

110TH CONGRESS  
1ST SESSION

# H. R. 3242

To amend the Elementary and Secondary Education Act of 1965 and the Higher Education Act of 1965 to improve the ability of the United States to be competitive in a global economy, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 31, 2007

Mrs. McMORRIS RODGERS (for herself and Mr. McKEON) introduced the following bill; which was referred to the Committee on Education and Labor

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## A BILL

To amend the Elementary and Secondary Education Act of 1965 and the Higher Education Act of 1965 to improve the ability of the United States to be competitive in a global economy, 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 “Strengthening Amer-  
5 ica’s Innovation and Competitiveness Act”.

1 **SEC. 2. ADJUNCT TEACHER CORPS.**

2 Subpart 1 of part C of title II of the Elementary and  
3 Secondary Education Act of 1965 (20 U.S.C. 6671 et  
4 seq.) is amended—

5 (1) by redesignating chapter C as chapter D;

6 and

7 (2) by inserting after chapter B the following:

8 **“CHAPTER C—GRANTS FOR ADJUNCT TEACHER**  
9 **CORPS**

10 **“SEC. 2315. PURPOSE.**

11 “The purpose of this chapter is to create opportuni-  
12 ties for professionals and other individuals with subject-  
13 matter expertise to teach secondary school courses in the  
14 core academic subjects, particularly mathematics, science,  
15 and critical foreign languages, on an adjunct basis.

16 **“SEC. 2316. GRANTS AUTHORIZED.**

17 “The Secretary is authorized to award grants on a  
18 competitive basis to eligible entities to recruit, train, and  
19 place well-qualified individuals to serve as adjunct teachers  
20 in secondary school courses in core academic subjects, par-  
21 ticularly mathematics, science, and critical foreign lan-  
22 guages.

23 **“SEC. 2317. DURATION OF GRANTS.**

24 “The Secretary may award grants under this chapter  
25 for a period of not more than 5 years.

1 **“SEC. 2318. PRIORITIES.**

2 “In awarding grants under this chapter, the Sec-  
3 retary shall give priority to eligible entities that propose  
4 to—

5 “(1) serve high-need local educational agencies  
6 that have a large number or percentage of students  
7 performing below grade level, including local edu-  
8 cational agencies that are not making adequate year-  
9 ly progress under section 1111(b)(2);

10 “(2) serve local educational agencies or edu-  
11 cational service agencies all of whose schools are des-  
12 ignated with a school locale code of 41, 42, or 43,  
13 as determined by the Secretary;

14 “(3) recruit, train, and provide schools adjunct  
15 teachers of mathematics, science or critical foreign  
16 languages; and

17 “(4) recruit adjunct faculty to serve in schools  
18 that have an insufficient number of teachers with  
19 demonstrated expertise in the subjects the adjunct  
20 faculty will teach.

21 **“SEC. 2319. APPLICATION.**

22 “(a) IN GENERAL.—To be considered for a grant  
23 under this chapter, an eligible entity shall submit an appli-  
24 cation to the Secretary at such a time, in such manner,  
25 and containing such information as the Secretary may rea-  
26 sonably require.

1       “(b) CONTENTS.—The application shall, at a min-  
2 imum, include a description of—

3               “(1) the need for, and expected benefits of  
4 using, adjunct teachers in the participating schools,  
5 which may include information on the difficulty par-  
6 ticipating schools face in recruiting qualified faculty  
7 and the achievement levels of students in those  
8 schools;

9               “(2) the goals and objectives for the project, in-  
10 cluding the number of adjunct teachers the eligible  
11 entity intends to place in classrooms and the specific  
12 gains in academic achievement intended to be  
13 achieved;

14              “(3) how the eligible entity will recruit qualified  
15 individuals and appropriate public and private insti-  
16 tutions to participate in the program;

17              “(4) how the eligible entity will generate sup-  
18 port among appropriate constituencies, such as busi-  
19 nesses, state and local government, and teachers;

20              “(5) the participating schools and grade levels  
21 at which, and the subjects in which the eligible enti-  
22 ty proposes to have the adjunct faculty teach;

23              “(6) how the eligible entity will use funds re-  
24 ceived under this section, including how the eligible  
25 entity will evaluate the success of the program;

1 “(7) how the eligible entity will ensure that low-  
2 income students in participating schools and local  
3 educational agencies will, during the period of the  
4 grant, receive instruction in the core academic sub-  
5 jects, particularly mathematics, science and critical  
6 foreign languages, from a teacher with demonstrated  
7 subject-matter expertise in the subject taught;

8 “(8) the eligible entity’s commitment, after the  
9 project period ends, to continue to hire and employ  
10 adjunct teachers, as needed, to teach secondary  
11 school courses in the core academic subjects, par-  
12 ticularly in mathematics, science and critical foreign  
13 languages; and

14 “(9) how the eligible entity will overcome legal,  
15 contractual, or administrative barriers to employ-  
16 ment of adjunct faculty in the participating State or  
17 local educational agency or agencies.

18 **“SEC. 2320. USES OF FUNDS.**

19 “(a) REQUIRED USES.—Each eligible entity that re-  
20 ceives a grant under this chapter shall use the grant  
21 funds—

22 “(1) to develop the capacity of the local edu-  
23 cational agency or the State educational agency, or  
24 both, to identify, recruit, and train qualified individ-  
25 uals outside of the elementary and secondary edu-

1 cation system (including individuals in business and  
2 government, and individuals who would participate  
3 through distance-learning arrangements) to become  
4 adjunct teachers in secondary schools in the core  
5 academic subject areas, particularly mathematics,  
6 science, and critical foreign language courses; and

7 “(2) to collect and report such performance in-  
8 formation as the Secretary may require, including  
9 information needed for the national evaluation con-  
10 ducted under section 2320B.

11 “(b) OPTIONAL USES.—Each eligible entity that re-  
12 ceives a grant under this chapter may use the grant funds  
13 for one or more of the following:

14 “(1) To provide signing bonuses and other fi-  
15 nancial incentives to encourage individuals to be-  
16 come adjunct teachers in mathematics, science and  
17 critical foreign language courses.

18 “(2) To reimburse outside entities for the costs  
19 associated with allowing an employee to serve as an  
20 adjunct teacher, except that these costs shall not ex-  
21 ceed the total cost of salary and benefits for teachers  
22 with comparable experience or expertise in the local  
23 educational agency.

1           “(3) To provide pre-service training to adjunct  
2           teachers, including the on-going mentoring of such  
3           teachers by highly qualified teachers.

4   **“SEC. 2320A. MATCHING REQUIREMENT.**

5           “Each eligible entity that receives a grant under this  
6   chapter shall provide, from non-Federal sources, an  
7   amount equal to 100 percent of the amount of the grant  
8   (in cash or in kind) to carry out the activities supported  
9   by the grant.

10   **“SEC. 2320B. NATIONAL EVALUATION.**

11          “From the amount reserved for this chapter for any  
12   fiscal year, the Secretary may reserve not more than 5  
13   percent to conduct an independent evaluation, by grant  
14   or by contract, of the adjunct teacher corps program car-  
15   ried out under this chapter, which shall include an assess-  
16   ment of the impact of the program on student academic  
17   achievement. The Secretary shall report the results of this  
18   evaluation to the appropriate committees of Congress.

19   **“SEC. 2320C. PROGRAM PERFORMANCE.**

20          “(a) REPORT.—Each eligible entity receiving a grant  
21   under this chapter shall prepare and submit to the Sec-  
22   retary a final report on the results of the project that con-  
23   tains such information as the Secretary may require. At  
24   a minimum, the report shall include information on the

1 academic achievement of students receiving instruction  
2 from an adjunct teacher.

3 “(b) METHODS.—The information required under  
4 this section shall be—

5 “(1) reported in a manner that provides for a  
6 comparison of student achievement data prior to,  
7 during, and after implementation of the adjunct  
8 teacher corps program; and

9 “(2) disaggregated by race, ethnicity, disability  
10 status, English proficiency, and status as economi-  
11 cally disadvantaged, except that such disaggregation  
12 shall not be required in a case in which the number  
13 of students in a category is insufficient to yield sta-  
14 tistically reliable information or the result would re-  
15 veal personally identifiable information about an in-  
16 dividual student.

