AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

110TH CONGRESS
1ST SESSION

S. 1642

To extend the authorization of programs under the Higher Education Act of 1965, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 18, 2007

Mr. KENNEDY (for himself, Mr. ENZI, Mr. BINGAMAN, Mr. BROWN, Mr. DODD, Mrs. CLINTON, Mrs. MURRAY, Mr. OBAMA, Mr. REED, and Mr. SANDERS) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

---

A BILL

To extend the authorization of programs under the Higher Education Act of 1965, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Higher Education Amendments of 2007''.

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

Sec. 1. Short title; table of contents.
Sec. 2. References.
Sec. 3. General effective date.

TITLE I—GENERAL PROVISIONS

Sec. 101. Additional definitions.
Sec. 102. General definition of institution of higher education.
Sec. 103. Definition of institution of higher education for purposes of title IV programs.
Sec. 104. Protection of student speech and association rights.
Sec. 105. Accreditation and institutional quality and integrity advisory committee.
Sec. 106. Drug and alcohol abuse prevention.
Sec. 107. Prior rights and obligations.
Sec. 108. Transparency in college tuition for consumers.
Sec. 109. Databases of student information prohibited.
Sec. 110. Performance-based organization for the delivery of Federal student financial assistance.
Sec. 111. Procurement flexibility.
Sec. 112. Institution and lender reporting and disclosure requirements.

TITLE II—TEACHER QUALITY ENHANCEMENT

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

TITLE III—INSTITUTIONAL AID

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

TITLE IV—STUDENT ASSISTANCE

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

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

PART B—FEDERAL FAMILY EDUCATION LOAN PROGRAM

Sec. 421. Federal payments to reduce student interest costs.

Sec. 422. Federal Consolidation Loans.
Sec. 423. Default Reduction Program.
Sec. 424. Reports to consumer reporting agencies and institutions of higher education.
Sec. 425. Common forms and formats.
Sec. 426. Student loan information by eligible lenders.
Sec. 427. Consumer education information.
Sec. 428. Definition of eligible lender.
Sec. 429. Discharge and cancellation rights in cases of disability.
Sec. 430. Special allowances.

PART C—FEDERAL WORK-STUDY PROGRAMS

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

PART D—FEDERAL PERKINS LOANS

Sec. 451. Cancellation of loans for certain public service.

PART E—NEED ANALYSIS

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

PART F—GENERAL PROVISIONS RELATING TO STUDENT ASSISTANCE

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

PART G—PROGRAM INTEGRITY

Sec. 491. Recognition of accrediting agency or association.
Sec. 492. Administrative capacity standard.
Sec. 493. Program review and data.
Sec. 494. Timely information about loans.
Sec. 495. Auction evaluation and report.

TITLE V—DEVELOPING INSTITUTIONS

Sec. 501. Authorized activities.

Sec. 502. Postbaccalaureate opportunities for Hispanic Americans.
Sec. 503. Applications.
Sec. 504. Cooperative arrangements.
Sec. 505. Authorization of appropriations.

TITLE VI—INTERNATIONAL EDUCATION PROGRAMS

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

TITLE VII—GRADUATE AND POSTSECONDARY IMPROVEMENT PROGRAMS

Sec. 701. Purpose.
Sec. 702. Allocation of Jacob K. Javits Fellowships.
Sec. 703. Stipends.
Sec. 704. Authorization of appropriations for the Jacob K. Javits Fellowship Program.
Sec. 705. Institutional eligibility under the Graduate Assistance in Areas of National Need Program.
Sec. 706. Awards to graduate students.
Sec. 707. Additional assistance for cost of education.
Sec. 708. Authorization of appropriations for the Graduate Assistance in Areas of National Need Program.
Sec. 709. Legal educational opportunity program.
Sec. 710. Fund for the improvement of postsecondary education.
Sec. 711. Special projects.
Sec. 712. Authorization of appropriations for the fund for the improvement of postsecondary education.
Sec. 713. Repeal of the urban community service program.
Sec. 714. Grants for students with disabilities.

Sec. 715. Applications for demonstration projects to ensure students with disabilities receive a quality higher education.
Sec. 716. Authorization of appropriations for demonstration projects to ensure students with disabilities receive a quality higher education.

TITLE VIII—MISCELLANEOUS

Sec. 801. Miscellaneous.

TITLE IX—AMENDMENTS TO OTHER LAWS

PART A—EDUCATION OF THE DEAF ACT OF 1986

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

PART B—UNITED STATES INSTITUTE OF PEACE ACT

Sec. 921. United States Institute of Peace Act.

PART C—THE HIGHER EDUCATION AMENDMENTS OF 1998

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

PART D—INDIAN EDUCATION

SUBPART 1—TRIBAL COLLEGES AND UNIVERSITIES

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

SUBPART 2—NAVAJO HIGHER EDUCATION

Sec. 945. Short title.
Sec. 946. Reauthorization of Navajo Community College Act.

1 **SEC. 2. REFERENCES.**

2 Except as otherwise expressly provided, whenever in
3 this Act an amendment or repeal is expressed in terms

of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

SEC. 3. GENERAL EFFECTIVE DATE.

Except as otherwise provided in this Act or the amendments made by this Act, the amendments made by this Act shall take effect on July 1, 2007.

TITLE I—GENERAL PROVISIONS

SEC. 101. ADDITIONAL DEFINITIONS.

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

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

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

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

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

"(1) AUTHORIZING COMMITTEES.—The term 'authorizing committees' means the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Labor of the House of Representatives.";

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

"(3) CRITICAL FOREIGN LANGUAGE.—The term 'critical foreign language' means each of the languages contained in the list of critical languages designated by the Secretary in the Federal Register on August 2, 1985 (50 Fed. Reg. 149, 31413; enacted under the authority of section 212(d) of the Education for Economic Security Act (repealed by section 2303 of the Augustus F. Hawkins-Robert T. Stafford Elementary and Secondary School Improvement Amendments of 1988)), except that in the implementation of this definition with respect to a specific title, the Secretary may set priorities according to the purposes of such title and the national security, economic competitiveness, and educational needs of the United States.";

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

"(6) DISTANCE EDUCATION.—

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

"(i) to deliver instruction to students who are separated from the instructor; and

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

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

"(i) the Internet;

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

"(iii) audio conferencing; or

"(iv) video cassette, DVDs, and CD–ROMs, if the cassette, DVDs, and CD–ROMs are used in a course in conjunction with the technologies listed in clauses (i) through (iii)."; and

(7) by inserting after paragraph (11) (as redesignated by paragraph (2)) the following:

"(12) POVERTY LINE.—The term 'poverty line' means the poverty line (as defined in section 673(2)

of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved.''.

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

(1) in section 131(a)(3)(B) (20 U.S.C. 1015(a)(3)(B)), by striking ''Committee on Labor and Human Resources of the Senate and the Committee on Education and the Workforce of the House of Representatives'' and inserting ''authorizing committees'';

(2) in section 141(d)(4)(B) (20 U.S.C. 1018(d)(4)(B)), by striking ''Committee on Education and the Workforce of the House of Representatives and the Committee on Labor and Human Resources of the Senate'' and inserting ''authorizing committees'';

(3) in section 401(f)(3) (20 U.S.C. 1070a(f)(3)), by striking ''to the Committee on Appropriations'' and all that follows through ''House of Representatives'' and inserting ''to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and the authorizing committees'';

(4) in section 428 (20 U.S.C. 1078)—

(A) in subsection (c)(9)(K), by striking ''House Committee on Education and the Workforce and the Senate Committee on Labor and Human Resources'' and inserting ''authorizing committees'';

(B) in the matter following paragraph (2) of subsection (g), by striking ''Committee on Labor and Human Resources of the Senate and the Committee on Education and the Workforce of the House of Representatives'' and inserting ''authorizing committees''; and

(C) in subsection (n)(4), by striking ''Committee on Education and the Workforce of the House of Representatives and the Committee on Labor and Human Resources of the Senate'' and inserting ''authorizing committees'';

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

(A) in the matter preceding subparagraph (A) of paragraph (2), by striking ''Chairperson'' and all that follows through ''House of Representatives'' and inserting ''members of the authorizing committees'';

