eligible for such a fellowship or stipend*
13 *only if the Thurgood Marshall Fellow or Associate main-*
14 *tains satisfactory academic progress toward the Juris Doc-*
15 *tor or Bachelor of Laws degree, as determined by the respec-*
16 *tive institutions (except with respect to a law school grad-*
17 *uate enrolled in a bar preparation course).”;*

18 (8) in subsection (h), by striking “\$5,000,000 for
19 fiscal year 1999” and all that follows through the pe-
20 riod at the end and inserting “such sums as may be
21 necessary for fiscal year 2008 and for each of the 5
22 succeeding fiscal years”.

23 **SEC. 710. FUND FOR THE IMPROVEMENT OF POSTSEC-**
24 **ONDARY EDUCATION.**

25 Section 741 (20 U.S.C. 1138) is amended—

1 (1) *in subsection (a)—*

2 (A) *by striking paragraph (3) and inserting*
3 *the following:*

4 “(3) *the establishment and continuation of insti-*
5 *tutions, programs, consortia, collaborations, and other*
6 *joint efforts based on the technology of communica-*
7 *tions, including those efforts that utilize distance edu-*
8 *cation and technological advancements to educate and*
9 *train postsecondary students (including health profes-*
10 *sionals serving medically underserved populations);”;*

11 (B) *in paragraph (7), by striking “and”*
12 *after the semicolon;*

13 (C) *in paragraph (8), by striking the period*
14 *at the end and inserting a semicolon; and*

15 (D) *by adding at the end the following:*

16 “(9) *the introduction of reforms in remedial edu-*
17 *cation, including English language instruction, to*
18 *customize remedial courses to student goals and help*
19 *students progress rapidly from remedial courses into*
20 *core courses and through program completion; and*

21 “(10) *the creation of consortia that join diverse*
22 *institutions of higher education to design and offer*
23 *curricular and co-curricular interdisciplinary pro-*
24 *grams at the undergraduate and graduate levels, sus-*
25 *tained for not less than a 5 year period, that—*

1 “(A) *focus on poverty and human capa-*
2 *bility; and*

3 “(B) *include—*

4 “(i) *a service-learning component; and*

5 “(ii) *the delivery of educational serv-*
6 *ices through informational resource centers,*
7 *summer institutes, midyear seminars, and*
8 *other educational activities that stress the*
9 *effects of poverty and how poverty can be*
10 *alleviated through different career paths.”;*

11 *and*

12 (2) *by adding at the end the following:*

13 “(c) *PROJECT GRAD.—*

14 “(1) *PURPOSES.—The purposes of this subsection*
15 *are—*

16 “(A) *to provide support and assistance to*
17 *programs implementing integrated education re-*
18 *form services in order to improve secondary*
19 *school graduation, college attendance, and college*
20 *completion rates for at-risk students; and*

21 “(B) *to promote the establishment of new*
22 *programs to implement such integrated edu-*
23 *cation reform services.*

24 “(2) *DEFINITIONS.—In this subsection:*

1 “(A) *AT-RISK*.—The term ‘at-risk’ has the
2 same meaning given such term in section 1432
3 of the *Elementary and Secondary Education Act*
4 of 1965.

5 “(B) *FEEDER PATTERN*.—The term ‘feeder
6 pattern’ means a secondary school and the ele-
7 mentary schools and middle schools that channel
8 students into that secondary school.

9 “(3) *GRANT AUTHORIZED*.—The Secretary is au-
10 thORIZED to award a grant to *Project GRAD USA* (re-
11 ferred to in this subsection as the ‘grantee’), a non-
12 profit educational organization that has as its pri-
13 mary purpose the improvement of secondary school
14 graduation, college attendance, and college completion
15 rates for at-risk students, to implement and sustain
16 the integrated education reform program at existing
17 *Project GRAD* sites, and to promote the expansion of
18 the *Project GRAD* program to new sites.

19 “(4) *REQUIREMENTS OF GRANT AGREEMENT*.—
20 The Secretary shall enter into an agreement with the
21 grantee that requires that the grantee shall—

22 “(A) enter into subcontracts with nonprofit
23 educational organizations that serve a substan-
24 tial number or percentage of at-risk students (re-
25 ferred to in this subsection as ‘subcontractors’),

1 *under which the subcontractors agree to imple-*
2 *ment the Project GRAD program and provide*
3 *matching funds for such programs; and*

4 “(B) directly carry out—

5 “(i) activities to implement and sus-
6 tain the literacy, mathematics, classroom
7 management, social service, and college ac-
8 cess components of the Project GRAD pro-
9 gram;

10 “(ii) activities for the purpose of im-
11 plementing new Project GRAD program
12 sites;

13 “(iii) activities to support, evaluate,
14 and consistently improve the Project GRAD
15 program;

16 “(iv) activities for the purpose of pro-
17 moting greater public awareness of inte-
18 grated education reform services to improve
19 secondary school graduation, college attend-
20 ance, and college completion rates for at-
21 risk students; and

22 “(v) other activities directly related to
23 improving secondary school graduation, col-
24 lege attendance, and college completion rates
25 for at-risk students.

1 “(5) *GRANTEE CONTRIBUTION AND MATCHING*
2 *REQUIREMENT.*—

3 “(A) *IN GENERAL.*—*The grantee shall pro-*
4 *vide funds to each subcontractor based on the*
5 *number of students served by the subcontractor*
6 *in the Project GRAD program, adjusted to take*
7 *into consideration—*

8 “*(i) the resources available in the area*
9 *where the subcontractor will implement the*
10 *Project GRAD program; and*

11 “*(ii) the need for the Project GRAD*
12 *program in such area to improve student*
13 *outcomes, including reading and mathe-*
14 *matics achievement and, where applicable,*
15 *secondary school graduation, college attend-*
16 *ance, and college completion rates.*

17 “(B) *MATCHING REQUIREMENT.*—*Each sub-*
18 *contractor shall provide funds for the Project*
19 *GRAD program in an amount that is equal to*
20 *or greater than the amount received by the sub-*
21 *contractor from the grantee. Such matching*
22 *funds may be provided in cash or in-kind, fairly*
23 *evaluated.*

24 “(6) *EVALUATION.*—*The Secretary shall select an*
25 *independent entity to evaluate, every 3 years, the per-*

1 *formance of students who participate in a Project*
2 *GRAD program under this subsection.*

3 “(d) *CENTER FOR BEST PRACTICES TO SUPPORT SIN-*
4 *GLE PARENT STUDENTS.—*

5 “(1) *PROGRAM AUTHORIZED.—The Secretary is*
6 *authorized to award 1 grant or contract to an institu-*
7 *tion of higher education to enable such institution to*
8 *establish and maintain a center to study and develop*
9 *best practices for institutions of higher education to*
10 *support single parents who are also students attend-*
11 *ing such institutions.*

12 “(2) *INSTITUTION REQUIREMENTS.—The Sec-*
13 *retary shall award the grant or contract under this*
14 *subsection to a 4-year institution of higher education*
15 *that has demonstrated expertise in the development of*
16 *programs to assist single parents who are students at*
17 *institutions of higher education, as shown by the in-*
18 *stitution’s development of a variety of targeted serv-*
19 *ices to such students, including on-campus housing,*
20 *child care, counseling, advising, internship opportu-*
21 *nities, financial aid, and financial aid counseling*
22 *and assistance.*

23 “(3) *CENTER ACTIVITIES.—The center funded*
24 *under this section shall—*

1 “(A) assist institutions implementing inno-
2 vative programs that support single parents pur-
3 suing higher education;

4 “(B) study and develop an evaluation pro-
5 tocol for such programs that includes quan-
6 titative and qualitative methodologies;

7 “(C) provide appropriate technical assist-
8 ance regarding the replication, evaluation, and
9 continuous improvement of such programs; and

10 “(D) develop and disseminate best practices
11 for such programs.

12 “(e) *UNDERSTANDING THE FEDERAL REGULATORY*
13 *IMPACT ON HIGHER EDUCATION.*—

14 “(1) *PURPOSE.*—*The purpose of this subsection*
15 *is to help institutions of higher education understand*
16 *the regulatory impact of the Federal Government on*
17 *such institutions, in order to raise awareness of insti-*
18 *tutional legal obligations and provide information to*
19 *improve compliance with, and to reduce the duplica-*
20 *tion and inefficiency of, Federal regulations.*

21 “(2) *PROGRAM AUTHORIZED.*—*The Secretary is*
22 *authorized to award 1 grant or contract to an institu-*
23 *tion of higher education to enable the institution to*
24 *carry out the activities described in the agreement*
25 *under paragraph (4).*

1 “(3) *INSTITUTION REQUIREMENTS.*—*The Sec-*
2 *retary shall award the grant or contract under this*
3 *subsection to an institution of higher education that*
4 *has demonstrated expertise in—*

5 “(A) *reviewing Federal higher education*
6 *regulations;*

7 “(B) *maintaining a clearinghouse of com-*
8 *pliance training materials; and*

9 “(C) *explaining the impact of such regula-*
10 *tions to institutions of higher education through*
11 *a comprehensive and freely accessible website.*

12 “(4) *REQUIREMENTS OF AGREEMENT.*—*As a*
13 *condition of receiving a grant or contract under this*
14 *subsection, the institution of higher education shall*
15 *enter into an agreement with the Secretary that shall*
16 *require the institution to—*

17 “(A) *monitor Federal regulations, including*
18 *notices of proposed rulemaking, for their impact*
19 *or potential impact on higher education;*

20 “(B) *provide a succinct description of each*
21 *regulation or proposed regulation that is relevant*
22 *to higher education; and*

23 “(C) *maintain a website providing infor-*
24 *mation on Federal regulations that is easy to*
25 *use, searchable, and updated regularly.*

1 “(f) *SCHOLARSHIP PROGRAM FOR FAMILY MEMBERS*
2 *OF VETERANS OR MEMBERS OF THE MILITARY.*—

3 “(1) *AUTHORIZATION.*—*The Secretary shall con-*
4 *tract with a nonprofit organization with dem-*
5 *onstrated experience in carrying out the activities de-*
6 *scribed in this subsection to carry out a program to*
7 *provide postsecondary education scholarships for eli-*
8 *gible students.*

9 “(2) *ELIGIBLE STUDENTS.*—*In this subsection,*
10 *the term ‘eligible student’ means an individual who*
11 *is—*

12 “(A)(i) *a dependent student who is a child*
13 *of—*

14 “(I) *an individual who is—*

15 “(aa) *serving on active duty dur-*
16 *ing a war or other military operation*
17 *or national emergency (as defined in*
18 *section 481); or*

19 “(bb) *performing qualifying Na-*
20 *tional Guard duty during a war or*
21 *other military operation or national*
22 *emergency (as defined in section 481);*
23 *or*

24 “(II) *a veteran who died while serving*
25 *or performing, as described in subclause (I),*

1 *since September 11, 2001, or has been dis-*
2 *abled while serving or performing, as de-*
3 *scribed in subclause (I), as a result of such*
4 *event; or*

5 *“(i) an independent student who is a*
6 *spouse of—*

7 *“(I) an individual who is—*

8 *“(aa) serving on active duty dur-*
9 *ing a war or other military operation*
10 *or national emergency (as defined in*
11 *section 481); or*

12 *“(bb) performing qualifying Na-*
13 *tional Guard duty during a war or*
14 *other military operation or national*
15 *emergency (as defined in section 481);*
16 *or*

17 *“(II) a veteran who died while serving*
18 *or performing, as described in subclause (I),*
19 *since September 11, 2001, or has been dis-*
20 *abled while serving or performing, as de-*
21 *scribed in subclause (I), as a result of such*
22 *event; and*

23 *“(B) enrolled as a full-time or part-time*
24 *student at an institution of higher education (as*
25 *defined in section 102).*

1 “(3) *AWARDING OF SCHOLARSHIPS.*—*Scholar-*
2 *ships awarded under this subsection shall be awarded*
3 *based on need with priority given to eligible students*
4 *who are eligible to receive Federal Pell Grants under*
5 *subpart 1 of part A of title IV.*

6 “(4) *MAXIMUM SCHOLARSHIP AMOUNT.*—*The*
7 *maximum scholarship amount awarded to an eligible*
8 *student under this subsection for an academic year*
9 *shall be the lesser of—*

10 “(A) *the difference between the eligible stu-*
11 *dent’s cost of attendance (as defined in section*
12 *472) and any non-loan based aid such student*
13 *receives; or*

14 “(B) *\$5,000.*

15 “(5) *AMOUNTS FOR SCHOLARSHIPS.*—*All of the*
16 *amounts appropriated to carry out this subsection for*
17 *a fiscal year shall be used for scholarships awarded*
18 *under this subsection, except that a nonprofit organi-*
19 *zation receiving a contract under this subsection may*
20 *use not more than 1 percent of such amounts for the*
21 *administrative costs of the contract.”.*

22 **SEC. 711. SPECIAL PROJECTS.**

23 *Section 744(c) (20 U.S.C. 1138c) is amended to read*
24 *as follows:*

1 “(c) *AREAS OF NATIONAL NEED.*—*Areas of national*
2 *need shall include, at a minimum, the following:*

3 “(1) *Institutional restructuring to improve*
4 *learning and promote productivity, efficiency, quality*
5 *improvement, and cost and price control.*

6 “(2) *Improvements in academic instruction and*
7 *student learning, including efforts designed to assess*
8 *the learning gains made by postsecondary students.*

9 “(3) *Articulation between 2- and 4-year institu-*
10 *tions of higher education, including developing inno-*
11 *vative methods for ensuring the successful transfer of*
12 *students from 2- to 4-year institutions of higher edu-*
13 *cation.*

14 “(4) *Development, evaluation and dissemination*
15 *of model programs, including model core curricula*
16 *that—*

17 “(A) *provide students with a broad and in-*
18 *tegrated knowledge base;*

19 “(B) *include, at a minimum, broad survey*
20 *courses in English literature, American and*
21 *world history, American political institutions,*
22 *economics, philosophy, college-level mathematics,*
23 *and the natural sciences; and*

1 “(C) include sufficient study of a foreign
2 language to lead to reading and writing com-
3 petency in the foreign language.

4 “(5) International cooperation and student ex-
5 changes among postsecondary educational institu-
6 tions.”.

7 **SEC. 712. AUTHORIZATION OF APPROPRIATIONS FOR THE**
8 **FUND FOR THE IMPROVEMENT OF POSTSEC-**
9 **ONDARY EDUCATION.**

10 Section 745 (20 U.S.C. 1138d) is amended by striking
11 “\$30,000,000 for fiscal year 1999” and all that follows
12 through the period and inserting “such sums as may be nec-
13 essary for fiscal year 2008 and each of the 5 succeeding
14 fiscal years.”.

15 **SEC. 713. REPEAL OF THE URBAN COMMUNITY SERVICE**
16 **PROGRAM.**

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

18 **SEC. 714. GRANTS FOR STUDENTS WITH DISABILITIES.**

19 (a) GRANTS AUTHORIZED FOR DEMONSTRATION
20 PROJECTS TO ENSURE STUDENTS WITH DISABILITIES RE-
21 CEIVE A QUALITY HIGHER EDUCATION.—Section 762 (20
22 U.S.C. 1140a) is amended—

23 (1) in subsection (b)—

24 (A) in paragraph (2)—

1 (i) in subparagraph (A), by striking
2 “to teach students with disabilities” and in-
3 serting “to teach and meet the academic
4 and programmatic needs of students with
5 disabilities in order to improve retention
6 and completion of postsecondary edu-
7 cation”;

8 (ii) by redesignating subparagraphs
9 (B) and (C) as subparagraphs (C) and (F),
10 respectively;

11 (iii) by inserting after subparagraph
12 (A) the following:

13 “(B) *EFFECTIVE TRANSITION PRACTICES.*—
14 *The development of innovative and effective*
15 *teaching methods and strategies to ensure the*
16 *successful transition of students with disabilities*
17 *from secondary school to postsecondary edu-*
18 *cation.”;*

19 (iv) in subparagraph (C), as redesign-
20 ated by clause (ii), by striking the period
21 at the end and inserting “, including data
22 on the postsecondary education of and im-
23 pact on subsequent employment of students
24 with disabilities. Such research, informa-

1 tion, and data shall be made publicly avail-
2 able and accessible.”;

3 (v) by inserting after subparagraph
4 (C), as redesignated by clause (ii), the fol-
5 lowing:

6 “(D) *DISTANCE LEARNING.*—The develop-
7 ment of innovative and effective teaching meth-
8 ods and strategies to provide faculty and admin-
9 istrators with the ability to provide accessible
10 distance education programs or classes that
11 would enhance access of students with disabilities
12 to higher education, including the use of acces-
13 sible curriculum and electronic communication
14 for instruction and advisement.

15 “(E) *DISABILITY CAREER PATHWAYS.*—

16 “(i) *IN GENERAL.*—Training and pro-
17 viding support to secondary and postsec-
18 ondary staff with respect to disability-re-
19 lated fields to—

20 “(I) encourage interest and par-
21 ticipation in such fields, among stu-
22 dents with disabilities and other stu-
23 dents;

1 “(II) enhance awareness and un-
2 derstanding of such fields among such
3 students;

4 “(III) provide educational oppor-
5 tunities in such fields among such stu-
6 dents;

7 “(IV) teach practical skills related
8 to such fields among such students; and

9 “(V) offer work-based opportuni-
10 ties in such fields among such students.

11 “(ii) DEVELOPMENT.—The training
12 and support described in clause (i) may in-
13 clude developing means to offer students
14 credit-bearing, college-level coursework, and
15 career and educational counseling.”; and

16 (vi) by adding at the end the following:

17 “(G) ACCESSIBILITY OF EDUCATION.—Mak-
18 ing postsecondary education more accessible to
19 students with disabilities through curriculum de-
20 velopment.”; and

21 (B) in paragraph (3), by striking “subpara-
22 graphs (A) through (C)” and inserting “subpara-
23 graphs (A) through (G)”;

24 (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 2007,
 3 the Secretary shall prepare and disseminate a report re-
 4 viewing the activities of the demonstration projects author-
 5 ized under this subpart and providing guidance and rec-
 6 ommendations on how successful projects can be rep-
 7 licated.”.

8 (b) *TRANSITION PROGRAMS FOR STUDENTS WITH IN-*
 9 *TELLECTUAL DISABILITIES INTO HIGHER EDUCATION; CO-*
 10 *ORDINATING CENTER.*—Part D of title VII (20 U.S.C. 1140
 11 *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 transi-*

1 *tion 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 dis-*
3 *ability’ means a student whose mental retardation or*
4 *other significant cognitive impairment substantially*
5 *impacts the student’s intellectual and cognitive func-*
6 *tioning.*

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 annually*
12 *award grants, on a competitive basis, to institutions*
13 *of higher education (or consortia of institutions of*
14 *higher education), to create or expand high-quality,*
15 *inclusive model comprehensive transition and postsec-*
16 *ondary programs for students with intellectual dis-*
17 *abilities.*

18 “(2) *NUMBER AND DURATION OF GRANTS.*—*The*
19 *Secretary shall award not less than 10 grants per*
20 *year under this section, and each grant awarded*
21 *under this subsection shall be for a period of 5 years.*

22 “(b) *APPLICATION.*—*An institution of higher edu-*
23 *cation (or a consortium) desiring a grant under this section*
24 *shall submit an application to the Secretary at such time,*

1 *in such manner, and containing such information as the*
2 *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 insti-*
21 *tution, the integration of students with intellec-*
22 *tual disabilities into such housing.*

23 “(C) *The involvement of students attending*
24 *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 comprehensive*
7 *transition and postsecondary program for students with in-*
8 *tellectual disabilities that—*

9 “(1) *serves students with intellectual disabilities,*
10 *including students with intellectual disabilities who*
11 *are no longer eligible for special education and re-*
12 *lated services under the Individuals with Disabilities*
13 *Education Act;*

14 “(2) *provides individual supports and services*
15 *for the academic and social inclusion of students with*
16 *intellectual disabilities in academic courses, extra-*
17 *curricular activities, and other aspects of the institu-*
18 *tion of higher education’s regular postsecondary pro-*
19 *gram;*

20 “(3) *with respect to the students with intellectual*
21 *disabilities participating in the model program, pro-*
22 *vides 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 career
4 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 es-
10 tablished under section 774 in the evaluation of the
11 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 of
17 funds available under part B of the Individuals with
18 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 in-*
3 *tellectual disabilities carried out under the grant, matching*
4 *funds, which may be provided in cash or in-kind, in an*
5 *amount not less than 25 percent of the amount of such grant*
6 *funds.*

7 “(f) *REPORT.—Not later than 3 years after the date*
8 *of enactment of the Higher Education Amendments of 2007,*
9 *the Secretary shall prepare and disseminate a report re-*
10 *viewing the activities of the model comprehensive transition*
11 *and postsecondary programs for students with intellectual*
12 *disabilities authorized under this subpart and providing*
13 *guidance and recommendations on how successful programs*
14 *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 with*
24 *an eligible entity, for the purpose of establishing a co-*
25 *ordinating center for technical assistance, evaluation,*

1 *and development of accreditation standards for insti-*
2 *tutions of higher education that offer inclusive model*
3 *comprehensive transition and postsecondary programs*
4 *for students with intellectual disabilities.*

5 “(2) *DURATION.*—*The cooperative agreement*
6 *under this section shall be for a period of 5 years.*

7 “(b) *REQUIREMENTS OF COOPERATIVE AGREE-*
8 *MENT.*—*The eligible entity entering into a cooperative*
9 *agreement under this section shall establish and maintain*
10 *a center that shall—*

11 “(1) *serve as the technical assistance entity for*
12 *all model comprehensive transition and postsecondary*
13 *programs for students with intellectual disabilities as-*
14 *sisted under section 773;*

15 “(2) *provide technical assistance regarding the*
16 *development, evaluation, and continuous improve-*
17 *ment of such programs;*

18 “(3) *develop an evaluation protocol for such pro-*
19 *grams that includes qualitative and quantitative*
20 *methodology measuring student outcomes and pro-*
21 *gram strengths in the areas of academic enrichment,*
22 *socialization, independent living, and competitive or*
23 *supported employment;*

24 “(4) *assist recipients of grants under section 773*
25 *in efforts to award a meaningful credential to stu-*

1 *dents with intellectual disabilities upon the comple-*
2 *tion of such programs, which credential takes into*
3 *consideration unique State factors;*

4 *“(5) develop model criteria, standards, and pro-*
5 *cedures to be used in accrediting such programs*
6 *that—*

7 *“(A) include, in the development of the*
8 *model criteria, standards, and procedures for*
9 *such programs, the participation of—*

10 *“(i) an expert in higher education;*

11 *“(ii) an expert in special education;*

12 *“(iii) a disability organization that*
13 *represents students with intellectual disabil-*
14 *ities; and*

15 *“(iv) a State, regional, or national ac-*
16 *crediting agency or association recognized*
17 *by the Secretary under subpart 2 of part H*
18 *of title IV; and*

19 *“(B) define the necessary components of*
20 *such programs, such as—*

21 *“(i) academic, vocational, social, and*
22 *independent living skills;*

23 *“(ii) evaluation of student progress;*

24 *“(iii) program administration and*
25 *evaluation;*

1 “(iv) student eligibility; and

2 “(v) issues regarding the equivalency of
3 a student’s participation in such programs
4 to semester, trimester, quarter, credit, or
5 clock hours at an institution of higher edu-
6 cation, as the case may be;

7 “(6) analyze possible funding streams for such
8 programs and provide recommendations regarding the
9 funding streams;

10 “(7) develop model memoranda of agreement be-
11 tween institutions of higher education and agencies
12 providing funding for such programs;

13 “(8) develop mechanisms for regular communica-
14 tion between the recipients of grants under section
15 773 regarding such programs; and

16 “(9) host a meeting of all recipients of grants
17 under section 773 not less often than once a year.