17 **“SEC. 2320D. DEFINITIONS.**

18 “For purposes of this chapter:

19 “(1) ADJUNCT TEACHER.—The term ‘adjunct  
20 teacher’ means a teacher who—

21 “(A) possesses, at a minimum, a bachelor’s  
22 degree; and

23 “(B) has demonstrated expertise in the  
24 subject matter the teacher teaches by—



1 “(i) having met the requirements of  
2 section 9101(23)(B)(ii); or

3 “(ii) having met an alternative meas-  
4 ure of subject-matter expertise, as deter-  
5 mined by the Secretary.

6 “(2) CRITICAL FOREIGN LANGUAGE.—The term  
7 ‘critical foreign language’ means a foreign language  
8 considered most critical to ensure future United  
9 States national security and economic prosperity, as  
10 determined by the Secretary.

11 “(3) ELIGIBLE ENTITY.—The term ‘eligible en-  
12 tity’ means—

13 “(A) a local educational agency;

14 “(B) a public or private entity (which may  
15 be a State educational agency); or

16 “(C) a partnership consisting of a local  
17 educational agency and a public or private enti-  
18 ty.

19 “(4) HIGH NEED LOCAL EDUCATIONAL AGEN-  
20 CY.—The term ‘high-need local educational agency’  
21 has the meaning given to the term in section  
22 2102(3).”.

1 **SEC. 3. ADVANCED PLACEMENT AMENDMENTS.**

2 (a) PURPOSES.—Section 1702 of the Elementary and  
3 Secondary Education Act of 1965 (20 U.S.C. 6532) is  
4 amended—

5 (1) in paragraph (8), by striking “and” at the  
6 end;

7 (2) in paragraph (9), by striking the period at  
8 the end and inserting a semicolon; and

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

10 “(10) to increase the number of students who  
11 complete advanced placement courses and pass ad-  
12 vanced placement tests in mathematics, science, and  
13 critical foreign languages, and to increase the num-  
14 ber of teachers who are prepared to teach those  
15 courses;

16 “(11) to encourage States and the private sec-  
17 tor to increase their support for advanced placement  
18 and pre-advanced placement programs, in order to  
19 leverage the Federal investment in this important  
20 area;

21 “(12) to encourage State and local educational  
22 agencies to provide additional compensation for  
23 teachers who become qualified to teach advanced  
24 placement courses in mathematics, science, and crit-  
25 ical foreign languages and whose students pass ad-  
26 vanced placement tests in those subjects; and

1 “(13) to support State-wide efforts to increase  
2 the availability of, and enrollment in, advanced  
3 placement and pre-advanced placement programs,  
4 particularly for low-income students.”.

5 (b) ADVANCED PLACEMENT TEST FEE PROGRAM.—  
6 Section 1704 of the Elementary and Secondary Education  
7 Act of 1965 (20 U.S.C. 6534) is amended—

8 (1) in subsection (a), in the matter preceding  
9 paragraph (1)—

10 (A) by striking “reimburse low-income in-  
11 dividuals to cover” and inserting “pay”; and

12 (B) by striking “fees, if the low-income in-  
13 dividuals,” and inserting “fees for low-income  
14 dividuals, if those individuals”;

15 (2) in subsection (d)(3), by striking “required  
16 under chapter 1 of subpart 2 of part A of title IV  
17 of the Higher Education Act of 1965.” and inserting  
18 “that the student is low-income (as defined in sec-  
19 tion 1707(3)).”; and

20 (3) in subsection (f)(1)(D), by striking “socio-  
21 economic status.” and inserting “whether the stu-  
22 dent is low-income (as defined in section 1707(3)).”.

23 (c) ADVANCED PLACEMENT INCENTIVE PROGRAM  
24 GRANTS.—Section 1705 of the Elementary and Secondary  
25 Education Act of 1965 (20 U.S.C. 6535) is amended—

1           (1) in subsection (a)(3), by striking “ local edu-  
2           cational agency, or national nonprofit educational  
3           entity” through the period at the end and inserting  
4           “a local educational agency, or a nonprofit edu-  
5           cational entity that applies in partnership with a  
6           State or local educational agency.”;

7           (2) in subsection (c)—

8                   (A) by amending paragraphs (3), (4), and  
9           (5) to read as follows:

10           “(3) develops or expands advanced placement or  
11           pre-advanced placement programs in mathematics,  
12           science, or critical foreign languages;

13           “(4) demonstrates an intent to carry out activi-  
14           ties that target schools with a high concentration of  
15           low-income students;

16           “(5) are part of a State-wide strategy for in-  
17           creasing the availability of advanced placement  
18           courses in mathematics, science, and critical foreign  
19           languages, particularly for low-income students; or

20           “(6) demonstrates an intent to carry out activi-  
21           ties that target local educational agencies whose  
22           schools are designated with a school locale code of  
23           41, 42, or 43, as determined by the Secretary.”; and

24                   (B) by striking paragraphs (6) and (7);

1           (3) by amending subsection (d)(1)(B) to read  
2 as follows:

3           “(B) activities to increase the number of  
4 students who have the rigorous academic prepa-  
5 ration and skills needed to succeed in advanced  
6 placement courses;”;

7           (4) in subsection (f)(1)—

8           (A) in subparagraph (C), by striking  
9 “and” at the end;

10           (B) in subparagraph (D), by striking the  
11 period at the end and inserting “; and”; and

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

13           “(E) the number of teachers served  
14 through the grant who become qualified to  
15 teach advanced placement courses.”;

16           (5) by redesignating subsections (d), (e), and  
17 (f) as (e), (g), and (h), respectively;

18           (6) by inserting after subsection (c) the fol-  
19 lowing:

20           “(d) EQUITABLE DISTRIBUTION.—The Secretary  
21 shall, to the extent practicable—

22           “(1) ensure an equitable geographic distribution  
23 of grants under this program among the States; and

1           “(2) promote an increase in participation in ad-  
2       vanced placement courses and tests in all States.”;  
3       and

4           (7) by inserting after subsection (e) (as so re-  
5       designated) the following:

6       “(f) PROGRAM REQUIREMENTS.—Each eligible entity  
7       that receives a grant under this section shall—

8           “(1) shall provide, from State, local, or other  
9       sources, funds sufficient to cover at least two-thirds  
10      of the cost of activities to be carried out under the  
11      grant; and

12          “(2) shall, with respect to the State or local  
13      educational agency or agencies participating in the  
14      project, not later than the first year of the period for  
15      which the grant is awarded, establish and implement  
16      a policy of providing salary increases or bonuses—

17          “(A) to teachers who become qualified to  
18      teach advanced placement courses in mathe-  
19      matics, science, or a critical foreign language;  
20      and

21          “(B) to teachers whose students success-  
22      fully pass advanced placement examinations in  
23      mathematics, science, or a critical foreign lan-  
24      guage.”.

1 (d) DEFINITIONS.—Section 1707 of the Elementary  
2 and Secondary Education Act of 1965 (20 U.S.C. 6537)  
3 is amended—

4 (1) in paragraph (3), by striking “data on chil-  
5 dren in families receiving assistance under part A of  
6 title IV of the Social Security Act” through the pe-  
7 riod at the end, and inserting “or through an alter-  
8 nate method that extrapolates from that data.”; and

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

11 (3) by inserting after paragraph (1) the fol-  
12 lowing:

13 “(2) CRITICAL FOREIGN LANGUAGES.—The  
14 term ‘critical foreign languages’ refers to languages  
15 designated by the Secretary as those most critical to  
16 help ensure the future national security and eco-  
17 nomic prosperity of the United States.”.

18 (e) ADVANCED PLACEMENT PROGRAMS.—Part G of  
19 title I of the Elementary and Secondary Education Act  
20 of 1965 (20 U.S.C. 6531 et seq.) is amended by adding  
21 at the end the following:

22 **“SEC. 1708. NATIONAL ACTIVITIES.**

23 “The Secretary may reserve up to 5 percent of the  
24 amount appropriated for a fiscal year under section  
25 1002(g) for this part, to be used for peer review of applica-

1 tions for grants under this part, as well as for research,  
 2 evaluation, and technical assistance.”.

3 **SEC. 4. MATH NOW.**

4 Part F of title I of the Elementary and Secondary  
 5 Education Act (20 U.S.C. 6511 et seq.) is amended to  
 6 read as follows:

7 “PART F—MATH NOW

8 “SUBPART 1—MATH NOW FOR ELEMENTARY SCHOOL  
 9 STUDENTS

10 **“SEC. 1601. MATH NOW FOR ELEMENTARY SCHOOL STU-**  
 11 **DENTS PROGRAM.**

12 “(a) PURPOSE; DEFINITION.—

13 “(1) PURPOSE.—The purpose of this section is  
 14 to improve instruction in mathematics for students  
 15 in kindergarten through sixth grade by imple-  
 16 menting mathematics programs that reflect the best  
 17 available evidence on mathematics instruction, in  
 18 order to enable all students to reach grade-level  
 19 achievement standards and prepare them to enroll in  
 20 and pass algebra courses.