(B) in paragraph (3), by striking ''Chairperson'' and all that follows through ''House of

Representatives'' and inserting ''members of the authorizing committees''; and

(C) in paragraph (5), by striking ''Chairperson'' and all that follows through ''House of Representatives'' and inserting ''members of the authorizing committees'';

(6) in section 432 (20 U.S.C. 1082)—

(A) in subsection (f)(1)(C), by striking ''the Committee on Education and the Workforce of the House of Representatives or the Committee on Labor and Human Resources of the Senate'' and inserting ''either of the authorizing committees''; and

(B) in the matter following subparagraph (D) of subsection (n)(3), by striking ''Committee on Education and the Workforce of the House of Representatives and the Committee on Labor and Human Resources of the Senate'' and inserting ''authorizing committees'';

(7) in section 437(c)(1) (20 U.S.C. 1087(c)(1)), by striking ''Committee on Education and the Workforce of the House of Representatives and the Committee on Labor and Human Resources of the Senate'' and inserting ''authorizing committees'';

(8) in section 439 (20 U.S.C. 1087–2)—

(A) in subsection (d)(1)(E)(iii), by striking ''advise the Chairman'' and all that follows through ''House of Representatives'' and inserting ''advise the members of the authorizing committees'';

(B) in subsection (r)—

(i) in paragraph (3), by striking ''inform the Chairman'' and all that follows through ''House of Representatives,'' and inserting ''inform the members of the authorizing committees'';

(ii) in paragraph (5)(B), by striking ''plan, to the Chairman'' and all that follows through ''Education and Labor'' and inserting ''plan, to the members of the authorizing committees'';

(iii) in paragraph (6)(B)—

(I) by striking ''plan, to the Chairman'' and all that follows through ''House of Representatives'' and inserting ''plan, to the members of the authorizing committees''; and

(II) by striking ''Chairmen and ranking minority members of such

Committees'' and inserting ''members of the authorizing committees'';

(iv) in paragraph (8)(C), by striking ''implemented to the Chairman'' and all that follows through ''House of Representatives, and'' and inserting ''implemented to the members of the authorizing committees, and to''; and

(v) in the matter preceding subparagraph (A) of paragraph (10), by striking ''days to the Chairman'' and all that follows through ''Education and Labor'' and inserting ''days to the members of the authorizing committees''; and

(C) in subsection (s)(2)—

(i) in the matter preceding clause (i) of subparagraph (A), by striking ''Treasury and to the Chairman'' and all that follows through ''House of Representatives'' and inserting ''Treasury and to the members of the authorizing committees''; and

(ii) in subparagraph (B), by striking ''Treasury and to the Chairman'' and all that follows through ''House of Represent-

atives'' and inserting ''Treasury and to the members of the authorizing committees'';

(9) in section 455(b)(8)(B) (20 U.S.C. 1087e(b)(8)(B)), by striking ''Committee on Labor and Human Resources of the Senate and the Committee on Education and the Workforce of the House of Representatives'' and inserting ''authorizing committees'';

(10) in section 482(d) (20 U.S.C. 1089(d)), by striking ''Committee on Labor and Human Resources of the Senate and the Committee on Education and Labor of the House of Representatives'' and inserting ''authorizing committees'';

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

(12) in section 485 (20 U.S.C. 1092)—

(A) in subsection (f)(5)(A), by striking ''Committee on Education and the Workforce of the House of Representatives and the Committee on Labor and Human Resources of the

Senate'' and inserting ''authorizing committees''; and

(B) in subsection (g)(4)(B), by striking ''Committee on Education and the Workforce of the House of Representatives and the Committee on Labor and Human Resources of the Senate'' and inserting ''authorizing committees'';

(13) in section 486 (20 U.S.C. 1093)—

(A) in subsection (e), by striking ''Committee on Labor and Human Resources of the Senate and the Committee on Education and the Workforce of the House of Representatives'' and inserting ''authorizing committees''; and

(B) in subsection (f)(3)—

(i) in the matter preceding clause (i) of subparagraph (A), by striking ''Committee on Labor and Human Resources of the Senate and the Committee on Education and the Workforce of the House of Representatives'' and inserting ''authorizing committees''; and

(ii) in the matter preceding clause (i) of subparagraph (B), by striking ''Committee on Labor and Human Resources of

the Senate and the Committee on Education and the Workforce of the House of Representatives'' and inserting ''authorizing committees'';

(14) in section 487A(a)(5) (20 U.S.C. 1094a(a)(5)), by striking ''Committee on Labor and Human Resources of the Senate and the Committee on Education and the Workforce of the House of Representatives'' and inserting ''authorizing committees''; and

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

(A) in paragraph (1), by striking ''Committee on Labor and Human Resources of the Senate and the Committee on Education and the Workforce of the House of Representatives'' and inserting ''authorizing committees''; and

(B) in paragraph (2), by striking ''Committee on Labor and Human Resources of the Senate and the Committee on Education and the Workforce of the House of Representatives'' and inserting ''authorizing committees''.

SEC. 102. GENERAL DEFINITION OF INSTITUTION OF HIGHER EDUCATION.

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

(1) in subsection (a)(3), by inserting ", or awards a degree that is acceptable for admission to a graduate or professional degree program, subject to the review and approval by the Secretary" after "such a degree"; and

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

"(2) a public or nonprofit private educational institution in any State that, in lieu of the requirement in subsection (a)(1), admits as regular students persons—

"(A) who are beyond the age of compulsory school attendance in the State in which the institution is located; or

"(B) who will be dually or concurrently enrolled in the institution and a secondary school.".

SEC. 103. DEFINITION OF INSTITUTION OF HIGHER EDUCATION FOR PURPOSES OF TITLE IV PROGRAMS.

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

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

"(II) the institution has or had a clinical training program that was ap-

proved by a State as of January 1, 1992, and has continuously operated a clinical training program in not less than 1 State that is approved by such State;'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (D), by inserting ''and'' after the semicolon;

(ii) in subparagraph (E), by striking ''; and'' and inserting a period; and

(iii) by striking subparagraph (F); and

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

''(2) ADDITIONAL INSTITUTIONS.—The term 'proprietary institution of higher education' also includes a proprietary educational institution in any State that, in lieu of the requirement in section 101(a)(1), admits as regular students persons—

''(A) who are beyond the age of compulsory school attendance in the State in which the institution is located; or

"(B) who will be dually or concurrently enrolled in the institution and a secondary school."; and

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

"(2) ADDITIONAL INSTITUTIONS.—The term 'postsecondary vocational institution' also includes an educational institution in any State that, in lieu of the requirement in section 101(a)(1), admits as regular students persons—

"(A) who are beyond the age of compulsory school attendance in the State in which the institution is located; or

"(B) who will be dually or concurrently enrolled in the institution and a secondary school.".

SEC. 104. PROTECTION OF STUDENT SPEECH AND ASSOCIATION RIGHTS.

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

(1) in subsection (a)—

(A) by inserting "(1)" before "It is the sense"; and

(B) by adding at the end the following:

"(2) It is the sense of Congress that—

"(A) the diversity of institutions and educational missions is one of the key strengths of American higher education;

"(B) individual colleges and universities have different missions and each institution should design its academic program in accordance with its educational goals;

"(C) a college should facilitate the free and open exchange of ideas;

"(D) students should not be intimidated, harassed, discouraged from speaking out, or discriminated against;

"(E) students should be treated equally and fairly; and

"(F) nothing in this paragraph shall be construed to modify, change, or infringe upon any constitutionally protected religious liberty, freedom, expression, or association."; and

(2) in subsection (b)(1), by inserting ", provided that the imposition of such sanction is done objectively and fairly" after "higher education".

SEC. 105. ACCREDITATION AND INSTITUTIONAL QUALITY AND INTEGRITY ADVISORY COMMITTEE.

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

"SEC. 114. ACCREDITATION AND INSTITUTIONAL QUALITY AND INTEGRITY COMMITTEE.

"(a) ESTABLISHMENT.—There is established in the Department an Accreditation and Institutional Quality and Integrity Advisory Committee (in this section referred to as the 'Committee') to assess the process of accreditation and the institutional eligibility and certification of such institutions under title IV.