18 “(c) *DEFINITION OF ELIGIBLE ENTITY.*—*In this sec-*
19 *tion, the term ‘eligible entity’ means an entity, or a part-*
20 *nership of entities, that has demonstrated expertise in the*
21 *fields of higher education, students with intellectual disabil-*
22 *ities, the development of comprehensive transition and post-*
23 *secondary programs for students with intellectual disabil-*
24 *ities, and evaluation.*

1 “(d) *AUTHORIZATION OF APPROPRIATIONS.*—*There*
2 *are authorized to be appropriated to carry out this section*
3 *such sums as may be necessary.*”

4 (c) *CONFORMING AMENDMENTS.*—*Part D of title VII*
5 *(20 U.S.C. 1140 et seq.) is further amended—*

6 (1) *in section 761, by striking “part” and insert-*
7 *ing “subpart”;*

8 (2) *in section 762 (as amended by subsection*
9 *(a)), by striking “part” each place the term appears*
10 *and inserting “subpart”;*

11 (3) *in section 763, by striking “part” both places*
12 *the term appears and inserting “subpart”;*

13 (4) *in section 764, by striking “part” and insert-*
14 *ing “subpart”; and*

15 (5) *in section 765, by striking “part” and insert-*
16 *ing “subpart”.*

17 **SEC. 715. APPLICATIONS FOR DEMONSTRATION PROJECTS**

18 **TO ENSURE STUDENTS WITH DISABILITIES**

19 **RECEIVE A QUALITY HIGHER EDUCATION.**

20 Section 763 (as amended in section 714(c)(3)) (20
21 U.S.C. 1140b) is further amended—

22 (1) *by striking paragraph (1) and inserting the*
23 *following:*

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

1 (2) in paragraph (2), by striking “and” after the
2 semicolon;

3 (3) in paragraph (3), by striking the period at
4 the end and inserting “; and”; and

5 (4) by adding at the end the following:

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

11 **SEC. 716. AUTHORIZATION OF APPROPRIATIONS FOR DEM-**
12 **ONSTRATION PROJECTS TO ENSURE STU-**
13 **DENTS WITH DISABILITIES RECEIVE A QUAL-**
14 **ITY HIGHER EDUCATION.**

15 Section 765 (20 U.S.C. 1140d) is amended by striking
16 “\$10,000,000 for fiscal year 1999” and all that follows
17 through the period and inserting “such sums as may be nec-
18 essary for fiscal year 2008 and each of the 5 succeeding
19 fiscal years.”.

20 **SEC. 717. RESEARCH GRANTS.**

21 Title VII (20 U.S.C. 1133 et seq.) is further amended
22 by adding at the end the following:

“PART E—RESEARCH GRANTS**“SEC. 781. RESEARCH GRANTS.**

“(a) *GRANTS AUTHORIZED.*—*The Secretary is authorized to award grants, on a competitive basis, to eligible entities to enable the eligible entities to develop or improve valid and reliable measures of student achievement for use by institutions of higher education to measure and evaluate learning in higher education.*

“(b) *DEFINITIONS.*—*In this section:*

“(1) *ELIGIBLE ENTITY.*—*The term ‘eligible entity’ means—*

“(A) *an institution of higher education;*

“(B) *a State agency responsible for higher education;*

“(C) *a recognized higher education accrediting agency or an organization of higher education accreditors;*

“(D) *an eligible applicant described in section 174(c) of the Education Sciences Reform Act of 2002; and*

“(E) *a consortium of any combination of entities described in subparagraphs (A) through (D).*

“(c) *APPLICATION.*—

“(1) *IN GENERAL.*—*Each eligible entity that desires a grant under this part shall submit an applica-*

1 *tion to the Secretary at such time, in such manner,*
2 *and accompanied by such information as the Sec-*
3 *retary 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, insti-*
9 *tutions, associations, and other qualified individ-*
10 *uals as determined appropriate by the eligible*
11 *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 or*
21 *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 different—*

7 “(A) *geographic regions;*

8 “(B) *types of institutions of higher edu-*
9 *cation; and*

10 “(C) *higher education accreditors.*

11 “(e) *USE OF FUNDS.—Each eligible entity receiving*
12 *a grant under this section may use the grant funds—*

13 “(1) *to enable the eligible entity to improve the*
14 *quality, validity, and reliability of existing assess-*
15 *ments used by institutions of higher education;*

16 “(2) *to develop measures of student achievement*
17 *using multiple measures of student achievement from*
18 *multiple sources;*

19 “(3) *to measure improvement in student achieve-*
20 *ment over time;*

21 “(4) *to evaluate student achievement;*

22 “(5) *to develop models of effective practices; and*

23 “(6) *for a pilot or demonstration project of meas-*
24 *ures of student achievement.*

1 “(f) *MATCHING REQUIREMENT.*—An eligible entity de-
2 scribed in subparagraph (A), (B), or (C) of subsection (b)(1)
3 that receives a grant under this section shall provide for
4 each fiscal year, from non-Federal sources, an amount
5 (which may be provided in cash or in kind), to carry out
6 the activities supported by the grant, equal to 50 percent
7 of the amount received for the fiscal year under the grant.

8 “(g) *SUPPLEMENT, NOT SUPPLANT.*—Grant funds
9 provided under this section shall be used to supplement, not
10 supplant, other Federal or State funds.

11 “(h) *REPORT.*—

12 “(1) *REPORT.*—The Secretary shall provide an
13 annual report to Congress on the implementation of
14 the grant program assisted under this section.

15 “(2) *CONTENT.*—The report shall include—

16 “(A) information regarding the development
17 or improvement of scientifically valid and reli-
18 able measures of student achievement;

19 “(B) a description of the assessments or
20 other measures developed by eligible entities;

21 “(C) the results of any pilot or demonstra-
22 tion projects assisted under this section; and

23 “(D) such other information as the Sec-
24 retary may require.”.

1 **TITLE VIII—MISCELLANEOUS**

2 **SEC. 801. MISCELLANEOUS.**

3 *The Act (20 U.S.C. 1001 et seq.) is amended by adding*
 4 *at the end the following:*

5 **“TITLE VIII—MISCELLANEOUS**

6 **“PART A—MATHEMATICS AND SCIENCE**

7 **SCHOLARS PROGRAM**

8 **“SEC. 811. MATHEMATICS AND SCIENCE SCHOLARS PRO-**
 9 **GRAM.**

10 “(a) *PROGRAM AUTHORIZED.—The Secretary is au-*
 11 *thorized to award grants to States, on a competitive basis,*
 12 *to enable the States to award eligible students, who complete*
 13 *a rigorous secondary school curriculum in mathematics and*
 14 *science, scholarships for undergraduate study.*

15 “(b) *ELIGIBLE STUDENTS.—A student is eligible for*
 16 *a scholarship under this section if the student is a full-time*
 17 *undergraduate student in the student’s first and second year*
 18 *of study who has completed a rigorous secondary school cur-*
 19 *riculum in mathematics and science.*

20 “(c) *RIGOROUS CURRICULUM.—Each participating*
 21 *State shall determine the requirements for a rigorous sec-*
 22 *ondary school curriculum in mathematics and science de-*
 23 *scribed in subsection (b).*

24 “(d) *PRIORITY FOR SCHOLARSHIPS.—The Governor of*
 25 *a State may set a priority for awarding scholarships under*

1 *this section for particular eligible students, such as students*
2 *attending schools in high-need areas, students who are from*
3 *groups underrepresented in the fields of mathematics,*
4 *science, and engineering, students served by local edu-*
5 *cational agencies that do not meet or exceed State standards*
6 *in mathematics and science, or students with regional or*
7 *geographic needs as determined appropriate by the Gov-*
8 *ernor.*

9 “(e) *AMOUNT AND DURATION OF SCHOLARSHIP.—The*
10 *Secretary shall award a grant under this section—*

11 “(1) *in an amount that does not exceed \$1,000;*
12 *and*

13 “(2) *for not more than 2 years of undergraduate*
14 *study.*

15 “(f) *MATCHING REQUIREMENT.—In order to receive a*
16 *grant under this section, a State shall provide matching*
17 *funds for the scholarships awarded under this section in an*
18 *amount equal to 50 percent of the Federal funds received.*

19 “(g) *AUTHORIZATION.—There are authorized to be ap-*
20 *propriated to carry out this section such sums as may be*
21 *necessary for fiscal year 2008 and each of the 5 succeeding*
22 *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 the*
11 *contract described in subsection (a) not later than 90 days*
12 *after the date of enactment of the Higher Education Amend-*
13 *ments of 2007.*

14 “(c) *MATTERS ASSESSED.*—*The assessment described*
15 *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 *demie 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 that*
23 *may be utilized to control postsecondary education*
24 *costs in the future; and*

1 “(4) identify systemic approaches to monitor fu-
2 ture postsecondary education cost trends and postsec-
3 ondary 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 author-*
9 *ized 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 defined*
18 *in section 101 of the Workforce Investment Act*
19 *of 1998); or*

20 “(B) *if an institution of higher education is*
21 *located within a State that does not operate local*
22 *boards, between the institution of higher edu-*
23 *cation and a State board (as such term is de-*
24 *defined in section 101 of the Workforce Investment*
25 *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, or*
9 *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.*—*The*
15 *term ‘institution of higher education’ means an insti-*
16 *tution 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 the*
18 *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 in*
24 *employment in high-growth occupations or in-*
25 *dustries;*

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 remote
7 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 of
15 training that provide training for high-growth occu-
16 pations or industries;

17 “(3) to support outreach efforts that enable stu-
18 dents to attend institutions of higher education with
19 academic programs or programs of training focused
20 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 determines
6 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 ex-
14 ceed 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 *laureate or associate degree level to enable such pro-*
10 *gram to expand the faculty and facilities of such pro-*
11 *gram to accommodate additional R.N. nursing pro-*
12 *gram students; or*

13 *“(2) a graduate-level nursing program to accom-*
14 *modate advanced practice degrees for R.N.s or to ac-*
15 *commodate students enrolled in a graduate-level nurs-*
16 *ing program to provide teachers of nursing students.*

17 *“(b) DETERMINATION OF NUMBER OF STUDENTS AND*
18 *APPLICATION.—Each institution of higher education that*
19 *offers a program described in subsection (a) that desires to*
20 *receive a grant under this section shall—*

21 *“(1) determine for the 4 academic years pre-*
22 *ceding the academic year for which the determination*
23 *is made the average number of matriculated nursing*
24 *program students at such institution for such aca-*
25 *demical years; and*

1 “(2) submit an application to the Secretary at
2 such time, in such manner, and accompanied by such
3 information as the Secretary may require, including
4 the average number determined under paragraph (1).

5 “(c) GRANT AMOUNT; AWARD BASIS.—

6 “(1) GRANT AMOUNT.—For each academic year
7 after academic year 2006–2007, the Secretary shall
8 provide to each institution of higher education award-
9 ed a grant under this section an amount that is equal
10 to \$3,000 multiplied by the number of matriculated
11 nursing program students at such institution for such
12 academic year that is more than the average number
13 determined with respect to such institution under sub-
14 section (b)(1). Such amount shall be used for the pur-
15 poses described in subsection (a).

16 “(2) DISTRIBUTION OF GRANTS AMONG DIF-
17 FERENT DEGREE PROGRAMS.—

18 “(A) IN GENERAL.—Subject to subpara-
19 graph (B), from the funds available to award
20 grants under this section for each fiscal year, the
21 Secretary shall—

22 “(i) use 20 percent of such funds to
23 award grants under this section to institu-
24 tions of higher education for the purpose of
25 accommodating advanced practice degrees

1 or students in graduate-level nursing pro-
2 grams;

3 “(ii) use 40 percent of such funds to
4 award grants under this section to institu-
5 tions of higher education for the purpose of
6 expanding R.N. nursing programs at the
7 baccalaureate degree level; and

8 “(iii) use 40 percent of such funds to
9 award grants under this section to institu-
10 tions of higher education for the purpose of
11 expanding R.N. nursing programs at the
12 associate degree level.

13 “(B) *DISTRIBUTION OF EXCESS FUNDS.*—If,
14 for a fiscal year, funds described in clause (i),
15 (ii), or (iii) of subparagraph (A) remain after
16 the Secretary awards grants under this section to
17 all applicants for the particular category of
18 nursing programs described in such clause, the
19 Secretary shall use equal amounts of the remain-
20 ing funds to award grants under this section to
21 applicants for the remaining categories of nurs-
22 ing programs.

23 “(C) *EQUITABLE DISTRIBUTION.*—In
24 awarding grants under this section, the Sec-
25 retary shall, to the extent practicable, ensure—

1 “(i) an equitable geographic distribu-
2 tion of the grants among the States; and

3 “(ii) an equitable distribution of the
4 grants among different types of institutions
5 of higher education.

6 “(d) PROHIBITION.—

7 “(1) IN GENERAL.—Funds provided under this
8 section may not be used for the construction of new
9 facilities.

10 “(2) RULE OF CONSTRUCTION.—Nothing in
11 paragraph (1) shall be construed to prohibit funds
12 provided under this section from being used for the re-
13 pair or renovation of facilities.

14 “(e) AUTHORIZATION OF APPROPRIATIONS.—There are
15 authorized to be appropriated to carry out this section such
16 sums as may be necessary.

17 **“PART E—AMERICAN HISTORY FOR FREEDOM**

18 **“SEC. 831. AMERICAN HISTORY FOR FREEDOM.**

19 “(a) GRANTS AUTHORIZED.—The Secretary is author-
20 ized to award 3-year grants, on a competitive basis, to eligi-
21 ble institutions to establish or strengthen postsecondary aca-
22 demic programs or centers that promote and impart knowl-
23 edge of—

24 “(1) traditional American history;

1 “(2) *the history and nature of, and threats to,*
2 *free institutions; or*

3 “(3) *the history and achievements of Western civ-*
4 *ilization.*

5 “(b) *DEFINITIONS.—In this section:*

6 “(1) *ELIGIBLE INSTITUTION.—The term ‘eligible*
7 *institution’ means an institution of higher education*
8 *as defined in section 101.*

9 “(2) *FREE INSTITUTION.—The term ‘free institu-*
10 *tion’ means an institution that emerged out of West-*
11 *ern civilization, such as democracy, constitutional*
12 *government, individual rights, market economics, reli-*
13 *gious freedom and religious tolerance, and freedom of*
14 *thought and inquiry.*

15 “(3) *TRADITIONAL AMERICAN HISTORY.—The*
16 *term ‘traditional American history’ means—*

17 “(A) *the significant constitutional, political,*
18 *intellectual, economic, and foreign policy trends*
19 *and issues that have shaped the course of Amer-*
20 *ican history; and*

21 “(B) *the key episodes, turning points, and*
22 *leading figures involved in the constitutional, po-*
23 *litical, intellectual, diplomatic, and economic*
24 *history of the United States.*

25 “(c) *APPLICATION.—*

1 “(1) *IN GENERAL.*—*Each eligible institution that*
2 *desires a grant under this part shall submit an appli-*
3 *cation to the Secretary at such time, in such manner,*
4 *and accompanied by such additional information as*
5 *the Secretary may require.*

6 “(2) *CONTENTS.*—*Each application submitted*
7 *under subsection (a) shall include a description of —*

8 “(A) *how funds made available under this*
9 *part will be used for the activities set forth under*
10 *subsection (e), including how such activities will*
11 *increase knowledge with respect to traditional*
12 *American history, free institutions, or Western*
13 *civilization;*

14 “(B) *how the eligible institution will ensure*
15 *that information about the activities funded*
16 *under this part is widely disseminated pursuant*
17 *to subsection (e)(1)(B);*

18 “(C) *any activities to be undertaken pursu-*
19 *ant to subsection (e)(2)(A), including identifica-*
20 *tion of entities intended to participate;*

21 “(D) *how funds made available under this*
22 *part shall be used to supplement and not sup-*
23 *plant non-Federal funds available for the activi-*
24 *ties described in subsection (e); and*

1 “(E) such fiscal controls and accounting
2 procedures as may be necessary to ensure proper
3 disbursement of and accounting for funding
4 made available to the eligible institution under
5 this part.

6 “(d) AWARD BASIS.—In awarding grants under this
7 part, the Secretary shall take into consideration the capa-
8 bility of the eligible institution to—

9 “(1) increase access to quality programming that
10 expands knowledge of traditional American history,
11 free institutions, or Western civilization;

12 “(2) involve personnel with strong expertise in
13 traditional American history, free institutions, or
14 Western civilization; and

15 “(3) sustain the activities funded under this part
16 after the grant has expired.

17 “(e) USE OF FUNDS.—

18 “(1) REQUIRED USE OF FUNDS.—Funds pro-
19 vided under this part shall be used to—

20 “(A) establish or strengthen academic pro-
21 grams or centers focused on traditional Amer-
22 ican history, free institutions, or Western civili-
23 zation, which may include—

1 “(i) design and implementation of pro-
2 grams of study, courses, lecture series, semi-
3 nars, 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 tradi-
14 tional 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 (includ-
20 ing students enrolled in teacher education
21 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; and

2 “(v) within the local community.

3 “(2) *ALLOWABLE USES OF FUNDS.*—*Funds pro-*
4 *vided under this part may be used to support—*

5 “(A) *collaboration with entities such as—*

6 “(i) *local educational agencies, for the*
7 *purpose of providing elementary, middle*
8 *and secondary school teachers an oppor-*
9 *tunity to enhance their knowledge of tradi-*
10 *tional American history, free institutions,*
11 *or Western civilization; and*

12 “(ii) *nonprofit organizations whose*
13 *mission is consistent with the purpose of*
14 *this part, such as academic organizations,*
15 *museums, and libraries, for assistance in*
16 *carrying out activities described under sub-*
17 *section (a); and*

18 “(B) *other activities that meet the purposes*
19 *of this part.*

20 “(f) *AUTHORIZATION OF APPROPRIATIONS.*—*For the*
21 *purpose of carrying out this part, there are authorized to*
22 *be appropriated such sums as may be necessary for fiscal*
23 *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 qualified’,*
5 *‘local educational agency’, and ‘Secretary’ have the*
6 *meanings given the terms in section 9101 of the Ele-*
7 *mentary and Secondary Education Act of 1965 (20*
8 *U.S.C. 7801).*

9 “(2) *GRANTEE.*—*The term ‘grantee’ means Teach*
10 *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 author-*
16 *ized to award a grant to Teach For America, Inc., the na-*
17 *tional teacher corps of outstanding recent college graduates*
18 *who commit to teach for 2 years in underserved commu-*
19 *nities in the United States, to implement and expand its*
20 *program of recruiting, selecting, training, and supporting*
21 *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 section—*

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 under
10 this section shall be used by the grantee to carry out
11 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 and*
18 *theory.*

19 “(C) *Placing the teachers in schools and po-*
20 *sitions designated by partner local educational*
21 *agencies as high need placements serving under-*
22 *served students.*

23 “(D) *Providing ongoing professional devel-*
24 *opment activities for the teachers’ first 2 years*
25 *in the classroom, including regular classroom ob-*

1 *servations and feedback, and ongoing training*
2 *and support.*

3 “(2) *LIMITATION.*—*The grantee shall use all*
4 *grant funds received under this section to support ac-*
5 *tivities related directly to the recruitment, selection,*
6 *training, and support of teachers as described in sub-*
7 *section (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 the*
13 *teachers provided to local educational agencies*
14 *through a grant under this section;*

15 “(B) *an externally conducted analysis of the*
16 *satisfaction of local educational agencies and*
17 *principals with the teachers so provided; and*

18 “(C) *comprehensive data on the background*
19 *of the teachers chosen, the training the teachers*
20 *received, the placement sites of the teachers, the*
21 *professional development of the teachers, and the*
22 *retention of the teachers.*

23 “(2) *STUDY.*—

24 “(A) *IN GENERAL.*—*From funds appro-*
25 *priated under subsection (f), the Secretary shall*

1 *provide for a study that examines the achieve-*
2 *ment levels of the students taught by the teachers*
3 *assisted under this section.*

4 “(B) *ACHIEVEMENT GAINS COMPARED.—*
5 *The study shall compare, within the same*
6 *schools, the achievement gains made by students*
7 *taught by teachers who are assisted under this*
8 *section with the achievement gains made by stu-*
9 *dents taught by teachers who are not assisted*
10 *under this section.*

11 “(3) *REQUIREMENTS.—The Secretary shall pro-*
12 *vide for such a study not less than once every 3 years,*
13 *and each such study shall include multiple placement*
14 *sites and multiple schools within placement sites.*

15 “(4) *PEER REVIEW STANDARDS.—Each such*
16 *study shall meet the peer review standards of the edu-*
17 *cation research community.*

18 “(f) *AUTHORIZATION OF APPROPRIATIONS.—*

19 “(1) *IN GENERAL.—There are authorized to be*
20 *appropriated to carry out this section such sums as*
21 *may be necessary for fiscal year 2008 and each of the*
22 *5 succeeding fiscal years.*

23 “(2) *LIMITATION.—The grantee shall not use*
24 *more than 25 percent of Federal funds from any*
25 *source for administrative costs.*

1 **“PART G—PATSY T. MINK FELLOWSHIP PROGRAM**

2 **“SEC. 841. PATSY T. MINK FELLOWSHIP PROGRAM.**

3 “(a) *PURPOSE.*—

4 “(1) *IN GENERAL.*—*It is the purpose of this sec-*
5 *tion to provide, through eligible institutions, a pro-*
6 *gram of fellowship awards to assist highly qualified*
7 *minorities and women to acquire the doctoral degree,*
8 *or highest possible degree available, in academic areas*
9 *in which such individuals are underrepresented for*
10 *the purpose of enabling such individuals to enter the*
11 *higher education professoriate.*

12 “(2) *DESIGNATION.*—*Each recipient of a fellow-*
13 *ship award from an eligible institution receiving a*
14 *grant under this section shall be known as a ‘Patsy*
15 *T. Mink Graduate Fellow’.*

16 “(b) *DEFINITIONS.*—*In this section, the term ‘eligible*
17 *institution’ means an institution of higher education, or a*
18 *consortium of such institutions, that offers a program of*
19 *postbaccalaureate study leading to a graduate degree.*

20 “(c) *PROGRAM AUTHORIZED.*—

21 “(1) *GRANTS BY SECRETARY.*—

22 “(A) *IN GENERAL.*—*The Secretary shall*
23 *award grants to eligible institutions to enable*
24 *such institutions to make fellowship awards to*
25 *individuals in accordance with the provisions of*
26 *this section.*

1 “(B) *PRIORITY CONSIDERATION.*—*In*
2 *awarding grants under this section, the Sec-*
3 *retary shall consider the eligible institution’s*
4 *prior experience in producing doctoral degree, or*
5 *highest possible degree available, holders who are*
6 *minorities and women, and shall give priority*
7 *consideration in making grants under this sec-*
8 *tion to those eligible institutions with a dem-*
9 *onstrated record of producing minorities and*
10 *women who have earned such degrees.*

11 “(2) *APPLICATIONS.*—

12 “(A) *IN GENERAL.*—*An eligible institution*
13 *that desires a grant under this section shall sub-*
14 *mit an application to the Secretary at such time,*
15 *in such manner, and containing such informa-*
16 *tion as the Secretary may require.*

17 “(B) *APPLICATIONS MADE ON BEHALF.*—

18 “(i) *IN GENERAL.*—*The following enti-*
19 *ties may submit an application on behalf of*
20 *an eligible institution:*

21 “(I) *A graduate school or depart-*
22 *ment of such institution.*

23 “(II) *A graduate school or depart-*
24 *ment of such institution in collabora-*

1 *tion with an undergraduate college or*
2 *university of such institution.*

3 *“(III) An organizational unit*
4 *within such institution that offers a*
5 *program of postbaccalaureate study*
6 *leading to a graduate degree, including*
7 *an interdisciplinary or an interdepart-*
8 *mental program.*

9 *“(IV) A nonprofit organization*
10 *with a demonstrated record of helping*
11 *minorities and women earn*
12 *postbaccalaureate degrees.*

13 *“(ii) NONPROFIT ORGANIZATIONS.—*
14 *Nothing in this paragraph shall be con-*
15 *strued to permit the Secretary to award a*
16 *grant under this section to an entity other*
17 *than an eligible institution.*

18 *“(3) SELECTION OF APPLICATIONS.—In award-*
19 *ing grants under subsection (a), the Secretary shall—*

20 *“(A) take into account—*

21 *“(i) the number and distribution of*
22 *minority and female faculty nationally;*

23 *“(ii) the current and projected need for*
24 *highly trained individuals in all areas of*
25 *the higher education professoriate; and*

1 “(iii) the present and projected need
2 for highly trained individuals in academic
3 career fields in which minorities and
4 women are underrepresented in the higher
5 education professoriate; and

6 “(B) consider the need to prepare a large
7 number of minorities and women generally in
8 academic career fields of high national priority,
9 especially in areas in which such individuals are
10 traditionally underrepresented in college and
11 university faculty.