21 “(2) DEFINITION.—As used in this section, the  
 22 term ‘eligible entity’ means

23 “(A) A local educational agency with one  
 24 or more elementary or middle schools—



1 “(i) with significant numbers or per-  
2 centages of students whose mathematics  
3 skills are below grade level;

4 “(ii) that are not making adequate  
5 yearly progress in mathematics under sec-  
6 tion 1111(b)(2); or

7 “(iii) in which students are receiving  
8 instruction in mathematics from teachers  
9 who do not have expertise in mathematics;

10 “(B) a State educational agency;

11 “(C) educational service agencies that  
12 serve areas whose schools are designated with a  
13 school locale code of 41, 42, or 43, as deter-  
14 mined by the Secretary; or

15 “(D) a partnership of one more agencies  
16 described in subparagraph (A), (B), or (C),  
17 which may also include one or more institutions  
18 of higher education, nonprofit organizations,  
19 and for-profit organizations.

20 “(b) PROGRAM AUTHORIZED.—

21 “(1) GENERAL.—From the amounts appro-  
22 priated to carry out this section for any fiscal year,  
23 the Secretary is authorized to award competitive  
24 grants of up to five years to eligible entities to carry  
25 out activities consistent with the purpose of this pro-

1       gram in local educational agencies that meet the cri-  
2       teria described in subsection (a)(2)(A).

3               “(2) PRIORITY.—In making grants under this  
4       section, the Secretary may give priority to applica-  
5       tions for projects that—

6               “(A) will implement Statewide strategies  
7       for improving elementary school mathematics  
8       instruction and raising mathematics achieve-  
9       ment in kindergarten through sixth grade; or

10              “(B) schools designated with a school local  
11       code of 41, 42, or 43, as determined by the  
12       Secretary.

13       “(c) USES OF FUNDS.—

14              “(1) MANDATORY USES.—A grantee shall use  
15       grant funds under this section for each of the fol-  
16       lowing:

17              “(A) To implement mathematics instruc-  
18       tional materials, for students in kindergarten  
19       through the final grade of a participating ele-  
20       mentary school, which involve intensive and sys-  
21       tematic instruction and are based on the best  
22       available evidence on mathematics instruction.

23              “(B) To provide professional development  
24       for teachers and, if appropriate, administrators  
25       and other personnel, on the implementation of

1 the new materials (and on the content of those  
2 materials).

3 “(C) To conduct continuous progress mon-  
4 itoring, which may include the adoption and use  
5 of assessments that—

6 “(i) measure student progress and  
7 identify areas in which students need help  
8 learning mathematics; and

9 “(ii) reflect mathematics content that  
10 is consistent with state academic achieve-  
11 ment standards in mathematics described  
12 in section 1111(b).

13 “(D) To carry out activities, if requested  
14 by the Secretary, to assist the Secretary in  
15 completing the evaluation required under sub-  
16 section (f).

17 “(2) OPTIONAL USES.—A grantee may use  
18 grant funds under this section to collect and report  
19 the performance data required under subsection (g).

20 “(d) APPLICATIONS.—To be considered for a grant  
21 under this section, an eligible entity shall submit an appli-  
22 cation at such time and in such manner as the secretary  
23 may require. Each application shall include—

24 “(1) information, on an aggregate basis, on the  
25 school or schools to be served by the project, includ-

1       ing such demographic, socioeconomic, and mathe-  
2       matics achievement data as the Secretary may re-  
3       quest;

4           “(2) a description of the mathematics instruc-  
5       tional materials that will be used for the proposed  
6       project, including information on how those mate-  
7       rials reflect the best available evidence on mathe-  
8       matics instruction;

9           “(3) a description of the activities that will be  
10      carried out under the grant, including a description  
11      of the professional development that will be provided  
12      to teachers, and, if appropriate, administrators and  
13      other personnel, and of how those activities will sup-  
14      port achievement of the purposes of the grant; and

15          “(4) any other information the Secretary may  
16      reasonably require.

17      “(e) **EQUITABLE PARTICIPATION.**—Title IX, part E,  
18      subpart 1 shall apply to this program. For the purpose  
19      of determining equitable participation, the term ‘eligible  
20      children’ (as used in section 9501(a)) means children from  
21      low-income families (using the measures described in sec-  
22      tion 1113(a)(5)) in the area served by the participating  
23      local educational agency or school.

24          “(f) **EVALUATION.**—

1           “(1) EVALUATION.—The Secretary shall con-  
2           duct an independent evaluation of the program  
3           under this section, which shall include an assessment  
4           of the impact of the program on student achieve-  
5           ment, and may use funds available under this sec-  
6           tion to conduct the evaluation.

7           “(2) LIMITATION.—

8                 “(A) IN GENERAL.—The Secretary shall  
9                 ensure that the organization selected to carry  
10                out the independent evaluation under paragraph  
11                (1) does not hold a contract or subcontract to  
12                implement any aspect of the program under  
13                this section.

14               “(B) SUBCONTRACTORS.—Any contract  
15                entered into under paragraph (1) shall prohibit  
16                the independent organization conducting the  
17                evaluation from subcontracting with any entity  
18                that holds a contract or subcontract for any as-  
19                pect of the implementation of this section.

20           “(g) TECHNICAL ASSISTANCE.—

21               “(1) TECHNICAL ASSISTANCE.—The Secretary  
22                may use funds available under this section to provide  
23                technical assistance to prospective applicants and  
24                grantees.

1           “(2) CONFLICTS OF INTEREST.—If the Sec-  
2       retary carries out paragraph (1) through any con-  
3       tracts, the Secretary shall ensure that each contract  
4       requires the contractor to—

5           “(A) screen for conflicts of interest when  
6       hiring individuals to carry out the responsibil-  
7       ities under the contract;

8           “(B) include the requirement in subpara-  
9       graph (A) in any subcontracts the contractor  
10      enters into under the contract; and

11          “(C) establish and follow a schedule for  
12      carrying out subparagraph (A) and paragraph  
13      (3) and reporting to the Secretary on its ac-  
14      tions under those provisions.

15          “(3) SCREENING PROCESS.—The screening  
16      process described in paragraph (2)(A) shall—

17          “(A) include, at a minimum, a review of—

18              “(i) each individual performing duties  
19              under the contract or subcontract for con-  
20              nections to any State’s program under this  
21              section;

22              “(ii) potential financial interests in, or  
23              other connection to, products that might  
24              be purchased by a State educational agen-  
25              cy or local educational agency in the course

1 of the agency's implementation of the pro-  
2 gram under this section; and

3 “(iii) connections to teaching meth-  
4 odologies that might require the use of  
5 specific products; and

6 “(B) be designed to prevent, to the extent  
7 possible, bias or the appearance of bias in the  
8 performance of the responsibilities outlined in  
9 the contract or subcontract.

10 “(4) INFORMATION DISSEMINATION.—

11 “(A) IN GENERAL.—If the Secretary en-  
12 ters into contracts to provide technical assist-  
13 ance under paragraph (1), and if a contractor  
14 enters into subcontracts for that purpose, each  
15 such contract and subcontract shall require the  
16 provider of technical assistance to clearly sepa-  
17 rate technical assistance provided under the  
18 contract or subcontract from information pro-  
19 vided, or activities engaged in, as part of the  
20 normal operations of the contractor or subcon-  
21 tractor.

22 “(B) SEPARATE INTERNET WEB PAGES.—  
23 Efforts to comply with subparagraph (A) may  
24 include, but are not limited to, the creation of  
25 separate Internet web pages for the purpose of

1           fulfilling a contract or subcontract entered into  
2           under paragraph (1).

3           “(h) PROGRAM PERFORMANCE AND ACCOUNT-  
4 ABILITY.—

5           “(1) IN GENERAL.—Each grantee shall collect  
6           and report to the Secretary such information on the  
7           results of the grant as the Secretary may reasonably  
8           require, including information on—

9                   “(A) the mathematics test scores on State  
10           or district-wide assessments for all elementary  
11           schools in the local educational agency or agen-  
12           cies, including both those in schools partici-  
13           pating in the program under this section and  
14           those in schools not participating in the pro-  
15           gram under this section; and

16                   “(B) the percentage of students in the  
17           schools of the local educational agency who en-  
18           roll in algebra courses and the percentage of  
19           those enrollees who pass algebra courses.