"(b) MEMBERSHIP.—

"(1) IN GENERAL.—The Committee shall have 15 members, of which—

"(A) 5 members shall be appointed by the Secretary;

"(B) 5 members shall be appointed by the Speaker of the House of Representatives upon the recommendation of the majority leader and minority leader of the House of Representatives; and

"(C) 5 members shall be appointed by the President pro tempore of the Senate upon the recommendation of the majority leader and minority leader of the Senate.

"(2) QUALIFICATIONS.—Individuals shall be appointed as members of the Committee on—

"(A) the basis of the individuals' experience, integrity, impartiality, and good judgment;

"(B) from among individuals who are representatives of, or knowledgeable concerning, education and training beyond secondary education, representatives of all sectors and types of institutions of higher education (as defined in section 102); and

"(C) on the basis of the individuals' technical qualifications, professional standing, and demonstrated knowledge in the fields of accreditation and administration in higher education.

"(3) TERMS OF MEMBERS.—The term of office of each member of the Committee shall be for 6 years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which the member's predecessor was appointed shall be appointed for the remainder of such term.

"(4) VACANCY.—A vacancy on the Committee shall be filled in the same manner as the original appointment was made not later than 90 days after the vacancy occurred. If a vacancy occurs in a position to be filled by the Secretary, the Secretary shall publish a Federal Register notice soliciting nomina-

tions for the position not later than 30 days after being notified of the vacancy.

"(5) INITIAL TERMS.—The terms of office for the initial members of the Committee shall be—

"(A) 2 years for members appointed under paragraph (1)(A);

"(B) 4 years for members appointed under paragraph (1)(B); and

"(C) 6 years for members appointed under paragraph (1)(C).

"(6) CHAIRPERSON.—The members of the Committee shall select a chairperson from among the members.

"(c) FUNCTIONS.—The Committee shall—

"(1) advise the Secretary with respect to establishment and enforcement of the standards of accrediting agencies or associations under subpart 2 of part H of title IV;

"(2) advise the Secretary with respect to the recognition of a specific accrediting agency or association;

"(3) advise the Secretary with respect to the preparation and publication of the list of nationally recognized accrediting agencies and associations;

"(4) advise the Secretary with respect to the eligibility and certification process for institutions of higher education under title IV, together with recommendations for improvements in such process;

"(5) advise the Secretary with respect to the relationship between—

"(A) accreditation of institutions of higher education and the certification and eligibility of such institutions; and

"(B) State licensing responsibilities with respect to such institutions; and

"(6) carry out such other advisory functions relating to accreditation and institutional eligibility as the Secretary may prescribe in regulation.

"(d) MEETING PROCEDURES.—

"(1) SCHEDULE.—

"(A) BIANNUAL MEETINGS.—The Committee shall meet not less often than twice each year, at the call of the Chairperson.

"(B) PUBLICATION OF DATE.—The Committee shall submit the date and location of each meeting in advance to the Secretary, and the Secretary shall publish such information in the Federal Register not later than 30 days before the meeting.

"(2) AGENDA.—

"(A) ESTABLISHMENT.—The agenda for a meeting of the Committee shall be established by the Chairperson and shall be submitted to the members of the Committee upon notification of the meeting.

"(B) OPPORTUNITY FOR PUBLIC COMMENT.—The agenda shall include, at a minimum, opportunity for public comment during the Committee's deliberations.

"(3) SECRETARY'S DESIGNEE.—

"(A) ATTENDANCE AT MEETING.—The Chairperson shall invite the Secretary's designee to attend all meetings of the Committee.

"(B) ROLE OF DESIGNEE.—The Secretary's designee may be present at a Committee meeting to facilitate the exchange and free flow of information between the Secretary and the Committee. The designee shall have no authority over the agenda of the meeting, the items on that agenda, or on the resolution of any agenda item.

"(4) FEDERAL ADVISORY COMMITTEE ACT.—The provisions of the Federal Advisory Committee

Act (5 U.S.C. App.) shall apply to the Committee, except that section 14 of such Act shall not apply.

"(e) REPORT AND NOTICE.—

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

"(A) a list containing, for each member of the Committee—

"(i) the member's name;

"(ii) the date of the expiration of the member's term of office; and

"(iii) the individual described in subsection (b)(1) who appointed the member; and

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

"(2) REPORT.—Not later than September 30 of each year, the Committee shall make an annual report to the Secretary, the authorizing committees, and the public. The annual report shall contain—

"(A) a detailed summary of the agenda and activities of, and the findings and recommendations made by, the Committee during the preceding fiscal year;

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

"(C) a list of the members of the Committee and appropriate contact information; and

"(D) a list of the functions of the Committee, including any additional functions established by the Secretary through regulation.

"(f) TERMINATION.—The Committee shall terminate on September 30, 2012.".

(b) TERMINATION OF NACIQI.—The National Advisory Committee on Institutional Quality and Integrity, established under section 114 of the Higher Education Act of 1965 (as such section was in effect the day before the date of enactment of this Act) shall terminate 90 days after such date.

SEC. 106. DRUG AND ALCOHOL ABUSE PREVENTION.

Section 120(a)(2) (20 U.S.C. 1011i(a)(2)) is amended—

(1) in subparagraph (A), by striking "and" after the semicolon;

(2) by redesignating subparagraph (B) as subparagraph (D); and

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

"(B) determine the number of drug and alcohol-related incidents and fatalities that—

"(i) occur on the institution's property or as part of any of the institution's activities; and

"(ii) are reported to the institution;

"(C) determine the number and type of sanctions described in paragraph (1)(E) that are imposed by the institution as a result of drug and alcohol-related incidents and fatalities on the institution's property or as part of any of the institution's activities; and".

SEC. 107. PRIOR RIGHTS AND OBLIGATIONS.

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

(1) in paragraph (1), by striking "1999 and for each of the 4 succeeding fiscal years" and inserting "2008 and for each succeeding fiscal year"; and

(2) in paragraph (2), by striking "1999 and for each of the 4 succeeding fiscal years" and inserting "2008 and for each succeeding fiscal year".

SEC. 108. TRANSPARENCY IN COLLEGE TUITION FOR CONSUMERS.

Part C of title I (20 U.S.C. 1015) is amended by adding at the end the following:

"SEC. 132. TRANSPARENCY IN COLLEGE TUITION FOR CONSUMERS.

"(a) NET PRICE.—In this section, the term 'net price' means the average yearly tuition and fees paid by a full-time undergraduate student at an institution of higher education, after discounts and grants from the institution, Federal Government, or a State have been applied to the full price of tuition and fees at the institution.

"(b) HIGHER EDUCATION PRICE INDEX.—

"(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Higher Education Amendments of 2007, the Commission of the Bureau of Labor Statistics, in consultation with the Commissioner of Education Statistics and representatives of institutions of higher education, shall develop higher education price indices that accurately reflect the annual change in tuition and fees for undergraduate students in the categories of institutions listed in paragraph (2). Such indices shall be updated annually.

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

"(A) 4-year public degree-granting institutions of higher education.

"(B) 4-year private degree-granting institutions of higher education.

"(C) 2-year public degree-granting institutions of higher education.

"(D) 2-year private degree-granting institutions of higher education.

"(E) Less than 2-year institutions of higher education.

"(F) All types of institutions described in subparagraphs (A) through (E).

"(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection such sums as may be necessary.

"(c) REPORTING.—

"(1) IN GENERAL.—The Secretary shall annually report, in a national list and in a list for each State, a ranking of institutions of higher education according to such institutions' change in tuition and fees over the preceding 2 years. The purpose of such lists is to provide consumers with general information on pricing trends among institutions of higher education nationally and in each State.

"(2) COMPILATION.—

"(A) IN GENERAL.—The lists described in paragraph (1) shall be compiled according to the following categories:

"(i) 4-year public institutions of higher education.

"(ii) 4-year private, nonprofit institutions of higher education.

"(iii) 4-year private, for-profit institutions of higher education.

"(iv) 2-year public institutions of higher education.

"(v) 2-year private, nonprofit institutions of higher education.

"(vi) 2-year private, for-profit institutions of higher education.

"(vii) Less than 2-year public institutions of higher education.

"(viii) Less than 2-year private, nonprofit institutions of higher education.

