

109TH CONGRESS
2^D SESSION

H. R. 609

AN ACT

To amend and extend the Higher Education Act of 1965.

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

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

2 (a) SHORT TITLE.—This Act may be cited as the
3 “College Access and Opportunity Act of 2006”.

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

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1 SEC. 2. REFERENCES; EFFECTIVE DATE.

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

1 (b) EFFECTIVE DATE.—Except as otherwise provided
2 in this Act, the amendments made by this Act shall take
3 effect on the date of enactment of this Act.

4 **TITLE I—GENERAL PROVISIONS**

5 **SEC. 101. DEFINITION OF INSTITUTION OF HIGHER EDU-** 6 **CATION.**

7 (a) AMENDMENT.—Title I is amended by striking
8 sections 101 and 102 (20 U.S.C. 1001, 1002) and insert-
9 ing the following:

10 **“SEC. 101. DEFINITION OF INSTITUTION OF HIGHER EDU-** 11 **CATION.**

12 “(a) INSTITUTION OF HIGHER EDUCATION.—For
13 purposes of this Act, the term ‘institution of higher edu-
14 cation’ means an educational institution in any State
15 that—

16 “(1) admits as regular students only individuals
17 who—

18 “(A) meet the requirements of section
19 484(d)(3), or have a certificate of graduation
20 from a school providing secondary education, or
21 the recognized equivalent of such a certificate;

22 “(B) are beyond the age of compulsory
23 school attendance in the State in which the in-
24 stitution is located; or

1 “(C) will be dually enrolled in that institu-
2 tion and a secondary school;

3 “(2) is legally authorized within such State to
4 provide a program of education beyond secondary
5 education;

6 “(3)(A) is accredited by a nationally recognized
7 accrediting agency or association; or

8 “(B) if not so accredited, is a public or non-
9 profit institution that has been granted
10 preaccreditation status by such an agency or asso-
11 ciation that has been recognized by the Secretary for
12 the granting of preaccreditation status, and the Sec-
13 retary has determined that there is satisfactory as-
14 surance that the institution will meet the accredita-
15 tion standards of such an agency or association
16 within a reasonable time; and

17 “(4) meets either of the following criteria:

18 “(A) is a nonprofit, for-profit, or public in-
19 stitution that—

20 “(i) provides an educational program
21 for which the institution awards a bach-
22 elor’s, graduate, or professional degree;

23 “(ii) provides not less than a 2-year
24 educational program which is acceptable
25 for full credit towards such a degree;

1 “(iii) provides not less than a 1-year
2 program of training that prepares students
3 for gainful employment in a recognized oc-
4 cupation; or

5 “(iv) awards a degree that is accept-
6 able for admission to graduate or profes-
7 sional degree programs, subject to the re-
8 view and approval of the Secretary; or

9 “(B) is a nonprofit, for-profit, or public in-
10 stitution that provides an eligible program (as
11 defined in section 481)—

12 “(i) for which the institution awards a
13 certificate; and

14 “(ii) that prepares students for gain-
15 ful employment in a recognized occupation.

16 “(b) ADDITIONAL LIMITATIONS.—

17 “(1) FOR-PROFIT POSTSECONDARY INSTITU-
18 TIONS.—

19 “(A) DURATION OF ACCREDITATION.—A
20 for-profit institution shall not be considered to
21 be an institution of higher education unless
22 such institution is accredited by a nationally
23 recognized accrediting agency or association
24 and such institution has been in existence for at
25 least 2 years.

1 “(B) INSTITUTIONAL ELIGIBILITY ONLY
2 FOR COMPETITIVE GRANTS.—For the purposes
3 of any program providing grants to institutions
4 for use by the institution (and not for distribu-
5 tion among students), a for-profit institution
6 shall not be considered to be an institution of
7 higher education under this section if such
8 grants are awarded on any basis other than
9 competition on the merits of the grant proposal
10 or application.

11 “(2) POSTSECONDARY VOCATIONAL INSTITU-
12 TIONS.—A nonprofit or public institution that meets
13 the criteria of subsection (a)(4)(B) shall not be con-
14 sidered to be an institution of higher education un-
15 less such institution has been in existence for at
16 least 2 years.

17 “(3) LIMITATIONS BASED ON MANAGEMENT.—
18 An institution shall not be considered to meet the
19 definition of an institution of higher education in
20 this section if—

21 “(A) the institution, or an affiliate of the
22 institution that has the power, by contract or
23 ownership interest, to direct or cause the direc-
24 tion of the management or policies of the insti-
25 tution, has filed for bankruptcy, except that

1 this paragraph shall not apply to a nonprofit in-
2 stitution, the primary function of which is to
3 provide health care educational services (or an
4 affiliate of such an institution that has the
5 power, by contract or ownership interest, to di-
6 rect or cause the direction of the institution's
7 management or policies) that filed for bank-
8 ruptcy under chapter 11 of title 11, United
9 States Code, between July 1, 1998, and Decem-
10 ber 1, 1998; or

11 “(B) the institution, the institution's
12 owner, or the institution's chief executive officer
13 has been convicted of, or has pled nolo
14 contendere or guilty to, a crime involving the
15 acquisition, use, or expenditure of Federal,
16 State, or local government funds, or has been
17 judicially determined to have committed a crime
18 involving the acquisition, use, or expenditure in-
19 volving Federal, State, or local government
20 funds.

21 “(4) LIMITATION ON COURSE OF STUDY OR EN-
22 ROLLMENT.—An institution shall not be considered
23 to meet the definition of an institution of higher
24 education in subsection (a) if such institution—

1 “(A) offers more than 50 percent of such
2 institution’s courses by correspondence (exclud-
3 ing courses offered by telecommunications as
4 defined in section 484(l)(4)), unless the institu-
5 tion is an institution that meets the definition
6 in section 3(3)(C) of the Carl D. Perkins Voca-
7 tional and Technical Education Act of 1998;

8 “(B) enrolls 50 percent or more of the in-
9 stitution’s students in correspondence courses
10 (excluding courses offered by telecommuni-
11 cations as defined in section 484(l)(4)), unless
12 the institution is an institution that meets the
13 definition in section 3(3)(C) of the Carl D. Per-
14 kins Vocational and Technical Education Act of
15 1998, except that the Secretary, at the request
16 of the institution, may waive the applicability of
17 this subparagraph to the institution for good
18 cause, as determined by the Secretary in the
19 case of an institution of higher education that
20 provides a 2- or 4-year program of instruction
21 (or both) for which the institution awards an
22 associate or baccalaureate degree, respectively;

23 “(C) has a student enrollment in which
24 more than 25 percent of the students are incar-
25 cerated, except that the Secretary may waive

1 the limitation contained in this subparagraph
2 for an institution that provides a 2- or 4-year
3 program of instruction (or both) for which the
4 institution awards a bachelor's degree, or an as-
5 sociate's degree or a postsecondary certificate,
6 respectively; or

7 “(D) has a student enrollment in which
8 more than 50 percent of the students either do
9 not meet the requirements of section 484(d)(3)
10 or do not have a secondary school diploma or
11 its recognized equivalent, and does not provide
12 a 2- or 4-year program of instruction (or both)
13 for which the institution awards an associate's
14 degree or a bachelor's degree, respectively, ex-
15 cept that the Secretary may waive the limita-
16 tion contained in this subparagraph if an insti-
17 tution demonstrates to the satisfaction of the
18 Secretary that the institution exceeds such limi-
19 tation because the institution serves, through
20 contracts with Federal, State, or local govern-
21 ment agencies, significant numbers of students
22 who do not meet the requirements of section
23 484(d)(3) or do not have a secondary school di-
24 ploma or its recognized equivalent.

1 “(c) LIST OF ACCREDITING AGENCIES.—For pur-
2 poses of this section, the Secretary shall publish a list of
3 nationally recognized accrediting agencies or associations
4 that the Secretary determines, pursuant to subpart 2 of
5 part H of title IV, to be reliable authority as to the quality
6 of the education or training offered.

7 “(d) CERTIFICATION.—The Secretary shall certify,
8 for the purposes of participation in title IV, an institu-
9 tion’s qualification as an institution of higher education
10 in accordance with the requirements of subpart 3 of part
11 H of title IV.

12 “(e) LOSS OF ELIGIBILITY.—An institution of higher
13 education shall not be considered to meet the definition
14 of an institution of higher education in this section for
15 the purposes of participation in title IV if such institution
16 is removed from eligibility for funds under title IV as a
17 result of an action pursuant to part H of title IV.

18 **“SEC. 102. INSTITUTIONS OUTSIDE THE UNITED STATES.**

19 “(a) INSTITUTIONS OUTSIDE THE UNITED
20 STATES.—

21 “(1) IN GENERAL.—An institution outside the
22 United States shall be considered to be an institu-
23 tion of higher education only for purposes of part B
24 of title IV if the institution is comparable to an in-
25 stitution of higher education, as defined in section

1 101, is legally authorized by the education ministry
2 (or comparable agency) of the country in which the
3 school is located, and has been approved by the Sec-
4 retary for purposes of that part. The Secretary shall
5 establish criteria by regulation for that approval and
6 that determination of comparability. An institution
7 may not be so approved or determined to be com-
8 parable unless such institution is a public or non-
9 profit institution, except that, subject to paragraph
10 (2)(B), a graduate medical school or veterinary
11 school located outside the United States may be a
12 for-profit institution.

13 “(2) MEDICAL AND VETERINARY SCHOOL CRI-
14 TERIA.—In the case of a graduate medical or veteri-
15 nary school outside the United States, such criteria
16 shall include a requirement that a student attending
17 such school outside the United States is ineligible
18 for loans made, insured, or guaranteed under part B
19 of title IV unless—

20 “(A) in the case of a graduate medical
21 school located outside the United States—

22 “(i)(I) at least 60 percent of those en-
23 rolled in, and at least 60 percent of the
24 graduates of, the graduate medical school
25 outside the United States were not persons

1 described in section 484(a)(5) in the year
2 preceding the year for which a student is
3 seeking a loan under part B of title IV;
4 and

5 “(II) at least 60 percent of the indi-
6 viduals who were students or graduates of
7 the graduate medical school outside the
8 United States or Canada (both nationals of
9 the United States and others) taking the
10 examinations administered by the Edu-
11 cational Commission for Foreign Medical
12 Graduates received a passing score in the
13 year preceding the year for which a stu-
14 dent is seeking a loan under part B of title
15 IV; or

16 “(ii) the institution has or had a clin-
17 ical training program that was approved by
18 a State as of January 1, 1992, and con-
19 tinues to operate a clinical training pro-
20 gram in at least one State, which is ap-
21 proved by that State; or

22 “(B) in the case of a veterinary school lo-
23 cated outside the United States that is not a
24 public or nonprofit institution, the institution’s
25 students complete their clinical training at an

1 approved veterinary school located in the
2 United States.

3 “(b) ADVISORY PANEL.—

4 “(1) IN GENERAL.—For the purpose of quali-
5 fying a foreign medical school as an institution of
6 higher education only for purposes of part B of title
7 IV, the Secretary shall publish qualifying criteria by
8 regulation and establish an advisory panel of medical
9 experts that shall—

10 “(A) evaluate the standards of accredita-
11 tion applied to applicant foreign medical
12 schools; and

13 “(B) determine the comparability of those
14 standards to standards for accreditation applied
15 to United States medical schools.

16 “(2) FAILURE TO RELEASE INFORMATION.—
17 The failure of an institution outside the United
18 States to provide, release, or authorize release to the
19 Secretary of such information as may be required by
20 subsection (a)(2) shall render such institution ineli-
21 gible for the purpose of part B of title IV.”.

22 (b) RESTRICTIONS ON FUNDS FOR FOR-PROFIT
23 SCHOOLS.—Part B of title I is amended by inserting after
24 section 122 (20 U.S.C. 1011k) the following new section:

1 **“SEC. 123. RESTRICTIONS ON FUNDS FOR FOR-PROFIT**
2 **SCHOOLS.**

3 “(a) IN GENERAL.—Notwithstanding any other pro-
4 vision of this Act authorizing the use of funds by an insti-
5 tution of higher education that receives funds under this
6 Act, none of the funds made available under this Act to
7 a for-profit institution of higher education may be used
8 for—

9 “(1) construction, maintenance, renovation, re-
10 pair, or improvement of classrooms, libraries, labora-
11 tories, or other facilities;

12 “(2) establishing, improving, or increasing an
13 endowment fund; or

14 “(3) establishing or improving an institutional
15 development office to strengthen or improve con-
16 tributions from alumni and the private sector.

17 “(b) EXCEPTION.—Subsection (a) shall not apply to
18 funds received by the institution from the grant, loan, or
19 work assistance that is awarded under title IV to the stu-
20 dents attending such institution.

21 “(c) INELIGIBILITY FOR CERTAIN PROGRAMS.—Not-
22 withstanding section 101, a for-profit institution of higher
23 education shall not be considered an eligible institution for
24 the programs under titles III and V of this Act.”.

25 (c) CONFORMING AMENDMENTS.—

1 (1) Section 114(a) (20 U.S.C. 1011c(a)) is
2 amended by striking “(as defined in section 102)”.

3 (2) Section 435(a)(1) (20 U.S.C. 1085(a)(1)) is
4 amended by striking “section 102” and inserting
5 “section 101”.

6 (3) Subsection (d) of section 484 (20 U.S.C.
7 1091(d)) is amended by striking the designation and
8 heading of such subsection and inserting the fol-
9 lowing:

10 “(d) SATISFACTION OF SECONDARY EDUCATION
11 STANDARDS.—”.

12 (4) Section 486(b)(2) (20 U.S.C. 1093(b)(2)) is
13 amended by striking “102(a)(3)(A), 102(a)(3)(B)”
14 and inserting “101(b)(4)(A), 101(b)(4)(B)”.

15 (5) Section 487(c)(1)(A)(iii) (20 U.S.C.
16 1094(c)(1)(A)(iii)) is amended by striking “section
17 102(a)(1)(C)” and inserting “section 102”.

18 (6) Section 487(d) (20 U.S.C. 1094(d)) is
19 amended by striking “section 102” and inserting
20 “section 101”.

21 (7) Subsections (j) and (k) of section 496 (20
22 U.S.C. 1099b(j), (k)) are each amended by striking
23 “section 102” and inserting “section 101”.

1 (8) Section 498(g)(3) (20 U.S.C. 1099c(g)(3))
2 is amended by striking “section 102(a)(1)(C)” and
3 inserting “section 102”.

4 (9) Section 498(i)(1) (20 U.S.C. 1099c(i)(1)) is
5 amended by striking “section 102” and inserting
6 “section 101”.

7 (10) Section 498(j)(1) (20 U.S.C. 1099c) is
8 amended by striking “except that such branch shall
9 not be required to meet the requirements of sections
10 102(b)(1)(E) and 102(c)(1)(C) prior to seeking such
11 certification” and inserting “except that such branch
12 shall not be required to be in existence for at least
13 2 years prior to seeking such certification”.

14 (11) Section 498B(b) (20 U.S.C. 1099c–2(b))
15 is amended by striking “section 102(a)(1)(C)” and
16 inserting “section 102”.

17 (d) EFFECT ON OTHER LAWS.—

18 (1) INCLUSION OF FOR-PROFIT INSTITUTIONS
19 IN DEFINITION.—The inclusion of proprietary and
20 for-profit institutions within the definition of the
21 term “institution of higher education” in section
22 101 of the Higher Education Act of 1965 (20
23 U.S.C. 1001) pursuant to the amendment made by
24 subsection (a) of this section shall not apply to any
25 other provision of law (other than the Higher Edu-

1 cation Act of 1965) enacted before the date of enact-
2 ment of this Act that references section 101 of the
3 Higher Education Act of 1965 (or that term as so
4 defined), except as expressly provided by an amend-
5 ment to, or other revision of the application of, such
6 law enacted after such date of enactment.

7 (2) INCLUSION OF FOR-PROFIT INSTITUTIONS
8 AS TITLE III OR V ELIGIBLE INSTITUTION.—Any ref-
9 erence in any provision of law other than the Higher
10 Education Act of 1965 to institutions of higher edu-
11 cation that are eligible to participate in programs
12 under title III or V of such Act (20 U.S.C. 1051 et
13 seq., 1101 et seq.) shall not be treated, as a con-
14 sequence of the amendment to section 101 of the
15 Higher Education Act of 1965 (20 U.S.C. 1001) by
16 subsection (a) of this section, as including a ref-
17 erence to a for-profit or proprietary institution of
18 higher education, except as expressly provided by an
19 amendment to, or other revision of the application
20 of, such law enacted after such date of enactment.

21 **SEC. 102. NEW BORROWER DEFINITION.**

22 Paragraph (7) of section 103 (20 U.S.C. 1003) is
23 amended to read as follows:

1 “(7) NEW BORROWER.—The term ‘new bor-
2 rower’ when used with respect to any date for any
3 loan under any provision of—

4 “(A) part B or part D of title IV means
5 an individual who on that date has no out-
6 standing balance of principal or interest owing
7 on any loan made, insured, or guaranteed under
8 either of those parts; and

9 “(B) part E of title IV means an indi-
10 vidual who on that date has no outstanding bal-
11 ance of principal or interest owing on any loan
12 made under that part.”.

13 **SEC. 103. STUDENT SPEECH AND ASSOCIATION RIGHTS.**

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

15 (1) by amending subsection (a) to read as fol-
16 lows:

17 “(a) PROTECTION OF RIGHTS.—

18 “(1) It is the sense of Congress that no student
19 attending an institution of higher education on a
20 full- or part-time basis should, on the basis of par-
21 ticipation in protected speech or protected associa-
22 tion, be excluded from participation in, be denied the
23 benefits of, or be subjected to discrimination or offi-
24 cial sanction under any education program, activity,
25 or division of the institution directly or indirectly re-

1 ceiving financial assistance under this Act, whether
2 or not such program, activity, or division is spon-
3 sored or officially sanctioned by the institution; and

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

5 “(A) the diversity of institutions and edu-
6 cational missions is one of the key strengths of
7 American higher education;

8 “(B) individual colleges and universities
9 have different missions and each institution
10 should design its academic program in accord-
11 ance with its educational goals;

12 “(C) within the context of its institutional
13 mission, a college should promote intellectual
14 pluralism and facilitate the free and open ex-
15 change of ideas;

16 “(D) students should not be intimidated,
17 harassed, discouraged from speaking out, dis-
18 criminated against, or subject to official sanc-
19 tion because of their personal political, ideolog-
20 ical, or religious beliefs; and

21 “(E) students should be treated equally
22 and fairly, including evaluation and grading,
23 without regard to or consideration of their per-
24 sonal political views or ideological beliefs.

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

5 (2) in subsection (b)(1), by inserting after
6 “higher education” the following: “, if the imposition
7 of such sanction is done objectively, fairly, and with-
8 out regard to the student’s personal political, ideo-
9 logical, or religious beliefs”.

10 **SEC. 104. NATIONAL ADVISORY COMMITTEE ON INSTITU-**
11 **TIONAL QUALITY AND INTEGRITY.**

12 (a) MEMBERSHIP.—Section 114(b) (20 U.S.C.
13 1011c(b)) is amended by adding at the end the following
14 new sentence: “A member of the Committee may continue
15 to serve after the expiration of a term until a successor
16 has been appointed.”.

17 (b) EXTENSION.—Section 114(g) (20 U.S.C.
18 1011c(g)) is amended by striking “2004” and inserting
19 “2013”.

20 **SEC. 105. ALCOHOL AND DRUG ABUSE PREVENTION.**

21 Section 120(e)(5) (20 U.S.C. 1011i(e)(5)) is amend-
22 ed—

23 (1) by striking “1999” and inserting “2007”;
24 and

1 (2) by striking “4 succeeding fiscal years” and
2 inserting “5 succeeding fiscal years”.

3 **SEC. 106. PRIOR RIGHTS AND OBLIGATIONS.**

4 Section 121(a) (20 U.S.C. 1011j(a)) is amended by
5 striking “1999 and for each of the 4” each place it ap-
6 pears and inserting “2007 and for each of the 5”.

7 **SEC. 107. LIMITATION ON CERTAIN USES OF FUNDS.**

8 Part B of title I is further amended by adding after
9 section 123 (as added by section 101(b) of this Act) the
10 following new section:

11 **“SEC. 124. LIMITATION ON CERTAIN USES OF FUNDS.**

12 “No funds made available to carry out this Act may
13 be used—

14 “(1) for publicity or propaganda purposes not
15 authorized by the Congress before the date of enact-
16 ment of the College Access and Opportunity Act of
17 2006; or

18 “(2) unless authorized by law in effect on such
19 date of enactment, to produce any prepackaged news
20 story intended for broadcast or distribution unless
21 such story includes a clear a notification contained
22 within the text or audio of such story stating that
23 the prepackaged news story was prepared or funded
24 by the Department of Education.”.

1 **SEC. 108. CONSUMER INFORMATION AND PUBLIC AC-**
2 **COUNTABILITY IN HIGHER EDUCATION.**

3 Section 131 (20 U.S.C. 1015) is amended to read as
4 follows:

5 **“SEC. 131. CONSUMER INFORMATION AND PUBLIC AC-**
6 **COUNTABILITY IN HIGHER EDUCATION.**

7 “(a) PURPOSE.—It is the purpose of this section to—

8 “(1) provide students and families with an
9 easy-to-use, comprehensive web-based tool for re-
10 searching and comparing institutions of higher edu-
11 cation;

12 “(2) increase the transparency of college cost,
13 price, and financial aid; and

14 “(3) raise public awareness of information
15 available about postsecondary education, particularly
16 among low-income families, non-traditional student
17 populations, and first-generation college students.

18 “(b) COLLEGE OPPORTUNITY ON-LINE (COOL)
19 WEBSITE RE-DESIGN PROCESS.—In carrying out this
20 section, the Commissioner of Education Statistics—

21 “(1) shall identify the data elements that are of
22 greatest importance to prospective students, enrolled
23 students, and their families, paying particular atten-
24 tion to low-income, non-traditional student popu-
25 lations, and first-generation college students;

1 “(2) shall convene a group of individuals with
2 expertise in the collection and reporting of data re-
3 lated to institutions of higher education, the meas-
4 urement of institutional compliance costs, consumer
5 use of data related to institutions of higher edu-
6 cation, general consumer marketing, and college
7 intervention services to—

8 “(A) determine the relevance of particular
9 data elements to prospective students, enrolled
10 students, and families;

11 “(B) assess the cost-effectiveness of var-
12 ious ways in which institutions of higher edu-
13 cation might produce the data desired by con-
14 sumers;

15 “(C) determine the general comparability
16 of the data across institutions of higher edu-
17 cation;

18 “(D) make recommendations regarding the
19 inclusion of specific data items and the most ef-
20 fective and least burdensome methods of col-
21 lecting and reporting useful data from institu-
22 tions of higher education; and

23 “(3) shall ensure that the redesigned COOL
24 website—

1 “(A) uses, to the extent practicable, data
2 elements currently provided by institutions of
3 higher education to the Secretary;

4 “(B) includes clear and uniform informa-
5 tion determined to be relevant to prospective
6 students, enrolled students, and families;

7 “(C) provides comparable information, by
8 ensuring that data are based on accepted cri-
9 teria and common definitions;

10 “(D) includes a sorting function that per-
11 mits users to customize their search for and
12 comparison of institutions of higher education
13 based on the information identified through the
14 process as prescribed in paragraph (1) as being
15 of greatest relevance to choosing an institution
16 of higher education.

17 “(c) DATA COLLECTION.—

18 “(1) DATA SYSTEM.—The Commissioner of
19 Education Statistics shall continue to redesign the
20 relevant parts of the Integrated Postsecondary Edu-
21 cation Data System to include additional data as re-
22 quired by this section and to continue to improve the
23 usefulness and timeliness of data collected by such
24 systems in order to inform consumers about institu-
25 tions of higher education.

1 “(2) COLLEGE CONSUMER PROFILE.—The Sec-
2 retary shall publish, for each academic year and in
3 accordance with standard definitions developed by
4 the Commissioner of Education Statistics (including
5 definitions developed under section 131(a)(3)(A) as
6 in effect on the day before the date of enactment of
7 the College Access and Opportunity Act of 2006),
8 from at least all institutions of higher education par-
9 ticipating in programs under title IV the following
10 information:

11 “(A) The tuition and fees charged for a
12 first-time, full-time, full-year undergraduate
13 student.

14 “(B) The room and board charges for a
15 first-time, full-time, full-year undergraduate
16 student.

17 “(C) The price of attendance for a first-
18 time, full-time, full-year undergraduate student,
19 consistent with the provisions of section 472.

20 “(D) The average amount of financial as-
21 sistance received by a first-year, full-time, full-
22 year undergraduate student, including—

23 “(i) each type of assistance or benefits
24 described in 428(a)(2)(C)(ii);

1 “(ii) institutional and other assist-
2 ance; and

3 “(iii) Federal loans under parts B, D,
4 and E of title IV.

5 “(E) The number of first-time, full-time,
6 full-year undergraduate students receiving fi-
7 nancial assistance described in each clause of
8 subparagraph (D).

9 “(F) The institutional instructional ex-
10 penditure per full-time equivalent student.

11 “(G) Student enrollment information, in-
12 cluding information on the number and percent-
13 age of full-time and part-time students, the
14 number and percentage of resident and non-
15 resident students.

16 “(H) Faculty/student ratios.

17 “(I) Faculty information, including the
18 total number of faculty and the percentage of
19 faculty who are full-time employees of the insti-
20 tution and the percentage who are part-time.

21 “(J) Completion and graduation rates of
22 undergraduate students, identifying whether the
23 completion or graduation rates are from a 2-
24 year or 4-year program of instruction and, in
25 the case of a 2-year program of instruction, the

1 percentage of students who transfer to 4-year
2 institutions prior or subsequent to completion
3 or graduation.

4 “(K) A link to the institution of higher
5 education with information of interest to stu-
6 dents including mission, accreditation, student
7 services (including services for students with
8 disabilities), transfer of credit policies and, if
9 appropriate, placement rates and other meas-
10 ures of success in preparing students for entry
11 into or advancement in the workforce.

12 “(L) Any additional information that the
13 Secretary may require.

14 “(d) DATA DISSEMINATION.—The Commissioner of
15 Education Statistics shall collect and publish data sub-
16 mitted by each institution pursuant to this section, includ-
17 ing an institution’s college affordability index as calculated
18 in accordance with subsection (e). Such data shall be se-
19 lected in accordance with the requirements of section
20 131(b). Such data shall be presented in a form that is
21 easily accessible and understandable and allows parents
22 and students to make informed decisions based on the
23 prices for typical first-time, full-time, full-year under-
24 graduate students and the institution’s rate of cost in-
25 crease. Such data may be presented in combination with

1 forms and information from the Free Application for Fed-
2 eral Student Aid (FAFSA) website. The Secretary shall
3 work with public and private entities to promote broad
4 public awareness, particularly among middle and high
5 school students and their families, of the information
6 made available under this section, including by distribu-
7 tion to students who participate in or receive benefits from
8 Federally funded education programs and other Federal
9 programs determined by the Secretary.

10 “(e) COLLEGE AFFORDABILITY INDEX.—

11 “(1) IN GENERAL.—The Secretary shall, on the
12 basis of the data submitted under subsection (a),
13 calculate a college affordability index for each insti-
14 tution of higher education submitting such data and
15 shall make the index available in accordance with
16 subsection (d) as soon as operationally possible on
17 the Department’s college opportunity online Web
18 site. Such index shall be presented in a manner so
19 that the index for any institution is stated in a col-
20 umn or cell immediately adjacent to a column or cell
21 containing the total tuition and fees of the institu-
22 tion.

23 “(2) CALCULATION OF INDEX.—The college af-
24 fordability index shall be equal to—

1 “(A) the percentage increase in the tuition
2 and fees charged for a first-time, full-time, full-
3 year undergraduate student between the first of
4 the 3 most recent preceding academic years and
5 the last of those 3 academic years; divided by

6 “(B) the percentage increase in the Con-
7 sumer Price Index—All Urban Consumers
8 (Current Series) from July of the first of those
9 3 academic years to July of the last of those 3
10 academic years.

11 “(f) OUTCOMES AND ACTIONS.—

12 “(1) RESPONSE FROM INSTITUTION.—Effective
13 on June 30, 2010, an institution that has a college
14 affordability index that exceeds 2.0 for any 3-year
15 interval ending on or after that date shall provide a
16 report to the Secretary, in such a form, at such
17 time, and containing such information as the Sec-
18 retary may require. Such report shall include—

19 “(A) a description of the factors contrib-
20 uting to the increase in the institution’s costs
21 and in the tuition and fees charged to students;
22 and

23 “(B) if determinations of tuition and fee
24 increases are not within the exclusive control of
25 the institution, a description of the agency or

1 instrumentality of State government or other
2 entity that participates in such determinations
3 and the authority exercised by such agency, in-
4 strumentality, or entity.

5 “(2) QUALITY-EFFICIENCY TASK FORCES.—

6 “(A) REQUIRED.—Each institution subject
7 to paragraph (1) that has a college affordability
8 index that is in the highest 5 percent of such
9 indexes of all institutions subject to paragraph
10 (1) shall establish a quality-efficiency task force
11 to review the operations of such institution.

12 “(B) MEMBERSHIP.—Such task force shall
13 include administrators and business and civic
14 leaders and may include faculty, students,
15 trustees, parents of students, and alumni of
16 such institution.

17 “(C) FUNCTIONS.—Such task force shall
18 analyze institutional operating costs in compari-
19 son with such costs at other institutions within
20 the class of institutions. Such analysis should
21 identify areas where, in comparison with other
22 institutions in such class, the institution oper-
23 ates more expensively to produce a similar re-
24 sult. Any identified areas should then be tar-

1 geted for in-depth analysis for cost reduction
2 opportunities.

3 “(D) REPORT.—The results of the analysis
4 by a quality-efficiency task force under this
5 paragraph shall be included in the report to the
6 Secretary under paragraph (1).

7 “(3) CONSEQUENCES FOR 2-YEAR CONTINU-
8 ATION OF FAILURE.—If the Secretary determines
9 that the institution has failed to reduce the college
10 affordability index below 2.0 for such 2 academic
11 years, the Secretary shall place the institution on an
12 affordability alert status and shall make the infor-
13 mation regarding the institution’s failure available in
14 accordance with subsection (d).

15 “(4) INFORMATION TO STATE AGENCIES.—Any
16 institution that reports under paragraph (1)(A) that
17 an agency or instrumentality of State government or
18 other entity participates in the determinations of tui-
19 tion and fee increases shall, prior to submitting any
20 information to the Secretary under this subsection,
21 submit such information to, and request the com-
22 ments and input of, such agency, instrumentality, or
23 entity. With respect to any such institution, the Sec-
24 retary shall provide a copy of any communication by

1 the Secretary with that institution to such agency,
2 instrumentality, or entity.

3 “(5) EXEMPTIONS.—

4 “(A) RELATIVE PRICE EXEMPTION.—The
5 Secretary shall, for any 3-year interval for
6 which college affordability indexes are computed
7 under paragraph (1), determine and publish the
8 dollar amount that, for each class of institution
9 described in paragraph (6) represents the max-
10 imum tuition and fees charged for a full-time
11 undergraduate student in the least costly quar-
12 tile of institutions within each such class during
13 the last year of such 3-year interval. An institu-
14 tion that has a college affordability index com-
15 puted under paragraph (1) that exceeds 2.0 for
16 any such 3-year interval, but that, on average
17 during such 3-year interval, charges less than
18 such maximum tuition and fees shall not be
19 subject to the actions required by paragraph
20 (3), unless such institution, for a subsequent 3-
21 year interval, charges more than such maximum
22 tuition and fees.

23 “(B) DOLLAR INCREASE EXEMPTION.—An
24 institution that has a college affordability index
25 computed under paragraph (1) that exceeds 2.0

1 for any 3-year interval, but that exceeds such
2 2.0 by a dollar amount that is less than \$500,
3 shall not be subject to the actions required by
4 paragraph (3), unless such institution has a col-
5 lege affordability index for a subsequent 3-year
6 interval that exceeds 2.0 by more than such dol-
7 lar amount.

8 “(6) CLASSES OF INSTITUTIONS.—For purposes
9 of this subsection, the classes of institutions shall be
10 those sectors used by the Integrated Postsecondary
11 Education Data System, based on whether the insti-
12 tution is public, nonprofit private, or for-profit pri-
13 vate, and whether the institution has a 4-year, 2-
14 year, or less than 2-year program of instruction.

15 “(7) DATA REJECTION.—Nothing in this sub-
16 section shall be construed as allowing the Secretary
17 to reject the data submitted by an individual institu-
18 tion of higher education.

19 “(g) INFORMATION TO THE PUBLIC.—Upon receipt
20 of an institution’s report required under subsection (f), the
21 Secretary shall make the information in the report avail-
22 able to the public in accordance with subsection (d) on
23 the COOL website under subsection (b).

24 “(h) FINES.—In addition to actions authorized in
25 section 487(c), the Secretary may impose a fine in an

1 amount not to exceed \$25,000 on an institution of higher
2 education for failing to provide the information required
3 by this section in a timely and accurate manner, or for
4 failing to otherwise cooperate with the National Center for
5 Education Statistics regarding efforts to obtain data
6 under subsections (e) and (j) and pursuant to the program
7 participation agreement entered into under section 487.

8 “(i) GAO STUDY AND REPORT.—

9 “(1) GAO STUDY.—The Comptroller General
10 shall conduct a study of the policies and procedures
11 implemented by institutions in increasing the afford-
12 ability of postsecondary education. Such study shall
13 include information with respect to—

14 “(A) a list of those institutions that—

15 “(i) have reduced their college afford-
16 ability indexes; or

17 “(ii) are within the least costly quar-
18 tile of institutions within each class de-
19 scribed in subsection (f)(7);

20 “(B) policies implemented to stem the in-
21 crease in tuition and fees and institutional
22 costs;

23 “(C) the extent to which room and board
24 costs and prices changed;

1 “(D) the extent to which other services
2 were altered to affect tuition and fees;

3 “(E) the extent to which the institution’s
4 policies affected student body demographics and
5 time to completion;

6 “(F) what, if any, operational factors
7 played a role in reducing tuition and fees;

8 “(G) the extent to which academic quality
9 was affected, and how;

10 “(H) if the institution is a public institu-
11 tion, the relationship between State and local
12 appropriations and the institution’s tuition and
13 fees;

14 “(I) the extent to which policies and prac-
15 tices reducing costs and prices may be rep-
16 licated from one institution to another; and

17 “(J) other information as necessary to de-
18 termine best practices in increasing the afford-
19 ability of postsecondary education.

20 “(2) INTERIM AND FINAL REPORTS.—The
21 Comptroller General shall submit an interim and a
22 final report regarding the findings of the study re-
23 quired by paragraph (1) to the appropriate author-
24 izing committees of Congress. The interim report
25 shall be submitted not later than July 31, 2011, and

1 the final report shall be submitted not later than
2 July 31, 2013.

3 “(j) STUDENT AID RECIPIENT SURVEY.—

4 “(1) SURVEY REQUIRED.—The Secretary shall
5 conduct a survey of student aid recipients under title
6 IV on a regular cycle and State-by-State basis, but
7 not less than once every 4 years—

8 “(A) to identify the population of students
9 receiving Federal student aid;

10 “(B) to describe the income distribution
11 and other socioeconomic characteristics of fed-
12 erally aided students;

13 “(C) to describe the combinations of aid
14 from State, Federal, and private sources re-
15 ceived by students from all income groups;

16 “(D) to describe the debt burden of edu-
17 cational loan recipients and their capacity to
18 repay their education debts, and the impact of
19 such debt burden on career choices;

20 “(E) to describe the role played by the
21 price of postsecondary education in the deter-
22 mination by students of what institution to at-
23 tend; and

24 “(F) to describe how the increased costs of
25 textbooks and other instructional materials af-

1 fects the costs of postsecondary education to
2 students.

3 “(2) SURVEY DESIGN.—The survey shall be
4 representative of full-time and part-time, under-
5 graduate, graduate, and professional and current
6 and former students in all types of institutions, and
7 designed and administered in consultation with the
8 Congress and the postsecondary education commu-
9 nity.

10 “(3) DISSEMINATION.—The Commissioner of
11 Education Statistics shall disseminate the informa-
12 tion resulting from the survey in both printed and
13 electronic form.

14 “(k) REGULATIONS.—The Secretary is authorized to
15 issue such regulations as may be necessary to carry out
16 the provisions of this section.”.

17 **SEC. 109. DATABASES OF STUDENT INFORMATION.**

18 Part C of title I is further amended by adding at the
19 end the following new section:

20 **“SEC. 132. DATABASES OF STUDENT INFORMATION PRO-**
21 **HIBITED.**

22 “(a) PROHIBITION.—Except as described in (b),
23 nothing in this Act shall be construed to authorize the de-
24 sign, development, creation, implementation, or mainte-
25 nance of a nationwide database of personally identifiable

1 information on individuals receiving assistance, attending
2 institutions receiving assistance, or otherwise involved in
3 any studies or other collections of data under this Act,
4 including a student unit record system, an education bar
5 code system, or any other system that tracks individual
6 students over time.

7 “(b) EXCEPTION.—The provisions of subsection (a)
8 shall not affect the loan obligation enforcement activities
9 described in section 485B of this Act.”

10 **SEC. 110. PERFORMANCE-BASED ORGANIZATION.**

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

12 (1) in subsection (a)(2)(B)—

13 (A) by inserting “unit” after “to reduce
14 the”; and

15 (B) by inserting “and, to the extent prac-
16 ticable, the total costs of administering those
17 programs” after “those programs”;

18 (2) in subsection (c)—

19 (A) in paragraph (1)(A), by striking “Each
20 year” and inserting “Each fiscal year”;

21 (B) in paragraph (1)(B), by inserting “sec-
22 ondary markets, guaranty agencies,” after
23 “lenders,”; and

24 (C) in paragraph (2)(B), by striking
25 “Chief Financial Officer Act of 1990 and” and

1 inserting “Chief Financial Officers Act of
 2 1990,” and by inserting before the period at the
 3 end the following: “, and other relevant stat-
 4 utes”; and

5 (3) in subsection (f)(3)(A), by striking “para-
 6 graph (1)(A)” and inserting “paragraph (1)”.

7 **SEC. 111. TREATMENT OF TERRITORIES AND TERRITORIAL**
 8 **STUDENT ASSISTANCE.**

9 Section 113 (20 U.S.C. 1011b) is amended—

10 (1) by striking “**TREATMENT OF TERRI-**
 11 **TORIES AND TERRITORIAL STUDENT ASSIST-**
 12 **ANCE**” in the heading of such section and inserting
 13 “**TERRITORIAL WAIVER AUTHORITY**”;

14 (2) by striking “(a) **WAIVER AUTHORITY.—**”;
 15 and

16 (3) by striking subsection (b).

17 **TITLE II—TEACHER**
 18 **PREPARATION**

19 **SEC. 201. TEACHER QUALITY ENHANCEMENT GRANTS.**

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

22 **“PART A—TEACHER QUALITY ENHANCEMENT**
 23 **GRANTS FOR STATES AND PARTNERSHIPS**

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

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

1 “(1) improve student academic achievement;

2 “(2) improve the quality of the current and fu-
3 ture teaching force by improving the preparation of
4 prospective teachers and enhancing professional de-
5 velopment activities;

6 “(3) hold institutions of higher education ac-
7 countable for preparing highly qualified teachers;
8 and

9 “(4) recruit qualified individuals, including mi-
10 norities and individuals from other occupations, into
11 the teaching force.

12 “(b) DEFINITIONS.—In this part:

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

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

21 “(B) when referring to a specific academic
22 subject matter area, the disciplines or content
23 areas in which academic majors are offered by
24 the arts and science organizational unit.

1 “(2) EXEMPLARY TEACHER.—The term ‘exem-
2 plary teacher’ has the meaning given such term in
3 section 9101 of the Elementary and Secondary Edu-
4 cation Act of 1965 (20 U.S.C. 7801).

5 “(3) HIGHLY QUALIFIED.—The term ‘highly
6 qualified’ when used with respect to an individual
7 means that the individual is highly qualified as de-
8 termined under section 9101 of the Elementary and
9 Secondary Education Act of 1965 (20 U.S.C. 7801)
10 or section 602 of the Individuals with Disabilities
11 Education Act (20 U.S.C. 1401).

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

15 “(A)(i)(I) that serves not fewer than
16 10,000 children from families with incomes
17 below the poverty line; or

18 “(II) for which not less than 25 percent of
19 the children served by the agency are from fam-
20 ilies with incomes below the poverty line;

21 “(ii) that is among those serving the high-
22 est number or percentage of children from fam-
23 ilies with incomes below the poverty line in the
24 State, but this clause applies only in a State

1 that has no local educational agency meeting
2 the requirements of clause (i); or

3 “(iii) with a total of less than 600 students
4 in average daily attendance at the schools that
5 are served by the agency and all of whose
6 schools are designated with a school locale code
7 of 7, as determined by the Secretary; and

8 “(B)(i) for which there is a high percent-
9 age of teachers not teaching in the academic
10 subjects or grade levels that the teachers were
11 trained to teach; or

12 “(ii) for which there is a high percentage
13 of teachers with emergency, provisional, or tem-
14 porary certification or licensing.

15 “(5) POVERTY LINE.—The term ‘poverty line’
16 means the poverty line (as defined by the Office of
17 Management and Budget, and revised annually in
18 accordance with section 673(2) of the Community
19 Services Block Grant Act (42 U.S.C. 9902(2))) ap-
20 plicable to a family of the size involved.

21 “(6) PROFESSIONAL DEVELOPMENT.—The
22 term ‘professional development’ has the meaning
23 given such term in section 9101 of the Elementary
24 and Secondary Education Act of 1965 (20 U.S.C.
25 7801).

1 “(7) SCIENTIFICALLY BASED READING RE-
2 SEARCH.—The term ‘scientifically based reading re-
3 search’ has the meaning given such term in section
4 1208 of the Elementary and Secondary Education
5 Act of 1965 (20 U.S.C. 6368).

6 “(8) SCIENTIFICALLY BASED RESEARCH.—The
7 term ‘scientifically based research’ has the meaning
8 given such term in section 9101 of the Elementary
9 and Secondary Education Act of 1965 (20 U.S.C.
10 7801).

11 “(9) TEACHING SKILLS.—The term ‘teaching
12 skills’ means skills that—

13 “(A) are based on scientifically based re-
14 search;

15 “(B) enable teachers to effectively convey
16 and explain subject matter content;

17 “(C) lead to increased student academic
18 achievement; and

19 “(D) use strategies that—

20 “(i) are specific to subject matter;

21 “(ii) include ongoing assessment of
22 student learning;

23 “(iii) focus on identification and tai-
24 loring of academic instruction to students’s
25 specific learning needs; and

1 “(iv) focus on classroom management.

2 **“SEC. 202. STATE GRANTS.**

3 “(a) IN GENERAL.—From amounts made available
4 under section 210(1) for a fiscal year, the Secretary is
5 authorized to award grants under this section, on a com-
6 petitive basis, to eligible States to enable the eligible
7 States to carry out the activities described in subsection
8 (d).

9 “(b) ELIGIBLE STATE.—

10 “(1) DEFINITION.—In this part, the term ‘eligi-
11 ble State’ means—

12 “(A) the Governor of a State; or

13 “(B) in the case of a State for which the
14 constitution or law of such State designates an-
15 other individual, entity, or agency in the State
16 to be responsible for teacher certification and
17 preparation activity, such individual, entity, or
18 agency.

19 “(2) CONSULTATION.—The Governor or the in-
20 dividual, entity, or agency designated under para-
21 graph (1)(B) shall consult with the Governor, State
22 board of education, State educational agency, State
23 agency for higher education, or State agency respon-
24 sible for early childhood education and programs, as

1 appropriate, with respect to the activities assisted
2 under this section.

3 “(3) CONSTRUCTION.—Nothing in this sub-
4 section shall be construed to negate or supersede the
5 legal authority under State law of any State agency,
6 State entity, or State public official over programs
7 that are under the jurisdiction of the agency, entity,
8 or official.

9 “(c) APPLICATION.—To be eligible to receive a grant
10 under this section, an eligible State shall submit an appli-
11 cation to the Secretary that—

12 “(1) meets the requirement of this section;

13 “(2) demonstrates that the State is in full com-
14 pliance with sections 207 and 208;

15 “(3) includes a description of how the eligible
16 State intends to use funds provided under this sec-
17 tion;

18 “(4) includes measurable objectives for the use
19 of the funds provided under the grant;

20 “(5) demonstrates the State has submitted and
21 is actively implementing a plan that meets the re-
22 quirements of sections 1111(h)(1)(C)(viii) and 1119
23 of the Elementary and Secondary Education Act of
24 1965 (20 U.S.C. 6311(h)(1)(C)(viii) and 6319); and

1 “(6) contains such other information and assur-
2 ances as the Secretary may require.

3 “(d) USES OF FUNDS.—An eligible State that re-
4 ceives a grant under this section shall use the grant funds
5 to reform teacher preparation requirements, to coordinate
6 with State activities under section 2113(c) of the Elemen-
7 tary and Secondary Education Act of 1965 (20 U.S.C.
8 6613(c)), and to ensure that current and future teachers
9 are highly qualified, by carrying out one or more of the
10 following activities:

11 “(1) REFORMS.—Ensuring that all teacher
12 preparation programs in the State are preparing
13 teachers who are highly qualified, are able to under-
14 stand scientifically based research and its applica-
15 bility, and are able to use advanced technology effec-
16 tively in the classroom, including use for instruc-
17 tional techniques to improve student academic
18 achievement, by assisting such programs—

19 “(A) to retrain faculty; and

20 “(B) to design (or redesign) teacher prepa-
21 ration programs so they—

22 “(i) are based on rigorous academic
23 content, scientifically based research (in-
24 cluding scientifically based reading re-

1 search), and challenging State student aca-
2 demic content standards; and

3 “(ii) promote strong teaching skills.

4 “(2) CERTIFICATION OR LICENSURE REQUIRE-
5 MENTS.—Reforming teacher certification (including
6 recertification) or licensing requirements to ensure
7 that—

8 “(A) teachers have the subject matter
9 knowledge and teaching skills in the academic
10 subjects that the teachers teach that are nec-
11 essary to help students meet challenging State
12 student academic achievement standards; and

13 “(B) such requirements are aligned with
14 challenging State academic content standards.

15 “(3) ALTERNATIVES TO TRADITIONAL TEACHER
16 PREPARATION AND STATE CERTIFICATION.—Pro-
17 viding prospective teachers with alternative routes to
18 State certification and traditional preparation to be-
19 come highly qualified teachers through—

20 “(A) innovative approaches that reduce un-
21 necessary barriers to State certification while
22 producing highly qualified teachers, which may
23 include articulation agreements between institu-
24 tions of higher education;

1 “(B) programs that provide support to
2 teachers during their initial years in the profes-
3 sion; and

4 “(C) alternative routes to State certifi-
5 cation of teachers for qualified individuals, in-
6 cluding mid-career professionals from other oc-
7 cupations, former military personnel, and recent
8 college graduates with records of academic dis-
9 tinction.

10 “(4) INNOVATIVE PROGRAMS.—Planning and
11 implementing innovative programs to enhance the
12 ability of institutions of higher education to prepare
13 highly qualified teachers, such as charter colleges of
14 education or university and local educational agency
15 partnership schools, that—

16 “(A) permit flexibility in meeting State re-
17 quirements as long as graduates, during their
18 initial years in the profession, increase student
19 academic achievement;

20 “(B) provide long-term data gathered from
21 teachers’ performance over multiple years in the
22 classroom on the ability to increase student aca-
23 demic achievement;

24 “(C) ensure high-quality preparation of
25 teachers from underrepresented groups; and

1 “(D) create performance measures that
2 can be used to document the effectiveness of in-
3 novative methods for preparing highly qualified
4 teachers.

5 “(5) MERIT PAY.—Developing, or assisting
6 local educational agencies in developing—

7 “(A) merit-based performance systems that
8 reward teachers who increase student academic
9 achievement; and

10 “(B) strategies that provide differential
11 and bonus pay in high-need local educational
12 agencies to retain—

13 “(i) principals;

14 “(ii) highly qualified teachers who
15 teach in high-need academic subjects, such
16 as reading, mathematics, and science;

17 “(iii) highly qualified teachers who
18 teach in schools identified for school im-
19 provement under section 1116(b) of the
20 Elementary and Secondary Education Act
21 of 1965 (20 U.S.C. 6316(b));

22 “(iv) special education teachers;

23 “(v) teachers specializing in teaching
24 limited English proficient children; and

1 “(vi) highly qualified teachers in
2 urban and rural schools or districts.

