

106TH CONGRESS
1ST SESSION

S. 856

To provide greater options for District of Columbia students in higher education.

IN THE SENATE OF THE UNITED STATES

APRIL 21, 1999

Mr. JEFFORDS (for himself, Mr. WARNER, and Mrs. HUTCHISON) introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

A BILL

To provide greater options for District of Columbia students in higher education.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Expanded Options in
5 Higher Education for District of Columbia Students Act
6 of 1999”.

7 **SEC. 2. PURPOSE.**

8 It is the purpose of this Act to establish a program
9 that enables college-bound residents of the District of Co-

1 lumbia to have greater choices among institutions of high-
 2 er education.

3 **SEC. 3. THE EXPANDED OPTIONS IN HIGHER EDUCATION**
 4 **FOR DISTRICT OF COLUMBIA STUDENTS PRO-**
 5 **GRAM.**

6 (a) IN GENERAL.—From amounts appropriated
 7 under subsection (h), the Secretary shall award grants to
 8 eligible institutions that enroll eligible students to pay the
 9 difference between the tuition charged for in-State stu-
 10 dents and the tuition charged for out-of-State students on
 11 behalf of each eligible student enrolled in the eligible insti-
 12 tution.

13 (b) RATABLE REDUCTION.—If the funds appro-
 14 priated under subsection (h) for any fiscal year are not
 15 sufficient to award a grant in the amount determined
 16 under subsection (a) on behalf of each eligible student en-
 17 rolled in an eligible institution, the amount of the tuition
 18 payment made on behalf of each eligible student shall be
 19 ratably reduced. If additional sums become available for
 20 that fiscal year, the reduced grant amount shall be in-
 21 creased on the same basis as the grant amount was re-
 22 duced (until the amount of the grant equals the amount
 23 determined under subsection (a)).

24 (c) DEFINITIONS.—In this section:

1 (1) ACADEMIC YEAR.—The term “academic
2 year” has the meaning given the term in section 481
3 of the Higher Education Act of 1965 (20 U.S.C.
4 1088).

5 (2) ELIGIBLE STUDENT.—The term “eligible
6 student” means an individual who—

7 (A) has been a resident of the District of
8 Columbia for not less than the 12 consecutive
9 months preceding the academic year for which
10 the tuition payment is sought;

11 (B) is a member of a family that has an
12 income level that is below the applicable income
13 level at which eligibility for the Hope Scholar-
14 ship and Lifetime Learning Credit is disallowed
15 by reason of section 25A(d) of the Internal
16 Revenue Code of 1986;

17 (C) begins the individual’s undergraduate
18 course of study within the 3 calendar years (ex-
19 cluding any period of service on active duty in
20 the Armed Forces, or service under the Peace
21 Corps Act (22 U.S.C. 2501 et seq.) or subtitle
22 D of title I of the National and Community
23 Service Act of 1990 (42 U.S.C. 12571 et seq.)
24 of graduation from a secondary school, or ob-

1 taining the recognized equivalent of a secondary
2 school diploma;

3 (D) is enrolled or accepted for enrollment,
4 on at least a half-time basis, in a degree, cer-
5 tificate, or other program (including a program
6 of study abroad approved for credit by the insti-
7 tution at which such student is enrolled) lead-
8 ing to a recognized educational credential at an
9 eligible institution;

10 (E) if enrolled in an eligible institution, is
11 maintaining satisfactory progress in the course
12 of study the student is pursuing in accordance
13 with section 484(c) of the Higher Education
14 Act of 1965 (20 U.S.C. 1091(c));

15 (F) has not completed the individual's first
16 undergraduate baccalaureate course of study;
17 and

18 (G) has filed an application with an eligible
19 institution.

20 (3) ELIGIBLE INSTITUTION.—The term “eligi-
21 ble institution” means an institution that—

22 (A) is a public institution of higher edu-
23 cation located in the State of Maryland or the
24 Commonwealth of Virginia;

1 (B) is an institution of higher education as
2 defined in section 101 of the Higher Education
3 Act of 1965 (20 U.S.C. 1001);

4 (C) is eligible to participate in the student
5 financial assistance programs under title IV of
6 such Act (20 U.S.C. 1070 et seq.); and

7 (D) enters into an agreement with the Sec-
8 retary containing such conditions as the Sec-
9 retary may specify.

10 (4) SECONDARY SCHOOL.—The term “sec-
11 ondary school” has the meaning given that term
12 under section 14101 of the Elementary and Sec-
13 ondary Education Act of 1965 (20 U.S.C. 8801).

14 (5) SECRETARY.—The term “Secretary” means
15 the Secretary of Education.

16 (d) CONSTRUCTION.—Nothing in this Act shall be
17 construed to require an institution of higher education to
18 alter the institution’s admissions policies or standards in
19 any manner to enable an eligible student to enroll in the
20 institution.

21 (e) APPLICATIONS.—Each student desiring a tuition
22 payment under this section shall submit an application to
23 the eligible institution at such time, in such manner, and
24 accompanied by such information as the eligible institution
25 may require.

1 (f) ADMINISTRATION OF PROGRAM.—

2 (1) IN GENERAL.—The Secretary shall carry
3 out the program under this section in consultation
4 with the Mayor of the District of Columbia. The
5 Secretary may enter into a grant, contract, or coop-
6 erative agreement with another public or private en-
7 tity to administer the program under this section if
8 the Secretary determines that doing so is a more ef-
9 ficient way of carrying out the program.