12 “(4) DISTRIBUTION AND AMOUNTS OF GRANTS.—

13 “(A) EQUITABLE DISTRIBUTION.—In
14 awarding grants under this section, the Sec-
15 retary shall, to the maximum extent feasible, en-
16 sure an equitable geographic distribution of
17 awards and an equitable distribution among
18 public and independent eligible institutions that
19 apply for grants under this section and that
20 demonstrate an ability to achieve the purpose of
21 this section.

22 “(B) SPECIAL RULE.—To the maximum ex-
23 tent practicable, the Secretary shall use not less
24 than 30 percent of the amount appropriated pur-

1 *suant to subsection (f) to award grants to eligible*
2 *institutions that—*

3 *“(i) are eligible for assistance under*
4 *title III or title V; or*

5 *“(ii) have formed a consortium that*
6 *includes both non-minority serving institu-*
7 *tions and minority serving institutions.*

8 *“(C) ALLOCATION.—In awarding grants*
9 *under this section, the Secretary shall allocate*
10 *appropriate funds to those eligible institutions*
11 *whose applications indicate an ability to signifi-*
12 *cantly increase the numbers of minorities and*
13 *women entering the higher education professo-*
14 *riate and that commit institutional resources to*
15 *the attainment of the purpose of this section.*

16 *“(D) NUMBER OF FELLOWSHIP AWARDS.—*
17 *An eligible institution that receives a grant*
18 *under this section shall make not less than 15*
19 *fellowship awards.*

20 *“(E) REALLOTMENT.—If the Secretary de-*
21 *termines that an eligible institution awarded a*
22 *grant under this section is unable to use all of*
23 *the grant funds awarded to the institution, the*
24 *Secretary shall reallot, on such date during each*
25 *fiscal year as the Secretary may fix, the unused*

1 *funds to other eligible institutions that dem-*
2 *onstrate that such institutions can use any re-*
3 *allocated grant funds to make fellowship awards*
4 *to individuals under this section.*

5 “(5) *INSTITUTIONAL ALLOWANCE.—*

6 “(A) *IN GENERAL.—*

7 “(i) *NUMBER OF ALLOWANCES.—In*
8 *awarding grants under this section, the Sec-*
9 *retary shall pay to each eligible institution*
10 *awarded a grant, for each individual*
11 *awarded a fellowship by such institution*
12 *under this section, an institutional allow-*
13 *ance.*

14 “(ii) *AMOUNT.—Except as provided in*
15 *paragraph (3), an institutional allowance*
16 *shall be in an amount equal to, for aca-*
17 *demie year 2007–2008 and succeeding aca-*
18 *demie years, the amount of institutional al-*
19 *lowance made to an institution of higher*
20 *education under section 715 for such aca-*
21 *demie year.*

22 “(B) *USE OF FUNDS.—Institutional allow-*
23 *ances may be expended in the discretion of the*
24 *eligible institution and may be used to provide,*
25 *except as prohibited under paragraph (4), aca-*

1 *demio support and career transition services for*
2 *individuals awarded fellowships by such institu-*
3 *tion.*

4 “(C) *REDUCTION.*—*The institutional allow-*
5 *ance paid under paragraph (1) shall be reduced*
6 *by the amount the eligible institution charges*
7 *and collects from a fellowship recipient for tui-*
8 *tion and other expenses as part of the recipient’s*
9 *instructional program.*

10 “(D) *USE FOR OVERHEAD PROHIBITED.*—
11 *Funds made available under this section may*
12 *not be used for general operational overhead of*
13 *the academic department or institution receiving*
14 *funds under this section.*

15 “(d) *FELLOWSHIP RECIPIENTS.*—

16 “(1) *AUTHORIZATION.*—*An eligible institution*
17 *that receives a grant under this section shall use the*
18 *grant funds to make fellowship awards to minorities*
19 *and women who are enrolled at such institution in a*
20 *doctoral degree, or highest possible degree available,*
21 *program and—*

22 “(A) *intend to pursue a career in instruc-*
23 *tion at—*

24 “(i) *an institution of higher education*
25 *(as the term is defined in section 101);*

1 “(ii) an institution of higher education
2 (as the term is defined in section
3 102(a)(1));

4 “(iii) an institution of higher edu-
5 cation outside the United States (as the
6 term is described in section 102(a)(2)); or

7 “(iv) a proprietary institution of high-
8 er education (as the term is defined in sec-
9 tion 102(b)); and

10 “(B) sign an agreement with the Secretary
11 agreeing—

12 “(i) to begin employment at an insti-
13 tution described in paragraph (1) not later
14 than 3 years after receiving the doctoral de-
15 gree or highest possible degree available,
16 which 3-year period may be extended by the
17 Secretary for extraordinary circumstances;
18 and

19 “(ii) to be employed by such institu-
20 tion for 1 year for each year of fellowship
21 assistance received under this section.

22 “(2) FAILURE TO COMPLY.—If an individual
23 who receives a fellowship award under this section
24 fails to comply with the agreement signed pursuant to

1 subsection (a)(2), then the Secretary shall do 1 or
2 both of the following:

3 “(A) Require the individual to repay all or
4 the applicable portion of the total fellowship
5 amount awarded to the individual by converting
6 the balance due to a loan at the interest rate ap-
7 plicable to loans made under part B of title IV.

8 “(B) Impose a fine or penalty in an
9 amount to be determined by the Secretary.

10 “(3) WAIVER AND MODIFICATION.—

11 “(A) REGULATIONS.—The Secretary shall
12 promulgate regulations setting forth criteria to
13 be considered in granting a waiver for the serv-
14 ice requirement under subsection (a)(2).

15 “(B) CONTENT.—The criteria under para-
16 graph (1) shall include whether compliance with
17 the service requirement by the fellowship recipi-
18 ent would be—

19 “(i) inequitable and represent an ex-
20 traordinary hardship; or

21 “(ii) deemed impossible because the in-
22 dividual is permanently and totally dis-
23 abled at the time of the waiver request.

24 “(4) AMOUNT OF FELLOWSHIP AWARDS.—Fellow-
25 ship awards under this section shall consist of a sti-

1 *pend in an amount equal to the level of support pro-*
2 *vided to the National Science Foundation graduate*
3 *fellows, except that such stipend shall be adjusted as*
4 *necessary so as not to exceed the fellow's tuition and*
5 *fees or demonstrated need (as determined by the insti-*
6 *tution of higher education where the graduate student*
7 *is enrolled), whichever is greater.*

8 *“(5) ACADEMIC PROGRESS REQUIRED.—An indi-*
9 *vidual student shall not be eligible to receive a fellow-*
10 *ship award—*

11 *“(A) except during periods in which such*
12 *student is enrolled, and such student is main-*
13 *taining satisfactory academic progress in, and*
14 *devoting essentially full time to, study or re-*
15 *search in the pursuit of the degree for which the*
16 *fellowship support was awarded; and*

17 *“(B) if the student is engaged in gainful*
18 *employment, other than part-time employment*
19 *in teaching, research, or similar activity deter-*
20 *mined by the eligible institution to be consistent*
21 *with and supportive of the student's progress to-*
22 *ward the appropriate degree.*

23 *“(e) RULE OF CONSTRUCTION.—Nothing in this sec-*
24 *tion shall be construed to require an eligible institution that*
25 *receives a grant under this section—*

1 *populations, each serving a significant population of*
2 *low-income students, and to carry out a comprehen-*
3 *sive needs assessment in the agencies and States of the*
4 *factors known to contribute to improved higher edu-*
5 *cation enrollment rates, which factors shall include—*

6 *“(A) an evaluation of the local educational*
7 *agency’s and State’s leadership strategies;*

8 *“(B) the secondary school curriculum and*
9 *class offerings of the local educational agency*
10 *and State;*

11 *“(C) the professional development used by*
12 *the local educational agency and the State to as-*
13 *sist teachers, higher education counselors, and*
14 *administrators in supporting the transition of*
15 *secondary students into higher education;*

16 *“(D) secondary school student attendance*
17 *and other factors demonstrated to be associated*
18 *with enrollment into higher education;*

19 *“(E) the data systems used by the local edu-*
20 *cational agency and the State to measure college*
21 *enrollment rates and the incentives in place to*
22 *motivate the efforts of faculty and students to*
23 *improve student and school-wide outcomes; and*

24 *“(F) strategies to mobilize student leaders to*
25 *build a college-bound culture; and*

1 “(3) to provide comprehensive services to im-
2 prove the school-wide higher education enrollment
3 rates of each of not less than 10 local educational
4 agencies and States, with the federally funded portion
5 of each project declining by not less than 20 percent
6 each year beginning in the second year of the com-
7 prehensive services, that—

8 “(A) participated in the needs assessment
9 described in paragraph (2); and

10 “(B) demonstrated a willingness and com-
11 mitment to improving the higher education en-
12 rollment rates of the local educational agency or
13 State, respectively.

14 “(b) *GRANT RECIPIENT CRITERIA.*—The recipient of
15 the grant awarded under subsection (a) shall be a nonprofit
16 organization with demonstrated expertise—

17 “(1) in increasing school-wide higher education
18 enrollment rates in low-income communities nation-
19 wide by providing curriculum, training, and tech-
20 nical assistance to secondary school staff and student
21 peer influencers; and

22 “(2) in a college transition data management
23 system.

24 “(c) *AUTHORIZATION OF APPROPRIATIONS.*—There are
25 authorized to be appropriated to carry out this section such

1 *sums as are necessary for fiscal year 2008 and each of the*
2 *5 succeeding fiscal years.*

3 **“PART I—PREDOMINANTLY BLACK INSTITUTIONS**

4 **“SEC. 850. PREDOMINANTLY BLACK INSTITUTIONS.**

5 *“(a) PURPOSE.—It is the purpose of this section to as-*
6 *sist Predominantly Black Institutions in expanding edu-*
7 *cational opportunity through a program of Federal assist-*
8 *ance.*

9 *“(b) DEFINITIONS.—In this section:*

10 *“(1) EDUCATIONAL AND GENERAL EXPENDI-*
11 *TURES.—The term ‘educational and general expendi-*
12 *tures’ has the meaning given the term in section 312.*

13 *“(2) ELIGIBLE INSTITUTION.—The term ‘eligible*
14 *institution’ means an institution of higher education*
15 *that—*

16 *“(A) has an enrollment of needy under-*
17 *graduate students;*

18 *“(B) has an average educational and gen-*
19 *eral expenditure which is low, per full-time*
20 *equivalent undergraduate student in comparison*
21 *with the average educational and general ex-*
22 *penditure per full-time equivalent undergraduate*
23 *student of institutions that offer similar instruc-*
24 *tion, except that the Secretary may apply the*
25 *waiver requirements described in section 392(b)*

1 to this subparagraph in the same manner as the
2 Secretary applies the waiver requirements to sec-
3 tion 312(b)(1)(B);

4 “(C) has an enrollment of undergraduate
5 students that is not less than 40 percent Black
6 American students;

7 “(D) is legally authorized to provide, and
8 provides within the State, an educational pro-
9 gram for which the institution of higher edu-
10 cation awards a baccalaureate degree, or in the
11 case of a junior or community college, an associ-
12 ate’s degree; and

13 “(E) is accredited by a nationally recog-
14 nized accrediting agency or association deter-
15 mined by the Secretary to be a reliable authority
16 as to the quality of training offered, or is, ac-
17 cording to such an agency or association, mak-
18 ing reasonable progress toward accreditation.

19 “(3) *ENDOWMENT FUND.*—The term ‘endowment
20 fund’ has the meaning given the term in section 312.

21 “(4) *ENROLLMENT OF NEEDY STUDENTS.*—The
22 term ‘enrollment of needy students’ means the enroll-
23 ment at an eligible institution with respect to which
24 not less than 50 percent of the undergraduate students

1 *enrolled in an academic program leading to a de-*
2 *gree—*

3 *“(A) in the second fiscal year preceding the*
4 *fiscal year for which the determination is made,*
5 *were Federal Pell Grant recipients for such year;*

6 *“(B) come from families that receive bene-*
7 *fits under a means-tested Federal benefit pro-*
8 *gram;*

9 *“(C) attended a public or nonprofit private*
10 *secondary school—*

11 *“(i) that is in the school district of a*
12 *local educational agency that was eligible*
13 *for assistance under part A of title I of the*
14 *Elementary and Secondary Education Act*
15 *of 1965 for any year during which the stu-*
16 *dent attended such secondary school; and*

17 *“(ii) which for the purpose of this*
18 *paragraph and for that year was deter-*
19 *mined by the Secretary (pursuant to regula-*
20 *tions and after consultation with the State*
21 *educational agency of the State in which the*
22 *school is located) to be a school in which the*
23 *enrollment of children counted under section*
24 *1113(a)(5) of such Act exceeds 30 percent of*
25 *the total enrollment of such school; or*

1 “(D) are first-generation college students
2 and a majority of such first-generation college
3 students are low-income individuals.

4 “(5) *FIRST GENERATION COLLEGE STUDENT*.—
5 The term ‘first generation college student’ has the
6 meaning given the term in section 402A(g).

7 “(6) *LOW-INCOME INDIVIDUAL*.—The term ‘low-
8 income individual’ has the meaning given such term
9 in section 402A(g).

10 “(7) *MEANS-TESTED FEDERAL BENEFIT PRO-*
11 *GRAM*.—The term ‘means-tested Federal benefit pro-
12 gram’ means a program of the Federal Government,
13 other than a program under title IV, in which eligi-
14 bility for the program’s benefits, or the amount of
15 such benefits, are determined on the basis of income
16 or resources of the individual or family seeking the
17 benefit.

18 “(8) *PREDOMINANTLY BLACK INSTITUTION*.—The
19 term ‘Predominantly Black Institution’ means an in-
20 stitution of higher education, as defined in section
21 101(a)—

22 “(A) that is an eligible institution with not
23 less than 1,000 undergraduate students;

24 “(B) at which not less than 50 percent of
25 the undergraduate students enrolled at the eligi-

1 *ble institution are low-income individuals or*
2 *first generation college students; and*

3 “(C) *at which not less than 50 percent of*
4 *the undergraduate students are enrolled in an*
5 *educational program leading to a bachelor’s or*
6 *associate’s degree that the eligible institution is*
7 *licensed to award by the State in which the eligi-*
8 *ble institution is located.*

9 “(9) *STATE.—The term ‘State’ means each of the*
10 *50 States and the District of Columbia.*

11 “(c) *GRANT AUTHORITY.—*

12 “(1) *IN GENERAL.—The Secretary is authorized*
13 *to award grants, from allotments under subsection*
14 *(e), to Predominantly Black Institutions to enable the*
15 *Predominantly Black Institutions to carry out the*
16 *authorized activities described in subsection (d).*

17 “(2) *PRIORITY.—In awarding grants under this*
18 *section the Secretary shall give priority to Predomi-*
19 *nantly Black Institutions with large numbers or per-*
20 *centages of students described in subsections (b)(2)(A)*
21 *or (b)(2)(C). The level of priority given to Predomi-*
22 *nantly Black Institutions with large numbers or per-*
23 *centages of students described in subsection (b)(2)(A)*
24 *shall be twice the level of priority given to Predomi-*

1 *nantly Black Institutions with large numbers or per-*
2 *centages of students described in subsection (b)(2)(C).*

3 *“(d) AUTHORIZED ACTIVITIES.—*

4 *“(1) REQUIRED ACTIVITIES.—Grant funds pro-*
5 *vided under this section shall be used—*

6 *“(A) to assist the Predominantly Black In-*
7 *stitution to plan, develop, undertake, and imple-*
8 *ment programs to enhance the institution’s ca-*
9 *capacity to serve more low- and middle-income*
10 *Black American students;*

11 *“(B) to expand higher education opportuni-*
12 *ties for students eligible to participate in pro-*
13 *grams under title IV by encouraging college*
14 *preparation and student persistence in secondary*
15 *school and postsecondary education; and*

16 *“(C) to strengthen the financial ability of*
17 *the Predominantly Black Institution to serve the*
18 *academic needs of the students described in sub-*
19 *paragraphs (A) and (B).*

20 *“(2) ADDITIONAL ACTIVITIES.—Grant funds pro-*
21 *vided under this section shall be used for 1 or more*
22 *of the following activities:*

23 *“(A) The activities described in paragraphs*
24 *(1) through (11) of section 311(c).*

1 “(B) *Academic instruction in disciplines in*
2 *which Black Americans are underrepresented.*

3 “(C) *Establishing or enhancing a program*
4 *of teacher education designed to qualify students*
5 *to teach in a public elementary school or sec-*
6 *ondary school in the State that shall include, as*
7 *part of such program, preparation for teacher*
8 *certification or licensure.*

9 “(D) *Establishing community outreach pro-*
10 *grams that will encourage elementary school and*
11 *secondary school students to develop the aca-*
12 *ademic skills and the interest to pursue postsec-*
13 *ondary education.*

14 “(E) *Other activities proposed in the appli-*
15 *cation submitted pursuant to subsection (f)*
16 *that—*

17 “(i) *contribute to carrying out the pur-*
18 *pose of this section; and*

19 “(ii) *are approved by the Secretary as*
20 *part of the review and approval of an ap-*
21 *plication submitted under subsection (f).*

22 “(3) *ENDOWMENT FUND.—*

23 “(A) *IN GENERAL.—A Predominantly Black*
24 *Institution may use not more than 20 percent of*
25 *the grant funds provided under this section to es-*

1 *tablish or increase an endowment fund at the in-*
2 *stitution.*

3 “(B) *MATCHING REQUIREMENT.*—*In order*
4 *to be eligible to use grant funds in accordance*
5 *with subparagraph (A), a Predominantly Black*
6 *Institution shall provide matching funds from*
7 *non-Federal sources, in an amount equal to or*
8 *greater than the Federal funds used in accord-*
9 *ance with subparagraph (A), for the establish-*
10 *ment or increase of the endowment fund.*

11 “(C) *COMPARABILITY.*—*The provisions of*
12 *part C of title III, regarding the establishment or*
13 *increase of an endowment fund, that the Sec-*
14 *retary determines are not inconsistent with this*
15 *subsection, shall apply to funds used under sub-*
16 *paragraph (A).*

17 “(4) *LIMITATION.*—*Not more than 50 percent of*
18 *the grant funds provided to a Predominantly Black*
19 *Institution under this section may be available for the*
20 *purpose of constructing or maintaining a classroom,*
21 *library, laboratory, or other instructional facility.*

22 “(e) *ALLOTMENTS TO PREDOMINANTLY BLACK INSTI-*
23 *TUTIONS.*—

24 “(1) *FEDERAL PELL GRANT BASIS.*—*From the*
25 *amounts appropriated to carry out this section for*

1 *any fiscal year, the Secretary shall allot to each Pre-*
2 *dominantly Black Institution having an application*
3 *approved under subsection (f) a sum that bears the*
4 *same ratio to one-half of that amount as the number*
5 *of Federal Pell Grant recipients in attendance at such*
6 *institution at the end of the academic year preceding*
7 *the beginning of that fiscal year, bears to the total*
8 *number of Federal Pell Grant recipients at all such*
9 *institutions at the end of such academic year.*

10 “(2) *GRADUATES BASIS.*—*From the amounts ap-*
11 *propriated to carry out this section for any fiscal*
12 *year, the Secretary shall allot to each Predominantly*
13 *Black Institution having an application approved*
14 *under subsection (f) a sum that bears the same ratio*
15 *to one-fourth of that amount as the number of grad-*
16 *uates for such academic year at such institution,*
17 *bears to the total number of graduates for such aca-*
18 *demie year at all such institutions.*