3 “(6) TEACHER ADVANCEMENT.—Developing, or
4 assisting local educational agencies in developing,
5 teacher advancement and retention initiatives that
6 promote professional growth and emphasize multiple
7 career paths (such as paths to becoming a highly
8 qualified mentor teacher or exemplary teacher) and
9 pay differentiation.

10 “(7) TEACHER REMOVAL.—Developing and im-
11 plementing effective mechanisms to ensure that local
12 educational agencies and schools are able to remove
13 expeditiously incompetent or unqualified teachers
14 consistent with procedures to ensure due process for
15 the teachers.

16 “(8) TECHNICAL ASSISTANCE.—Providing tech-
17 nical assistance to low-performing teacher prepara-
18 tion programs within institutions of higher education
19 identified under section 208(a).

20 “(9) TEACHER EFFECTIVENESS.—Developing—

21 “(A) systems to measure the effectiveness
22 of teacher preparation programs and profes-
23 sional development programs; and

24 “(B) strategies to document gains in stu-
25 dent academic achievement or increases in

1 teacher mastery of the academic subjects the
2 teachers teach as a result of such programs.

3 “(10) TEACHER RECRUITMENT AND RETEN-
4 TION.—Undertaking activities that—

5 “(A) develop and implement effective
6 mechanisms to ensure that local educational
7 agencies and schools are able effectively to re-
8 cruit and retain highly qualified teachers; or

9 “(B) are described in section 204(d).

10 “(11) EARLY CHILDHOOD EDUCATOR.—Devel-
11 oping strategies—

12 “(A) to improve the qualifications of pre-
13 school teachers, which may include State certifi-
14 cation for such teachers;

15 “(B) to improve and expand preschool
16 teacher preparation programs; and

17 “(C) to reduce unnecessary burdens to the
18 attainment of a bachelor’s degree in early child-
19 hood education and increase the number of bi-
20 lingual early childhood educators, which may in-
21 clude developing articulation agreements be-
22 tween institutions of higher education.

23 “(12) GIFTED AND TALENTED STUDENTS.—In-
24 corporating the learning needs of gifted and talented
25 students into the activities described in paragraph

1 (1), (2), or (3) in order to ensure that new teachers
2 possess the basic knowledge and skills necessary to
3 meet the educational needs of gifted and talented
4 students.

5 “(13) NEW-TEACHER MENTORING ON THE
6 NEEDS OF GIFTED AND TALENTED STUDENTS.—Es-
7 tablishing or expanding new-teacher mentoring and
8 assessment programs (including induction and eval-
9 uation programs) that are a part of a licensure proc-
10 ess which is designed to demonstrate that new teach-
11 ers possess basic knowledge of the classroom indica-
12 tors of giftedness, are able to identify student learn-
13 ing differences among gifted students, and are able
14 to provide instruction to accommodate such dif-
15 ferences.

16 “(14) SPECIAL EDUCATION, MATH, AND
17 SCIENCE FACULTY.—Supporting the development of
18 new special education, math, and science faculty po-
19 sitions in institutions of higher education dedicated
20 to the preparation of highly qualified special edu-
21 cation, math, and science teachers (as defined by
22 section 9101 of the Elementary and Secondary Edu-
23 cation Act or section 602 of the Individuals with
24 Disabilities Education Act), with matching funds
25 from institutions of higher education and a commit-

1 ment to continue new faculty positions when Federal
2 funding ends.

3 “(15) SUBJECT AREA EVALUATION.—Assessing
4 the performance of teacher preparation programs
5 within institutions of higher education in the State
6 using an assessment which provides comparisons
7 across such schools in the State based upon indica-
8 tors including teacher candidate knowledge in sub-
9 ject areas in which such candidate has been pre-
10 pared to teach. Such information shall be made pub-
11 licly available and widely disseminated.

12 “(16) ADVANCED PLACEMENT.—Implementing
13 strategies to increase the number of teachers quali-
14 fied to teach advanced placement and pre-advanced
15 placement courses in mathematics, science, and crit-
16 ical foreign languages, and other strategies to in-
17 crease the availability of those courses, particularly
18 for low-income students.

19 “(e) EVALUATION.—

20 “(1) EVALUATION SYSTEM.—An eligible State
21 that receives a grant under this section shall develop
22 and utilize a system to evaluate annually the effec-
23 tiveness of teacher preparation programs and profes-
24 sional development activities within the State in pro-
25 ducing gains in—

1 “(A) the teacher’s annual contribution to
2 improving student academic achievement, as
3 measured by State academic assessments re-
4 quired under section 1111(b)(3) of the Elemen-
5 tary and Secondary Education Act of 1965 (20
6 U.S.C. 6311(b)(3)); and

7 “(B) teacher mastery of the academic sub-
8 jects they teach, as measured by pre- and post-
9 participation tests of teacher knowledge, as ap-
10 propriate.

11 “(2) USE OF EVALUATION SYSTEM.—Such eval-
12 uation system shall be used by the State to evalu-
13 ate—

14 “(A) activities carried out using funds pro-
15 vided under this section; and

16 “(B) the quality of its teacher education
17 programs.

18 “(3) PUBLIC REPORTING.—The State shall
19 make the information described in paragraph (1)
20 widely available through public means, such as post-
21 ing on the Internet, distribution to the media, and
22 distribution through public agencies.

23 **“SEC. 203. PARTNERSHIP GRANTS.**

24 “(a) GRANTS.—From amounts made available under
25 section 210(2) for a fiscal year, the Secretary is author-

1 ized to award grants under this section, on a competitive
2 basis, to eligible partnerships to enable the eligible part-
3 nerships to carry out the activities described in subsections
4 (d) and (e).

5 “(b) DEFINITIONS.—

6 “(1) ELIGIBLE PARTNERSHIPS.—In this part,
7 the term ‘eligible partnership’ means an entity
8 that—

9 “(A) shall include—

10 “(i) a partner institution;

11 “(ii) a school of arts and sciences;

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

14 “(iv) a public or private educational
15 organization; and

16 “(B) may include a Governor, State edu-
17 cational agency, the State board of education,
18 the State agency for higher education, an insti-
19 tution of higher education not described in sub-
20 paragraph (A), a public charter school, a public
21 or private elementary school or secondary
22 school, a public or private educational organiza-
23 tion, a business, a science-, mathematics-, or
24 technology-oriented entity, a faith-based or
25 community organization, a prekindergarten pro-

1 gram, a teacher organization, an education
2 service agency, a consortia of local educational
3 agencies, or a nonprofit telecommunications en-
4 tity.

5 “(2) PARTNER INSTITUTION.—In this section,
6 the term ‘partner institution’ means an institution of
7 higher education, the teacher training program of
8 which demonstrates that—

9 “(A) graduates from the teacher training
10 program exhibit strong performance on State-
11 determined qualifying assessments for new
12 teachers through—

13 “(i) demonstrating that the graduates
14 of the program who intend to enter the
15 field of teaching have passed all of the ap-
16 plicable State qualification assessments for
17 new teachers, which shall include an as-
18 sessment of each prospective teacher’s sub-
19 ject matter knowledge in the content area
20 or areas in which the teacher intends to
21 teach; or

22 “(ii) being ranked among the highest-
23 performing teacher preparation programs
24 in the State as determined by the State—

1 “(I) using criteria consistent with
2 the requirements for the State report
3 card under section 207(a); and

4 “(II) using the State report card
5 on teacher preparation required under
6 section 207(a); or

7 “(B) the teacher training program requires
8 all the students of the program to participate in
9 intensive clinical experience, to meet high aca-
10 demic standards, and—

11 “(i) in the case of secondary school
12 candidates, to successfully complete an
13 academic major in the subject area in
14 which the candidate intends to teach or to
15 demonstrate competence through a high
16 level of performance in relevant content
17 areas; and

18 “(ii) in the case of elementary school
19 candidates, to successfully complete an
20 academic major in the arts and sciences or
21 to demonstrate competence through a high
22 level of performance in core academic sub-
23 ject areas.

24 “(c) APPLICATION.—Each eligible partnership desir-
25 ing a grant under this section shall submit an application

1 to the Secretary at such time, in such manner, and accom-
2 panied by such information as the Secretary may require.

3 Each such application shall—

4 “(1) contain a needs assessment of all the part-
5 ners with respect to teaching and learning and a de-
6 scription of how the partnership will coordinate with
7 other teacher training or professional development
8 programs, and how the activities of the partnership
9 will be consistent with State, local, and other edu-
10 cation reform activities that promote student aca-
11 demic achievement;

12 “(2) contain a resource assessment that de-
13 scribes the resources available to the partnership,
14 the intended use of the grant funds, including a de-
15 scription of how the grant funds will be used in ac-
16 cordance with subsection (f), and the commitment of
17 the resources of the partnership to the activities as-
18 sisted under this part, including financial support,
19 faculty participation, time commitments, and con-
20 tinuation of the activities when the grant ends;

21 “(3) contain a description of—

22 “(A) how the partnership will meet the
23 purposes of this part;

1 “(B) how the partnership will carry out
2 the activities required under subsection (d) and
3 any permissible activities under subsection (e);

4 “(C) the partnership’s evaluation plan pur-
5 suant to section 206(b);

6 “(D) how faculty of the teacher prepara-
7 tion program at the partner institution will
8 serve, over the term of the grant, with highly
9 qualified teachers in the classrooms of the high-
10 need local educational agency included in the
11 partnership;

12 “(E) how the partnership will ensure that
13 teachers, principals, and superintendents in pri-
14 vate elementary and secondary schools located
15 in the geographic areas served by an eligible
16 partnership under this section will participate
17 equitably in accordance with section 9501 of
18 the Elementary and Secondary Education Act
19 of 1965 (20 U.S.C. 7881);

20 “(F) how the partnership will design and
21 implement a clinical program component that
22 includes close supervision of student teachers by
23 faculty of the teacher preparation program at
24 the partner institution and mentor teachers;

1 “(G) how the partnership will design and
2 implement an induction program to support all
3 new teachers through the first 3 years of teach-
4 ing that includes mentors who are trained and
5 compensated by the partnership for their work
6 with new teachers; and

7 “(H) how the partnership will collect, ana-
8 lyze, and use data on the retention of all teach-
9 ers in schools located in the geographic areas
10 served by the partnership to evaluate the effec-
11 tiveness of its teacher support system; and

12 “(4) contain a certification from the high-need
13 local educational agency included in the partnership
14 that it has reviewed the application and determined
15 that the grant proposed will comply with subsection
16 (f).

17 “(d) REQUIRED USES OF FUNDS.—An eligible part-
18 nership that receives a grant under this section shall use
19 the grant funds to reform teacher preparation require-
20 ments, to coordinate with State activities under section
21 2113(c) of the Elementary and Secondary Education Act
22 of 1965 (20 U.S.C. 6613(c)), and to ensure that current
23 and future teachers are highly qualified, by carrying out
24 one or more of the following activities:

1 “(1) REFORMS.—Implementing reforms within
2 teacher preparation programs to ensure that such
3 programs are preparing teachers who are highly
4 qualified, are able to understand scientifically based
5 research and its applicability, and are able to use
6 advanced technology effectively in the classroom, in-
7 cluding use for instructional techniques to improve
8 student academic achievement, by—

9 “(A) retraining faculty; and

10 “(B) designing (or redesigning) teacher
11 preparation programs so they—

12 “(i) are based on rigorous academic
13 content, scientifically based research (in-
14 cluding scientifically based reading re-
15 search), and challenging State student aca-
16 demic content standards; and

17 “(ii) promote strong teaching skills.

18 “(2) CLINICAL EXPERIENCE AND INTER-
19 ACTION.—Providing sustained and high-quality
20 preservice and in-service clinical experience, includ-
21 ing the mentoring of prospective teachers by exem-
22 plary teachers, substantially increasing interaction
23 between faculty at institutions of higher education
24 and new and experienced teachers, principals, and
25 other administrators at elementary schools or sec-

1 ondary schools, and providing support for teachers,
2 including preparation time and release time, for such
3 interaction.

4 “(3) PROFESSIONAL DEVELOPMENT.—Creating
5 opportunities for enhanced and ongoing professional
6 development that improves the academic content
7 knowledge of teachers in the subject areas in which
8 the teachers are certified to teach or in which the
9 teachers are working toward certification to teach,
10 and that promotes strong teaching skills.

11 “(4) TEACHER PREPARATION.—Developing, or
12 assisting local educational agencies in developing,
13 professional development activities that—

14 “(A) provide training in how to teach and
15 address the needs of students with different
16 learning styles, particularly students with dis-
17 abilities, limited English proficient students,
18 gifted and talented students, and students with
19 special learning needs; and

20 “(B) provide training in methods of—

21 “(i) improving student behavior in the
22 classroom; and

23 “(ii) identifying early and appropriate
24 interventions to help students described in
25 subparagraph (A) learn.

1 “(e) ALLOWABLE USES OF FUNDS.—An eligible
2 partnership that receives a grant under this section may
3 use such funds to carry out the following activities:

4 “(1) ALTERNATIVES TO TRADITIONAL TEACHER
5 PREPARATION AND STATE CERTIFICATION.—Pro-
6 viding prospective teachers with alternative routes to
7 State certification and traditional preparation to be-
8 come highly qualified teachers through—

9 “(A) innovative approaches that reduce un-
10 necessary barriers to teacher preparation pro-
11 ducing highly qualified teachers, which may in-
12 clude articulation agreements between institu-
13 tions of higher education;

14 “(B) programs that provide support during
15 a teacher’s initial years in the profession; and

16 “(C) alternative routes to State certifi-
17 cation of teachers for qualified individuals, in-
18 cluding mid-career professionals from other oc-
19 cupations, former military personnel, and recent
20 college graduates with records of academic dis-
21 tinction.

22 “(2) DISSEMINATION AND COORDINATION.—
23 Broadly disseminating information on effective prac-
24 tices used by the partnership, and coordinating with
25 the activities of the Governor, State board of edu-

1 cation, State higher education agency, and State
2 educational agency, as appropriate.

3 “(3) MANAGERIAL AND LEADERSHIP SKILLS.—
4 Developing and implementing professional develop-
5 ment programs for principals and superintendents
6 that enable them to be effective school leaders and
7 prepare all students to meet challenging State aca-
8 demic content and student academic achievement
9 standards.

10 “(4) TEACHER RECRUITMENT.—Activities—
11 “(A) to encourage students to become
12 highly qualified teachers, such as extra-
13 curricular enrichment activities; and

14 “(B) activities described in section 204(d).

15 “(5) CLINICAL EXPERIENCE IN SCIENCE, MATH-
16 EMATICS, AND TECHNOLOGY.—Creating opportuni-
17 ties for clinical experience and training, by partici-
18 pation in the business, research, and work environ-
19 ments with professionals, in areas relating to
20 science, mathematics, and technology for teachers
21 and prospective teachers, including opportunities for
22 use of laboratory equipment, in order for the teacher
23 to return to the classroom for at least 2 years and
24 provide instruction that will raise student academic
25 achievement.

1 “(6) COORDINATION WITH COMMUNITY COL-
2 LEGES.—Coordinating with community colleges to
3 implement teacher preparation programs, including
4 through distance learning or articulation agree-
5 ments, for the purposes of allowing prospective
6 teachers—

7 “(A) to attain a bachelor’s degree and
8 State certification or licensure; and

9 “(B) to become highly qualified teachers.

10 “(7) TEACHER MENTORING.—Establishing or
11 implementing a teacher mentoring program that—

12 “(A) includes minimum qualifications for
13 mentors;

14 “(B) provides training and stipends for
15 mentors;

16 “(C) provides mentoring programs for
17 teachers in their first 3 years of teaching;

18 “(D) provides regular and ongoing oppor-
19 tunities for mentors and mentees to observe
20 each other’s teaching methods in classroom set-
21 tings during the school day;

22 “(E) establishes an evaluation and ac-
23 countability plan for activities conducted under
24 this paragraph that includes rigorous objectives
25 to measure the impact of such activities; and

1 “(F) provides for a report to the Secretary
2 on an annual basis regarding the partnership’s
3 progress in meeting the objectives described in
4 subparagraph (E).

5 “(8) COMPUTER SOFTWARE FOR MULTI-
6 LINGUAL EDUCATION.—Training teachers to use
7 computer software for multilingual education to ad-
8 dress the needs of limited English proficient stu-
9 dents.

10 “(9) GIFTED AND TALENTED STUDENTS.—In-
11 creasing the knowledge and skills of preservice
12 teachers participating in activities under subsection
13 (d) in the educational and related needs of gifted
14 and talented students by, among other strategies, in-
15 fusing teacher coursework with units on the charac-
16 teristics of high-ability learners, using assessments
17 to identify preexisting knowledge and skills among
18 students, and developing teaching strategies that are
19 driven by the learner’s progress.

20 “(10) REDUCING THE SHORTAGE OF HIGHLY
21 QUALIFIED SPECIAL EDUCATION, MATH, AND
22 SCIENCE TEACHERS.—Increasing the number of
23 highly qualified special education, math, and science
24 teachers (as defined by section 9101 of the Elemen-
25 tary and Secondary Education Act of 1965 or sec-

1 tion 602 of the Individuals with Disabilities Edu-
2 cation Act) through such activities as recruitment,
3 scholarships for tuition, and new teacher mentoring.

4 “(11) ADVANCED PLACEMENT.—Implementing
5 strategies to increase the number of teachers quali-
6 fied to teach advanced placement and pre-advanced
7 placement courses in mathematics, science, and crit-
8 ical foreign languages, and other strategies to in-
9 crease the availability of those courses, particularly
10 for low-income students.

11 “(f) SPECIAL RULE.—At least 50 percent of the
12 funds made available to an eligible partnership under this
13 section shall be used directly to benefit the high-need local
14 educational agency included in the partnership. Any entity
15 described in subsection (b)(1)(A) may be the fiscal agent
16 under this section.

17 “(g) CONSTRUCTION.—Nothing in this section shall
18 be construed to prohibit an eligible partnership from using
19 grant funds to coordinate with the activities of more than
20 one Governor, State board of education, State educational
21 agency, local educational agency, or State agency for high-
22 er education.

23 “(h) SUPPLEMENT, NOT SUPPLANT.—Funds made
24 available under this section shall be used to supplement,
25 and not supplant, other Federal, State, and local funds

1 that would otherwise be expended to carry out the pur-
2 poses of this section.

3 **“SEC. 204. TEACHER RECRUITMENT GRANTS.**

4 “(a) PROGRAM AUTHORIZED.—From amounts au-
5 thorized under section 210(3) for a fiscal year, the Sec-
6 retary is authorized to award grants, on a competitive
7 basis, to eligible applicants to enable the eligible applicants
8 to carry out activities described in subsection (d).

9 “(b) ELIGIBLE APPLICANT DEFINED.—In this part,
10 the term ‘eligible applicant’ means—

11 “(1) an eligible State described in section
12 202(b); or

13 “(2) an eligible partnership described in section
14 203(b)(1).

15 “(c) APPLICATION.—Any eligible applicant desiring
16 to receive a grant under this section shall submit an appli-
17 cation to the Secretary at such time, in such form, and
18 containing such information as the Secretary may require,
19 including—

20 “(1) a description of the assessment that the el-
21 igible applicant, and the other entities with whom
22 the eligible applicant will carry out the grant activi-
23 ties, have undertaken to determine the most critical
24 needs of the participating high-need local edu-
25 cational agencies;

1 “(2) a description of the activities the eligible
2 applicant will carry out with the grant, including the
3 extent to which the applicant will use funds to re-
4 cruit minority students to become highly qualified
5 teachers; and

6 “(3) a description of the eligible applicant’s
7 plan for continuing the activities carried out with
8 the grant, once Federal funding ceases.

9 “(d) USES OF FUNDS.—Each eligible applicant re-
10 ceiving a grant under this section shall use the grant
11 funds—

12 “(1)(A) to award scholarships to help students,
13 such as individuals who have been accepted for their
14 first year, or who are enrolled in their first or second
15 year, of a program of undergraduate education at an
16 institution of higher education, pay the costs of tui-
17 tion, room, board, and other expenses of completing
18 a teacher preparation program;

19 “(B) to provide support services, if needed to
20 enable scholarship recipients—

21 “(i) to complete postsecondary education
22 programs; or

23 “(ii) to transition from a career outside of
24 the field of education into a teaching career;
25 and

1 “(C) for follow up services provided to former
2 scholarship recipients during the recipients first 3
3 years of teaching; or

4 “(2) to develop and implement effective mecha-
5 nisms to ensure that high-need local educational
6 agencies and schools are able effectively to recruit
7 highly qualified teachers.

8 “(e) ADDITIONAL DISCRETIONARY USES OF
9 FUNDS.—In addition to the uses described in subsection
10 (d), each eligible applicant receiving a grant under this
11 section may use the grant funds—

12 “(1) to develop and implement effective mecha-
13 nisms to recruit into the teaching profession employ-
14 ees from—

15 “(A) high-demand industries, including
16 technology industries; and

17 “(B) the fields of science, mathematics,
18 and engineering;

19 “(2) to conduct outreach and coordinate with
20 inner city and rural secondary schools to encourage
21 students to pursue teaching as a career;

22 “(3) to develop and implement dual degree pro-
23 grams that enable students at institutions of higher
24 education to earn two undergraduate degrees con-
25 currently, one of such degrees being in education

1 and the other in the subject matter of the student's
2 choosing; and

3 “(4) to recruit high achieving students, bilin-
4 gual students, and other qualified candidates into
5 early childhood education programs.

6 “(f) SERVICE REQUIREMENTS.—

7 “(1) IN GENERAL.—The Secretary shall estab-
8 lish such requirements as the Secretary determines
9 necessary to ensure that recipients of scholarships
10 under this section who complete teacher education
11 programs—

12 “(A) subsequently teach in a high-need
13 local educational agency for a period of time
14 equivalent to—

15 “(i) one year; increased by

16 “(ii) the period for which the recipient
17 received scholarship assistance; or

18 “(B) repay the amount of the scholarship.

19 “(2) USE OF REPAYMENTS.—The Secretary
20 may, subject to appropriations, use any such repay-
21 ments to carry out additional activities under this
22 section.

23 “(g) PRIORITY.—The Secretary shall give priority
24 under this section to eligible applicants who provide an

1 assurance that they will recruit a high percentage of mi-
2 nority students to become highly qualified teachers.

3 **“SEC. 205. ADMINISTRATIVE PROVISIONS.**

4 “(a) DURATION; ONE-TIME AWARDS; PAYMENTS.—

5 “(1) DURATION.—

6 “(A) ELIGIBLE STATES AND ELIGIBLE AP-
7 PPLICANTS.—Grants awarded to eligible States
8 and eligible applicants under this part shall be
9 awarded for a period not to exceed 3 years.

10 “(B) ELIGIBLE PARTNERSHIPS.—Grants
11 awarded to eligible partnerships under this part
12 shall be awarded for a period of 5 years.

13 “(2) ONE-TIME AWARD.—An eligible partner-
14 ship may receive a grant under each of sections 203
15 and 204, as amended by the College Access and Op-
16 portunity Act of 2006, only once.

17 “(3) PAYMENTS.—The Secretary shall make
18 annual payments of grant funds awarded under this
19 part.

20 “(b) PEER REVIEW.—

21 “(1) PANEL.—The Secretary shall provide the
22 applications submitted under this part to a peer re-
23 view panel for evaluation. With respect to each ap-
24 plication, the peer review panel shall initially rec-

1 commend the application for funding or for dis-
2 approval.

3 “(2) PRIORITY.—In recommending applications
4 to the Secretary for funding under this part, the
5 panel shall—

6 “(A) with respect to grants under section
7 202, give priority to eligible States that—

8 “(i) have initiatives to reform State
9 teacher certification requirements that are
10 based on rigorous academic content, sci-
11 entifically based research, including sci-
12 entifically based reading research, and
13 challenging State student academic content
14 standards;

15 “(ii) have innovative reforms to hold
16 institutions of higher education with teach-
17 er preparation programs accountable for
18 preparing teachers who are highly qualified
19 and have strong teaching skills; or

20 “(iii) have innovative efforts aimed at
21 reducing the shortage of highly qualified
22 teachers in high poverty urban and rural
23 areas; and

24 “(B) with respect to grants under section
25 203—

1 “(i) give priority to applications from
2 broad-based eligible partnerships that in-
3 volve businesses and community organiza-
4 tions; and

5 “(ii) take into consideration—

6 “(I) providing an equitable geo-
7 graphic distribution of the grants
8 throughout the United States; and

9 “(II) the potential of the pro-
10 posed activities for creating improve-
11 ment and positive change.

12 “(3) SECRETARIAL SELECTION.—The Secretary
13 shall determine, based on the peer review process,
14 which application shall receive funding and the
15 amounts of the grants. In determining grant
16 amounts, the Secretary shall take into account the
17 total amount of funds available for all grants under
18 this part and the types of activities proposed to be
19 carried out.

20 “(c) MATCHING REQUIREMENTS.—

21 “(1) STATE GRANTS.—Each eligible State re-
22 ceiving a grant under section 202 or 204 shall pro-
23 vide, from non-Federal sources, an amount equal to
24 50 percent of the amount of the grant (in cash or

1 in kind) to carry out the activities supported by the
2 grant.

3 “(2) PARTNERSHIP GRANTS.—Each eligible
4 partnership receiving a grant under section 203 or
5 204 shall provide, from non-Federal sources (in cash
6 or in kind), an amount equal to 25 percent of the
7 grant for the first year of the grant, 35 percent of
8 the grant for the second year of the grant, and 50
9 percent of the grant for each succeeding year of the
10 grant.

11 “(d) LIMITATION ON ADMINISTRATIVE EXPENSES.—
12 An eligible State or eligible partnership that receives a
13 grant under this part may not use more than 2 percent
14 of the grant funds for purposes of administering the grant.

15 **“SEC. 206. ACCOUNTABILITY AND EVALUATION.**

16 “(a) STATE GRANT ACCOUNTABILITY REPORT.—An
17 eligible State that receives a grant under section 202 shall
18 submit an annual accountability report to the Secretary
19 and the authorizing committees. Such report shall include
20 a description of the degree to which the eligible State, in
21 using funds provided under such section, has made sub-
22 stantial progress in meeting the following goals:

23 “(1) PERCENTAGE OF HIGHLY QUALIFIED
24 TEACHERS.—Increasing the percentage of highly
25 qualified teachers in the State as required by section

1 1119 of the Elementary and Secondary Education
2 Act of 1965 (20 U.S.C. 6319) and section 602 of
3 the Individuals with Disabilities Education Act (20
4 U.S.C. 1401).

5 “(2) STUDENT ACADEMIC ACHIEVEMENT.—In-
6 creasing student academic achievement for all stu-
7 dents, which may be measured through the use of
8 value-added assessments, as defined by the eligible
9 State.

10 “(3) RAISING STANDARDS.—Raising the State
11 academic standards required to enter the teaching
12 profession as a highly qualified teacher.

13 “(4) INITIAL CERTIFICATION OR LICENSURE.—
14 Increasing success in the pass rate for initial State
15 teacher certification or licensure, or increasing the
16 numbers of qualified individuals being certified or li-
17 censed as teachers through alternative routes to cer-
18 tification and licensure.

19 “(5) DECREASING TEACHER SHORTAGES.—De-
20 creasing shortages of highly qualified teachers in
21 poor urban and rural areas.

22 “(6) INCREASING OPPORTUNITIES FOR RE-
23 SEARCH-BASED PROFESSIONAL DEVELOPMENT.—In-
24 creasing opportunities for enhanced and ongoing
25 professional development that—

1 “(A) improves the academic content knowl-
2 edge of teachers in the subject areas in which
3 the teachers are certified or licensed to teach or
4 in which the teachers are working toward cer-
5 tification or licensure to teach; and

6 “(B) promotes strong teaching skills.

7 “(7) TECHNOLOGY INTEGRATION.—Increasing
8 the number of teachers prepared effectively to inte-
9 grate technology into curricula and instruction and
10 who use technology to collect, manage, and analyze
11 data to improve teaching, learning, decisionmaking,
12 and parental involvement for the purpose of increas-
13 ing student academic achievement.

14 “(b) ELIGIBLE PARTNERSHIP EVALUATION.—Each
15 eligible partnership applying for a grant under section 203
16 shall establish, and include in the application submitted
17 under section 203(c), an evaluation plan that includes
18 strong performance objectives. The plan shall include ob-
19 jectives and measures for—

20 “(1) increased student achievement for all stu-
21 dents, as measured by the partnership;

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

24 “(3) increased success in the pass rate for ini-
25 tial State certification or licensure of teachers;

1 “(4) increased percentage of highly qualified
2 teachers; and

3 “(5) increasing the number of teachers trained
4 effectively to integrate technology into curricula and
5 instruction and who use technology to collect, man-
6 age, and analyze data to improve teaching, learning,
7 and decisionmaking for the purpose of improving
8 student academic achievement.

9 “(c) REVOCATION OF GRANT.—

10 “(1) REPORT.—Each eligible State or eligible
11 partnership receiving a grant under section 202 or
12 203 shall report annually on the progress of the eli-
13 gible State or eligible partnership toward meeting
14 the purposes of this part and the goals, objectives,
15 and measures described in subsections (a) and (b).

16 “(2) REVOCATION.—

17 “(A) ELIGIBLE STATES AND ELIGIBLE AP-
18 PPLICANTS.—If the Secretary determines that an
19 eligible State or eligible applicant is not making
20 substantial progress in meeting the purposes,
21 goals, objectives, and measures, as appropriate,
22 by the end of the second year of a grant under
23 this part, then the grant payment shall not be
24 made for the third year of the grant.

1 “(B) ELIGIBLE PARTNERSHIPS.—If the
2 Secretary determines that an eligible partner-
3 ship is not making substantial progress in
4 meeting the purposes, goals, objectives, and
5 measures, as appropriate, by the end of the
6 third year of a grant under this part, then the
7 grant payments shall not be made for any suc-
8 ceeding year of the grant.

9 “(d) EVALUATION AND DISSEMINATION.—The Sec-
10 retary shall evaluate the activities funded under this part
11 and report annually the Secretary’s findings regarding the
12 activities to the authorizing committees. The Secretary
13 shall broadly disseminate successful practices developed by
14 eligible States and eligible partnerships under this part,
15 and shall broadly disseminate information regarding such
16 practices that were found to be ineffective.

17 **“SEC. 207. ACCOUNTABILITY FOR PROGRAMS THAT PRE-**
18 **PARE TEACHERS.**

19 “(a) STATE REPORT CARD ON THE QUALITY OF
20 TEACHER PREPARATION.—Each State that receives funds
21 under this Act shall provide to the Secretary annually, in
22 a uniform and comprehensible manner that conforms with
23 the definitions and methods established by the Secretary,
24 a State report card on the quality of teacher preparation
25 in the State, both for traditional certification or licensure

1 programs and for alternative certification or licensure pro-
2 grams, which shall include at least the following:

3 “(1) A description of the teacher certification
4 and licensure assessments, and any other certifi-
5 cation and licensure requirements, used by the
6 State.

7 “(2) The standards and criteria that prospec-
8 tive teachers must meet in order to attain initial
9 teacher certification or licensure and to be certified
10 or licensed to teach particular subjects or in par-
11 ticular grades within the State.

12 “(3) A description of the extent to which the
13 assessments and requirements described in para-
14 graph (1) are aligned with the State’s standards and
15 assessments for students.

16 “(4) The percentage of students who have com-
17 pleted at least 50 percent of the requirements for a
18 teacher preparation program at an institution of
19 higher education or alternative certification program
20 and who have taken and passed each of the assess-
21 ments used by the State for teacher certification and
22 licensure, and the passing score on each assessment
23 that determines whether a candidate has passed that
24 assessment.

1 “(5) For students who have completed at least
2 50 percent of the requirements for a teacher prepa-
3 ration program at an institution of higher education
4 or alternative certification program, and who have
5 taken and passed each of the assessments used by
6 the State for teacher certification and licensure,
7 each such institution’s and each such program’s av-
8 erage raw score, ranked by teacher preparation pro-
9 gram, which shall be made available widely and pub-
10 licly.

11 “(6) A description of each State’s alternative
12 routes to teacher certification, if any, and the num-
13 ber and percentage of teachers certified through
14 each alternative certification route who pass State
15 teacher certification or licensure assessments.

16 “(7) For each State, a description of proposed
17 criteria for assessing the performance of teacher
18 preparation programs in the State, including indica-
19 tors of teacher candidate skills, academic content
20 knowledge, and evidence of gains in student aca-
21 demic achievement.

22 “(8) For each teacher preparation program in
23 the State, the number of students in the program,
24 the number of minority students in the program, the
25 average number of hours of supervised practice

1 teaching required for those in the program, and the
2 number of full-time equivalent faculty and students
3 in supervised practice teaching.

4 “(b) REPORT OF THE SECRETARY ON THE QUALITY
5 OF TEACHER PREPARATION.—

6 “(1) REPORT CARD.—The Secretary shall pro-
7 vide to Congress, and publish and make widely avail-
8 able, a report card on teacher qualifications and
9 preparation in the United States, including all the
10 information reported in paragraphs (1) through (8)
11 of subsection (a). Such report shall identify which el-
12 igible States received a grant under this part, and
13 the States in which eligible partnerships receiving
14 grants are located. Such report shall be published
15 and made available annually.

16 “(2) REPORT TO CONGRESS.—The Secretary
17 shall report to Congress—

18 “(A) a comparison of States’ efforts to im-
19 prove teaching quality; and

20 “(B) regarding the national mean and me-
21 dian scores on any standardized test that is
22 used in more than one State for teacher certifi-
23 cation or licensure.

24 “(3) SPECIAL RULE.—In the case of programs
25 with fewer than 10 students who have completed at

1 least 50 percent of the requirements for a teacher
2 preparation program taking any single initial teacher
3 certification or licensure assessment during an aca-
4 demic year, the Secretary shall collect and publish
5 information with respect to an average pass rate on
6 State certification or licensure assessments taken
7 over a 3-year period.

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

14 “(d) INSTITUTION AND PROGRAM REPORT CARDS ON
15 QUALITY OF TEACHER PREPARATION.—

16 “(1) REPORT CARD.—Each institution of higher
17 education or alternative certification program that
18 conducts a teacher preparation program that enrolls
19 students receiving Federal assistance under this Act
20 shall report annually to the State and the general
21 public, in a uniform and comprehensible manner
22 that conforms with the definitions and methods es-
23 tablished by the Secretary, both for traditional cer-
24 tification or licensure programs and for alternative

1 certification or licensure programs, the following in-
2 formation:

3 “(A) PASS RATE.—(i) For the most recent
4 year for which the information is available, the
5 pass rate of each student who has completed at
6 least 50 percent of the requirements for the
7 teacher preparation program on the teacher cer-
8 tification or licensure assessments of the State
9 in which the institution is located, but only for
10 those students who took those assessments
11 within 3 years of receiving a degree from the
12 institution or completing the program.

13 “(ii) A comparison of the institution or
14 program’s pass rate for students who have com-
15 pleted at least 50 percent of the requirements
16 for the teacher preparation program with the
17 average pass rate for institutions and programs
18 in the State.

19 “(iii) A comparison of the institution or
20 program’s average raw score for students who
21 have completed at least 50 percent of the re-
22 quirements for the teacher preparation program
23 with the average raw scores for institutions and
24 programs in the State.

1 “(iv) In the case of programs with fewer
2 than 10 students who have completed at least
3 50 percent of the requirements for a teacher
4 preparation program taking any single initial
5 teacher certification or licensure assessment
6 during an academic year, the institution shall
7 collect and publish information with respect to
8 an average pass rate on State certification or li-
9 censure assessments taken over a 3-year period.

10 “(B) PROGRAM INFORMATION.—The num-
11 ber of students in the program, the average
12 number of hours of supervised practice teaching
13 required for those in the program, and the
14 number of full-time equivalent faculty and stu-
15 dents in supervised practice teaching.

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

21 “(D) DESIGNATION AS LOW-PER-
22 FORMING.—Whether the program has been des-
23 ignated as low-performing by the State under
24 section 208(a).

1 “(2) REQUIREMENT.—The information de-
2 scribed in paragraph (1) shall be reported through
3 publications such as school catalogs and promotional
4 materials sent to potential applicants, secondary
5 school guidance counselors, and prospective employ-
6 ers of the institution’s program graduates, including
7 materials sent by electronic means.

8 “(3) FINES.—In addition to the actions author-
9 ized in section 487(c), the Secretary may impose a
10 fine not to exceed \$25,000 on an institution of high-
11 er education for failure to provide the information
12 described in this subsection in a timely or accurate
13 manner.

14 “(e) DATA QUALITY.—Either—

15 “(1) the Governor of the State; or

16 “(2) in the case of a State for which the con-
17 stitution or law of such State designates another in-
18 dividual, entity, or agency in the State to be respon-
19 sible for teacher certification and preparation activ-
20 ity, such individual, entity, or agency;

21 shall attest annually, in writing, as to the reliability, valid-
22 ity, integrity, and accuracy of the data submitted pursuant
23 to this section.

1 **“SEC. 208. STATE FUNCTIONS.**

2 “(a) STATE ASSESSMENT.—In order to receive funds
3 under this Act, a State shall have in place a procedure
4 to identify and assist, through the provision of technical
5 assistance, low-performing programs of teacher prepara-
6 tion within institutions of higher education. Such State
7 shall provide the Secretary an annual list of such low-per-
8 forming institutions that includes an identification of
9 those institutions at risk of being placed on such list. Such
10 levels of performance shall be determined solely by the
11 State and may include criteria based upon information col-
12 lected pursuant to this part. Such assessment shall be de-
13 scribed in the report under section 207(a). A State receiv-
14 ing Federal funds under this title shall develop plans to
15 close or reconstitute underperforming programs of teacher
16 preparation within institutions of higher education.

17 “(b) TERMINATION OF ELIGIBILITY.—Any institu-
18 tion of higher education that offers a program of teacher
19 preparation in which the State has withdrawn the State’s
20 approval or terminated the State’s financial support due
21 to the low performance of the institution’s teacher prepa-
22 ration program based upon the State assessment described
23 in subsection (a)—

24 “(1) shall be ineligible for any funding for pro-
25 fessional development activities awarded by the De-
26 partment of Education; and

1 “(2) shall not be permitted to accept or enroll
2 any student who receives aid under title IV of this
3 Act in the institution’s teacher preparation program.

4 **“SEC. 209. GENERAL PROVISIONS.**

5 “(a) METHODS.—In complying with sections 207 and
6 208, the Secretary shall ensure that States and institu-
7 tions of higher education use fair and equitable methods
8 in reporting and that the reporting methods do not allow
9 identification of individuals.

10 “(b) SPECIAL RULE.—For each State in which there
11 are no State certification or licensure assessments, or for
12 States that do not set minimum performance levels on
13 those assessments—

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

20 “(2) notwithstanding any other provision of this
21 part, the Secretary shall use such data to carry out
22 requirements of this part related to assessments or
23 pass rates.

24 “(c) LIMITATIONS.—

1 “(1) FEDERAL CONTROL PROHIBITED.—Noth-
2 ing in this part shall be construed to permit, allow,
3 encourage, or authorize any Federal control over any
4 aspect of any private, religious, or home school,
5 whether or not a home school is treated as a private
6 school or home school under State law. This section
7 shall not be construed to prohibit private, religious,
8 or home schools from participation in programs or
9 services under this part.

10 “(2) NO CHANGE IN STATE CONTROL ENCOUR-
11 AGED OR REQUIRED.—Nothing in this part shall be
12 construed to encourage or require any change in a
13 State’s treatment of any private, religious, or home
14 school, whether or not a home school is treated as
15 a private school or home school under State law.

16 “(3) NATIONAL SYSTEM OF TEACHER CERTIFI-
17 CATION PROHIBITED.—Nothing in this part shall be
18 construed to permit, allow, encourage, or authorize
19 the Secretary to establish or support any national
20 system of teacher certification.

21 **“SEC. 210. AUTHORIZATION OF APPROPRIATIONS.**

22 “‘There are authorized to be appropriated to carry out
23 this part \$300,000,000 for fiscal year 2007 and such sums
24 as may be necessary for each of the 5 succeeding fiscal
25 years, of which—

1 “(1) 45 percent shall be available for each fiscal
2 year to award grants under section 202;

3 “(2) 45 percent shall be available for each fiscal
4 year to award grants under section 203; and

5 “(3) 10 percent shall be available for each fiscal
6 year to award grants under section 204.”.

7 **SEC. 202. PREPARING TOMORROW’S TEACHERS TO USE**
8 **TECHNOLOGY.**

9 (a) **ELIGIBILITY.**—Section 222(a)(3)(D) (20 U.S.C.
10 1042(a)(3)(D)) is amended by inserting “nonprofit tele-
11 communications entity,” after “community-based organi-
12 zation,”.

13 (b) **PERMISSIBLE USES OF FUNDS.**—Section
14 223(b)(1)(E) of the Higher Education Act of 1965 (20
15 U.S.C. 1043(b)(1)(E)) is amended to read as follows:

16 “(E) to use technology to collect, manage,
17 and analyze data to improve teaching, learning,
18 and decisionmaking for the purpose of increas-
19 ing student academic achievement.”.

20 (c) **AUTHORIZATION OF APPROPRIATIONS.**—Section
21 224 (20 U.S.C. 1044) is amended by striking “each of
22 fiscal years 2002 and 2003.” and inserting “fiscal year
23 2007 and each of the 5 succeeding fiscal years.”.

1 **SEC. 203. CENTERS OF EXCELLENCE.**

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

4 **“PART C—CENTERS OF EXCELLENCE**

5 **“SEC. 231. PURPOSES; DEFINITIONS.**

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

7 “(1) to help recruit and prepare teachers, in-
8 cluding minority teachers, to meet the national de-
9 mand for a highly qualified teacher in every class-
10 room; and

11 “(2) to increase opportunities for Americans of
12 all educational, ethnic, class, and geographic back-
13 grounds to become highly qualified teachers.

14 “(b) DEFINITIONS.—As used in this part:

15 “(1) ELIGIBLE INSTITUTION.—The term ‘eligi-
16 ble institution’ means—

17 “(A) an institution of higher education
18 that has a teacher preparation program that
19 meets the requirements of section 203(b)(2)
20 and that is—

21 “(i) a part B institution (listed in sec-
22 tion 322);

23 “(ii) a Hispanic-serving institution (as
24 defined in section 502);

25 “(iii) a Tribal College or University
26 (as listed in 316);

1 “(iv) an Alaska Native-serving institu-
2 tion (as defined in section 317(b)); or

3 “(v) a Native Hawaiian-serving insti-
4 tution (as defined in section 317(b));

5 “(B) a consortium of institutions described
6 in subparagraph (A); or

7 “(C) an institution described in subpara-
8 graph (A), or a consortium described in sub-
9 paragraph (B), in partnership with any other
10 institution of higher education, but only if the
11 center of excellence established under section
12 232 is located at an institution described in
13 subparagraph (A).

14 “(2) HIGHLY QUALIFIED.—The term ‘highly
15 qualified’ when used with respect to an individual
16 means that the individual is highly qualified as de-
17 termined under section 9101 of the Elementary and
18 Secondary Education Act of 1965 (20 U.S.C. 7801)
19 or section 602 of the Individuals with Disabilities
20 Education Act (20 U.S.C. 1401).

21 “(3) SCIENTIFICALLY BASED READING RE-
22 SEARCH.—The term ‘scientifically based reading re-
23 search’ has the meaning given such term in section
24 1208 of the Elementary and Secondary Education
25 Act of 1965 (20 U.S.C. 6368).

1 “(4) SCIENTIFICALLY BASED RESEARCH.—The
2 term ‘scientifically based research’ has the meaning
3 given such term in section 9101 of the Elementary
4 and Secondary Education Act of 1965 (20 U.S.C.
5 7801).

6 **“SEC. 232. CENTERS OF EXCELLENCE.**

7 “(a) PROGRAM AUTHORIZED.—From the amounts
8 appropriated to carry out this part, the Secretary is au-
9 thorized to award competitive grants to eligible institu-
10 tions to establish centers of excellence.

11 “(b) USE OF FUNDS.—Grants provided by the Sec-
12 retary under this part shall be used to ensure that current
13 and future teachers are highly qualified, by carrying out
14 one or more of the following activities:

15 “(1) Implementing reforms within teacher prep-
16 aration programs to ensure that such programs are
17 preparing teachers who are highly qualified, are able
18 to understand scientifically based research, and are
19 able to use advanced technology effectively in the
20 classroom, including use for instructional techniques
21 to improve student academic achievement, by—

22 “(A) retraining faculty; and

23 “(B) designing (or redesigning) teacher
24 preparation programs that—

1 “(i) prepare teachers to close student
2 achievement gaps, are based on rigorous
3 academic content, scientifically based re-
4 search (including scientifically based read-
5 ing research), and challenging State stu-
6 dent academic content standards; and

7 “(ii) promote strong teaching skills.

8 “(2) Providing sustained and high-quality
9 preservice clinical experience, including the men-
10 toring of prospective teachers by exemplary teachers,
11 substantially increasing interaction between faculty
12 at institutions of higher education and new and ex-
13 perienced teachers, principals, and other administra-
14 tors at elementary schools or secondary schools, and
15 providing support, including preparation time, for
16 such interaction.

17 “(3) Developing and implementing initiatives to
18 promote retention of highly qualified teachers and
19 principals, including minority teachers and prin-
20 cipals, including programs that provide—

21 “(A) teacher or principal mentoring from
22 exemplary teachers or principals; or

23 “(B) induction and support for teachers
24 and principals during their first 3 years of em-
25 ployment as teachers or principals, respectively.

1 “(4) Awarding scholarships based on financial
2 need to help students pay the costs of tuition, room,
3 board, and other expenses of completing a teacher
4 preparation program.

5 “(5) Disseminating information on effective
6 practices for teacher preparation and successful
7 teacher certification and licensure assessment prepa-
8 ration strategies.

9 “(6) Activities authorized under sections 202,
10 203, and 204.

11 “(c) APPLICATION.—Any eligible institution desiring
12 a grant under this section shall submit an application to
13 the Secretary at such a time, in such a manner, and ac-
14 companied by such information the Secretary may require.

15 “(d) MINIMUM GRANT AMOUNT.—The minimum
16 amount of each grant under this part shall be \$500,000.

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

21 “(f) REGULATIONS.—The Secretary shall prescribe
22 such regulations as may be necessary to carry out this
23 part.

1 **“SEC. 233. AUTHORIZATION OF APPROPRIATIONS.**

2 “There are authorized to be appropriated to carry out
3 this part \$10,000,000 for fiscal year 2007 and such sums
4 as may be necessary for each of the 5 succeeding fiscal
5 years.”.

6 **SEC. 204. TEACHER INCENTIVE FUND PROGRAM.**

7 Title II (20 U.S.C. 1021 et seq.), as amended by sec-
8 tion 203 of this Act, is further amended by adding at the
9 end the following:

10 **“PART D—TEACHER INCENTIVE FUND PROGRAM**

11 **“SEC. 241. PURPOSE; DEFINITIONS.**

12 “(a) PURPOSE.—The purpose of this part is to assist
13 States, local educational agencies, and non-profit or for-
14 profit organizations to develop and implement, or expand,
15 innovative compensation systems to provide financial re-
16 wards for teachers and principals who raise student aca-
17 demic achievement and close the achievement gap, espe-
18 cially in the highest-need local educational agencies.

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

20 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-
21 tity’ means—

22 “(A) a local educational agency, including
23 a charter school that is a local educational
24 agency;

1 “(B) a State educational agency, or other
2 State agency designated by the chief executive
3 of the State; or

4 “(C) a partnership of—

5 “(i) one or more agencies described in
6 subparagraph (A) or (B), or both; and

7 “(ii) at least one non-profit or for-
8 profit organization.

9 “(2) HIGH-NEED LOCAL EDUCATIONAL AGEN-
10 CY.—The term ‘high-need local educational agency’
11 has the meaning given that term in section 201.

12 **“SEC. 242. TEACHER INCENTIVE FUND GRANTS.**

13 “(a) PROGRAM AUTHORIZED.—

14 “(1) IN GENERAL.—From the amounts appro-
15 priated to carry out this part, the Secretary is au-
16 thorized to award competitive grants of up to 5
17 years in length to eligible entities to develop and im-
18 plement, or expand, a comprehensive performance-
19 based compensation system for teachers and prin-
20 cipals for one or more local educational agencies.