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

"(B) PERCENTAGE AND DOLLAR CHANGE.—The lists described in paragraph (1) shall include 2 lists for each of the categories under subparagraph (A) as follows:

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

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

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

"(A) be known as the 'Higher Education Price Increase Watch Lists';

"(B) report the full price of tuition and fees at the institution and the net price;

"(C) where applicable, report the average price of room and board for students living on campus at the institution, except that such price shall not be used in determining whether an institution's cost outpaces such institution's applicable higher education price index; and

"(D) be compiled by the Secretary in a public document to be widely published and disseminated in paper form and through the website of the Department.

"(4) STATE HIGHER EDUCATION APPROPRIATIONS CHART.—The Secretary shall annually report, in charts for each State—

"(A) a comparison of the percentage change in State appropriations per enrolled student in a public institution of higher education in the State to the percentage change in tuition and fees for each public institution of higher education in the State for each of the previous 5 years; and

"(B) the total amount of need-based and merit-based aid provided by the State to students enrolled in a public institution of higher education in the State.

"(5) SHARING OF INFORMATION.—The Secretary shall share the information under paragraphs (1) through (4) with private sector college guidebook publishers.

"(d) NET PRICE CALCULATOR.—

"(1) DEVELOPMENT.—Not later than 1 year after the date of enactment of the Higher Education

Amendments of 2007, the Secretary shall, in consultation with institutions of higher education, develop and make several model net price calculators to help students, families, and consumers determine the net price of an institution of higher education, which institutions of higher education may, at their discretion, elect to use pursuant to paragraph (3).

"(2) CATEGORIES.—The model net price calculators described in paragraph (1) shall be developed for each of the following categories:

"(A) 4-year public institutions of higher education.

"(B) 4-year private, nonprofit institutions of higher education.

"(C) 4-year private, for-profit institutions of higher education.

"(D) 2-year public institutions of higher education.

"(E) 2-year private, nonprofit institutions of higher education.

"(F) 2-year private, for-profit institutions of higher education.

"(G) Less than 2-year public institutions of higher education.

"(H) Less than 2-year private, nonprofit institutions of higher education.

"(I) Less than 2-year private, for-profit institutions of higher education.

"(3) USE OF NET PRICE CALCULATOR BY INSTITUTIONS.—Not later than 3 years after the date of enactment of the Higher Education Amendments of 2007, each institution of higher education that receives Federal funds under this Act shall adopt and use a net price calculator to help students, families, and other consumers determine the net price of such institution of higher education. Such calculator may be—

"(A) based on a model calculator developed by the Department; or

"(B) developed by the institution of higher education.

"(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection such sums as may be necessary.

"(e) NET PRICE REPORTING IN APPLICATION INFORMATION.—An institution of higher education that receives Federal funds under this Act shall include, in the materials accompanying an application for admission to the institution, the most recent information regarding the net

price of the institution, calculated for each quartile of students based on the income of either the students' parents or, in the case of independent students (as such term is described in section 480), of the students, for each of the 2 academic years preceding the academic year for which the application is produced.

"(f) ENHANCED COLLEGE INFORMATION WEBSITE.—

"(1) IN GENERAL.—

"(A) IN GENERAL.—Not later than 90 days after the date of enactment of the Higher Education Amendments of 2007, the Secretary shall contract with an independent organization with demonstrated experience in the development of consumer-friendly websites to develop improvements to the website known as the College Opportunities On-Line (COOL) so that it better meets the needs of students, families, and consumers for accurate and appropriate information on institutions of higher education.

"(B) IMPLEMENTATIONS.—Not later than 1 year after the date of enactment of the Higher Education Amendments of 2007, the Secretary shall implement the improvements developed by the independent organization described

under subparagraph (A) to the college information website.

"(2) UNIVERSITY AND COLLEGE ACCOUNTABILITY NETWORK.—Not later than 1 year after the date of enactment of the Higher Education Amendments of 2007, the Secretary shall develop a model document for annually reporting basic information about an institution of higher education that chooses to participate, to be posted on the college information website and made available to institutions of higher education, students, families, and other consumers. Such document shall be known as the 'University and College Accountability Network' (U–CAN), and shall include, the following information about the institution of higher education for the most recent academic year for which the institution has available data, presented in a consumer-friendly manner:

"(A) A statement of the institution's mission and specialties.

"(B) The total number of undergraduate students who applied, were admitted, and enrolled at the institution.

"(C) Where applicable, reading, writing, mathematics, and combined scores on the SAT

or ACT for the middle 50 percent range of the institution's freshman class.

"(D) Enrollment of full-time, part-time, and transfer students at the institution, at the undergraduate and (where applicable) graduate levels.

"(E) Percentage of male and female undergraduate students enrolled at the institution.

"(F) Percentage of enrolled undergraduate students from the State in which the institution is located, from other States, and from other countries.

"(G) Percentage of enrolled undergraduate students at the institution by race and ethnic background.

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

"(I) Average time to degree or certificate completion for first-time, first-year undergraduate students enrolled at the institution.

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

"(K) Number of students who obtained a certificate or an associate's, bachelor's, master's, or doctoral degree at the institution.

"(L) The undergraduate major areas of study with the highest number of degrees awarded.

"(M) The student-faculty ratio, and number of full-time, part-time, and adjunct faculty at the institution.

"(N) Percentage of faculty at the institution with the highest degree in their field.

"(O) The percentage change in total price in tuition and fees and the net price for an undergraduate at the institution in each of the preceding 5 academic years.

"(P) The total average yearly cost of tuition and fees, room and board, and books and other related costs for an undergraduate student enrolled at the institution, for—

"(i) full-time undergraduate students living on campus;

"(ii) full-time undergraduate students living off-campus; and

"(iii) in the case of students attending a public institution of higher education,

1 such costs for in-State and out-of-State
2 students living on and off-campus.
3 ''(Q) The average yearly grant amount (in-
4 cluding Federal, State, and institutional aid)
5 for a student enrolled at the institution.
6 ''(R) The average yearly amount of Fed-
7 eral student loans, and other loans provided
8 through the institution, to undergraduate stu-
9 dents enrolled at the institution.
10 ''(S) The total yearly grant aid available to
11 undergraduate students enrolled at the institu-
12 tion, from the Federal Government, a State, the
13 institution, and other sources.
14 ''(T) The percentage of undergraduate stu-
15 dents enrolled at the institution receiving Fed-
16 eral, State, and institutional grants, student
17 loans, and any other type of student financial
18 assistance provided publicly or through the in-
19 stitution, such as Federal work-study funds.
20 ''(U) The average net price for all under-
21 graduate students enrolled at the institution.
22 ''(V) The percentage of first-year under-
23 graduate students enrolled at the institution
24 who live on campus and off campus.

"(W) Information on the policies of the institution related to transfer of credit from other institutions.

"(X) Information on campus safety required to be collected under section 485(f).

"(Y) Links to the appropriate sections of the institution's website that provide information on student activities offered by the institution, such as intercollegiate sports, student organizations, study abroad opportunities, intramural and club sports, specialized housing options, community service opportunities, cultural and arts opportunities on campus, religious and spiritual life on campus, and lectures and outside learning opportunities.

"(Z) Links to the appropriate sections of the institution's website that provide information on services offered by the institution to students during and after college, such as internship opportunities, career and placement services, and preparation for further education.

"(3) CONSULTATION.—The Secretary shall ensure that current and prospective college students, family members of such students, and institutions of

higher education are consulted in carrying out paragraphs (1) and (2).

"(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection such sums as may be necessary.

"(g) GAO REPORT.—The Comptroller General of the United States shall—

"(1) conduct a study on the time and cost burdens to institutions of higher education associated with completing the Integrated Postsecondary Education Data System (IPEDS), which study shall—

"(A) report on the time and cost burden of completing the IPEDS survey for 4-year, 2-year, and less than 2-year institutions of higher education; and

"(B) present recommendations for reducing such burden;

"(2) not later than 1 year after the date of enactment of the Higher Education Amendments of 2007, submit to Congress a preliminary report regarding the findings of the study described in paragraph (1); and

"(3) not later than 2 years after the date of enactment of the Higher Education Amendments of

2007, submit to Congress a final report regarding such findings.''.