19 “(3) *GRADUATES SEEKING A HIGHER DEGREE*
20 *BASIS.*—*From the amounts appropriated to carry out*
21 *this section for any fiscal year, the Secretary shall*
22 *allot to each Predominantly Black Institution having*
23 *an application approved under subsection (f) a sum*
24 *that bears the same ratio to one-fourth of that amount*
25 *as the percentage of graduates from such institution*

1 *who are admitted to and in attendance at, not later*
2 *than 2 years after graduation with an associate's de-*
3 *gree or a baccalaureate degree, a baccalaureate degree-*
4 *granting institution or a graduate or professional*
5 *school in a degree program in disciplines in which*
6 *Black American students are underrepresented, bears*
7 *to the percentage of such graduates for all such insti-*
8 *tutions.*

9 *“(4) MINIMUM ALLOTMENT.—*

10 *“(A) IN GENERAL.—Notwithstanding para-*
11 *graphs (1), (2), and (3), the amount allotted to*
12 *each Predominantly Black Institution under this*
13 *section shall not be less than \$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 Predomi-*
2 *nantly Black Institution’s allotment under paragraph*
3 *(1), (2), (3), or (4) for any fiscal year that the Sec-*
4 *retary determines will not be required for such insti-*
5 *tution for the period such allotment is available, shall*
6 *be available for reallocation to other Predominantly*
7 *Black Institutions in proportion to the original allot-*
8 *ment to such other institutions under this section for*
9 *such fiscal year. The Secretary shall reallocate such*
10 *amounts from time to time, on such date and during*
11 *such period as the Secretary determines appropriate.*

12 “(f) *APPLICATIONS.*—*Each Predominantly Black In-*
13 *stitution desiring a grant under this section shall submit*
14 *an application to the Secretary at such time, in such man-*
15 *ner, and containing or accompanied by such information*
16 *as the Secretary may reasonably require.*

17 “(g) *PROHIBITION.*—*No Predominantly Black Institu-*
18 *tion that applies for and receives a grant under this section*
19 *may apply for or receive funds under any other program*
20 *under part A or part B of title III.*

21 “(h) *DURATION AND CARRYOVER.*—*Any grant funds*
22 *paid to a Predominantly Black Institution under this sec-*
23 *tion that are not expended or used for the purposes for*
24 *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 are*
 4 *authorized to be appropriated to carry out this section such*
 5 *sums as may be necessary for fiscal year 2008 and each*
 6 *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 competencies,*
 23 *pathways to qualifications, credentials, degrees,*
 24 *quality assurances, access, and outreach, for*
 25 *early childhood education program staff, direc-*

1 *tors, and administrators, that is linked to com-*
2 *ensation commensurate with experience and*
3 *qualifications;*

4 *“(B) articulation agreements that enable*
5 *early childhood education professionals to transi-*
6 *tion 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 pro-*
14 *gram’ 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 age*
24 *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 in
10 section 855; and

11 “(2) to support activities of the State Task Force
12 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 Development

1 *and Career Task Force (hereafter in this part referred to*
2 *as the ‘State Task Force’).*

3 “(b) *MEMBERSHIP.*—*The State Task Force shall in-*
4 *clude a representative of a State agency, an institution of*
5 *higher education (including an associate or a baccalaureate*
6 *degree granting institution of higher education), an early*
7 *childhood education program, a nonprofit early childhood*
8 *organization, a statewide early childhood workforce scholar-*
9 *ship or supplemental initiative, and any other entity or*
10 *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 Ad-*
16 *visory 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 early*
20 *childhood professional development and career*
21 *activities into the plans of the State Advisory*
22 *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 develop-*
16 *ment;*

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 early
7 childhood education program staff, directors, and
8 administrators, including methods for how out-
9 reach is provided to non-English speaking pro-
10 viders, in order to enable the providers to be
11 aware of opportunities and resources under the
12 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 such
21 training and professional development courses;

22 “(D) increasing the participation of early
23 childhood educators in postsecondary education
24 programs leading to degrees in early childhood
25 education by providing assistance to pay the

1 *costs of enrollment in and completion of such*
2 *postsecondary education programs, which assist-*
3 *ance—*

4 *“(i) shall only be provided to an indi-*
5 *vidual who—*

6 *“(I) enters into an agreement*
7 *under which the individual agrees to*
8 *work, for a reasonable number of years*
9 *after receiving such a degree, in an*
10 *early childhood education program*
11 *that is located in a low-income area;*
12 *and*

13 *“(II) has a family income equal*
14 *to or less than the annually adjusted*
15 *national median family income as de-*
16 *termined by the Bureau of the Census;*
17 *and*

18 *“(ii) shall be provided in an amount*
19 *that does not exceed \$17,500;*

20 *“(E) supporting professional development*
21 *activities and a career lattice for a variety of*
22 *early childhood professional roles with varying*
23 *professional qualifications and responsibilities*
24 *for early childhood education personnel, includ-*

1 *ing strategies to enhance the compensation of*
2 *such personnel;*

3 *“(F) supporting articulation agreements be-*
4 *tween 2- and 4-year public and private institu-*
5 *tions 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 direc-*
10 *tors of early childhood education programs;*

11 *“(H) providing career development advising*
12 *with respect to the field of early childhood edu-*
13 *cation, including informing an individual re-*
14 *garding—*

15 *“(i) entry into and continuing edu-*
16 *cation requirements for professional roles in*
17 *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 degree*
25 *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 ex-
4 perience and demonstrated expertise in estab-
5 lishing programs in child development, in order
6 to improve the skills and expertise of individuals
7 working in early childhood education programs;
8 and

9 “(K) developing or enhancing a system of
10 quality assurance with respect to the early child-
11 hood education professional development and ca-
12 reer system, including standards or qualifica-
13 tions for individuals and entities who offer
14 training and professional development in early
15 childhood education.

16 “(b) *PUBLIC HEARINGS.*—The State Task Force shall
17 hold public hearings and provide an opportunity for public
18 comment on the activities described in the statewide plan
19 described in subsection (a)(3).

20 “(c) *PERIODIC REVIEW.*—The State Task Force shall
21 meet periodically to review implementation of the statewide
22 plan and to recommend any changes to the statewide plan
23 the State Task Force determines necessary.

1 **“SEC. 857. STATE APPLICATION AND REPORT.**

2 “(a) *IN GENERAL.*—Each State desiring a grant under
3 this part shall submit an application to the Secretary at
4 such time, in such manner, and accompanied by such infor-
5 mation as the Secretary may reasonably require. Each such
6 application shall include a description of—

7 “(1) *the membership of the State Task Force;*

8 “(2) *the activities for which the grant assistance*
9 *will be used;*

10 “(3) *other Federal, State, local, and private re-*
11 *sources that will be available to support the activities*
12 *of the State Task Force described in section 856;*

13 “(4) *the availability within the State of train-*
14 *ing, early childhood educator preparation, profes-*
15 *sional development, compensation initiatives, and ca-*
16 *reer systems, related to early childhood education; and*

17 “(5) *the resources available within the State for*
18 *such training, educator preparation, professional de-*
19 *velopment, compensation initiatives, and career sys-*
20 *tems.*

21 “(b) *REPORT TO THE SECRETARY.*—Not later than 2
22 years after receiving a grant under this part, a State shall
23 submit a report to the Secretary that shall describe—

24 “(1) *other Federal, State, local, and private re-*
25 *sources that will be used in combination with a grant*
26 *under this section to develop or expand the State’s*

1 *early childhood education professional development*
2 *and career activities;*

3 “(2) *the ways in which the State Advisory Coun-*
4 *cil (or similar State entity) will coordinate the var-*
5 *ious State and local activities that support the early*
6 *childhood education professional development and ca-*
7 *reer system; and*

8 “(3) *the ways in which the State Task Force will*
9 *use funds provided under this part and carry out the*
10 *activities described in section 856.*

11 **“SEC. 858. EVALUATIONS.**

12 “(a) *STATE EVALUATION.—Each State receiving a*
13 *grant under this part shall—*

14 “(1) *evaluate the activities that are assisted*
15 *under this part in order to determine—*

16 “(A) *the effectiveness of the activities in*
17 *achieving State goals;*

18 “(B) *the impact of a career lattice for indi-*
19 *viduals working in early childhood education*
20 *programs;*

21 “(C) *the impact of the activities on licens-*
22 *ing or regulating requirements for individuals in*
23 *the field of early childhood development;*

24 “(D) *the impact of the activities, and the*
25 *impact of the statewide plan described in section*

1 856(a)(3), on the quality of education, profes-
2 sional development, and training related to early
3 childhood education programs that are offered in
4 the State;

5 “(E) the change in compensation and reten-
6 tion of individuals working in early childhood
7 education programs within the State resulting
8 from the activities; and

9 “(F) the impact of the activities on the de-
10 mographic characteristics of individuals working
11 in early childhood education programs; and

12 “(2) submit a report at the end of the grant pe-
13 riod to the Secretary regarding the evaluation de-
14 scribed in paragraph (1).

15 “(b) *SECRETARY’S EVALUATION.*—Not later than Sep-
16 tember 30, 2013, the Secretary, in consultation with the
17 Secretary of Health and Human Services, shall prepare
18 and submit to the authorizing committees an evaluation of
19 the State reports submitted under subsection (a)(2).

20 **“SEC. 859. AUTHORIZATION OF APPROPRIATIONS.**

21 “*There are authorized to be appropriated to carry out*
22 *this part such sums as may be necessary for fiscal year 2008*
23 *and each of the 5 succeeding fiscal years.*

1 **“PART K—IMPROVING SCIENCE, TECHNOLOGY,**
2 **ENGINEERING, AND MATHEMATICS EDU-**
3 **CATION WITH A FOCUS ON ALASKA NATIVE**
4 **AND NATIVE HAWAIIAN STUDENTS**

5 **“SEC. 861. IMPROVING SCIENCE, TECHNOLOGY, ENGINEER-**
6 **ING, AND MATHEMATICS EDUCATION WITH A**
7 **FOCUS ON ALASKA NATIVE AND NATIVE HA-**
8 **WAIIAN STUDENTS.**

9 *“(a) PURPOSE.—The purpose of this section is—*

10 *“(1) to develop or expand programs for the devel-*
11 *opment of professionals in the fields of science, tech-*
12 *nology, engineering, and mathematics; and*

13 *“(2) to focus resources on meeting the edu-*
14 *cational and cultural needs of Alaska Natives and*
15 *Native Hawaiians.*

16 *“(b) DEFINITIONS.—In this section:*

17 *“(1) ALASKA NATIVE.—The term ‘Alaska Native’*
18 *has the meaning given the term ‘Native’ in section*
19 *3(b) of the Alaska Natives Claims Settlement Act (43*
20 *U.S.C. 1602(b)).*

21 *“(2) INSTITUTION OF HIGHER EDUCATION.—The*
22 *term ‘institution of higher education’ has the meaning*
23 *given the term in section 101(a).*

24 *“(3) ELIGIBLE PARTNERSHIP.—The term ‘eligi-*
25 *ble partnership’ means a partnership that includes—*

1 “(A) 1 or more colleges or schools of engi-
2 neering;

3 “(B) 1 or more colleges of science, engineer-
4 ing, or mathematics;

5 “(C) 1 or more institutions of higher edu-
6 cation that offer 2-year degrees; and

7 “(D) 1 or more private entities that—

8 “(i) conduct career awareness activities
9 showcasing local technology professionals;

10 “(ii) encourage students to pursue edu-
11 cation in science, technology, engineering,
12 and mathematics from elementary school
13 through college, and careers in those fields,
14 with the assistance of local technology pro-
15 fessionals;

16 “(iii) develop internships, apprentice-
17 ships, and mentoring programs in partner-
18 ship with relevant industries; and

19 “(iv) assist with placement of interns
20 and apprentices.

21 “(4) NATIVE HAWAIIAN.—The term ‘Native Ha-
22 waiian’ has the meaning given the term in section
23 7207 of the Elementary and Secondary Education
24 Act of 1965.

1 “(c) *GRANT AUTHORIZED.*—*The Secretary is author-*
2 *ized to award a grant to an eligible partnership to enable*
3 *the eligible partnership to expand programs for the develop-*
4 *ment of science, technology, engineering, or mathematics*
5 *professionals, from elementary school through college, in-*
6 *cluding existing programs for Alaska Native and Native*
7 *Hawaiian students.*

8 “(d) *USES OF FUNDS.*—*Grant funds under this section*
9 *shall be used for 1 or more of the following:*

10 “(1) *Development or implementation of cultural,*
11 *social, or educational transition programs to assist*
12 *students to transition into college life and academics*
13 *in order to increase such students’ retention rates in*
14 *the fields of science, technology, engineering, or math-*
15 *ematics, with a focus on Alaska Native or Native Ha-*
16 *waiian students.*

17 “(2) *Development or implementation of academic*
18 *support or supplemental educational programs to in-*
19 *crease the graduation rates of students in the fields of*
20 *science, technology, engineering, or mathematics, with*
21 *a focus on Alaska Native and Native Hawaiian stu-*
22 *dents.*

23 “(3) *Development or implementation of intern-*
24 *ship programs, carried out in coordination with edu-*
25 *cational institutions and private entities, to prepare*

1 *students for careers in the fields of science, technology,*
2 *engineering, or mathematics, with a focus on pro-*
3 *grams that serve Alaska Native or Native Hawaiian*
4 *students.*

5 *“(4) Such other activities that are consistent*
6 *with the purposes of this section.*

7 *“(e) APPLICATION.—Each eligible partnership that de-*
8 *sires a grant under this section shall submit an application*
9 *to the Secretary at such time, in such manner, and con-*
10 *taining such information as the Secretary may require.*

11 *“(f) PRIORITY.—In awarding grants under this sec-*
12 *tion, the Secretary shall give priority to an eligible partner-*
13 *ship that provides 1 or more programs in which 30 percent*
14 *or more of the program participants are Alaska Native or*
15 *Native Hawaiian.*

16 *“(g) PERIOD OF GRANT.—A grant under this section*
17 *shall be awarded for a period of 5 years.*

18 *“(h) EVALUATION AND REPORT.—Each eligible part-*
19 *nership that receives a grant under this section shall con-*
20 *duct an evaluation to determine the effectiveness of the pro-*
21 *grams funded under the grant and shall provide a report*
22 *regarding the evaluation to the Secretary not later than 6*
23 *months after the end of the grant period.*

24 *“(i) AUTHORIZATION OF APPROPRIATIONS.—There are*
25 *authorized to be appropriated to carry out this section such*

1 *sums as may be necessary for fiscal year 2008 and each*
2 *of the 5 succeeding fiscal years.*

3 **“PART L—PILOT PROGRAM TO INCREASE**
4 **PERSISTENCE IN COMMUNITY COLLEGES**

5 **“SEC. 865. PILOT PROGRAM TO INCREASE PERSISTENCE IN**
6 **COMMUNITY COLLEGES.**

7 “(a) *DEFINITIONS.—In this section:*

8 “(1) *INSTITUTION OF HIGHER EDUCATION.—Ex-*
9 *cept as otherwise provided in this section, the term*
10 *‘institution of higher education’ means an institution*
11 *of higher education, as defined in section 101, that*
12 *provides a 1- or 2-year program of study leading to*
13 *a degree or certificate.*

14 “(2) *ELIGIBLE STUDENT.—The term ‘eligible*
15 *student’ means a student who—*

16 “(A) *meets the requirements of section*
17 484(a);

18 “(B) *is enrolled at least half time;*

19 “(C) *is not younger than age 19 and not*
20 *older than age 33;*

21 “(D) *is the parent of at least 1 dependent*
22 *child, which dependent child is age 18 or young-*
23 *er;*

24 “(E) *has a family income below 200 percent*
25 *of the poverty line;*

1 “(F) has a secondary school diploma or its
2 recognized equivalent, and earned a passing
3 score on a college entrance examination; and

4 “(G) does not have a degree or occupational
5 certificate from an institution of higher edu-
6 cation, as defined in section 101 or 102(a).

7 “(b) *PROGRAM AUTHORIZED.*—The Secretary is au-
8 thorized to award grants, on a competitive basis, to institu-
9 tions of higher education to enable the institutions of higher
10 education to provide additional monetary and nonmone-
11 tary support to eligible students to enable the eligible stu-
12 dents to maintain enrollment and complete degree or certifi-
13 cate programs.

14 “(c) *USES OF FUNDS.*—

15 “(1) *REQUIRED USES.*—Each institution of
16 higher education receiving a grant under this section
17 shall use the grant funds—

18 “(A) to provide scholarships in accordance
19 with subsection (d); and

20 “(B) to provide counseling services in ac-
21 cordance with subsection (e).

22 “(2) *ALLOWABLE USES OF FUNDS.*—Grant funds
23 provided under this section may be used—

24 “(A) to conduct outreach to make students
25 aware of the scholarships and counseling services

1 *available under this section and to encourage the*
2 *students to participate in the program assisted*
3 *under this section;*

4 *“(B) to provide gifts of \$20 or less, such as*
5 *a store gift card, to applicants who complete the*
6 *process of applying for assistance under this sec-*
7 *tion, as an incentive and as compensation for*
8 *the student’s time; and*

9 *“(C) to evaluate the success of the program.*

10 *“(d) SCHOLARSHIP REQUIREMENTS.—*

11 *“(1) IN GENERAL.—Each scholarship awarded*
12 *under this section shall—*

13 *“(A) be awarded for 1 academic year;*

14 *“(B) be awarded in the amount of \$1,000*
15 *for each of 2 semesters (prorated for quarters), or*
16 *\$2,000 for an academic year;*

17 *“(C) require the student to maintain during*
18 *the scholarship period at least half-time enroll-*
19 *ment and a 2.0 or C grade point average; and*

20 *“(D) be paid in increments of—*

21 *“(i) \$250 upon enrollment (prorated*
22 *for quarters);*

23 *“(ii) \$250 upon passing midterm ex-*
24 *aminations (prorated for quarters); and*

1 “(iii) \$500 upon passing courses (pro-
2 rated for quarters).

3 “(2) NUMBER.—An institution may award an
4 eligible student not more than 2 scholarships under
5 this section.

6 “(e) COUNSELING SERVICES.—

7 “(1) IN GENERAL.—Each institution of higher
8 education receiving a grant under this section shall
9 use the grant funds to provide students at the institu-
10 tion with a counseling staff dedicated to students par-
11 ticipating in the program under this section. Each
12 such counselor shall—

13 “(A) have a caseload of less than 125 stu-
14 dents;

15 “(B) use a proactive, team-oriented ap-
16 proach to counseling;

17 “(C) hold a minimum of 2 meetings with
18 students each semester; and

19 “(D) provide referrals to and follow-up with
20 other student services staff, including financial
21 and career services.

22 “(2) COUNSELING SERVICES AVAILABILITY.—The
23 counseling services provided under this section shall
24 be available to participating students during the day-
25 time and evening hours.

1 “(f) *APPLICATION.*—*An institution of higher education*
2 *that desires to receive a grant under this section shall sub-*
3 *mit an application to the Secretary at such time, in such*
4 *manner, and containing such information as the Secretary*
5 *may require, including—*

6 “(1) *the number of students to be served under*
7 *this section;*

8 “(2) *a description of the scholarships and coun-*
9 *seling services that will be provided under this sec-*
10 *tion; and*

11 “(3) *a description of how the program under this*
12 *section will be evaluated.*

13 “(g) *PERIOD OF GRANT.*—*The Secretary may award*
14 *a grant under this section for a period of 5 years.*

15 “(h) *EVALUATION.*—

16 “(1) *IN GENERAL.*—*Each institution of higher*
17 *education receiving a grant under this section shall*
18 *conduct an annual evaluation of the impact of the*
19 *grant and shall provide the evaluation to the Sec-*
20 *retary. The Secretary shall disseminate to the public*
21 *the findings, information on best practices, and les-*
22 *sons learned, with respect to the evaluations.*

23 “(2) *RANDOM ASSIGNMENT RESEARCH DESIGN.*—
24 *The evaluation shall be conducted using a random as-*

1 *signment research design with the following require-*
2 *ments:*

3 *“(A) When students are recruited for the*
4 *program, all students will be told about the pro-*
5 *gram and the evaluation.*

6 *“(B) Baseline data will be collected from all*
7 *applicants for assistance under this section.*

8 *“(C) Students will be assigned randomly to*
9 *2 groups, which will consist of—*

10 *“(i) a program group that will receive*
11 *the scholarship and the additional coun-*
12 *seling services; and*

13 *“(ii) a control group that will receive*
14 *whatever regular financial aid and coun-*
15 *seling services are available to all students*
16 *at the institution of higher education.*

17 *“(3) PREVIOUS COHORTS.—In conducting the*
18 *evaluation for the second and third years of the pro-*
19 *gram, each institution of higher education shall in-*
20 *clude information on previous cohorts of students as*
21 *well as students in the current program year.*

22 *“(i) AUTHORIZATION OF APPROPRIATIONS.—There are*
23 *authorized to be appropriated to carry out this section such*
24 *sums as may be necessary for fiscal year 2008 and each*
25 *of the 5 succeeding fiscal years.*

1 **“PART M—STUDENT SAFETY AND CAMPUS**

2 **EMERGENCY MANAGEMENT**

3 **“SEC. 871. STUDENT SAFETY AND CAMPUS EMERGENCY**
4 **MANAGEMENT.**

5 “(a) *GRANTS AUTHORIZED.*—

6 “(1) *IN GENERAL.*—*The Secretary is authorized*
7 *to award grants, on a competitive basis, to institu-*
8 *tions of higher education or consortia of institutions*
9 *of higher education to enable institutions of higher*
10 *education or consortia to pay the Federal share of the*
11 *cost of carrying out the authorized activities described*
12 *in subsection (c).*

13 “(2) *CONSULTATION WITH THE ATTORNEY GEN-*
14 *ERAL AND THE SECRETARY OF HOMELAND SECU-*
15 *RITY.*—*Where appropriate, the Secretary shall award*
16 *grants under this section in consultation with the At-*
17 *torney General of the United States and the Secretary*
18 *of Homeland Security.*

19 “(3) *DURATION.*—*The Secretary shall award*
20 *each grant under this section for a period of 2 years.*

21 “(4) *LIMITATION ON INSTITUTIONS AND CON-*
22 *SORTIA.*—*An institution of higher education or con-*
23 *sortium shall be eligible for only 1 grant under this*
24 *section.*

25 “(b) *FEDERAL SHARE; NON-FEDERAL SHARE.*—

1 “(1) *IN GENERAL.*—*The Federal share shall be*
2 *50 percent.*

3 “(2) *NON-FEDERAL SHARE.*—*The institution of*
4 *higher education or consortium shall provide the non-*
5 *Federal share, which may be provided from other*
6 *Federal, State, and local resources dedicated to emer-*
7 *gency preparedness and response.*