21 “(2) COMPREHENSIVE PERFORMANCE-BASED
22 COMPENSATION SYSTEMS.—A comprehensive per-
23 formance-based compensation system developed and
24 implemented, or expanded with funds under this
25 part—

1 “(A) shall differentiate levels of compensa-
2 tion primarily on the basis of increases in stu-
3 dent academic achievement; and

4 “(B) may—

5 “(i) differentiate levels of compensa-
6 tion on the basis of high-quality teachers’
7 and principals’ employment and success in
8 hard-to-staff schools or high-need subject
9 areas; and

10 “(ii) recognize teachers’ and prin-
11 cipals’ skills and knowledge as dem-
12 onstrated through—

13 “(I) successful fulfillment of ad-
14 ditional responsibilities or job func-
15 tions; and

16 “(II) evidence of high achieve-
17 ment and mastery of content knowl-
18 edge and teaching skills.

19 “(b) USE OF FUNDS.—A grantee shall use grant
20 funds provided under this part only to design and imple-
21 ment, or expand, in collaboration with teachers, principals,
22 other school administrators, and members of the public,
23 a compensation system consistent with the requirements
24 of this part. Authorized activities under this part may in-
25 clude the following:

1 “(1) Developing appraisal systems that reflect
2 clear and fair measures of student academic achieve-
3 ment.

4 “(2) Conducting outreach within the local edu-
5 cational agency (or agencies) or the State to gain
6 input on how to construct the appraisal system and
7 to develop support for it.

8 “(3) Paying, as part of a comprehensive per-
9 formance-based compensation system, bonuses and
10 increased salaries to teachers and principals who
11 raise student academic achievement, so long as the
12 grantee uses an increasing share of non-Federal
13 funds to pay these monetary rewards each year of
14 the grant.

15 “(4) Paying, as part of a comprehensive per-
16 formance-based compensation system, additional bo-
17 nuses to teachers who both raise student academic
18 achievement and either teach in high-poverty schools
19 or teach subjects that are difficult to staff, or both,
20 so long as the grantee uses an increasing share of
21 non-Federal funds to pay these monetary rewards
22 each year of the grant.

23 “(5) Paying, as part of a comprehensive per-
24 formance-based compensation system, additional bo-
25 nuses to principals who both raise student academic

1 achievement and serve in high-poverty schools, so
2 long as the grantee uses an increasing share of non-
3 Federal funds to pay these monetary rewards each
4 year of the grant.

5 “(c) APPLICATIONS.—To be eligible to receive a grant
6 under this part, an eligible entity shall submit an applica-
7 tion that includes—

8 “(1) a description of the local educational agen-
9 cy or local educational agencies to be served by the
10 project, including such demographic information as
11 the Secretary may request;

12 “(2) information on student academic achieve-
13 ment and the quality of the teachers and principals
14 in the local educational agency or agencies to be
15 served by the project;

16 “(3) a description of the performance-based
17 teacher and principal compensation system that the
18 applicant proposes to develop and implement or ex-
19 pand;

20 “(4) a description of how the applicant will use
21 grant funds under this part in each year of the
22 grant;

23 “(5) an explanation of how the applicant will
24 meet the requirement in subsection (b)(3) and how

1 the grantee will continue its performance-based com-
2 pensation system after the grant ends;

3 “(6) a description of the support and commit-
4 ment from teachers, the community or local edu-
5 cational agency or agencies for the development and
6 implementation, or expansion, of a performance-
7 based teacher and principal compensation system;

8 “(7) a description of how teacher, principal and
9 student performance will be measured and the base-
10 line measurement units; and

11 “(8) a description, if applicable, of how the ap-
12 plicant will define the term ‘high-quality’ for the
13 purposes of subsection (a)(2)(B)(i), through the use
14 of measurable indicators, such as effectiveness in
15 raising student academic achievement, or dem-
16 onstrated mastery of subject matter knowledge.

17 “(d) PRIORITY.—The Secretary shall give priority to
18 applications for projects that would establish comprehen-
19 sive performance-based compensation systems in high-
20 need local educational agencies.

21 **“SEC. 243. EVALUATIONS.**

22 “The Secretary shall conduct an independent evalua-
23 tion of the program under this part and may use up to
24 1 percent of the funds made available under this part or

1 \$1,000,000, whichever is less, for any fiscal year for the
2 cost of the evaluation.

3 **“SEC. 244. AUTHORIZATION OF APPROPRIATIONS.**

4 “There are authorized to be appropriated to carry out
5 this part \$100,000,000 for fiscal year 2007 and such sums
6 as may be necessary for each of the 5 succeeding fiscal
7 years.”.

8 **SEC. 205. NATIONAL TEACHER CORPS.**

9 Title II (20 U.S.C. 1021 et seq.), as amended by sec-
10 tion 204 of this Act, is further amended by adding at the
11 end the following:

12 **“PART E—NATIONAL TEACHER CORPS**

13 **“SEC. 251. PURPOSES.**

14 “The purposes of this part are—

15 “(1) to raise the number of highly accomplished
16 recent college graduates teaching in underserved
17 urban and rural communities in the United States;

18 “(2) to increase the number of school districts
19 and communities served by a nationally recruited
20 corps of outstanding new teachers; and

21 “(3) to build a broader pipeline of talented and
22 experienced future leaders in public education and
23 education reform.

24 **“SEC. 252. DEFINITIONS.**

25 “In this part:

1 “(1) IN GENERAL.—The terms ‘highly quali-
2 fied’, ‘local educational agency’, and ‘Secretary’ have
3 the meanings given the terms in section 9101 of the
4 Elementary and Secondary Education Act of 1965
5 (20 U.S.C. 7801).

6 “(2) HIGH NEED.—The term ‘high need’, when
7 used with respect to a local educational agency,
8 means a local educational agency experiencing a
9 shortage of highly qualified teachers, as determined
10 by the Secretary.

11 **“SEC. 253. GRANT PROGRAM AUTHORIZED.**

12 “The Secretary is authorized to award a grant to a
13 highly-selective national teacher corps to implement and
14 expand its program of recruiting, selecting, training, and
15 supporting new teachers. The grantee shall be a highly-
16 selective national teacher corps that—

17 “(1) focuses a national recruitment effort on re-
18 cent college graduates from all academic majors;

19 “(2) trains such graduates through intensive
20 summer institutes;

21 “(3) places such graduates as teachers in public
22 schools in school districts of high need local edu-
23 cational agencies in urban and rural communities
24 across multiple States; and

1 “(4) supports and measures the progress of
2 such teachers through intensive professional develop-
3 ment.

4 **“SEC. 254. GRANT REQUIREMENTS.**

5 “‘In carrying out the grant program under this part,
6 the Secretary shall enter into an agreement with the
7 grantee under which the grantee agrees to use the grant
8 funds—

9 “(1) to provide highly qualified teachers to high
10 need local educational agencies in urban and rural
11 communities;

12 “(2) to pay the cost of recruiting, selecting,
13 training, and supporting new teachers; and

14 “(3) to serve a substantial number and percent-
15 age of underserved students.

16 **“SEC. 255. AUTHORIZED ACTIVITIES.**

17 “Grant funds provided under this part shall be used
18 by the grantee to carry out each of the following activities:

19 “(1) Recruiting and selecting teachers through
20 a highly-selective national process.

21 “(2) Providing preservice training to selected
22 teachers through a rigorous summer institute that
23 includes hands-on teaching experience and signifi-
24 cant exposure to education coursework and theory.

1 “(3) Placing selected teachers in schools and
2 positions in high need local education agencies that
3 serve a high percentage of low-income students.

4 “(4) Providing ongoing professional develop-
5 ment activities for the selected teachers in the class-
6 room, including regular classroom observations and
7 feedback, and ongoing training and support.

8 **“SEC. 256. EVALUATION.**

9 “(a) ANNUAL REPORT.—The grantee shall provide to
10 the Secretary an annual report that includes—

11 “(1) data on the number and quality of the
12 teachers provided to local educational agencies
13 through the grant under this part;

14 “(2) an externally conducted analysis of the
15 satisfaction of local educational agencies and prin-
16 cipals with the teachers so provided; and

17 “(3) comprehensive data on the background of
18 the selected teachers, the training such teachers re-
19 ceived, the placement sites of the teachers, the pro-
20 fessional development of the teachers, and the reten-
21 tion of the teachers.

22 “(b) STUDY.—The Secretary shall provide for a study
23 comparing the academic achievement of students taught
24 by the teachers selected, trained, and placed under this
25 part with the academic achievement of students taught by

1 other teachers in the same schools and positions. The Sec-
2 retary shall provide for such a study not less than once
3 every 3 years, and each such study shall include multiple
4 local education agencies. Each such study shall meet the
5 peer-review standards of the education research commu-
6 nity.

7 **“SEC. 257. AUTHORIZATION OF APPROPRIATIONS.**

8 “There are authorized to be appropriated to carry out
9 this part \$12,000,000 for fiscal year 2007 and such sums
10 as may be necessary for each succeeding fiscal year.”.

11 **SEC. 206. TRANSITION.**

12 The Secretary of Education shall take such actions
13 as the Secretary determines to be appropriate to provide
14 for the orderly implementation of this title.

15 **TITLE III—INSTITUTIONAL AID**

16 **SEC. 301. TITLE III GRANTS FOR AMERICAN INDIAN TRIB-**
17 **ALLY CONTROLLED COLLEGES AND UNIVER-**
18 **SITIES.**

19 (a) **ELIGIBLE INSTITUTIONS.**—Subsection (b) of sec-
20 tion 316 (20 U.S.C. 1059c(b)) is amended to read as fol-
21 lows:

22 “(b) **DEFINITIONS.**—

23 “(1) **ELIGIBLE INSTITUTIONS.**—For purposes
24 of this section, Tribal Colleges and Universities are
25 the following:

1 “(A) any of the following institutions that
2 qualify for funding under the Tribally Con-
3 trolled College or University Assistance Act of
4 1978 or is listed in the Equity in Educational
5 Land-Grant Status Act of 1994 (7 U.S.C. 301
6 note): Bay Mills Community College; Blackfeet
7 Community College; Cankdeska Cikana Com-
8 munity College; Chief Dull Knife College; Col-
9 lege of Menominee Nation; Crownpoint Insti-
10 tute of Technology; Diné College; D–Q Univer-
11 sity; Fond du Lac Tribal and Community Col-
12 lege; Fort Belknap College; Fort Berthold Com-
13 munity College; Fort Peck Community College;
14 Haskell Indian Nations University; Institute of
15 American Indian and Alaska Native Culture
16 and Arts Development; Lac Courte Oreilles
17 Ojibwa Community College; Leech Lake Tribal
18 College; Little Big Horn College; Little Priest
19 Tribal College; Nebraska Indian Community
20 College; Northwest Indian College; Oglala
21 Lakota College; Saginaw Chippewa Tribal Col-
22 lege; Salish Kootenai College; Si Tanka Univer-
23 sity—Eagle Butte Campus; Sinte Gleska Uni-
24 versity; Sisseton Wahpeton Community College;
25 Sitting Bull College; Southwestern Indian Poly-

1 technic Institute; Stone Child College; Tohono
2 O’odham Community College; Turtle Mountain
3 Community College; United Tribes Technical
4 College; and White Earth Tribal and Commu-
5 nity College; and

6 “(B) any other institution of higher edu-
7 cation that meets the definition of tribally con-
8 trolled college or university in section 2 of the
9 Tribally Controlled College or University Assist-
10 ance Act of 1978, and meets all other require-
11 ments of this section.

12 “(2) INDIAN.—The term ‘Indian’ has the mean-
13 ing given the term in section 2 of the Tribally Con-
14 trolled College or University Assistance Act of
15 1978.”.

16 (b) DISTANCE LEARNING.—Subsection (c)(2) of such
17 section is amended—

18 (1) by amending subparagraph (B) to read as
19 follows:

20 “(B) construction, maintenance, renova-
21 tion, and improvement in classrooms, libraries,
22 laboratories, and other instructional facilities,
23 including purchase or rental of telecommuni-
24 cations technology equipment or services, and
25 the acquisition of real property adjacent to the

1 campus of the institution on which to construct
2 such facilities;”;

3 (2) in subparagraph (C), by inserting before the
4 semicolon at the end the following: “, or advanced
5 degrees in tribal governance or tribal public policy”;

6 (3) in subparagraph (D), by inserting before
7 the semicolon at the end the following: “, in tribal
8 governance, or in tribal public policy”;

9 (4) by striking “and” at the end of subpara-
10 graph (K);

11 (5) by redesignating subparagraph (L) as sub-
12 paragraph (M); and

13 (6) by inserting after subparagraph (K) the fol-
14 lowing new subparagraph:

15 “(L) developing or improving facilities for
16 Internet use or other distance learning aca-
17 demic instruction capabilities; and”.

18 (c) APPLICATION AND ALLOTMENT.—Subsection (d)
19 of such section is amended to read as follows:

20 “(d) APPLICATION AND ALLOTMENT.—

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

1 “(2) APPLICATION.—Any Tribal College or Uni-
2 versity desiring to receive assistance under this sec-
3 tion shall submit an application to the Secretary at
4 such time, and in such manner, as the Secretary
5 may reasonably require.

6 “(3) ALLOTMENTS TO INSTITUTIONS.—

7 “(A) ALLOTMENT: PELL GRANT BASIS.—

8 From the amount appropriated to carry out
9 this section for any fiscal year, the Secretary
10 shall allot to each eligible institution a sum
11 which bears the same ratio to one-half that
12 amount as the number of Pell Grant recipients
13 in attendance at such institution at the end of
14 the award year preceding the beginning of that
15 fiscal year bears to the total number of Pell
16 Grant recipients at all eligible institutions.

17 “(B) ALLOTMENT: DEGREE AND CERTIFI-

18 CATE BASIS.—From the amount appropriated
19 to carry out this section for any fiscal year, the
20 Secretary shall allot to each eligible institution
21 a sum which bears the same ratio to one-half
22 that amount as the number of degrees or cer-
23 tificates awarded by such institution during the
24 preceding academic year bears to the total num-

1 ber of degrees or certificates awarded by all eli-
2 gible institutions.

3 “(C) MINIMUM GRANT.—Notwithstanding
4 subparagraphs (A) and (B), the amount allot-
5 ted to each institution under this section shall
6 not be less than \$500,000.

7 “(4) SPECIAL RULES.—

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

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

17 **SEC. 302. ALASKA NATIVE AND NATIVE HAWAIIAN-SERVING**
18 **INSTITUTIONS.**

19 (a) DISTANCE LEARNING.—Section 317(c)(2) (20
20 U.S.C. 1059d(c)(2)) is amended—

21 (1) by amending subparagraph (B) to read as
22 follows:

23 “(B) construction, maintenance, renova-
24 tion, and improvement in classrooms, libraries,
25 laboratories, and other instructional facilities,

1 including purchase or rental of telecommuni-
2 cations technology equipment or services, and
3 the acquisition of real property adjacent to the
4 campus of the institution on which to construct
5 such facilities;”;

6 (2) in subparagraph (C), by inserting before the
7 semicolon at the end the following: “, or advanced
8 degrees in tribal governance or tribal public policy”;

9 (3) in subparagraph (D), by inserting before
10 the semicolon at the end the following: “, in tribal
11 governance, or tribal public policy”;

12 (4) by striking “and” at the end of subpara-
13 graph (G);

14 (5) by striking the period at the end of sub-
15 paragraph (H) and inserting a semicolon; and

16 (6) by inserting after subparagraph (H) the fol-
17 lowing new subparagraph:

18 “(I) development or improvement of facili-
19 ties for Internet use or other distance learning
20 academic instruction capabilities; and”.

21 (b) ENDOWMENT FUNDS.—Section 317(c) is further
22 amended by adding at the end the following new para-
23 graph:

24 “(3) ENDOWMENT FUNDS.—

1 “(A) IN GENERAL.—An Alaska Native-
2 serving institution or Native Hawaiian-serving
3 institution may use not more than 20 percent
4 of the grant funds provided under this section
5 to establish or increase an endowment fund at
6 the institution.

7 “(B) MATCHING REQUIREMENT.—In order
8 to be eligible to use grant funds in accordance
9 with subparagraph (A), the institution shall
10 provide to the endowment fund from non-Fed-
11 eral funds an amount equal to the Federal
12 funds used in accordance with subparagraph
13 (A), for the establishment or increase of the en-
14 dowment fund.

15 “(C) APPLICABILITY OF OTHER PROVI-
16 SIONS.—The provisions of part C regarding the
17 establishment or increase of an endowment
18 fund, that the Secretary determines are not in-
19 consistent with this paragraph, shall apply to
20 funds used under subparagraph (A).”.

21 (c) APPLICATION PROCESS.—Section 317(d)(2) is
22 amended by striking everything after the first sentence.

23 **SEC. 303. GRANTS TO PART B INSTITUTIONS.**

24 (a) USE OF FUNDS.—

25 (1) FACILITIES AND EQUIPMENT.—

1 (A) UNDERGRADUATE INSTITUTIONS.—

2 Paragraph (2) of section 323(a) (20 U.S.C.
3 1062(a)) is amended to read as follows:

4 “(2) Construction, maintenance, renovation,
5 and improvement in classrooms, libraries, labora-
6 tories, and other instructional facilities, including de-
7 velopment or improvement of facilities for Internet
8 use or other distance learning academic instruction
9 capabilities and purchase or rental of telecommuni-
10 cations technology equipment or services, and the
11 acquisition of real property adjacent to the campus
12 of the institution on which to construct such facili-
13 ties.”.

14 (B) GRADUATE AND PROFESSIONAL

15 SCHOOLS.—Paragraph (2) of section 326(c) (20
16 U.S.C. 1063b(c)) is amended to read as follows:

17 “(2) construction, maintenance, renovation, and
18 improvement in classrooms, libraries, laboratories,
19 and other instructional facilities, including purchase
20 or rental of telecommunications technology equip-
21 ment or services, and the acquisition of real property
22 adjacent to the campus of the institution on which
23 to construct such facilities;”.

1 (2) OUTREACH AND COLLABORATION.—Para-
2 graph (11) of section 323(a) (20 U.S.C. 1062(a)) is
3 amended to read as follows:

4 “(11) Establishing community outreach pro-
5 grams and collaborative partnerships between part B
6 institutions and local elementary or secondary
7 schools. Such partnerships may include mentoring,
8 tutoring, or other instructional opportunities that
9 will boost student academic achievement and assist
10 elementary and secondary school students in devel-
11 oping the academic skills and the interest to pursue
12 postsecondary education.”.

13 (b) TECHNICAL ASSISTANCE.—Section 323 (20
14 U.S.C. 1062) is amended—

15 (1) by redesignating subsection (c) as sub-
16 section (d); and

17 (2) by inserting after subsection (b) the fol-
18 lowing new subsection:

19 “(c) TECHNICAL ASSISTANCE.—

20 “(1) IN GENERAL.—An institution may not use
21 more than 2 percent of the grant funds provided
22 under this part to secure technical assistance.

23 “(2) TECHNICAL ASSISTANCE.—Technical as-
24 sistance may include assistance with enrollment

1 management, financial management, and strategic
2 planning.

3 “(3) REPORT.—The institution shall report to
4 the Secretary on an annual basis, in such form as
5 the Secretary requires, on the use of funds under
6 this subsection.”.

7 (c) MINIMUM GRANTS.—Section 324(d)(1) (20
8 U.S.C. 1063(d)(1)) is amended by inserting before the pe-
9 riod at the end the following: “, except that, if the amount
10 appropriated to carry out this part for any fiscal year ex-
11 ceeds the amount needed to provide to each institution an
12 amount equal to the total amount received by such institu-
13 tion under subsections (a), (b), and (c) for the preceding
14 fiscal year, then the amount of such excess appropriation
15 shall first be applied to increase the minimum allotment
16 under this subsection to \$750,000”.

17 (d) ELIGIBLE GRADUATE OR PROFESSIONAL
18 SCHOOLS.—

19 (1) GENERAL AUTHORITY.—Section 326(a)(1)
20 (20 U.S.C. 1063b(a)(1)) is amended—

21 (A) by inserting “(A)” after “subsection
22 (e) that”; and

23 (B) by inserting before the period at the
24 end the following: “, (B) is accredited by a na-
25 tionally recognized accrediting agency or asso-

1 ciation determined by the Secretary to be a reli-
2 able authority as to the quality of training of-
3 fered, and (C) according to such an agency or
4 association, is in good standing”.

5 (2) ELIGIBLE INSTITUTIONS.—Section
6 326(e)(1) (20 U.S.C. 1063b(e)(1)) is amended—

7 (A) by striking “and” at the end of sub-
8 paragraph (Q);

9 (B) by striking the period at the end of
10 subparagraph (R) and inserting a semicolon;
11 and

12 (C) by adding at the end the following new
13 subparagraphs:

14 “(S) Alabama State University qualified
15 graduate program;

16 “(T) Prairie View A & M University quali-
17 fied graduate program;

18 “(U) Coppin State University qualified
19 graduate program;

20 “(V) Delaware State University qualified
21 graduate program;

22 “(W) Langston University qualified grad-
23 uate program;

24 “(X) West Virginia State University quali-
25 fied graduate program; and

1 “(Y) Fayetteville State University qualified
2 graduate program.”.

3 (3) CONFORMING AMENDMENT.—Section
4 326(e)(3) (20 U.S.C. 1063b(e)(3)) is amended—

5 (A) by striking “1998” and inserting
6 “2006”; and

7 (B) by striking “(Q) and (R)” and insert-
8 ing “(S) through (Y)”.

9 (e) PROFESSIONAL OR GRADUATE INSTITUTIONS.—
10 Section 326(f) (20 U.S.C. 1063b(f)) is amended—

11 (1) in paragraph (1)—

12 (A) by striking “\$26,600,000” and insert-
13 ing “\$54,500,000”; and

14 (B) by striking “(P)” and inserting “(R)”;

15 (2) in paragraph (2)—

16 (A) by striking “\$26,600,000, but not in
17 excess of \$28,600,000” and inserting
18 “\$54,500,000, but not in excess of
19 \$58,500,000”; and

20 (B) by striking “subparagraphs (Q) and
21 (R)” and inserting “subparagraphs (S) through
22 (Y)”;

23 (3) in paragraph (3)—

24 (A) by striking “\$28,600,000” and insert-
25 ing “\$58,500,000”; and

1 (B) by striking “(R)” and inserting “(Y)”.

2 (f) HOLD HARMLESS.—Section 326(g) (20 U.S.C.
3 1063b(g)) is amended by striking “1998” each place it
4 appears and inserting “2005”.

5 **SEC. 304. TECHNICAL AMENDMENTS.**

6 (a) AMENDMENTS.—Title III is further amended—

7 (1) in section 311(c) (20 U.S.C. 1057(c))—

8 (A) by redesignating paragraphs (7)
9 through (12) as paragraphs (8) through (13),
10 respectively; and

11 (B) by inserting after paragraph (6) the
12 following:

13 “(7) Education or counseling services designed
14 to improve the financial literacy and economic lit-
15 eracy of students and, as appropriate, their par-
16 ents.”;

17 (2) in section 312(b)(1)(A) (20 U.S.C.
18 1058(b)(1)(A)), by striking “subsection (c)” and in-
19 serting “subsection (d)”;

20 (3) in section 312(b)(1)(F) (20 U.S.C.
21 1058(b)(1)(F)), by inserting “which is” before “lo-
22 cated”;

23 (4) in section 312(b)(1) (20 U.S.C.
24 1058(b)(1)), by redesignating subparagraphs (E)
25 and (F) as subparagraphs (F) and (G), respectively,

1 and by inserting after subparagraph (D) the fol-
2 lowing new subparagraph:

3 “(E) which provides a program that is not
4 less than a 2-year educational program that is
5 acceptable for full credit toward a bachelor’s de-
6 gree;”;

7 (5) in section 316(c)(2) (20 U.S.C.
8 1059c(c)(2))—

9 (A) by redesignating subparagraphs (G)
10 through (M) (as redesignated by section
11 301(b)(5) of this Act) as subparagraphs (H)
12 through (N), respectively;

13 (B) by inserting after subparagraph (F)
14 the following:

15 “(G) education or counseling services de-
16 signed to improve the financial literacy and eco-
17 nomic literacy of students and, as appropriate,
18 their parents;” and

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

23 (6) in section 317(c)(2) (20 U.S.C.
24 1059d(c)(2)), by inserting after subparagraph (I)

1 (as added by section 302(a)(6) of this Act) the fol-
2 lowing:

3 “(J) education or counseling services de-
4 signed to improve the financial literacy and eco-
5 nomic literacy of students and, as appropriate,
6 their parents.”;

7 (7) in section 323(a) (20 U.S.C. 1062(a))—

8 (A) by striking “section 360(a)(2)” and in-
9 serting “section 399(a)(2)(A)”;

10 (B) by redesignating paragraphs (7)
11 through (12) as paragraphs (8) through (13),
12 respectively; and

13 (C) by inserting after paragraph (6) the
14 following:

15 “(7) Education or counseling services designed
16 to improve the financial literacy and economic lit-
17 eracy of students and, as appropriate, their par-
18 ents.”;

19 (8) in section 324(d)(2) (20 U.S.C.
20 1063(d)(2)), by striking “section 360(a)(2)(A)” and
21 inserting “section 399(a)(2)(A)”;

22 (9) in section 326(e)(1) (20 U.S.C.
23 1063b(e)(1)), in the matter preceding subparagraph
24 (A), by inserting a colon after “the following”;

1 (10) in section 327(b) (20 U.S.C. 1063c(b)), by
2 striking “initial”;

3 (11) in section 342(5)(C) (20 U.S.C.
4 1066a(5)(C))—

5 (A) by inserting a comma after “equip-
6 ment” the first place it appears; and

7 (B) by striking “technology,,” and insert-
8 ing “technology,”;

9 (12) in section 343(e) (20 U.S.C. 1066b(e)), by
10 inserting after the subsection designation the fol-
11 lowing: “SALE OF QUALIFIED BONDS.—”;

12 (13) in section 351(a) (20 U.S.C. 1067a(a)), by
13 striking “of 1979”;

14 (14) in section 391(b)(7)(E) (20 U.S.C.
15 1068(b)(7)(E)), by striking “subparagraph (E)” and
16 inserting “subparagraph (D)”;

17 (15) in section 396 (20 U.S.C. 1068e), by strik-
18 ing “section 360” and inserting “section 399”.

19 (b) REPEAL.—Section 1024 (20 U.S.C. 1135b–3), as
20 transferred by section 301(a)(5) of the Higher Education
21 Amendments of 1998 (Public Law 105–244; 112 Stat.
22 1636), is repealed.

23 **SEC. 305. TITLE III AUTHORIZATIONS.**

24 Section 399(a) (20 U.S.C. 1068h(a)) is amended—

1 (1) by striking “1999” each place it appears
2 and inserting “2007”;

3 (2) by striking “4 succeeding fiscal years” each
4 place it appears and inserting “5 succeeding fiscal
5 years”;

6 (3) in paragraph (1)—

7 (A) by striking “\$10,000,000” in subpara-
8 graph (B) and inserting “\$23,800,000”; and

9 (B) by striking “\$5,000,000” in subpara-
10 graph (C) and inserting “\$11,900,000”;

11 (4) in paragraph (2)—

12 (A) by striking “\$135,000,000” in sub-
13 paragraph (A) and inserting “\$241,000,000”;

14 and

15 (B) by striking “\$35,000,000” in subpara-
16 graph (B) and inserting “\$59,000,000”; and

17 (5) in paragraph (4), by striking “\$110,000”
18 and inserting “\$212,000”.

19 **TITLE IV—STUDENT ASSISTANCE**

20 **PART A—GRANTS TO STUDENTS**

21 **SEC. 401. PELL GRANTS.**

22 (a) EXTENSION OF AUTHORITY.—Section 401(a) (20
23 U.S.C. 1070a(a)) is amended by striking “2004” and in-
24 serting “2013”.

1 (b) DIRECT PAYMENT.—Section 401(a) (20 U.S.C.
2 1070a(a)) is further amended—

3 (1) by striking paragraph (2); and

4 (2) by redesignating paragraph (3) as para-
5 graph (2).

6 (c) MAXIMUM PELL GRANT INCREASE.—Paragraph
7 (2)(A) of section 401(b) 20 U.S.C. 1070a(b)(2)(A)) is
8 amended to read as follows:

9 “(2)(A) The amount of the Federal Pell Grant for
10 a student eligible under this part shall be \$6,000 for aca-
11 demic years 2007–2008 through 2013–2014, less an
12 amount equal to the amount determined to be the expected
13 family contribution with respect to that student for that
14 year.”.

15 (d) TUITION SENSITIVITY.—Section 401(b) is further
16 amended—

17 (1) by striking paragraph (3); and

18 (2) by redesignating paragraphs (4) through
19 (8) as paragraphs (3) through (7), respectively.

20 (e) MULTIPLE GRANTS.—Paragraph (5) of section
21 401(b) (as redesignated by subsection (d)(2)) is amended
22 to read as follows:

23 “(5) YEAR-ROUND PELL GRANTS.—

24 “(A) IN GENERAL.—The Secretary shall,
25 for students enrolled full time in a bacca-

1 laureate or associate’s degree program of study
2 at an eligible institution, award such students
3 not more than two Pell grants during an award
4 year to permit such students to accelerate
5 progress toward their degree objectives by en-
6 rolling in academic programs for 12 months
7 rather than 9 months.

8 “(B) LIMITATION.—The Secretary shall
9 limit the awarding of additional Pell grants
10 under this paragraph to students attending—

11 “(i) baccalaureate degree granting in-
12 stitutions that have a graduation rate as
13 reported by the Integrated Postsecondary
14 Education Data System for the 4 pre-
15 ceding academic years of at least 30 per-
16 cent; or

17 “(ii) two-year institutions that have a
18 graduation rate as reported by the Inte-
19 grated Postsecondary Education Data Sys-
20 tems, in at least one of the last 3 years for
21 which data is available, that is above the
22 average for the applicable year for the in-
23 stitution’s type and control.

24 “(C) EVALUATION.—The Secretary shall
25 conduct an evaluation of the program under

1 this paragraph and submit to the Congress an
2 evaluation report no later than October 1,
3 2011.

4 “(D) REGULATIONS REQUIRED.—The Sec-
5 retary shall promulgate regulations imple-
6 menting this paragraph.”.

7 (f) INELIGIBILITY BASED ON INVOLUNTARY CIVIL
8 COMMITMENT FOR SEXUAL OFFENSES.—Paragraph (7)
9 of section 401(b) (as redesignated by subsection (d)(2))
10 is amended by inserting before the period the following:
11 “or who is subject to an involuntary civil commitment
12 upon completion of a period of incarceration for a forcible
13 or nonforcible sexual offense (as determined in accordance
14 with the Federal Bureau of Investigation’s Uniform Crime
15 Reporting Program)”.

16 (g) PELL GRANT ELIGIBILITY DURATION.—Section
17 401(c) (20 U.S.C. 1070a(c)) is amended—

18 (1) in paragraph (1)—

19 (A) by striking “The period” and inserting
20 in lieu thereof “Subject to paragraph (5), the
21 period”; and

22 (B) by striking the period at the end there-
23 of and inserting “but shall be subject to the
24 limitation described in paragraph (5).”; and

1 (2) by adding at the end the following new
2 paragraph:

3 “(5) The period during which a student may receive
4 Federal Pell Grants shall not exceed the equivalent of 18
5 semesters or 27 quarters in duration (as determined by
6 the Secretary by regulation), without regard to whether
7 the student is enrolled on a full-time basis during any por-
8 tion of that period, and including any period of time for
9 which the student received Federal Pell Grants prior to
10 the date of enactment of the College Access and Oppor-
11 tunity Act of 2006.”.

12 (h) ELIGIBILITY PERIOD.—Section 401(c)(2) (20
13 U.S.C. 1070a(c)(2)) is amended by inserting “, for not
14 more than one academic year,” after “which are deter-
15 mined by the institution” in the first sentence.

16 (i) ACADEMIC COMPETITIVENESS GRANT ELIGI-
17 BILITY.—Section 401A(c)(3) (as added by section 8003
18 of the Higher Education Reconciliation Act of 2005) is
19 amended by striking “established by a State or local edu-
20 cational agency and recognized as such by the Secretary”
21 each place it appears and inserting “beyond the basic
22 graduation requirements and recognized as such by the
23 designated State official, or with respect to any private
24 school or home school, the designated school official for
25 such school”.

1 (j) PELL GRANTS PLUS: ACHIEVEMENT GRANTS FOR
2 STATE SCHOLARS PROGRAM.—

3 (1) AMENDMENT.—Subpart 1 of part A of title
4 IV is amended by inserting after section 401A (as
5 added by section 8003 of the Higher Education Rec-
6 onciliation Act of 2005) the following new section:

7 **“SEC. 401B. PELL GRANTS PLUS: ACHIEVEMENT GRANTS**
8 **FOR STATE SCHOLARS.**

9 “(a) GRANTS AUTHORIZED.—Beginning in academic
10 award year 2007–2008, the Secretary is authorized to es-
11 tablish a program to award Pell Grants Plus to students
12 who—

13 “(1) have successfully completed a rigorous
14 high school program of study established by a State
15 or local educational agency in consultation with a
16 State coalition assisted by the Center for State
17 Scholars;

18 “(2) are enrolled full-time in the first academic
19 year of undergraduate education or a certification
20 program, and have not been previously enrolled in a
21 program of undergraduate education after earning a
22 high school diploma or its recognized equivalent or
23 a certification program; and

24 “(3) are eligible to receive Federal Pell Grants
25 for the year in which the grant is awarded.

1 “(b) AMOUNT OF GRANTS.—

2 “(1) IN GENERAL.—Except as provided in para-
3 graph (2), the amount of the grant awarded under
4 this section shall be \$1,000.

5 “(2) ASSISTANCE NOT TO EXCEED COST OF AT-
6 TENDANCE.—A grant awarded under this section to
7 any student, in combination with the Federal Pell
8 Grant assistance and estimated financial assistance
9 not received under this title (as described in section
10 480(j)) to such student, may not exceed the stu-
11 dent’s cost of attendance.

12 “(c) SELECTION OF RECIPIENTS.—

13 “(1) PROCEDURES ESTABLISHED BY REGULA-
14 TION.—The Secretary shall establish by regulation
15 procedures for the determination of eligibility of stu-
16 dents for the grants awarded under this section.
17 Such procedures shall include measures to ensure
18 that eligibility is determined in a timely and accu-
19 rate manner consistent with the requirements of sec-
20 tion 482 and the submission of the financial aid
21 form required by section 483.

22 “(2) REQUIRED INFORMATION.—Each eligible
23 student desiring an award under this section shall
24 submit at such time and in such manner such infor-
25 mation as the Secretary may reasonably require.

1 “(3) CONTINUATION OF GRANT REQUIRE-
2 MENTS.—In order for a student to continue to be el-
3 igible to receive an award under this section for the
4 second year of undergraduate education, the eligible
5 student must—

6 “(A) maintain eligibility to receive a Fed-
7 eral Pell Grant for that year;

8 “(B) obtain a grade point average of at
9 least 3.0 (or the equivalent as determined under
10 regulations prescribed by the Secretary) for the
11 first year of undergraduate education; and

12 “(C) be enrolled full-time and fulfill the re-
13 quirements for satisfactory progress as deter-
14 mined under the institution’s standards devel-
15 oped in accordance with regulations prescribed
16 by the Secretary.

17 “(d) EVALUATION, AND REPORTS.—The Secretary
18 shall monitor the progress, retention, and completion rates
19 of the students to whom awards are provided under this
20 section. In doing so, the Secretary shall evaluate the im-
21 pact of the Pell Grants Plus Program and report, not less
22 than biennially, to the authorizing committees of the
23 House of Representatives and the Senate.

24 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
25 are authorized to be appropriated to carry out this section

1 such sums as may be necessary for fiscal year 2007 and
2 each of the 5 succeeding fiscal years.”.

3 (2) CONFORMING AMENDMENT.—Chapter 3 of
4 subpart 2 of part A of title IV (20 U.S.C. 1070a–
5 31 through 1070a–35) is repealed.

6 (k) EFFECTIVE DATE.—The amendments made by
7 this section shall be effective with respect to academic
8 years beginning on or after July 1, 2007.

9 **SEC. 402. TRIO PROGRAMS.**

10 (a) DURATION OF GRANTS.—

11 (1) AMENDMENT.—Section 402A(b)(2) (20
12 U.S.C. 1070a–11(b)(2)) is amended to read as fol-
13 lows:

14 “(2) DURATION.—Grants or contracts awarded
15 under this chapter shall be awarded for a period of
16 5 years, except that—

17 “(A) grants under section 402G shall be
18 awarded for a period of 2 years; and

19 “(B) grants under section 402H shall be
20 awarded for a period determined by the Sec-
21 retary.”.

22 (2) TRANSITION TO SYNCHRONOUS GRANT PE-
23 RIODS.—Notwithstanding section 402A(b)(2) of the
24 Higher Education Act of 1965 (as in effect both
25 prior to and after the amendment made by para-

1 graph (1) of this subsection), the Secretary of Edu-
2 cation may continue an award made before the date
3 of enactment of this Act under section 402B, 402C,
4 402D, 402E, or 402F of such Act as necessary to
5 permit all the awards made under such a section to
6 expire at the end of the same fiscal year, and there-
7 after to expire at the end of 5 years as provided in
8 the amendment made by paragraph (1) of this sub-
9 section.

10 (b) MINIMUM GRANTS.—Section 402A(b)(3) (20
11 U.S.C. 1070a–11(b)(3)) is amended to read as follows:

12 “(3) MINIMUM GRANTS.—Unless the institution
13 or agency requests a smaller amount, individual
14 grants for programs authorized under this chapter
15 shall be no less than \$200,000, except that indi-
16 vidual grants for programs authorized under section
17 402G shall be no less than \$170,000.”.

18 (c) APPLICATION STATUS; FOSTER CARE COORDINA-
19 TION.—Paragraph (7) of section 402A(c) (20 U.S.C.
20 1070a–11(c)(7)) is amended to read as follows:

21 “(7) COORDINATION.—Each applicant for funds
22 under the programs authorized by this chapter shall
23 identify services to foster care youth as a permissible
24 service in those programs, and ensure that such
25 youth receive supportive services, including men-

1 toring, tutoring, and other services provided by those
2 programs.”.

3 (d) DOCUMENTATION OF STATUS.—Section 402A(e)
4 (20 U.S.C. 1070a–11(e)) is amended by striking “(g)(2)”
5 each place it appears in paragraphs (1) and (2) and insert-
6 ing “(i)(4)”.

7 (e) HOMELESS AND UNACCOMPANIED YOUTH.—Sec-
8 tion 402A(e) is further amended by adding at the end the
9 following new paragraph:

10 “(3) Notwithstanding this subsection and subsection
11 (i)(4), individuals who are homeless or unaccompanied
12 youth as defined in section 725 of the McKinney-Vento
13 Homeless Assistance Act shall be eligible to participate in
14 programs under sections 402B, 402C, 402D, and 402F
15 of this chapter.”.

16 (f) AUTHORIZATION OF APPROPRIATIONS.—Section
17 402A(f) (20 U.S.C. 1070a–11(f)) is amended by striking
18 “\$700,000,000 for fiscal year 1999, and such sums as
19 may be necessary for each of the 4 succeeding fiscal years”
20 and inserting “\$836,500,000 for fiscal year 2007 and
21 such sums as may be necessary for each of the 5 suc-
22 ceeding fiscal years”.

23 (g) DEFINITION.—Section 402A(g) (20 U.S.C.
24 1070a–11(g)) is amended—

1 (1) in paragraph (3), by striking “by reason of
2 such individual’s age”;

3 (2) by redesignating paragraphs (1) through
4 (4) as paragraphs (3) through (6), respectively; and

5 (3) by inserting before paragraph (3), as redesi-
6 gnated, the following:

7 “(1) DIFFERENT CAMPUS.—The term ‘different
8 campus’ means an institutional site that—

9 “(A) is geographically apart from the main
10 campus of the institution;

11 “(B) is permanent in nature; and

12 “(C) offers courses in educational pro-
13 grams leading to a degree, certificate, or other
14 recognized educational credential.

15 “(2) DIFFERENT POPULATION.—The term ‘dif-
16 ferent population’ means a group of individuals, with
17 respect to whom an entity seeks to serve through an
18 application for funding under this chapter, that—

19 “(A) is separate and distinct from any
20 other population that the entity seeks to serve
21 through an application for funding under this
22 chapter; or

23 “(B) while sharing some of the same needs
24 as another population that the entity seeks to
25 serve through an application for funding under

1 this chapter, has distinct needs for specialized
2 services.”.

3 (h) EDUCATION AND COUNSELING SERVICES.—

4 Chapter 1 of subpart 2 of part A of title IV is further
5 amended—

6 (1) in section 402B(b) (20 U.S.C. 1070a–
7 12(b))—

8 (A) by redesignating paragraphs (3)
9 through (10) as paragraphs (4) through (11),
10 respectively;

11 (B) by inserting after paragraph (2) the
12 following:

13 “(3) education or counseling services designed
14 to improve the financial literacy and economic lit-
15 eracy of students and, as appropriate, their par-
16 ents;”; and

17 (C) in paragraph (11), as redesignated by
18 subparagraph (A), by striking “paragraphs (1)
19 through (9)” and inserting “paragraphs (1)
20 through (10)”;

21 (2) in section 402C (20 U.S.C. 1070a–13)—

22 (A) in subsection (b)—

23 (i) by redesignating paragraphs (2)
24 through (12) as paragraphs (3) through
25 (13), respectively;

1 (ii) by inserting after paragraph (1)
2 the following:

3 “(2) education or counseling services designed
4 to improve the financial literacy and economic lit-
5 eracy of students and, as appropriate, their par-
6 ents;”;

7 (iii) in paragraph (12), as redesign-
8 nated by clause (i), by inserting “, specifi-
9 cally in the fields of math and science”
10 after “postsecondary education”; and

11 (iv) in paragraph (13), as redesign-
12 nated by clause (i), by striking “para-
13 graphs (1) through (11)” and inserting
14 “paragraphs (1) through (12)”; and

15 (B) in subsection (e), by striking “sub-
16 section (b)(10)” and inserting “subsection
17 (b)(11)”;

18 (3) in section 402D(b) (20 U.S.C. 1070a-
19 14(b))—

20 (A) by redesignating paragraphs (2)
21 through (10) as paragraphs (3) through (11),
22 respectively;

23 (B) by inserting after paragraph (1) the
24 following:

1 “(2) education or counseling services designed
2 to improve the financial literacy and economic lit-
3 eracy of students;” and

4 (C) in paragraph (11), as redesignated by
5 subparagraph (A), by striking “paragraphs (1)
6 through (9)” and inserting “paragraphs (1)
7 through (10)”;

8 (4) in section 402E(b) (20 U.S.C. 1070a-
9 15(b))—

10 (A) by redesignating paragraphs (7) and
11 (8) as paragraphs (8) and (9), respectively; and

12 (B) by inserting after paragraph (6) the
13 following:

14 “(7) education or counseling services designed
15 to improve the financial literacy and economic lit-
16 eracy of students and, as appropriate, their par-
17 ents;” and

18 (5) in section 402F(b) (20 U.S.C. 1070a-
19 16(b))—

20 (A) by redesignating paragraphs (4)
21 through (10) as paragraphs (5) through (11),
22 respectively;

23 (B) by inserting after paragraph (3) the
24 following:

1 “(4) education or counseling services designed
2 to improve the financial literacy and economic lit-
3 eracy of students and, as appropriate, their par-
4 ents;”; and

5 (C) in paragraph (11), as redesignated by
6 subparagraph (A), by striking “paragraphs (1)
7 through (9)” and inserting “paragraphs (1)
8 through (10)”.

9 (i) MAXIMUM STIPENDS.—Section 402C(e) (20
10 U.S.C. 1070a–13(e)) is amended—

11 (1) by striking “\$60” and inserting “\$100”;
12 and

13 (2) by striking “\$40” and inserting “\$60”.

14 (j) STUDENT SUPPORT SERVICES.—Section
15 402D(d)(6) (20 U.S.C. 1070a–14(d)(6)) is amended—

16 (1) by striking “and” at the end of subpara-
17 graph (A);

18 (2) by striking the period at the end of sub-
19 paragraph (B) and inserting “; and”; and

20 (3) by inserting after subparagraph (B) the fol-
21 lowing new subparagraph:

22 “(C) working with other entities that serve
23 low-income working adults to increase access to
24 and successful progress in postsecondary edu-

1 cation by low-income working adults seeking
2 their first postsecondary degree or certificate.”.

3 (k) POSTBACCALAUREATE ACHIEVEMENT MAXIMUM
4 STIPENDS.—Section 402E(e)(1) (20 U.S.C. 1070a–
5 15(e)(1)) is amended by striking “\$2,800” and inserting
6 “\$5,000”.

7 (l) EDUCATIONAL OPPORTUNITY CENTERS: APPLICA-
8 TION APPROVAL.—Section 402F(c) (20 U.S.C. 1070a–
9 16(c)) is amended—

10 (1) by striking “and” at the end of paragraph

11 (2);

12 (2) by striking the period at the end of para-
13 graph (3) and inserting “; and”; and

14 (3) by inserting after paragraph (3) the fol-
15 lowing new paragraph:

16 “(4) consider the extent to which the proposed
17 project would provide services to low-income working
18 adults in the region to be served, in order to in-
19 crease access to postsecondary education by low-in-
20 come working adults.”.

21 (m) GAO STUDY OF ALLOCATION OF FUNDS.—

22 (1) STUDY REQUIRED.—The Comptroller Gen-
23 eral shall conduct a study of the Federal TRIO Pro-
24 grams under chapter 1 of subpart 2 of part A of
25 title IV of the Higher Education Act of 1965 (20

1 U.S.C. 1070a-11 et seq.) to examine the allocation
2 of funds procedures for such programs. Such study
3 shall—

4 (A) examine the consideration of prior ex-
5 perience of service delivery and its impact on
6 grant applicants who have prior experience as
7 compared to those who do not have prior expe-
8 rience; and

9 (B) examine the impact of the prior experi-
10 ence consideration in distribution of funds
11 across programs and the impact of maintaining
12 continuation of older programs on the success
13 rate of accomplishing the goals of the program.

14 (2) REPORT.—The Comptroller General shall
15 submit a report on the study required by paragraph
16 (1) within one year of the date of enactment of this
17 Act to the Committee on Education and the Work-
18 force of the House of Representatives and the Com-
19 mittee on Health, Education, Labor, and Pensions
20 of the Senate.

21 **SEC. 403. TRIO REFORM.**

22 (a) PERFORMANCE MEASURES.—Section 402A (20
23 U.S.C. 1070a-11) is amended—

1 (1) by redesignating subsections (c), (d), (e),
2 (f), and (g) as subsections (d), (e), (g), (h), and (i),
3 respectively; and

4 (2) by inserting after subsection (b) the fol-
5 lowing new subsection:

6 “(c) PERFORMANCE MEASURES.—

7 “(1) IN GENERAL.—The Secretary shall estab-
8 lish expected program outcomes and procedures for
9 measuring, annually and for longer periods, the
10 quality and effectiveness of programs operated under
11 this chapter, and the impact of these programs in
12 supporting the attainment of higher education for
13 students from disadvantaged backgrounds, particu-
14 larly low-income individuals, prospective first-genera-
15 tion college students, and individuals with disabili-
16 ties.

17 “(2) USE OF MEASURES.—The performance
18 measures described in paragraph (1) shall consider
19 demographic and geographic variation and be used
20 to—

21 “(A) assess the impact of the specific serv-
22 ices provided by recipients of grants or con-
23 tracts under this chapter and, to the extent the
24 Secretary finds appropriate, administrative and

1 financial management practices of such pro-
2 grams;

3 “(B) identify strengths and weaknesses in
4 the provision of services provided by grantees
5 under this chapter;

6 “(C) identify project operations that may
7 require training and technical assistance re-
8 sources.

9 “(3) ADDITIONAL MEASURES.—In addition to
10 the performance measures in paragraph (1), each
11 grant recipient may establish local performance
12 measures.”.

13 (b) SELECTION.—Subsection (d) of such section (as
14 redesignated by subsection (a)(1) of this section) is
15 amended—

16 (1) by redesignating paragraphs (2) through
17 (6) as paragraphs (3) through (7), respectively; and

18 (2) by inserting after paragraph (1) the fol-
19 lowing new paragraph:

20 “(2) SELECTION.—

21 “(A) IN GENERAL.—In awarding grants
22 from among qualified applicants, the Secretary
23 shall consider the effectiveness of each applicant
24 in providing services under this chapter, based
25 on—

1 “(i) the plan of such applicant to de-
2 liver program services and achieve expected
3 program outcomes established by the Sec-
4 retary;

5 “(ii) the plan of such applicant to co-
6 ordinate program services with other pro-
7 grams for disadvantaged students; and

8 “(iii) any prior experience of such ap-
9 plicant in achieving expected program out-
10 comes under this chapter.