20           “(2) METHOD.—The information required  
21           under paragraph (1) shall be—

22                   “(A) reported in a manner that allows for  
23           a comparison of student achievement before (to  
24           the extent feasible), during, and after imple-  
25           mentation of this section; and



14 “SUBPART 2—MATH NOW FOR MIDDLE SCHOOL  
15 STUDENTS

18 “(a) PURPOSE; DEFINITIONS.—

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1 instruction for middle-school students, and that im-  
2 prove the quality of mathematics instruction, provide  
3 intensive interventions to middle-school students  
4 whose achievement is significantly below grade level,  
5 and help build a strong, scientific research base for  
6 identifying and replicating strategies that improve  
7 adolescent mathematics skills.

8 “(2) DEFINITIONS.—As used in this section—

9 “(A) the term ‘eligible entity’ means—

10 “(i) a local educational agency that  
11 has one or more schools;

12 “(I) with significant numbers or  
13 percentages of middle-school students  
14 whose mathematics skills are below  
15 grade level;

16 “(II) that are not making ade-  
17 quate yearly progress in mathematics  
18 for middle-school students under sec-  
19 tion 1111(b)(2); or

20 “(III) that have mathematics  
21 classes that are not taught by teach-  
22 ers with expertise in mathematics;

23 “(ii) a State educational agency;

24 “(iii) educational service agencies that  
25 serve areas whose schools are designated

1 with a school locale code of 41, 42, or 43,  
2 as determined by the Secretary; or

3 “(iv) a partnership of one or more  
4 agencies described in clause (i), (ii), or  
5 (iii), which may also include one or more  
6 institutions of higher education, non-profit  
7 organizations, and for-profit organizations;  
8 and

9 “(B) the term ‘middle-school students’  
10 means students in any of the grades six  
11 through nine.

12 “(b) PROGRAM AUTHORIZED.—

13 “(1) IN GENERAL.—From the amounts appro-  
14 priated to carry out this section for any fiscal year,  
15 the Secretary is authorized to award competitive  
16 grants of up to five years to eligible entities to carry  
17 out activities, consistent with the purpose of this  
18 section, in local educational agencies that meet the  
19 criteria described in subsection (a)(2)(A)(i).

20 “(2) PRIORITY.—In making awards under this  
21 section, the Secretary shall give priority to applica-  
22 tions for projects that—

23 “(A) will implement Statewide strategies  
24 for improving mathematics instruction for mid-  
25 dle-school students and raising the mathematics

1 achievement of middle-school students who are  
2 below grade level in mathematics; or

3 “(B) schools designated with a school lo-  
4 cale code of 41, 42, or 43, as determined by the  
5 Secretary.

6 “(c) USES OF FUNDS.—

7 “(1) MANDATORY USES.—A grantee shall use  
8 grant funds under this section for each of the fol-  
9 lowing:

10 “(A) To implement interventions that re-  
11 flect the best available evidence on teaching  
12 middle school mathematics and that involve in-  
13 tensive and systematic instruction either specifi-  
14 cally for middle-school students who are not  
15 achieving grade-level proficiency in mathematics  
16 or to increase the mathematics achievement of  
17 all of the middle-school students in a school, or  
18 both.

19 “(B) To conduct continuous progress mon-  
20 itoring, including by adopting and using assess-  
21 ments in order to measure middle-school stu-  
22 dents’ progress and identify areas in which they  
23 need help in learning mathematics.

24 “(C) To provide professional development  
25 for teachers of middle-school students and, as

1 appropriate, administrators and other personnel  
2 that targets important mathematics content  
3 knowledge and effective practices and reflects  
4 the best available evidence on mathematics edu-  
5 cation for middle-school students.

6 “(D) To carry out activities, if requested  
7 by the Secretary, to assist the Secretary in  
8 completing the evaluation required under sub-  
9 section (f).

10 “(2) OPTIONAL USES.—A grantee may use  
11 grant funds under this section to collect and report  
12 the performance data required under subsection (g).

13 “(d) APPLICATIONS.—To be considered for a grant  
14 under this section, an eligible entity shall submit an appli-  
15 cation at such time and in such manner as the Secretary  
16 may require. Each application shall include—

17 “(1) information, on an aggregate basis, on the  
18 school or schools to be served by the project, includ-  
19 ing such demographic, socioeconomic, and mathe-  
20 matics achievement data for middle-school students  
21 as the Secretary may request;

22 “(2) a description of the activities to be carried  
23 out under the grant, including a description of—

24 “(A) how, and the extent to which, the  
25 proposed activities reflect the best available evi-

1           dence on mathematics instruction for middle-  
2           school students; and

3           “(B) the professional development to be  
4           provided to teachers and, if appropriate, admin-  
5           istrators and other personnel and how that pro-  
6           fessional development will support achievement  
7           of the purposes of the project; and

8           “(3) any other information the Secretary may  
9           reasonably require.

10          “(e) **EQUITABLE PARTICIPATION.**—Title IX, part E,  
11          subpart 1 shall apply to this program. For the purpose  
12          of determining equitable participation, the term ‘eligible  
13          children’ (as used in section 9501(a)) means children from  
14          low-income families (using the measures described in sec-  
15          tion 1113(a)(5)) in the area served by the participating  
16          local educational agency or school.

17          “(f) **EVALUATION.**—

18                 “(1) **EVALUATION.**—The Secretary shall con-  
19          duct an independent evaluation of the program,  
20          which shall include an assessment of the impact of  
21          the program on student achievement, and may use  
22          funds available under this section to conduct the  
23          evaluation.

24                 “(2) **LIMITATION.**—

1           “(A) IN GENERAL.—The Secretary shall  
2           ensure that the organization selected to carry  
3           out the independent evaluation under paragraph  
4           (1) does not hold a contract or subcontract to  
5           implement any aspect of the program under  
6           this section.

7           “(B) SUBCONTRACTORS.—Any contract  
8           entered into under paragraph (1) shall prohibit  
9           the independent organization conducting the  
10          evaluation from subcontracting with any entity  
11          that holds a contract or subcontract for any as-  
12          pect of the implementation of this section.

13          “(g) TECHNICAL ASSISTANCE.—

14               “(1) TECHNICAL ASSISTANCE.—The Secretary  
15               may use funds available under this section to provide  
16               technical assistance to prospective applicants and  
17               grantees.

18               “(2) CONFLICTS OF INTEREST.—If the Sec-  
19               retary carries out paragraph (1) through any con-  
20               tracts, the Secretary shall ensure that each contract  
21               requires the contractor to—

22                       “(A) screen for conflicts of interest when  
23                       hiring individuals to carry out the responsibil-  
24                       ities under the contract;

1 “(B) include the requirement in subpara-  
2 graph (A) in any subcontracts the contractor  
3 enters into under the contract; and

4 “(C) establish and follow a schedule for  
5 carrying out subparagraph (A) and paragraph  
6 (3) and reporting to the Secretary on its ac-  
7 tions under those provisions.

8 “(3) SCREENING PROCESS.—The screening  
9 process described in paragraph (2)(A) shall—

10 “(A) include, at a minimum, a review of—

11 “(i) each individual performing duties  
12 under the contract or subcontract for con-  
13 nections to any State’s program under this  
14 section;

15 “(ii) potential financial interests in, or  
16 other connection to, products that might  
17 be purchased by a State educational agen-  
18 cy or local educational agency in the course  
19 of the agency’s implementation of the pro-  
20 gram under this section; and

21 “(iii) connections to teaching meth-  
22 odologies that might require the use of  
23 specific products; and

24 “(B) be designed to prevent, to the extent  
25 possible, bias or the appearance of bias in the



1 performance of the responsibilities outlined in  
2 the contract or subcontract.

3 “(4) INFORMATION DISSEMINATION.—

4 “(A) IN GENERAL.—If the Secretary en-  
5 ters into contracts to provide technical assist-  
6 ance under paragraph (1), and if a contractor  
7 enters into subcontracts for that purpose, each  
8 such contract and subcontract shall require the  
9 provider of technical assistance to clearly sepa-  
10 rate technical assistance provided under the  
11 contract or subcontract from information pro-  
12 vided, or activities engaged in, as part of the  
13 normal operations of the contractor or subcon-  
14 tractor.