SEC. 109. DATABASES OF STUDENT INFORMATION PROHIBITED.

Part C of title I (20 U.S.C. 1015), as amended by section 108, is further amended by adding at the end the following:

''SEC. 133. DATABASE OF STUDENT INFORMATION PROHIBITED.

''(a) PROHIBITION.—Except as described in (b), nothing in this Act shall be construed to authorize the development, implementation, or maintenance of a Federal database of personally identifiable information on individuals receiving assistance under this Act, attending institutions receiving assistance under this Act, or otherwise involved in any studies or other collections of data under this Act, including a student unit record system, an education bar code system, or any other system that tracks individual students over time.

''(b) EXCEPTION.—The provisions of subsection (a) shall not affect the loan obligation enforcement activities described in section 485B.

''(c) STATE DATABASES.—Nothing in this Act shall prohibit a State or a consortium of States from developing, implementing, or maintaining State-developed data-

bases that track individuals over time, including student unit record systems that contain information related to enrollment, attendance, graduation and retention rates, student financial assistance, and graduate employment outcomes.''.

SEC. 110. PERFORMANCE-BASED ORGANIZATION FOR THE DELIVERY OF FEDERAL STUDENT FINANCIAL ASSISTANCE.

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

(1) in subsection (a)—

(A) in paragraph (1), by striking ''operational'' and inserting ''administrative and oversight''; and

(B) in paragraph (2)(D), by striking ''of the operational functions'' and inserting ''and administration'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''the information systems administered by the PBO, and other functions performed by the PBO'' and inserting ''the Federal student financial assistance programs authorized under title IV''; and

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

''(C) assist the Chief Operating Officer in identifying goals for—

''(i) the administration of the systems used to administer the Federal student financial assistance programs authorized under title IV; and

''(ii) the updating of such systems to current technology.''; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''administration of the information and financial systems that support'' and inserting ''the administration of Federal'';

(ii) in subparagraph (A)—

(I) in the matter preceding clause (i), by striking ''of the delivery system for Federal student assistance'' and inserting ''for the Federal student assistance programs authorized under title IV'';

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

"(i) the collection, processing, and transmission of data to students, institutions, lenders, State agencies, and other authorized parties;

"(ii) the design and technical specifications for software development and procurement for systems supporting the student financial assistance programs authorized under title IV;";

(III) in clause (iii), by striking "delivery" and inserting "administration";

(IV) in clause (iv)—

(aa) by inserting "the" after "supporting"; and

(bb) by striking "and" after the semicolon;

(V) in clause (v), by striking "systems that support those programs." and inserting "the administration of the Federal student assistance programs authorized under title IV; and"; and

(VI) by adding at the end the following:

"(vi) ensuring the integrity of the student assistance programs authorized under title IV."; and

(iii) in subparagraph (B), by striking "operations and services" and inserting "activities and functions"; and

(3) in subsection (c)—

(A) in the subsection heading, by striking "PERFORMANCE PLAN AND REPORT" and inserting "PERFORMANCE PLAN, REPORT, AND BRIEFING";

(B) in paragraph (1)(C)—

(i) in clause (iii), by striking "information and delivery"; and

(ii) in clause (iv)—

(I) by striking "Developing an" and inserting "Developing"; and

(II) by striking "delivery and information system" and inserting "systems";

(C) in paragraph (2)—

(i) in subparagraph (A), by inserting "the" after "PBO and"; and

(ii) in subparagraph (B), by striking "Officer" and inserting "Officers";

(D) in paragraph (3), by inserting ''students,'' after ''consult with''; and

(E) by adding at the end the following:

''(4) BRIEFING ON ENFORCEMENT OF STUDENT LOAN PROVISIONS.—The Chief Operating Officer shall provide an annual briefing to the members of the authorizing committees on the steps the PBO has taken and is taking to ensure that lenders are providing the information required under clauses (iii) and (iv) of section 428(c)(3)(C) and sections 428(b)(1)(Z) and 428C(b)(1)(F).'';

(4) in subsection (d)—

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

(B) in paragraph (5)—

(i) in subparagraph (B), by striking ''paragraph (2)'' and inserting ''paragraph (4)''; and

(ii) in subparagraph (C), by striking ''this'';

(5) in subsection (f)—

(A) in paragraph (2), by striking ''to borrowers'' and inserting ''to students, borrowers,''; and

(B) in paragraph (3)(A), by striking ''(1)(A)'' and inserting ''(1)'';

(6) in subsection (g)(3), by striking ''not more than 25'';

(7) in subsection (h), by striking ''organizational effectiveness'' and inserting ''effectiveness'';

(8) by striking subsection (i);

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

(10) in subsection (i) (as redesignated by paragraph (9)), by striking '', including transition costs''.

SEC. 111. PROCUREMENT FLEXIBILITY.

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

(1) in subsection (b)—

(A) in paragraph (1)—

(i) by striking ''for information systems supporting the programs authorized under title IV''; and

(ii) by striking ''and'' after the semicolon;

(B) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(3) through the Chief Operating Officer—

"(A) to the maximum extent practicable, utilize procurement systems that streamline operations, improve internal controls, and enhance management; and

"(B) assess the efficiency of such systems and assess such systems' ability to meet PBO requirements.";

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

"(2) FEE FOR SERVICE ARRANGEMENTS.—The Chief Operating Officer shall, when appropriate and consistent with the purposes of the PBO, acquire services related to the functions set forth in section 141(b)(2) from any entity that has the capability and capacity to meet the requirements set by the PBO. The Chief Operating Officer is authorized to pay fees that are equivalent to those paid by other entities to an organization that provides services that meet the requirements of the PBO, as determined by the Chief Operating Officer.";

(3) in subsection (d)(2)(B), by striking "on Federal Government contracts";

(4) in subsection (g)—

(A) in paragraph (4)(A)—

(i) in the subparagraph heading, by striking ''SOLE SOURCE.—'' and inserting ''SINGLE-SOURCE BASIS.—''; and

(ii) by striking ''sole-source'' and inserting ''single-source''; and

(B) in paragraph (7), by striking ''sole-source'' and inserting ''single-source'';

(5) in subsection (h)(2)(A), by striking ''sole-source'' and inserting ''single-source''; and

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

''(3) SINGLE-SOURCE BASIS.—The term 'single-source basis', with respect to an award of a contract, means that the contract is awarded to a source after soliciting an offer or offers from, and negotiating with, only such source (although such source is not the only source in the marketplace capable of meeting the need) because such source is the most advantageous source for purposes of the award.''.

SEC. 112. INSTITUTION AND LENDER REPORTING AND DISCLOSURE REQUIREMENTS.

Title I (20 U.S.C. 1001 et seq.) is amended by adding at the end the following:

"PART E—LENDER AND INSTITUTION REQUIREMENTS RELATING TO EDUCATIONAL LOANS

"SEC. 151. DEFINITIONS.

''In this part:

''(1) COST OF ATTENDANCE.—The term 'cost of attendance' has the meaning given the term in section 472.

''(2) COVERED INSTITUTION.—The term 'covered institution'—

''(A) means any educational institution that offers a postsecondary educational degree, certificate, or program of study (including any institution of higher education, as such term is defined in section 102) and receives any Federal funding or assistance; and

''(B) includes any employee or agent of the educational institution or any organization or entity affiliated with, or directly or indirectly controlled by, such institution.

''(3) EDUCATIONAL LOAN.—The term 'educational loan' means any loan made, insured, or guaranteed under title IV.

''(4) EDUCATIONAL LOAN ARRANGEMENT.—The term 'educational loan arrangement' means an arrangement or agreement between a lender and a covered institution—

"(A) under which arrangement or agreement a lender provides or otherwise issues educational loans to the students attending the covered institution or the parents of such students; and

"(B) which arrangement or agreement—

"(i) relates to the covered institution recommending, promoting, endorsing, or using educational loans of the lender; and

"(ii) involves the payment of any fee or provision of other material benefit by the lender to the institution or to groups of students who attend the institution.

"(5) LENDER.—The term 'lender'—

"(A) means—

"(i) any lender—

"(I) of a loan made, insured, or guaranteed under part B or D of title IV; and

"(II) that is a financial institution, as such term is defined in section 509 of the Gramm-Leach-Bliley Act (15 U.S.C. 6809); and

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

"(B) includes any individual, group, or entity acting on behalf of the lender in connection with an educational loan.