11 “(B) ADDITIONAL CRITERIA.—The Sec-
12 retary may establish additional selection criteria
13 as necessary to identify the most qualified ap-
14 plicants.”.

15 (c) PRIOR EXPERIENCE.—Paragraph (3) of such
16 subsection (d) (redesignated by subsection (b)(1) of this
17 section) is amended—

18 (1) by striking subparagraph (A) and inserting
19 “(A) In making grants under this chapter, the Sec-
20 retary shall use the measures described in subsection
21 (c)(1) to evaluate each applicant’s prior experience
22 in achieving expected program outcomes under the
23 particular program for which funds are sought.”;
24 and

1 (2) by adding at the end the following new sub-
2 paragraph:

3 “(C) The Secretary shall not give prior experi-
4 ence points to any current grantee that during the
5 then most recent period for which funds were pro-
6 vided—

7 “(i) failed to meet one or more expected
8 program outcomes based on the performance
9 measures described in subsection (c); or

10 “(ii) expended funds for indirect costs in
11 an amount that exceeded 8 percent of the total
12 grant award.”.

13 (d) ORDER OF AWARDS.—Paragraph (4) of such sub-
14 section (d) (as redesignated by subsection (b)(1) of this
15 section) is amended—

16 (1) in subparagraph (A)—

17 (A) by striking “under paragraph (4)” and
18 inserting “under paragraph (5)”; and

19 (B) by striking “with paragraph (2)” and
20 inserting “with paragraph (3)”; and

21 (2) by amending subparagraph (B) to read as
22 follows:

23 “(B) The Secretary shall not provide assistance
24 to an entity if the Secretary has determined that

1 such entity has involved the fraudulent use of public
2 or private funds.”.

3 (e) TECHNICAL ASSISTANCE.—Paragraph (3) of sub-
4 section (e) of such section (as redesignated by subsection
5 (a)(1) of this section) is amended to read as follows:

6 “(3) TECHNICAL ASSISTANCE.—The Secretary
7 shall provide technical assistance to applicants for
8 projects and programs authorized under this chap-
9 ter. The Secretary shall give priority to serving pro-
10 grams and projects that serve geographic areas and
11 eligible populations which have been underserved by
12 the programs assisted under this chapter. Technical
13 training activities shall include the provision of in-
14 formation on authorizing legislation, goals and objec-
15 tives of the program, required activities, eligibility
16 requirements, the application process and applica-
17 tion deadlines, and assistance in the development of
18 program proposals and the completion of program
19 applications.”.

20 (f) RECORDKEEPING AND REPORTING.—Section
21 402A is further amended by inserting after subsection (e)
22 of such section (as redesignated by subsection (a)(1) of
23 this section) the following new subsection:

24 “(f) RECORDKEEPING AND REPORTING.—

1 “(1) IN GENERAL.—The Secretary shall estab-
2 lish uniform reporting requirements and require
3 each recipient of funds under this chapter to submit
4 annually and in electronic form such information in
5 such manner and form and at such time as the Sec-
6 retary may require, except that reporting such infor-
7 mation shall not reveal personally identifiable infor-
8 mation about an individual student.

9 “(2) REPORT TO CONGRESS.—At least once
10 every 2-year period, the Secretary shall prepare and
11 submit to the authorizing committees, a report on
12 the services provided to students that shall include—

13 “(A) a statement for the then most re-
14 cently concluded fiscal year specifying—

15 “(i) the amount of funds received by
16 grantees to provide services under this
17 chapter; and

18 “(ii) the amount of funds received by
19 new grantees to provide services under this
20 chapter;

21 “(B) a description of the specific services
22 provided to students;

23 “(C) a summary of the overall success in
24 achieving specific program outcomes or progress
25 toward such outcomes;

1 “(D) a report of the number of students
2 served by types of service received;

3 “(E) information summarizing the types of
4 organizations that received funds under this
5 chapter; and

6 “(F) a summary of the research and eval-
7 uation activities under section 402H, includ-
8 ing—

9 “(i) a status report on ongoing activi-
10 ties; and

11 “(ii) results, conclusions, and rec-
12 ommendations based on the most recent
13 report available”.

14 (g) INCREASED MONITORING.—Subsection (h) of
15 such section (as redesignated by subsection (a)(1) of this
16 section) is amended by striking everything after the first
17 sentence and inserting the following: “Of the amount ap-
18 propriated under this chapter, the Secretary may use no
19 more than one half of 1 percent of such amount to support
20 the administration of the Federal TRIO programs includ-
21 ing to increase the level of oversight monitoring, to sup-
22 port impact studies, program assessments and reviews,
23 and to provide technical assistance to prospective appli-
24 cants and current grantees.”.

25 (h) EXPECTED PROGRAM OUTCOMES.—

1 (1) Section 402B (20 U.S.C. 1070a–12) is
2 amended by adding at the end the following new
3 subsection:

4 “(c) EXPECTED PROGRAM OUTCOMES.—For the pur-
5 poses of assessing an applicant’s performance under sec-
6 tion 402A(c)(1), and prior experience under section
7 402A(d)(3), the Secretary shall consider—

8 “(1) the rate of college enrollment of students
9 served by the program;

10 “(2) the continued secondary school enrollment
11 of participating students;

12 “(3) the graduation of participating students
13 from secondary school;

14 “(4) the delivery of services described in the ap-
15 plication approved by the Secretary; and

16 “(5) other such outcomes the Secretary may re-
17 quire.”.

18 (2) Section 402C (20 U.S.C. 1070a–12) is
19 amended by adding at the end the following new
20 subsection:

21 “(f) EXPECTED PROGRAM OUTCOMES.—For the pur-
22 poses of assessing an applicant’s performance under sec-
23 tion 402A(c)(1), and prior experience under section
24 402A(d)(3), the Secretary shall consider—

1 “(1) the rate of college enrollment of students
2 served by the program;

3 “(2) the persistence of students in postsec-
4 ondary education;

5 “(3) the delivery of services described in the ap-
6 plication approved by the Secretary;

7 “(4) the academic achievement of participating
8 students; and

9 “(5) other such outcomes the Secretary may re-
10 quire.”.

11 (3) Section 402D (20 U.S.C. 1070a–12) is
12 amended by adding at the end the following new
13 subsection:

14 “(e) EXPECTED PROGRAM OUTCOMES.—For the pur-
15 poses of assessing an applicant’s performance under sec-
16 tion 402A(c)(1), and prior experience under section
17 402A(d)(3), the Secretary shall consider—

18 “(1) the persistence in postsecondary education
19 of all students served by the program;

20 “(2)(A) in the case of a grant recipient that is
21 an institution of higher education offering a bacca-
22 laurate degree, the number of participating stu-
23 dents who completed degree programs in which such
24 students were enrolled; or

1 “(B) in the case of a grant recipient that is an
2 institution of higher education not offering a baccalaureate degree, the number of participating students who—

3 “(i) completed degree or certificate programs; and

4 “(ii) transferred to institutions of higher education offering baccalaureate degrees;

5 “(3) the delivery of services described in the application approved by the Secretary; and

6 “(4) other such outcomes the Secretary may require.”.

7 (4) Section 402E (20 U.S.C. 1070a–12) is amended by striking subsection (f) and inserting the following:

8 “(f) EXPECTED PROGRAM OUTCOMES.—For the purposes of assessing an applicant’s performance under section 402A(c)(1), and prior experience under section 402A(d)(3), the Secretary shall consider—

9 “(1) the rate of graduate school enrollment of participating students;

10 “(2) the attainment of doctoral degrees by participating students;

11 “(3) the delivery of services described in the application approved by the Secretary; and

1 “(4) other such outcomes as required by the
2 Secretary.”.

3 (5) Section 402F (20 U.S.C. 1070a–12) is
4 amended by adding at the end the following new
5 subsection:

6 “(d) EXPECTED PROGRAM OUTCOMES.—For the
7 purposes of assessing an applicant’s performance under
8 section 402A(c)(1), and prior experience under section
9 402A(d)(3), the Secretary shall consider—

10 “(1) the rate of college enrollment of partici-
11 pating students;

12 “(2) the provision of assistance to students
13 served by the program in completing financial aid
14 applications and college admission applications;

15 “(3) the delivery of services described in the ap-
16 plication approved by the Secretary; and

17 “(4) other such outcomes as required by the
18 Secretary.”.

19 (i) STAFF DEVELOPMENT.—Section 402G (20
20 U.S.C. 1070a–17) is amended to read as follows:

21 **“SEC. 402G. STAFF DEVELOPMENT ACTIVITIES.**

22 “(a) SECRETARY’S AUTHORITY.—For the purpose of
23 improving the operation of the programs and projects au-
24 thorized by this chapter, the Secretary is authorized to
25 make grants to institutions of higher education and other

1 public and private nonprofit institutions and organizations
2 to provide training and technical assistance for staff and
3 leadership personnel employed in, participating in, or pre-
4 paring for employment in, such programs and projects.

5 “(b) CONTENTS OF TRAINING PROGRAMS.—Such
6 training shall be provided to assist programs and projects
7 in—

8 “(1) achieving the expected program outcomes
9 stated under this chapter or additional outcomes
10 identified by individual programs or projects;

11 “(2) addressing any identified program weak-
12 nesses in the overall development, conduct, or ad-
13 ministration of a grant or contract;

14 “(3) improving the quality of services provided
15 to eligible students; or

16 “(4) additional areas in need of program im-
17 provement as identified by the Secretary or as re-
18 quested by grantees in order to enhance program op-
19 erations and outcomes.

20 “(c) CONSULTATION.—Grants for the purposes of
21 this section shall be made only after consultation with re-
22 gional and State professional associations of persons hav-
23 ing special knowledge with respect to the needs and prob-
24 lems of such programs and projects.”.

1 (j) EVALUATIONS.—Section 402H (20 U.S.C.
2 1070a–18) is amended to read as follows:

3 **“SEC. 402H. EVALUATIONS.**

4 “(a) EVALUATIONS.—

5 “(1) IN GENERAL.—For the purpose of improv-
6 ing the effectiveness of the programs and projects
7 assisted under this chapter, the Secretary shall make
8 grants to or enter into contracts with one or more
9 organizations to—

10 “(A) evaluate the effectiveness of the pro-
11 grams and projects assisted under this chapter;
12 and

13 “(B) disseminate information on the im-
14 pact of the programs in increasing the edu-
15 cation level of participating students, as well as
16 other appropriate measures.

17 “(2) ISSUES TO BE EVALUATED.—The evalua-
18 tions described in paragraph (1) shall measure the
19 effectiveness of programs under this chapter in—

20 “(A) meeting the expected program out-
21 comes stated under this chapter and all per-
22 formance measures identified by the Secretary;

23 “(B) enhancing the access of low-income
24 individuals and first-generation college students
25 to postsecondary education;

1 “(C) preparing individuals and students
2 for postsecondary education;

3 “(D) comparing the level of education com-
4 pleted by students who participate in the pro-
5 grams funded under this chapter with the level
6 of education completed by students of similar
7 backgrounds who do not participate in such
8 programs;

9 “(E) comparing the retention rates, drop-
10 out rates, graduation rates, and college admis-
11 sion and completion rates of students who par-
12 ticipate in the programs funded under this
13 chapter with the rates of students of similar
14 backgrounds who do not participate in such
15 programs; and

16 “(F) such other issues as the Secretary
17 considers appropriate for inclusion in the eval-
18 uation.

19 “(3) PROGRAM METHODS.—Such evaluations
20 shall also investigate the effectiveness of alternative
21 and innovative methods within Federal TRIO pro-
22 grams of increasing access to, and retention of, stu-
23 dents in postsecondary education.

24 “(b) RESULTS.—The Secretary shall submit to the
25 authorizing committees—

1 “(1) an annual interim report on the progress
2 and preliminary results of the evaluation of each
3 program funded under this chapter no later than 2
4 years following the date of enactment of the College
5 Access and Opportunity Act of 2006; and

6 “(2) a final report not later than 3 years fol-
7 lowing the date of enactment of such Act.

8 “(c) PUBLIC AVAILABILITY.—All reports and under-
9 lying data gathered pursuant to this section shall be made
10 available to the public upon request, in a timely manner
11 following submission of the applicable reports under sub-
12 section (b), except that any personally identifiable infor-
13 mation on students participating in any TRIO program
14 shall not be disclosed or made available to the public.”.

15 **SEC. 404. GEARUP.**

16 (a) DURATION OF AWARDS.—Section 404A(b) (20
17 U.S.C. 1070a–21(b)) is amended—

18 (1) in paragraph (2)(B), by striking “Higher
19 Education Amendments of 1998” and inserting
20 “College Access and Opportunity Act of 2006”; and

21 (2) by adding at the end thereof the following
22 new paragraph:

23 “(3) DURATION.—An award made by the Sec-
24 retary under this chapter to an eligible entity de-

1 scribed in paragraph (1) or (2) of subsection (c)
2 shall be for the period of 6 years.”.

3 (b) CONTINUING ELIGIBILITY.—Section 404A (20
4 U.S.C. 1070a–21) is amended by adding at the end the
5 following new subsection:

6 “(d) CONTINUING ELIGIBILITY.—An eligible entity
7 shall not cease to be an eligible entity upon the expiration
8 of any grant under this chapter (including a continuation
9 award).”.

10 (c) FOSTER CARE COORDINATION.—Section 404B(c)
11 (20U.S.C. 1070a–22(c)) is amended by adding at the end
12 the following new sentence:

13 “Each applicant for funds under the programs au-
14 thorized by this chapter shall identify services to fos-
15 ter care youth as a permissible service in those pro-
16 grams, and ensure that such youth receive sup-
17 portive services, including mentoring, tutoring, and
18 other services provided by those programs.”.

19 (d) CONTINUITY OF SERVICE.—

20 (1) COHORT APPROACH.—Section
21 404B(g)(1)(B) (20 U.S.C. 1070a–22(g)(1)(B)) is
22 amended by inserting “and provide the option of
23 continued services through the student’s first year of
24 attendance at an eligible institution of higher edu-
25 cation” after “grade level”.

1 (2) EARLY INTERVENTION.—Section 404D (20
2 U.S.C. 1070a–24) is amended—

3 (A) in subsection (b)(2)(A), by inserting
4 “and students in the first year of attendance at
5 an eligible institution of higher education” after
6 “grade 12”; and

7 (B) in subsection (c), by inserting “, and
8 may consider students in their first year of at-
9 tendance at an eligible institution,” after
10 “grade 12”.

11 (e) COORDINATION.—Section 404C(a)(2) (20 U.S.C.
12 1070a–23(a)(2)) is amended—

13 (1) by striking “and” at the end of subpara-
14 graph (A);

15 (2) by redesignating subparagraph (B) as sub-
16 paragraph (C); and

17 (3) by inserting after subparagraph (A) the fol-
18 lowing new subparagraph:

19 “(B) describe activities for coordinating,
20 complementing, and enhancing services under
21 this chapter provided by other eligible entities
22 in the State; and”.

23 (f) EDUCATION AND COUNSELING SERVICES.—Sec-
24 tion 404D(b)(2)(A)(ii) (20 U.S.C. 1070a–24(b)(2)(A)(ii))
25 is amended by striking “and academic counseling” and in-

1 serting “academic counseling, and financial literacy and
2 economic literacy education or counseling”.

3 (g) HOMELESS AND UNACCOMPANIED YOUTH.—Sec-
4 tion 404D is further amended by adding at the end the
5 following new subsection:

6 “(e) HOMELESS AND UNACCOMPANIED YOUTH.—
7 Notwithstanding any other provision of this chapter, indi-
8 viduals who are homeless or unaccompanied youth as de-
9 fined in section 725 of the McKinney-Vento Homeless As-
10 sistance Act shall be eligible to participate in programs
11 under this section.”.

12 (h) REAUTHORIZATION.—Section 404H (20 U.S.C.
13 1070a–28) is amended by striking “\$200,000,000 for fis-
14 cal year 1999 and such sums as may be necessary for each
15 of the 4 succeeding fiscal years” and inserting
16 “\$306,500,000 for fiscal year 2007 and such sums as may
17 be necessary for each of the 5 succeeding fiscal years”.

18 **SEC. 405. FEDERAL SUPPLEMENTAL EDUCATIONAL OPPOR-**
19 **TUNITY GRANTS.**

20 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
21 413A(b)(1) (20 U.S.C. 1070b(b)(1)) is amended by strik-
22 ing “\$675,000,000 for fiscal year 1999 and such sums
23 as may be necessary for the 4 succeeding fiscal years” and
24 inserting “\$779,000,000 for fiscal year 2007 and such

1 sums as may be necessary for the 5 succeeding fiscal
2 years”.

3 (b) PRIORITY OF AWARDS.—Paragraph (2) of section
4 413C(c) (20 U.S.C. 1070b-2(c)(2)) is amended to read as
5 follows:

6 “(2) In carrying out paragraph (1) of this subsection,
7 each institution of higher education shall, in the agree-
8 ment made under section 487, assure that the selection
9 procedures—

10 “(A) will give a priority for supplemental grants
11 under this subpart to students who receive Pell
12 Grants and meet the requirements of section 484;
13 and

14 “(B) will award no more than 10 percent of
15 each institution’s allocation received under section
16 413D to students who did not receive Federal Pell
17 Grants in a prior year.”.

18 (c) ELIGIBILITY FOR ADDITIONAL ALLOCATIONS.—
19 Section 413D(a)(4) (20 U.S.C. 1070b-3(a)(4)) is amended
20 by striking subparagraph (B) and inserting the following:

21 “(B) An otherwise eligible institution may receive a
22 portion of the allocation described in subparagraph (A)
23 if—

24 “(i) not less than 10 percent of the under-
25 graduate, degree- or certificate-seeking students at-

1 tending the institution receive Federal Pell Grants;
2 and

3 “(ii)(I) in the case of an institution that offers
4 programs of at least 4 years in duration, if its grad-
5 uation rate for Federal Pell Grant recipients attend-
6 ing the institution and graduating within the period
7 of time equal to normal duration of the longest un-
8 dergraduate program offered by the institution, as
9 measured from the first day of their enrollment, ex-
10 ceeds the median rate for the class of institution (as
11 defined in section 131(f)(7)(C)); or

12 “(II) in the case of an institution that offers
13 programs of at least 2, but less than 4, years in du-
14 ration, if its rate for Federal Pell Grant recipients
15 attending the institution and graduating or transfer-
16 ring to an institution that offers programs of at
17 least 4 years in duration within the period of time
18 equal to the normal duration of the program offered,
19 as measured from the first day of their enrollment,
20 exceeds the median rate for the class of institution
21 (as defined in section 131(f)(7)(C)).”.

22 (d) BOOKS AND SUPPLIES.—Section 413D(c)(3)(D)
23 (20 U.S.C. 1070–3(c)(3)(D)) is amended by striking
24 “\$450” and inserting “\$600”.

1 **SEC. 406. LEAP.**

2 Section 415A(b)(1) (20 U.S.C. 1070c(b)(1)) is
3 amended—

4 (1) by striking “1999” and inserting “2007”;

5 and

6 (2) by striking “4 succeeding” and inserting “5
7 succeeding”.

8 **SEC. 407. HEP/CAMP PROGRAM.**

9 Section 418A (20 U.S.C. 1070d–2) is amended—

10 (1) in subsection (b)(1)(B)(i), by inserting “, or
11 whose spouse” after “themselves”;

12 (2) in subsection (b)(3)(B), by inserting “, in-
13 cluding preparation for college entrance exams”
14 after “program”;

15 (3) in subsection (b)(8), by inserting “, includ-
16 ing child care and transportation” after “supportive
17 services”;

18 (4) by striking “and” at the end of subsection
19 (b)(7), by striking the period at the end of sub-
20 section (b)(8) and inserting “; and”, and by adding
21 at the end of subsection (b) the following new para-
22 graph:

23 “(9) follow-up activity and reporting require-
24 ments, except that not more than 2 percent of the
25 funds provided under this section may be used for
26 such purposes.”;

1 (5) in subsection (c)(1)(A), by inserting “, or
2 whose spouse” after “themselves”;

3 (6) in subsection (c)(1)(B), by striking clause
4 (i) and inserting the following:

5 “(i) personal, academic, career, and eco-
6 nomic education or personal finance counseling
7 as an ongoing part of the program;”;

8 (7) in subsection (c)(2)(B), by inserting “(in-
9 cluding mentoring and guidance of such students)”
10 after “services”;

11 (8) in subsection (c)(2), by striking “and” at
12 the end of subparagraph (A), by striking the period
13 at the end of subparagraph (B) and inserting “;
14 and”, and by adding at the end of subsection (c)(2)
15 the following new subparagraph:

16 “(C) for students in any program that does not
17 award a bachelor’s degree, encouraging the transfer
18 to, and persistence in, such a program, and moni-
19 toring the rate of such transfer, persistence, and
20 completion.”;

21 (9) in subsection (e), by striking “section
22 402A(c)(1)” and inserting “section 402A(c)(2)”;

23 (10) in subsection (h)—

24 (A) in paragraph (1), by striking
25 “\$15,000,000 for fiscal year 1999 and such

1 sums as may be necessary for each of the 4
2 succeeding fiscal years” and inserting
3 “\$24,000,000 for fiscal year 2007 and such
4 sums as may be necessary for each of the 5
5 succeeding fiscal years”; and

6 (B) in paragraph (2), by striking
7 “\$5,000,000 for fiscal year 1999 and such
8 sums as may be necessary for each of the 4
9 succeeding fiscal years” and inserting
10 “\$16,000,000 for fiscal year 2007 and such
11 sums as may be necessary for each of the 5
12 succeeding fiscal years”; and

13 (11) by redesignating subsection (h) as sub-
14 sections (i) and inserting before such subsection the
15 following new subsection:

16 “(h) TECHNICAL ASSISTANCE.—The Secretary may
17 reserve up to one-half of one percent of funds appropriated
18 under subsection (i) for technical assistance activities for
19 program improvement, including data collection and eval-
20 uation.”.

21 **SEC. 408. ROBERT C. BYRD HONORS SCHOLARSHIP PRO-**
22 **GRAM.**

23 Subpart 6 of part A of title IV is amended to read
24 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 baccalaureate, masters, or doctoral degree (or a com-
25

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 on simi-
12 lar public and private mathematics and science
13 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 baccalaureate
6 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 assistance
10 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 managing
14 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 academic
20 program if the student awarded the scholarship
21 remains eligible.

22 “(ii) The managing agent may condition renewal
23 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
20 shall not be considered a suspension for pur-
21 poses of subparagraph (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 subsection
17 (b)(2); and

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

22 “(2)(A) The managing agent shall provide the
23 institution of higher education with payments from
24 the Fund for selected recipients in at least two in-
25 stallments.

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

8 **“SEC. 419B. MATHEMATICS AND SCIENCE INCENTIVE PRO-**
9 **GRAM.**

10 “(a) PROGRAM.—

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

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

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

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

23 “(C) is a new borrower (within the mean-
24 ing of section 103(7) of this Act) on or after

1 the date of enactment of the College Access and
2 Opportunity Act of 2006;

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

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

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

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

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

23 “(4) INITIAL SELECTION.—In selecting partici-
24 pants for the program under this section, the Sec-
25 retary—

1 “(A) shall choose among eligible applicants
2 on the basis of—

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

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

14 “(B) may choose among eligible applicants
15 on the basis of—

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

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

22 “(iii) other relevant criteria deter-
23 mined by the Secretary.

24 “(5) AVAILABILITY SUBJECT TO APPROPRIA-
25 TIONS.—Loan interest payments under this section

1 shall be subject to the availability of appropriations.
2 If the amount appropriated for any fiscal year is not
3 sufficient to provide interest payments on behalf of
4 all qualified applicants, the Secretary shall give pri-
5 ority to those individuals on whose behalf interest
6 payments were made during the preceding fiscal
7 year.

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

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

18 “(1) the completion of the repayment period of
19 the loan;

20 “(2) payment by the Secretary of a total of
21 \$5,000 on behalf of the borrower;

22 “(3) if the borrower ceases to fulfill the service
23 obligation under such agreement prior to the end of
24 the 5-year period, as soon as the borrower is deter-

1 mined to have ceased to fulfill such obligation in ac-
2 cordance with regulations of the Secretary; or

3 “(4) 6 months after the end of any calendar
4 year in which the borrower’s gross income equals or
5 exceeds 4 times the national per capita disposable
6 personal income (current dollars) for such calendar
7 year, as determined on the basis of the National In-
8 come and Product Accounts Tables of the Bureau of
9 Economic Analysis of the Department of Commerce,
10 as determined in accordance with regulations pre-
11 scribed by the Secretary.

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

18 “(d) APPLICATION FOR REPAYMENT.—

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

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

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

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

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

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

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

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

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

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

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

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

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

17 **“SEC. 419C. MATHEMATICS AND SCIENCE EDUCATION CO-
18 ORDINATING COUNCIL GRANTS.**

19 “(a) PURPOSES.—The purposes of this section in-
20 clude—

21 “(1) supporting programs that encourage stu-
22 dents to enroll in and successfully complete bacca-
23 laureate and advanced degrees in science, tech-
24 nology, engineering, and mathematics;

1 “(2) achieving the common objective of orga-
2 nizing, leading, and implementing State-based re-
3 form agendas that support the continuing improve-
4 ment of mathematics and science education;

5 “(3) improving collaboration in a State among
6 the State educational agency, 2-year and 4-year in-
7 stitutions of higher education, and the business com-
8 munity through the development or improvement of
9 a coordinating council; and

10 “(4) supporting regional workshops designed to
11 permit the sharing of successful research-based
12 strategies to improve the achievement of students in
13 mathematics and science.

14 “(b) DEFINITIONS.—For the purposes of this section:

15 “(1) the term ‘eligible State’ means—

16 “(A) the Governor of a State; or

17 “(B) in the case of a State for which the
18 constitution or laws of the State designate an
19 individual, entity, or agency in the State, other
20 than the Governor, to be responsible for coordi-
21 nation among segments of the State’s edu-
22 cational systems, such individual, entity, or
23 agency.

24 “(2) the term ‘mathematics and science edu-
25 cation coordinating council’ means an organization

1 that is charged by a State with coordinating mathe-
2 matics and science education in the State. Such a
3 council shall be composed of education, business,
4 and community leaders working together to increase
5 student participation and academic achievement in
6 mathematics and science.

7 “(c) STATE GRANTS.—From amounts authorized
8 under section 419D for this section, the Secretary is au-
9 thorized to use not more than \$5,000,000 to award grants
10 on a competitive basis to eligible States for the purpose
11 of carrying out activities described in subsection (d).

12 “(d) USES OF FUNDS.—An eligible State that re-
13 ceives a grant under this section is authorized to use grant
14 funds to carry out one or more of the following activities:

15 “(1) In a State in which a mathematics and
16 science education coordinating council does not exist,
17 planning and establishing such a council.

18 “(2) In a State in which such a council exists,
19 reforming or expanding the activities of the council,
20 including implementing State-based reform agendas
21 that support the continuing improvement of mathe-
22 matics and science education, and support services
23 that lead to better teacher recruitment and training,
24 increased student academic achievement, and in-

1 creased student enrollment and degree attainment in
2 science, technology, engineering, and mathematics.

3 “(3) Coordinating with activities under part B
4 of title II of the Elementary and Secondary Edu-
5 cation Act of 1965 and with title II of this Act, es-
6 pecially pertaining to the recruitment and prepara-
7 tion of highly qualified mathematics and science
8 teachers.

9 “(4) Supporting regional workshops designed to
10 permit educators, administrators responsible for pro-
11 fessional development and curriculum development,
12 and faculty of teacher preparation programs to
13 share successful research based strategies for—

14 “(A) carrying out the activities described
15 in section 2202(c) of the Elementary and Sec-
16 ondary Education Act of 1965 (20 U.S.C.
17 6662(c)) (as amended by the No Child Left Be-
18 hind Act of 2001); and

19 “(B) otherwise improving student achieve-
20 ment in mathematics and science instruction in
21 elementary and secondary schools.

22 “(e) APPLICATION.—To be eligible to receive a grant
23 under this section, an eligible State shall submit an appli-
24 cation to the Secretary that—

1 “(1) describes the activities the State will carry
2 out with the funds, which may include a plan for es-
3 tablishing a regional working group to conduct re-
4 gional workshops to share research-based informa-
5 tion and approaches to improving the achievements
6 of students in mathematics and science;

7 “(2) contains a plan for continuing such activi-
8 ties once Federal funding ceases; and

9 “(3) contains such other information and assur-
10 ances as the Secretary may require.

11 “(f) CONSULTATION.—The Governor of a State, or
12 the individual, entity, or agency in the State described in
13 subsection (b)(1)(B), shall consult with the State board
14 of education, State educational agency, and the State
15 agency for higher education, as appropriate, with respect
16 to the activities assisted under this section. In the case
17 of an individual, entity, or agency described in subsection
18 (b)(1)(B), such consultation shall also include the Gov-
19 ernor.

20 “(g) CONSTRUCTION.—Nothing in this section shall
21 be construed to negate or supersede the legal authority
22 under State law of any State agency, State entity, or State
23 public official over programs that are under the jurisdic-
24 tion of the agency, entity, or official.

25 “(h) ADMINISTRATIVE PROVISIONS.—

1 “(1) IN GENERAL.—

2 “(A) Grants awarded under this section
3 shall be awarded for a period not to exceed 5
4 years.

5 “(B) A grantee may receive a grant under
6 this part only once.

7 “(C) Payments of grant funds under this
8 section shall be annual.

9 “(2) SECRETARIAL SELECTIONS.—The Sec-
10 retary shall determine which applications receive
11 funds under this section, and the amount of the
12 grant. In determining grant amounts, the Secretary
13 shall take into account the total amount of funds
14 available for all grants under this section and the
15 nature of each grant proposal, including whether
16 funds are being sought to assist in the creation of
17 a new State mathematics and science education co-
18 ordinating council or to extend the work of an exist-
19 ing council. The Secretary shall also take into ac-
20 count the equitable geographic distribution of grants
21 throughout the United States.

22 “(3) MATCHING REQUIREMENT.—Each eligible
23 State receiving a grant under this section shall pro-
24 vide, from non-Federal sources, an amount equal to
25 50 percent of the amount of the grant (in cash or

1 in kind) to carry out the activities supported by the
2 grant.

3 “(i) ACCOUNTABILITY AND EVALUATION.—

4 “(1) STATE GRANT ACCOUNTABILITY RE-
5 PORT.—An eligible State that receives a grant under
6 this section shall submit an annual accountability re-
7 port to the Secretary. Such report shall include a de-
8 scription of the degree to which the eligible State, in
9 using grant funds, has made substantial progress in
10 meeting its objectives.

11 “(2) EVALUATION AND DISSEMINATION.—The
12 Secretary shall evaluate the activities funded under
13 this section and report the Secretary’s findings re-
14 garding such activities to the authorizing commit-
15 tees. The Secretary shall broadly disseminate suc-
16 cessful practices developed by eligible States under
17 this section, and shall broadly disseminate informa-
18 tion regarding such practices that were found to be
19 ineffective.

20 “(3) REVOCATION.—If the Secretary deter-
21 mines that an eligible State is not making substan-
22 tial progress in meeting the purposes, objectives, and
23 measures, as appropriate, required under this sec-
24 tion by the end of the second year of a grant, then

1 the grant payment shall not be made for the third
2 year and subsequent years of the grant.

3 **“SEC. 419D. ADJUNCT TEACHER CORPS.**

4 “(a) PURPOSE.—It is the purpose of this section to
5 create opportunities for professionals and other individuals
6 with subject-matter expertise to teach secondary school
7 courses in mathematics, science, and critical foreign lan-
8 guages, on an adjunct basis.

9 “(b) PROGRAM AUTHORIZED.—The Secretary is au-
10 thorized to award grants to eligible entities to recruit and
11 place well-qualified individuals to serve as adjunct teachers
12 in secondary school mathematics, science, and critical for-
13 eign language courses.

14 “(c) ELIGIBLE ENTITY.—For the purpose of this sec-
15 tion, an eligible entity is—

16 “(1) a local educational agency;

17 “(2) a public or private educational organiza-
18 tion (which may be a State educational agency); or

19 “(3) a partnership consisting of a local edu-
20 cational agency and a public or private educational
21 organization.

22 “(d) DURATION OF GRANTS.—The Secretary may
23 award grants under this section for a period of not more
24 than five years.

1 “(e) PRIORITIES.—In awarding grants under this
2 section, the Secretary shall give priority to eligible entities
3 that propose to—

4 “(1) serve local educational agencies that have
5 a large number or percentage of students performing
6 below grade level in mathematics, science, and crit-
7 ical foreign language courses;

8 “(2) serve local educational agencies that have
9 a large number or percentage of students from fami-
10 lies with incomes below the poverty line; and

11 “(3) recruit adjunct faculty to serve in schools
12 that have an insufficient number of teachers in
13 mathematics, science, and critical foreign languages.

14 “(f) APPLICATIONS.—

15 “(1) APPLICATION REQUIRED.—To be consid-
16 ered for a grant under this section, an eligible entity
17 shall submit an application to the Secretary at such
18 time, in such manner, and containing such informa-
19 tion as the Secretary may reasonably require.

20 “(2) CONTENTS.—The Application shall, at a
21 minimum, include a description of—

22 “(A) the need for, and expected benefits of
23 using, adjunct teachers in the participating
24 schools, which may include information on the
25 difficulty participating schools face in recruiting

1 qualified faculty in mathematics, science, and
2 critical foreign language courses;

3 “(B) measurable objectives for the project,
4 including the number of adjunct teachers the el-
5 igible entity intends to place in classrooms and
6 gains in academic achievement intended to be
7 achieved;

8 “(C) how the eligible entity will recruit
9 qualified individuals and public or private edu-
10 cational organizations to participate in the pro-
11 gram;

12 “(D) how the eligible entity will use funds
13 received under this section, including how the
14 eligible entity will evaluate the success of its
15 program;

16 “(E) how the eligible entity will support
17 and continue the program after the grant has
18 expired, including how it will seek support from
19 other sources, such as State and local govern-
20 ment, foundations, and the private sector;

21 “(F) how the eligible entity will address
22 legal, contractual, or administrative barriers to
23 employment of adjunct faculty in the partici-
24 pating State or local educational agency or
25 agencies; and

1 “(G) how the eligible entity will provide
2 pre-service training to selected adjunct teachers,
3 including the on-going mentoring of such teach-
4 ers by highly qualified teachers.

5 “(g) USES OF FUNDS.—An eligible entity that re-
6 ceives a grant under this section is authorized to use grant
7 funds to carry out one or more of the following activities:

8 “(1) To develop the capacity of the local edu-
9 cational agency or the State educational agency, or
10 both, to identify, recruit, and train qualified individ-
11 uals outside of the elementary and secondary edu-
12 cation system (including individuals in business and
13 government, and individuals who would participate
14 through distance-learning arrangements) to become
15 adjunct teachers in mathematics, science, and crit-
16 ical foreign language courses.

17 “(2) To provide signing bonuses and other fi-
18 nancial incentives to encourage individuals to be-
19 come adjunct teachers in mathematics, science, and
20 critical foreign language courses.

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

24 “(4) To reimburse outside entities for the costs
25 associated with allowing an employee to serve as an

1 adjunct teacher, except that these costs shall not ex-
2 ceed the total cost of salary and benefits for teachers
3 with comparable experience or expertise in the local
4 educational agency.

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

10 “(i) PROGRAM PERFORMANCE.—Each eligible entity
11 receiving a grant under this section shall prepare and sub-
12 mit to the Secretary a final report on the results of the
13 project that contains such information as the Secretary
14 may require including improvements in academic achieve-
15 ment as a result of instruction from adjunct teachers.

16 “(j) EVALUATION.—The Secretary shall evaluate the
17 activities funded under this section including the impact
18 of the program on student academic achievement and shall
19 report the results of the evaluation to the appropriate
20 Committees of Congress.

21 “(k) DEFINITIONS.—As used in this section:

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

24 “(A) possesses, at a minimum, a bachelor’s
25 degree;

1 “(B) has demonstrated expertise in mathe-
2 matics, science, or a critical foreign language by
3 having met the requirements of section
4 9101(23)(B)(ii) of the Elementary and Sec-
5 ondary Education Act of 1965; and

6 “(C) is not required to meet the other re-
7 quirements of section 9101(23) of the Elemen-
8 tary and Secondary Education Act of 1965.

9 “(2) CRITICAL FOREIGN LANGUAGE.—The term
10 ‘critical foreign language’ has the same meaning
11 given such term under section 428K(h).

12 **“SEC. 419E. FOREIGN LANGUAGE PARTNERSHIPS.**

13 “(a) PURPOSE.—The purpose of this section is to in-
14 crease the number of highly qualified teachers in, and the
15 number of United States’ students who achieve the highest
16 level of proficiency in, foreign languages critical to the se-
17 curity and competitiveness of the Nation.

18 “(b) PROGRAM AUTHORIZED.—The Secretary is au-
19 thorized to award grants to institutions of higher edu-
20 cation, in partnership with one or more local educational
21 agencies, to establish teacher preparation programs in
22 critical foreign languages, and activities that will enable
23 successful students to advance from elementary school
24 through college to achieve proficiency in those languages.

25 “(c) APPLICATIONS.—

1 “(1) APPLICATION REQUIRED.—Any institution
2 of higher education that desires to receive a grant
3 under this section shall submit an application to the
4 Secretary at such time, in such manner, and con-
5 taining such information as the Secretary may re-
6 quire.

7 “(2) CONTENTS.—Each Application shall—

8 “(A) identify each local educational agency
9 partner and describe each such partner’s re-
10 sponsibilities (including how they will be in-
11 volved in planning and implementing the pro-
12 gram, what resources they will provide, and how
13 they will ensure continuity of student progress
14 from elementary school to the postsecondary
15 level); and

16 “(B) describe how the applicant will sup-
17 port and continue the program after the grant
18 has expired, including how it will seek support
19 from other sources, such as State and local gov-
20 ernment, foundations, and the private sector.

21 “(d) USES OF FUNDS.—Funds awarded under this
22 section shall be used to develop and implement programs
23 consistent with the purpose of this section by carrying out
24 one or more of the following activities:

1 “(1) To recruit highly qualified teachers in crit-
2 ical foreign languages and professional development
3 activities for such teachers at the elementary
4 through high school level.

5 “(2) To provide innovative opportunities for
6 students that will allow for critical language learn-
7 ing, such as immersion environments, intensive
8 study opportunities, internships, and distance learn-
9 ing.

10 “(e) MATCHING REQUIREMENT.—Each grantee
11 under this section shall provide, from non-Federal sources,
12 an amount equal to 100 percent of the amount of the
13 grant (in cash or in kind) to carry out the activities sup-
14 ported by the grant.

15 “(f) EVALUATION.—The Secretary shall evaluate the
16 activities funded under this section and report the results
17 of the evaluation to the appropriate Committees of Con-
18 gress.

19 “(g) DEFINITION.—As used in this section the term
20 ‘critical foreign language’ has the same meaning given
21 such term under section 428K(h)(2).

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

23 “There are authorized to be appropriated
24 \$41,000,000 for fiscal year 2007 and such sums as may

1 be necessary for each of the 5 succeeding fiscal years to
2 carry out this subpart.”.

3 **SEC. 409. CHILD CARE ACCESS.**

4 Section 419N(g) (20 U.S.C. 1070e(g)) is amended—

5 (1) by striking “1999” and inserting “2007”;

6 and

7 (2) by striking “4 succeeding” and inserting “5

8 succeeding”.

9 **SEC. 410. LEARNING ANYTIME ANYWHERE PARTNERSHIPS.**

10 (a) REPEAL.—Subpart 8 of part A of title IV (20
11 U.S.C. 1070f—1070f–6) is repealed.

12 (b) CONFORMING AMENDMENT.—Section 400(b) (20
13 U.S.C. 1070(b)) is amended by striking “through 8” and
14 inserting “through 7”.

15 **PART B—FEDERAL FAMILY EDUCATION LOAN**

16 **PROGRAM**

17 **SEC. 421. LOAN FORGIVENESS FOR SERVICE IN AREAS OF**
18 **NATIONAL NEED.**

19 Section 428K (20 U.S.C. 1078–11) is amended to
20 read as follows:

21 **“SEC. 428K. LOAN FORGIVENESS FOR SERVICE IN AREAS OF**
22 **NATIONAL NEED.**

23 “(a) PURPOSES.—The purposes of this section are—

1 “(1) to encourage highly trained individuals to
2 enter and continue in service in areas of national
3 need; and

4 “(2) to reduce the burden of student debt for
5 Americans who dedicate their careers to service in
6 areas of national need.

7 “(b) PROGRAM AUTHORIZED.—

8 “(1) IN GENERAL.—The Secretary is authorized
9 to carry out a program of assuming the obligation
10 to repay, subject to paragraphs (2) of subsection (c)
11 and subsection (d), a qualified loan amount for a
12 loan made, insured, or guaranteed under this part or
13 part D (other than loans made under section 428B
14 and 428C and comparable loans made under part
15 D), for any new borrower after the date of enact-
16 ment of the College Access and Opportunity Act of
17 2006, who—

18 “(A) has been employed full-time for at
19 least 5 consecutive complete school, academic,
20 or calendar years, as appropriate, in an area of
21 national need described in subsection (c); and

22 “(B) is not in default on a loan for which
23 the borrower seeks forgiveness.

24 “(2) AWARD BASIS.—Loan repayment under
25 this section shall be on a first-come, first-served

1 basis on behalf of borrowers employed in an area of
2 national need described in subsection (c) and subject
3 to the availability of appropriations.

4 “(3) REGULATIONS.—The Secretary is author-
5 ized to issue such regulations as may be necessary
6 to carry out the provisions of this section.

7 “(c) AREAS OF NATIONAL NEED.—

8 “(1) STATUTORY CATEGORIES.—For purposes
9 of this section, an individual shall be treated as em-
10 ployed in an area of national need if the individual
11 is employed full time and is any of the following:

12 “(A) EARLY CHILDHOOD EDUCATORS.—An
13 individual who is employed as an early child-
14 hood educator in an eligible preschool program
15 or child care facility in a low-income commu-
16 nity, and who is involved directly in the care,
17 development and education of infants, toddlers,
18 or young children through age five.

19 “(B) NURSES.—An individual who is em-
20 ployed—

21 “(i) as a nurse in a clinical setting; or

22 “(ii) as a member of the nursing fac-
23 ulty at an accredited school of nursing (as
24 those terms are defined in section 801 of

1 the Public Health Service Act (42 U.S.C.
2 296)).

3 “(C) FOREIGN LANGUAGE SPECIALISTS.—

4 An individual who has obtained a baccalaureate
5 degree in a critical foreign language and is em-
6 ployed—

7 “(i) in an elementary or secondary
8 school as a highly qualified teacher (as
9 such term is defined in section 9101 of the
10 Elementary and Secondary Education Act
11 of 1965) of a critical foreign language; or

12 “(ii) in an agency of the United
13 States Government in a position that regu-
14 larly requires the use of such critical for-
15 eign language.

16 “(D) LIBRARIANS.—An individual who is
17 employed full-time as a librarian in—

18 “(i) a public library that serves a geo-
19 graphic area within which the public
20 schools have a combined average of 30 per-
21 cent or more of their total student enroll-
22 ments composed of children counted under
23 section 1113(a)(5) of the Elementary and
24 Secondary Education Act of 1965; or

1 “(ii) an elementary or secondary
2 school which is in the school district of a
3 local educational agency which is eligible in
4 such year for assistance pursuant to title I
5 of the Elementary and Secondary Edu-
6 cation Act of 1965, and which for the pur-
7 pose of this paragraph and for that year
8 has been determined by the Secretary
9 (pursuant to regulations and after con-
10 sultation with the State educational agency
11 of the State in which the school is located)
12 to be a school in which the enrollment of
13 children counted under section 1113(a)(5)
14 of the Elementary and Secondary Edu-
15 cation Act of 1965 exceeds 30 percent of
16 the total enrollment of that school.

17 “(E) HIGHLY QUALIFIED TEACHERS: BI-
18 LINGUAL EDUCATION AND LOW-INCOME COM-
19 MUNITIES.—An individual who—

20 “(i) is highly qualified as such term is
21 defined in section 9101 of the Elementary
22 and Secondary Education Act of 1965; and

23 “(ii)(I) is employed as a full-time
24 teacher of bilingual education; or

1 “(II) is employed as a teacher for
2 service in a public or nonprofit private ele-
3 mentary or secondary school which is in
4 the school district of a local educational
5 agency which is eligible in such year for
6 assistance pursuant to title I of the Ele-
7 mentary and Secondary Education Act of
8 1965, and which for the purpose of this
9 paragraph and for that year has been de-
10 termined by the Secretary (pursuant to
11 regulations and after consultation with the
12 State educational agency of the State in
13 which the school is located) to be a school
14 in which the enrollment of children counted
15 under section 1113(a)(5) of the Elemen-
16 tary and Secondary Education Act of 1965
17 exceeds 40 percent of the total enrollment
18 of that school.

19 “(F) FIRST RESPONDERS IN LOW-INCOME
20 COMMUNITIES.—An individual who—

21 “(i) is employed as a firefighter, police
22 officer, or emergency medical technician;
23 and

24 “(ii) serves as such in a low-income
25 community.

1 “(G) CHILD WELFARE WORKERS.—An in-
2 dividual who—

3 “(i) has obtained a degree in social
4 work or a related field with a focus on
5 serving children and families; and

6 “(ii) is employed in public or private
7 child welfare services.

8 “(H) SPEECH-LANGUAGE PATHOLO-
9 GISTS.—An individual who is a speech-language
10 pathologist, who is employed in an eligible pre-
11 school program or an elementary or secondary
12 school, and who has, at a minimum, a graduate
13 degree in speech-language pathology, or com-
14 munication sciences and disorders.

15 “(I) PUBLIC SERVICE EMPLOYMENT.—An
16 individual who is employed full time in by a
17 qualified public service employer.

18 “(J) MEDICAL SPECIALISTS.—An indi-
19 vidual who—

20 “(i) has received his or her degree
21 from an accredited medical school (as ac-
22 credited by the Liaison Committee on Med-
23 ical Education or as defined by this title
24 IV); and

1 “(ii)(I) has been accepted to, or cur-
2 rently participates in, a graduate medical
3 education training program or fellowship
4 (or both) to provide health care services
5 (as recognized by the Accreditation Council
6 for Graduate Medical Education); or

7 “(II) has been accepted into, or cur-
8 rently participates in, a graduate medical
9 education program or fellowship (or both)
10 to provide health care services that—

11 “(aa) requires more than 5 years
12 of total graduate medical training;
13 and

14 “(bb) has fewer United States
15 medical school graduate applicants
16 than the total number of training and
17 fellowship positions available in the
18 programs specified in subclause (I) of
19 this clause.

20 “(K) CHILD OR ADOLESCENT MENTAL
21 HEALTH PROFESSIONALS.—An individual who
22 is employed as child or adolescent mental health
23 professional and is currently providing a major-
24 ity of their clinical services to children or ado-
25 lescents.

1 “(L) ADDITIONAL AREAS OF NATIONAL
2 NEED.—An individual who is employed in an
3 area designated by the Secretary under para-
4 graph (2) and has completed a baccalaureate or
5 advanced degree related to such area.

6 “(2) DESIGNATION OF AREAS OF NATIONAL
7 NEED.—After consultation with appropriate Federal,
8 State, and community-based agencies and organiza-
9 tions, the Secretary shall designate areas of national
10 need. In making such designations, the Secretary
11 shall take into account the extent to which—

12 “(A) the national interest in the area is
13 compelling;

14 “(B) the area suffers from a critical lack
15 of qualified personnel; and

16 “(C) other Federal programs support the
17 area concerned.

18 “(d) QUALIFIED LOAN AMOUNT.—Subject to sub-
19 section (b)(2), the Secretary shall repay not more than
20 \$5,000 in the aggregate of the loan obligation on a loan
21 made under section 428 or 428H that is outstanding after
22 the completion of the fifth consecutive school, academic,
23 or calendar year, as appropriate, described in subsection
24 (b)(1).

1 “(e) CONSTRUCTION.—Nothing in this section shall
2 be construed to authorize the refunding of any repayment
3 of a loan made under section 428 or 428H.

4 “(f) INELIGIBILITY OF NATIONAL SERVICE AWARD
5 RECIPIENTS.—No student borrower may, for the same
6 service, receive a benefit under both this section and sub-
7 title D of title I of the National and Community Service
8 Act of 1990 (42 U.S.C. 12601 et seq.).

9 “(g) INELIGIBILITY FOR DOUBLE BENEFITS.—No
10 borrower may receive a reduction of loan obligations under
11 both this section and section 428J or 460.