8 “(c) *AUTHORIZED ACTIVITIES.*—*Each institution of*
9 *higher education or consortium receiving a grant under this*
10 *section may use the grant funds to carry out 1 or more*
11 *of the following:*

12 “(1) *Developing and implementing a state-of-the-*
13 *art emergency communications system for each cam-*
14 *pus of an institution of higher education or consor-*
15 *tium, in order to contact students via cellular, text*
16 *message, or other state-of-the-art communications*
17 *methods when a significant emergency or dangerous*
18 *situation occurs. An institution or consortium using*
19 *grant funds to carry out this paragraph shall also, in*
20 *coordination with the appropriate State and local*
21 *emergency management authorities—*

22 “(A) *develop procedures that students, em-*
23 *ployees, and others on a campus of an institu-*
24 *tion of higher education or consortium will be*

1 *directed to follow in the event of a significant*
2 *emergency or dangerous situation; and*

3 “(B) *develop procedures the institution of*
4 *higher education or consortium shall follow to*
5 *inform, within a reasonable and timely manner,*
6 *students, employees, and others on a campus in*
7 *the event of a significant emergency or dangerous*
8 *situation, which procedures shall include the*
9 *emergency communications system described in*
10 *this paragraph.*

11 “(2) *Supporting measures to improve safety at*
12 *the institution of higher education or consortium,*
13 *such as—*

14 “(A) *security assessments;*

15 “(B) *security training of personnel and stu-*
16 *dents at the institution of higher education or*
17 *consortium;*

18 “(C) *where appropriate, coordination of*
19 *campus preparedness and response efforts with*
20 *local law enforcement, local emergency manage-*
21 *ment authorities, and other agencies, to improve*
22 *coordinated responses in emergencies among such*
23 *entities; and*

24 “(D) *establishing a hotline that allows a*
25 *student or staff member at an institution or con-*

1 *sortium to report another student or staff mem-*
2 *ber at the institution or consortium who the re-*
3 *porting student or staff member believes may be*
4 *a danger to the reported student or staff member*
5 *or to others.*

6 “(3) *Coordinating with appropriate local entities*
7 *the provision of, mental health services for students*
8 *enrolled in the institution of higher education or con-*
9 *sortium, including mental health crisis response and*
10 *intervention services, to individuals affected by a*
11 *campus or community emergency.*

12 “(d) *APPLICATION.—Each institution of higher edu-*
13 *cation or consortium desiring a grant under this section*
14 *shall submit an application to the Secretary at such time,*
15 *in such manner, and containing such information as the*
16 *Secretary may require.*

17 “(e) *TECHNICAL ASSISTANCE.—The Secretary shall co-*
18 *ordinate technical assistance provided by State and local*
19 *emergency management agencies, the Department of Home-*
20 *land Security, and other agencies as appropriate, to insti-*
21 *tutions of higher education or consortia that request assist-*
22 *ance in developing and implementing the activities assisted*
23 *under this section.*

24 “(f) *RULE OF CONSTRUCTION.—Nothing in this sec-*
25 *tion shall be construed—*

1 **SEC. 802. ADDITIONAL PROGRAMS.**

2 *Title VIII (as added by section 801) is further amend-*
 3 *ed by adding at the end the following:*

4 **“PART N—SCHOOL OF VETERINARY MEDICINE**
 5 **COMPETITIVE GRANT PROGRAM**

6 **“SEC. 876. SCHOOL OF VETERINARY MEDICINE COMPETI-**
 7 **TIVE GRANT PROGRAM.**

8 *“(a) IN GENERAL.—The Secretary of Health and*
 9 *Human Services (referred to in this section as the ‘Sec-*
 10 *retary’) shall award competitive grants to eligible entities*
 11 *for the purpose of improving public health preparedness*
 12 *through increasing the number of veterinarians in the work-*
 13 *force.*

14 *“(b) ELIGIBLE ENTITIES.—To be eligible to receive a*
 15 *grant under subsection (a), an entity shall—*

16 *“(1) be—*

17 *“(A) a public or other nonprofit school of*
 18 *veterinary medicine that is accredited by a na-*
 19 *tionally recognized accrediting agency or asso-*
 20 *ciation recognized by the Secretary of Education*
 21 *pursuant to part H of title IV;*

22 *“(B) a public or nonprofit, department of*
 23 *comparative medicine, department of veterinary*
 24 *science, school of public health, or school of medi-*
 25 *cine that is accredited by a nationally recognized*
 26 *accrediting agency or association recognized by*

1 *the Secretary of Education pursuant to part H*
2 *of title IV and that offers graduate training for*
3 *veterinarians in a public health practice area as*
4 *determined by the Secretary; or*

5 “(C) a public or nonprofit entity that—

6 “(i) conducts recognized residency
7 training programs for veterinarians that
8 are approved by a veterinary specialty or-
9 ganization that is recognized by the Amer-
10 ican Veterinary Medical Association; and

11 “(ii) offers postgraduate training for
12 veterinarians in a public health practice
13 area as determined by the Secretary; and

14 “(2) prepare and submit to the Secretary an ap-
15 plication, at such time, in such manner, and con-
16 taining such information as the Secretary may re-
17 quire.

18 “(c) *CONSIDERATION OF APPLICATIONS.*—*The Sec-*
19 *retary shall establish procedures to ensure that applications*
20 *under subsection (b)(2) are rigorously reviewed and that*
21 *grants are competitively awarded based on—*

22 “(1) the ability of the applicant to increase the
23 number of veterinarians who are trained in specified
24 public health practice areas as determined by the Sec-
25 retary;

1 “(2) *the ability of the applicant to increase ca-*
2 *capacity in research on high priority disease agents; or*

3 “(3) *any other consideration the Secretary deter-*
4 *mines necessary.*

5 “(d) *PREFERENCE.—In awarding grants under sub-*
6 *section (a), the Secretary shall give preference to applicants*
7 *that demonstrate a comprehensive approach by involving*
8 *more than one school of veterinary medicine, department*
9 *of comparative medicine, department of veterinary science,*
10 *school of public health, school of medicine, or residency*
11 *training program that offers postgraduate training for vet-*
12 *erinarians in a public health practice area as determined*
13 *by the Secretary.*

14 “(e) *USE OF FUNDS.—Amounts received under a grant*
15 *under this section shall be used by a grantee to increase*
16 *the number of veterinarians in the workforce through pay-*
17 *ing costs associated with the expansion of academic pro-*
18 *grams at schools of veterinary medicine, departments of*
19 *comparative medicine, departments of veterinary science, or*
20 *entities offering residency training programs, or academic*
21 *programs that offer postgraduate training for veterinarians*
22 *or concurrent training for veterinary students in specific*
23 *areas of specialization, which costs may include minor ren-*
24 *ovation and improvement in classrooms, libraries, and lab-*
25 *oratories.*

1 “(f) *DEFINITION OF PUBLIC HEALTH PRACTICE.*—In
2 *this section, the term ‘public health practice’ includes bio-*
3 *terrorism and emergency preparedness, environmental*
4 *health, food safety and food security, regulatory medicine,*
5 *diagnostic laboratory medicine, and biomedical research.*

6 “(g) *AUTHORIZATION OF APPROPRIATIONS.*—There
7 *are authorized to be appropriated to carry out this section*
8 *such sums as may be necessary for fiscal year 2008 and*
9 *each of the 5 succeeding fiscal years. Amounts appropriated*
10 *under this subsection shall remain available until expended.*

11 **“PART O—EARLY FEDERAL PELL GRANT**

12 **COMMITMENT DEMONSTRATION PROGRAM**

13 **“SEC. 881. EARLY FEDERAL PELL GRANT COMMITMENT**
14 **DEMONSTRATION PROGRAM.**

15 “(a) *DEMONSTRATION PROGRAM AUTHORITY.*—

16 “(1) *IN GENERAL.*—The Secretary is authorized
17 *to carry out an Early Federal Pell Grant Commit-*
18 *ment Demonstration Program under which—*

19 “(A) *the Secretary awards grants to 4 State*
20 *educational agencies, in accordance with para-*
21 *graph (2), to pay the administrative expenses in-*
22 *curring in participating in the demonstration*
23 *program under this section; and*

1 “(B) the Secretary awards Federal Pell
2 Grants to participating students in accordance
3 with this section.

4 “(2) GRANTS.—

5 “(A) IN GENERAL.—From amounts appro-
6 priated under subsection (h) for a fiscal year, the
7 Secretary is authorized to award grants to 4
8 State educational agencies to enable the State
9 educational agencies to pay the administrative
10 expenses incurred in participating in a dem-
11 onstration program under which 8th grade stu-
12 dents who are eligible for a free or reduced price
13 meal described in subsection (b)(1)(B) receive a
14 commitment to receive a Federal Pell Grant
15 early in their academic careers.

16 “(B) EQUAL AMOUNTS.—The Secretary
17 shall award grants under this section in equal
18 amounts to each of the 4 participating State
19 educational agencies.

20 “(b) DEMONSTRATION PROJECT REQUIREMENTS.—
21 Each of the 4 demonstration projects assisted under this sec-
22 tion shall meet the following requirements:

23 “(1) PARTICIPANTS.—

24 “(A) IN GENERAL.—The State educational
25 agency shall make participation in the dem-

1 *onstration project available to 2 cohorts of stu-*
2 *dents, which shall consist of—*

3 “(i) 1 cohort of 8th grade students who
4 begin the participation in academic year
5 2008–2009; and

6 “(ii) 1 cohort of 8th grade students
7 who begin the participation in academic
8 year 2009–2010.

9 “(B) *STUDENTS IN EACH COHORT.*—*Each*
10 *cohort of students shall consist of not more than*
11 *10,000 8th grade students who qualify for a free*
12 *or reduced price meal under the Richard B. Rus-*
13 *sell National School Lunch Act or the Child Nu-*
14 *trition Act of 1966.*

15 “(2) *STUDENT DATA.*—*The State educational*
16 *agency shall ensure that student data from local edu-*
17 *cational agencies serving students who participate in*
18 *the demonstration project, as well as student data*
19 *from local educational agencies serving a comparable*
20 *group of students who do not participate in the dem-*
21 *onstration project, are available for evaluation of the*
22 *demonstration project, except that in no case shall*
23 *such data be provided in a manner that would reveal*
24 *personally identifiable information about an indi-*
25 *vidual student.*

1 “(3) *FEDERAL PELL GRANT COMMITMENT.*—
2 *Each student who participates in the demonstration*
3 *project receives a commitment from the Secretary to*
4 *receive a Federal Pell Grant during the first aca-*
5 *demie year that the student is in attendance at an in-*
6 *stitution of higher education as an undergraduate, if*
7 *the student applies for Federal financial aid (via the*
8 *FAFSA or EZ FAFSA) during the student’s senior*
9 *year of secondary school and during succeeding years.*

10 “(4) *APPLICATION PROCESS.*—*The Secretary*
11 *shall establish an application process to select State*
12 *educational agencies to participate in the demonstra-*
13 *tion program and State educational agencies shall es-*
14 *tablish an application process to select local edu-*
15 *cational agencies within the State to participate in*
16 *the demonstration project.*

17 “(5) *LOCAL EDUCATIONAL AGENCY PARTICIPA-*
18 *TION.*—*Subject to the 10,000 statewide student limita-*
19 *tion described in paragraph (1), a local educational*
20 *agency serving students, not less than 50 percent of*
21 *whom are eligible for a free or reduced price meal*
22 *under the Richard B. Russell National School Lunch*
23 *Act or the Child Nutrition Act of 1966, shall be eligi-*
24 *ble to participate in the demonstration project.*

25 “(c) *STATE EDUCATIONAL AGENCY APPLICATIONS.*—

1 “(1) *IN GENERAL.*—*Each State educational*
2 *agency desiring to participate in the demonstration*
3 *program under this section shall submit an applica-*
4 *tion to the Secretary at such time and in such man-*
5 *ner as the Secretary may require.*

6 “(2) *CONTENTS.*—*Each application shall in-*
7 *clude—*

8 “(A) *a description of the proposed targeted*
9 *information campaign for the demonstration*
10 *project and a copy of the plan described in sub-*
11 *section (f)(2);*

12 “(B) *a description of the student population*
13 *that will receive an early commitment to receive*
14 *a Federal Pell Grant under this section;*

15 “(C) *an assurance that the State edu-*
16 *cational agency will fully cooperate with the on-*
17 *going evaluation of the demonstration project;*
18 *and*

19 “(D) *such other information as the Sec-*
20 *retary may require.*

21 “(d) *SELECTION CONSIDERATIONS.*—

22 “(1) *SELECTION OF STATE EDUCATIONAL AGEN-*
23 *CIES.*—*In selecting State educational agencies to par-*
24 *ticipate in the demonstration program under this sec-*
25 *tion, the Secretary shall consider—*

1 “(A) *the number and quality of State edu-*
2 *cational agency applications received;*

3 “(B) *the Department’s capacity to oversee*
4 *and monitor each State educational agency’s*
5 *participation in the demonstration program;*

6 “(C) *a State educational agency’s—*

7 “(i) *financial responsibility;*

8 “(ii) *administrative capability;*

9 “(iii) *commitment to focusing State re-*
10 *sources, in addition to any resources pro-*
11 *vided under part A of title I of the Elemen-*
12 *tary and Secondary Education Act of 1965,*
13 *on students who receive assistance under*
14 *such part A;*

15 “(iv) *ability and plans to run an effec-*
16 *tive and thorough targeted information*
17 *campaign for students served by local edu-*
18 *cational agencies eligible to participate in*
19 *the demonstration project; and*

20 “(v) *ability to ensure the participation*
21 *in the demonstration program of a diverse*
22 *group of students, including with respect to*
23 *ethnicity and gender.*

24 “(2) *LOCAL EDUCATIONAL AGENCY.—In selecting*
25 *local educational agencies to participate in a dem-*

1 *onstration project under this section, the State edu-*
2 *cational agency shall consider—*

3 *“(A) the number and quality of local edu-*
4 *cational agency applications received;*

5 *“(B) the State educational agency’s capac-*
6 *ity to oversee and monitor each local educational*
7 *agency’s participation in the demonstration*
8 *project;*

9 *“(C) a local educational agency’s—*

10 *“(i) financial responsibility;*

11 *“(ii) administrative capability;*

12 *“(iii) commitment to focusing local re-*
13 *sources, in addition to any resources pro-*
14 *vided under part A of title I of the Elemen-*
15 *tary and Secondary Education Act of 1965,*
16 *on students who receive assistance under*
17 *such part A;*

18 *“(iv) ability and plans to run an effec-*
19 *tive and thorough targeted information*
20 *campaign for students served by the local*
21 *educational agency; and*

22 *“(v) ability to ensure the participation*
23 *in the demonstration project of a diverse*
24 *group of students with respect to ethnicity*
25 *and gender.*

1 “(e) *EVALUATION.*—

2 “(1) *IN GENERAL.*—*From amounts appropriated*
3 *under subsection (h) for a fiscal year, the Secretary*
4 *shall reserve not more than \$1,000,000 to award a*
5 *grant or contract to an organization outside the De-*
6 *partment for an independent evaluation of the impact*
7 *of the demonstration program assisted under this sec-*
8 *tion.*

9 “(2) *COMPETITIVE BASIS.*—*The grant or con-*
10 *tract shall be awarded on a competitive basis.*

11 “(3) *MATTERS EVALUATED.*—*The evaluation de-*
12 *scribed in this subsection shall—*

13 “(A) *determine the number of individuals*
14 *who were encouraged by the demonstration pro-*
15 *gram to pursue higher education;*

16 “(B) *identify the barriers to the effectiveness*
17 *of the demonstration program;*

18 “(C) *assess the cost-effectiveness of the dem-*
19 *onstration program in improving access to high-*
20 *er education;*

21 “(D) *identify the reasons why participants*
22 *in the demonstration program either received or*
23 *did not receive a Federal Pell Grant;*

1 “(E) identify intermediate outcomes related
2 to postsecondary education attendance, such as
3 whether participants—

4 “(i) were more likely to take a college-
5 prep curriculum while in secondary school;

6 “(ii) submitted any college applica-
7 tions; and

8 “(iii) took the PSAT, SAT, or ACT;

9 “(F) identify the number of individuals
10 participating in the demonstration program who
11 pursued an associate’s degree or a bachelor’s de-
12 gree, or other postsecondary education;

13 “(G) compare the findings of the demonstra-
14 tion program with respect to participants to
15 comparison groups (of similar size and demo-
16 graphics) that did not participate in the dem-
17 onstration program; and

18 “(H) identify the impact on the parents of
19 students eligible to participate in the demonstra-
20 tion program.

21 “(4) DISSEMINATION.—The findings of the eval-
22 uation shall be reported to the Secretary, who shall
23 widely disseminate the findings to the public.

24 “(f) TARGETED INFORMATION CAMPAIGN.—

1 “(1) *IN GENERAL.*—Each State educational
2 agency receiving a grant under this section shall, in
3 cooperation with the participating local educational
4 agencies within the State and the Secretary, develop
5 a targeted information campaign for the demonstra-
6 tion program assisted under this section.

7 “(2) *PLAN.*—Each State educational agency re-
8 ceiving a grant under this section shall include in the
9 application submitted under subsection (c) a written
10 plan for their proposed targeted information cam-
11 paign. The plan shall include the following:

12 “(A) *OUTREACH.*—A description of the out-
13 reach to students and their families at the begin-
14 ning and end of each academic year of the dem-
15 onstration project, at a minimum.

16 “(B) *DISTRIBUTION.*—How the State edu-
17 cational agency plans to provide the outreach de-
18 scribed in subparagraph (A) and to provide the
19 information described in subparagraph (C).

20 “(C) *INFORMATION.*—The annual provision
21 by the State educational agency to all students
22 and families participating in the demonstration
23 program of information regarding—

24 “(i) the estimated statewide average
25 cost of attendance for an institution of high-

1 *er education for each academic year, which*
2 *cost data shall be disaggregated by—*

3 *“(I) type of institution, includ-*
4 *ing—*

5 *“(aa) 2-year public degree-*
6 *granting institutions of higher*
7 *education;*

8 *“(bb) 4-year public degree-*
9 *granting institutions of higher*
10 *education; and*

11 *“(cc) 4-year private degree-*
12 *granting institutions of higher*
13 *education;*

14 *“(II) component, including—*

15 *“(aa) tuition and fees; and*

16 *“(bb) room and board;*

17 *“(ii) Federal Pell Grants, including—*

18 *“(I) the maximum Federal Pell*
19 *Grant for each award year;*

20 *“(II) when and how to apply for*
21 *a Federal Pell Grant; and*

22 *“(III) what the application proc-*
23 *ess for a Federal Pell Grant requires;*

24 *“(iii) State-specific college savings pro-*
25 *grams;*

1 “(iv) *State merit-based financial aid;*

2 “(v) *State need-based financial aid;*

3 *and*

4 “(vi) *Federal financial aid available to*

5 *students, including eligibility criteria for*

6 *such aid and an explanation of the Federal*

7 *financial aid programs, such as the Student*

8 *Guide published by the Department of Edu-*

9 *cation (or any successor to such document).*

10 “(3) *COHORTS.—The information described in*
11 *paragraph (2)(C) shall be provided to 2 cohorts of*
12 *students annually for the duration of the students’*
13 *participation in the demonstration program. The 2*
14 *cohorts shall consist of—*

15 “(A) *1 cohort of 8th grade students who*
16 *begin the participation in academic year 2008–*
17 *2009; and*

18 “(B) *1 cohort of 8th grade students who*
19 *begin the participation in academic year 2009–*
20 *2010.*

21 “(4) *RESERVATION.—Each State educational*
22 *agency receiving a grant under this section shall re-*
23 *serve not more than 15 percent of the grant funds re-*
24 *ceived each fiscal year to carry out the targeted infor-*
25 *mation campaign described in this subsection.*

1 “(g) *SUPPLEMENT, NOT SUPPLANT.*—A State edu-
 2 cational agency shall use grant funds received under this
 3 section only to supplement the funds that would, in the ab-
 4 sence of such funds, be made available from non-Federal
 5 sources for students participating in the demonstration pro-
 6 gram under this section, and not to supplant such funds.

7 “(h) *AUTHORIZATION OF APPROPRIATIONS.*—There
 8 are authorized to be appropriated to carry out this section
 9 such sums as may be necessary for fiscal year 2008 and
 10 each of the 5 succeeding fiscal years.

11 **“PART P—HENRY KUUALOHA GIUGNI KUPUNA**

12 **MEMORIAL ARCHIVES**

13 **“SEC. 886. HENRY KUUALOHA GIUGNI KUPUNA MEMORIAL**
 14 **ARCHIVES.**

15 “(a) *GRANTS AUTHORIZED.*—The Secretary is author-
 16 ized to award a grant to the University of Hawaii Academy
 17 for Creative Media for the establishment, maintenance, and
 18 periodic modernization of the Henry Kuualoha Giugni
 19 Kupuna Memorial Archives at the University of Hawaii.

20 “(b) *USE OF FUNDS.*—The Henry Kuualoha Giugni
 21 Kupuna Memorial Archives shall use the grant funds re-
 22 ceived under this section—

23 “(1) *to facilitate the acquisition of a secure web*
 24 *accessible repository of Native Hawaiian historical*
 25 *data rich in ethnic and cultural significance to the*

1 *United States for preservation and access by future*
2 *generations;*

3 *“(2) to award scholarships to facilitate access to*
4 *a postsecondary education for students who cannot af-*
5 *ford such education;*

6 *“(3) to support programmatic efforts associated*
7 *with the web-based media projects of the archives;*

8 *“(4) to create educational materials, from the*
9 *contents of the archives, that are applicable to a*
10 *broad range of indigenous students, such as Native*
11 *Hawaiians, Alaskan Natives, and Native American*
12 *Indians;*

13 *“(5) to develop outreach initiatives that intro-*
14 *duce the archival collections to elementary schools and*
15 *secondary schools;*

16 *“(6) to develop supplemental web-based resources*
17 *that define terms and cultural practices innate to Na-*
18 *tive Hawaiians;*

19 *“(7) to rent, lease, purchase, maintain, or repair*
20 *educational facilities to house the archival collections;*

21 *“(8) to rent, lease, purchase, maintain, or repair*
22 *computer equipment for use by elementary schools*
23 *and secondary schools in accessing the archival collec-*
24 *tions;*

1 “(9) to provide pre-service and in-service teacher
2 training to develop a core group of kindergarten
3 through grade 12 teachers who are able to provide in-
4 struction in a way that is relevant to the unique
5 background of indigenous students, such as Native
6 Hawaiians, Alaskan Natives, and Native American
7 Indians, in order to—

8 “(A) facilitate greater understanding by
9 teachers of the unique background of indigenous
10 students; and

11 “(B) improve student achievement; and

12 “(10) to increase the economic and financial lit-
13 eracy of postsecondary education students through the
14 dissemination of best practices used at other institu-
15 tions of higher education regarding debt and credit
16 management and economic decision-making.