15 “(B) SEPARATE INTERNET WEB PAGES.—  
16 Efforts to comply with subparagraph (A) may  
17 include, but are not limited to, the creation of  
18 separate Internet web pages for the purpose of  
19 fulfilling a contract or subcontract entered into  
20 under paragraph (1).

21 “(h) PROGRAM PERFORMANCE AND ACCOUNT-  
22 ABILITY.—

23 “(1) IN GENERAL.—Each grantee shall collect  
24 and report to the Secretary such information on the

1 results of the grant as the Secretary may reasonably  
2 require, including information on—

3 “(A) the mathematics test scores on State  
4 or district-wide assessments for all middle-  
5 school students in the local educational agency,  
6 including both those in schools participating in  
7 the program under this section and those in  
8 schools not participating in the program under  
9 this section; and

10 “(B) the percentage of students in the  
11 schools of the local educational agency who en-  
12 roll in algebra courses and the percentage of  
13 those enrollees who pass algebra courses.

14 “(2) METHOD.—The information required  
15 under paragraph (1) shall be—

16 “(A) reported in a manner that allows for  
17 a comparison of student achievement before (to  
18 the extent feasible), during, and after imple-  
19 mentation of this section; and

20 “(B) disaggregated by race, ethnicity, dis-  
21 ability status, English proficiency, and status as  
22 economically disadvantaged, except that such  
23 disaggregation shall not be required in a case in  
24 which the number of students in a category is  
25 insufficient to yield statistically reliable infor-

1           mation or the result would reveal personally  
 2           identifiable information about an individual stu-  
 3           dent.

4           “(i) AUTHORIZATION OF APPROPRIATIONS.—There  
 5   are authorized to be appropriated to carry out this section  
 6   \$125,000,000 for fiscal year 2008 and such sums as may  
 7   be necessary for each of the 5 succeeding fiscal years.

8           “SUBPART 3—PEER REVIEW OF STATE APPLICATIONS  
 9   **“SEC. 1622. REVIEW OF STATE APPLICATIONS.**

10          “(a) CONFLICTS OF INTEREST.—

11               “(1) IN GENERAL.—The Secretary shall estab-  
 12   lish a process through which individuals who review  
 13   State applications under section 1601 and 1611  
 14   (hereafter in this section referred to as ‘reviewers’)  
 15   are screened for potential conflicts of interest.

16               “(2) SCREENING.—The screening process  
 17   shall—

18                       “(A) be reviewed and approved by the Of-  
 19   fice of the General Counsel of the department;

20                       “(B) include, at a minimum, a review of  
 21   each reviewer’s—

22                               “(i) connection to any State’s pro-  
 23   gram under those sections;

24                               “(ii) potential financial interest in  
 25   products that might be purchased by a

1 State educational agency or local edu-  
2 cational agency in the course of the agen-  
3 cy's implementation of the program under  
4 those sections; and

5 “(iii) professional connections to  
6 teaching methodologies that might require  
7 the use of specific products; and

8 “(C) be designed to prevent, to the extent  
9 possible, bias or the appearance of bias in the  
10 review of those applications.

11 “(b) GUIDANCE.—

12 “(1) IN GENERAL.—The Secretary shall develop  
13 guidance for how reviewers will review applications  
14 submitted under sections 1601 and 1611 and pro-  
15 vide feedback to State educational agencies and rec-  
16 ommendations to the Secretary. The Secretary shall  
17 also develop guidance for how the Secretary will re-  
18 view those recommendations and make final deter-  
19 minations of approval or disapproval of those appli-  
20 cations.

21 “(2) REQUIREMENTS.—Such guidance shall, at  
22 a minimum—

23 “(A) create a transparent process through  
24 which review panels provide clear, consistent,

1 and publicly available documentation in support  
2 of all recommendations;

3 “(B) ensure that State educational agen-  
4 cies have the opportunity for direct interaction  
5 with any panel that reviewed its application  
6 under those sections when revising an applica-  
7 tion as a result of feedback from the panel;

8 “(C) require that any review panel and the  
9 Secretary clearly and consistently document that  
10 all required elements of an application under  
11 those sections are included before the applica-  
12 tion is approved; and

13 “(D) create a transparent process through  
14 which the Secretary clearly, consistently, and  
15 publicly documents decisions to approve or dis-  
16 approve those applications and the reasons for  
17 those decisions.

18 **“SEC. 1623. PROHIBITION ON FEDERAL GOVERNMENT.**

19 “(a) IN GENERAL.—Nothing in this chapter shall be  
20 construed to alter or lessen the prohibition contained in  
21 section 9527(b) of this Act or section 3403(b) of the De-  
22 partment of Education Organization Act.

23 “(b) GUIDANCE.—

24 “(1) IN GENERAL.—The Secretary shall develop  
25 guidance for Department of Education employees re-

1       sponsible for the implementation of this chapter that  
2       will assist those employees in complying with the  
3       prohibitions included in subsection (a).

4               “(2) CONSULTATION.—Such guidance shall em-  
5       phasize the importance of consultation with the De-  
6       partment’s Office of General Counsel on issues re-  
7       lated to such prohibitions.

8               “(3) TECHNICAL ASSISTANCE.—Such guidance  
9       shall stress that any information disseminated, or  
10      technical assistance provided, related to this subpart,  
11      shall be balanced in presenting eligible products and  
12      not in any way endorse or appear to endorse any  
13      particular product that might be purchased by a  
14      State educational agency or local educational agency  
15      in the course of such agency’s implementation of the  
16      program under this chapter”.

17 **SEC. 5. ROBERT C. BYRD HONORS SCHOLARSHIP PRO-**  
18 **GRAM.**

19       Subpart 6 of part A of title IV of the Higher Edu-  
20      cation Act of 1965 (20 U.S.C. 1070d–31) is amended to  
21      read as follows:

1           “SUBPART 6—ROBERT C. BYRD AMERICAN  
2                           COMPETITIVENESS PROGRAM  
3   **“SEC. 419A. ROBERT C. BYRD MATHEMATICS AND SCIENCE**  
4                           **HONORS SCHOLARSHIP PROGRAM.**

5           “(a) PURPOSE.—The purpose of this section is to  
6   award scholarships to students who are enrolled in studies  
7   leading to baccalaureate and advanced degrees in physical,  
8   life, or computer sciences, mathematics, and engineering.

9           “(b) DEFINITIONS.—As used in this section—

10           “(1) the term ‘computer science’ means the  
11   branch of knowledge or study of computers, includ-  
12   ing such fields of knowledge or study as computer  
13   hardware, computer software, computer engineering,  
14   information systems, and robotics;

15           “(2) the term ‘eligible student’ means a student  
16   who—

17           “(A) is a citizen of the United States;

18           “(B) is selected by the managing agent to  
19   receive a scholarship;

20           “(C) is enrolled full-time in an institution  
21   of higher education, other than a United States  
22   service academy; and

23           “(D) has shown a commitment to and is  
24   pursuing a major in studies leading to a bacca-  
25   laureate, masters, or doctoral degree (or a com-

1           bination thereof) in physical, life, or computer  
2           sciences, mathematics, or engineering;

3           “(3) the term ‘engineering’ means the science  
4           by which the properties of matter and the sources of  
5           energy in nature are made useful to humanity in  
6           structures, machines, and products, as in the con-  
7           struction of engines, bridges, buildings, mines, and  
8           chemical plants, including such fields of knowledge  
9           or study as aeronautical engineering, chemical engi-  
10          neering, civil engineering, electrical engineering, in-  
11          dustrial engineering, materials engineering, manu-  
12          facturing engineering, and mechanical engineering;

13          “(4) the term ‘life sciences’ means the branch  
14          of knowledge or study of living things, including  
15          such fields of knowledge or study as biology, bio-  
16          chemistry, biophysics, microbiology, genetics, physi-  
17          ology, botany, zoology, ecology, and behavioral biol-  
18          ogy, except that the term does not encompass social  
19          psychology or the health professions;

20          “(5) the term ‘managing agent’ means an enti-  
21          ty to which an award is made under subsection (c)  
22          to manage a program of Mathematics and Science  
23          Honors Scholarships;

24          “(6) the term ‘mathematics’ means the branch  
25          of knowledge or study of numbers and the system-



1       atic treatment of magnitude, relationships between  
2       figures and forms, and relations between quantities  
3       expressed symbolically, including such fields of  
4       knowledge or study as statistics, applied mathe-  
5       matics, and operations research; and

6               “(7) the term ‘physical sciences’ means the  
7       branch of knowledge or study of the material uni-  
8       verse, including such fields of knowledge or study as  
9       astronomy, atmospheric sciences, chemistry, earth  
10      sciences, ocean sciences, physics, and planetary  
11      sciences.