"(6) OFFICER.—The term 'officer' includes a director or trustee of an institution.

"SEC. 152. REQUIREMENTS FOR LENDERS AND INSTITUTIONS PARTICIPATING IN EDUCATIONAL LOAN ARRANGEMENTS.

"(a) USE OF LENDER NAME.—A covered institution that enters into an educational loan arrangement has a duty to disclose the name of the lender in documentation related to the loan.

"(b) DISCLOSURES.—

"(1) DISCLOSURES BY LENDERS.—Before a lender issues or otherwise provides an educational loan to a student, the lender shall provide the student, in writing, with the disclosures described in paragraph (2).

"(2) DISCLOSURES.—The disclosures required by this paragraph shall include a clear and prominent statement—

"(A) of the interest rates of the educational loan being offered;

"(B) showing sample educational loan costs, disaggregated by type;

"(C) that describes, with respect to each type of educational loan being offered—

"(i) the types of repayment plans that are available;

"(ii) whether, and under what conditions, early repayment may be made without penalty;

"(iii) when and how often interest on the loan will be capitalized;

"(iv) the terms and conditions of deferments or forbearance;

"(v) all available repayment benefits, the percentage of all borrowers who qualify for such benefits, and the percentage of borrowers who received such benefits in the preceding academic year, for each type of loan being offered;

"(vi) the collection practices in the case of default;

"(vii) all fees that the borrower may be charged, including late payment penalties and associated fees; and

"(viii) whether the amount of all loans issued by the lender to the borrower exceeds the student's cost of attendance; and

"(D) of such other information as the Secretary may require.

"(c) DISCLOSURES TO THE SECRETARY BY LENDER.—

"(1) IN GENERAL.—Each lender shall, on an annual basis, report to the Secretary any reasonable expenses paid or given under section 435(d)(5)(D), 487(a)(21)(A)(ii), or 487(a)(21)(A)(iv) to any employee who is employed in the financial aid office of a covered institution, or who otherwise has responsibilities with respect to educational loans or other financial aid of the institution. Such reports shall include—

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

"(B) the name of the financial aid official or other employee to whom the reimbursement was made;

"(C) the dates of the activity for which the reimbursement was made; and

"(D) a brief description of the activity for which the reimbursement was made.

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

"SEC. 153. INTEREST RATE REPORT FOR INSTITUTIONS AND LENDERS PARTICIPATING IN EDUCATIONAL LOAN ARRANGEMENTS.

"(a) SECRETARY DUTIES.—

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

"(A) prepare a report on the adequacy of the information provided to students and the parents of such students about educational loans, after consulting with students, representatives of covered institutions (including financial aid administrators, registrars, and business officers), lenders, loan servicers, and guaranty agencies;

"(B) include in the report a model format, based on the report's findings, to be used by lenders and covered institutions in carrying out subsections (b) and (c)—

"(i) that provides information on the applicable interest rates and other terms and conditions of the educational loans provided by a lender to students attending the institution, or the parents of such students, disaggregated by each type of educational loans provided to such students or parents by the lender, including—

"(I) the interest rate and terms and conditions of the loans offered by the lender for the upcoming academic year;

"(II) with respect to such loans, any benefits that are contingent on the repayment behavior of the borrower;

"(III) the average amount borrowed from the lender by students enrolled in the institution who obtain loans of such type from the lender for the preceding academic year;

"(IV) the average interest rate on such loans provided to such students for the preceding academic year; and

"(V) the amount that the borrower may repay in interest, based on the standard repayment period of a loan, on the average amount borrowed from the lender by students enrolled in the institution who obtain loans of such type from the lender for the preceding academic year; and

"(ii) which format shall be easily usable by lenders, institutions, guaranty agencies, loan servicers, parents, and students; and

"(C)(i) submit the report and model format to the authorizing committees; and

"(ii) make the report and model format available to covered institutions, lenders, and the public.

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

"(A) lenders subject to subsection (b) to use the model format in providing the information required under subsection (b); and

"(B) covered institutions to use such format in preparing the information report under subsection (c).

"(b) LENDER DUTIES.—Each lender that has an educational loan arrangement with a covered institution shall annually, by a date determined by the Secretary, provide to the covered institution and to the Secretary the information included on the model format for each type of educational loan provided by the lender to students attending the covered institution, or the parents of such students, for the preceding academic year.

"(c) COVERED INSTITUTION DUTIES.—Each covered institution shall—

"(1) prepare and submit to the Secretary an annual report, by a date determined by the Secretary, that includes, for each lender that has an educational loan arrangement with the covered institution and that has submitted to the institution the information required under subsection (b)—

"(A) the information included on the model format for each type of educational loan provided by the lender to students attending the

covered institution, or the parents of such students; and

"(B) a detailed explanation of why the covered institution believes the terms and conditions of each type of educational loan provided pursuant to the agreement are beneficial for students attending the covered institution, or the parents of such students; and

"(2) ensure that the report required under paragraph (1) is made available to the public and provided to students attending or planning to attend the covered institution, and the parents of such students, in time for the student or parent to take such information into account before applying for or selecting an educational loan.".

TITLE II—TEACHER QUALITY ENHANCEMENT

SEC. 201. TEACHER QUALITY PARTNERSHIP GRANTS.

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

"PART A—TEACHER QUALITY PARTNERSHIP GRANTS

"SEC. 201. PURPOSES; DEFINITIONS.

"(a) PURPOSES.—The purposes of this part are to—

"(1) improve student achievement;

"(2) improve the quality of the current and future teaching force by improving the preparation of prospective teachers and enhancing professional development activities;

"(3) hold institutions of higher education accountable for preparing highly qualified teachers; and

"(4) recruit qualified individuals, including minorities and individuals from other occupations, into the teaching force.

"(b) DEFINITIONS.—In this part:

"(1) ARTS AND SCIENCES.—The term 'arts and sciences' means—

"(A) when referring to an organizational unit of an institution of higher education, any academic unit that offers 1 or more academic majors in disciplines or content areas corresponding to the academic subject matter areas in which teachers provide instruction; and

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

"(2) CHILDREN FROM LOW-INCOME FAMILIES.—The term 'children from low-income families'

means children as described in section 1124(c)(1)(A) of the Elementary and Secondary Education Act of 1965.

"(3) CORE ACADEMIC SUBJECTS.—The term 'core academic subjects' has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965.

"(4) EARLY CHILDHOOD EDUCATION PROGRAM.—The term 'early childhood education program' means—

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

"(B) a State licensed or regulated child care program or school; or

"(C) a State prekindergarten program that serves children from birth through kindergarten and that addresses the children's cognitive (including language, early literacy, and prenumeracy), social, emotional, and physical development.

"(5) EARLY CHILDHOOD EDUCATOR.—The term 'early childhood educator' means an individual with primary responsibility for the education of children in an early childhood education program.

"(6) EDUCATIONAL SERVICE AGENCY.—The term 'educational service agency' has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965.

"(7) ELIGIBLE PARTNERSHIP.—The term 'eligible partnership' means an entity that—

"(A) shall include—

"(i) a high-need local educational agency;

"(ii) a high-need school or a consortium of high-need schools served by the high-need local educational agency or, as applicable, a high-need early childhood education program;

"(iii) a partner institution;

"(iv) a school, department, or program of education within such partner institution; and

"(v) a school or department of arts and sciences within such partner institution; and

"(B) may include any of the following:

"(i) The Governor of the State.

"(ii) The State educational agency.

"(iii) The State board of education.

"(iv) The State agency for higher education.

"(v) A business.

"(vi) A public or private nonprofit educational organization.

"(vii) An educational service agency.

"(viii) A teacher organization.

"(ix) A high-performing local educational agency, or a consortium of such local educational agencies, that can serve as a resource to the partnership.

"(x) A charter school (as defined in section 5210 of the Elementary and Secondary Education Act of 1965).

"(xi) A school or department within the partner institution that focuses on psychology and human development.

"(xii) A school or department within the partner institution with comparable expertise in the disciplines of teaching, learning, and child and adolescent development.