12 “(h) DEFINITIONS.—In this section

13 “(1) CHILD CARE FACILITY.—The term ‘child
14 care facility’ means a facility, including a home,
15 that—

16 “(A) provides for the education and care of
17 children from birth through age 5; and

18 “(B) meets any applicable State or local
19 government licensing, certification, approval, or
20 registration requirements.

21 “(2) CRITICAL FOREIGN LANGUAGE.—The term
22 ‘critical foreign language’ includes the languages of
23 Arabic, Korean, Japanese, Chinese, Pashto, Persian-
24 Farsi, Serbian-Croatian, Russian, Portuguese, and
25 any other language identified by the Secretary of

1 Education, in consultation with the Defense Lan-
2 guage Institute, the Foreign Service Institute, and
3 the National Security Education Program, as a crit-
4 ical foreign language need.

5 “(3) EARLY CHILDHOOD EDUCATOR.—The
6 term ‘early childhood educator’ means an early
7 childhood educator employed in an eligible preschool
8 program who has completed a baccalaureate or ad-
9 vanced degree in early childhood development, early
10 childhood education, or in a field related to early
11 childhood education.

12 “(4) ELIGIBLE PRESCHOOL PROGRAM.—The
13 term ‘eligible preschool program’ means a program
14 that provides for the care, development, and edu-
15 cation of infants, toddlers, or young children
16 through age 5, meets any applicable State or local
17 government licensing, certification, approval, and
18 registration requirements, and is operated by—

19 “(A) a public or private school that may be
20 supported, sponsored, supervised, or adminis-
21 tered by a local educational agency;

22 “(B) a Head Start agency serving as a
23 grantee designated under the Head Start Act
24 (42 U.S.C. 9831 et seq.);

1 “(C) a nonprofit or community based orga-
2 nization; or

3 “(D) a child care program, including a
4 home.

5 “(5) LOW-INCOME COMMUNITY.—In this sub-
6 section, the term ‘low-income community’ means a
7 community in which 70 percent of households earn
8 less than 85 percent of the State median household
9 income.

10 “(6) NURSE.—The term ‘nurse’ means a nurse
11 who meets all of the following:

12 “(A) The nurse graduated from an accred-
13 ited school of nursing (as those terms are de-
14 fined in section 801 of the Public Health Serv-
15 ice Act (42 U.S.C. 296)).”.

16 “(B) The nurse holds a valid and unre-
17 stricted license to practice nursing in the State
18 in which the nurse practices in a clinical setting
19 or from an accredited school of nursing (as
20 those terms are defined in section 801 of the
21 Public Health Service Act (42 U.S.C. 296)).

22 “(C) The nurse holds one or more of the
23 following:

24 “(i) A graduate degree in nursing, or
25 an equivalent degree.

1 “(ii) A nursing degree from a colle-
2 giate school of nursing (as defined in sec-
3 tion 801 of the Public Health Service Act
4 (42 U.S.C. 296)).

5 “(iii) A nursing degree from an asso-
6 ciate degree school of nursing (as defined
7 in section 801 of the Public Health Service
8 Act (42 U.S.C. 296)).

9 “(iv) A nursing degree from a diploma
10 school of nursing (as defined in section
11 801 of the Public Health Service Act (42
12 U.S.C. 296)).

13 “(7) PUBLIC SERVICE EMPLOYMENT.—The
14 term ‘qualified public service employer’ means any
15 State, local government, Federal agency, or other or-
16 ganization (as such terms are defined by section
17 3371 of title 5, United States Code), any other of-
18 fice or entity of the legislative branch, and any em-
19 ployer that is exempt from taxation under section
20 501(c)(3) or section 501(c)(4) of title 26, United
21 States Code.

22 “(8) SPEECH-LANGUAGE PATHOLOGIST.—The
23 term ‘speech-language pathologist’ means a speech-
24 language pathologist who meets all of the following:

1 “(A) the speech-language pathologist has
2 received, at a minimum, a graduate degree in
3 speech-language pathology or communication
4 sciences and disorders from an institution of
5 higher education; and

6 “(B) the speech-language pathologist
7 meets or exceeds the qualifications as defined in
8 section 1861(11) of the Social Security Act (42
9 U.S.C. 1395x).

10 “(8) CHILD OR ADOLESCENT MENTAL HEALTH
11 PROFESSIONAL.—The term ‘child or adolescent men-
12 tal health professional’ means an individual who is
13 employed as a psychiatrist, psychologist, school psy-
14 chologist, psychiatric nurse, social worker, school so-
15 cial worker, marriage and family therapist, school
16 counselor, or professional counselor and holds an ad-
17 vanced degree in one of the above areas with special-
18 ized training in child or adolescent mental health.

19 “(9) SPECIALIZED TRAINING IN CHILD OR ADO-
20 LESCENT MENTAL HEALTH.—The term ‘specialized
21 training in child or adolescent mental health’ means
22 training that—

23 “(A) is part of or occurs after completion
24 of an accredited graduate program in the

1 United States for training mental health service
2 professionals;

3 “(B) consists of at least 500 hours of
4 training or clinical experience in treating chil-
5 dren or adolescents; and

6 “(C) is comprehensive, coordinated, devel-
7 opmentally appropriate, and of high quality to
8 address the unique ethnic and cultural diversity
9 of the United States population.

10 “(i) AUTHORIZATION OF APPROPRIATIONS.—There
11 are authorized to be appropriated to carry out this section
12 such sums as may be necessary for fiscal year 2007 and
13 such sums as may be necessary for each of the 5 suc-
14 ceeding fiscal years.”.

15 **SEC. 422. ADDITIONAL ADMINISTRATIVE PROVISIONS.**

16 (a) REPAYMENT PLANS.—Section 428(b)(9)(A) (20
17 U.S.C. 1078(b)(9)(A)) is amended by inserting before the
18 semicolon at the end of clause (ii) the following: “, and
19 the Secretary may not restrict the proportions or ratios
20 by which such payments may be graduated with the in-
21 formed agreement of the borrower”.

22 (b) COUNTING OF CONSOLIDATION LOANS AGAINST
23 LIMITS.—

1 (1) AMENDMENT.—Section 428C(a)(3)(B) (20
2 U.S.C. 1078–3(a)(3)(B)) is amended by adding at
3 the end the following new clause:

4 “(ii) Loans made under this section shall, to
5 the extent used to pay off the outstanding principal
6 balance on loans made under this title, excluding
7 capitalized interest, be counted against the applica-
8 ble limitations on aggregate indebtedness contained
9 in sections 425(a)(2), 428(b)(1)(B), 428H(d), 455,
10 and 464(a)(2)(B).”.

11 (2) EFFECTIVE DATE.—The amendments made
12 by this subsection shall apply with respect to any
13 loan made, insured, or guaranteed under part B or
14 part D of title IV of the Higher Education Act of
15 1965 for which the first disbursement of principal is
16 made on or after the date of enactment of this Act.

17 (c) ADDITIONAL CONSOLIDATION LOAN CHANGES.—

18 (1) ADDITIONAL AMENDMENTS.—Section
19 428C(b)(1) (20 U.S.C. 1078–3(b)(1)) is amended—

20 (A) by striking everything after “under
21 this section” the first place it appears in sub-
22 paragraph (A);

23 (B) by striking “(i) which” and all that
24 follows through “and (ii)” in subparagraph (C);

1 (C) by striking “and” at the end of sub-
2 paragraph (E);

3 (D) by redesignating subparagraph (F) as
4 subparagraph (G); and

5 (E) by inserting after subparagraph (E)
6 the following new subparagraph:

7 “(F) that the lender of the consolidation
8 loan shall, upon application for such loan, pro-
9 vide the borrower with a clear and conspicuous
10 notice of at least the following information:

11 “(i) the effects of consolidation on
12 total interest to be paid, fees to be paid,
13 and length of repayment;

14 “(ii) the effects of consolidation on a
15 borrower’s underlying loan benefits, includ-
16 ing loan forgiveness, cancellation,
17 deferment, and reduced interest rates on
18 those underlying loans;

19 “(iii) the ability of the borrower to
20 prepay the loan, pay on a shorter schedule,
21 and to change repayment plans;

22 “(iv) that borrower benefit programs
23 may vary among different loan holders,
24 and a description of how the borrower ben-

1 efits may vary among different loan hold-
2 ers;

3 “ (v) the tax benefits for which bor-
4 rowers may be eligible;

5 “ (vi) the consequences of default; and

6 “ (vii) that by making the application
7 the applicant is not obligated to agree to
8 take the consolidation loan; and”.

9 (2) EFFECTIVE DATE FOR SINGLE HOLDER
10 AMENDMENT.—The amendment made by paragraph
11 (1)(A) shall apply with respect to any loan made
12 under section 428C of the Higher Education Act of
13 1965 (20 U.S.C. 1078–3) for which the application
14 is received by an eligible lender on or after July 1,
15 2006.

16 (d) VOLUNTARY FLEXIBLE AGREEMENTS.—Section
17 428A(c) (20 U.S.C. 1078–1(c)) is amended by striking
18 paragraph (3) and inserting the following:

19 “(3) NOTICE TO INTERESTED PARTIES.—Once
20 the Secretary reaches a tentative agreement in prin-
21 ciple under this section, the Secretary shall publish
22 in the Federal Register a notice that invites inter-
23 ested parties to comment on the proposed agree-
24 ment. The notice shall state how to obtain a copy of
25 the tentative agreement in principle and shall give

1 interested parties no less than 30 days to provide
2 comments. The Secretary may consider such com-
3 ments prior to providing the notices pursuant to
4 paragraph (2).”.

5 (e) FINANCIAL AND ECONOMIC LITERACY.—

6 (1) DEFAULT REDUCTION PROGRAM.—Section
7 428F is amended by adding at the end the following:

8 “(c) FINANCIAL AND ECONOMIC LITERACY.—Where
9 appropriate, each program described under subsection (b)
10 shall include making available financial and economic edu-
11 cation materials for the borrower.”.

12 (2) PROGRAM ASSISTANCE FOR BORROWERS.—

13 Section 432(k)(1) (20 U.S.C. 1082(k)(1)) is amend-
14 ed by striking “and offering” and all that follows
15 through the period and inserting “, offering loan re-
16 payment matching provisions as part of employee
17 benefit packages, and providing employees with fi-
18 nancial and economic education and counseling.”.

19 (f) CREDIT BUREAU ORGANIZATION AGREE-
20 MENTS.—Section 430A(a) (20 U.S.C. 1080a(a)) is
21 amended by striking “agreements with credit bureau orga-
22 nizations” and inserting “an agreement with each national
23 credit bureau organization (as described in section 603(p)
24 of the Fair Credit Reporting Act)”.

1 (g) DEFAULT REDUCTION MANAGEMENT.—Section
2 432 is further amended—

3 (1) by striking subsection (n); and

4 (2) by redesignating subsections (o) and (p) as
5 subsections (n) and (o), respectively.

6 (h) STUDENT LOAN INFORMATION.—Section 435(m)
7 (20 U.S.C. 1085(m)) is amended by adding at the end
8 the following new paragraph:

9 “(5) STUDENT LOAN INFORMATION.—

10 “(A) Notwithstanding any other provision
11 of law or regulation, a lender, secondary mar-
12 ket, holder, or guaranty agency shall provide,
13 free of charge and in a timely and effective
14 manner, any student loan information main-
15 tained by that entity that is requested by an in-
16 stitution of higher education and any third-
17 party servicer (as defined in section 481(e))
18 working on behalf of that institution to prevent
19 student loan defaults.

20 “(B) An institution and any third-party
21 servicer obtaining access to information under
22 subparagraph (A) shall safeguard that informa-
23 tion in order to prevent potential abuses of that
24 information, including identity theft.

1 “(C) Any third party servicer that obtains
2 information under this subparagraph shall only
3 use the information in a manner directly related
4 to the default prevention work the servicer is
5 performing on behalf of the institution of higher
6 education.”.

7 (i) **DISABILITY DETERMINATIONS.**—Section 437(a)
8 (20 U.S.C. 1087(a)) is amended by adding at the end the
9 following new sentence: “In making such determination of
10 permanent and total disability, the Secretary shall provide
11 that a borrower who has been certified as permanently and
12 totally disabled by the Department of Veterans Affairs or
13 the Social Security Administration shall not be required
14 to present further documentation for purposes of this
15 title.”.

16 (j) **TREATMENT OF FALSELY CERTIFIED BOR-**
17 **ROWERS.**—Section 437(c)(1) (20 U.S.C. 1087(c)(1)) is
18 amended by inserting “or parent’s eligibility” after “such
19 student’s eligibility”.

20 (k) **ADDITIONAL TECHNICAL AMENDMENTS.**—

21 (1) Section 428(a)(2)(A) (20 U.S.C.
22 1078(a)(2)(A)) is amended—

23 (A) by striking “and” at the end of sub-
24 clause (II) of clause (i); and

1 (B) by moving the margin of clause (iii)
2 two ems to the left.

3 (2) Section 428G(e) (20 U.S.C. 1078–7(e)) is
4 amended by striking “, made to a student to cover
5 the cost of attendance at an eligible institution out-
6 side the United States,”.

7 **PART C—FEDERAL WORK-STUDY PROGRAMS**

8 **SEC. 441. AUTHORIZATION OF APPROPRIATIONS.**

9 Section 441(b) (42 U.S.C. 2751(b)) is amended—

10 (1) by striking “1999” and inserting “2007”;

11 and

12 (2) by striking “4 succeeding” and inserting “5
13 succeeding”.

14 **SEC. 442. COMMUNITY SERVICE.**

15 Section 441(c)(1) (42 U.S.C. 2751(c)(1)) is amended
16 by striking “that are open and accessible to the commu-
17 nity”.

18 **SEC. 443. ALLOCATION OF FUNDS.**

19 (a) **ELIGIBILITY FOR ADDITIONAL ALLOCATIONS.—**

20 Section 442(a)(4) (42 U.S.C. 2752(a)(4)) is amended by
21 striking subparagraph (B) and inserting the following:

22 “(B) An otherwise eligible institution may receive a
23 portion of the allocation described in subparagraph (A)
24 if—

1 “(i) not less than 10 percent of the students at-
2 tending the institution receive Federal Pell Grants;
3 and

4 “(ii)(I) in the case of an institution that offers
5 programs of at least 4 years in duration, if its grad-
6 uation rate for Federal Pell Grant recipients attend-
7 ing the institution and graduating within the period
8 of time equal to normal duration of the longest un-
9 dergraduate program offered by the institution, as
10 measured from the first day of their enrollment, ex-
11 ceeds the median rate for the class of institution (as
12 defined in section 131(f)(7)(C)); or

13 “(II) in the case of an institution that offers
14 programs of at least 2, but less than 4, years in du-
15 ration, if its rate for Federal Pell Grant recipients
16 attending the institution and graduating or transfer-
17 ring to an institution that offers programs of at
18 least 4 years in duration within the period of time
19 equal to the normal duration of the program offered,
20 as measured from the first day of their enrollment,
21 exceeds the median rate for the class of institution
22 (as defined in section 131(f)(7)(C)).”.

23 (b) EFFECTIVE DATE.—The amendment made by
24 subsection (a) shall apply with respect to any amounts ap-
25 propriated under section 441(b) of the Higher Education

1 Act of 1965 (42 U.S.C. 2751(b)) for fiscal year 2008 or
2 any succeeding fiscal year.

3 **SEC. 444. BOOKS AND SUPPLIES.**

4 Section 442(e)(4)(D) (42 U.S.C. 2752(e)(4)(D)) is
5 amended by striking “\$450” and inserting “\$600”.

6 **SEC. 445. JOB LOCATION AND DEVELOPMENT.**

7 Section 446(a)(1) (42 U.S.C. 2756(a)(1)) is amend-
8 ed—

9 (1) by striking “10 percent or \$50,000” and in-
10 sserting “15 percent or \$75,000”; and

11 (2) by inserting before the period at the end the
12 following: “, except that not less than one-third of
13 such amount shall be specifically allocated to locate
14 and develop community service jobs”.

15 **SEC. 446. WORK COLLEGES.**

16 Section 448 (42 U.S.C. 2756b) is amended—

17 (1) by striking “work-learning” each place it
18 appears and inserting “work-learning-service”;

19 (2) by amending subparagraph (C) of sub-
20 section (e)(1) to read as follows:

21 “(C) requires all resident students, includ-
22 ing at least one-half of all students who are en-
23 rolled on a full-time basis, to participate in a
24 comprehensive work-learning-service program
25 for at least 5 hours each week, or at least 80

1 hours during each period of enrollment, unless
2 the student is engaged in an institutionally or-
3 ganized or approved study abroad or externship
4 program; and”;

5 (3) by amending paragraph (2) of subsection
6 (e) to read as follows:

7 “(2) the term ‘comprehensive student work-
8 learning-service program’—

9 “(A) means a student work-learning-serv-
10 ice program that is an integral and stated part
11 of the institution’s educational philosophy and
12 program;

13 “(B) requires participation of all resident
14 students for enrollment and graduation;

15 “(C) includes learning objectives, evalua-
16 tion, and a record of work performance as part
17 of the student’s college record;

18 “(D) provides programmatic leadership by
19 college personnel at levels comparable to tradi-
20 tional academic programs;

21 “(E) recognizes the educational role of
22 work-learning-service supervisors; and

23 “(F) includes consequences for non-
24 performance or failure in the work-learning-

1 service program similar to the consequences for
2 failure in the regular academic program.”; and
3 (4) in subsection (f), by striking “1999 and
4 such sums as may be necessary for each of the 4
5 succeeding fiscal years” and inserting “2007 and
6 such sums as may be necessary for the 5 succeeding
7 fiscal years”.

8 **SEC. 447. WORK ASSISTANCE FOR STUDENTS IN COM-**
9 **PREHENSIVE POSTSECONDARY PROGRAMS**
10 **FOR STUDENTS WITH MENTAL RETARDA-**
11 **TION.**

12 (a) AMENDMENT.—Part C of title IV (42 U.S.C.
13 2751 et seq.) is further amended by adding at the end
14 thereof the following new section:

15 **“SEC. 449. WORK ASSISTANCE FOR STUDENTS IN COM-**
16 **PREHENSIVE POSTSECONDARY PROGRAMS**
17 **FOR STUDENTS WITH MENTAL RETARDA-**
18 **TION.**

19 “(a) PURPOSE.—It is the purpose of this section to
20 enable an institution participating under this part that of-
21 fers a comprehensive postsecondary program for students
22 with mental retardation to provide work assistance to such
23 students enrolled in that program in order to assist these
24 students with the costs of postsecondary education and

1 improve their academic and personal skills, independence,
2 and employability.

3 “(b) PROGRAM AUTHORITY.—(1) An institution of
4 higher education participating under this part may, pursu-
5 ant to a plan developed in accordance with subsection (c)
6 and approved by the Secretary, transfer funds allocated
7 under section 442 for use under this section to award work
8 assistance to students with mental retardation who are en-
9 rolled and maintaining satisfactory progress in a com-
10 prehensive postsecondary program for students with men-
11 tal retardation at that institution.

12 “(2)(A) Notwithstanding any other provisions of this
13 Act, the following requirements do not apply to students
14 seeking work assistance under this section:

15 “(i) Student eligibility requirements relating to
16 enrollment in a program leading to a recognized
17 education credential under section 484(a)(1).

18 “(ii) Satisfactory progress requirements under
19 sections 484(a)(2) and (c).

20 “(iii) Student eligibility requirements relating to
21 the satisfaction of secondary education standards
22 under section 484(d).

23 “(iv) Determination of need in accordance with
24 part F.

1 “(v) The common financial reporting form de-
2 veloped and processed pursuant to section 483, and
3 any related aid processing, disbursement, and deliv-
4 ery requirements as the Secretary may specify.

5 “(vi) Any reporting requirements that the Sec-
6 retary may specify.

7 “(B) Notwithstanding any other provisions of this
8 Act, the requirement that a program lead to a degree or
9 certificate, or meet the requirements of section 481(b),
10 shall not apply to comprehensive postsecondary programs
11 for students with mental retardation at institutions of
12 higher education that are otherwise eligible to participate
13 under this part.

14 “(c) AGREEMENT WITH THE SECRETARY.—An insti-
15 tution of higher education that wishes to provide work as-
16 sistance under this section shall prepare, and submit to
17 the Secretary for approval, a plan describing how work
18 assistance will be awarded under this section to students
19 with mental retardation who are enrolled in a comprehen-
20 sive postsecondary program for students with mental re-
21 tardation at that institution. That plan shall include—

22 “(1) a description of how the institution will de-
23 termine which students in the program will receive
24 work assistance, including what criteria will be used

1 for determining the student's financial need for the
2 assistance in lieu of a determination under part F;

3 “(2) a description of the types of jobs in which
4 students in the program will be employed, at what
5 rates of compensation, and the number of hours that
6 a student may work;

7 “(3) the maximum dollar amount of assistance
8 that the institution may award to a student in the
9 program; and

10 “(4) a requirement that the Federal share of
11 the compensation of a student in the program shall
12 not exceed 75 percent.

13 “(d) DEFINITIONS.—For the purpose of this section:

14 “(1) COMPREHENSIVE POSTSECONDARY PRO-
15 GRAM FOR STUDENTS WITH MENTAL RETARDA-
16 TION.—The term ‘comprehensive postsecondary pro-
17 gram for students with mental retardation’ means a
18 degree, certificate, or nondegree program offered by
19 an institution of higher education that—

20 “(A) is designed for students with mental
21 retardation who seek to continue academic, vo-
22 cational, and independent living instruction at
23 the institution to prepare for gainful employ-
24 ment;

1 “(B) includes an advising and curriculum
2 structure; and

3 “(C) includes enrollment by the student
4 (through regular enrollment, auditing courses,
5 participation in internships, or enrollment in
6 noncredit, nondegree courses) in the equivalent
7 of not less than half-time enrollment, as defined
8 by the institution.

9 “(2) STUDENT WITH MENTAL RETARDATION.—

10 The term ‘student with mental retardation’ means a
11 student with significantly subaverage general intel-
12 lectual functioning, existing concurrently with defi-
13 cits in adaptive behavior and manifested during the
14 developmental period, that adversely affects a stu-
15 dent’s educational performance.

16 “(3) SATISFACTORY PROGRESS.—A student
17 with mental retardation enrolled in a comprehensive
18 postsecondary program for students with mental re-
19 tardation is maintaining satisfactory progress if—

20 “(A) the institution at which that student
21 is enrolled reviews the progress of the student
22 at the end of each academic year, or its equiva-
23 lent, as determined by the institution; and

24 “(B) the institution determines that the
25 student is meeting or exceeding the program re-

1 quirements and adequately progressing toward
2 program completion.”.

3 (b) **EFFECTIVE DATE.**—The amendments made by
4 subsection (a) shall be effective for academic year 2007–
5 2008 and succeeding academic years.

6 **PART D—FEDERAL DIRECT LOAN PROGRAM**

7 **SEC. 451. INCOME CONTINGENT REPAYMENT.**

8 Section 455(e)(2) (20 U.S.C. 1087e(e)(2)) is amend-
9 ed by striking “and files a Federal income tax return
10 jointly with the borrower’s spouse”.

11 **PART E—FEDERAL PERKINS LOAN PROGRAM**

12 **SEC. 461. REAUTHORIZATION OF PROGRAM.**

13 (a) **PROGRAM AUTHORIZATION.**—

14 (1) **AUTHORIZATION OF APPROPRIATIONS.**—

15 Section 461(b) (20 U.S.C. 1087aa(b)) is amended—

16 (A) in paragraph (1)—

17 (i) by striking “1999” and inserting
18 “2007”; and

19 (ii) by striking “4 succeeding” and in-
20 serting “5 succeeding”; and

21 (B) in paragraph (2), by striking “2003”
22 each place it appears and inserting “2013”.

23 (2) **FEDERAL CAPITAL CONTRIBUTION RECOV-**
24 **ERY.**—Section 466 (20 U.S.C. 1087ff) is amended—

1 (A) by striking “2004” each place it ap-
2 pears in subsections (a) and (c) and inserting
3 “2013”;

4 (B) by striking “2003” each place it ap-
5 pears in subsections (a) and (b), and inserting
6 “2012”; and

7 (C) by striking “2012” in subsection (b)
8 and inserting “2013”.

9 (b) BOOKS AND SUPPLIES.—Section 462(c)(4)(D)
10 (20 U.S.C. 1087bb(c)(4)(D)) is amended by striking
11 “\$450” and inserting “\$600”.

12 **SEC. 462. LOAN TERMS AND CONDITIONS.**

13 (a) LOAN LIMITS.—Section 464(a) (20 U.S.C.
14 1087dd(a)) is amended—

15 (1) in paragraph (2)(A)—

16 (A) by striking “\$4,000” in clause (i) and
17 inserting “\$5,500”; and

18 (B) by striking “\$6,000” in clause (ii) and
19 inserting “\$8,000”; and

20 (2) in paragraph (2)(B)—

21 (A) by striking “\$40,000” in clause (i) and
22 inserting “\$60,000”;

23 (B) by striking “\$20,000” in clause (ii)
24 and inserting “\$27,500”; and

1 (C) by striking “\$8,000” in clause (iii) and
2 inserting “\$11,000”.

3 (b) FORBEARANCE.—Section 464(e) (20 U.S.C.
4 1087dd(e)) is amended by striking “, upon written re-
5 quest,”.

6 (c) SPECIAL REPAYMENT RULE.—Paragraph (2) of
7 section 464(f) is amended to read as follows:

8 “(2) No compromise repayment of a defaulted loan
9 as authorized by paragraph (1) may be made unless
10 agreed to by the Secretary.”.

11 (d) REHABILITATION.—Section 464(h)(1)(A) (20
12 U.S.C. 1087dd(h)(1)(A)) is amended by striking “12
13 ontime” and inserting “9 on-time”.

14 **SEC. 463. LOAN CANCELLATION.**

15 Section 465(a)(3)(A) (20 U.S.C. 1087ee(a)(3)(A)) is
16 amended—

17 (1) by inserting “(D),” after “subparagraph
18 (A), (C),” in clause (i);

19 (2) by inserting “or” after the semicolon at the
20 end of clause (ii);

21 (3) by striking clause (iii); and

22 (4) by redesignating clause (iv) as clause (iii).

23 **SEC. 464. TECHNICAL AMENDMENTS.**

24 Part E is further amended as follows:

1 (1) Section 462(g)(1)(E)(i)(I) (20 U.S.C.
2 1087bb(g)(1)(E)(i)(I)) is amended by inserting
3 “monthly” after “consecutive”.

4 (2) Section 464(c)(1)(D) (20 U.S.C.
5 1087dd(c)(1)(D)) is amended by redesignating sub-
6 clauses (I) and (II) as clauses (i) and (ii), respec-
7 tively.

8 (3) Section 465(a)(2) (20 U.S.C. 1087ee(a)(2))
9 is amended in subparagraph (A), by striking “sec-
10 tion 111(c)” and inserting “section 1113(a)(5)”.

11 (4) Section 467(b) (20 U.S.C. 1087gg(b)) is
12 amended by striking “(5)(A), (5)(B)(i), or (6)” and
13 inserting “(4)(A), (4)(B), or (5)”.

14 (5) Section 469(c) (20 U.S.C. 1087ii(c)) is
15 amended—

16 (A) by striking “sections 602 and 632”
17 and inserting “sections 602(3) and 632(5)”;

18 (B) by striking “qualified professional pro-
19 vider of early intervention services” and insert-
20 ing “early intervention services”; and

21 (C) by striking “section 672(2)” and in-
22 serting “section 632(4)”.

PART F—NEED ANALYSIS**SEC. 471. SIGNIFICANTLY SIMPLIFYING THE STUDENT AID
APPLICATION PROCESS.**

(a) IMPROVEMENTS TO PAPER AND ELECTRONIC
FORMS.—

(1) COMMON FINANCIAL AID FORM DEVELOP-
MENT AND PROCESSING.—Section 483(a) (20 U.S.C.
1090(a)) is amended—

(A) by striking paragraphs (1), (2), and
(5);

(B) by redesignating paragraphs (3), (4),
(6), and (7), as paragraphs (9), (10), (11), and
(12), respectively;

(C) by inserting before paragraph (9), as
redesignated by subparagraph (B), the fol-
lowing:

“(1) IN GENERAL.—The Secretary, in coopera-
tion with representatives of agencies and organiza-
tions involved in student financial assistance, shall
produce, distribute, and process free of charge com-
mon financial reporting forms as described in this
subsection to be used for application and reapplica-
tion to determine the need and eligibility of a stu-
dent for financial assistance under parts A through
E (other than subpart 4 of part A). These forms
shall be made available to applicants in both paper

1 and electronic formats and shall be referred to as
2 the ‘Free Application for Federal Student Aid’ or
3 the ‘FAFSA’.

4 “(2) EARLY ESTIMATES.—

5 “(A) IN GENERAL.—The Secretary shall
6 permit applicants to complete such forms as de-
7 scribed in this subsection in the 4 years prior
8 to enrollment in order to obtain a non-binding
9 estimate of the family contribution, as defined
10 in section 473. The estimate shall clearly and
11 conspicuously indicate that it is only an esti-
12 mate of family contribution, and may not re-
13 flect the actual family contribution of the appli-
14 cant that shall be used to determine the grant,
15 loan, or work assistance that the applicant may
16 receive under this title when enrolled in a pro-
17 gram of postsecondary education. Such appli-
18 cants shall be permitted to update information
19 submitted on forms described in this subsection
20 using the process required under paragraph
21 (5)(A).

22 “(B) EVALUATION.—Two years after the
23 early estimates are implemented under this
24 paragraph and from data gathered from the
25 early estimates, the Secretary shall evaluate the

1 differences between initial, non-binding early es-
2 timates and the final financial aid award made
3 available under this title.

4 “(C) REPORT.—The Secretary shall pro-
5 vide a report to the authorizing committees on
6 the results of the evaluation.

7 “(3) PAPER FORMAT.—

8 “(A) IN GENERAL.—The Secretary shall
9 produce, distribute, and process common forms
10 in paper format to meet the requirements of
11 paragraph (1). The Secretary shall develop a
12 common paper form for applicants who do not
13 meet the requirements of subparagraph (B).

14 “(B) EZ FAFSA.—

15 “(i) IN GENERAL.—The Secretary
16 shall develop and use a simplified paper
17 application form, to be known as the ‘EZ
18 FAFSA’, to be used for applicants meeting
19 the requirements of section 479(c).

20 “(ii) REDUCED DATA REQUIRE-
21 MENTS.—The form under this subpara-
22 graph shall permit an applicant to submit,
23 for financial assistance purposes, only the
24 data elements required to make a deter-

1 mination of whether the applicant meets
2 the requirements under section 479(c).

3 “(iii) STATE DATA.—The Secretary
4 shall include on the form under this sub-
5 paragraph such data items as may be nec-
6 essary to award State financial assistance,
7 as provided under paragraph (6), except
8 that the Secretary shall not include a
9 State’s data if that State does not permit
10 its applicants for State assistance to use
11 the form under this subparagraph.

12 “(iv) FREE AVAILABILITY AND PROC-
13 ESSING.—The provisions of paragraph (7)
14 shall apply to the form under this subpara-
15 graph, and the data collected by means of
16 the form under this subparagraph shall be
17 available to institutions of higher edu-
18 cation, guaranty agencies, and States in
19 accordance with paragraph (9).

20 “(v) TESTING.—The Secretary shall
21 conduct appropriate field testing on the
22 form under this subparagraph.

23 “(C) PROMOTING THE USE OF ELEC-
24 TRONIC FAFSA.—

1 “(i) IN GENERAL.—The Secretary
2 shall—

3 “(I) develop a form that uses
4 skip logic to simplify the application
5 process for applicants; and

6 “(II) make all efforts to encour-
7 age applicants to utilize the electronic
8 forms described in paragraph (4).

9 “(ii) MAINTENANCE OF THE FAFSA IN
10 A PRINTABLE ELECTRONIC FILE.—The
11 Secretary shall maintain a version of the
12 paper forms described in subparagraphs
13 (A) and (B) in a printable electronic file
14 that is easily portable. The printable elec-
15 tronic file will be made easily accessible
16 and downloadable to students on the same
17 website used to provide students with the
18 electronic application forms described in
19 paragraph (4) of this subsection. The Sec-
20 retary shall enable students to submit a
21 form created under this subparagraph that
22 is downloaded and printed from an elec-
23 tronic file format in order to meet the fil-
24 ing requirements of this section and in

1 order to receive aid from programs under
2 this title.

3 “(iii) REPORTING REQUIREMENT.—

4 The Secretary shall report annually to
5 Congress on the impact of the digital di-
6 vide on students completing applications
7 for title IV aid described under this para-
8 graph and paragraph (4). The Secretary
9 will also report on the steps taken to elimi-
10 nate the digital divide and phase out the
11 paper form described in subparagraph (A)
12 of this paragraph. The Secretary’s report
13 will specifically address the impact of the
14 digital divide on the following student pop-
15 ulations: dependent students, independent
16 students without dependents, and inde-
17 pendent students with dependents other
18 than a spouse.

19 “(4) ELECTRONIC FORMAT.—

20 “(A) IN GENERAL.—The Secretary shall
21 produce, distribute, and process common forms
22 in electronic format to meet the requirements of
23 paragraph (1). The Secretary shall develop
24 common electronic forms for applicants who do

1 not meet the requirements of subparagraph (C)
2 of this paragraph.

3 “(B) STATE DATA.—The Secretary shall
4 include on the common electronic forms space
5 for information that needs to be submitted from
6 the applicant to be eligible for State financial
7 assistance, as provided under paragraph (6), ex-
8 cept the Secretary shall not require applicants
9 to complete data required by any State other
10 than the applicant’s State of residence.

11 “(C) SIMPLIFIED APPLICATIONS: FAFSA ON
12 THE WEB.—

13 “(i) IN GENERAL.—The Secretary
14 shall develop and use a simplified elec-
15 tronic application form to be used by appli-
16 cants meeting the requirements under sub-
17 section (c) of section 479 and an addi-
18 tional, separate simplified electronic appli-
19 cation form to be used by applicants meet-
20 ing the requirements under subsection (b)
21 of section 479.

22 “(ii) REDUCED DATA REQUIRE-
23 MENTS.—The simplified electronic applica-
24 tion forms shall permit an applicant to
25 submit for financial assistance purposes,

1 only the data elements required to make a
2 determination of whether the applicant
3 meets the requirements under subsection
4 (b) or (c) of section 479.

5 “(iii) STATE DATA.—The Secretary
6 shall include on the simplified electronic
7 application forms such data items as may
8 be necessary to award state financial as-
9 sistance, as provided under paragraph (6),
10 except that the Secretary shall not require
11 applicants to complete data required by
12 any State other than the applicant’s State
13 of residence.

14 “(iv) AVAILABILITY AND PROC-
15 ESSING.—The data collected by means of
16 the simplified electronic application forms
17 shall be available to institutions of higher
18 education, guaranty agencies, and States
19 in accordance with paragraph (9).

20 “(v) TESTING.—The Secretary shall
21 conduct appropriate field testing on the
22 forms developed under this subparagraph.

23 “(D) USE OF FORMS.—Nothing in this
24 subsection shall be construed to prohibit the use
25 of the forms developed by the Secretary pursu-

1 ant to this paragraph by an eligible institution,
2 eligible lender, guaranty agency, State grant
3 agency, private computer software provider, a
4 consortium thereof, or such other entities as the
5 Secretary may designate.

6 “(E) PRIVACY.—The Secretary shall en-
7 sure that data collection under this paragraph
8 complies with section 552a of title 5, United
9 States Code, and that any entity using the elec-
10 tronic version of the forms developed by the
11 Secretary pursuant to this paragraph shall
12 maintain reasonable and appropriate adminis-
13 trative, technical, and physical safeguards to
14 ensure the integrity and confidentiality of the
15 information, and to protect against security
16 threats, or unauthorized uses or disclosures of
17 the information provided on the electronic
18 version of the forms. Data collected by such
19 electronic version of the forms shall be used
20 only for the application, award, and administra-
21 tion of aid awarded under this title, State aid,
22 or aid awarded by eligible institutions or such
23 entities as the Secretary may designate. No
24 data collected by such electronic version of the
25 forms shall be used for making final aid awards

1 under this title until such data have been proc-
2 essed by the Secretary or a contractor or des-
3 ignee of the Secretary, and an expected family
4 contribution has been calculated by the Sec-
5 retary, except as may be permitted under this
6 title.

7 “(F) SIGNATURE.—Notwithstanding any
8 other provision of this Act, the Secretary may
9 permit an electronic form under this paragraph
10 to be submitted with an electronic signature.

11 “(5) STREAMLINING.—

12 “(A) STREAMLINED REAPPLICATION PROC-
13 ESS.—

14 “(i) IN GENERAL.—The Secretary
15 shall develop streamlined reapplication
16 forms and processes, including both paper
17 and electronic reapplication processes, con-
18 sistent with the requirements of this sub-
19 section, for an applicant who applies for fi-
20 nancial assistance under this title—

21 “(I) in the academic year suc-
22 ceeding the year in which such appli-
23 cant first applied for financial assist-
24 ance under this title; or

1 “(II) in any succeeding academic
2 years.

3 “(ii) MECHANISMS FOR REAPPLICA-
4 TION.—The Secretary shall develop appro-
5 priate mechanisms to support reapplica-
6 tion.

7 “(iii) IDENTIFICATION OF UPDATED
8 DATA.—The Secretary shall determine, in
9 cooperation with States, institutions of
10 higher education, agencies, and organiza-
11 tions involved in student financial assist-
12 ance, the data elements that can be up-
13 dated from the previous academic year’s
14 application.

15 “(iv) REDUCED DATA AUTHORIZED.—
16 Nothing in this title shall be construed as
17 limiting the authority of the Secretary to
18 reduce the number of data elements re-
19 quired of reapplicants.

20 “(v) ZERO FAMILY CONTRIBUTION.—
21 Applicants determined to have a zero fam-
22 ily contribution pursuant to section 479(c)
23 shall not be required to provide any finan-
24 cial data in a reapplication form, except

1 that which is necessary to determine eligi-
2 bility under such section.

3 “(B) REDUCTION OF DATA ELEMENTS.—

4 “(i) REDUCTION ENCOURAGED.—Of
5 the number of data elements on the
6 FAFSA on the date of enactment of the
7 College Access and Opportunity Act of
8 2006 (including questions on the FAFSA
9 for the purposes described in paragraph
10 (6)), the Secretary, in cooperation with
11 representatives of agencies and organiza-
12 tions involved in student financial assist-
13 ance, shall continue to reduce the number
14 of such data elements following the date of
15 enactment. Reductions of data elements
16 under paragraph (3)(B), (4)(C), or
17 (5)(A)(iv) shall not be counted towards the
18 reduction referred to in this paragraph un-
19 less those data elements are reduced for all
20 applicants.

21 “(ii) REPORT.—The Secretary shall
22 annually report to the House of Represent-
23 atives and the Senate on the progress
24 made of reducing data elements.

25 “(6) STATE REQUIREMENTS.—

1 “(A) IN GENERAL.—The Secretary shall
2 include on the forms developed under this sub-
3 section, such State-specific data items as the
4 Secretary determines are necessary to meet
5 State requirements for State need-based finan-
6 cial aid under section 415C, except as provided
7 in paragraphs (3)(B)(iii) and (4)(C)(iii) of this
8 subsection. Such items shall be selected in con-
9 sultation with State agencies in order to assist
10 in the awarding of State financial assistance in
11 accordance with the terms of this subsection,
12 except as provided in paragraphs (3)(B)(iii) and
13 (4)(C)(iii) of this subsection. The number of
14 such data items shall not be less than the num-
15 ber included on the form on October 7, 1998,
16 unless a State notifies the Secretary that the
17 State no longer requires those data items for
18 the distribution of State need-based financial
19 aid.

20 “(B) ANNUAL REVIEW.—The Secretary
21 shall conduct an annual review process to deter-
22 mine which forms and data items the States re-
23 quire to award State need-based financial aid
24 and other application requirements that the
25 States may impose.

1 “(C) STATE USE OF SIMPLIFIED FORMS.—
2 The Secretary shall encourage States to take
3 such steps as necessary to encourage the use of
4 simplified application forms, including those de-
5 scribed in paragraphs (3)(B) and (4)(C), to
6 meet the requirements under subsection (b) or
7 (c) of section 479.

8 “(D) FEDERAL REGISTER NOTICE.—The
9 Secretary shall publish on an annual basis a no-
10 tice in the Federal Register requiring State
11 agencies to inform the Secretary—

12 “(i) if the State agency is unable to
13 permit applicants to utilize the simplified
14 application forms described in paragraphs
15 (3)(B) and (4)(C); and

16 “(ii) of the State-specific data that
17 the State agency requires for delivery of
18 State need-based financial aid.

19 “(E) STATE NOTIFICATION TO THE SEC-
20 RETARY.—

21 “(i) IN GENERAL.—Each State agency
22 shall notify the Secretary—

23 “(I) whether the State permits
24 an applicant to file a form described
25 in paragraph (3)(B) or paragraph

1 (4)(C) of this subsection for purposes
2 of determining eligibility for State
3 need-based financial aid; and

4 “(II) the State-specific data that
5 the State agency requires for delivery
6 of State need-based financial aid.

7 “(ii) ACCEPTANCE OF FORMS.—In the
8 event that a State does not permit an ap-
9 plicant to file a form described in para-
10 graph (3)(B) or paragraph (4)(C) of this
11 subsection for purposes of determining eli-
12 gibility for State need-based financial
13 aid—

14 “(I) the State shall notify the
15 Secretary if the State is not permitted
16 to do so because of either State law or
17 because of agency policy; and

18 “(II) the notification under sub-
19 clause (I) shall include an estimate of
20 the program cost to permit applicants
21 to complete simplified application
22 forms under paragraphs (3)(B) and
23 paragraph (4)(C) of this subsection.

24 “(iii) LACK OF NOTIFICATION BY THE
25 STATE.—If a State does not notify the

1 Secretary pursuant to clause (i), the Sec-
2 retary shall—

3 “(I) permit residents of that
4 State to complete simplified applica-
5 tion forms under paragraphs (3)(B)
6 and paragraph (4)(C) of this sub-
7 section; and

8 “(II) not require any resident of
9 that State to complete any data pre-
10 viously required by that State under
11 this section.

12 “(7) CHARGES TO STUDENTS AND PARENTS
13 FOR USE OF FORMS PROHIBITED.—

14 “(A) FEES PROHIBITED.—The FAFSA, in
15 whatever form (including the EZ-FAFSA,
16 paper, electronic, simplified, or reapplication),
17 shall be produced, distributed, and processed by
18 the Secretary and no parent or student shall be
19 charged a fee by an entity for the collection,
20 processing, or delivery of financial aid through
21 the use of the FAFSA. The need and eligibility
22 of a student for financial assistance under parts
23 A through E of this title (other than under sub-
24 part 4 of part A) may only be determined by
25 using the FAFSA developed by the Secretary

1 pursuant to this subsection. No student may re-
2 ceive assistance under parts A through E of
3 this title (other than under subpart 4 of part
4 A), except by use of the FAFSA developed by
5 the Secretary pursuant to this subsection. No
6 data collected on a form, worksheet, or other
7 document for which a fee is charged shall be
8 used to complete the FAFSA.

9 “(B) NOTICE.—Any entity that provides to
10 students or parents, or charges students or par-
11 ents for, any value-added services with respect
12 to or in connection with the FAFSA, such as
13 completion of the FAFSA, submission of the
14 FAFSA, or tracking of the FAFSA for a stu-
15 dent, shall provide to students and parents
16 clear and conspicuous notice that—

17 “(i) the FAFSA is a free Federal stu-
18 dent aid application;

19 “(ii) the FAFSA can be completed
20 without professional assistance; and

21 “(iii) includes the current Internet ad-
22 dress for the FAFSA on the Department’s
23 web site.

24 “(8) APPLICATION PROCESSING CYCLE.—The
25 Secretary shall enable students to submit a form

1 created under this subsection in order to meet the
2 filing requirements of this section and in order to re-
3 ceive aid from programs under this title and shall
4 initiate the processing of applications under this
5 subsection as early as practicable prior to January
6 1 of the student's planned year of enrollment.”.

7 (2) MASTER CALENDAR.—Section 482(a)(1)(B)
8 (20 U.S.C. 1089) is amended to read as follows:

9 “(B) by March 1: proposed modifications,
10 updates, and notices pursuant to sections 478,
11 479(c)(2)(C), and 483(a)(6) published in the
12 Federal Register;”.

13 (b) INCREASING ACCESS TO TECHNOLOGY.—Section
14 483 (20 U.S.C. 1090) is further amended by adding at
15 the end the following:

16 “(f) ADDRESSING THE DIGITAL DIVIDE.—The Sec-
17 retary shall utilize savings accrued by moving more appli-
18 cants to the electronic forms described in subsection (a)(4)
19 to improve access to the electronic forms described in sub-
20 section (a)(4) for applicants meeting the requirements of
21 section 479(c).”.

22 (c) EXPANDING THE DEFINITION OF AN INDE-
23 PENDENT STUDENT.—Section 480(d) (20
24 U.S.C.1087vv(d)) is amended by striking paragraph (2)
25 and inserting the following:

1 “(2) is an orphan, in foster care, or a ward of
2 the court, or was in foster care or a ward of the
3 court until the individual reached the age of 18;”.

4 (d) HOMELESS YOUTH.—Section 480(d) is further
5 amended—

6 (1) by redesignating paragraphs (6) and (7) as
7 paragraphs (7) and (8), respectively; and

8 (2) by inserting after paragraph (5) the fol-
9 lowing new paragraph:

10 “(6) has been verified as both a homeless child
11 or youth and an unaccompanied youth, as such
12 terms are defined in section 725 of the McKinney-
13 Vento Homeless Assistance Act (42 U.S.C. 11434a),
14 during the school year in which the application for
15 financial assistance is submitted, by—

16 “(A) a local educational agency liaison for
17 homeless children and youths, as designated
18 under section 722(g)(1)(J)(ii) of the McKinney-
19 Vento Homeless Assistance Act (42 U.S.C.
20 11432(g)(1)(J)(ii));

21 “(B) a director of a homeless shelter, tran-
22 sitional shelter, or independent living program;
23 or

24 “(C) a financial aid administrator;”.

1 **SEC. 472. DISCRETION OF STUDENT FINANCIAL AID ADMIN-**
2 **ISTRATORS.**

3 Section 479A(a) (20 U.S.C. 1087tt(a)) is amended—

4 (1) by striking “(a) IN GENERAL.—” and in-
5 serting the following:

6 “(a) AUTHORITY TO MAKE ADJUSTMENTS.—

7 “(1) ADJUSTMENTS FOR SPECIAL CIR-
8 CUMSTANCES.—”;

9 (2) by inserting before “Special circumstances
10 may” the following:

11 “(2) SPECIAL CIRCUMSTANCES DEFINED.—”;

12 (3) by inserting “a student’s status as a ward
13 of the court at any time prior to attaining 18 years
14 of age, a student’s status as an individual who was
15 adopted at or after age 13, a student’s status as a
16 homeless or unaccompanied youth (as defined in sec-
17 tion 725 of the McKinney-Vento Homeless Assist-
18 ance Act),” after “487,”;

19 (4) by inserting before “Adequate documenta-
20 tion” the following:

21 “(3) DOCUMENTATION AND USE OF SUPPLE-
22 MENTARY INFORMATION.—”; and

23 (5) by inserting before “No student” the fol-
24 lowing:

25 “(4) FEES FOR SUPPLEMENTARY INFORMATION
26 PROHIBITED.—”.

1 **PART G—GENERAL PROVISIONS RELATING TO**
2 **STUDENT FINANCIAL ASSISTANCE**

3 **SEC. 481. EXPANDING INFORMATION DISSEMINATION RE-**
4 **GARDING ELIGIBILITY FOR PELL GRANTS.**

5 Section 483(a) (20 U.S.C. 1090(a)) (as amended by
6 section 471(a)) is further amended by adding at the end
7 the following new paragraph:

8 “(13) EXPANDING INFORMATION DISSEMINA-
9 TION REGARDING ELIGIBILITY FOR PELL GRANTS.—
10 The Secretary shall make special efforts, in conjunc-
11 tion with State efforts, to notify students and their
12 parents who qualify for a free lunch under the Rich-
13 ard B. Russell National School Lunch Act (42
14 U.S.C. 1751 et seq.), the Food Stamps program, or
15 such other programs as the Secretary shall deter-
16 mine, of their potential eligibility for a maximum
17 Pell Grant, and shall disseminate such informational
18 materials as the Secretary deems appropriate.”.

19 **SEC. 482. STUDENT ELIGIBILITY.**

20 (a) TECHNICAL AMENDMENT.—Section 484(b)(5)
21 (20 U.S.C. 1091(b)(5)) is amended by inserting “or par-
22 ent (on behalf of a student)” after “student”.