17 “(c) *AUTHORIZATION OF APPROPRIATIONS.*—There are
18 authorized to be appropriated to carry out this section such
19 sums as may be necessary for fiscal year 2008 and each
20 of the 5 succeeding fiscal years.”.

21 **SEC. 803. STUDENT LOAN CLEARINGHOUSE.**

22 (a) *DEVELOPMENT.*—Not later than 180 days after the
23 date of enactment of this Act, the Secretary of Education
24 shall establish 1 or more clearinghouses of information on
25 student loans (including loans under parts B and D of title

1 *IV of the Higher Education Act of 1965 (20 U.S.C. 1071*
2 *et seq. and 1087a et seq.) and private loans, for both under-*
3 *graduate and graduate students) for use by prospective bor-*
4 *rowers or any person desiring information regarding avail-*
5 *able interest rates and other terms from lenders. Such a*
6 *clearinghouse shall—*

7 (1) *have no affiliation with any institution of*
8 *higher education or any lender;*

9 (2) *accept nothing of value from any lender,*
10 *guaranty agency, or any entity affiliated with a lend-*
11 *er or guaranty agency, except that the clearinghouse*
12 *may establish a flat fee to be charged to each listed*
13 *lender, based on the costs necessary to establish and*
14 *maintain the clearinghouse;*

15 (3) *provide information regarding the interest*
16 *rates, fees, borrower benefits, and any other matter*
17 *that the Department of Education determines relevant*
18 *to enable prospective borrowers to select a lender;*

19 (4) *provide interest rate information that com-*
20 *plies with the Federal Trade Commission guidelines*
21 *for consumer credit term disclosures; and*

22 (5) *be a nonprofit entity.*

23 (b) *PUBLICATION OF LIST.—The Secretary of Edu-*
24 *cation shall publish a list of clearinghouses described in sub-*
25 *section (a) on the website of the Department of Education*

1 *and such list shall be updated not less often than every 90*
2 *days.*

3 (c) *DISCLOSURE.*—*Beginning on the date the first*
4 *clearinghouse described in subsection (a) is established, each*
5 *institution of higher education that receives Federal assist-*
6 *ance under the Higher Education Act of 1965 (20 U.S.C.*
7 *1001 et seq.) and that designates 1 or more lenders as pre-*
8 *ferred, suggested, or otherwise recommended shall include*
9 *a standard disclosure developed by the Secretary of Edu-*
10 *cation on all materials that reference such lenders to inform*
11 *students that the students might find a more attractive*
12 *loan, with a lower interest rate, by visiting a clearinghouse*
13 *described in subsection (a).*

14 (d) *REPORT.*—*Not later than 18 months after the date*
15 *of enactment of this Act, the Comptroller General of the*
16 *United States shall submit a report to Congress on whether*
17 *students are using a clearinghouse described in subsection*
18 *(a) to find and secure a student loan. The report shall assess*
19 *whether students could have received a more attractive loan,*
20 *one with a lower interest rate or better benefits, by using*
21 *a clearinghouse described in subsection (a) instead of a pre-*
22 *ferred lender list.*

1 **SEC. 804. MINORITY SERVING INSTITUTIONS FOR AD-**
2 **VANCED TECHNOLOGY AND EDUCATION.**

3 *At the end of title VIII (as added by section 801), add*
4 *the following:*

5 **“PART Q—MINORITY SERVING INSTITUTIONS**
6 **FOR ADVANCED TECHNOLOGY AND EDUCATION**

7 **“SEC. 890. PURPOSES.**

8 *“The purposes of the program under this part are to—*

9 *“(1) strengthen the ability of eligible institutions*
10 *to provide capacity for instruction in digital and*
11 *wireless network technologies; and*

12 *“(2) strengthen the national digital and wireless*
13 *infrastructure by increasing national investment in*
14 *telecommunications and technology infrastructure at*
15 *eligible institutions.*

16 **“SEC. 891. DEFINITION OF ELIGIBLE INSTITUTION.**

17 *“In this part, the term ‘eligible institution’ means an*
18 *institution that is—*

19 *“(1) a historically Black college or university*
20 *that is a part B institution, as defined in section 322;*

21 *“(2) a Hispanic-serving institution, as defined*
22 *in section 502(a);*

23 *“(3) a Tribal College or University, as defined in*
24 *section 316(b);*

25 *“(4) an Alaska Native-serving institution, as de-*
26 *finied in section 317(b);*

1 “(5) a Native Hawaiian-serving institution, as
2 defined in section 317(b); or

3 “(6) an institution determined by the Secretary
4 to have enrolled a substantial number of minority,
5 low-income students during the previous academic
6 year who received a Federal Pell Grant for that year.

7 **“SEC. 892. MINORITY SERVING INSTITUTIONS FOR AD-**
8 **VANCED TECHNOLOGY AND EDUCATION.**

9 “(a) *GRANTS AUTHORIZED.*—

10 “(1) *IN GENERAL.*—The Secretary is authorized
11 to award grants, on a competitive basis, to eligible in-
12 stitutions to enable the eligible institutions to carry
13 out the activities described in subsection (d).

14 “(2) *GRANT PERIOD.*—The Secretary may award
15 a grant to an eligible institution under this part for
16 a period of not more than 5 years.

17 “(b) *APPLICATION AND REVIEW PROCEDURE.*—

18 “(1) *IN GENERAL.*—To be eligible to receive a
19 grant under this part, an eligible institution shall
20 submit an application to the Secretary at such time,
21 in such manner, and containing such information as
22 the Secretary may reasonably require. The applica-
23 tion shall include—

1 “(A) a program of activities for carrying
2 out 1 or more of the purposes described in sec-
3 tion 890; and

4 “(B) such other policies, procedures, and as-
5 surances as the Secretary may require by regula-
6 tion.

7 “(2) REGULATIONS.—After consultation with ap-
8 propriate individuals with expertise in technology
9 and education, the Secretary shall establish a proce-
10 dure by which to accept and review such applications
11 and publish an announcement of such procedure, in-
12 cluding a statement regarding the availability of
13 funds, in the Federal Register.

14 “(3) APPLICATION REVIEW CRITERIA.—The ap-
15 plication review criteria used by the Secretary for
16 grants under this part shall include consideration
17 of—

18 “(A) demonstrated need for assistance under
19 this part; and

20 “(B) diversity among the types of eligible
21 institutions receiving assistance under this part.

22 “(c) MATCHING REQUIREMENT.—

23 “(1) IN GENERAL.—An eligible institution that
24 receives a grant under this part shall agree that, with
25 respect to the costs to be incurred by the institution

1 *in carrying out the program for which the grant is*
2 *awarded, such institution will make available (di-*
3 *rectly or through donations from public or private en-*
4 *tities) non-Federal contributions in an amount equal*
5 *to 25 percent of the amount of the grant awarded by*
6 *the Secretary, or \$500,000, whichever is the lesser*
7 *amount.*

8 *“(2) WAIVER.—The Secretary shall waive the*
9 *matching requirement for any eligible institution*
10 *with no endowment, or an endowment that has a cur-*
11 *rent dollar value as of the time of the application of*
12 *less than \$50,000,000.*

13 *“(d) USES OF FUNDS.—An eligible institution shall*
14 *use a grant awarded under this part—*

15 *“(1) to acquire equipment, instrumentation, net-*
16 *working capability, hardware and software, digital*
17 *network technology, wireless technology, and infra-*
18 *structure;*

19 *“(2) to develop and provide educational services,*
20 *including faculty development, related to science, tech-*
21 *nology, engineering, and mathematics;*

22 *“(3) to provide teacher preparation and profes-*
23 *sional development, library and media specialist*
24 *training, and early childhood educator and teacher*
25 *aide certification or licensure to individuals who seek*

1 *to acquire or enhance technology skills in order to use*
2 *technology in the classroom or instructional process to*
3 *improve student achievement;*

4 *“(4) to form consortia or collaborative projects*
5 *with a State, State educational agency, local edu-*
6 *cational agency, community-based organization, na-*
7 *tional nonprofit organization, or business, including*
8 *a minority business, to provide education regarding*
9 *technology in the classroom;*

10 *“(5) to provide professional development in*
11 *science, technology, engineering, or mathematics to*
12 *administrators and faculty of eligible institutions*
13 *with institutional responsibility for technology edu-*
14 *cation;*

15 *“(6) to provide capacity-building technical as-*
16 *sistance to eligible institutions through remote tech-*
17 *nical support, technical assistance workshops, dis-*
18 *tance learning, new technologies, and other techno-*
19 *logical applications; and*

20 *“(7) to foster the use of information communica-*
21 *tions technology to increase scientific, technological,*
22 *engineering, and mathematical instruction and re-*
23 *search.*

24 *“(e) DATA COLLECTION.—An eligible institution that*
25 *receives a grant under this part shall provide the Secretary*

1 *with any relevant institutional statistical or demographic*
2 *data requested by the Secretary.*

3 “(f) *INFORMATION DISSEMINATION.*—*The Secretary*
4 *shall convene an annual meeting of eligible institutions re-*
5 *ceiving grants under this part for the purposes of—*

6 “(1) *fostering collaboration and capacity-build-*
7 *ing activities among eligible institutions; and*

8 “(2) *disseminating information and ideas gen-*
9 *erated by such meetings.*

10 “(g) *LIMITATION.*—*An eligible institution that receives*
11 *a grant under this part that exceeds \$2,500,000 shall not*
12 *be eligible to receive another grant under this part until*
13 *every other eligible institution that has applied for a grant*
14 *under this part has received such a grant.*

15 “**SEC. 893. ANNUAL REPORT AND EVALUATION.**

16 “(a) *ANNUAL REPORT REQUIRED FROM RECIPI-*
17 *ENTS.*—*Each eligible institution that receives a grant under*
18 *this part shall provide an annual report to the Secretary*
19 *on the eligible institution’s use of the grant.*

20 “(b) *EVALUATION BY SECRETARY.*—*The Secretary*
21 *shall—*

22 “(1) *review the reports provided under subsection*
23 *(a) each year; and*

24 “(2) *evaluate the program authorized under this*
25 *part on the basis of those reports every 2 years.*

1 “(c) *CONTENTS OF EVALUATION.*—*The Secretary, in*
2 *the evaluation under subsection (b), shall—*

3 “(1) *describe the activities undertaken by the eli-*
4 *gible institutions that receive grants under this part;*
5 *and*

6 “(2) *assess the short-range and long-range im-*
7 *pect of activities carried out under the grant on the*
8 *students, faculty, and staff of the institutions.*

9 “(d) *REPORT TO CONGRESS.*—*Not later than 3 years*
10 *after the date of enactment of the Higher Education Amend-*
11 *ments of 2007, the Secretary shall submit a report on the*
12 *program supported under this part to the authorizing com-*
13 *mittees that shall include such recommendations, including*
14 *recommendations concerning the continuing need for Fed-*
15 *eral support of the program, as may be appropriate.*

16 **“SEC. 894. AUTHORIZATION OF APPROPRIATIONS.**

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

1 **TITLE IX—AMENDMENTS TO**
2 **OTHER LAWS**

3 **PART A—EDUCATION OF THE DEAF ACT OF 1986**

4 **SEC. 901. LAURENT CLERC NATIONAL DEAF EDUCATION**
5 **CENTER.**

6 *Section 104 of the Education of the Deaf Act of 1986*
7 *(20 U.S.C. 4304) is amended—*

8 *(1) by striking the section heading and inserting*

9 **“LAURENT CLERC NATIONAL DEAF EDUCATION**
10 **CENTER”;**

11 *(2) in subsection (a)(1)(A), by inserting “the*
12 *Laurent Clerc National Deaf Education Center (re-*
13 *ferred to in this section as the ‘Clerc Center’) to carry*
14 *out” after “maintain and operate”; and*

15 *(3) in subsection (b)—*

16 *(A) in the matter preceding subparagraph*
17 *(A) of paragraph (1), by striking “elementary*
18 *and secondary education programs” and insert-*
19 *ing “Clerc Center”;*

20 *(B) in paragraph (2), by striking “elemen-*
21 *tary and secondary education programs” and*
22 *inserting “Clerc Center”; and*

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

1 “(5) *The University, for purposes of the elementary*
2 *and secondary education programs carried out at the Clerc*
3 *Center, shall—*

4 “(A)(i) *select challenging academic content*
5 *standards, challenging student academic achievement*
6 *standards, and academic assessments of a State,*
7 *adopted and implemented, as appropriate, pursuant*
8 *to paragraphs (1) and (3) of section 1111(b) of the*
9 *Elementary and Secondary Education Act of 1965*
10 *(20 U.S.C. 6311(b)(1) and (3)) and approved by the*
11 *Secretary; and*

12 “(i) *implement such standards and assessments*
13 *for such programs by not later than the beginning of*
14 *the 2009–2010 academic year;*

15 “(B) *annually determine whether such programs*
16 *at the Clerc Center are making adequate yearly*
17 *progress, as determined according to the definition of*
18 *adequate yearly progress defined (pursuant to section*
19 *1111(b)(2)(C) of such Act (20 U.S.C. 6311(b)(2)(C))*
20 *by the State that has adopted and implemented the*
21 *standards and assessments selected under subpara-*
22 *graph (A)(i); and*

23 “(C) *publicly report the results of the academic*
24 *assessments implemented under subparagraph (A)*
25 *and whether the programs at the Clerc Center are*

1 *making adequate yearly progress, as determined*
2 *under subparagraph (B).”.*

3 **SEC. 902. AGREEMENT WITH GALLAUDET UNIVERSITY.**

4 *Section 105(b)(4) of the Education of the Deaf Act of*
5 *1986 (20 U.S.C. 4305(b)(4)) is amended—*

6 (1) *by striking “the Act of March 3, 1931 (40*
7 *U.S.C. 276a–276a–5) commonly referred to as the*
8 *Davis-Bacon Act” and inserting “subchapter IV of*
9 *chapter 31 of title 40, United States Code, commonly*
10 *referred to as the Davis-Bacon Act”;* and

11 (2) *by striking “section 2 of the Act of June 13,*
12 *1934 (40 U.S.C. 276c)” and inserting “section 3145*
13 *of title 40, United States Code”.*

14 **SEC. 903. AGREEMENT FOR THE NATIONAL TECHNICAL IN-**
15 **STITUTE FOR THE DEAF.**

16 *Section 112 of the Education of the Deaf Act of 1986*
17 *(20 U.S.C. 4332) is amended—*

18 (1) *in subsection (a)—*

19 (A) *in paragraph (1)—*

20 (i) *in the first sentence—*

21 (I) *by striking “an institution of*
22 *higher education” and inserting “the*
23 *Rochester Institute of Technology,*
24 *Rochester, New York”;* and

1 (II) by striking “of a” and insert-
2 ing “of the”; and

3 (ii) by striking the second sentence;

4 (B) by redesignating paragraph (2) as
5 paragraph (3); and

6 (C) by inserting after paragraph (1) the fol-
7 lowing:

8 “(2) If, pursuant to the agreement established
9 under paragraph (1), either the Secretary or the
10 Rochester Institute of Technology terminates the
11 agreement, the Secretary shall consider proposals
12 from other institutions of higher education and enter
13 into an agreement with one of those institutions for
14 the establishment and operation of a National Tech-
15 nical Institution for the Deaf.”; and

16 (2) in subsection (b)—

17 (A) in paragraph (3), by striking “Com-
18 mittee on Labor and Human Resources of the
19 Senate” and inserting “Committee on Health,
20 Education, Labor, and Pensions of the Senate”;
21 and

22 (B) in paragraph (5)—

23 (i) by striking “the Act of March 3,
24 1931 (40 U.S.C. 276a–276a–5) commonly
25 referred to as the Davis-Bacon Act” and in-

1 *serting “subchapter IV of chapter 31 of title*
2 *40, United States Code, commonly referred*
3 *to as the Davis-Bacon Act”;* and

4 *(ii) by striking “section 2 of the Act of*
5 *June 13, 1934 (40 U.S.C. 276c)” and in-*
6 *serting “section 3145 of title 40, United*
7 *States Code”.*

8 **SEC. 904. CULTURAL EXPERIENCES GRANTS.**

9 *(a) CULTURAL EXPERIENCES GRANTS.—Title I of the*
10 *Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.)*
11 *is amended by adding at the end the following:*

12 **“PART C—OTHER PROGRAMS**

13 **“SEC. 121. CULTURAL EXPERIENCES GRANTS.**

14 *“(a) IN GENERAL.—The Secretary shall, on a competi-*
15 *tive basis, make grants to, and enter into contracts and co-*
16 *operative agreements with, eligible entities to support the*
17 *activities described in subsection (b).*

18 *“(b) ACTIVITIES.—In carrying out this section, the*
19 *Secretary shall support activities providing cultural experi-*
20 *ences, through appropriate nonprofit organizations with a*
21 *demonstrated proficiency in providing such activities,*
22 *that—*

23 *“(1) enrich the lives of deaf and hard-of-hearing*
24 *children and adults;*

1 “(2) *increase public awareness and under-*
2 *standing of deafness and of the artistic and intellec-*
3 *tual achievements of deaf and hard-of-hearing per-*
4 *sons; or*

5 “(3) *promote the integration of hearing, deaf,*
6 *and hard-of-hearing persons through shared cultural,*
7 *educational, and social experiences.*

8 “(c) *APPLICATIONS.—An eligible entity that desires to*
9 *receive a grant, or enter into a contract or cooperative*
10 *agreement, under this section shall submit an application*
11 *to the Secretary at such time, in such manner, and con-*
12 *taining such information as the Secretary may require.*

13 “(d) *AUTHORIZATION OF APPROPRIATIONS.—There*
14 *are authorized to be appropriated to carry out this section*
15 *such sums as may be necessary for fiscal year 2008 and*
16 *each of the 5 succeeding fiscal years.”.*

17 “(b) *CONFORMING AMENDMENT.—The title heading of*
18 *title I of the Education of the Deaf Act of 1986 (20 U.S.C.*
19 *4301 et seq.) is amended by adding at the end “; OTHER*
20 *PROGRAMS”.*

21 **SEC. 905. AUDIT.**

22 *Section 203 of the Education of the Deaf Act of 1986*
23 *(20 U.S.C. 4353) is amended—*

24 (1) *in subsection (b)—*

1 (A) in paragraph (2), by striking “sections”
2 and all that follows through the period and in-
3 serting “sections 102(b), 105(b)(4), 112(b)(5),
4 203(c), 207(b)(2), subsections (c) through (f) of
5 section 207, and subsections (b) and (c) of sec-
6 tion 209.”; and

7 (B) in paragraph (3), by inserting “and the
8 Committee on Education and Labor of the House
9 of Representatives and the Committee on Health,
10 Education, Labor, and Pensions of the Senate”
11 after “Secretary”; and

12 (2) in subsection (c)(2)(A), by striking “Com-
13 mittee on Labor and Human Resources of the Senate”
14 and inserting “Committee on Health, Education,
15 Labor, and Pensions of the Senate”.

16 **SEC. 906. REPORTS.**

17 Section 204 of the Education of the Deaf Act of 1986
18 (20 U.S.C. 4354) is amended—

19 (1) in the matter preceding paragraph (1), by
20 striking “Committee on Labor and Human Resources
21 of the Senate” and inserting “Committee on Health,
22 Education, Labor, and Pensions of the Senate”;

23 (2) in paragraph (1), by striking “pre-
24 paratory,”;

1 (3) in paragraph (2)(C), by striking “upon
2 graduation/completion” and inserting “on the date
3 that is 1 year after the date of graduation or comple-
4 tion”; and

5 (4) in paragraph (3)(B), by striking “of the in-
6 stitution of higher education” and all that follows
7 through the period and inserting “of NTID programs
8 and activities.”.

9 **SEC. 907. MONITORING, EVALUATION, AND REPORTING.**

10 Section 205 of the Education of the Deaf Act of 1986
11 (20 U.S.C. 4355) is amended—

12 (1) in subsection (b), by striking “The Secretary,
13 as part of the annual report required under section
14 426 of the Department of Education Organization
15 Act, shall include a description of” and inserting
16 “The Secretary shall annually transmit information
17 to Congress on”; and

18 (2) in subsection (c), by striking “fiscal years
19 1998 through 2003” and inserting “fiscal years 2008
20 through 2013”.

21 **SEC. 908. LIAISON FOR EDUCATIONAL PROGRAMS.**

22 Section 206(a) of the Education of the Deaf Act of
23 1986 (20 U.S.C. 4356(a)) is amended by striking “Not later
24 than 30 days after the date of enactment of this Act, the”
25 and inserting “The”.

1 **SEC. 909. FEDERAL ENDOWMENT PROGRAMS FOR GAL-**
2 **LAUDET UNIVERSITY AND THE NATIONAL**
3 **TECHNICAL INSTITUTE FOR THE DEAF.**

4 *Section 207(h) of the Education of the Deaf Act of*
5 *1986 (20 U.S.C. 4357(h)) is amended by striking “fiscal*
6 *years 1998 through 2003” each place it appears and insert-*
7 *ing “fiscal years 2008 through 2013”.*

8 **SEC. 910. OVERSIGHT AND EFFECT OF AGREEMENTS.**

9 *Section 208(a) of the Education of the Deaf Act of*
10 *1986 (20 U.S.C. 4359(a)) is amended by striking “Com-*
11 *mittee on Labor and Human Resources of the Senate and*
12 *the Committee on Education and the Workforce of the*
13 *House of Representatives” and inserting “Committee on*
14 *Education and Labor of the House of Representatives and*
15 *the Committee on Health, Education, Labor, and Pensions*
16 *of the Senate”.*

17 **SEC. 911. INTERNATIONAL STUDENTS.**

18 *Section 209 of the Education of the Deaf Act of 1986*
19 *(20 U.S.C. 4359a) is amended—*

20 *(1) in subsection (a)—*

21 *(A) by striking “preparatory, under-*
22 *graduate,” and inserting “undergraduate”;*

23 *(B) by striking “Effective with” and insert-*
24 *ing the following:*

25 *“(1) IN GENERAL.—Except as provided in para-*
26 *graph (2), effective with”;* and

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

2 “(2) *DISTANCE LEARNING.*—*International stu-*
3 *dents who participate in distance learning courses*
4 *that are at NTID or the University and who are re-*
5 *siding outside of the United States shall—*

6 “(A) *not be counted as international stu-*
7 *dents for purposes of the cap on international*
8 *students under paragraph (1), except that in any*
9 *school year no United States citizen who applies*
10 *to participate in distance learning courses that*
11 *are at the University or NTID shall be denied*
12 *participation in such courses because of the par-*
13 *ticipation of an international student in such*
14 *courses; and*

15 “(B) *not be charged a tuition surcharge, as*
16 *described in subsection (b).”;* and

17 (2) *by striking subsections (b), (c), and (d), and*
18 *inserting the following:*

19 “(b) *TUITION SURCHARGE.*—*Except as provided in*
20 *subsections (a)(2)(B) and (c), the tuition for postsecondary*
21 *international students enrolled in the University (including*
22 *undergraduate and graduate students) or NTID shall in-*
23 *clude, for academic year 2008–2009 and any succeeding*
24 *academic year, a surcharge of—*

1 “(1) 100 percent for a postsecondary inter-
2 national student from a non-developing country; and

3 “(2) 50 percent for a postsecondary international
4 student from a developing country.