"(8) ESSENTIAL COMPONENTS OF READING INSTRUCTION.—The term 'essential components of reading instruction' has the meaning given such

term in section 1208 of the Elementary and Secondary Education Act of 1965.

"(9) EXEMPLARY TEACHER.—The term 'exemplary teacher' has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965.

"(10) HIGH-NEED EARLY CHILDHOOD EDUCATION PROGRAM.—The term 'high-need early childhood education program' means an early childhood education program that is among the highest 25 percent of early childhood programs in the geographic area served by the local educational agency in the partnership, in terms of the percentage of students from families with incomes below the poverty line.

"(11) HIGH-NEED LOCAL EDUCATIONAL AGENCY.—The term 'high-need local educational agency' means a local educational agency—

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

"(ii) that serves not fewer than 10,000 children from low-income families; or

"(iii) with a total of less than 600 students in average daily attendance at the schools that

are served by the agency and all of whose schools are designated with a school locale code of 6, 7, or 8, as determined by the Secretary; and

"(B)(i) for which there is a high percentage of teachers not teaching in the academic subject areas or grade levels in which the teachers were trained to teach; or

"(ii) for which there is a high teacher turnover rate or a high percentage of teachers with emergency, provisional, or temporary certification or licensure.

"(12) HIGH-NEED SCHOOL.—The term 'high-need school' means a public elementary school or public secondary school that—

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

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

"(13) HIGHLY COMPETENT.—The term 'highly competent', when used with respect to an early childhood educator, means an educator—

"(A) with specialized education and training in development and education of young children from birth until entry into kindergarten;

"(B) with—

"(i) a baccalaureate degree in an academic major in the arts and sciences; or

"(ii) an associate's degree in a related educational area; and

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

"(14) HIGHLY QUALIFIED.—The term 'highly qualified' has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965 and, with respect to special education teachers, in section 602 of the Individuals with Disabilities Education Act.

"(15) INDUCTION PROGRAM.—The term 'induction program' means a formalized program for new teachers during not less than the teachers' first 2 years of teaching that is designed to provide support

for, and improve the professional performance and advance the retention in the teaching field of, beginning teachers. Such program shall promote effective teaching skills and shall include the following components:

"(A) High-quality teacher mentoring.

"(B) Periodic, structured time for collaboration with teachers in the same department or field, as well as time for information-sharing among teachers, principals, administrators, and participating faculty in the partner institution.

"(C) The application of empirically based practice and scientifically valid research on instructional practices.

"(D) Opportunities for new teachers to draw directly upon the expertise of teacher mentors, faculty, and researchers to support the integration of empirically based practice and scientifically valid research with practice.

"(E) The development of skills in instructional and behavioral interventions derived from empirically based practice and, where applicable, scientifically valid research.

"(F) Faculty who—

"(i) model the integration of research and practice in the classroom; and

"(ii) assist new teachers with the effective use and integration of technology in the classroom.

"(G) Interdisciplinary collaboration among exemplary teachers, faculty, researchers, and other staff who prepare new teachers on the learning process and the assessment of learning.

"(H) Assistance with the understanding of data, particularly student achievement data, and the data's applicability in classroom instruction.

"(I) Regular evaluation of the new teacher.

"(16) LIMITED ENGLISH PROFICIENT.—The term 'limited English proficient' has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965.

"(17) PARTNER INSTITUTION.—The term 'partner institution' means an institution of higher education, which may include a 2-year institution of higher education offering a dual program with a 4-year institution of higher education, participating in

1 an eligible partnership that has a teacher prepara-
2 tion program—
3 "(A) whose graduates exhibit strong per-
4 formance on State-determined qualifying assess-
5 ments for new teachers through—
6 "(i) demonstrating that 80 percent or
7 more of the graduates of the program who
8 intend to enter the field of teaching have
9 passed all of the applicable State qualifica-
10 tion assessments for new teachers, which
11 shall include an assessment of each pro-
12 spective teacher's subject matter knowledge
13 in the content area in which the teacher in-
14 tends to teach; or
15 "(ii) being ranked among the highest-
16 performing teacher preparation programs
17 in the State as determined by the State—
18 "(I) using criteria consistent with
19 the requirements for the State report
20 card under section 205(b); and
21 "(II) using the State report card
22 on teacher preparation required under
23 section 205(b), after the first publica-
24 tion of such report card and for every
25 year thereafter; or

"(B) that requires—

"(i) each student in the program to meet high academic standards and participate in intensive clinical experience;

"(ii) each student in the program preparing to become a teacher to become highly qualified; and

"(iii) each student in the program preparing to become an early childhood educator to meet degree requirements, as established by the State, and become highly competent.

"(18) PRINCIPLES OF SCIENTIFIC RESEARCH.—The term 'principles of scientific research' means research that—

"(A) applies rigorous, systematic, and objective methodology to obtain reliable and valid knowledge relevant to education activities and programs;

"(B) presents findings and makes claims that are appropriate to and supported by the methods that have been employed; and

"(C) includes, appropriate to the research being conducted—

"(i) use of systematic, empirical methods that draw on observation or experiment;

"(ii) use of data analyses that are adequate to support the general findings;

"(iii) reliance on measurements or observational methods that provide reliable and generalizable findings;

"(iv) claims of causal relationships only in research designs that substantially eliminate plausible competing explanations for the obtained results, which may include but shall not be limited to random-assignment experiments;

"(v) presentation of studies and methods in sufficient detail and clarity to allow for replication or, at a minimum, to offer the opportunity to build systematically on the findings of the research;

"(vi) acceptance by a peer-reviewed journal or critique by a panel of independent experts through a comparably rigorous, objective, and scientific review; and

"(vii) use of research designs and methods appropriate to the research question posed.

"(19) PROFESSIONAL DEVELOPMENT.—The term 'professional development' has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965.

"(20) SCIENTIFICALLY VALID RESEARCH.—The term 'scientifically valid research' includes applied research, basic research, and field-initiated research in which the rationale, design, and interpretation are soundly developed in accordance with accepted principles of scientific research.

"(21) TEACHER MENTORING.—The term 'teacher mentoring' means the mentoring of new or prospective teachers through a new or established program that—

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

"(B) provides high-quality training for such mentors, including instructional strategies for literacy instruction;

"(C) provides regular and ongoing opportunities for mentors and mentees to observe each other's teaching methods in classroom settings during the day in a high-need school in the high-need local educational agency in the eligible partnership;

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

"(E) promotes empirically based practice of, and scientifically valid research on, where applicable—

"(i) teaching and learning;

"(ii) assessment of student learning;

"(iii) the development of teaching skills through the use of instructional and behavioral interventions; and

"(iv) the improvement of the mentees' capacity to measurably advance student learning; and

"(F) includes—

"(i) common planning time or regularly scheduled collaboration for the mentor and mentee; and

1 "(ii) joint professional development
2 opportunities.
3 "(22) TEACHING SKILLS.—The term 'teaching
4 skills' means skills that enable a teacher to—
5 "(A) increase student learning, achieve-
6 ment, and the ability to apply knowledge;
7 "(B) effectively convey and explain aca-
8 demic subject matter;
9 "(C) employ strategies grounded in the
10 disciplines of teaching and learning that—
11 "(i) are based on empirically based
12 practice and scientifically valid research,
13 where applicable, on teaching and learning;
14 "(ii) are specific to academic subject
15 matter; and
16 "(iii) focus on the identification of
17 students' specific learning needs, particu-
18 larly students with disabilities, students
19 who are limited English proficient, stu-
20 dents who are gifted and talented, and stu-
21 dents with low literacy levels, and the tai-
22 loring of academic instruction to such
23 needs;
24 "(D) conduct an ongoing assessment of
25 student learning;

"(E) effectively manage a classroom;

"(F) communicate and work with parents and guardians, and involve parents and guardians in their children's education; and

"(G) use age-appropriate strategies and practices for children, including in early childhood education programs.

"(23) TEACHING RESIDENCY PROGRAM.—The term 'teaching residency program' means a school-based teacher preparation program in which a prospective teacher—

"(A) for 1 academic year, teaches alongside a mentor teacher, who is the teacher of record;

"(B) receives concurrent instruction during the year described in subparagraph (A) from the partner institution, which courses may be taught by local educational agency personnel or residency program faculty, in the teaching of the content area in which the teacher will become certified or licensed;

"(C) acquires effective teaching skills; and

"(D) prior to completion of the program, earns a master's degree, attains full State

teacher certification or licensure, and becomes highly qualified.