12      “(c) AWARD.—

13              “(1)(A) From funds authorized under section  
14      419F to carry out this section, the Secretary is au-  
15      thorized, through a grant or cooperative agreement,  
16      to make an award to a private, non-profit organiza-  
17      tion, other than an institution of higher education or  
18      system of institutions of higher education, to man-  
19      age, through a public and private partnership, a pro-  
20      gram of Mathematics and Science Honors Scholar-  
21      ships under this section.

22              “(B) The award under subparagraph (A) shall  
23      be for a five-year period.

24              “(2)(A) One hundred percent of the funds  
25      awarded under paragraph (1)(A) for any fiscal year

1 shall be obligated and expended solely on scholar-  
2 ships to eligible students.

3 “(B) No Federal funds shall be used to provide  
4 more than 50 percent of the cost of any scholarship  
5 to an eligible student.

6 “(C) The maximum scholarship award shall be  
7 the difference between an eligible student’s cost of  
8 attendance minus any non-loan based aid such stu-  
9 dent receives.

10 “(3)(A) The secretary may establish—

11 “(i) eligibility criteria for applicants for  
12 managing agent, including criteria regarding fi-  
13 nancial and administrative capability; and

14 “(ii) operational standards for the man-  
15 aging agent, including management and per-  
16 formance requirements, such as audit, record  
17 keeping, record retention, and reporting proce-  
18 dures and requirements.

19 “(B) The Secretary, as necessary, may review  
20 and revise any criteria, standards, and rules estab-  
21 lished under this paragraph and, through the agree-  
22 ment with the managing agent, see that any revi-  
23 sions are implemented.

1           “(4) If the managing agent fails to meet the re-  
2           quirements of this section the Secretary may termi-  
3           nate the award to the managing agent.

4           “(5) The Secretary shall conduct outreach ef-  
5           forts to help raise awareness of the Mathematics and  
6           Science Honors Scholarships.

7           “(d) DUTIES OF THE MANAGING AGENT.—The man-  
8           aging agent shall—

9           “(1) develop criteria to award Mathematics and  
10          Science Honors Scholarships based on established  
11          measurements available to secondary students who  
12          wish to pursue degrees in physical, life, or computer  
13          sciences, mathematics, and engineering;

14          “(2) establish a Mathematics and Science Hon-  
15          ors Scholarship Fund in a separate, named account  
16          that clearly discloses the amount of Federal and  
17          non-Federal funds deposited in the account and used  
18          for scholarships under this section;

19          “(3) solicit funds for scholarships and for the  
20          administration of the program from non-Federal  
21          sources;

22          “(4) solicit applicants for scholarships;

23          “(5) from the amounts in the Fund, award  
24          scholarships to eligible students and transfer such

1 funds to the institutions of higher education that  
2 they attend;

3 “(6) annually submit to the Secretary a finan-  
4 cial audit and a report on the progress of the pro-  
5 gram, and such other documents as the Secretary  
6 may require to determine the effective management  
7 of the program; and

8 “(7) shall not develop a criteria that discrimi-  
9 nates against a student based on the type of pro-  
10 gram in which the student completed his or her sec-  
11 ondary education.

12 “(e) APPLICATIONS.—

13 “(1) Any eligible entity that desires to be the  
14 managing agent under this section shall submit an  
15 application to the Secretary, in such form and con-  
16 taining such information, as the Secretary may re-  
17 quire.

18 “(2) Each application shall include a descrip-  
19 tion of—

20 “(A) how the applicant meets or will meet  
21 requirements established under subsections  
22 (c)(3)(A) and (d);

23 “(B) how the applicant will solicit funds  
24 for scholarships and for the administration of  
25 the program from non-Federal sources;

1           “(C) how the applicant will provide nation-  
2           wide outreach to inform students about the pro-  
3           gram and to encourage students to pursue de-  
4           grees in physical, life, or computer sciences,  
5           mathematics, and engineering;

6           “(D) how the applicant will solicit applica-  
7           tions for scholarships, including how the appli-  
8           cant will balance efforts in urban and rural  
9           areas;

10          “(E) the selection criteria based on estab-  
11          lished measurements available to secondary stu-  
12          dents the applicant will use to award scholar-  
13          ships and to renew those awards;

14          “(F) how the applicant will inform the in-  
15          stitution of higher education chosen by the re-  
16          cipient of the name and scholarship amount of  
17          the recipient;

18          “(G) what procedures and assurances the  
19          applicant and the institution of higher edu-  
20          cation that the recipient attends will use to  
21          verify student eligibility, attendance, degree  
22          progress, and academic performance and to de-  
23          liver and account for payments to such institu-  
24          tion;

1           “(H) the management (including audit and  
2           accounting) procedures the applicant will use  
3           for the program;

4           “(I) the human, financial, and other re-  
5           sources that the applicant will need and use to  
6           manage the program;

7           “(J) how the applicant will evaluate the  
8           program and report to the Secretary annually;  
9           and

10           “(K) a description of how the entity will  
11           coordinate with, complement, and build  
12           on similar public and private mathematics and  
13           science programs.

14           “(f) SCHOLARSHIP RECIPIENTS.—

15           “(1) A student receiving a scholarship under  
16           this section shall be known as a ‘Byrd mathematics  
17           and Science Honors Scholar’.

18           “(2) Any student desiring to receive a scholar-  
19           ship under this section shall submit an application  
20           to the managing agent in such form, and containing  
21           such information, as the managing agent may re-  
22           quire.

23           “(3) Any student that receives a scholarship  
24           under this section shall enter into an agreement with  
25           the managing agent to complete 5 consecutive years

1 of service to begin no later than 12 months following  
2 completion of the final degree in a position related  
3 to the field in which the student obtained the degree.

4 “(4) If any student that receives a scholarship  
5 under this section fails to earn at least a bacca-  
6 laurate degree in physical, life, or computer  
7 sciences, mathematics, or engineering as defined  
8 under this section, the student shall repay to the  
9 managing agent the amount of any financial assist-  
10 ance paid to such student.

11 “(5) If any student that receives a scholarship  
12 under this section fails to meet the requirements of  
13 paragraph (3), the student shall repay to the man-  
14 aging agent the amount of any financial assistance  
15 paid to such student.

16 “(6)(A) Scholarships shall be awarded for only  
17 one academic year of study at a time.

18 “(B)(i) A scholarship shall be renewable on an  
19 annual basis for the established length of the aca-  
20 demic program if the student awarded the scholar-  
21 ship remains eligible.

22 “(ii) The managing agent may condition re-  
23 newal of a scholarship on measures of academic  
24 progress and achievement, with the approval of the  
25 Secretary.

1           “(C)(i) If a student fails to either remain eligi-  
2           ble or meet established measures of academic  
3           progress and achievement, the managing agent shall  
4           instruct the student’s institution of higher education  
5           to suspend payment of the student’s scholarship.

6           “(ii) A suspension of payment shall remain in  
7           effect until the student is able to demonstrate to the  
8           satisfaction of the managing agent that he or she is  
9           again eligible and meets the established measures of  
10          academic progress and achievement.

11          “(iii) A student’s eligibility for a scholarship  
12          shall be terminated if a suspension period exceeds  
13          12 months.

14          “(D)(i)(I) A student awarded a scholarship  
15          may, in a manner and under the terms established  
16          by, and with the approval of, the managing agent,  
17          postpone or interrupt his or her enrollment at an in-  
18          stitution of higher education for up to 12 months.

19          “(II) Such a postponement or interruption shall  
20          not be considered a suspension for purposes of sub-  
21          paragraph (C).

22          “(ii) Neither a student nor the student’s insti-  
23          tution of higher education shall receive the student’s  
24          scholarship payments during the period of postpone-



1       ment or interruption, but such payments shall re-  
2       sume upon enrollment or reenrollment.

3           “(iii) In exceptional circumstances, such as seri-  
4       ous injury or illness or the necessity to care for fam-  
5       ily members, the student’s postponement or inter-  
6       ruption may, upon notification and approval of the  
7       managing agent, be extended beyond the 12 month  
8       period described in clause (i)(I).