5 “(c) *REDUCTION OF SURCHARGE.*—

6 “(1) *IN GENERAL.*—Beginning with the aca-
7 demic year 2008–2009, the University or NTID may
8 reduce the surcharge—

9 “(A) under subsection (b)(1) from 100 per-
10 cent to not less than 50 percent if—

11 “(i) a student described under sub-
12 section (b)(1) demonstrates need; and

13 “(ii) such student has made a good
14 faith effort to secure aid through such stu-
15 dent’s government or other sources; and

16 “(B) under subsection (b)(2) from 50 per-
17 cent to not less than 25 percent if—

18 “(i) a student described under sub-
19 section (b)(2) demonstrates need; and

20 “(ii) such student has made a good
21 faith effort to secure aid through such stu-
22 dent’s government or other sources.

23 “(2) *DEVELOPMENT OF SLIDING SCALE.*—The
24 University and NTID shall develop a sliding scale
25 model that—

1 “(A) will be used to determine the amount
2 of a tuition surcharge reduction pursuant to
3 paragraph (1); and

4 “(B) shall be approved by the Secretary.

5 “(d) *DEFINITION.*—*In this section, the term ‘devel-*
6 *oping country’ means a country with a per-capita income*
7 *of not more than \$4,825, measured in 1999 United States*
8 *dollars, as adjusted by the Secretary to reflect inflation*
9 *since 1999.’”.*

10 **SEC. 912. RESEARCH PRIORITIES.**

11 *Section 210(b) of the Education of the Deaf Act of 1986*
12 *(20 U.S.C. 4359b(b)) is amended by striking “Committee*
13 *on Education and the Workforce of the House of Representa-*
14 *tives, and the Committee on Labor and Human Resources*
15 *of the Senate” and inserting “Committee on Education and*
16 *Labor of the House of Representatives, and the Committee*
17 *on Health, Education, Labor, and Pensions of the Senate”.*

18 **SEC. 913. AUTHORIZATION OF APPROPRIATIONS.**

19 *Section 212 of the Education of the Deaf Act of 1986*
20 *(20 U.S.C. 4360a) is amended—*

21 *(1) in subsection (a), in the matter preceding*
22 *paragraph (1), by striking “fiscal years 1998 through*
23 *2003” and inserting “fiscal years 2008 through*
24 *2013”; and*

1 **“SEC. 821. GRANTS TO STATES FOR IMPROVED WORKPLACE**
2 **AND COMMUNITY TRANSITION TRAINING FOR**
3 **INCARCERATED YOUTH OFFENDERS.**

4 “(a) *DEFINITION.*—*In this section, the term ‘youth of-*
5 *fender’ means a male or female offender under the age of*
6 *35, who is incarcerated in a State prison, including a*
7 *prerelease facility.*

8 “(b) *GRANT PROGRAM.*—*The Secretary of Education*
9 *(in this section referred to as the ‘Secretary’)—*

10 “(1) *shall establish a program in accordance*
11 *with this section to provide grants to the State correc-*
12 *tional education agencies in the States, from alloca-*
13 *tions for the States under subsection (h), to assist and*
14 *encourage youth offenders to acquire functional lit-*
15 *eracy, life, and job skills, through—*

16 “(A) *the pursuit of a postsecondary edu-*
17 *cation certificate, or an associate or bachelor’s*
18 *degree while in prison; and*

19 “(B) *employment counseling and other re-*
20 *lated services which start during incarceration*
21 *and end not later than 1 year after release from*
22 *confinement; and*

23 “(2) *may establish such performance objectives*
24 *and reporting requirements for State correctional*
25 *education agencies receiving grants under this section*

1 *as the Secretary determines are necessary to assess the*
2 *effectiveness of the program under this section.*

3 “(c) *APPLICATION.—To be eligible for a grant under*
4 *this section, a State correctional education agency shall sub-*
5 *mit to the Secretary a proposal for a youth offender pro-*
6 *gram that—*

7 “(1) *identifies the scope of the problem, including*
8 *the number of youth offenders in need of postsec-*
9 *ondary education and vocational training;*

10 “(2) *lists the accredited public or private edu-*
11 *cational institution or institutions that will provide*
12 *postsecondary educational services;*

13 “(3) *lists the cooperating agencies, public and*
14 *private, or businesses that will provide related serv-*
15 *ices, such as counseling in the areas of career develop-*
16 *ment, substance abuse, health, and parenting skills;*

17 “(4) *describes specific performance objectives and*
18 *evaluation methods (in addition to, and consistent*
19 *with, any objectives established by the Secretary*
20 *under subsection (b)(2)) that the State correctional*
21 *education agency will use in carrying out its pro-*
22 *posal, including—*

23 “(A) *specific and quantified student out-*
24 *come measures that are referenced to outcomes*

1 *for non-program participants with similar de-*
2 *mographic characteristics; and*

3 “(B) measures, consistent with the data ele-
4 ments and definitions described in subsection
5 (d)(1)(A), of—

6 “(i) program completion, including an
7 explicit definition of what constitutes a pro-
8 gram completion within the proposal;

9 “(ii) knowledge and skill attainment,
10 including specification of instruments that
11 will measure knowledge and skill attain-
12 ment;

13 “(iii) attainment of employment both
14 prior to and subsequent to release;

15 “(iv) success in employment indicated
16 by job retention and advancement; and

17 “(v) recidivism, including such sub-
18 indicators as time before subsequent offense
19 and severity of offense;

20 “(5) describes how the proposed programs are to
21 be integrated with existing State correctional edu-
22 cation programs (such as adult education, graduate
23 education degree programs, and vocational training)
24 and State industry programs;

1 “(6) describes how the proposed programs will
2 have considered or will utilize technology to deliver
3 the services under this section; and

4 “(7) describes how students will be selected so
5 that only youth offenders eligible under subsection (e)
6 will be enrolled in postsecondary programs.

7 “(d) *PROGRAM REQUIREMENTS.*—Each State correc-
8 tional education agency receiving a grant under this section
9 shall—

10 “(1) annually report to the Secretary regard-
11 ing—

12 “(A) the results of the evaluations conducted
13 using data elements and definitions provided by
14 the Secretary for the use of State correctional
15 education programs;

16 “(B) any objectives or requirements estab-
17 lished by the Secretary pursuant to subsection
18 (b)(2); and

19 “(C) the additional performance objectives
20 and evaluation methods contained in the pro-
21 posal described in subsection (c)(4) as necessary
22 to document the attainment of project perform-
23 ance objectives; and

24 “(2) provide to each State for each student eligi-
25 ble under subsection (e) not more than—

1 “(A) \$3,000 annually for tuition, books,
2 and essential materials; and

3 “(B) \$300 annually for related services such
4 as career development, substance abuse coun-
5 seling, parenting skills training, and health edu-
6 cation.

7 “(e) *STUDENT ELIGIBILITY*.—A youth offender shall be
8 eligible for participation in a program receiving a grant
9 under this section if the youth offender—

10 “(1) is eligible to be released within 5 years (in-
11 cluding a youth offender who is eligible for parole
12 within such time);

13 “(2) is 35 years of age or younger; and

14 “(3) has not been convicted of—

15 “(A) a ‘criminal offense against a victim
16 who is a minor’ or a ‘sexually violent offense’, as
17 such terms are defined in the *Jacob Wetterling*
18 *Crimes Against Children and Sexually Violent*
19 *Offender Registration Act (42 U.S.C. 14071 et*
20 *seq.)*; or

21 “(B) murder, as described in section 1111 of
22 title 18, *United States Code*.

23 “(f) *LENGTH OF PARTICIPATION*.—A State correc-
24 tional education agency receiving a grant under this section
25 shall provide educational and related services to each par-

1 *ticipating youth offender for a period not to exceed 5 years,*
2 *1 year of which may be devoted to study in a graduate*
3 *education degree program or to remedial education services*
4 *for students who have obtained a secondary school diploma*
5 *or its recognized equivalent. Educational and related serv-*
6 *ices shall start during the period of incarceration in prison*
7 *or prerelease, and the related services may continue for not*
8 *more than 1 year after release from confinement.*

9 “(g) *EDUCATION DELIVERY SYSTEMS.—State correc-*
10 *tional education agencies and cooperating institutions*
11 *shall, to the extent practicable, use high-tech applications*
12 *in developing programs to meet the requirements and goals*
13 *of this section.*

14 “(h) *ALLOCATION OF FUNDS.—From the funds appro-*
15 *priated pursuant to subsection (i) for each fiscal year, the*
16 *Secretary shall allot to each State an amount that bears*
17 *the same relationship to such funds as the total number of*
18 *students eligible under subsection (e) in such State bears*
19 *to the total number of such students in all States.*

20 “(i) *AUTHORIZATION OF APPROPRIATIONS.—There are*
21 *authorized to be appropriated to carry out this section such*
22 *sums as may be necessary for fiscal years 2008 through*
23 *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 Amendments*
11 *of 1992 (20 U.S.C. 1070 note) is amended by striking “to*
12 *be appropriated” and all that follows through the period*
13 *at the end and inserting “to be appropriated such sums as*
14 *may be necessary for fiscal years 2008 through 2013.”.*

15 **PART D—INDIAN EDUCATION**

16 **Subpart 1—Tribal Colleges and Universities**

17 **SEC. 941. REAUTHORIZATION OF THE TRIBALLY CON-**
18 **TROLLED COLLEGE OR UNIVERSITY ASSIST-**
19 **ANCE ACT OF 1978.**

20 *(a) CLARIFICATION OF THE DEFINITION OF NATIONAL*
21 *INDIAN ORGANIZATION.—Section 2(a)(6) of the Tribally*
22 *Controlled College or University Assistance Act of 1978 (25*
23 *U.S.C. 1801(a)(6)) is amended by striking “in the field of*
24 *Indian education” and inserting “in the fields of tribally*
25 *controlled colleges and universities and Indian higher edu-*
26 *cation”.*

1 (b) *INDIAN STUDENT COUNT*.—Section 2(a) of the
2 *Tribally Controlled College or University Assistance Act of*
3 *1978 (25 U.S.C. 1801(a)) is amended—*

4 (1) *by redesignating paragraphs (7) and (8) as*
5 *paragraphs (8) and (9), respectively; and*

6 (2) *by inserting after paragraph (6) the fol-*
7 *lowing:*

8 “(7) ‘*Indian student*’ means a student who is—

9 “(A) a member of an Indian tribe; or

10 “(B) a biological child of a member of an
11 *Indian tribe, living or deceased;”.*

12 (c) *CONTINUING EDUCATION*.—Section 2(b) of the
13 *Tribally Controlled College or University Assistance Act of*
14 *1978 (25 U.S.C. 1801(b)) is amended—*

15 (1) *in the matter preceding paragraph (1), by*
16 *striking “paragraph (7) of subsection (a)” and insert-*
17 *ing “subsection (a)(8)”;*

18 (2) *by striking paragraph (5) and inserting the*
19 *following:*

20 “(5) *DETERMINATION OF CREDITS*.—*Eligible*
21 *credits earned in a continuing education program—*

22 “(A) *shall be determined as 1 credit for*
23 *every 10 contact hours in the case of an institu-*
24 *tion on a quarter system, or 15 contact hours in*
25 *the case of an institution on a semester system,*

1 *of participation in an organized continuing edu-*
2 *cation experience under responsible sponsorship,*
3 *capable direction, and qualified instruction, as*
4 *described in the criteria established by the Inter-*
5 *national Association for Continuing Education*
6 *and Training; and*

7 *“(B) shall be limited to 10 percent of the*
8 *Indian student count of a tribally controlled col-*
9 *lege or university.”; and*

10 *(3) by striking paragraph (6).*

11 *(d) ACCREDITATION REQUIREMENT.—Section 103 of*
12 *the Tribally Controlled College or University Assistance Act*
13 *of 1978 (25 U.S.C. 1804) is amended—*

14 *(1) in paragraph (2), by striking “and” at the*
15 *end;*

16 *(2) in paragraph (3), by striking the period at*
17 *the end and inserting “; and”; and*

18 *(3) by inserting after paragraph (3), the fol-*
19 *lowing:*

20 *“(4)(A) is accredited by a nationally recognized*
21 *accrediting agency or association determined by the*
22 *Secretary of Education to be a reliable authority with*
23 *regard to the quality of training offered; or*

24 *“(B) according to such an agency or association,*
25 *is making reasonable progress toward accreditation.”.*

1 (e) *TECHNICAL ASSISTANCE CONTRACTS.*—Section
2 *105 of the Tribally Controlled College or University Assist-*
3 *ance Act of 1978 (25 U.S.C. 1805) is amended—*

4 (1) *by striking the section designation and head-*
5 *ing and all that follows through “The Secretary shall”*
6 *and inserting the following:*

7 **“SEC. 105. TECHNICAL ASSISTANCE CONTRACTS.**

8 “(a) *TECHNICAL ASSISTANCE.*—

9 “(1) *IN GENERAL.*—*The Secretary shall”;*

10 (2) *in the second sentence, by striking “In the*
11 *awarding of contracts for technical assistance, pref-*
12 *erence shall be given” and inserting the following:*

13 “(2) *DESIGNATED ORGANIZATION.*—*The Sec-*
14 *retary shall require that a contract for technical as-*
15 *sistance under paragraph (1) shall be awarded”;* and

16 (3) *in the third sentence, by striking “No author-*
17 *ity” and inserting the following:*

18 “(b) *EFFECT OF SECTION.*—*No authority”.*

19 (f) *AMOUNT OF GRANTS.*—Section 108(a) of the Trib-
20 *ally Controlled College or University Assistance Act of 1978*
21 *(25 U.S.C. 1808(a)) is amended—*

22 (1) *by redesignating paragraphs (1) and (2) as*
23 *subparagraphs (A) and (B), respectively, and indent-*
24 *ing the subparagraphs appropriately;*

1 (2) by striking “(a) Except as provided in sec-
2 tion 111,” and inserting the following:

3 “(a) REQUIREMENT.—

4 “(1) IN GENERAL.—Except as provided in para-
5 graph (2) and section 111,”;

6 (3) in paragraph (1) (as redesignated by para-
7 graphs (1) and (2))—

8 (A) in the matter preceding subparagraph

9 (A) (as redesignated by paragraph (1))—

10 (i) by striking “him” and inserting

11 “the Secretary”; and

12 (ii) by striking “product of” and in-
13 serting “product obtained by multiplying”;

14 (B) in subparagraph (A) (as redesignated
15 by paragraph (1)), by striking “section 2(a)(7)”
16 and inserting “section 2(a)(8)”; and

17 (C) in subparagraph (B) (as redesignated
18 by paragraph (1)), by striking “\$6,000,” and in-
19 serting “\$8,000, as adjusted annually for infla-
20 tion.”; and

21 (4) by striking “except that no grant shall exceed
22 the total cost of the education program provided by
23 such college or university.” and inserting the fol-
24 lowing:

1 “(2) *EXCEPTION.*—*The amount of a grant under*
2 *paragraph (1) shall not exceed an amount equal to*
3 *the total cost of the education program provided by*
4 *the applicable tribally controlled college or univer-*
5 *sity.*”.

6 (g) *GENERAL PROVISIONS REAUTHORIZATION.*—*Sec-*
7 *tion 110(a) of the Tribally Controlled College or University*
8 *Assistance Act of 1978 (25 U.S.C. 1810(a)) is amended—*

9 (1) *in paragraphs (1), (2), (3), and (4), by strik-*
10 *ing “1999” and inserting “2008”;*

11 (2) *in paragraphs (1), (2), and (3), by striking*
12 *“4 succeeding” and inserting “5 succeeding”;*

13 (3) *in paragraph (2), by striking “\$40,000,000”*
14 *and inserting “such sums as may be necessary”;*

15 (4) *in paragraph (3), by striking “\$10,000,000”*
16 *and inserting “such sums as may be necessary”; and*

17 (5) *in paragraph (4), by striking “succeeding 4”*
18 *and inserting “5 succeeding”.*

19 (h) *ENDOWMENT PROGRAM REAUTHORIZATION.*—*Sec-*
20 *tion 306(a) of the Tribally Controlled College or University*
21 *Assistance Act of 1978 (25 U.S.C. 1836(a)) is amended—*

22 (1) *by striking “1999” and inserting “2008”;*
23 *and*

24 (2) *by striking “4 succeeding” and inserting “5*
25 *succeeding”.*

1 (i) *TRIBAL ECONOMIC DEVELOPMENT REAUTHORIZA-*
 2 *TION.—Section 403 of the Tribal Economic Development*
 3 *and Technology Related Education Assistance Act of 1990*
 4 *(25 U.S.C. 1852) is amended—*

5 (1) *by striking “\$2,000,000 for fiscal year 1999”*
 6 *and inserting “such sums as may be necessary for fis-*
 7 *cal year 2008”; and*

8 (2) *by striking “4 succeeding” and inserting “5*
 9 *succeeding”.*

10 (j) *TRIBALLY CONTROLLED POSTSECONDARY CAREER*
 11 *AND TECHNICAL INSTITUTIONS.—*

12 (1) *IN GENERAL.—The Tribally Controlled Col-*
 13 *lege or University Assistance Act of 1978 (25 U.S.C.*
 14 *1801 et seq.) is amended by adding at the end the fol-*
 15 *lowing:*

16 **“Subtitle V—Tribally Controlled**
 17 **Postsecondary Career and Tech-**
 18 **nical Institutions**

19 **“SEC. 501. DEFINITION OF TRIBALLY CONTROLLED POST-**
 20 **SECONDARY CAREER AND TECHNICAL INSTI-**
 21 **TUTION.**

22 *“In this title, the term ‘tribally controlled postsec-*
 23 *ondary career and technical institution’ has the meaning*
 24 *given the term in section 3 of the Carl D. Perkins Career*
 25 *and Technical Education Act of 2006 (20 U.S.C. 2302).*

1 **“SEC. 502. TRIBALLY CONTROLLED POSTSECONDARY CA-**
2 **REER AND TECHNICAL INSTITUTIONS PRO-**
3 **GRAM.**

4 *“(a) IN GENERAL.—Subject to the availability of ap-*
5 *propriations, for fiscal year 2008 and each fiscal year there-*
6 *after, the Secretary shall—*

7 *“(1) subject to subsection (b), select 2 tribally*
8 *controlled postsecondary career and technical institu-*
9 *tions to receive assistance under this title; and*

10 *“(2) provide funding to the selected tribally con-*
11 *trolled postsecondary career and technical institutions*
12 *to pay the costs (including institutional support*
13 *costs) of operating postsecondary career and technical*
14 *education programs for Indian students at the trib-*
15 *ally controlled postsecondary career and technical in-*
16 *stitutions.*

17 *“(b) SELECTION OF CERTAIN INSTITUTIONS.—*

18 *“(1) REQUIREMENT.—For each fiscal year dur-*
19 *ing which the Secretary determines that a tribally*
20 *controlled postsecondary career and technical institu-*
21 *tion described in paragraph (2) meets the definition*
22 *referred to in section 501, the Secretary shall select*
23 *that tribally controlled postsecondary career and tech-*
24 *nical institution under subsection (a)(1) to receive*
25 *funding under this section.*

1 “(2) *INSTITUTIONS.*—*The 2 tribally controlled*
2 *postsecondary career and technical institutions re-*
3 *ferred to in paragraph (1) are—*

4 “(A) *the United Tribes Technical College;*
5 *and*

6 “(B) *the Navajo Technical College.*

7 “(c) *METHOD OF PAYMENT.*—*For each applicable fis-*
8 *cal year, the Secretary shall provide funding under this sec-*
9 *tion to each tribally controlled postsecondary career and*
10 *technical institution selected for the fiscal year under sub-*
11 *section (a)(1) in a lump sum payment for the fiscal year.*

12 “(d) *DISTRIBUTION.*—

13 “(1) *IN GENERAL.*—*For fiscal year 2009 and*
14 *each fiscal year thereafter, of amounts made available*
15 *pursuant to section 504, the Secretary shall distribute*
16 *to each tribally controlled postsecondary career and*
17 *technical institution selected for the fiscal year under*
18 *subsection (a)(1) an amount equal to the greater of—*

19 “(A) *the total amount appropriated for the*
20 *tribally controlled postsecondary career and tech-*
21 *anical institution for fiscal year 2006; or*

22 “(B) *the total amount appropriated for the*
23 *tribally controlled postsecondary career and tech-*
24 *anical institution for fiscal year 2008.*

1 “(2) *EXCESS AMOUNTS.*—If, for any fiscal year,
2 the amount made available pursuant to section 504
3 exceeds the sum of the amounts required to be distrib-
4 uted under paragraph (1) to the tribally controlled
5 postsecondary career and technical institutions se-
6 lected for the fiscal year under subsection (a)(1), the
7 Secretary shall distribute to each tribally controlled
8 postsecondary career and technical institution selected
9 for that fiscal year a portion of the excess amount, to
10 be determined by—

11 “(A) dividing the excess amount by the ag-
12 gregate Indian student count (as defined in sec-
13 tion 117(h) of the Carl D. Perkins Career and
14 Technical Education Act of 2006 (20 U.S.C.
15 2327(h)) of such institutions for the prior aca-
16 demic year; and

17 “(B) multiplying the quotient described in
18 subparagraph (A) by the Indian student count of
19 each such institution for the prior academic
20 year.

21 **“SEC. 503. APPLICABILITY OF OTHER LAWS.**

22 “(a) *IN GENERAL.*—Paragraphs (4) and (7) of sub-
23 section (a), and subsection (b), of section 2, sections 105,
24 108, 111, 112 and 113, and titles II, III, and IV shall not
25 apply to this title.