23 (b) REPUBLIC OF PALAU.—Section 484 (20 U.S.C.
24 1091) is amended—

25 (1) in subsection (a)—

1 (A) in paragraph (4), by striking “the Re-
2 public of the Marshall Islands, the Federated
3 States of Micronesia, or”; and

4 (B) in paragraph (5), by striking “a cit-
5 izen of any one of the Freely Associated
6 States” and inserting “or, to the extent de-
7 scribed in subsection (j), a citizen of the Repub-
8 lic of Palau”; and

9 (2) by amending subsection (j) to read as fol-
10 lows:

11 “(j) ASSISTANCE UNDER SUBPART 1 OF PART A FOR
12 STUDENTS FROM PALAU.—Notwithstanding any other
13 provision of law, a student shall be eligible until Sep-
14 tember 30, 2007, for assistance under subpart 1 of part
15 A if the student is otherwise qualified and—

16 “(1) is a citizen of the Republic of Palau and
17 attends an institution of higher education in a State
18 or a public or nonprofit private institution of higher
19 education in the Freely Associated States; or

20 “(2) meets the requirements of subsection
21 (a)(5) and attends a public or nonprofit private in-
22 stitution of higher education in any one of the Free-
23 ly Associated States.”.

1 **SEC. 483. INSTITUTIONAL REFUNDS.**

2 Section 484B(a)(1) (20 U.S.C. 1091b(a)(1)) is
3 amended in subsection (a)(1), by inserting “subpart 4 of
4 part A or” after “received under”.

5 **SEC. 484. INSTITUTIONAL AND FINANCIAL ASSISTANCE IN-**
6 **FORMATION FOR STUDENTS.**

7 (a) **INFORMATION DISSEMINATION ACTIVITIES.—**

8 Section 485(a)(1) (20 U.S.C. 1092(a)(1)) is amended—

9 (1) by amending the second sentence to read as
10 follows: “The information required by this section
11 shall be produced and be made publicly available to
12 an enrolled student and to any prospective student,
13 through appropriate publications, mailings, elec-
14 tronic media, and the reports required by the insti-
15 tution’s accrediting agency under section
16 496(c)(9).”;

17 (2) by amending subparagraph (G) to read as
18 follows:

19 “(G) the academic programs of the institution,
20 including—

21 “(i) the current degree programs and other
22 educational and training programs;

23 “(ii) the institution’s educational mission
24 and goals;

1 “(iii) the instructional, laboratory, and
2 other physical plant facilities which relate to the
3 academic programs; and

4 “(iv) the faculty and other instructional
5 personnel;”;

6 (3) by striking subparagraph (L) and inserting
7 the following:

8 “(L) a summary of student outcomes for full-
9 time undergraduate students, including—

10 “(i) the completion or graduation rates of
11 certificate- or degree-seeking undergraduate
12 students entering such institutions; and

13 “(ii) any other student outcome data, qual-
14 itative or quantitative, including data regarding
15 distance education, deemed by the institution to
16 be appropriate to its stated educational mission
17 and goals, and, when applicable, licensing and
18 placement rates for professional and vocational
19 programs;”;

20 (4) by inserting before the semicolon at the end
21 of subparagraph (J) the following: “, and the proc-
22 ess for students to register complaints with the ac-
23 crediting agencies or associations”;

24 (5) in subparagraph (M), by striking “guaran-
25 teed student loans under part B of this title or di-

1 rect student loans under part E of this title, or
2 both,” and inserting “student loans under part B,
3 D, or E of this title”;

4 (6) by striking “and” at the end of subpara-
5 graph (N);

6 (7) by striking the period at the end of sub-
7 paragraph (O) and inserting a semicolon; and

8 (8) by adding at the end the following new sub-
9 paragraphs:

10 “(P) the penalties contained in subsection
11 484(r) regarding suspension of eligibility for drug
12 related offenses;

13 “(Q) the policies of the institution regarding
14 the acceptance or denial of academic credit earned
15 at another institution of higher education, which
16 shall include a statement that such decisions will not
17 be based solely on the source of accreditation of a
18 sending institution, provided that the sending insti-
19 tution is accredited by an agency or association that
20 is recognized by the Secretary pursuant to section
21 496 to be a reliable authority as to the quality of the
22 education or training offered, and except that noth-
23 ing in this subparagraph shall be construed to—

24 “(i) authorize an officer or employee of the
25 Department to exercise any direction, super-

1 vision, or control over the curriculum, program
2 of instruction, administration, or personnel of
3 any institution of higher education, or over any
4 accrediting agency or association;

5 “(ii) limit the application of the General
6 Education Provisions Act; or

7 “(iii) create any legally enforceable right;
8 and”.

9 (b) ADDITIONAL AMENDMENTS.—Section 485(a) is
10 further amended by striking paragraph (6) and inserting
11 the following:

12 “(6) Each institution may provide supplemental in-
13 formation to enrolled and prospective students showing
14 the completion or graduation rate for students described
15 in paragraph (4). For the purpose of this paragraph, the
16 definitions provided in the Integrated Postsecondary Edu-
17 cation Data System shall apply.

18 “(7) Each eligible institution participating in any
19 program under this title may publicly report to currently
20 enrolled and prospective students the voluntary informa-
21 tion collected by the National Survey of Student Engage-
22 ment (NSSE), the Community College Survey of Student
23 Engagement (CCSSE), or other instruments that provide
24 evidence of student participation in educationally purpose-
25 ful activities. The information shall be produced and made

1 available in a uniform and comprehensible manner,
2 through appropriate publications, mailings, and electronic
3 media, and may be included in reports required by the
4 institution's accrediting agency.”.

5 (c) EXIT COUNSELING.—Section 485(b) (20 U.S.C.
6 1092(b)) is amended by adding at the end the following
7 new paragraph:

8 “(3) Each eligible institution shall, during the exit
9 interview required by this subsection, provide to a bor-
10 rower of a loan made under part B, D, or E a clear and
11 conspicuous notice describing the effect of using a consoli-
12 dation loan to discharge the borrower's student loans, in-
13 cluding—

14 “(A) the effects of consolidation on total inter-
15 est to be paid, fees to be paid, and length of repay-
16 ment;

17 “(B) the effects of consolidation on a bor-
18 rower's underlying loan benefits, including loan for-
19 giveness, cancellation, and deferment;

20 “(C) the ability for the borrower to prepay the
21 loan, pay on a shorter schedule, and to change re-
22 payment plans, and that borrower benefit programs
23 may vary among different loan holders;

24 “(D) the tax benefits for which the borrower
25 may be eligible; and

1 “(E) the consequences of default.”.

2 (d) CAMPUS CRIME INFORMATION.—Section
3 485(f)(1) (20 U.S.C. 1092(f)(1)) is amended by inserting
4 “, other than a foreign institution of higher education,”
5 after “under this title”.

6 (e) DISCLOSURE OF FIRE SAFETY OF CAMPUS
7 BUILDINGS.—Section 485 of the Higher Education Act of
8 1965 (20 U.S.C. 1092) is further amended—

9 (1) in subsection (a)(1), by adding after sub-
10 paragraph (Q) (as added by subsection (a)(8) of this
11 section) the following new subparagraph:

12 “(R) the fire safety report prepared by the in-
13 stitution pursuant to subsection (h).”; and

14 (2) by adding at the end the following new sub-
15 section:

16 “(h) DISCLOSURE OF FIRE SAFETY STANDARDS AND
17 MEASURES.—

18 “(1) ANNUAL FIRE SAFETY REPORTS RE-
19 QUIRED.—Each institution participating in any pro-
20 gram under this title shall, beginning in the first
21 academic year that begins after the date of enact-
22 ment of the College Access and Opportunity Act of
23 2006, and each year thereafter, prepare, publish,
24 and distribute, through appropriate publications (in-
25 cluding the Internet) or mailings, to all current stu-

1 dents and employees, and to any applicant for en-
2 rollment or employment upon request, an annual fire
3 safety report. Such reports shall contain at least the
4 following information with respect to the campus fire
5 safety practices and standards of that institution:

6 “(A) A statement that identifies each insti-
7 tution-owned or controlled student housing fa-
8 cility, and whether or not such facility is
9 equipped with a fire sprinkler system or other
10 fire safety system, or has fire escape planning
11 or protocols.

12 “(B) Statistics for each such facility con-
13 cerning the occurrence of fires and false alarms
14 in such facility during the 2 preceding calendar
15 years for which data are available.

16 “(C) For each such occurrence in each
17 such facility, a summary of the human injuries
18 or deaths, structural or property damage, or
19 combination thereof.

20 “(D) Information regarding rules on port-
21 able electrical appliances, smoking and open
22 flames (such as candles), regular mandatory su-
23 pervised fire drills, and planned and future im-
24 provements in fire safety.

1 “(E) Information about fire safety edu-
2 cation and training provided to students, fac-
3 ulty, and staff.

4 “(F) Information concerning fire safety at
5 any housing facility owned or controlled by a
6 fraternity, sorority, or student group that is
7 recognized by the institution, including—

8 “(i) information reported to the insti-
9 tution under paragraph (4); and

10 “(ii) a statement concerning whether
11 and how the institution works with recog-
12 nized student fraternities and sororities,
13 and other recognized student groups own-
14 ing or controlling housing facilities, to
15 make each building and property owned or
16 controlled by such fraternities, sororities,
17 and groups more fire safe.

18 “(2) FRATERNITIES, SORORITIES, AND OTHER
19 GROUPS.—Each institution participating in a pro-
20 gram under this title shall request each fraternity
21 and sorority that is recognized by the institution,
22 and any other student group that is recognized by
23 the institution and that owns or controls housing fa-
24 cilities, to collect and report to the institution the in-
25 formation described in subparagraphs (A) through

1 (E) of paragraph (1), as applied to the fraternity,
2 sorority, or recognized student group, respectively,
3 for each building and property owned or controlled
4 by the fraternity, sorority, or group, respectively.

5 “(3) CURRENT INFORMATION TO CAMPUS COM-
6 MUNITY.—Each institution participating in any pro-
7 gram under this title shall establish and maintain a
8 log, written in a form that can be easily understood,
9 recording all on-campus fires, including the nature,
10 date, time, and general location of each fire and all
11 false fire alarms. All entries that are required pursu-
12 ant to this paragraph shall, except where disclosure
13 of such information is prohibited by law, be open to
14 public inspection, and each such institution shall
15 make annual reports to the campus community on
16 such fires and false fire alarms in a manner that will
17 aid the prevention of similar occurrences.

18 “(4) REPORTS TO THE SECRETARY.—On an an-
19 nual basis, each institution participating in any pro-
20 gram under this title shall submit to the Secretary
21 a copy of the statistics required to be made available
22 under paragraph (1)(B). The Secretary shall—

23 “(A) review such statistics;

1 “(B) make copies of the statistics sub-
2 mitted to the Secretary available to the public;
3 and

4 “(C) in coordination with nationally recog-
5 nized fire organizations and representatives of
6 institutions of higher education, identify exem-
7 plary fire safety policies, procedures, and prac-
8 tices and disseminate information concerning
9 those policies, procedures, and practices that
10 have proven effective in the reduction of cam-
11 pus fires.

12 “(5) RULE OF CONSTRUCTION.—Nothing in
13 this subsection shall be construed to authorize the
14 Secretary to require particular policies, procedures,
15 or practices by institutions of higher education with
16 respect to fire safety.

17 “(6) DEFINITIONS.—In this subsection, the
18 term ‘campus’ has the meaning provided in sub-
19 section (f)(6).”.

20 **SEC. 485. DISTANCE EDUCATION DEMONSTRATION PRO-**
21 **GRAM.**

22 (a) ELIGIBLE APPLICANTS.—Section 486(b)(3) (20
23 U.S.C. 1093(b)(3)) is amended—

24 (1) in subparagraph (B), by striking “section
25 102(a)(1)(C)” and inserting “section 102”; and

1 (2) in subparagraph (C), by striking “sub-
2 section (a) of section 102, other than the require-
3 ment of paragraph (3)(A) or (3)(B) of such sub-
4 section,” and inserting “section 101, other than the
5 requirements of subparagraph (A) or (B) of sub-
6 section (b)(4) of such section”.

7 (b) **SELECTION.**—Section 486(d)(1) (20 U.S.C.
8 1093(d)(1)) is amended—

9 (1) by striking “the third year” and inserting
10 “subsequent years”;

11 (2) by striking “35 institutions” and inserting
12 “100 institutions”; and

13 (3) by adding at the end the following new sen-
14 tence: “Not more than 5 of such institutions, sys-
15 tems, or consortia may be accredited, degree-grant-
16 ing correspondence schools.”.

17 **SEC. 486. COLLEGE AFFORDABILITY DEMONSTRATION PRO-**
18 **GRAM.**

19 Part G of title IV is amended by inserting after sec-
20 tion 486 (20 U.S.C. 1093) the following new section:

21 **“SEC. 486A. COLLEGE AFFORDABILITY DEMONSTRATION**
22 **PROGRAM.**

23 “(a) **PURPOSE.**—It is the purpose of this section—

24 “(1) to provide, through a college affordability
25 demonstration program, for increased innovation in

1 the delivery of higher education and student finan-
2 cial aid in a manner resulting in reduced costs for
3 students as well as the institution by employing one
4 or more strategies including accelerating degree or
5 program completion, increasing availability of, and
6 access to, distance components of education delivery,
7 engaging in collaborative arrangements with other
8 institutions and organizations, and other alternative
9 methodologies; and

10 “(2) to help determine—

11 “(A) the most effective means of delivering
12 student financial aid as well as quality edu-
13 cation;

14 “(B) the specific statutory and regulatory
15 requirements that should be altered to provide
16 for more efficient and effective delivery of stu-
17 dent financial aid, as well as access to high
18 quality distance education programs, resulting
19 in a student more efficiently completing post-
20 secondary education; and

21 “(C) the most effective methods of obtain-
22 ing and managing institutional resources.

23 “(b) DEMONSTRATION PROGRAM AUTHORIZED.—

24 “(1) IN GENERAL.—In accordance with the
25 purposes described in subsection (a) and the provi-

1 sions of subsection (d), the Secretary is authorized
2 to select not more than 100 institutions of higher
3 education, including those applying as part of sys-
4 tems or consortia of such institutions, for voluntary
5 participation in the College Affordability Demonstra-
6 tion Program in order to enable participating insti-
7 tutions to carry out such purposes by providing pro-
8 grams of postsecondary education, and making avail-
9 able student financial assistance under this title to
10 students enrolled in those programs, in a manner
11 that would not otherwise meet the requirements of
12 this title.

13 “(2) WAIVERS.—The Secretary is authorized to
14 waive for any institutions of higher education, or
15 any system or consortia of institutions of higher
16 education, selected for participation in the College
17 Affordability Demonstration Program, any require-
18 ments of this Act or the regulations thereunder as
19 deemed necessary by the Secretary to meet the pur-
20 pose described in subsection (a)(1), and shall make
21 a determination that the waiver can reasonably be
22 expected to result in reduced costs to students or in-
23 stitutions without an increase in Federal program
24 costs. The Secretary may not waive under this para-

1 graph the maximum award amounts for an academic
2 year or loan period.

3 “(3) ELIGIBLE APPLICANTS.—

4 “(A) ELIGIBLE INSTITUTIONS.—Except as
5 provided in subparagraph (B), only an institu-
6 tion of higher education that is eligible to par-
7 ticipate in programs under this title shall be eli-
8 gible to participate in the demonstration pro-
9 gram authorized under this section.

10 “(B) PROHIBITION.—An institution of
11 higher education described in section 102 shall
12 not be eligible to participate in the demonstra-
13 tion program authorized under this section.

14 “(c) APPLICATION.—

15 “(1) IN GENERAL.—Each institution or system
16 of institutions desiring to participate in the dem-
17 onstration program under this section shall submit
18 an application to the Secretary at such time and in
19 such manner as the Secretary may require.

20 “(2) CONTENTS OF APPLICATIONS.—Each ap-
21 plication for the college affordability demonstration
22 program shall include at least the following:

23 “(A) a description of the institution or sys-
24 tem or consortium of institutions and what
25 quality assurance mechanisms are in place to

1 ensure the integrity of the Federal financial aid
2 programs;

3 “(B) a description of the innovation or in-
4 novations being proposed and the affected pro-
5 grams and students, including—

6 “(i) a description of any collaborative
7 arrangements with other institutions or or-
8 ganizations to reduce costs;

9 “(ii) a description of any expected
10 economic impact of participation in the
11 program within the community in which
12 the institution is located; and

13 “(iii) a description of any means the
14 institution will employ to reduce the costs
15 of instructional materials, such as text-
16 books;

17 “(C) a description of each regulatory or
18 statutory requirement for which waivers are
19 sought, with a reason for each waiver;

20 “(D) a description of the expected out-
21 comes of the program changes proposed, includ-
22 ing the estimated reductions in costs both for
23 the institution and for students;

1 “(E) an assurance from each institution in
2 a system or consortium of a commitment to ful-
3 fill its role as described in the application;

4 “(F) an assurance that the participating
5 institution or system of institutions will offer
6 full cooperation with the ongoing evaluations of
7 the demonstration program provided for in this
8 section; and

9 “(G) any other information or assurances
10 the Secretary may require.

11 “(d) SELECTION.—In selecting institutions to partici-
12 pate in the demonstration program under this section, the
13 Secretary shall take into account—

14 “(1) the number and quality of applications re-
15 ceived, determined on the basis of the contents re-
16 quired by subsection (c)(2);

17 “(2) the Department’s capacity to oversee and
18 monitor each institution’s participation;

19 “(3) an institution’s—

20 “(A) financial responsibility;

21 “(B) administrative capability;

22 “(C) program or programs being offered
23 via distance education, if applicable;

24 “(D) student completion rates; and

25 “(E) student loan default rates; and

1 “(4) the participation of a diverse group of in-
2 stitutions with respect to size, mission, and geo-
3 graphic distribution.

4 “(e) NOTIFICATION.—The Secretary shall make
5 available to the public and to the authorizing committees
6 a list of institutions selected to participate in the dem-
7 onstration program authorized by this section. Such notice
8 shall include a listing of the specific statutory and regu-
9 latory requirements being waived for each institution and
10 a description of the innovations being demonstrated.

11 “(f) EVALUATIONS AND REPORTS.—

12 “(1) EVALUATION.—The Secretary shall evalu-
13 ate the demonstration program authorized under
14 this section on a biennial basis. Such evaluations
15 specifically shall review—

16 “(A) the extent to which expected out-
17 comes, including the estimated reductions in
18 cost, were achieved;

19 “(B) the number and types of students
20 participating in the programs offered, including
21 the progress of participating students toward
22 recognized certificates or degrees and the extent
23 to which participation in such programs in-
24 creased;

1 “(C) issues related to student financial as-
2 sistance associated with the innovations under-
3 taken;

4 “(D) effective technologies and alternative
5 methodologies for delivering student financial
6 assistance;

7 “(E) the extent of the cost savings to the
8 institution, the student, and the Federal Gov-
9 ernment resulting from the waivers provided,
10 and an estimate as to future cost savings for
11 the duration of the demonstration program;

12 “(F) the extent to which students saved
13 money by completing their postsecondary edu-
14 cation sooner;

15 “(G) the extent to which the institution re-
16 duced its tuition and fees and its costs by par-
17 ticipating in the demonstration program;

18 “(H) the extent to which any collaborative
19 arrangements with other institutions or organi-
20 zations have reduced the participating institu-
21 tion’s costs; and

22 “(I) the extent to which statutory or regu-
23 latory requirements not waived under the dem-
24 onstration program present difficulties for stu-
25 dents or institutions.

1 “(2) POLICY ANALYSIS.—The Secretary shall
2 review current policies and identify those policies
3 that present impediments to the implementation of
4 innovations that result in cost savings and in ex-
5 panding access to education.

6 “(3) REPORTS.—The Secretary shall provide a
7 report to the authorizing committees on a biennial
8 basis regarding—

9 “(A) the demonstration program author-
10 ized under this section;

11 “(B) the results of the evaluations con-
12 ducted under paragraph (1);

13 “(C) the cost savings to the Federal Gov-
14 ernment by the demonstration program author-
15 ized by this section; and

16 “(D) recommendations for changes to in-
17 crease the efficiency and effective delivery of fi-
18 nancial aid.

19 “(g) OVERSIGHT.—In conducting the demonstration
20 program authorized under this section, the Secretary
21 shall, on a continuing basis—

22 “(1) ensure compliance of institutions or sys-
23 tems of institutions with the requirements of this
24 title (other than the sections and regulations that
25 are waived under subsection (b)(2));

1 “(2) provide technical assistance to institutions
2 in their application to and participation in the dem-
3 onstration program;

4 “(3) monitor fluctuations in the student popu-
5 lation enrolled in the participating institutions or
6 systems of institutions;

7 “(4) monitor changes in financial assistance
8 provided at the institution; and

9 “(5) consult with appropriate accrediting agen-
10 cies or associations and appropriate State regulatory
11 authorities.

12 “(h) TERMINATION OF AUTHORITY.—The authority
13 of the Secretary under this section shall cease to be effec-
14 tive on October 1, 2012.”.

15 **SEC. 487. PROGRAM PARTICIPATION AGREEMENTS.**

16 (a) REFUND POLICIES.—Section 487(a) (20 U.S.C.
17 1094(a)) is amended—

18 (1) in paragraph (16), by inserting “or other
19 Federal, State, or local government funds” after
20 “funds under this title” each place it appears;

21 (2) in paragraph (22), by striking “refund pol-
22 icy” and inserting “policy on the return of title IV
23 funds”; and

24 (3) in paragraph (23)—

1 (A) by moving subparagraph (C) 2 em
2 spaces to the left; and

3 (B) by adding after such subparagraph the
4 following new subparagraph:

5 “(D) An institution shall be considered in com-
6 pliance with the requirements of subparagraph (A)
7 with respect to any student to whom the institution
8 electronically transmits a message containing a voter
9 registration form acceptable for use in the State in
10 which the institution is located, or an Internet ad-
11 dress where such a form can be downloaded, pro-
12 vided such information is in an electronic message
13 devoted to voter registration.”.

14 (b) ENFORCING THE 90/10 RULE.—

15 (1) AMENDMENT.—Section 487(a) (20 U.S.C.
16 1094(a)) is further amended by adding at the end
17 the following new paragraph:

18 “(24) The institution will, as calculated in ac-
19 cordance with subsection (f)(1), have at least 10 per-
20 cent of its revenues from sources other than funds
21 provided under this title, or will be subject to the
22 sanctions described in subsection (f)(2).”.

23 (2) IMPLEMENTATION.—Section 487 is further
24 amended by adding at the end the following new
25 subsection:

1 “(f) IMPLEMENTATION OF NON-TITLE IV REVENUE
2 REQUIREMENT.—

3 “(1) CALCULATION.—In carrying out sub-
4 section (a)(24), an institution shall use the cash
5 basis of accounting and count the following funds to-
6 ward the 10 percent of revenues from sources of
7 funds other than funds provided under this title:

8 “(A) funds used by students to pay tuition,
9 fees, and other institutional charges from
10 sources other than funds provided under this
11 title as long as the institution can reasonably
12 demonstrate that such funds were used for such
13 purposes;

14 “(B) institutional funds used to satisfy
15 matching-fund requirements for programs
16 under this title;

17 “(C) funds from savings plans for edu-
18 cational expenses established pursuant to the
19 Internal Revenue Code of 1986;

20 “(D) funds paid by a student, or on behalf
21 of a student by a party other than the institu-
22 tion, for an education or training program that
23 is not eligible for funds under this title, so long
24 as the program is approved or licensed by the

1 appropriate State agency or an accrediting
2 agency recognized by the Secretary; and

3 “(E) institutional aid, as follows:

4 “(i) in the case of institutional loans,
5 only the amount of loan repayments re-
6 ceived during the fiscal year; and

7 “(ii) in the case of institutional schol-
8 arships, only those provided by the institu-
9 tion in the form of monetary aid or tuition
10 discounts based upon the academic
11 achievements or financial need of students,
12 disbursed during the fiscal year from an
13 established restricted account, and only to
14 the extent that the funds in that account
15 represent designated funds from an outside
16 source or from income earned on those
17 funds.

18 “(2) SANCTIONS.—An institution that fails to
19 meet the requirements of subsection (a)(24) for 3
20 consecutive years shall become ineligible to partici-
21 pate in the programs authorized by this title. In ad-
22 dition to such other means of enforcing the require-
23 ments of this title as may be available to the Sec-
24 retary, if an institution fails to meet the require-
25 ments of subsection (a)(24) in any year, the Sec-

1 retary may impose one or more of the following
2 sanctions on the institution:

3 “(A) Place the institution on provisional
4 certification in accordance with section 498(h)
5 until the institution demonstrates, to the satis-
6 faction of the Secretary, that it is in compliance
7 with subsection (a)(24).

8 “(B) Require such other increased moni-
9 toring and reporting requirements as the Sec-
10 retary determines necessary until the institution
11 demonstrates, to the satisfaction of the Sec-
12 retary, that it is in compliance with subsection
13 (a)(24).

14 “(3) PUBLICATION ON COOL WEBSITE.—The
15 Secretary shall identify, on the College Opportunities
16 On-Line website established pursuant to section
17 131(b), any institution that fails to meet the re-
18 quirements of subsection (a)(24) in any year as an
19 institution that is failing to meet the minimum non-
20 Federal source of revenue requirements of that sub-
21 section.”.

22 (c) REPORTS ON DISCIPLINARY PROCEEDINGS.—

23 (1) AMENDMENT.—Section 487(a) (20 U.S.C.
24 1094(a)) is further amended by adding after para-

1 graph (24), as added by subsection (b) of this sec-
2 tion, the following new paragraph:

3 “(25) The institution will disclose to the alleged
4 victim of any crime of violence (as that term is de-
5 fined in section 16 of title 18), or a nonforcible sex
6 offense, the final results of any disciplinary pro-
7 ceeding conducted by such institution against a stu-
8 dent who is the alleged perpetrator of such crime or
9 offense with respect to such crime or offense. If the
10 alleged victim of such crime or offense is deceased,
11 the next of kin of such victim shall be treated as the
12 alleged victim for purposes of this paragraph.”.

13 (2) EFFECTIVE DATE.—The amendment made
14 by paragraph (1) shall apply with respect to any dis-
15 ciplinary proceeding conducted by such institution
16 on or after one year after the date of enactment of
17 this Act.

18 (d) AUDIT REQUIREMENTS.—Section 487(c)(1)(A)(i)
19 (20 U.S.C. 1094(c)(1)(A)(i)) is amended by inserting be-
20 fore the semicolon at the end the following: “, except that
21 the Secretary may modify the requirements of this clause
22 with respect to institutions of higher education that are
23 foreign institutions, and may waive such requirements
24 with respect to a foreign institution whose students receive

1 less than \$500,000 in loans under this title during the
2 award year preceding the audit period”.

3 **SEC. 488. ADDITIONAL TECHNICAL AND CONFORMING**
4 **AMENDMENTS.**

5 Part G is further amended as follows:

6 (1) Section 483(d) (20 U.S.C. 1090(d)) is
7 amended by striking “that is authorized under sec-
8 tion 685(d)(2)(C)” and inserting “, or another ap-
9 propriate provider of technical assistance and infor-
10 mation on postsecondary educational services, that is
11 supported under section 663”.

12 (2) Section 484 (20 U.S.C. 1091) is amended—

13 (A) in subsection (a)(4), by striking “cer-
14 tification,,” and inserting “certification,,”; and

15 (B) in subsection (b)(2)—

16 (i) in the matter preceding subpara-
17 graph (A), by striking “section 428A” and
18 inserting “section 428H”;

19 (ii) in subparagraph (A), by inserting
20 “and” after the semicolon at the end
21 thereof;

22 (iii) in subparagraph (B), by striking
23 “; and” and inserting a period; and

24 (iv) by striking subparagraph (C).

1 (3) Section 484A(b)(2) (20 U.S.C.
2 1091a(b)(2)) is amended by striking “part B of this
3 title” and inserting “part B, D, or E of this title”.

4 (4) Section 485B(a) (20 U.S.C. 1092b(a)) is
5 amended—

6 (A) by redesignating paragraphs (6)
7 through (10) as paragraphs (7) through (11),
8 respectively;

9 (B) by redesignating the paragraph (5) (as
10 added by section 2008 of Public Law 101–239)
11 as paragraph (6); and

12 (C) in paragraph (5) (as added by section
13 204(3) of the National Community Service Act
14 of 1990 (Public Law 101–610))—

15 (i) by striking “(22 U.S.C. 2501 et
16 seq.),” and inserting “(22 U.S.C. 2501 et
17 seq.),”; and

18 (ii) by striking the period at the end
19 thereof and inserting a semicolon.

20 (5) Section 487A(b) (20 U.S.C. 1094a(b)) is
21 amended—

22 (A) in paragraph (1)—

23 (i) by striking “Higher Education
24 Amendments of 1998” and inserting “Col-

1 lege Access and Opportunity Act of 2005”;

2 and

3 (ii) by striking the second sentence;

4 (B) in paragraph (2)—

5 (i) by striking “1993 through 1998”

6 and inserting “1998 through 2004”;

7 (ii) by striking “(as such section” and

8 all that follows through “Amendments of

9 1998)”;

10 (iii) by striking “Higher Education

11 Amendments of 1998.” and inserting “Col-

12 lege Access and Opportunity Act of

13 2005.”;

14 (C) in paragraph (3)(A)—

15 (i) by striking “Upon the submission”

16 and all that follows through “limited num-

17 ber of additional institutions for voluntary

18 participation” and inserting “The Sec-

19 retary is authorized to continue the vol-

20 untary participation of institutions partici-

21 pating as of July 1, 2005,”;

22 (ii) by inserting before the period at

23 the end the following: “, and shall continue

24 the participation of any such institution

25 unless the Secretary determines that such

1 institution's participation has not been
2 successful in carrying out the purposes of
3 this section".

4 (6) Section 491(e) (20 U.S.C. 1098(c)) is
5 amended by adding at the end the following new
6 paragraph:

7 "(3) The appointment of members under subpara-
8 graphs (A) and (B) of paragraph (1) shall be effective
9 upon publication of the appointment in the Congressional
10 Record."

11 (7) Section 491(h)(1) (20 U.S.C. 1098(h)(1)) is
12 amended by striking "the rate authorized for GS-18
13 of the General Schedule" and inserting "the max-
14 imum rate payable under section 5376 of such title".

15 (8) Section 491(k) (20 U.S.C. 1098(k)) is
16 amended by striking "2004" and inserting "2012".

17 (9) Section 493A (20 U.S.C. 1098c) is re-
18 pealed.

19 (10) Section 498 (20 U.S.C. 1099c) is amend-
20 ed—

21 (A) in subsection (c)(2), by striking "for
22 profit," and inserting "for-profit,;" and

23 (B) in subsection (d)(1)(B), by inserting
24 "and" after the semicolon at the end thereof.

1 **SEC. 489. PELL GRANT ELIGIBILITY PROVISION.**

2 Section 484 is amended by adding at the end the fol-
3 lowing new subsection:

4 “(s) PELL GRANT ELIGIBILITY PROVISION.—A stu-
5 dent who does not have a certificate of graduation from
6 a school providing secondary education may be eligible for
7 assistance under subpart 1 of Part A of this title for no
8 more than two academic years, if such student—

9 “(1) meets all eligibility requirements for such
10 assistance (other than not being enrolled in an ele-
11 mentary or secondary school) and is an academically
12 gifted and talented student, as defined in section
13 9101 of the Elementary and Secondary Education
14 Act;

15 “(2) is in the junior or senior year of secondary
16 school, and has not received any assistance under
17 this title;

18 “(3) is selected for participation and is enrolled
19 full-time and resides on campus in a residential col-
20 lege gifted student program for early enrollment,
21 leading to fully transferable college academic credit;

22 “(4) does not and will not participate in any
23 secondary school course work during or after such
24 program; and

25 “(5) has entered into an agreement that, if the
26 student fails to complete the entirety of the aca-

1 demic program for which assistance under subpart 1
2 of Part A of this title was received, or participates
3 in secondary school course work after participating
4 in such program, the student will repay all funds re-
5 ceived under such subpart pursuant to this sub-
6 section to the Federal Government in accordance
7 with regulations promulgated by the Secretary.”.

8 **PART H—PROGRAM INTEGRITY**

9 **SEC. 495. ACCREDITATION.**

10 (a) **STANDARDS FOR ACCREDITATION.**—Section
11 496(a) (20 U.S.C. 1099b(a)) is amended—

12 (1) in paragraph (2), by striking subparagraph
13 (B) and inserting the following:

14 “(B) is a State agency approved by the
15 Secretary for the purpose described in subpara-
16 graph (A) and the State does not, for purposes
17 of this title, directly or indirectly—

18 “(i) require any institution of higher
19 education to obtain accreditation by such
20 State agency, rather than another accred-
21 iting agency or association approved by the
22 Secretary for the purpose described in sub-
23 paragraph (A); or

24 “(ii) provide any exemption or other
25 privilege or benefit to any institution of

1 higher education by reason of its accredita-
2 tion by such State agency rather than an-
3 other accrediting agency or association ap-
4 proved by the Secretary for the purpose
5 described in subparagraph (A); or”;

6 (2) in paragraph (4)—

7 (A) by inserting “(A)” after “(4)”;

8 (B) by inserting after “consistently applies
9 and enforces standards” the following: “that
10 consider the stated mission of the institution of
11 higher education, including religious missions,
12 and”;

13 (C) by inserting “and” after the semicolon
14 at the end thereof; and

15 (D) by adding at the end the following new
16 subparagraph:

17 “(B) if such agency or association already has
18 or seeks to include within its scope of recognition
19 the evaluation of the quality of institutions or pro-
20 grams offering distance education, such agency or
21 association shall, in addition to meeting the other re-
22 quirements of this subpart, demonstrate to the Sec-
23 retary that—

24 “(i) the accreditation agency’s or associa-
25 tion’s standards effectively address the quality

1 of an institution's distance education programs
2 in the areas identified in paragraph (5) of this
3 subsection, except that the agency or associa-
4 tion shall not be required to have separate
5 standards, procedures, or policies for the eval-
6 uation of distance education institutions or pro-
7 grams in order to meet the requirements of this
8 subparagraph; and

9 “(ii) the agency or association requires
10 that an institution that offers distance edu-
11 cation programs to have processes by which it
12 establishes that the student who registers in a
13 distance education course or program is the
14 same student who participates, completes aca-
15 demic work, and receives academic credit;”;

16 (3) in paragraph (5)—

17 (A) by amending subparagraph (A) to read
18 as follows:

19 “(A) success with respect to student
20 achievement in relation to the institution's mis-
21 sion, including, as appropriate, consideration of
22 student academic achievement as determined by
23 the institution (in accordance with standards of
24 the accrediting agency or association), reten-
25 tion, course and program completion, State li-

1 censing examinations, and job placement rates,
2 and other student performance information se-
3 lected by the institution, particularly that infor-
4 mation used by the institution to evaluate or
5 strengthen its programs;” and

6 (B) by amending subparagraph (E) to read
7 as follows:

8 “(E) fiscal, administrative capacity, as ap-
9 propriate to the specified scale of operations,
10 and, for an agency or association where its ap-
11 proval for such institution determines eligibility
12 for student assistance under this title, board
13 governance, within the context of the institu-
14 tion’s mission;”;

15 (4) by striking paragraph (6) and inserting the
16 following:

17 “(6) such an agency or association shall estab-
18 lish and apply review procedures throughout the ac-
19 crediting process, including evaluation and with-
20 drawal proceedings that comply with due process
21 that provides for—

22 “(A) adequate specification of require-
23 ments and deficiencies at the institution of
24 higher education or program being examined;

1 “(B) an opportunity for a written response
2 by any such institution to be included in the
3 evaluation and withdrawal proceedings;

4 “(C) upon the written request of an insti-
5 tution, an opportunity for the institution to ap-
6 peal any adverse action at a hearing prior to
7 such action becoming final before an appeals
8 panel that—

9 “(i) shall not include current members
10 of the agency or association’s underlying
11 decision-making body that made the ad-
12 verse decision; and

13 “(ii) is subject to a conflict of interest
14 of policy; and

15 “(D) the right to representation by counsel
16 for an such institution;”; and

17 (5) by striking paragraph (8) and inserting the
18 following:

19 “(8) such agency or association shall make
20 available to the public and submit to the Secretary
21 and the State licensing or authorizing agency, to-
22 gether with the comments of the affected institution,
23 a summary of agency or association actions, involv-
24 ing—

1 “(A) final denial, withdrawal, suspension,
2 or termination of accreditation; and

3 “(B) any other final adverse action taken
4 with respect to an institution.”.

5 (b) OPERATING PROCEDURES.—Section 496(c) (20
6 U.S.C. 1099b(c)) is amended—

7 (1) by inserting “(including those regarding dis-
8 tance education)” before the semicolon at the end of
9 paragraph (1);

10 (2) by striking “and” at the end of paragraph
11 (5);

12 (3) by striking the period at the end of para-
13 graph (6) and inserting a semicolon; and

14 (4) by inserting after paragraph (6) the fol-
15 lowing new paragraphs:

16 “(7) ensures that its onsite comprehensive re-
17 views for accreditation or reaccreditation include
18 evaluation of the substance of the information re-
19 quired in subparagraph (L) of section 485(a)(1);

20 “(8) confirms as a part of its review for accred-
21 itation or reaccreditation that the institution has
22 transfer policies that are publicly disclosed and spe-
23 cifically state whether the institution denies a trans-
24 fer of credit based solely on the accreditation of the
25 institution at which the credit was earned;

1 “(9) develops a brief summary, available to the
2 public, of final adverse actions in accordance with
3 the requirements of subsection (a)(8);

4 “(10) monitors the enrollment growth of dis-
5 tance education to ensure that an institution experi-
6 encing significant growth has the capacity to serve
7 its students effectively;

8 “(11) discloses publicly, on the agency’s website
9 or through other similar dissemination—

10 “(A) a list of the individuals who com-
11 prised the evaluation teams during the prior
12 calendar year for each agency or association
13 and the title and institutional affiliation of such
14 individuals, although such list shall not be re-
15 quired to identify those individuals who com-
16 prised the evaluation team used for any specific
17 institution;

18 “(B) a description of the agency’s or asso-
19 ciation’s process for selecting, preparing, and
20 evaluating such individuals; and

21 “(C) any statements related to the accredi-
22 tation responsibilities of such individuals; and

23 “(12) reviews the record of student complaints
24 resulting from the student information process de-
25 scribed in section 485(a)(1)(J).”.

1 (c) LIMITATION, SUSPENSION, AND TERMINATION OF
2 RECOGNITION.—Section 496(l) is amended by adding at
3 the end the following new paragraph:

4 “(3) The Secretary shall provide an annual report to
5 Congress on the status of any agency or association for
6 which the Secretary has limited, suspended or terminated
7 recognition under this subsection.”.

8 (d) PROGRAM REVIEW AND DATA.—Section 498A(b)
9 (20 U.S.C. 1099c–1(b)) is amended—

10 (1) by striking “and” at the end of paragraph
11 (4);

12 (2) by striking the period at the end of para-
13 graph (5) and inserting a semicolon; and

14 (3) by adding at the end the following new
15 paragraphs:

16 “(6) provide to the institution adequate oppor-
17 tunity to review and respond to any program review
18 report or audit finding and underlying materials re-
19 lated thereto before any final program review or
20 audit determination is reached;

21 “(7) review and take into consideration the in-
22 stitution’s response in any final program review or
23 audit determination, and include in the final deter-
24 mination—

1 “(A) a written statement addressing the
2 institution’s response and stating the basis for
3 such final determination; and

4 “(B) a copy of the institution’s statement
5 in response, appropriately redacted to protect
6 confidential information;

7 “(8) maintain and preserve at all times the con-
8 fidentiality of any program review report or audit
9 finding until the requirements of paragraphs (6) and
10 (7) are met, and until a final program review or
11 audit determination has been issued, except to the
12 extent required to comply with paragraph (5), pro-
13 vided, however, that the Secretary shall promptly
14 disclose any and all program review reports and
15 audit findings to the institution under review; and

16 “(9) require that the authority to approve or
17 issue any program review report or audit finding,
18 preliminary or otherwise, that contains any finding,
19 determination, or proposed assessment that exceeds
20 or may exceed \$500,000 in liabilities shall not be
21 delegated to any official beyond the Chief Operating
22 Officer of Federal Student Aid.”.

1 **SEC. 496. REPORT TO CONGRESS ON PREVENTION OF**
2 **FRAUD AND ABUSE IN STUDENT FINANCIAL**
3 **AID PROGRAMS.**

4 Title IV is amended by adding at the end the fol-
5 lowing new section:

6 **“SEC. 499. REPORT TO CONGRESS ON PREVENTION OF**
7 **FRAUD AND ABUSE IN STUDENT FINANCIAL**
8 **AID PROGRAMS.**

9 “(a) PURPOSE.—It is the purpose of this section to
10 require the Secretary to commission a nonpartisan, com-
11 prehensive study on the prevention of fraud and abuse in
12 title IV student financial aid programs, and to report the
13 results of such study to Congress.

14 “(b) SCOPE OF REPORT.—The study under this sec-
15 tion shall thoroughly identify and address the following:

16 “(1) The impact of fraud and abuse in title IV
17 student financial aid programs upon students and
18 taxpayers, and the nature of such fraud and abuse.

19 “(2) The effectiveness of existing policies and
20 requirements under this Act that were put in place
21 to prevent fraud and abuse in title IV student finan-
22 cial aid programs, and how such policies and re-
23 quirements should be improved.

24 “(3) The extent to which existing protections
25 against fraud and abuse under this Act are ade-

1 quately enforced, and how enforcement should be
2 strengthened.

3 “(4) Areas in which additional information is
4 needed to assess the effectiveness of current protec-
5 tions and enforcement against fraud and abuse.

6 “(5) Existing policies and requirements under
7 this Act aimed at fraud and abuse that are ineffec-
8 tive, hinder innovation, or could be eliminated with-
9 out reducing effectiveness.

10 “(6) New policies and enforcement, particularly
11 those suited for the current higher education mar-
12 ketplace, needed to protect against fraud and abuse
13 in title IV student financial aid programs.

14 “(7) The extent to which States are imple-
15 menting regulations to protect students from fraud
16 and abuse, and whether changes to Federal law will
17 preempt such regulations.

18 “(c) REPORT.—Not later than December 31, 2007,
19 the Secretary, after an opportunity for both the Secretary
20 and the Inspector General of the Department of Edu-
21 cation to review the results of the study, shall transmit
22 to Congress a report on the study conducted under this
23 section. Such report shall—

24 “(1) include clear and specific recommendations
25 for legislative and regulatory actions that are likely

1 to significantly reduce the fraud and abuse in title
2 IV student financial aid programs that were identi-
3 fied pursuant to subsection (b); and

4 “(2) include both the Secretary’s and the In-
5 spector General’s comments on the report.”.

6 **SEC. 497. REPORT TO CONGRESS ON COMPLIANCE WITH**
7 **THE PAPERWORK REDUCTION ACT OF 1995.**

8 Title IV is further amended by adding after section
9 499, as added by section 496 of this Act, the following
10 new section:

11 **“SEC. 499A. REPORT TO CONGRESS ON THE COMPLIANCE**
12 **OF THE STUDENT AID APPLICATION PROC-**
13 **ESS WITH THE REQUIREMENTS OF THE PA-**
14 **PERWORK REDUCTION ACT OF 1995.**

15 “(a) **STUDY AND REPORT.**—The Secretary shall com-
16 mission a nonpartisan, comprehensive study on the degree
17 to which the student aid application process under title
18 IV complies with the requirements of the Paperwork Re-
19 duction Act of 1995 (44 U.S.C. 101 note). Not later one
20 year after the date of the enactment of the College Access
21 and Opportunity Act of 2006, the Secretary shall report
22 the results of such study to the Congress.

23 “(b) **SCOPE.**—The study and report to the Congress
24 under subsection (a) shall thoroughly identify and address
25 the following:

1 “(1) The impact of the technical and computer
2 literacy of prospective college students on the exist-
3 ing electronic capabilities offered by the student aid
4 application process under title IV, including the Free
5 Application for Federal Student Aid System
6 (FAFSA).

7 “(2) The effectiveness of the policies and re-
8 quirements of the FAFSA system that are intended
9 to reduce the need for paper and ease the applica-
10 tion process.

11 “(3) Areas in which the electronic system can
12 be improved to help facilitate a ‘one-stop shopping’
13 goal for students seeking financial assistance.”.

14 **TITLE V—DEVELOPING** 15 **INSTITUTIONS**

16 **SEC. 501. DEFINITIONAL CHANGES.**

17 Section 502(a) (20 U.S.C. 1101a(a)) is amended—

18 (1) in paragraph (5)—

19 (A) by inserting “and” after the semicolon
20 at the end of subparagraph (A);

21 (B) in subparagraph (B)—

22 (i) by striking “at the time of applica-
23 tion,”; and

- 1 (ii) by inserting “at the end of the
2 award year immediately preceding the date
3 of application” after “Hispanic students”;
4 (C) by striking “; and” at the end of sub-
5 paragraph (B) and inserting a period; and
6 (D) by striking subparagraph (C); and
7 (2) by striking paragraph (7).

8 **SEC. 502. ASSURANCE OF ENROLLMENT OF NEEDY STU-**
9 **DENTS.**

10 Section 511(c) (20 U.S.C. 1103(c)) is amended—

- 11 (1) by striking paragraph (2);
12 (2) by redesignating paragraphs (3) through
13 (7) as paragraphs (2) through (6); and
14 (3) by inserting after paragraph (6) as so re-
15 designated the following new paragraph:
16 “(7) contain such assurances as the Secretary
17 may require that the institution has an enrollment
18 of needy students as required by section 502(b);”.

19 **SEC. 503. ADDITIONAL AMENDMENTS.**

20 Title V is further amended—

- 21 (1) in section 502(a)(2)(A) (20 U.S.C.
22 1101a(a)(2)(A)), by redesignating clauses (v) and
23 (vi) as clauses (vi) and (vii), respectively, and insert-
24 ing after clause (iv) the following new clause:

1 “(v) which provides a program of not
2 less than 2 years that is acceptable for full
3 credit toward a bachelor’s degree;”;

4 (2) in section 503(b) (20 U.S.C. 1101b(b))—

5 (A) by amending paragraph (2) to read as
6 follows:

7 “(2) Construction, maintenance, renovation,
8 and improvement in classrooms, libraries, labora-
9 tories, and other instructional facilities, including
10 purchase or rental of telecommunications technology
11 equipment or services, and the acquisition of real
12 property adjacent to the campus of the institution
13 on which to construct such facilities.”;

14 (B) by amending paragraph (12) to read
15 as follows:

16 “(12) Establishing community outreach pro-
17 grams and collaborative partnerships between His-
18 panic-serving institutions and local elementary or
19 secondary schools. Such partnerships may include
20 mentoring, tutoring, or other instructional opportu-
21 nities that will boost student academic achievement
22 and assist elementary and secondary school students
23 in developing the academic skills and the interest to
24 pursue postsecondary education.”;

1 (C) by redesignating paragraphs (5)
2 through (14) as paragraphs (6) through (15),
3 respectively; and

4 (D) by inserting after paragraph (4) the
5 following:

6 “(5) Education or counseling services designed
7 to improve the financial literacy and economic lit-
8 eracy of students and, as appropriate, their par-
9 ents.”;

10 (3) in section 504(a) (20 U.S.C. 1101c(a))—

11 (A) by striking the following:

12 “(a) AWARD PERIOD.—

13 “(1) IN GENERAL.—The Secretary” and insert-
14 ing the following:

15 “(a) AWARD PERIOD.—The Secretary”; and

16 (B) by striking paragraph (2); and

17 (4) in section 514(c) (20 U.S.C. 1103c(c)), by
18 striking “section 505” and inserting “section 504”.

19 **SEC. 504. POSTBACCALAUREATE OPPORTUNITIES FOR HIS-**
20 **PANIC AMERICANS.**

21 (a) ESTABLISHMENT OF PROGRAM.—Title V is
22 amended—

23 (1) by redesignating part B as part C;

24 (2) by redesignating sections 511 through 518
25 as sections 521 through 528, respectively; and

1 (3) by inserting after section 505 (20 U.S.C.
2 1101d) the following new part:

3 **“PART B—PROMOTING POSTBACCALAUREATE**
4 **OPPORTUNITIES FOR HISPANIC AMERICANS**

5 **“SEC. 511. PURPOSES.**

6 “The purposes of this part are—

7 “(1) to expand postbaccalaureate educational
8 opportunities for, and improve the academic attain-
9 ment of, Hispanic students; and

10 “(2) to expand the postbaccalaureate academic
11 offerings and enhance the program quality in the in-
12 stitutions that are educating the majority of His-
13 panic college students and helping large numbers of
14 Hispanic and low-income students complete postsec-
15 ondary degrees.