9       “(g) RESPONSIBILITIES OF INSTITUTION OF HIGHER  
10   EDUCATION.—

11           “(1) The managing agent shall require any in-  
12       stitution of higher education that enrolls a student  
13       who receives a scholarship under this section to an-  
14       nually provide an assurance, prior to making any  
15       payment, that the student—

16           “(A) is eligible in accordance with sub-  
17       section (b)(2); and

18           “(B) has provided the institution with a  
19       written commitment to attend, or is attending,  
20       classes and is satisfactorily meeting the institu-  
21       tion’s academic criteria for enrollment in its  
22       program of study.

23           “(2)(A) The managing agent shall provide the  
24       institution of higher education with payments from

1 the Fund for selected recipients in at least two in-  
 2 stallments.

3 “(B) An institution of higher education shall re-  
 4 turn prorated amounts of any scholarship payment  
 5 to the managing agent, who shall deposit it in to the  
 6 Fund, if a recipient declines a scholarship, does not  
 7 attend courses, transfers to another institution of  
 8 higher education, or becomes ineligible for a scholar-  
 9 ship.

10 **“SEC. 419B. MATHEMATICS AND SCIENCE INCENTIVE PRO-**  
 11 **GRAM.**

12 “(a) PROGRAM.—

13 “(1) IN GENERAL.—The Secretary is authorized  
 14 to carry out a program of assuming the obligation  
 15 to pay, pursuant to the provisions of this section, the  
 16 interest on a loan made, insured, or guaranteed  
 17 under part B or D of this title.

18 “(2) ELIGIBILITY.—The Secretary may assume  
 19 interest payments under paragraph (1) only for a  
 20 borrower who—

21 “(A) has submitted an application in com-  
 22 pliance with subsection (d);

23 “(B) obtained one or more loans described  
 24 in paragraph (1) as an undergraduate student;

1 “(C) is a new borrower (within the mean-  
2 ing of section 103(7) of this Act) on or after  
3 the date of enactment of the Strengthening  
4 America’s Innovation and Competitiveness Act;

5 “(D) is a highly qualified teacher (as de-  
6 fined in section 9101 of the Elementary and  
7 Secondary Education Act of 1965) of science,  
8 technology, engineering or mathematics at an  
9 elementary or secondary school in a high need  
10 local educational agency, or is a mathematics,  
11 science, or engineering professional; and

12 “(E) enters into an agreement with the  
13 Secretary to complete 5 consecutive years of  
14 service in a position described in subparagraph  
15 (D), starting on the date of the agreement.

16 “(3) PRIOR INTEREST LIMITATIONS.—The Sec-  
17 retary shall not make any payments for interest  
18 that—

19 “(A) accrues prior to the beginning of the  
20 repayment period on a loan in the case of a  
21 loan made under section 428H or a Federal Di-  
22 rect Unsubsidized Stafford Loan; or

23 “(B) has accrued prior to the signing of an  
24 agreement under paragraph (2)(E).

1           “(4) INITIAL SELECTION.—In selecting partici-  
2           pants for the program under this section, the Sec-  
3           retary—

4                   “(A) shall choose among eligible applicants  
5           on the basis of—

6                           “(i) the national security, homeland  
7                           security, and economic security needs of  
8                           the United States, as determined by the  
9                           Secretary, in consultation with other Fed-  
10                          eral agencies, including the Departments  
11                          of Labor, Defense, Homeland Security,  
12                          Commerce, and Energy, the Central Intel-  
13                          ligence Agency, and the National Science  
14                          Foundation; and

15                           “(ii) the academic record or job per-  
16                          formance of the applicant; and

17                          “(B) may choose among eligible applicants  
18           on the basis of—

19                           “(i) the likelihood of the applicant to  
20                          complete the 5-year service obligation;

21                           “(ii) the likelihood of the applicant to  
22                          remain in science, mathematics, or engi-  
23                          neering after the completion of the service  
24                          requirement; or

1                   “(iii) other relevant criteria deter-  
2                   mined by the Secretary.

3                   “(5) AVAILABILITY SUBJECT TO APPROPRIA-  
4                   TIONS.—Loan interest payments under this section  
5                   shall be subject to the availability of appropriations.  
6                   If the amount appropriated for any fiscal year is not  
7                   sufficient to provide interest payments on behalf of  
8                   all qualified applicants, the Secretary shall give pri-  
9                   ority to those individuals on whose behalf interest  
10                  payments were made during the preceding fiscal  
11                  year.

12                  “(6) REGULATIONS.—The Secretary is author-  
13                  ized to prescribe such regulations as may be nec-  
14                  essary to carry out the provisions of this section.

15                  “(b) DURATION AND AMOUNT OF INTEREST PAY-  
16                  MENTS.—The period during which the Secretary shall pay  
17                  interest on behalf of a student borrower who is selected  
18                  under subsection (a) is the period that begins on the effec-  
19                  tive date of the agreement under subsection (a)(2)(E),  
20                  continues after successful completion of the service obliga-  
21                  tion, and ends on the earlier of—

22                         “(1) the completion of the repayment period of  
23                         the loan;

24                         “(2) payment by the Secretary of a total of  
25                         \$5,000 on behalf of the borrower;

1           “(3) if the borrower ceases to fulfill the service  
2           obligation under such agreement prior to the end of  
3           the 5-year period, as soon as the borrower is deter-  
4           mined to have ceased to fulfill such obligation in ac-  
5           cordance with regulations of the Secretary; or

6           “(4) 6 months after the end of any calendar  
7           year in which the borrower’s gross income equals or  
8           exceeds 4 times the national per capita disposable  
9           personal income (current dollars) for such calendar  
10          year, as determined on the basis of the National In-  
11          come and Product Accounts Tables of the Bureau of  
12          Economic Analysis of the Department of Commerce,  
13          as determined in accordance with regulations pre-  
14          scribed by the Secretary.

15          “(c) REPAYMENT TO ELIGIBLE LENDERS.—Subject  
16          to the regulations prescribed by the Secretary by regula-  
17          tion under subsection (a)(6), the Secretary shall pay to  
18          each eligible lender or holder for each payment period the  
19          amount of the interest that accrues on a loan of a student  
20          borrower who is selected under subsection (a).

21          “(d) APPLICATION FOR REPAYMENT.—

22                 “(1) IN GENERAL.—Each eligible individual de-  
23                 siring loan interest payment under this section shall  
24                 submit a complete and accurate application to the  
25                 Secretary at such time, in such manner, and con-

1       taining such information as the Secretary may re-  
2       quire.

3               “(2) FAILURE TO COMPLETE SERVICE AGREE-  
4       MENT.—Such application shall contain an agreement  
5       by the individual that, if the individual fails to com-  
6       plete the 5 consecutive years of service required by  
7       subsection (a)(2)(E), the individual agrees to repay  
8       the Secretary the amount of any interest paid by the  
9       Secretary on behalf of the individual.

10       “(e) TREATMENT OF CONSOLIDATION LOANS.—A  
11       consolidation loan made under section 428C of this Act,  
12       or a Federal Direct Consolidation Loan made under part  
13       D of title IV of this Act, may be a qualified loan for the  
14       purpose of this section only to the extent that such loan  
15       amount was used by a borrower who otherwise meets the  
16       requirements of this section to repay—

17               “(1) a loan made under section 428 or 428H  
18       of this Act; or

19               “(2) a Federal Direct Stafford Loan, or a Fed-  
20       eral Direct Unsubsidized Stafford Loan, made under  
21       part D of title IV of this Act.

22       “(f) PREVENTION OF DOUBLE BENEFITS.—No bor-  
23       rower may, for the same service, receive a benefit under  
24       both this section and—

1 “(1) any loan forgiveness program under title  
2 IV of this Act; or

3 “(2) subtitle D of title I of the National and  
4 Community Service Act of 1990 (42 U.S.C. 12601  
5 et seq.).

6 “(g) DEFINITIONS.—As used in this section—

7 “(1) the term ‘high need local educational agen-  
8 cy’ has the same meaning given such term in section  
9 201(b)(4); and

10 “(2) the term ‘mathematics, science, or engi-  
11 neering professional’ means a person who—

12 “(A) holds a baccalaureate, masters, or  
13 doctoral degree (or a combination thereof) in  
14 science, mathematics, or engineering; and

15 “(B) works in a field the Secretary deter-  
16 mines is closely related to that degree,  
17 which shall include working as a professor at a two-  
18 or four-year institution of higher education.

19 **“SEC. 419F. AUTHORIZATION OF APPROPRIATIONS.**

20 “There are authorized to be appropriated  
21 \$41,000,000 for fiscal year 2008 and such sums as may  
22 be necessary for each of the 5 succeeding fiscal years to  
23 carry out this subpart.”.



