

107TH CONGRESS  
2D SESSION

# H. R. 4906

To amend the Higher Education Act of 1965 to establish a scholarship program to recognize scholar athletes, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 11, 2002

Mr. LEACH introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To amend the Higher Education Act of 1965 to establish a scholarship program to recognize scholar athletes, and for other purposes.

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

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “J. Dennis Hastert  
5       Scholar Athlete Act of 2002”.

6       **SEC. 2. ESTABLISHMENT OF PROGRAM.**

7       Part A of title IV of the Higher Education Act of  
8       1965 is amended by inserting after subpart 8 (20 U.S.C.  
9       1070f) the following new subpart:

1       **“Subpart 9—J. Dennis Hastert Scholar Athlete**  
2                               **Scholarship Program**

3       **“SEC. 420M. STATEMENT OF PURPOSE; DEFINITIONS.**

4               “(a) PURPOSE.—It is the purpose of this subpart to  
5 establish a J. Dennis Hastert Scholar Athlete Scholarship  
6 Program—

7                       “(1) to recognize and encourage scholar ath-  
8 letes; and

9                       “(2) to promote the importance of participation  
10 in intercollegiate athletics for the development of  
11 character, initiative, and leadership as part of the  
12 educational experience.

13               “(b) DEFINITIONS.—For purposes of this part—

14                       “(1) the term ‘institution of higher education’,  
15 notwithstanding section 102, has the meaning pro-  
16 vided in section 101; and

17                       “(2) the term ‘State’ has the meaning provided  
18 in section 103(16).

19       **“SEC. 420N. SCHOLARSHIPS AUTHORIZED.**

20               “(a) PROGRAM AUTHORITY.—The Secretary is au-  
21 thorized, in accordance with the provisions of this subpart,  
22 to make grants to States to enable the States to award  
23 scholarships to individuals who have demonstrated out-  
24 standing academic and athletic achievement and who show  
25 promise of continuing that achievement.

1       “(b) PERIOD OF AWARD.—Scholarships under this  
 2 section shall be awarded for a period of not less than 1  
 3 or more than 4 years during the first 4 years of study  
 4 at any institution of higher education eligible to partici-  
 5 pate in any programs assisted under this title. The State  
 6 educational agency administering the program in a State  
 7 shall have discretion to determine the period of the award  
 8 (within the limits specified in the preceding sentence).

9       “(c) USE AT ANY INSTITUTION PERMITTED.—A stu-  
 10 dent awarded a scholarship under this subpart may attend  
 11 any institution of higher education.

12       “(d) HASTERT SCHOLAR ATHLETES.—Individuals  
 13 awarded scholarships under this subpart shall be known  
 14 as ‘Hastert Scholar Athletes’.

15       **“SEC. 420O. ALLOCATION AMONG STATES.**

16       “(a) ALLOCATION FORMULA.—From the sums ap-  
 17 propriated pursuant to section 420V for any fiscal year,  
 18 the Secretary shall allocate to each State that has an  
 19 agreement under section 420P an amount that bears the  
 20 same ratio to the amount appropriated pursuant to section  
 21 420V as the population of such State bears to the popu-  
 22 lation of all the States that have such an agreement, ex-  
 23 cept that not less than \$20,000 shall be made available  
 24 to any State for any such fiscal year.

1       “(b) USE OF CENSUS DATA.—For the purpose of this  
2 section, the population of a State and all the States shall  
3 be determined by the most recently available data, satis-  
4 factory to the Secretary, from the Bureau of the Census.

5       “(c) CONSOLIDATION BY INSULAR AREAS PROHIB-  
6 ITED.—Notwithstanding section 501 of Public Law 95–  
7 134 (48 U.S.C. 1469a), funds allocated under this part  
8 to an Insular Area described in that section shall be  
9 deemed to be direct payments to classes of individuals, and  
10 the Insular Area may not consolidate such funds with  
11 other funds received by the Insular Area from any depart-  
12 ment or agency of the United States Government.