16 **“SEC. 512. PROGRAM AUTHORITY AND ELIGIBILITY.**

17 “(a) PROGRAM AUTHORIZED.—Subject to the avail-
18 ability of funds appropriated to carry out this part, the
19 Secretary shall award competitive grants to Hispanic-serv-
20 ing institutions determined by the Secretary to be making
21 substantive contributions to graduate educational opportu-
22 nities for Hispanic students.

23 “(b) ELIGIBILITY.—For the purposes of this part, an
24 ‘eligible institution’ means an institution of higher edu-
25 cation that—

1 “(1) is an eligible institution under section
2 502(a)(2); and

3 “(2) offers a postbaccalaureate certificate or de-
4 gree granting program.

5 **“SEC. 513. AUTHORIZED ACTIVITIES.**

6 “Grants awarded under this part shall be used for
7 one or more of the following activities:

8 “(1) Purchase, rental, or lease of scientific or
9 laboratory equipment for educational purposes, in-
10 cluding instructional and research purposes.

11 “(2) Construction, maintenance, renovation,
12 and improvement of classrooms, libraries, labora-
13 tories, and other instructional facilities, including
14 purchase or rental of telecommunications technology
15 equipment or services.

16 “(3) Purchase of library books, periodicals,
17 technical and other scientific journals, microfilm,
18 microfiche, and other educational materials, includ-
19 ing telecommunications program materials.

20 “(4) Support for needy postbaccalaureate stu-
21 dents including outreach, academic support services,
22 mentoring, scholarships, fellowships, and other fi-
23 nancial assistance to permit the enrollment of such
24 students in postbaccalaureate certificate and degree
25 granting programs.

1 “(5) Support of faculty exchanges, faculty de-
2 velopment, faculty research, curriculum development,
3 and academic instruction.

4 “(6) Creating or improving facilities for Inter-
5 net or other distance learning academic instruction
6 capabilities, including purchase or rental of tele-
7 communications technology equipment or services.

8 “(7) Collaboration with other institutions of
9 higher education to expand postbaccalaureate certifi-
10 cate and degree offerings.

11 “(8) Other activities proposed in the application
12 submitted pursuant to section 514 that—

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

15 “(B) are approved by the Secretary as part
16 of the review and acceptance of such applica-
17 tion.

18 **“SEC. 514. APPLICATION AND DURATION.**

19 “(a) APPLICATION.—Any eligible institution may
20 apply for a grant under this part by submitting an applica-
21 tion to the Secretary at such time and in such manner
22 as determined by the Secretary. Such application shall
23 demonstrate how the grant funds will be used to improve
24 postbaccalaureate education opportunities in programs

1 and professions in which Hispanic Americans are under-
2 represented.

3 “(b) DURATION.—Grants under this part shall be
4 awarded for a period not to exceed 5 years.

5 “(c) LIMITATION.—The Secretary shall not award
6 more than one grant under this part in any fiscal year
7 to any Hispanic-serving institution.”.

8 (b) COOPERATIVE ARRANGEMENTS.—Section 524(a)
9 (as redesignated by subsection (a)(2)) (20 U.S.C.
10 1103c(a)) is amended by inserting “and section 513” after
11 “section 503”.

12 **SEC. 505. AUTHORIZATION OF APPROPRIATIONS.**

13 Subsection (a) of section 528 (as redesignated by sec-
14 tion 504(a)(2) of this Act) (20 U.S.C. 1103g) is amended
15 to read as follows:

16 “(a) AUTHORIZATIONS.—

17 “(1) PART A.—There are authorized to be ap-
18 propriated to carry out part A and part C of this
19 title \$96,000,000 for fiscal year 2007 and such
20 sums as may be necessary for each of the 5 suc-
21 ceeding fiscal years.

22 “(2) PART B.—There are authorized to be ap-
23 propriated to carry out part B of this title
24 \$59,000,000 for fiscal year 2007 and such sums as

1 (A) by striking “; and” at the end of sub-
2 paragraph (D) and inserting “, including
3 through linkages overseas with institutions of
4 higher education and relevant organizations
5 that contribute to the educational programs as-
6 sisted under this part;”;

7 (B) by inserting “and” after the semicolon
8 at the end of subparagraph (E);

9 (C) by inserting after such subparagraph
10 (E) the following new subparagraph:

11 “(F) to assist the national effort to educate and
12 train citizens to participate in the efforts of home-
13 land security;”;

14 (3) in subsection (b)(3)—

15 (A) by inserting “reinforce and” before
16 “coordinate”; and

17 (B) by inserting “, and international busi-
18 ness and trade competitiveness” before the pe-
19 riod.

20 (b) GRADUATE AND UNDERGRADUATE LANGUAGE
21 AND AREA CENTERS AND PROGRAMS.—Section 602(a)
22 (20 U.S.C. 1122(a)) is amended—

23 (1) in paragraph (1), by striking subparagraph
24 (A) and inserting the following:

1 “(A) IN GENERAL.—The Secretary is au-
2 thorized to make grants to institutions of high-
3 er education or consortia of such institutions
4 for the purpose of establishing, strengthening,
5 and operating—

6 “(i) comprehensive foreign language
7 and area or international studies centers
8 and programs; and

9 “(ii) a diverse network of under-
10 graduate foreign language and area or
11 international studies centers and pro-
12 grams.”;

13 (2) in paragraph (2)—

14 (A) by striking “and” at the end of sub-
15 paragraph (G);

16 (B) by striking the period at the end of
17 subparagraph (H) and inserting a semicolon;
18 and

19 (C) by inserting after subparagraph (H)
20 the following new subparagraphs:

21 “(I) supporting instructors of the less com-
22 monly taught languages;

23 “(J) widely disseminating materials devel-
24 oped by the center or program to local edu-
25 cational agencies and public and private ele-

1 mentary and secondary education schools, and
2 institutions of higher education, presented from
3 diverse perspectives and reflective of a wide
4 range of views on the subject matter, except
5 that no more than 50 percent of funds awarded
6 to an institution of higher education or con-
7 sortia of such institutions for purposes under
8 this title may be associated with the costs of
9 dissemination; and

10 “(K) projects that support in students an
11 understanding of science and technology in co-
12 ordination with foreign language proficiency.”;
13 and

14 (3) in paragraph (4)—

15 (A) by amending subparagraph (B) to read
16 as follows:

17 “(B) Partnerships or programs of linkage
18 and outreach with 2-year and 4-year colleges
19 and universities, including colleges of education
20 and teacher professional development pro-
21 grams.”;

22 (B) in subparagraph (C), by striking “Pro-
23 grams of linkage or outreach” and inserting
24 “Partnerships or programs of linkage and out-
25 reach”;

1 (C) in subparagraph (E)—

2 (i) by striking “foreign area” and in-
3 serting “area studies”;

4 (ii) by striking “of linkage and out-
5 reach”; and

6 (iii) by striking “(C), and (D)” and
7 inserting “(D), and (E)”;

8 (D) by redesignating subparagraphs (C),
9 (D), and (E) as subparagraphs (D), (E), and
10 (F), respectively; and

11 (E) by inserting after subparagraph (B)
12 the following new subparagraph:

13 “(C) Partnerships with local educational
14 agencies and public and private elementary and
15 secondary education schools that are designed
16 to increase student academic achievement in
17 foreign language and knowledge of world re-
18 gions, and to facilitate the wide dissemination
19 of materials related to area studies, foreign lan-
20 guages, and international studies that are re-
21 flective of a wide range of views on the subject
22 matter.”.

23 (c) LANGUAGE RESOURCE CENTERS.—Section
24 603(c) (20 U.S.C. 1123(c)) is amended by inserting “re-
25 flect the purposes of this part and” after “shall”.

1 (d) UNDERGRADUATE INTERNATIONAL STUDIES AND
2 FOREIGN LANGUAGE PROGRAMS.—Section 604 (20
3 U.S.C. 1124) is amended—

4 (1) in subsection (a)(1), by striking “combina-
5 tions” each place it appears and inserting “con-
6 sortia”;

7 (2) in subsection (a)(2)—

8 (A) in subparagraph (B)(ii), by striking
9 “teacher training” and inserting “teacher pro-
10 fessional development”;

11 (B) by redesignating subparagraphs (I)
12 through (M) as subparagraphs (J) through (N),
13 respectively;

14 (C) by inserting after subparagraph (H)
15 the following new subparagraph:

16 “(I) the provision of grants for educational
17 programs abroad that are closely linked to the
18 program’s overall goals and have the purpose of
19 promoting foreign language fluency and knowl-
20 edge of world regions, except that not more
21 than 10 percent of a grant recipient’s funds
22 may be used for this purpose;”; and

23 (D) in subparagraph (M)(ii) (as redesign-
24 ated by subparagraph (B) of this paragraph),
25 by striking “elementary and secondary edu-

1 cation institutions” and inserting “local edu-
2 cational agencies and public and private ele-
3 mentary and secondary education schools”;

4 (3) in subsection (a)(4)(B), by inserting “that
5 demonstrates a need for a waiver or reduction” be-
6 fore the period at the end;

7 (4) in subsection (a)(6), by inserting “reflect
8 the purposes of this part and” after “shall”;

9 (5) in subsection (a)(8), by striking “may” and
10 inserting “shall”; and

11 (6) by striking subsection (c).

12 (e) RESEARCH; STUDIES; ANNUAL REPORT.—Sec-
13 tion 605(a) (20 U.S.C. 1125(a)) is amended by inserting
14 before the period at the end of the first sentence the fol-
15 lowing: “, including the systematic collection, analysis, and
16 dissemination of data”.

17 (f) TECHNOLOGICAL INNOVATION AND COOPERATION
18 FOR FOREIGN INFORMATION ACCESS.—Section 606 (20
19 U.S.C. 1126) is amended—

20 (1) in subsection (a)—

21 (A) by striking “or consortia of such insti-
22 tutions or libraries” and inserting “museums,
23 or consortia of such entities”;

24 (B) by striking “new”; and

1 (C) by inserting “from foreign sources”
2 after “disseminate information”;

3 (2) in subsection (b)—

4 (A) by inserting “acquire and” before “fa-
5 cilitate access” in paragraph (1);

6 (B) by striking “new means of” in para-
7 graph (3) and inserting “new means and stand-
8 ards for”;

9 (C) by striking “and” at the end of para-
10 graph (6);

11 (D) by striking the period at the end of
12 paragraph (7) and by inserting a semicolon;
13 and

14 (E) by inserting after paragraph (7) the
15 following new paragraphs:

16 “(8) to establish linkages between grant recipi-
17 ents under subsection (a) with libraries, museums,
18 organizations, or institutions of higher education lo-
19 cated overseas to facilitate carrying out the purposes
20 of this section; and

21 “(9) to carry out other activities deemed by the
22 Secretary to be consistent with the purposes of this
23 section.”; and

24 (3) by adding at the end the following new sub-
25 section:

1 “(e) SPECIAL RULE.—The Secretary may waive or
2 reduce the required non-Federal share for institutions
3 that—

4 “(1) are eligible to receive assistance under part
5 A or B of title III or under title V; and

6 “(2) have submitted a grant application under
7 this section that demonstrates a need for a waiver
8 or reduction.”.

9 (g) SELECTION OF GRANT RECIPIENTS.—Section
10 607(b) (20 U.S.C. 1127(b)) is amended—

11 (1) by striking “objectives” and inserting “mis-
12 sions”; and

13 (2) by adding at the end the following new sen-
14 tence: “In keeping with the purposes of this part,
15 the Secretary shall take into account the degree to
16 which activities of centers, programs, and fellowships
17 at institutions of higher education address national
18 interests, generate and disseminate information, and
19 foster debate on international issues from diverse
20 perspectives.”.

21 (h) EQUITABLE DISTRIBUTION.—Section 608(a) (20
22 U.S.C. 1128(a)) is amended by adding at the end the fol-
23 lowing new sentence: “Grants made under section 602
24 shall also reflect the purposes of this part.”.

1 (i) AUTHORIZATION OF APPROPRIATIONS.—Section
2 610 (20 U.S.C. 1128b) is amended—

3 (1) by striking “1999” and inserting “2007”;
4 and

5 (2) by striking “4 succeeding” and inserting “5
6 succeeding”.

7 (j) CONFORMING AMENDMENTS.—

8 (1) Sections 603(a), 604(a)(5), and 612 (20
9 U.S.C. 1123(a), 1124(a)(5), 1130–1) are each
10 amended by striking “combinations” each place it
11 appears and inserting “consortia”.

12 (2) Section 612 (20 U.S.C. 1130–1) is amended
13 by striking “combination” each place it appears and
14 inserting “consortium”.

15 (k) SENSE OF THE CONGRESS.—It is the sense of
16 the Congress that due to the diplomatic, economic, and
17 military importance of China and the Middle East, inter-
18 national exchange and foreign language education pro-
19 grams under the Higher Education Act of 1965 should
20 focus on the learning of Chinese and Arabic language and
21 culture.

22 **SEC. 602. BUSINESS AND INTERNATIONAL EDUCATION PRO-**
23 **GRAMS.**

24 (a) CENTERS FOR INTERNATIONAL BUSINESS EDU-
25 CATION.—Section 612 (20 U.S.C. 1130–1) is amended—

1 (1) in subsection (c)(1)(D), by inserting “(in-
2 cluding those that are eligible to receive assistance
3 under part A or B of title III or under title V)”
4 after “other institutions of higher education”; and

5 (2) in subsection (e), by adding at the end the
6 following new paragraph:

7 “(5) SPECIAL RULE.—The Secretary may waive
8 or reduce the required non-Federal share for institu-
9 tions that—

10 “(A) are eligible to receive assistance
11 under part A or B of title III or under title V;
12 and

13 “(B) have submitted a grant application
14 under this section that demonstrates a need for
15 a waiver or reduction, as determined by the
16 Secretary.”.

17 (b) EDUCATION AND TRAINING PROGRAMS.—Section
18 613 (20 U.S.C. 1130a) is amended by adding at the end
19 the following new subsection:

20 “(e) SPECIAL RULE.—The Secretary may waive or
21 reduce the required non-Federal share for institutions
22 that—

23 “(1) are eligible to receive assistance under part
24 A or B of title III or under title V; and

1 “(2) have submitted a grant application under
2 this section that demonstrates a need for a waiver
3 or reduction, as determined by the Secretary.”.

4 (c) **AUTHORIZATION OF APPROPRIATIONS.**—Section
5 614 (20 U.S.C. 1130b) is amended—

6 (1) by striking “1999” each place it appears
7 and inserting “2007”; and

8 (2) by striking “4 succeeding” each place it ap-
9 pears and inserting “5 succeeding”.

10 **SEC. 603. INSTITUTE FOR INTERNATIONAL PUBLIC POLICY.**

11 (a) **FOREIGN SERVICE PROFESSIONAL DEVELOP-**
12 **MENT.**—Section 621 (20 U.S.C. 1131) is amended—

13 (1) by striking the heading of such section and
14 inserting the following:

15 **“SEC. 621. PROGRAM FOR FOREIGN SERVICE PROFES-**
16 **SIONALS.”;**

17 (2) by striking the second sentence of sub-
18 section (a) and inserting the following: “The Insti-
19 tute shall conduct a program to enhance the inter-
20 national competitiveness of the United States by in-
21 creasing the participation of underrepresented popu-
22 lations in the international service, including private
23 international voluntary organizations and the foreign
24 service of the United States.”; and

1 (3) in subsection (b)(1), by striking subpara-
2 graphs (A) and (B) and inserting the following:

3 “(A) A Tribally Controlled College or Uni-
4 versity or Alaska Native or Native Hawaiian-
5 serving institution eligible for assistance under
6 title III, an institution eligible for assistance
7 under part B of title III, or a Hispanic-serving
8 institution eligible for assistance under title V.

9 “(B) An institution of higher education
10 which serves substantial numbers of underrep-
11 resented students.”.

12 (b) INSTITUTIONAL DEVELOPMENT.—Section 622
13 (20 U.S.C. 1131–1) is amended by inserting before the
14 period at the end of subsection (a) the following: “and pro-
15 mote collaboration with colleges and universities that re-
16 ceive funds under this title”.

17 (c) STUDY ABROAD PROGRAM.—Section 623(a) (20
18 U.S.C. 1131a(a)) is amended by inserting after “1978,”
19 the following: “Alaska Native-serving, Native Hawaiian-
20 serving, and Hispanic-serving institutions,”.

21 (d) ADVANCED DEGREE IN INTERNATIONAL RELA-
22 TIONS.—Section 624 (20 U.S.C. 1131b) is amended—

23 (1) by striking “**MASTERS**” in the heading of
24 such section and inserting “**ADVANCED**”;

1 (2) by striking “a masters degree in inter-
2 national relations” and inserting “an advanced de-
3 gree in international relations, international affairs,
4 international economics, or other academic areas re-
5 lated to the Institute fellow’s career objectives”; and

6 (3) by striking “The masters degree program
7 designed by the consortia” and inserting “The ad-
8 vanced degree study program shall be designed by
9 the consortia, consistent with the fellow’s career ob-
10 jectives, and”.

11 (e) INTERNSHIPS.—Section 625 (20 U.S.C. 1131e)
12 is amended—

13 (1) in subsection (a), by inserting after “1978,”
14 the following: “Alaska Native-serving, Native Hawai-
15 ian-serving, and Hispanic-serving institutions,”;

16 (2) in subsection (b)—

17 (A) by inserting “and” after the semicolon
18 at the end of paragraph (2);

19 (B) by striking “; and” at the end of para-
20 graph (3) and inserting a period; and

21 (C) by striking paragraph (4); and

22 (3) by amending subsection (c) to read as fol-
23 lows:

24 “(c) RALPH J. BUNCHE FELLOWS.—In order to as-
25 sure the recognition and commitment of individuals from

1 underrepresented student populations who demonstrate
2 special interest in international affairs and language
3 study, eligible students who participate in the internship
4 programs authorized under (a) and (b) shall be known as
5 the ‘Ralph J. Bunche Fellows’.”

6 (f) REPORT.—Section 626 (20 U.S.C. 1131d) is
7 amended by striking “annually prepare a report” and in-
8 serting “prepare a report biennially”.

9 (g) AUTHORIZATION OF APPROPRIATIONS.—Section
10 628 (20 U.S.C. 1131f) is amended—

11 (1) by striking “1999” and inserting “2007”;

12 and

13 (2) by striking “4 succeeding” and inserting “5
14 succeeding”.

15 **SEC. 604. EVALUATION, OUTREACH, AND DISSEMINATION.**

16 Part D of title VI is amended by inserting after sec-
17 tion 631 (20 U.S.C. 1132) the following new section:

18 **“SEC. 632. EVALUATION, OUTREACH, AND DISSEMINATION.**

19 “The Secretary may use not more than one percent
20 of the funds made available for this title for program eval-
21 uation, national outreach, and information dissemination
22 activities.”.

1 **SEC. 605. ADVISORY BOARD.**

2 Part D of title VI is amended by inserting after sec-
3 tion 632 (as added by section 604) the following new sec-
4 tion:

5 **“SEC. 633. INTERNATIONAL HIGHER EDUCATION ADVISORY**
6 **BOARD.**

7 “(a) ESTABLISHMENT AND PURPOSE.—

8 “(1) ESTABLISHMENT.—There is established in
9 the Department an independent International High-
10 er Education Advisory Board (hereafter in this sec-
11 tion referred to as the ‘International Advisory
12 Board’). The International Advisory Board shall
13 provide advice, counsel, and recommendations to the
14 Secretary and the Congress on international edu-
15 cation issues for higher education.

16 “(2) PURPOSE.—The purpose of the Inter-
17 national Advisory Board is—

18 “(A) to provide expertise in the area of na-
19 tional needs for proficiency in world regions,
20 foreign languages, international affairs, and
21 international business;

22 “(B) to make recommendations that will
23 promote the excellence of international edu-
24 cation programs and result in the growth and
25 development of such programs at the postsec-
26 ondary education level that will reflect diverse

1 perspectives and a wide range of views on world
2 regions, foreign language, international affairs,
3 and international business; and

4 “(C) to advise the Secretary and the Con-
5 gress with respect to needs for expertise in gov-
6 ernment, the private sector, and education in
7 order to enhance America’s understanding of,
8 and engagement in, the world.

9 “(b) INDEPENDENCE OF INTERNATIONAL ADVISORY
10 BOARD.—In the exercise of its functions, powers, and du-
11 ties, the International Advisory Board shall be inde-
12 pendent of the Secretary and the other offices and officers
13 of the Department. Except as provided in this subsection
14 and subsection (f), the recommendations of the Inter-
15 national Advisory Board shall not be subject to review or
16 approval by any officer of the Federal Government. Noth-
17 ing in this title shall be construed to authorize the Inter-
18 national Advisory Board to mandate, direct, or control an
19 institution of higher education’s specific instructional con-
20 tent, curriculum, or program of instruction or instructor.
21 The International Advisory Board is authorized to assess
22 a sample of activities supported under this title, using ma-
23 terials that have been submitted to the Department of
24 Education by grant recipients under this title, in order to
25 provide recommendations to the Secretary and the Con-

1 gress for the improvement of programs under the title and
2 to ensure programs meet the purposes of the title to pro-
3 mote the study of and expertise in foreign language and
4 world regions, especially with respect to diplomacy, na-
5 tional security, and international business and trade com-
6 petitiveness. The recommendations of the International
7 Advisory Board may address any area in need of improve-
8 ment, except that any recommendation of specific legisla-
9 tion to Congress shall be made only if the President deems
10 it necessary and expedient.

11 “(c) MEMBERSHIP.—

12 “(1) APPOINTMENT.—The International Advi-
13 sory Board shall have 7 members of whom—

14 “(A) 3 members shall be appointed by the
15 Secretary;

16 “(B) 2 members shall be appointed by the
17 Speaker of the House of Representatives, upon
18 the recommendation of the Majority Leader and
19 the Minority Leader; and

20 “(C) 2 members shall be appointed by the
21 President pro tempore of the Senate, upon the
22 recommendation of the Majority Leader and the
23 Minority Leader.

24 “(2) REPRESENTATION.—Two of the members
25 appointed by the Secretary under paragraph (1)(A)

1 shall be appointed to represent Federal agencies that
2 have diplomacy, national security, international com-
3 merce, or other international activity responsibilities,
4 after consultation with the heads of such agencies.
5 The members of the International Advisory Board
6 shall also include (but not be limited to) persons
7 with international expertise representing States, in-
8 stitutions of higher education, cultural organizations,
9 educational organizations, international business,
10 local education agencies, students, and private citi-
11 zens with expertise in international concerns.

12 “(3) QUALIFICATION.—Members of the Inter-
13 national Advisory Board shall be individuals who
14 have technical qualifications, professional standing,
15 experience working in international affairs or foreign
16 service or international business occupations, or
17 demonstrated knowledge in the fields of higher edu-
18 cation and international education, including foreign
19 languages, world regions, or international affairs.

20 “(d) FUNCTIONS OF THE INTERNATIONAL ADVISORY
21 BOARD.—

22 “(1) IN GENERAL.—The International Advisory
23 Board shall provide recommendations in accordance
24 with subsection (b) regarding improvement of pro-
25 grams under this title to the Secretary and the Con-

1 gress for their review. The International Advisory
2 Board may—

3 “(A) review and comment upon the regula-
4 tions for grants under this title;

5 “(B) assess a sample of activities sup-
6 ported under this title based on the purposes
7 and objectives of this title, using materials that
8 have been submitted to the Department of Edu-
9 cation by grant recipients under this title, in
10 order to provide recommendations for improve-
11 ment of the programs under this title;

12 “(C) make recommendations that will as-
13 sist the Secretary and the Congress to improve
14 the programs under this title to better reflect
15 the national needs related to foreign languages,
16 world regions, diplomacy, national security, and
17 international business and trade competitive-
18 ness, including an assessment of the national
19 needs and the training provided by the institu-
20 tions of higher education that receive a grant
21 under this title for expert and non-expert level
22 foreign language training;

23 “(D) make recommendations to the Sec-
24 retary and the Congress regarding such studies,
25 surveys, and analyses of international education

1 that will provide feedback about the programs
2 under this title and assure that their relative
3 authorized activities reflect diverse perspectives
4 and a wide range of views on world regions, for-
5 eign languages, diplomacy, national security,
6 and international business and trade competi-
7 tiveness;

8 “(E) make recommendations that will
9 strengthen the partnerships between local edu-
10 cational agencies, public and private elementary
11 and secondary education schools, and grant re-
12 cipients under this title to ensure that the re-
13 search and knowledge about world regions, for-
14 eign languages, and international affairs is
15 widely disseminated to local educational agen-
16 cies;

17 “(F) make recommendations on how insti-
18 tutions of higher education that receive a grant
19 under this title can encourage students to serve
20 the Nation and meet national needs in an inter-
21 national affairs, international business, foreign
22 language, or national security capacity;

23 “(G) make recommendations on how link-
24 ages between institutions of higher education
25 and public and private organizations that are

1 involved in international education, inter-
2 national business and trade competitiveness,
3 language training, and international research
4 capacities may fulfill the manpower and infor-
5 mation needs of United States businesses; and

6 “(H) make recommendations to the Sec-
7 retary and the Congress about opportunities for
8 underrepresented populations in the areas of
9 foreign language study, diplomacy, international
10 business and trade competitiveness, and inter-
11 national economics, in order to effectively carry
12 out the activities of the Institute under part C.

13 “(2) HEARINGS.—The International Advisory
14 Board shall provide for public hearing and comment
15 regarding the matter contained in the recommenda-
16 tions described in paragraph (1), prior to the sub-
17 mission of those recommendations to the Secretary
18 and the Congress.

19 “(e) OPERATIONS OF THE COMMITTEE.—

20 “(1) TERMS.—Each member of the Inter-
21 national Advisory Board shall be appointed for a
22 term of 3 years, except that, of the members first
23 appointed (A) 4 shall be appointed for a term of 3
24 years, and (B) 3 shall be appointed for a term of 4
25 years, as designated at the time of appointment by

1 the Secretary. A member of the International Advi-
2 sory Board may be reappointed to successive terms
3 on the International Advisory Board.

4 “(2) VACANCIES.—Any member appointed to
5 fill a vacancy occurring prior to the expiration of the
6 term of a predecessor shall be appointed only for the
7 remainder of such term. A member of the Inter-
8 national Advisory Board shall, upon the Secretary’s
9 request, continue to serve after the expiration of a
10 term until a successor has been appointed.

11 “(3) NO GOVERNMENTAL MEMBERS.—Except
12 for the members appointed by the Secretary under
13 subsection (c)(1)(A), no officers or full-time employ-
14 ees of the Federal Government shall serve as mem-
15 bers of the International Advisory Board.

16 “(4) MEETINGS.—The International Advisory
17 Board shall meet not less than once each year. The
18 International Advisory Board shall hold additional
19 meetings at the call of the Chair or upon the written
20 request of not less than 3 voting members of the
21 International Advisory Board.

22 “(5) QUORUM.—A majority of the voting mem-
23 bers of the International Advisory Board serving at
24 the time of a meeting shall constitute a quorum.

1 “(6) CHAIR.—The International Advisory
2 Board shall elect a Chairman or Chairwoman from
3 among the members of the International Advisory
4 Board.

5 “(f) SUBMISSION TO DEPARTMENT FOR COM-
6 MENT.—The International Advisory Board shall submit
7 its proposed recommendations to the Secretary of Edu-
8 cation for comment for a period not to exceed 30 days
9 in each instance.

10 “(g) PERSONNEL AND RESOURCES.—

11 “(1) COMPENSATION AND EXPENSE.—Members
12 of the International Advisory Board shall serve with-
13 out pay for such service. Members of the Inter-
14 national Advisory Board who are officers or employ-
15 ees of the United States may not receive additional
16 pay, allowances, or benefits by reason of their serv-
17 ice on the International Advisory Board. Members of
18 the International Advisory Board may each receive
19 reimbursement for travel expenses incident to at-
20 tending International Advisory Board meetings, in-
21 cluding per diem in lieu of subsistence, as authorized
22 by section 5703 of title 5, United States Code, for
23 persons in the Government service employed inter-
24 mittently.

1 “(2) PERSONNEL.—The International Advisory
2 Board may appoint such personnel as may be deter-
3 mined necessary by the Chairman without regard to
4 the provisions of title 5, United States Code, gov-
5 erning appointments in the competitive service, and
6 may be paid without regard to the provisions of
7 chapter 51 and subchapter III of chapter 53 of such
8 title relating to classification and General Schedule
9 pay rates, but no individual so appointed shall be
10 paid in excess of the maximum rate payable under
11 section 5376 of such title. The International Advi-
12 sory Board may appoint not more than one full-time
13 equivalent, nonpermanent, consultant without regard
14 to the provisions of title 5, United States Code. The
15 International Advisory Board shall not be required
16 by the Secretary to reduce personnel to meet agency
17 personnel reduction goals.

18 “(3) CONSULTATION.—In carrying out its du-
19 ties under the Act, the International Advisory Board
20 shall consult with other Federal agencies, represent-
21 atives of State and local governments, and private
22 organizations to the extent feasible.

23 “(4) ASSISTANCE FROM OTHER AGENCIES.—

24 “(A) INFORMATION.—The International
25 Advisory Board is authorized to secure directly

1 from any grantee under this title, executive de-
2 partment, bureau, agency, board, commission,
3 office, independent establishment, or instrumen-
4 tality information, suggestions, estimates, and
5 statistics for the purpose of this section and
6 each such grantee department, bureau, agency,
7 board, commission, office, independent estab-
8 lishment, or instrumentality is authorized and
9 directed, to the extent permitted by law, to fur-
10 nish such information, suggestions, estimates,
11 and statistics directly to the International Advi-
12 sory Board, upon request made by the Chair-
13 man for the purpose of providing expertise in
14 the area of national needs for the proficiency in
15 world regions, foreign languages, and inter-
16 national affairs.

17 “(B) SERVICES AND PERSONNEL.—The
18 head of each Federal agency shall, to the extent
19 not prohibited by law, consult with the Inter-
20 national Advisory Board in carrying out this
21 section. The International Advisory Board is
22 authorized to utilize, with their consent, the
23 services, personnel, information, and facilities of
24 other Federal, State, local, and private agencies
25 with or without reimbursement, for the purpose

1 of providing expertise in the area of national
2 needs for the proficiency in world regions, for-
3 eign languages, and international affairs.

4 “(5) CONTRACTS; EXPERTS AND CONSULT-
5 ANTS.—The International Advisory Board may enter
6 into contracts for the acquisition of information,
7 suggestions, estimates, and statistics for the purpose
8 of this section. The International Advisory Board is
9 authorized to obtain the services of experts and con-
10 sultants without regard to section 3109 of title 5,
11 United States Code and to set pay in accordance
12 with such section.

13 “(h) TERMINATION.—Notwithstanding the sunset
14 and charter provisions of the Federal Advisory Committee
15 Act (5 U.S.C. App. I) or any other statute or regulation,
16 the International Advisory Board shall be authorized
17 through September 30, 2012.

18 “(i) FUNDS.—The Secretary shall use not more than
19 one-half of the funds available to the Secretary under sec-
20 tion 632 to carry out this section.”.

21 **SEC. 606. RECRUITER ACCESS TO STUDENTS AND STUDENT**
22 **RECRUITING INFORMATION; SAFETY.**

23 Part D of title VI is amended by inserting after sec-
24 tion 633 (as added by section 605) the following new sec-
25 tions:

1 **“SEC. 634. RECRUITER ACCESS TO STUDENTS AND STU-**
2 **DENT RECRUITING INFORMATION.**

3 “Each institution of higher education that receives a
4 grant under this title shall assure that—

5 “(1) recruiters of the United States Govern-
6 ment and agencies thereof are given the same access
7 to students as is provided generally to other institu-
8 tions of higher education and prospective employers
9 of those students for the purpose of recruiting for
10 graduate opportunities or prospective employment;
11 and

12 “(2) no undue restrictions are placed upon stu-
13 dents that seek employment with the United States
14 Government or any agency thereof.

15 **“SEC. 635. STUDENT SAFETY.**

16 “Applicants seeking funds under this title to support
17 student travel and study abroad shall submit as part of
18 their grant application a description of safety policies and
19 procedures for students participating in the program while
20 abroad.”.

21 **SEC. 607. NATIONAL STUDY OF FOREIGN LANGUAGE HERIT-**
22 **AGE COMMUNITIES.**

23 Part D of title VI is further amended by inserting
24 after section 635 (as added by section 606) the following
25 new section:

1 **“SEC. 636. NATIONAL STUDY OF FOREIGN LANGUAGE HER-**
2 **ITAGE COMMUNITIES.**

3 “(a) **STUDY.**—The Secretary of Education, in con-
4 sultation with the International Advisory Board, shall con-
5 duct a study to identify foreign language heritage commu-
6 nities, particularly such communities that include speakers
7 of languages that are critical to the national security of
8 the United States.

9 “(b) **FOREIGN LANGUAGE HERITAGE COMMUNITY.**—
10 For purposes of this section, the term ‘foreign language
11 heritage community’ means a community of residents or
12 citizens of the United States who are native speakers of,
13 or who have partial fluency in, a foreign language.

14 “(c) **REPORT.**—Not later than one year after the date
15 of the enactment of this Act, the Secretary of Education
16 shall submit a report to the Congress on the results of
17 the study conducted under this section.”.

18 **TITLE VII—TITLE VII**
19 **AMENDMENTS**

20 **SEC. 701. JAVITS FELLOWSHIP PROGRAM.**

21 (a) **AUTHORITY AND TIMING OF AWARDS.**—Section
22 701(a) (20 U.S.C. 1132a(a)) is amended by inserting
23 after the second sentence the following: “For purposes of
24 the exception in the preceding sentence, a master’s degree
25 in fine arts shall be considered a terminal degree.”.

1 (b) INTERRUPTIONS OF STUDY.—Section 701(c) (20
2 U.S.C. 1134(c)) is amended by adding at the end the fol-
3 lowing new sentence: “In the case of other exceptional cir-
4 cumstances, such as active duty military service or per-
5 sonal or family member illness, the institution of higher
6 education may also permit the fellowship recipient to in-
7 terrupt periods of study for the duration of the tour of
8 duty (in the case of military service) or not more than
9 12 months (in any other case), but without payment of
10 the stipend.”.

11 (c) ALLOCATION OF FELLOWSHIPS.—Section
12 702(a)(1) (20 U.S.C. 1134a(a)(1)) is amended—

13 (1) in the first sentence, by inserting “from di-
14 verse geographic regions” after “higher education”;
15 and

16 (2) by adding at the end the following new sen-
17 tence: “The Secretary shall also assure that at least
18 one representative appointed to the Board represents
19 an institution that is eligible for a grant under title
20 III or V of this Act.”.

21 (d) STIPENDS.—Section 703 (20 U.S.C. 1134b(a)) is
22 amended—

23 (1) in subsection (a)—

24 (A) by striking “1999–2000” and inserting
25 “2007–2008”;

1 (B) by striking “shall be set” and inserting
2 “may be set”; and

3 (C) by striking “Foundation graduate fel-
4 lowships” and inserting “Foundation Graduate
5 Research Fellowship Program on February 1 of
6 such academic year”; and

7 (2) in subsection (b), by amending paragraph
8 (1)(A) to read as follows:

9 “(1) IN GENERAL.—(A) The Secretary shall (in
10 addition to stipends paid to individuals under this
11 subpart) pay to the institution of higher education,
12 for each individual awarded a fellowship under this
13 subpart at such institution, an institutional allow-
14 ance. Except as provided in subparagraph (B), such
15 allowance shall be, for 2007–2008 and succeeding
16 academic years, the same amount as the institu-
17 tional payment made for 2006–2007 adjusted for
18 2007–2008 and annually thereafter in accordance
19 with inflation as determined by the Department of
20 Labor’s Consumer Price Index for All Urban Con-
21 sumers for the previous calendar year.”.

22 (e) AUTHORIZATION OF APPROPRIATIONS.—Section
23 705 (20 U.S.C. 1134d) is amended by striking “fiscal year
24 1999 and such sums as may be necessary for each of the
25 4 succeeding fiscal years” and inserting “fiscal year 2007

1 and such sums as may be necessary for each of the 5 suc-
2 ceeding fiscal years”.

3 **SEC. 702. GRADUATE ASSISTANCE IN AREAS OF NATIONAL**
4 **NEED.**

5 (a) DESIGNATION OF AREAS OF NATIONAL NEED;
6 PRIORITY.—Section 712 (20 U.S.C. 1135a) is amended—

7 (1) in the last sentence of subsection (b)—

8 (A) by striking “and an assessment” and
9 inserting “an assessment”; and

10 (B) by inserting before the period at the
11 end the following: “, and the priority described
12 in subsection (c) of this section”; and

13 (2) by adding at the end the following new sub-
14 section:

15 “(c) PRIORITY.—The Secretary shall establish a pri-
16 ority for grants in order to prepare individuals for the pro-
17 fessoriate who will train highly-qualified elementary and
18 secondary math and science teachers, special education
19 teachers, and teachers who provide instruction for limited
20 English proficient individuals. Such grants shall offer pro-
21 gram assistance and graduate fellowships for—

22 “(1) post-baccalaureate study related to teacher
23 preparation and pedagogy in math and science for
24 students who have completed a master’s degree or

1 are pursuing a doctorate of philosophy in math and
2 science;

3 “(2) post-baccalaureate study related to teacher
4 preparation and pedagogy in special education and
5 English language acquisition and academic pro-
6 ficiency for limited English proficient individuals;
7 and

8 “(3) support of dissertation research in the
9 fields of math, science, special education, or second
10 language pedagogy and second language acqui-
11 sition.”.

12 (b) COLLABORATION REQUIRED FOR CERTAIN AP-
13 PPLICATIONS.—Section 713(b) (20 U.S.C. 1135b) is
14 amended—

15 (1) by striking “and” at the end of paragraph
16 (9);

17 (2) by redesignating paragraph (10) as para-
18 graph (11); and

19 (3) by inserting after paragraph (9) the fol-
20 lowing new paragraph:

21 “(10) in the case of an application from a de-
22 partment, program, or unit in education or teacher
23 preparation, provide assurances that such depart-
24 ment, program, or unit will collaborate with depart-
25 ments, programs, or units in all content areas to en-

1 sure a successful combination of training in both
2 teaching and such content; and”.

3 (c) STIPENDS.—Section 714(b) (20 U.S.C. 1135c(b))
4 is amended—

5 (1) by striking “1999–2000” and inserting
6 “2007–2008”;

7 (2) by striking “shall be set” and inserting
8 “may be set”; and

9 (3) by striking “Foundation graduate fellow-
10 ships” and inserting “Foundation Graduate Re-
11 search Fellowship Program on February 1 of such
12 academic year”.

13 (d) ADDITIONAL ASSISTANCE.—Section 715(a)(1)
14 (20 U.S.C. 1135d(a)(1)) is amended—

15 (1) by striking “1999–2000” and inserting
16 “2007–2008”;

17 (2) by striking “1998–1999” and inserting
18 “2006–2007”; and

19 (3) by inserting “for All Urban Consumers”
20 after “Price Index”.

21 (e) AUTHORIZATION OF APPROPRIATIONS.—Section
22 716 (20 U.S.C. 1135e) is amended by striking “fiscal year
23 1999 and such sums as may be necessary for each of the
24 4 succeeding fiscal years” and inserting “fiscal year 2007

1 and such sums as may be necessary for each of the 5 suc-
2 ceeding fiscal years”.

3 (f) TECHNICAL AMENDMENTS.—Section 714(c) (20
4 U.S.C. 1135c(c)) is amended—

5 (1) by striking “section 716(a)” and inserting
6 “section 715(a)”;

7 (2) by striking “section 714(b)(2)” and insert-
8 ing “section 713(b)(2)”.

9 **SEC. 703. THURGOOD MARSHALL LEGAL EDUCATIONAL OP-**
10 **PORTUNITY PROGRAM.**

11 (a) CONTRACT AND GRANT PURPOSES.—Section
12 721(e) (20 U.S.C. 1136(e)) is amended—

13 (1) by amending paragraph (2) to read as fol-
14 lows:

15 “(2) to prepare such students for study at ac-
16 credited law schools and assist them with the devel-
17 opment of analytical skills and study methods to en-
18 hance their success and promote completion of law
19 school;”;

20 (2) by striking “and” at the end of paragraph
21 (4);

22 (3) by striking the period at the end of para-
23 graph (5) and inserting “; and”;

24 (4) by adding at the end the following new
25 paragraph:

1 “(6) to award Thurgood Marshall Fellowships
2 to eligible law school students—

3 “(A) who participated in summer institutes
4 authorized by subsection (d) and who are en-
5 rolled in an accredited law school; or

6 “(B) who are eligible law school students
7 who have successfully completed a comparable
8 summer institute program certified by the
9 Council on Legal Educational Opportunity.”.

10 (b) SERVICES PROVIDED.—Section 721(d)(1)(D) (20
11 U.S.C. 1136(d)(1)(D)) is amended by inserting “in ana-
12 lytical skills and study methods” after “courses”.

13 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
14 721(h) (20 U.S.C. 1136(h)) is amended by striking “1999
15 and each of the 4 succeeding fiscal years” and inserting
16 “2007 and each of the 5 succeeding fiscal years”.

17 (d) GENERAL PROVISIONS.—Subsection (e) of section
18 731 (20 U.S.C. 1137(e)) is repealed.

19 **SEC. 704. FUND FOR THE IMPROVEMENT OF POSTSEC-**
20 **ONDARY EDUCATION.**

21 (a) CONTRACT AND GRANT PURPOSES.—Section
22 741(a) (20 U.S.C. 1138(a)) is amended—

23 (1) by amending paragraph (1) to read as fol-
24 lows:

1 “(1) the encouragement of the reform and im-
2 provement of, and innovation in, postsecondary edu-
3 cation and the provision of educational opportunity
4 for all, especially for the non-traditional student pop-
5 ulations;”;

6 (2) in paragraph (2), by inserting before the
7 semicolon at the end the following: “for postsec-
8 ondary students, especially institutions, programs,
9 and joint efforts that provide academic credit for
10 programs”;

11 (3) by amending paragraph (3) to read as fol-
12 lows:

13 “(3) the establishment of institutions and pro-
14 grams based on the technology of communications,
15 including delivery by distance education;”;

16 (4) by amending paragraph (6) to read as fol-
17 lows:

18 “(6) the introduction of institutional reforms
19 designed to expand individual opportunities for en-
20 tering and reentering postsecondary institutions and
21 pursuing programs of postsecondary study tailored
22 to individual needs;”;

23 (5) by striking “and” at the end of paragraph
24 (7);

1 (6) by striking the period at the end of para-
2 graph (8) and inserting a semicolon; and

3 (7) by adding at the end the following new
4 paragraphs:

5 “(9) the provision of support and assistance to
6 programs implementing integrated education reform
7 services in order to improve secondary school grad-
8 uation and college attendance and completion rates
9 for disadvantaged students, and to programs that
10 reduce postsecondary remediation rates, and improve
11 degree attainment rates, for low-income students
12 and former high school dropouts;

13 “(10) the assessment, in partnership with a
14 public or private nonprofit institution or agency, of
15 the performance of teacher preparation programs
16 within institutions of higher education in a State,
17 using an assessment which provides comparisons
18 across such schools within the State based upon in-
19 dicators including teacher candidate knowledge in
20 subject areas in which such candidate has been pre-
21 pared to teach;

22 “(11) supporting efforts to establish pilot pro-
23 grams and initiatives to help college campuses to re-
24 duce illegal downloading of copyrighted content, in

1 order to improve the security and integrity of cam-
2 pus computer networks and save bandwidth costs.”;

3 “(12) support increased fire safety in student
4 housing—

5 “(A) by establishing a demonstration in-
6 centive program for qualified student housing in
7 institutions of higher education;

8 “(B) by making grants for the purpose of
9 installing fire alarm detection, prevention, and
10 protection technologies in student housing, dor-
11 mitories, and other buildings controlled by such
12 entities; and

13 “(C) by requiring, as a condition of such
14 grants—

15 “(i) that such technologies be installed
16 professionally to technical standards of the
17 National Fire Protection Association; and

18 “(ii) that the recipient shall provide
19 non-Federal matching funds in an amount
20 equal to the amount of the grant; and

21 “(13) establishing and operating pregnant and
22 parenting student services offices that—

23 “(A) will serve students who are pregnant
24 or parenting, prospective parenting students
25 who are anticipating a birth or adoption, and

1 students who are placing or have placed a child
2 for adoption; and

3 “(B) will help students with locating and
4 utilizing child care, family housing, flexible aca-
5 demic scheduling such as telecommuting pro-
6 grams, parenting classes and programs, and
7 post-partum counseling and support groups.”.

8 (b) PROHIBITION.—Section 741 (20 U.S.C. 1138) is
9 further amended by adding at the end the following new
10 subsection:

11 “(c) PROHIBITION.—No funds made available under
12 this part may be used to provide financial assistance to
13 students who do not meet the requirements of section
14 484(a)(5).”.

15 (c) AREAS OF NATIONAL NEED.—Section 744(c) (20
16 U.S.C. 1138c(c)) is amended—

17 (1) by amending paragraph (2) to read as fol-
18 lows:

19 “(2)(A) Development of partnerships between
20 local educational agencies and institutions of higher
21 education to establish or expand existing dual enroll-
22 ment programs at institutions of higher education
23 that allow high school students to earn high school
24 and transferable college credit.

1 “(B) Development of consortia of institutions of
2 higher education to create dual enrollment programs
3 including academic and student support agreements
4 and comprehensive articulation agreements that
5 would allow for the seamless and timely acquisition
6 of college credits and the transfer of postsecondary
7 academic credits between such institutions, particu-
8 larly from 2-year to 4-year institutions of higher
9 education.”; and

10 (2) by striking paragraph (4) and inserting the
11 following:

12 “(4) International cooperation, partnerships, or
13 student exchange among postsecondary educational
14 institutions in the United States and abroad.

15 “(5) Establishment of academic programs in-
16 cluding graduate and undergraduate courses, semi-
17 nars and lectures, support of research, and develop-
18 ment of teaching materials for the purpose of sup-
19 porting faculty and academic programs that teach
20 traditional American history (including significant
21 constitutional, political, intellectual, economic, diplo-
22 matic, and foreign policy trends, issues, and docu-
23 ments; the history, nature, and development of
24 democratic institutions of which American democ-

1 racy is a part; and significant events and individuals
2 in the history of the United States).

3 “(6) Support for planning, applied research,
4 training, resource exchanges or technology transfers,
5 the delivery of services, or other activities the pur-
6 pose of which is to design and implement programs
7 to enable institutions of higher education to work
8 with private and civic organizations to assist commu-
9 nities to meet and address their pressing and severe
10 problems, including economic development, commu-
11 nity infrastructure and housing, crime prevention,
12 education, healthcare, self-sufficiency, and workforce
13 preparation. Such activities may include support for
14 the development of coordinated curriculum and in-
15 ternship opportunities for students in disadvantaged
16 communities.”.

17 (d) AUTHORIZATION OF APPROPRIATIONS.—Section
18 745 (20 U.S.C. 1138d) is amended by striking
19 “\$30,000,000 for fiscal year 1999 and such sums as may
20 be necessary for each of the 4 succeeding fiscal years” and
21 inserting “\$40,000,000 for fiscal year 2007 and such
22 sums as may be necessary for each of the 5 succeeding
23 fiscal years” .

1 **SEC. 705. URBAN COMMUNITY SERVICE.**

2 Part C of title VII (20 U.S.C. 1139 et seq.) is re-
3 pealed.

4 **SEC. 706. DEMONSTRATION PROJECTS TO ENSURE STU-**
5 **DENTS WITH DISABILITIES RECEIVE A QUAL-**
6 **ITY HIGHER EDUCATION.**

7 (a) SERVING ALL STUDENTS WITH DISABILITIES.—
8 Section 762(a) (20 U.S.C. 1140a(a)) is amended by strik-
9 ing “students with learning disabilities” and inserting
10 “students with disabilities”.