1 **SEC. 6. CRITICAL FOREIGN LANGUAGES.**

2 (a) FINDINGS.—Section 601(a) of the Higher Edu-  
3 cation Act of 1965 (20 U.S.C. 1121(a)) is amended by  
4 adding at the end the following:

5 “(6) It is crucial that we expand the number of  
6 individuals in the United States mastering languages  
7 such as Arabic, Chinese, Russian, Hindi and Farsi,  
8 and the number of advanced-level speakers of those  
9 languages.

10 “(7) The weaknesses in teaching and learning  
11 foreign languages can be addressed by starting lan-  
12 guage learning at a younger age and expanding op-  
13 portunities for foreign language education through-  
14 out formal schooling, including the postsecondary  
15 level.”.

16 (b) PURPOSES.—Section 601(b) of the Higher Edu-  
17 cation Act of 1965 (20 U.S.C. 1121(b)) is amended—

18 (1) in paragraph (2), by striking “and” at the  
19 end;

20 (2) in paragraph (3), by striking the period at  
21 the end and inserting “; and”; and

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

23 “(4) to significantly increase the opportunities  
24 to study, and the number of students in the United  
25 States who achieve the highest level of proficiency

1 in, foreign languages critical to the security and  
2 competitiveness of the Nation.”.

3 (c) INTERNATIONAL AND FOREIGN LANGUAGE STUD-  
4 IES.—Part A of title VI of the Higher Education Act of  
5 1965 (20 U.S.C. 1121 et seq.) is amended—

6 (1) by redesignating sections 607 through 610  
7 as sections 608 through 611, respectively; and

8 (2) by inserting after section 606 the following:

9 **“SEC. 607. ADVANCING AMERICA THROUGH FOREIGN LAN-  
10 GUAGE PARTNERSHIPS.**

11 **“(a) PROGRAM AUTHORIZED.—**

12 **“(1) IN GENERAL.—**The Secretary is authorized  
13 to award grants to institutions of higher education,  
14 in partnership with one or more local educational  
15 agencies, to establish articulated programs of study  
16 in critical-need foreign languages that will enable  
17 successful students to advance from elementary  
18 school through college to achieve a superior level of  
19 proficiency in those languages.

20 **“(2) GRANT PERIOD.—**A grant awarded under  
21 paragraph (1) shall be for a period of not more than  
22 five years. A grant may be renewed for not more  
23 than two additional five-year periods, if the Sec-  
24 retary determines that the grantee’s program is ef-

1       fective and the renewal will best serve the purpose  
2       of this program.

3       “(b) DEFINITIONS.—As used in this section:

4               “(1) The term ‘critical-need foreign languages’  
5       means foreign languages, such as Arabic, Chinese,  
6       Russian, Hindi, and Farsi, determined by the Sec-  
7       retary to be most critical for the national security of  
8       the United States.

9               “(2) The term ‘superior level of proficiency’  
10      means level (3), the professional working level, as  
11      measured by the Federal Interagency Language  
12      Roundtable (ILR) or the American Council on the  
13      Teaching of Foreign Languages (ACTFL).

14      “(c) APPLICATIONS.—

15              “(1) IN GENERAL.—Any institution of higher  
16      education that desires to receive a grant under this  
17      section shall submit an application to the Secretary  
18      at such time, in such manner, and containing such  
19      information as the Secretary may require.

20              “(2) CONTENTS.—Each application shall—

21                      “(A) identify each local educational agency  
22              partner, including contact information and let-  
23              ters of commitment, and describe each such  
24              partner’s responsibilities (including how they  
25              will be involved in planning and implementing

1 program curriculum, what resources they will  
2 provide, and how they will ensure continuity of  
3 student progress from elementary school to the  
4 postsecondary level);

5 “(B) describe how an articulated cur-  
6 riculum for students will be developed and im-  
7 plemented, including how pedagogical philos-  
8 ophy, goals, and approaches will be consistent  
9 throughout all educational levels of the pro-  
10 gram;

11 “(C) identify target proficiency levels for  
12 students at critical benchmarks (such as grades  
13 4, 8, and 12), and describe how progress to-  
14 ward those proficiency levels will be assessed at  
15 the benchmarks and how the project will use  
16 the results of the assessments to ensure contin-  
17 uous progress toward achieving a superior level  
18 of proficiency at the postsecondary level;

19 “(D) describe how the applicant will—

20 “(i) ensure that students entering col-  
21 lege from a program supported under this  
22 part will be assessed and enabled to  
23 progress to a superior level of proficiency;

24 “(ii) address the needs of students al-  
25 ready at, or near, the superior level of pro-

1           iciency, which may include diagnostic as-  
2           essments for placement purposes, cus-  
3           tomized and individualized language learn-  
4           ing opportunities, and experimental and  
5           interdisciplinary language learning; and

6           “(iii) identify and describe how it will  
7           partner with other institutions of higher  
8           education to provide participating students  
9           with multiple options for postsecondary  
10          education consistent with the purpose of  
11          this part; and

12          “(E) describe how the applicant will sup-  
13          port and continue the program after the grant  
14          has expired, including how it will seek support  
15          from other sources, such as State and local gov-  
16          ernment, foundations, and the private sector.

17          “(d) USES OF FUNDS.—Funds awarded under this  
18          part shall be used to develop and implement programs at  
19          the elementary through postsecondary school levels con-  
20          sistent with the purpose of this part by carrying out one  
21          or more of the following activities:

22                  “(1) To recruit and develop teachers directly re-  
23          lated to the purpose of this part at the elementary  
24          through high school levels.

1           “(2) To provide innovative opportunities for  
2           maximum language exposure for students in the pro-  
3           gram, such as the creation of immersion environ-  
4           ments (like language houses, language tables, and  
5           immersion classrooms, and weekend and summer ex-  
6           periences).

7           “(e) MATCHING.—

8           “(1) IN GENERAL.—

9           “(A) CONTRIBUTION.—In each fiscal year,  
10          a grantee shall provide a non-Federal contribu-  
11          tion in an amount equal to 10 percent of the  
12          total amount of the grant award for that fiscal  
13          year.

14          “(B) WAIVER.—The Secretary may waive  
15          the requirement of subparagraph (A), in any  
16          fiscal year, if the Secretary determines that—

17                  “(i) the application of the matching  
18                  requirement will result in serious hardship  
19                  for the grantee; or

20                  “(ii) it will best serve the purpose of  
21                  this program.

22          “(2) COMPOSITION.—A grantee’s non-Federal  
23          contribution required under paragraph (1) may be  
24          provided in cash or in kind, fairly evaluated, and  
25          shall include only non-Federal funds that are used

1 in a manner consistent with the purpose of this sec-  
2 tion.

3 “(f) PROGRAM EVALUATION.—

4 “(1) IN GENERAL.—The Secretary may reserve  
5 not more than five percent of the total amount ap-  
6 propriated for this part for any fiscal year to evalu-  
7 ate the program under this part.

8 “(2) REPORTS.—The Secretary shall promptly  
9 report to Congress on the results of any program  
10 evaluation conducted under this subsection.”.

11 **SEC. 7. SENSE OF CONGRESS.**

12 (a) FINDINGS.—The Congress makes the following  
13 findings:

14 (1) Just 21 percent of mathematics doctorates  
15 and 39 percent of master’s degrees went to women  
16 in 1992.

17 (2) Fewer girls than boys take advanced math  
18 and science courses in high school, and girls as a  
19 group are outperformed by boys on standardized  
20 math and science tests. Those gaps persist through-  
21 out college and beyond.

22 (3) According to the author Tom Peters in his  
23 book titled “Re-Imagine”, women control 51 percent  
24 of the New York Stock Exchange, women manage  
25 83 percent of the household income, and women are

1 responsible for 85 percent of all purchasing of goods  
2 and services in the United States, which represents  
3 \$6,000,000,000.

4 (4) Women will inherit 85 to 90 percent of the  
5 Nation's wealth in the next 10 years, women are  
6 starting businesses at twice the rate of men, making  
7 women-owned businesses the fastest growing seg-  
8 ment in the United States economy, and women-  
9 owned businesses generate some \$2.46 trillion dol-  
10 lars in revenue each year.

11 (b) SENSE OF CONGRESS.—It is the sense of the  
12 Congress that female students should be encouraged to  
13 participate in programs that are served by the grants au-  
14 thorized under this Act.

○