1 “(b) *INDIAN SELF-DETERMINATION AND EDUCATION*
2 *ASSISTANCE.—Funds made available pursuant to this title*
3 *shall be subject to the Indian Self-Determination and Edu-*
4 *cation Assistance Act (25 U.S.C. 450 et seq.).*

5 “(c) *ELECTION TO RECEIVE.—A tribally controlled*
6 *postsecondary career and technical institution selected for*
7 *a fiscal year under section 502(b) may elect to receive funds*
8 *pursuant to section 502 in accordance with an agreement*
9 *between the tribally controlled postsecondary career and*
10 *technical institution and the Secretary under the Indian*
11 *Self-Determination and Education Assistance Act (25*
12 *U.S.C. 450 et seq.) if the agreement is in existence on the*
13 *date of enactment of the Higher Education Amendments of*
14 *2007.*

15 “(d) *OTHER ASSISTANCE.—Eligibility for, or receipt*
16 *of, assistance under this title shall not preclude the eligi-*
17 *bility of a tribally controlled postsecondary career and tech-*
18 *nical institutions to receive Federal financial assistance*
19 *under—*

20 “(1) *any program under the Higher Education*
21 *Act of 1965 (20 U.S.C. 1001 et seq.);*

22 “(2) *any program under the Carl D. Perkins Ca-*
23 *reer and Technical Education Act of 2006; or*

24 “(3) *any other applicable program under which*
25 *a benefit is provided for—*

1 “(A) institutions of higher education;

2 “(B) community colleges; or

3 “(C) postsecondary educational institutions.

4 **“SEC. 504. AUTHORIZATION OF APPROPRIATIONS.**

5 *“There are authorized to be appropriated such sums*
6 *as are necessary for fiscal year 2008 and each fiscal year*
7 *thereafter to carry out this title.”.*

8 (2) *CONFORMING AMENDMENTS.—Section 117 of*
9 *the Carl D. Perkins Career and Technical Education*
10 *Act of 2006 (20 U.S.C. 2327) is amended—*

11 (A) *by striking subsection (a) and inserting*
12 *the following:*

13 “(a) *GRANT PROGRAM.—Subject to the availability of*
14 *appropriations, the Secretary shall make grants under this*
15 *section, to provide basic support for the education and*
16 *training of Indian students, to tribally controlled postsec-*
17 *ondary career and technical institutions that are not receiv-*
18 *ing Federal assistance as of the date on which the grant*
19 *is provided under—*

20 “(1) *title I of the Tribally Controlled College or*
21 *University Assistance Act of 1978 (25 U.S.C. 1802 et*
22 *seq.); or*

23 “(2) *the Navajo Community College Act (25*
24 *U.S.C. 640a et seq.).”;* and

1 (B) by striking subsection (d) and inserting
2 the following:

3 “(d) *APPLICATIONS.*—To be eligible to receive a grant
4 under this section, a tribally controlled postsecondary ca-
5 reer and technical institution that is not receiving Federal
6 assistance under title I of the Tribally Controlled College
7 or University Assistance Act (25 U.S.C. 1802 et seq.) or
8 the Navajo Community College Act (25 U.S.C. 640a et seq.)
9 shall submit to the Secretary an application at such time,
10 in such manner, and containing such information as the
11 Secretary may require.”.

12 (k) *SHORT TITLE.*—

13 (1) *IN GENERAL.*—The first section of the Trib-
14 ally Controlled College or University Assistance Act of
15 1978 (25 U.S.C. 1801 note; Public Law 95-471) is
16 amended to read as follows:

17 **“SECTION 1. SHORT TITLE.**

18 “*This Act may be cited as the ‘Tribally Controlled Col-*
19 *leges and Universities Assistance Act of 1978’.*”.

20 (2) *REFERENCES.*—Any reference in law (in-
21 cluding regulations) to the Tribally Controlled College
22 or University Assistance Act of 1978 shall be consid-
23 ered to be a reference to the “Tribally Controlled Col-
24 leges and Universities Assistance Act of 1978”.

1 **Subpart 2—Navajo Higher Education**

2 **SEC. 945. SHORT TITLE.**

3 *This subpart may be cited as the “Navajo Nation*
4 *Higher Education Act of 2006”.*

5 **SEC. 946. REAUTHORIZATION OF NAVAJO COMMUNITY COL-**
6 **LEGE ACT.**

7 (a) *PURPOSE.*—*Section 2 of the Navajo Community*
8 *College Act (25 U.S.C. 640a) is amended—*

9 (1) *by striking “Navajo Tribe of Indians” and*
10 *inserting “Navajo Nation”; and*

11 (2) *by striking “the Navajo Community College”*
12 *and inserting “Diné College”.*

13 (b) *GRANTS.*—*Section 3 of the Navajo Community Col-*
14 *lege Act (25 U.S.C. 640b) is amended—*

15 (1) *in the first sentence—*

16 (A) *by inserting “the” before “Interior”;*

17 (B) *by striking “Navajo Tribe of Indians”*
18 *and inserting “Navajo Nation”; and*

19 (C) *by striking “the Navajo Community*
20 *College” and inserting “Diné College”; and*

21 (2) *in the second sentence—*

22 (A) *by striking “Navajo Tribe” and insert-*
23 *ing “Navajo Nation”; and*

24 (B) *by striking “Navajo Indians” and in-*
25 *serting “Navajo people”.*

1 (c) *STUDY OF FACILITIES NEEDS.*—Section 4 of the
2 *Navajo Community College Act (25 U.S.C. 640c)* is amend-
3 *ed*—

4 (1) *in subsection (a)*—

5 (A) *in the first sentence*—

6 (i) *by striking “the Navajo Community*
7 *College” and inserting “Dine College”; and*

8 (ii) *by striking “August 1, 1979” and*
9 *inserting “October 31, 2010”; and*

10 (B) *in the second sentence, by striking*
11 *“Navajo Tribe” and inserting “Navajo Nation”;*

12 (2) *in subsection (b), by striking “the date of en-*
13 *actment of the Tribally Controlled Community College*
14 *Assistance Act of 1978” and inserting “October 1,*
15 *2007”; and*

16 (3) *in subsection (c), in the first sentence, by*
17 *striking “the Navajo Community College” and insert-*
18 *ing “Diné College”.*

19 (d) *AUTHORIZATION OF APPROPRIATIONS.*—Section 5
20 *of the Navajo Community College Act (25 U.S.C. 640c–1)*
21 *is amended*—

22 (1) *in subsection (a)*—

23 (A) *in paragraph (1), by striking*
24 *“\$2,000,000” and all that follows through the*
25 *end of the paragraph and inserting “such sums*

1 *as are necessary for fiscal years 2008 through*
2 *2013.”; and*

3 *(B) by adding at the end the following:*

4 *“(3) Sums described in paragraph (2) shall be used*
5 *to provide grants for construction activities, including the*
6 *construction of buildings, water and sewer facilities, roads,*
7 *information technology and telecommunications infrastruc-*
8 *ture, classrooms, and external structures (such as walk-*
9 *ways).”;*

10 *(2) in subsection (b)(1)—*

11 *(A) in the matter preceding subparagraph*

12 *(A)—*

13 *(i) by striking “the Navajo Community*
14 *College” and inserting “Diné College”; and*

15 *(ii) by striking “, for each fiscal year”*
16 *and all that follows through “for—” and in-*
17 *serting “such sums as are necessary for fis-*
18 *cal years 2008 through 2013 to pay the cost*
19 *of—”;*

20 *(B) in subparagraph (A)—*

21 *(i) by striking “college” and inserting*
22 *“College”;*

23 *(ii) in clauses (i) and (iii), by striking*
24 *the commas at the ends of the clauses and*
25 *inserting semicolons; and*

1 (iii) in clause (ii), by striking “, and”
2 at the end and inserting “; and”;

3 (C) in subparagraph (B), by striking the
4 comma at the end and inserting a semicolon;

5 (D) in subparagraph (C), by striking “,
6 and” at the end and inserting a semicolon;

7 (E) in subparagraph (D), by striking the
8 period at the end and inserting “; and”; and

9 (F) by adding at the end the following:

10 “(E) improving and expanding the College,
11 including by providing, for the Navajo people
12 and others in the community of the College—

13 “(i) higher education programs;

14 “(ii) career and technical education;

15 “(iii) activities relating to the preser-
16 vation and protection of the Navajo lan-
17 guage, philosophy, and culture;

18 “(iv) employment and training oppor-
19 tunities;

20 “(v) economic development and com-
21 munity outreach; and

22 “(vi) a safe learning, working, and liv-
23 ing environment.”; and

24 (3) in subsection (c), by striking “the Navajo
25 Community College” and inserting “Diné College”.

1 (e) *EFFECT ON OTHER LAWS.*—Section 6 of the Navajo
2 *Community College Act* (25 U.S.C. 640c–2) is amended—

3 (1) by striking “the Navajo Community College”
4 each place it appears and inserting “Diné College”;
5 and

6 (2) in subsection (b), by striking “college” and
7 inserting “College”.

8 (f) *PAYMENTS; INTEREST.*—Section 7 of the Navajo
9 *Community College Act* (25 U.S.C. 640c–3) is amended by
10 striking “the Navajo Community College” each place it ap-
11 pears and inserting “Diné College”.

12 **“SEC. 428L. LOAN REPAYMENT FOR CIVIL LEGAL ASSIST-**
13 **ANCE ATTORNEYS.**

14 “(a) *PURPOSE.*—The purpose of this section is to en-
15 courage qualified individuals to enter and continue employ-
16 ment as civil legal assistance attorneys.

17 “(b) *DEFINITIONS.*—In this section:

18 “(1) *CIVIL LEGAL ASSISTANCE ATTORNEY.*—The
19 term ‘civil legal assistance attorney’ means an attor-
20 ney who—

21 “(A) is a full-time employee of a nonprofit
22 organization that provides legal assistance with
23 respect to civil matters to low-income individuals
24 without a fee;

1 “(B) as such employee, provides civil legal
2 assistance as described in subparagraph (A) on
3 a full-time basis; and

4 “(C) is continually licensed to practice law.

5 “(2) *STUDENT LOAN*.—The term ‘student loan’
6 means—

7 “(A) subject to subparagraph (B), a loan
8 made, insured, or guaranteed under part B, D,
9 or E of this title; and

10 “(B) a loan made under section 428C or
11 455(g), to the extent that such loan was used to
12 repay—

13 “(i) a Federal Direct Stafford Loan, a
14 Federal Direct Unsubsidized Stafford Loan,
15 or a Federal Direct PLUS Loan;

16 “(ii) a loan made under section 428,
17 428B, or 428H; or

18 “(iii) a loan made under part E.

19 “(c) *PROGRAM AUTHORIZED*.—The Secretary shall
20 carry out a program of assuming the obligation to repay
21 a student loan, by direct payments on behalf of a borrower
22 to the holder of such loan, in accordance with subsection
23 (d), for any borrower who—

24 “(1) is employed as a civil legal assistance attor-
25 ney; and

1 “(2) is not in default on a loan for which the
2 borrower seeks repayment.

3 “(d) *TERMS OF AGREEMENT.*—

4 “(1) *IN GENERAL.*—To be eligible to receive re-
5 payment benefits under subsection (c), a borrower
6 shall enter into a written agreement with the Sec-
7 retary that specifies that—

8 “(A) the borrower will remain employed as
9 a civil legal assistance attorney for a required
10 period of service of not less than 3 years, unless
11 involuntarily separated from that employment;

12 “(B) if the borrower is involuntarily sepa-
13 rated from employment on account of mis-
14 conduct, or voluntarily separates from employ-
15 ment, before the end of the period specified in the
16 agreement, the borrower will repay the Secretary
17 the amount of any benefits received by such em-
18 ployee under this agreement;

19 “(C) if the borrower is required to repay an
20 amount to the Secretary under subparagraph
21 (B) and fails to repay such amount, a sum equal
22 to that amount shall be recoverable by the Fed-
23 eral Government from the employee by such
24 methods as are provided by law for the recovery
25 of amounts owed to the Federal Government;

1 “(D) the Secretary may waive, in whole or
2 in part, a right of recovery under this subsection
3 if it is shown that recovery would be against eq-
4 uity and good conscience or against the public
5 interest; and

6 “(E) the Secretary shall make student loan
7 payments under this section for the period of the
8 agreement, subject to the availability of appro-
9 priations.

10 “(2) REPAYMENTS.—

11 “(A) IN GENERAL.—Any amount repaid by,
12 or recovered from, an individual under this sub-
13 section shall be credited to the appropriation ac-
14 count from which the amount involved was origi-
15 nally paid.

16 “(B) MERGER.—Any amount credited
17 under subparagraph (A) shall be merged with
18 other sums in such account and shall be avail-
19 able for the same purposes and period, and sub-
20 ject to the same limitations, if any, as the sums
21 with which the amount was merged.

22 “(3) LIMITATIONS.—

23 “(A) STUDENT LOAN PAYMENT AMOUNT.—
24 Student loan repayments made by the Secretary
25 under this section shall be made subject to such

1 *terms, limitations, or conditions as may be mu-*
2 *tually agreed upon by the borrower and the Sec-*
3 *retary in an agreement under paragraph (1), ex-*
4 *cept that the amount paid by the Secretary*
5 *under this section shall not exceed—*

6 *“(i) \$6,000 for any borrower in any*
7 *calendar year; or*

8 *“(ii) an aggregate total of \$40,000 in*
9 *the case of any borrower.*

10 *“(B) BEGINNING OF PAYMENTS.—Nothing*
11 *in this section shall authorize the Secretary to*
12 *pay any amount to reimburse a borrower for*
13 *any repayments made by such borrower prior to*
14 *the date on which the Secretary entered into an*
15 *agreement with the borrower under this sub-*
16 *section.*

17 *“(e) ADDITIONAL AGREEMENTS.—*

18 *“(1) IN GENERAL.—On completion of the re-*
19 *quired period of service under an agreement under*
20 *subsection (d), the borrower and the Secretary may,*
21 *subject to paragraph (2), enter into an additional*
22 *agreement in accordance with subsection (d).*

23 *“(2) TERM.—An agreement entered into under*
24 *paragraph (1) may require the borrower to remain*

1 *employed as a civil legal assistance attorney for less*
2 *than 3 years.*

3 “(f) *AWARD BASIS; PRIORITY.*—

4 “(1) *AWARD BASIS.*—*Subject to paragraph (2),*
5 *the Secretary shall provide repayment benefits under*
6 *this section on a first-come, first-served basis, and*
7 *subject to the availability of appropriations.*

8 “(2) *PRIORITY.*—*The Secretary shall give pri-*
9 *ority in providing repayment benefits under this sec-*
10 *tion in any fiscal year to a borrower who—*

11 “(A) *has practiced law for 5 years or less*
12 *and, for at least 90 percent of the time in such*
13 *practice, has served as a civil legal assistance at-*
14 *torney;*

15 “(B) *received repayment benefits under this*
16 *section during the preceding fiscal year; and*

17 “(C) *has completed less than 3 years of the*
18 *first required period of service specified for the*
19 *borrower in an agreement entered into under*
20 *subsection (d).*

21 “(g) *REGULATIONS.*—*The Secretary is authorized to*
22 *issue such regulations as may be necessary to carry out the*
23 *provisions of this section.*

24 “(h) *AUTHORIZATION OF APPROPRIATIONS.*—*There*
25 *are authorized to be appropriated to carry out this section*

1 \$10,000,000 for fiscal year 2008 and such sums as may be
 2 necessary for each succeeding fiscal year.”.

3 **PART E—OMNIBUS CRIME CONTROL AND SAFE**
 4 **STREETS ACT OF 1968**

5 **SEC. 951. SHORT TITLE.**

6 *This part may be cited as the “John R. Justice Pros-*
 7 *ecutors and Defenders Incentive Act of 2007”.*

8 **SEC. 952. LOAN REPAYMENT FOR PROSECUTORS AND DE-**
 9 **FENDERS.**

10 *Title I of the Omnibus Crime Control and Safe Streets*
 11 *Act of 1968 (42 U.S.C. 3711 et seq.) is amended by insert-*
 12 *ing after part II (42 U.S.C. 3797cc et seq.) the following:*

13 **“PART JJ—LOAN REPAYMENT FOR**
 14 **PROSECUTORS AND PUBLIC DEFENDERS**

15 **“SEC. 3001. GRANT AUTHORIZATION.**

16 *“(a) PURPOSE.—The purpose of this section is to en-*
 17 *courage qualified individuals to enter and continue employ-*
 18 *ment as prosecutors and public defenders.*

19 *“(b) DEFINITIONS.—In this section:*

20 *“(1) PROSECUTOR.—The term ‘prosecutor’*
 21 *means a full-time employee of a State or local agency*
 22 *who—*

23 *“(A) is continually licensed to practice law;*
 24 *and*

1 “(B) prosecutes criminal or juvenile delin-
2 quency cases at the State or local level (including
3 supervision, education, or training of other per-
4 sons prosecuting such cases).

5 “(2) *PUBLIC DEFENDER*.—The term ‘public de-
6 fender’ means an attorney who—

7 “(A) is continually licensed to practice law;
8 and

9 “(B) is—

10 “(i) a full-time employee of a State or
11 local agency who provides legal representa-
12 tion to indigent persons in criminal or ju-
13 venile delinquency cases (including super-
14 vision, education, or training of other per-
15 sons providing such representation);

16 “(ii) a full-time employee of a non-
17 profit organization operating under a con-
18 tract with a State or unit of local govern-
19 ment, who devotes substantially all of his or
20 her full-time employment to providing legal
21 representation to indigent persons in crimi-
22 nal or juvenile delinquency cases, (including
23 supervision, education, or training of other
24 persons providing such representation); or

1 “(iii) employed as a full-time Federal
2 defender attorney in a defender organiza-
3 tion established pursuant to subsection (g)
4 of section 3006A of title 18, United States
5 Code, that provides legal representation to
6 indigent persons in criminal or juvenile de-
7 linquency cases.

8 “(3) *STUDENT LOAN*.—The term ‘student loan’
9 means—

10 “(A) a loan made, insured, or guaranteed
11 under part B of title IV of the Higher Education
12 Act of 1965 (20 U.S.C. 1071 et seq.);

13 “(B) a loan made under part D or E of
14 title IV of the Higher Education Act of 1965 (20
15 U.S.C. 1087a et seq. and 1087aa et seq.); and

16 “(C) a loan made under section 428C or
17 455(g) of the Higher Education Act of 1965 (20
18 U.S.C. 1078–3 and 1087e(g)) to the extent that
19 such loan was used to repay a Federal Direct
20 Stafford Loan, a Federal Direct Unsubsidized
21 Stafford Loan, or a loan made under section 428
22 or 428H of such Act.

23 “(c) *PROGRAM AUTHORIZED*.—The Attorney General
24 shall establish a program by which the Department of Jus-
25 tice shall assume the obligation to repay a student loan,

1 *by direct payments on behalf of a borrower to the holder*
2 *of such loan, in accordance with subsection (d), for any bor-*
3 *rower who—*

4 “(1) *is employed as a prosecutor or public de-*
5 *fender; and*

6 “(2) *is not in default on a loan for which the*
7 *borrower seeks forgiveness.*

8 “(d) *TERMS OF AGREEMENT.—*

9 “(1) *IN GENERAL.—To be eligible to receive re-*
10 *payment benefits under subsection (c), a borrower*
11 *shall enter into a written agreement that specifies*
12 *that—*

13 “(A) *the borrower will remain employed as*
14 *a prosecutor or public defender for a required pe-*
15 *riod of service of not less than 3 years, unless in-*
16 *voluntarily separated from that employment;*

17 “(B) *if the borrower is involuntarily sepa-*
18 *rated from employment on account of mis-*
19 *conduct, or voluntarily separates from employ-*
20 *ment, before the end of the period specified in the*
21 *agreement, the borrower will repay the Attorney*
22 *General the amount of any benefits received by*
23 *such employee under this section;*

24 “(C) *if the borrower is required to repay an*
25 *amount to the Attorney General under subpara-*

1 *graph (B) and fails to repay such amount, a*
2 *sum equal to that amount shall be recoverable by*
3 *the Federal Government from the employee (or*
4 *such employee's estate, if applicable) by such*
5 *methods as are provided by law for the recovery*
6 *of amounts owed to the Federal Government;*

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 pe-*
14 *riod of the agreement, subject to the availability*
15 *of appropriations.*

16 “(2) *REPAYMENTS.—*

17 “(A) *IN GENERAL.—Any amount repaid by,*
18 *or recovered from, an individual or the estate of*
19 *an individual under this subsection shall be*
20 *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 AMOUNT.—*

5 *Student loan repayments made by the Attorney*
6 *General under this section shall be made subject*
7 *to such terms, limitations, or conditions as may*
8 *be mutually agreed upon by the borrower and*
9 *the Attorney General in an agreement under*
10 *paragraph (1), except that the amount paid by*
11 *the Attorney General under this section shall not*
12 *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 prior*
21 *to the date on which the Attorney General en-*
22 *tered into an agreement with the borrower under*
23 *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 General
4 may, subject to paragraph (2), enter into an addi-
5 tional agreement in accordance with subsection (d).

6 “(2) *TERM.*—An agreement entered into under
7 paragraph (1) may require the borrower to remain
8 employed as a prosecutor or public defender for less
9 than 3 years.

10 “(f) *AWARD BASIS; PRIORITY.*—

11 “(1) *AWARD BASIS.*—Subject to paragraph (2),
12 the Attorney General shall provide repayment benefits
13 under this section—

14 “(A) giving priority to borrowers who have
15 the least ability to repay their loans, except that
16 the Attorney General shall determine a fair allo-
17 cation of repayment benefits among prosecutors
18 and public defenders, and among employing en-
19 tities nationwide; and

20 “(B) subject to the availability of appro-
21 priations.

22 “(2) *PRIORITY.*—The Attorney General shall give
23 priority in providing repayment benefits under this
24 section in any fiscal year to a borrower who—

1 “(A) received repayment benefits under this
2 section during the preceding fiscal year; and

3 “(B) has completed less than 3 years of the
4 first required period of service specified for the
5 borrower in an agreement entered into under
6 subsection (d).

7 “(g) REGULATIONS.—The Attorney General is author-
8 ized to issue such regulations as may be necessary to carry
9 out the provisions of this section.

10 “(h) STUDY.—Not later than 1 year after the date of
11 enactment of this section, the Government Accountability
12 Office shall study and report to Congress on the impact of
13 law school accreditation requirements and other factors on
14 law school costs and access, including the impact of such
15 requirements on racial and ethnic minorities.

16 “(i) AUTHORIZATION OF APPROPRIATIONS.—There are
17 authorized to be appropriated to carry out this section
18 \$25,000,000 for fiscal year 2008 and such sums as may be
19 necessary for each succeeding fiscal year.”.

Attest:

Secretary.

110TH CONGRESS
2^D SESSION

H.R. 4137

AMENDMENT