11 (b) AUTHORIZED ACTIVITIES.—

12 (1) AMENDMENT.—Section 762(b)(2) is amend-
13 ed—

14 (A) in subparagraph (A), by inserting “in
15 order to improve retention and completion”
16 after “disabilities”;

17 (B) by redesignating subparagraphs (B)
18 and (C) as subparagraphs (C) and (E), respec-
19 tively;

20 (C) by inserting after subparagraph (A)
21 the following new subparagraph:

22 “(B) EFFECTIVE TRANSITION PRAC-
23 TICES.—The development of innovative, effec-
24 tive, and efficient teaching methods and strate-
25 gies to ensure the smooth transition of students

1 with disabilities from high school to postsec-
2 ondary education.”; and

3 (D) by inserting after subparagraph (C)
4 (as redesignated by subparagraph (B) of this
5 paragraph) the following new subparagraph:

6 “(D) DISTANCE LEARNING.—The develop-
7 ment of innovative, effective, and efficient
8 teaching methods and strategies to provide fac-
9 ulty and administrators with the ability to pro-
10 vide accessible distance education programs or
11 classes that would enhance access of students
12 with disabilities to higher education, including
13 the use of electronic communication for instruc-
14 tion and advisement.”.

15 (2) CONFORMING AMENDMENT.—Section
16 762(b)(3) is amended by striking “subparagraphs
17 (A) through (C)” and inserting “subparagraphs (A)
18 through (E)”.

19 (c) APPLICATIONS.—Section 763 (20 U.S.C. 1140b)
20 is amended—

21 (1) by amending paragraph (1) to read as fol-
22 lows:

23 “(1) a description of how such institution plans
24 to address the activities allowed under this part;”;

1 (2) by striking “and” at the end of paragraph
2 (2);

3 (3) by striking the period at the end of para-
4 graph (3) and inserting “; and”; and

5 (4) by adding at the end the following new
6 paragraph:

7 “(4) a description of the extent to which an in-
8 stitution will work to replicate the best practices of
9 institutions of higher education with demonstrated
10 success in serving students with disabilities.”.

11 (d) AUTHORIZATION OF APPROPRIATIONS.—Section
12 765 (20 U.S.C. 1140d) is amended by striking “fiscal year
13 1999 and such sums as may be necessary for each of the
14 4 succeeding fiscal years” and inserting “fiscal year 2007
15 and such sums as may be necessary for each of the 5 suc-
16 ceeding fiscal years”.

17 **TITLE VIII—CLERICAL**
18 **AMENDMENTS**

19 **SEC. 801. CLERICAL AMENDMENTS.**

20 (a) DEFINITION.—Section 103 (20 U.S.C. 1003) (as
21 amended by section 102) is further amended—

22 (1) by redesignating paragraphs (1) through
23 (16) as paragraphs (2) through (17), respectively;
24 and

1 (2) by inserting before paragraph (2) (as so re-
2 designated) the following new paragraph:

3 “(1) AUTHORIZING COMMITTEES.—The term
4 ‘authorizing committees’ means the Committee on
5 Health, Education, Labor, and Pensions of the Sen-
6 ate and the Committee on Education and the Work-
7 force of the House of Representatives.”.

8 (b) COMMITTEES.—

9 (1) The following provisions are each amended
10 by striking “Committee on Labor and Human Re-
11 sources of the Senate and the Committee on Edu-
12 cation and the Workforce of the House of Rep-
13 resentatives” and inserting “authorizing commit-
14 tees”:

15 (A) Section 428(g) (20 U.S.C. 1078(g)).

16 (B) Section 428A(c)(2) (20 U.S.C. 1078-
17 1(e)(2)).

18 (C) Section 428A(c)(5) (20 U.S.C. 1078-
19 1(e)(5)).

20 (D) Section 455(b)(7)(B) (20 U.S.C.
21 1087e(b)(7)(B)), as redesignated by section
22 423(b)(3).

23 (E) Section 483(c) (20 U.S.C. 1090(c)).

24 (F) Section 486(e) (20 U.S.C. 1093(e)).

1 (G) Section 486(f)(3)(A) (20 U.S.C.
2 1093(f)(3)(A)).

3 (H) Section 486(f)(3)(B) (20 U.S.C.
4 1093(f)(3)(B)).

5 (I) Section 487A(a)(5) (20 U.S.C.
6 1094a(a)(5)).

7 (J) Section 487A(b)(2) (20 U.S.C.
8 1094a(b)(2)).

9 (K) Section 487A(b)(3)(B) (20 U.S.C.
10 1094a(b)(3)(B)).

11 (L) Section 498B(d)(1) (20 U.S.C. 1099c–
12 2(d)(1)).

13 (M) Section 498B(d)(2) (20 U.S.C.
14 1099c–2(d)(2)).

15 (2) The following provisions are each amended
16 by striking “Committee on Education and the Work-
17 force of the House of Representatives and the Com-
18 mittee on Labor and Human Resources of the Sen-
19 ate” and inserting “authorizing committees”:

20 (A) Section 141(d)(4)(B) (20 U.S.C.
21 1018(d)(4)(B)).

22 (B) Section 428(n)(4) (20 U.S.C.
23 1078(n)(4)).

24 (C) Section 437(c)(1) (20 U.S.C.
25 1087(c)(1)).

1 (D) Section 485(f)(5)(A) (20 U.S.C.
2 1092(f)(5)(A)).

3 (E) Section 485(g)(4)(B) (20 U.S.C.
4 1092(g)(4)(B)).

5 (3) Section 401(f)(3) (20 U.S.C. 1070a(f)(3))
6 is amended by striking “Committee on Appropria-
7 tions and the Committee on Labor and Human Re-
8 sources of the Senate and the Committee on Appro-
9 priations and the Committee on Education and the
10 Workforce of the House of Representatives” and in-
11 sserting “Committees on Appropriations of the Sen-
12 ate and House of Representatives and the author-
13 izing committees”.

14 (4) Section 428(c)(9)(K) (20 U.S.C.
15 1078(c)(9)(K)) is amended by striking “House Com-
16 mittee on Education and the Workforce and the
17 Senate Committee on Labor and Human Resources”
18 and inserting “authorizing committees”.

19 (5) Section 432(f)(1)(C) (20 U.S.C.
20 1082(f)(1)(C)) is amended by striking “Committee
21 on Education and the Workforce of the House of
22 Representatives or the Committee on Labor and
23 Human Resources of the Senate” and inserting “ei-
24 ther of the authorizing committees”.

1 (6) Section 439(d)(1)(E)(iii) (20 U.S.C. 1087–
2 2(d)(1)(E)(iii)) is amended by striking “Chairman
3 and the Ranking Member on the Committee on
4 Labor and Human Resources of the Senate and the
5 Chairman and the Ranking Member of the Com-
6 mittee on Education and Labor of the House of
7 Representatives” and inserting “chairpersons and
8 ranking minority members of the authorizing com-
9 mittees”.

10 (7) Paragraphs (3) and (8)(C) of section 439(r)
11 (20 U.S.C. 1087–2(r)) are each amended by striking
12 “Chairman and ranking minority member of the
13 Committee on Labor and Human Resources of the
14 Senate, the Chairman and ranking minority member
15 of the Committee on Education and Labor of the
16 House of Representatives,” and inserting “chair-
17 persons and ranking minority members of the au-
18 thorizing committees”.

19 (8) Paragraphs (5)(B) and (10) of section
20 439(r) (20 U.S.C. 1087–2(r)) are each amended by
21 striking “Chairman and ranking minority member of
22 the Senate Committee on Labor and Human Re-
23 sources and to the Chairman and ranking minority
24 member of the House Committee on Education and

1 Labor” and inserting “chairpersons and ranking mi-
2 nority members of the authorizing committees”.

3 (9) Section 439(r)(6)(B) (20 U.S.C. 1087–
4 2(r)(6)(B)) is amended by striking “Chairman and
5 ranking minority member of the Committee on
6 Labor and Human Resources of the Senate and to
7 the Chairman and ranking minority member of the
8 Committee on Education and Labor of the House of
9 Representatives” and inserting “chairpersons and
10 ranking minority members of the authorizing com-
11 mittees”.

12 (10) Section 439(s)(2)(A) (20 U.S.C. 1087–
13 2(s)(2)(A)) is amended by striking “Chairman and
14 Ranking Member of the Committee on Labor and
15 Human Resources of the Senate and the Chairman
16 and Ranking Member of the Committee on Eco-
17 nomic and Educational Opportunities of the House
18 of Representatives” and inserting “chairpersons and
19 ranking minority members of the authorizing com-
20 mittees”.

21 (11) Section 439(s)(2)(B) (20 U.S.C. 1087–
22 2(s)(2)(B)) is amended by striking “Chairman and
23 Ranking Minority Member of the Committee on
24 Labor and Human Resources of the Senate and
25 Chairman and Ranking Minority Member of the

1 Committee on Economic and Educational Opportu-
2 nities of the House of Representatives” and insert-
3 ing “chairpersons and ranking minority members of
4 the authorizing committees”.

5 (12) Section 482(d) (20 U.S.C. 1089(d)) is
6 amended by striking “Committee on Labor and
7 Human Resources of the Senate and the Committee
8 on Education and Labor of the House of Represent-
9 atives” and inserting “authorizing committees”.

10 (c) ADDITIONAL CLERICAL AMENDMENTS.—

11 (1) Clauses (i) and (ii) of section 425(a)(2)(A)
12 (20 U.S.C. 1075(a)(2)(A)) are each amended by
13 striking “428A or 428B” and inserting “428B or
14 428H”.

15 (2) Section 428(a)(2)(E) (20 U.S.C.
16 1078(a)(2)(E)) is amended by striking “428A or”.

17 (3) Clauses (i) and (ii) of section 428(b)(1)(B)
18 (20 U.S.C. 1078(b)(1)(B)) are each amended by
19 striking “428A or 428B” and inserting “428B or
20 428H”.

21 (4) Section 428(b)(1)(Q) (20 U.S.C.
22 1078(b)(1)(Q)) is amended by striking “sections
23 428A and 428B” and inserting “section 428B or
24 428H”.

1 (5) Section 428(b)(7)(C) (20 U.S.C.
2 1078(b)(7)(C)) is amended by striking “428A,
3 428B,” and inserting “428B”.

4 (6) Section 428G(c)(2) (20 U.S.C. 1078–
5 7(c)(2)) is amended by striking “428A” and insert-
6 ing “428H”.

7 (7) The heading for section 433(e) (20 U.S.C.
8 1083(e)) is amended by striking “SLS LOANS
9 AND”.

10 (8) Section 433(e) (20 U.S.C. 1083(e)) is
11 amended by striking “428A, 428B,” and inserting
12 “428B”.

13 (9) Section 435(a)(3) (20 U.S.C. 1085(a)(3)) is
14 amended—

15 (A) by inserting “or” at the end of sub-
16 paragraph (A);

17 (B) by striking subparagraph (B); and

18 (C) by redesignating subparagraph (C) as
19 subparagraph (B).

20 (10) Section 435(d)(1)(G) (20 U.S.C.
21 1085(d)(1)(G)) is amended by striking “428A(d),
22 428B(d), 428C,” and inserting “428B(d), 428C,
23 428H,”.

24 (11) Section 435(m) (20 U.S.C. 1085(m)) is
25 amended—

1 (A) in paragraph (1)(A), by striking “,
2 428A,”; and

3 (B) in paragraph (2)(D), by striking
4 “428A” each place it appears and inserting
5 “428H”.

6 (12) Section 438(b)(2)(D)(ii) (20 U.S.C. 1087–
7 1(b)(2)(D)(ii)) is amended by striking “division (i)
8 of this subparagraph” and inserting “clause (i) of
9 this subparagraph”.

10 (13) Section 438(c)(6) (20 U.S.C. 1087–
11 1(c)(6)) is amended—

12 (A) by striking “SLS AND PLUS” in the
13 heading and inserting “PLUS”; and

14 (B) by striking “428A or”.

15 (14) Section 438(c)(7) (20 U.S.C. 1087–
16 1(c)(7)) is amended by striking “428A or”.

17 (15) Nothing in the amendments made by this
18 subsection shall be construed to alter the terms, con-
19 ditions, and benefits applicable to Federal supple-
20 mental loans for students (“SLS loans”) under sec-
21 tion 428A as in effect prior to July 1, 1994 (20
22 U.S.C. 1078–1).

1 **TITLE IX—AMENDMENTS TO**
2 **OTHER EDUCATION LAWS**

3 **PART A—EDUCATION OF THE DEAF ACT OF 1986**

4 **SEC. 901. LAURENT CLERC NATIONAL DEAF EDUCATION**
5 **CENTER.**

6 (a) GENERAL AUTHORITY.—Section 104(a)(1)(A) of
7 the Education of the Deaf Act of 1986 (20 U.S.C.
8 4304(a)(1)(A)) is amended by inserting after “maintain
9 and operate” the following: “, at the Laurent Clerc Na-
10 tional Deaf Education Center,”.

11 (b) ADMINISTRATIVE REQUIREMENTS.—

12 (1) IN GENERAL.—Section 104(b) of the Edu-
13 cation of the Deaf Act of 1986 (20 U.S.C. 4304(b))
14 is amended—

15 (A) in the matter preceding subparagraph
16 (A) of paragraph (1), by striking “elementary
17 and secondary education programs” and insert-
18 ing “Laurent Clerc National Deaf Education
19 Center”;

20 (B) in paragraph (2), by striking “elemen-
21 tary and secondary education programs” and
22 inserting “Laurent Clerc National Deaf Edu-
23 cation Center”; and

24 (C) in paragraph (4)(C)—

1 (i) in clause (i), by striking “(6)” and
2 inserting “(8)”; and
3 (ii) in clause (vi), by striking “(m)”
4 and inserting “(o)”.

5 (2) ACADEMIC CONTENT STANDARDS, ACHIEVE-
6 MENT STANDARDS, AND ASSESSMENTS.—Section
7 104(b) of the Education of the Deaf Act of 1986
8 (20 U.S.C. 4304(b)) is amended by adding at the
9 end the following new paragraph:

10 “(5) The University, in consultation with the Sec-
11 retary and consistent with the mission of the elementary
12 and secondary programs operated at the Laurent Clerc
13 National Deaf Education Center, shall—

14 “(A) not later than the beginning of the 2007–
15 2008 school year, adopt and implement academic
16 content standards, academic achievement standards,
17 and academic assessments as described in para-
18 graphs (1) and (3) of section 1111(b) of the Ele-
19 mentary and Secondary Education Act of 1965 for
20 such Center;

21 “(B) develop adequate yearly progress stand-
22 ards for such Center as described in section
23 1111(b)(2)(C) of such Act; and

24 “(C) publicly report the results of such assess-
25 ments, except in such case in which such reporting

1 would not yield statistically reliable information or
2 would reveal personally identifiable information
3 about an individual student.”.

4 **SEC. 902. AGREEMENT WITH GALLAUDET UNIVERSITY.**

5 Section 105(b)(4) of the Education of the Deaf Act
6 of 1986 (20 U.S.C. 4305) is amended—

7 (1) by striking “the Act of March 3, 1931 (40
8 U.S.C. 276a–276a–5)” and inserting “sections 3141
9 through 3148 of title 40, United States Code,”; and

10 (2) by striking “section 2 of the Act of June
11 13, 1934 (40 U.S.C. 276c)” and inserting “section
12 3145 of title 40, United States Code”.

13 **SEC. 903. AUTHORITY.**

14 Section 111 of the Education of the Deaf Act of 1986
15 (20 U.S.C. 4331) is amended by striking “the institution
16 of higher education with which the Secretary has an agree-
17 ment under this part” and inserting “the Rochester Insti-
18 tute of Technology”.

19 **SEC. 904. AGREEMENT FOR THE NATIONAL TECHNICAL IN-**
20 **STITUTE FOR THE DEAF.**

21 (a) GENERAL AUTHORITY.—Section 112(a) of the
22 Education of the Deaf Act of 1986 (20 U.S.C. 4332(a))
23 is amended—

24 (1) in paragraph (1)—

25 (A) in the first sentence—

1 (i) by striking “an institution of high-
2 er education” and inserting “the Rochester
3 Institute of Technology, Rochester, New
4 York,”; and

5 (ii) by striking “of a” and inserting
6 “of the”; and

7 (B) by striking the second sentence; and

8 (2) in paragraph (2)—

9 (A) in the matter preceding subparagraph
10 (A), by striking “the institution of higher edu-
11 cation with which the Secretary has an agree-
12 ment under this section” and inserting “the
13 Rochester Institute of Technology”; and

14 (B) in subparagraph (B), by striking “the
15 institution” and inserting “the Rochester Insti-
16 tute of Technology”.

17 (b) PROVISIONS OF AGREEMENT.—Section 112(b) of
18 the Education of the Deaf Act of 1986 (20 U.S.C.
19 4332(b)) is amended—

20 (1) in paragraph (2), by striking “or other gov-
21 erning body of the institution” and inserting “of the
22 Rochester Institute of Technology”;

23 (2) in paragraph (3)—

1 (A) by striking “or other governing body of
2 the institution” and inserting “of the Rochester
3 Institute of Technology”;

4 (B) by striking “the institution of higher
5 education under the agreement with the Sec-
6 retary” and inserting “the Rochester Institute
7 of Technology by the National Technical Insti-
8 tute for the Deaf”; and

9 (C) by striking “Committee on Education
10 and Labor of the House of Representatives and
11 to the Committee on Labor and Human Re-
12 sources of the Senate” and inserting “Com-
13 mittee on Education and the Workforce of the
14 House of Representatives and to the Committee
15 on Health, Education, Labor, and Pensions of
16 the Senate; and

17 (3) in paragraph (5)—

18 (A) by striking “the Act of March 3, 1931
19 (40 U.S.C. 276a–276a–5)” and inserting “sec-
20 tions 3141 through 3148 of title 40, United
21 States Code,”; and

22 (B) by striking “section 2 of the Act of
23 June 13, 1934 (40 U.S.C. 276c)” and inserting
24 “section 3145 of title 40, United States Code,”.

1 (c) LIMITATION.—Section 112(c) of the Education of
2 the Deaf Act of 1986 (20 U.S.C. 4332(c)) is amended—

3 (1) in paragraphs (1) and (2), by striking “in-
4 stitution” each place it appears and inserting “Roch-
5 ester Institute of Technology”; and

6 (2) in the matter following paragraph (2), by
7 striking “the applicant” and inserting “RIT”.

8 **SEC. 905. DEFINITIONS.**

9 Section 201 of the Education of the Deaf Act of 1986
10 (20 U.S.C. 4351) is amended—

11 (1) by striking paragraph (3);

12 (2) by redesignating paragraphs (4) through
13 (7) as paragraphs (3) through (6), respectively; and

14 (3) by adding at the end the following new
15 paragraph:

16 “(7) The term ‘RIT’ means the Rochester Insti-
17 tute of Technology.”.

18 **SEC. 906. AUDIT.**

19 (a) GOVERNMENT ACCOUNTABILITY OFFICE AU-
20 THORITY.—Section 203(a) of the Education of the Deaf
21 Act of 1986 (20 U.S.C. 4353(a)) is amended—

22 (1) in the heading, by striking “GENERAL AC-
23 COUNTING OFFICE” and inserting “GOVERNMENT
24 ACCOUNTABILITY OFFICE”; and

1 (2) in the matter following paragraph (2), by
2 striking “General Accounting Office” and inserting
3 “Government Accountability Office”.

4 (b) INDEPENDENT FINANCIAL AND COMPLIANCE
5 AUDIT.—Section 203(b)(1) of the Education of the Deaf
6 Act of 1986 (20 U.S.C. 4353(b)(1)) is amended by strik-
7 ing the second sentence and inserting the following:
8 “NTID shall have an annual independent financial and
9 compliance audit made of RIT programs and activities,
10 including NTID programs and activities.”.

11 (c) COMPLIANCE.—Section 203(b)(2) of the Edu-
12 cation of the Deaf Act of 1986 (20 U.S.C. 4353(b)(2))
13 is amended by striking “sections” and all that follows and
14 inserting “sections 102(b), 105(b)(4), 112(b)(5), 203(c),
15 207(b)(2), subsections (c) through (f) of section 207, and
16 subsections (a), (b), and (c) of section 209.”.

17 (d) SUBMISSION OF AUDITS.—Section 203(b)(3) of
18 the Education of the Deaf Act of 1986 (20 U.S.C.
19 4353(b)(3)) is amended—

20 (1) by inserting after “Secretary” the following:
21 “and the Committee on Education and the Work-
22 force of the House of Representatives and the Com-
23 mittee on Health, Education, Labor, and Pensions
24 of the Senate”; and

1 (2) by striking “or the institution authorized to
2 establish and operate the NTID under section
3 112(a)” and inserting “or RIT”.

4 (e) LIMITATIONS REGARDING EXPENDITURE OF
5 FUNDS.—Section 203(c)(2)(A) of the Education of the
6 Deaf Act of 1986 (20 U.S.C. 4353(c)(2)(A)) is amended
7 in the fifth sentence by striking “the Committee on Edu-
8 cation and Labor of the House of Representatives and the
9 Committee on Labor and Human Resources of the Sen-
10 ate” and inserting “the Committee on Education and the
11 Workforce of the House of Representatives and the Com-
12 mittee on Health, Education, Labor, and Pensions of the
13 Senate”.

14 **SEC. 907. REPORTS.**

15 (a) TECHNICAL AMENDMENTS.—Section 204 of the
16 Education of the Deaf Act of 1986 (20 U.S.C. 4354) is
17 amended in the matter preceding paragraph (1)—

18 (1) by striking “or other governing body of the
19 institution of higher education with which the Sec-
20 retary has an agreement under section 112” and in-
21 serting “of RIT”; and

22 (2) by striking “Committee on Education and
23 Labor of the House of Representatives and the Com-
24 mittee on Labor and Human Resources of the Sen-
25 ate” and inserting “Committee on Education and

1 the Workforce of the House of Representatives and
2 the Committee on Health, Education, Labor, and
3 Pensions of the Senate”.

4 (b) CONTENTS OF REPORT.—Section 204 of the
5 Education of the Deaf Act of 1986 (20 U.S.C. 4354) is
6 amended—

7 (1) in paragraph (1), by striking “pre-
8 paratory,”;

9 (2) in paragraph (2)(C), by striking “upon
10 graduation/completion” and inserting “within one
11 year of graduation/completion”; and

12 (3) in paragraph (3)(B), by striking “of the in-
13 stitution of higher education with which the Sec-
14 retary has an agreement under section 112, includ-
15 ing specific schedules and analyses for all NTID
16 funds, as required under section 203” and inserting
17 “of RIT programs and activities”.

18 **SEC. 908. MONITORING, EVALUATION, AND REPORTING.**

19 Section 205(a) of the Education of the Deaf Act of
20 1986 (20 U.S.C. 4305) is amended in the first sentence
21 by striking “preparatory,”.

22 **SEC. 909. LIAISON FOR EDUCATIONAL PROGRAMS.**

23 Section 206(a) of the Education of the Deaf Act of
24 1986 (20 U.S.C. 4356(a)) is amended by striking “Not

1 later than 30 days after the date of enactment of this Act,
2 the” and inserting “The”.

3 **SEC. 910. FEDERAL ENDOWMENT PROGRAMS FOR GAL-**
4 **LAUDET UNIVERSITY AND THE NATIONAL**
5 **TECHNICAL INSTITUTE FOR THE DEAF.**

6 Section 207(a)(2) of the Education of the Deaf Act
7 of 1986 (20 U.S.C. 4357(a)(2)) is amended by striking
8 “or other governing body of the institution of higher edu-
9 cation with which the Secretary has an agreement under
10 section 112” and inserting “of RIT”.

11 **SEC. 911. OVERSIGHT AND EFFECT OF AGREEMENTS.**

12 Section 208(a) of the Education of the Deaf Act of
13 1986 (20 U.S.C. 4359(a)) is amended—

14 (1) by striking “the institution of higher edu-
15 cation with which the Secretary has an agreement
16 under part B of title I” and inserting “RIT”; and

17 (2) by striking “Committee on Labor and
18 Human Resources of the Senate and the Committee
19 on Education and the Workforce of the House of
20 Representatives” and inserting “Committee on Edu-
21 cation and the Workforce of the House of Rep-
22 resentatives and the Committee on Health, Edu-
23 cation, Labor, and Pensions of the Senate”.

1 **SEC. 912. INTERNATIONAL STUDENTS.**

2 (a) **ENROLLMENT.**—Section 209(a) of the Education
3 of the Deaf Act of 1986 (20 U.S.C. 4359a(a)) is amended
4 by striking “preparatory, undergraduate,” and inserting
5 “undergraduate”.

6 (b) **TUITION SURCHARGE.**—Section 209(b) of the
7 Education of the Deaf Act of 1986 (20 U.S.C. 4359a(b))
8 is amended by striking “preparatory, undergraduate” and
9 inserting “undergraduate”.

10 (c) **DEFINITION.**—Section 209(d) of the Education of
11 the Deaf Act of 1986 (20 U.S.C. 4359a(d)) is amended
12 by striking “1990 per capita income” and all that follows
13 and inserting “per-capita income of not more than \$5,125,
14 measured in 2002 United States dollars and adjusted by
15 the Secretary to reflect inflation since 2002.”.

16 **SEC. 913. RESEARCH PRIORITIES.**

17 Section 210(b) of the Education of the Deaf Act of
18 1986 (20 U.S.C. 4359b(b)) is amended by striking “Com-
19 mittee on Labor and Human Resources” and inserting
20 “Committee on Health, Education, Labor, and Pensions”.

21 **SEC. 914. AUTHORIZATION OF APPROPRIATIONS.**

22 (a) **MONITORING AND EVALUATION ACTIVITIES.**—
23 Section 205(c) of the Education of the Deaf Act of 1986
24 (20 U.S.C. 4355(c)) is amended by striking “fiscal years
25 1998 through 2003” and inserting “fiscal years 2007
26 through 2012”.

1 (b) FEDERAL ENDOWMENT PROGRAMS FOR GAL-
2 LAUDET UNIVERSITY AND THE NATIONAL TECHNICAL IN-
3 STITUTE FOR THE DEAF.—Section 207(h) of the Edu-
4 cation of the Deaf Act of 1986 (20 U.S.C. 4357(h)) is
5 amended in paragraphs (1) and (2) by striking “fiscal
6 years 1998 through 2003” each place it appears and in-
7 serting “fiscal years 2007 through 2012”.

8 (c) GENERAL AUTHORIZATION OF APPROPRIA-
9 TIONS.—Section 212 of the Education of the Deaf Act of
10 1986 (20 U.S.C. 4360a) is amended—

11 (1) in the matter preceding paragraph (1) in
12 subsection (a), by striking “fiscal years 1998
13 through 2003” and inserting “fiscal years 2007
14 through 2012”; and

15 (2) in subsection (b), by striking “fiscal years
16 1998 through 2003” and inserting “fiscal years
17 2007 through 2012”.

18 (d) SHORT TITLE.—

19 (1) IN GENERAL.—The Education of the Deaf
20 Act of 1986 (20 U.S.C. 4301 note) is amended by
21 striking the matter preceding title I and inserting
22 the following:

23 **“SEC. 1. SHORT TITLE.**

24 “This Act may be cited as the ‘Gallaudet University
25 and National Technical Institute for the Deaf Act’.”.

1 (2) OTHER REFERENCES.—Any reference in a
2 law, regulation, document, or other record of the
3 United States to the Education of the Deaf Act of
4 1986 shall be deemed to be a reference to the Gal-
5 laudet University and National Technical Institute
6 for the Deaf Act.

7 **PART B—ADDITIONAL EDUCATION LAWS**

8 **SEC. 921. CANCELLATION OF STUDENT LOAN INDEBTED-**
9 **NESS FOR SURVIVORS OF VICTIMS OF THE**
10 **SEPTEMBER 11, 2001, ATTACKS.**

11 (a) DEFINITIONS.—For purposes of this section:

12 (1) ELIGIBLE PUBLIC SERVANT.—The term “el-
13 igible public servant” means an individual who, as
14 determined in accordance with regulations of the
15 Secretary—

16 (A) served as a police officer, firefighter,
17 other safety or rescue personnel, or as a mem-
18 ber of the Armed Forces; and

19 (B) died (or dies) or became (or becomes)
20 permanently and totally disabled due to injuries
21 suffered in the terrorist attack on September
22 11, 2001.

23 (2) ELIGIBLE VICTIM.—The term “eligible vic-
24 tim” means an individual who, as determined in ac-
25 cordance with regulations of the Secretary, died (or

1 dies) or became (or becomes) permanently and to-
2 tally disabled due to injuries suffered in the terrorist
3 attack on September 11, 2001.

4 (3) ELIGIBLE PARENT.—The term “eligible
5 parent” means the parent of an eligible victim if—

6 (A) the parent owes a Federal student loan
7 that is a consolidation loan that was used to
8 repay a PLUS loan incurred on behalf of such
9 eligible victim; or

10 (B) the parent owes a Federal student loan
11 that is a PLUS loan incurred on behalf of an
12 eligible victim.

13 (4) SECRETARY.—The term “Secretary” means
14 the Secretary of Education.

15 (5) FEDERAL STUDENT LOAN.—The term
16 “Federal student loan” means any loan made, in-
17 sured, or guaranteed under part B, D, or E of title
18 IV of the Higher Education Act of 1965.

19 (b) RELIEF FROM INDEBTEDNESS.—

20 (1) IN GENERAL.—The Secretary shall provide
21 for the discharge or cancellation of—

22 (A) the Federal student loan indebtedness
23 of the spouse of an eligible public servant, as
24 determined in accordance with regulations of
25 the Secretary, including any consolidation loan

1 that was used jointly by the eligible public serv-
2 ant and his or her spouse to repay the Federal
3 student loans of the spouse and the eligible
4 public servant;

5 (B) the portion incurred on behalf of the
6 eligible victim (other than an eligible public
7 servant), of a Federal student loan that is a
8 consolidation loan that was used jointly by the
9 eligible victim and his or her spouse, as deter-
10 mined in accordance with regulations of the
11 Secretary, to repay the Federal student loans of
12 the eligible victim and his or her spouse;

13 (C) the portion of the consolidation loan
14 indebtedness of an eligible parent that was in-
15 curred on behalf of an eligible victim; and

16 (D) the PLUS loan indebtedness of an eli-
17 gible parent that was incurred on behalf of an
18 eligible victim.

19 (2) METHOD OF DISCHARGE OR CANCELLA-
20 TION.—A loan required to be discharged or canceled
21 under paragraph (1) shall be discharged or canceled
22 by the method used under section 437(a), 455(a)(1),
23 or 464(c)(1)(F) of the Higher Education Act of
24 1965 (20 U.S.C. 1087(a), 1087e(a)(1),

1 1087dd(c)(1)(F)), whichever is applicable to such
2 loan.

3 (c) FACILITATION OF CLAIMS.—The Secretary
4 shall—

5 (1) establish procedures for the filing of appli-
6 cations for discharge or cancellation under this sec-
7 tion by regulations that shall be prescribed and pub-
8 lished within 90 days after the date of enactment of
9 this Act and without regard to the requirements of
10 section 553 of title 5, United States Code; and

11 (2) take such actions as may be necessary to
12 publicize the availability of discharge or cancellation
13 of Federal student loan indebtedness under this sec-
14 tion.

15 (d) AVAILABILITY OF FUNDS FOR PAYMENTS.—
16 Funds available for the purposes of making payments to
17 lenders in accordance with section 437(a) for the dis-
18 charge of indebtedness of deceased or disabled individuals
19 shall be available for making payments under section
20 437(a) to lenders of loans as required by this section.

21 (e) APPLICABLE TO OUTSTANDING DEBT.—The pro-
22 visions of this section shall be applied to discharge or can-
23 cel only Federal student loans (including consolidation
24 loans) on which amounts were owed on September 11,

1 2001. Nothing in this section shall be construed to author-
2 ize any refunding of any repayment of a loan.

3 **SEC. 922. AMENDMENT TO HIGHER EDUCATION AMEND-**
4 **MENTS OF 1998.**

5 (a) REPEALS OF EXPIRED AND EXECUTED PROVI-
6 SIONS.—The following provisions of the Higher Education
7 Amendments of 1998 are repealed:

8 (1) STUDY OF MARKET MECHANISMS IN FED-
9 ERAL STUDENT LOAN PROGRAMS.—Section 801 (20
10 U.S.C. 1018 note).

11 (2) STUDY OF FEASIBILITY OF ALTERNATE FI-
12 NANCIAL INSTRUMENTS FOR DETERMINING LENDER
13 YIELDS.—Section 802.

14 (3) STUDENT RELATED DEBT STUDY.—Section
15 803 (20 U.S.C. 1015 note).

16 (4) COMMUNITY SCHOLARSHIP MOBILIZA-
17 TION.—Part C of title VIII (20 U.S.C. 1070 note).

18 (5) INCARCERATED YOUTH.—Part D of title
19 VIII (20 U.S.C. 1151).

20 (6) IMPROVING UNITED STATES UNDER-
21 STANDING OF SCIENCE, ENGINEERING, AND TECH-
22 NOLOGY IN EAST ASIA.—Part F of title VIII (42
23 U.S.C. 1862 note).

24 (7) WEB-BASED EDUCATION COMMISSION.—
25 Part J of title VIII.

1 (b) EXTENSIONS OF AUTHORIZATIONS AND STUD-
2 IES.—

3 (1) TRANSFER OF CREDIT.—Section 804(b) of
4 such Act (20 U.S.C. 1099b note) is amended—

5 (A) by striking “one year after the date of
6 enactment of this Act” and inserting “Sep-
7 tember 30, 2007”; and

8 (B) by inserting “and policies of institu-
9 tions of higher education” after “agencies or
10 associations”.

11 (2) COHORT DEFAULT RATE STUDY.—Section
12 806 of such Act is amended—

13 (A) in subsection (a), by striking “higher
14 education at which less” and inserting “higher
15 education. The study shall also review the effect
16 of cohort default rates specifically on institu-
17 tions of higher education at which less”; and

18 (B) in subsection (c), by striking “Sep-
19 tember 30, 1999,” and inserting “September
20 30, 2007,”.

21 (3) UNDERGROUND RAILROAD.—Subsection (c)
22 of section 841 (20 U.S.C. 1153(c)) is amended to
23 read as follows:

24 “(c) AUTHORIZATION OF APPROPRIATIONS.—There
25 are authorized to be appropriated to carry out this section

1 \$3,000,000 for fiscal year 2007 and such sums as may
2 be necessary for each of the 5 succeeding fiscal years.”.

3 **SEC. 923. TRIBALLY CONTROLLED COLLEGE OR UNIVER-**
4 **SITY ASSISTANCE ACT OF 1978.**

5 (a) TITLE I AUTHORIZATION.—Section 110(a) of the
6 Tribally Controlled Community College or University As-
7 sistance Act of 1978 (25 U.S.C. 1810(a)) is amended—

8 (1) by striking “1999” each place it appears
9 and inserting “2007”; and

10 (2) by striking “4 succeeding” each place it ap-
11 pears and inserting “5 succeeding”.

12 (b) TITLE III REAUTHORIZATION.—Section 306(a)
13 of the Tribally Controlled Community College or Univer-
14 sity Assistance Act of 1978 (25 U.S.C. 1836(a)) is amend-
15 ed—

16 (1) by striking “1999” and inserting “2007”;
17 and

18 (2) by striking “4 succeeding” and inserting “5
19 succeeding”.

20 (c) TITLE IV REAUTHORIZATION.—Section 403 of
21 the Tribal Economic Development and Technology Re-
22 lated Education Assistance Act of 1990 (25 U.S.C. 1852)
23 is amended—

24 (1) by striking “1999” and inserting “2007”;
25 and

1 (2) by striking “4 succeeding” and inserting “5
2 succeeding”.

3 (d) ADDITIONAL AMENDMENTS.—The Tribally Con-
4 trolled Community College or University Assistance Act
5 of 1978 is further amended—

6 (1) in section 2(a)(6) (25 U.S.C. 1801(a)(6)),
7 by striking “in the field of Indian education” and in-
8 serting “in the field of Tribal Colleges and Univer-
9 sities and Indian higher education”;

10 (2) in section 2(b), by striking paragraph (5)
11 and inserting the following:

12 “(5) Eligible credits earned in a continuing
13 education program shall be determined as one credit
14 for every 10 contact hours for institutions on a
15 quarter system, and 15 contact hours for institu-
16 tions on a semester system, of participation in an or-
17 ganized continuing education experience under re-
18 sponsible sponsorship, capable direction, and quali-
19 fied instruction, as described in the criteria estab-
20 lished by the International Association for Con-
21 tinuing Education and Training, and may not exceed
22 20 percent of an institution’s total Indian student
23 count.”; and

24 (3) in section 103 (25 U.S.C. 1804), by striking
25 “and” at the end of paragraph (2), by striking the

1 period at the end of paragraph (3) and inserting “;
2 and”, and by inserting after paragraph (3) the fol-
3 lowing new paragraph:

4 “(4) has been accredited by a nationally recog-
5 nized accrediting agency or association determined
6 by the Secretary of Education to be a reliable au-
7 thority as to the quality of training offered, or is, ac-
8 cording to such an agency or association, making
9 reasonable progress toward accreditation.”.

10 **SEC. 924. NAVAJO COMMUNITY COLLEGE ACT.**

11 Section 5(a)(1) of the Navajo Community College Act
12 (25 U.S.C. 640e-1(a)(1)) is amended—

13 (1) by striking “1999” and inserting “2007”;

14 and

15 (2) by striking “4 succeeding” and inserting “5
16 succeeding”.

17 **SEC. 925. EDUCATION AMENDMENTS OF 1992.**

18 Section 1543(d) of the Education Amendments of
19 1992 (20 U.S.C. 1070 note) is amended—

20 (1) by striking “1999” and inserting “2007”;

21 and

22 (2) by striking “4 succeeding” and inserting “5
23 succeeding”.

1 **SEC. 926. STUDY OF STUDENT LEARNING OUTCOMES AND**
2 **PUBLIC ACCOUNTABILITY.**

3 (a) **STUDY REQUIRED.**—The Secretary shall provide
4 for the conduct a study of the best practices of States in
5 assessing undergraduate postsecondary student learning,
6 particularly as such practices relate to public account-
7 ability systems.

8 (b) **CHARACTERISTICS OF THE ASSOCIATION.**—Such
9 study shall be conducted by an association or organization
10 with specific expertise and knowledge in state practices
11 and access to necessary state officials (in this section re-
12 ferred to as the “association”). The association respon-
13 sible for the study under this section shall be a national,
14 non-partisan or bi-partisan entity representing States or
15 State officials with expertise in evaluative and qualitative
16 policy research for best practice models, the capacity to
17 convene experts, and to formulate policy recommenda-
18 tions.

19 (c) **REQUIRED SUBJECTS OF STUDY.**—In performing
20 the study, the association shall, at a minimum, examine
21 the following:

22 (1) The current status of institutional and state
23 efforts to embed student learning assessments into
24 the state-level public accountability frameworks.

25 (2) The extent to which there is commonality
26 among educators and accrediting agencies on learn-

1 ing standards for the associates and bachelors de-
2 grees.

3 (3) The reliability, rigor, and generalizability of
4 available instruments to assess general education at
5 the undergraduate level.

6 (4) Roles and responsibilities for public ac-
7 countability for student learning.

8 (d) CONSULTATION.—

9 (1) NATIONAL COMMITTEE.—The association
10 shall establish and consult with a national com-
11 mittee. The committee shall meet not less than twice
12 a year to review the research, identify best practice
13 models, and review recommendations.

14 (2) MEMBERSHIP.—The national advisory com-
15 mittee shall consist of a representative of the Sec-
16 retary of Education and individuals with expertise
17 in—

18 (A) State accountability systems;

19 (B) student learning assessments;

20 (C) student flow data;

21 (D) transitions between K–12 and higher
22 education; and

23 (E) Federal higher education policy.

1 (3) **ADDITIONAL EXPERTISE.**—The association
2 may augment this committee with other expertise, as
3 appropriate.

4 (e) **CONGRESSIONAL CONSULTATION.**—The associa-
5 tion shall consult on a regular basis with the Committee
6 on Education and the Workforce of the House of Rep-
7 resentatives and the Committee on Health Education
8 Labor and Pensions of the Senate in carrying out the
9 study required by this section.

10 (f) **REPORT.**—The association shall, not later than
11 two years after the date of enactment of this Act, prepare
12 and submit a report on the study required by this section
13 to the Committee on Education and the Workforce of the
14 House of Representatives and the Committee on Health,
15 Education, Labor, and Pensions of the Senate.

16 **SEC. 927. STUDY OF MINORITY GRADUATION RATES.**

17 (a) **STUDY REQUIRED.**—The Secretary of Education
18 shall—

19 (1) commission a national study on the decreas-
20 ing numbers of underrepresented minority males,
21 particularly African American males, entering and
22 graduating from colleges and universities; and

23 (2) make specific recommendations to the Con-
24 gress on new approaches to increase minority male
25 graduation rates and the number of minority males

1 going into careers where the population is underrep-
2 resented.

3 (b) SUBMISSION OF REPORT.—Not later than one
4 year after the date of the enactment this Act, the Sec-
5 retary shall submit a report on the study required by sub-
6 section (a)(1), together with the recommendations re-
7 quired by subsection (a)(2), to the Committee on Health,
8 Education, Labor and Pensions of the Senate and the
9 Committee on Education and the Workforce of the House
10 of Representatives.

11 **SEC. 928. STUDY OF EDUCATION-RELATED INDEBTEDNESS**
12 **OF MEDICAL SCHOOL GRADUATES.**

13 (a) STUDY REQUIRED.—The Secretary of Education
14 shall conduct a study to evaluate the higher education-
15 related indebtedness of medical school graduates in the
16 United States at the time of graduation.

17 (b) DEADLINE.—Not later than one year after the
18 date of enactment of this Act, the Secretary shall submit
19 a report on the study required by subsection (a) to the
20 Committee on Education and the Workforce of the House
21 of Representatives and the Committee on Health, Edu-
22 cation, Labor and Pensions of the Senate, and shall make
23 the report widely available to the public. Additional re-
24 ports may be periodically prepared and released as nec-
25 essary.

1 **SEC. 929. STUDY OF ADULT LEARNERS.**

2 The Secretary of Education shall conduct a study of
3 the developing trends in older adult learners attending col-
4 lege and how institutions of higher education are address-
5 ing the needs of this specific population in terms of out-
6 reach, accessibility, financing, and student support serv-
7 ices, including online education. The Secretary shall sub-
8 mit a report on the study to the Committee on Education
9 and the Workforce of the House of Representatives that
10 includes recommendations on measures the Federal Gov-
11 ernment can take to address the needs in regards to edu-
12 cation and job training for the aging population and the
13 changing demographics of our country.

14 **SEC. 930. INCREASE IN COLLEGE TEXTBOOK PRICES.**

15 (a) FINDINGS.—The Committee on Education and
16 the Workforce of the House of Representatives makes the
17 following findings:

18 (1) The rising costs of higher education are
19 making a postsecondary education inaccessible for
20 many individuals.

21 (2) The rise in college textbook pricing contrib-
22 utes to the overall costs of higher education, and
23 many factors have contributed to the rise in text-
24 book pricing.

25 (b) SENSE OF THE COMMITTEE ON EDUCATION AND
26 THE WORKFORCE.—It is the sense of the Committee on

1 Education and the Workforce of the House of Representa-
2 tives that in order to make a higher education more acces-
3 sible for all students, the following should occur to make
4 college textbooks more affordable for students:

5 (1) The Congress encourages textbook pub-
6 lishers to provide students with the option of buying
7 materials such as textbooks, CD-ROMs, access to
8 websites, and workbooks, “a la carte” or
9 “unbundled”.

10 (2) Textbook publishers should work with fac-
11 ulty to understand the cost to students of pur-
12 chasing the recommended textbooks.

13 (3) College bookstores should work with faculty
14 to review timelines and processes for ordering and
15 stocking selected textbooks, and disclose textbook
16 costs to faculty and students.

17 (4) Colleges and universities should be encour-
18 aged to implement numerous options to address
19 textbook affordability.

20 **SEC. 931. INDEPENDENT EVALUATION OF DISTANCE EDU-**
21 **CATION PROGRAMS.**

22 (a) INDEPENDENT EVALUATION.—The Secretary of
23 Education shall enter into an agreement with the National
24 Academy of Sciences to conduct a scientifically correct and
25 statistically valid evaluation of the quality of distance edu-

1 cation programs, as compared to campus-based education
2 programs, at institutions of higher education. Such eval-
3 uation shall include—

4 (1) identification of the elements by which the
5 quality of distance education, as compared to cam-
6 pus-based education, can be assessed, including ele-
7 ments such as subject matter, interactivity, and stu-
8 dent outcomes;

9 (2) identification of distance and campus-based
10 education program success, with respect to student
11 achievement, in relation to the mission of the insti-
12 tution of higher education; and

13 (3) identification of the types of students (in-
14 cluding classification of types of students based on
15 student age) who most benefit from distance edu-
16 cation programs, the types of students who most
17 benefit from campus-based education programs, and
18 the types of students who do not benefit from dis-
19 tance education programs, by assessing elements in-
20 cluding access to higher education, job placement
21 rates, undergraduate graduation rates, and graduate
22 and professional degree attainment rates.

23 (b) SCOPE.—The National Academy of Sciences shall
24 select for participation in the evaluation under subsection

1 (a) a diverse group of institutions of higher education with
2 respect to size, mission, and geographic distribution.

3 (c) INTERIM AND FINAL REPORTS.—The agreement
4 under subsection (a) shall require that the National Acad-
5 emy of Sciences submit to the Secretary of Education, the
6 Committee on Health, Education, Labor and Pensions of
7 the Senate, and the Committee on Education and the
8 Workforce of the House of Representatives—

9 (1) an interim report regarding the evaluation
10 under subsection (a) not later than December 31,
11 2007; and

12 (2) a final report regarding such evaluation not
13 later than December 31, 2009.

14 **SEC. 932. STUDY OF CAMPUS-BASED PROGRAM ALLOCA-**
15 **TION OF FUNDS.**

16 (a) STUDY REQUIRED.—The Comptroller General
17 shall conduct a study of the Federal Supplemental Edu-
18 cational Opportunity Grant program, the Federal Work-
19 Study program, and the Federal Perkins Loan program
20 (authorized by subpart 3 of part A, and parts C and E,
21 respectively, of title IV of the Higher Education Act of
22 1965)—

23 (1) to examine the procedure for allocating
24 funds to institutions;

1 (2) to compare among participating institutions
2 the amount of funds allocated and the amount of aid
3 awarded to students on a per-student basis under
4 these programs; and

5 (3) to suggest any modifications to the alloca-
6 tion procedures to ensure appropriate distribution of
7 funds under these programs

8 (b) REPORT.—The Comptroller General shall submit
9 a report on the study required by subsection (a) within one
10 year of the date of enactment of this Act to the Committee
11 on Education and the Workforce of the House of Rep-
12 resentatives and the Committee on Health, Education,
13 Labor, and Pensions of the Senate.

14 **SEC. 933. SUMMIT ON SUSTAINABILITY.**

15 No later than May 2007, the Secretary of Education
16 shall convene a summit of higher education experts work-
17 ing in the area of sustainable operations and programs,
18 representatives from the agencies of the Federal Govern-
19 ment, and business and industry leaders to focus on ef-
20 forts of national distinction that—

21 (1) encourage faculty, staff, and students at in-
22 stitutions of higher education to establish both ad-
23 ministrative and educational sustainability programs
24 on campus;

1 (2) enhance research by faculty and students at
2 institutions of higher education in sustainability
3 practices and innovations that assist and improve
4 sustainability;

5 (3) encourage institutions of higher education
6 to work with community partners from the business,
7 government, and nonprofit sectors to design and im-
8 plement sustainability programs for application in
9 the community and workplace; and

10 (4) identify opportunities for partnerships in-
11 volving higher education institutions and the Federal
12 Government to expand sustainable operations and
13 academic programs focused on environmental and
14 economic sustainability.

15 **SEC. 934. STUDY OF RESIDENCY APPLICATIONS.**

16 (a) GAO STUDY REQUIRED.—The Comptroller Gen-
17 eral shall conduct a study to evaluate the decline, and any
18 causes thereof, in the number of individuals who have been
19 accepted into, or currently participate in, a graduate med-
20 ical education program or fellowship (or both) to provide
21 health care services that—

22 (1) requires more than 5 years of total grad-
23 uate medical training; and

1 (2) has fewer United States medical school
2 graduate applicants than total number of training
3 and fellowship positions.

4 (b) DEADLINE.—Not later than one year after the
5 date of enactment of this Act, the Comptroller General
6 shall submit a report on the study required by subsection
7 (a) to the Committee on Education and the Workforce of
8 the House of Representatives and the Committee on
9 Health, Education, Labor, and Pensions of the Senate,
10 and shall make the report widely available to the public.
11 Additional reports may be periodically prepared and re-
12 leased as necessary.

 Passed the House of Representatives March 30,
2006.

Attest:

Clerk.

109TH CONGRESS
2^D SESSION

H. R. 609

AN ACT

To amend and extend the Higher Education Act of
1965.