13   **“SEC. 420P. AGREEMENTS.**

14       “The Secretary shall enter into an agreement with  
15 each State desiring to participate in the scholarship pro-  
16 gram authorized by this subpart. Each such agreement  
17 shall include provisions designed to assure that—

18               “(1) the State educational agency will admin-  
19 ister the scholarship program authorized by this sub-  
20 part in the State;

21               “(2) the State educational agency will comply  
22 with the eligibility and selection provisions of this  
23 subpart;

24               “(3) the State educational agency will develop  
25 guidelines to ensure that the scholarship funds in

1 the aggregate will be divided evenly between men  
2 and women;

3 “(4) from such divided scholarship funds, the  
4 State educational agency will pay to each individual  
5 in the State who is awarded a scholarship under this  
6 subpart \$10,000, subject to section 420S(a); and

7 “(5) the State educational agency will conduct  
8 outreach activities to publicize the availability of  
9 scholarships under this subpart to all eligible stu-  
10 dents in the State, with particular emphasis on ac-  
11 tivities designed to assure that students from low-in-  
12 come and moderate-income families have access to  
13 the information on the opportunity for full participa-  
14 tion in the scholarship program authorized by this  
15 subpart.

16 **“SEC. 420Q. ELIGIBILITY OF SCHOLARS.**

17 “(a) HIGH SCHOOL GRADUATION OR EQUIVALENT  
18 AND ADMISSION TO INSTITUTION REQUIRED.—Each stu-  
19 dent awarded a scholarship under this subpart shall be  
20 a graduate of a public or private secondary school or have  
21 the equivalent of a certificate of graduation as recognized  
22 by the State in which the student resides and must have  
23 been admitted for enrollment at an institution of higher  
24 education.

1       “(b) SELECTION BASED ON PROMISE OF ACADEMIC  
2 AND ATHLETIC ACHIEVEMENT.—Each student awarded a  
3 scholarship under this subpart—

4               “(1) must demonstrate quality academic and  
5 athletic achievement and show promise of continued  
6 academic and athletic achievement;

7               “(2) must indicate an intent to participate in  
8 intercollegiate athletics; and

9               “(3) must be a member in good standing of a  
10 school-recognized team to be eligible for any subse-  
11 quent year scholarship assistance, unless lack of par-  
12 ticipation is injury related.

13 **“SEC. 420R. SELECTION OF SCHOLARS.**

14       “(a) ESTABLISHMENT OF CRITERIA.—The State  
15 educational agency is authorized to establish the criteria  
16 for the selection of scholars under this subpart. Such cri-  
17 teria shall include an emphasis on sports that are part  
18 of the Olympic Games or are not significant revenue gen-  
19 erators at particular institutions.

20       “(b) ADOPTION OF PROCEDURES.—The State edu-  
21 cational agency shall adopt selection procedures designed  
22 to ensure an equitable geographic distribution of awards  
23 within the State.

24       “(c) CONSULTATION REQUIREMENT.—In carrying  
25 out its responsibilities under subsections (a) and (b), the

1 State educational agency shall consult with school admin-  
2 istrators, school boards, teachers, counselors, and parents.

3 “(d) TIMING OF SELECTION.—The selection process  
4 shall be completed, and the awards made, prior to the end  
5 of each secondary school academic year.

6 **“SEC. 420S. STIPENDS AND SCHOLARSHIP CONDITIONS.**

7 “(a) AMOUNT OF AWARD.—Each student awarded a  
8 scholarship under this subpart shall receive a stipend of  
9 \$10,000 for the academic year of study for which the  
10 scholarship is awarded, except that in no case shall the  
11 total amount of financial aid awarded to such student ex-  
12 ceed such student’s total cost-of-attendance.

13 “(b) USE OF AWARD.—The State educational agency  
14 shall establish procedures to assure that a scholar athlete  
15 awarded a scholarship under this subpart pursues a course  
16 of study at an institution of higher education and con-  
17 tinues to engage in athletic competition.

18 **“SEC. 420U. CONSTRUCTION OF NEEDS PROVISIONS.**

19 “Except as provided in section 471, nothing in this  
20 subpart, or any other Act, shall be construed to permit  
21 the receipt of a scholarship under this subpart to be count-  
22 ed for any needs test in connection with the awarding of  
23 any grant or the making of any loan under this Act or  
24 any other provision of Federal law relating to educational  
25 assistance.

1   **“SEC. 420V. AUTHORIZATION OF APPROPRIATIONS.**

2           “‘There are authorized to be appropriated for this  
3 subpart—

4                   “(1) \$50,000,000 for fiscal year 2003;

5                   “(2) \$100,000,000 for fiscal year 2004;

6                   “(3) \$150,000,000 for fiscal year 2005; and

7                   “(4) \$200,000,000 for fiscal year 2006.”.

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