10 (2) POLICIES AND PROCEDURES.—The Sec-
11 retary, in consultation with institutions of higher
12 education eligible for participation in the program
13 authorized under this section, shall develop policies
14 and procedures for the administration of the pro-
15 gram.

16 (g) REPORT.—The Secretary shall report to Congress
17 annually regarding—

18 (1) the number of eligible students attending
19 each eligible institution and the amount of the grant
20 awards paid to those institutions on behalf of the eli-
21 gible students;

22 (2) the extent, if any, to which a ratable reduc-
23 tion was made in the amount of tuition payments
24 made on behalf of eligible students; and

1 (3) the progress in obtaining recognized aca-
 2 demic credentials of the cohort of eligible students
 3 for each year.

4 (h) AUTHORIZATION OF APPROPRIATIONS.—There
 5 are authorized to be appropriated to the Department of
 6 Education to carry out this section \$20,000,000 for fiscal
 7 year 2000 and such sums as may be necessary for each
 8 of the 5 succeeding fiscal years. Such funds shall remain
 9 available until expended.

10 (i) EFFECTIVE DATE.—This section shall take effect
 11 for academic years beginning on or after July 1, 2000.

12 **SEC. 4. ASSISTANCE TO THE UNIVERSITY OF THE DISTRICT**
 13 **OF COLUMBIA.**

14 (a) IN GENERAL.—The Secretary of Education may
 15 provide financial assistance to the University of the Dis-
 16 trict of Columbia to enable the University to carry out
 17 activities authorized under part B of title III of the Higher
 18 Education Act of 1965 (20 U.S.C. 1060 et seq.).

19 (b) AUTHORIZATION OF APPROPRIATIONS.—There
 20 are authorized to be appropriated to carry out this section
 21 \$1,500,000 for fiscal year 2000 and such sums as may
 22 be necessary for each of the 5 succeeding fiscal years.

23 **SEC. 5. PRIVATE SCHOOL PROGRAM.**

24 (a) IN GENERAL.—The Secretary may award grants
 25 to eligible institutions that enroll eligible students to pay

1 the cost of tuition and fees at the eligible institutions on
 2 behalf of each eligible student enrolled in an eligible insti-
 3 tution. The Secretary may prescribe such regulations as
 4 may be necessary to carry out this section.

5 (b) GRANT AMOUNT.—

6 (1) IN GENERAL.—The Secretary shall award a
 7 grant under this section on behalf of each eligible
 8 student in an amount that is not greater than
 9 \$2,000 for each eligible student per academic year.
 10 In determining the amount of the tuition and fee
 11 payment made on behalf of eligible students for an
 12 academic year the Secretary shall consider the num-
 13 ber of eligible students for the academic year and
 14 the amount of funds appropriated under subsection
 15 (f) for the academic year.

16 (2) PRORATION.—The Secretary shall prorate
 17 grant awards under this section for students who at-
 18 tend school on less than a full time basis.

19 (c) DEFINITIONS.—In this section:

20 (1) ELIGIBLE STUDENT.—The term “eligible
 21 student” means an individual who meets the require-
 22 ments of subparagraphs (A) through (G) of section
 23 3(c)(2).

24 (2) ELIGIBLE INSTITUTION.—The term “eligi-
 25 ble institution” means an institution that—

1 (A)(i) is a private, nonprofit institution of
2 higher education, as defined in section 101(a)
3 of the Higher Education Act of 1965 (20
4 U.S.C. 1001), that is located in the District of
5 Columbia or in a county adjacent to the Dis-
6 trict of Columbia; or

7 (ii) is a proprietary institution of higher
8 education, as defined in section 102(b) of the
9 Higher Education Act of 1965 (20 U.S.C.
10 1002(b)), that—

11 (I) provides a 2-year or 4-year pro-
12 gram of instruction for which the institu-
13 tion awards an associate or baccalaureate
14 degree; and

15 (II) is located in the District of Co-
16 lumbia or in a county adjacent to the Dis-
17 trict of Columbia;

18 (B) is eligible to participate in the student
19 financial assistance programs under title IV of
20 the Higher Education Act of 1965 (20 U.S.C.
21 1070 et seq.); and

22 (C) enters into an agreement with the Sec-
23 retary containing such conditions as the Sec-
24 retary may specify.

1 (3) SECRETARY.—The term “Secretary” means
2 the Secretary of Education.

3 (d) APPLICATION.—Each eligible student desiring a
4 tuition and fee payment under this section shall submit
5 an application to the eligible institution at such time, in
6 such manner, and accompanied by such information as the
7 eligible institution may require.

8 (e) ADMINISTRATION OF PROGRAM.—

9 (1) IN GENERAL.—The Secretary shall carry
10 out the program under this section in consultation
11 with the Mayor of the District of Columbia. The
12 Secretary may enter into a grant, contract, or coop-
13 erative agreement with another public or private en-
14 tity to administer the program under this section if
15 the Secretary determines that doing so is a more ef-
16 ficient way of carrying out the program.

17 (2) POLICIES AND PROCEDURES.—The Sec-
18 retary, in consultation with institutions of higher
19 education eligible for participation in the program
20 authorized under this section, shall develop policies
21 and procedures for the administration of the pro-
22 gram.

23 (f) AUTHORIZATION OF APPROPRIATIONS.—There
24 are authorized to be appropriated to the Department of
25 Education to carry out this section \$10,000,000 for fiscal

1 year 2000 and such sums as may be necessary for each
2 of the 5 succeeding fiscal years. Such funds shall remain
3 available until expended.

4 (g) EFFECTIVE DATE.—This section shall take effect
5 for academic years beginning on or after July 1, 2000.