"SEC. 202. PARTNERSHIP GRANTS.

"(a) PROGRAM AUTHORIZED.—From amounts made available under section 208, the Secretary is authorized to award grants, on a competitive basis, to eligible partnerships, to enable the eligible partnerships to carry out the activities described in subsection (c).

"(b) APPLICATION.—Each eligible partnership desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require. Each such application shall contain—

"(1) a needs assessment of all the partners in the eligible partnership with respect to the preparation, ongoing training, professional development, and retention, of general and special education teachers, principals, and, as applicable, early childhood educators;

"(2) a description of the extent to which the program prepares prospective and new teachers with strong teaching skills;

"(3) a description of the extent to which the program will prepare prospective and new teachers

to understand research and data and the applicability of research and data in the classroom;

"(4) a description of how the partnership will coordinate strategies and activities assisted under the grant with other teacher preparation or professional development programs, including those funded under the Elementary and Secondary Education Act of 1965 and the Individuals with Disabilities Education Act, and through the National Science Foundation, and how the activities of the partnership will be consistent with State, local, and other education reform activities that promote student achievement;

"(5) a resource assessment that describes the resources available to the partnership, including—

"(A) the integration of funds from other related sources;

"(B) the intended use of the grant funds;

"(C) the commitment of the resources of the partnership to the activities assisted under this section, including financial support, faculty participation, and time commitments, and to the continuation of the activities when the grant ends;

"(6) a description of—

"(A) how the partnership will meet the purposes of this part;

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

"(C) the partnership's evaluation plan under section 204(a);

"(D) how the partnership will align the teacher preparation program with the—

"(i) early learning standards for early childhood education programs, as applicable, of the State in which the partnership is located; and

"(ii) the student academic achievement standards and academic content standards under section 1111(b)(2) of the Elementary and Secondary Education Act of 1965, established by the State in which the partnership is located;

"(E) how faculty at the partner institution will work with, during the term of the grant, highly qualified teachers in the classrooms of schools served by the high-need local edu-

cational agency in the partnership to provide high-quality professional development activities;

"(F) how the partnership will design, implement, or enhance a year-long, rigorous, and enriching teaching preservice clinical program component;

"(G) the in-service professional development strategies and activities to be supported; and

"(H) how the partnership will collect, analyze, and use data on the retention of all teachers and early childhood educators in schools and early childhood programs located in the geographic area served by the partnership to evaluate the effectiveness of the partnership's teacher and educator support system; and

"(7) with respect to the induction program required as part of the activities carried out under this section—

"(A) a demonstration that the schools and departments within the institution of higher education that are part of the induction program have relevant and essential roles in the effective preparation of teachers, including content expertise and expertise in teaching;

"(B) a demonstration of the partnership's capability and commitment to the use of empirically based practice and scientifically valid research on teaching and learning, and the accessibility to and involvement of faculty;

"(C) a description of how the teacher preparation program will design and implement an induction program to support all new teachers through not less than the first 2 years of teaching in the further development of the new teachers' teaching skills, including the use of mentors who are trained and compensated by such program for the mentors' work with new teachers; and

"(D) a description of how faculty involved in the induction program will be able to substantially participate in an early childhood education program or an elementary or secondary school classroom setting, as applicable, including release time and receiving workload credit for such participation.

"(c) REQUIRED USE OF GRANT FUNDS.—An eligible partnership that receives a grant under this part shall use grant funds to carry out a program for the pre-baccalaureate preparation of teachers under subsection (d), a

teaching residency program under subsection (e), or both such programs.

"(d) PARTNERSHIP GRANTS FOR PRE-BACCALAUREATE PREPARATION OF TEACHERS.—An eligible partnership that receives a grant to carry out an effective program for the pre-baccalaureate preparation of teachers shall carry out a program that includes all of the following:

"(1) REFORMS.—

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

"(i) preparing—

"(I) current or prospective teachers to be highly qualified (including teachers in rural school districts who may teach multiple subjects, special educators, and teachers of students who are limited English proficient who may teach multiple subjects);

"(II) such teachers and, as applicable, early childhood educators, to

understand empirically based practice and scientifically valid research on teaching and learning and its applicability, and to use technology effectively, including the use of instructional techniques to improve student achievement; and

"(III) as applicable, early childhood educators to be highly competent; and

"(ii) promoting strong teaching skills and, as applicable, techniques for early childhood educators to improve children's cognitive, social, emotional, and physical development.

"(B) REQUIRED REFORMS.—The reforms described in subparagraph (A) shall include—

"(i) implementing teacher preparation program curriculum changes that improve, evaluate, and assess how well all prospective and new teachers develop teaching skills;

"(ii) using empirically based practice and scientifically valid research, where applicable, about the disciplines of teaching

and learning so that all prospective teachers and, as applicable, early childhood educators—

"(I) can understand and implement research-based teaching practices in classroom-based instruction;

"(II) have knowledge of student learning methods;

"(III) possess skills to analyze student academic achievement data and other measures of student learning and use such data and measures to improve instruction in the classroom;

"(IV) possess teaching skills and an understanding of effective instructional strategies across all applicable content areas that enable the teachers and early childhood educators to—

"(aa) meet the specific learning needs of all students, including students with disabilities, students who are limited English proficient, students who are gifted and talented, students with

low literacy levels and, as applicable, children in early childhood education programs; and

"(bb) differentiate instruction for such students; and

"(V) can successfully employ effective strategies for reading instruction using the essential components of reading instruction;

"(iii) ensuring collaboration with departments, programs, or units of a partner institution outside of the teacher preparation program in all academic content areas to ensure that new teachers receive training in both teaching and relevant content areas in order to become highly qualified;

"(iv) developing and implementing an induction program; and

"(v) developing admissions goals and priorities with the hiring objectives of the high-need local educational agency in the eligible partnership.

"(2) CLINICAL EXPERIENCE AND INTERACTION.—Developing and improving a sustained and high-quality pre-service clinical education program to

further develop the teaching skills of all prospective teachers and, as applicable, early childhood educators, involved in the program. Such program shall do the following:

"(A) Incorporate year-long opportunities for enrichment activity or a combination of activities, including—

"(i) clinical learning in classrooms in high-need schools served by the high-need local educational agency in the eligible partnership and identified by the eligible partnership; and

"(ii) closely supervised interaction between faculty and new and experienced teachers, principals, and other administrators at early childhood education programs (as applicable), elementary schools, or secondary schools, and providing support for such interaction.

"(B) Integrate pedagogy and classroom practice and promote effective teaching skills in academic content areas.

"(C) Provide high-quality teacher mentoring.

"(D)(i) Be offered over the course of a program of teacher preparation;

"(ii) be tightly aligned with course work (and may be developed as a 5th year of a teacher preparation program); and

"(iii) where feasible, allow prospective teachers to learn to teach in the same school district in which the teachers will work, learning the instructional initiatives and curriculum of that district.

"(E) Provide support and training for those individuals participating in an activity for prospective teachers described in this paragraph or paragraph (1) or (2), and for those who serve as mentors for such teachers, based on each individual's experience. Such support may include—

"(i) with respect to a prospective teacher or a mentor, release time for such individual's participation;

"(ii) with respect to a faculty member, receiving course workload credit and compensation for time teaching in the eligible partnership's activities; and

"(iii) with respect to a mentor, a stipend.

"(3) INDUCTION PROGRAMS FOR NEW TEACHERS.—Creating an induction program for new teachers, or, in the case of an early childhood education program, providing mentoring or coaching for new early childhood educators.

"(4) SUPPORT AND TRAINING FOR PARTICIPANTS IN EARLY CHILDHOOD EDUCATION PROGRAMS.—In the case of an eligible partnership focusing on early childhood educator preparation, implementing initiatives that increase compensation for early childhood educators who attain associate or baccalaureate degrees in early childhood education.

"(5) TEACHER RECRUITMENT.—Developing and implementing effective mechanisms to ensure that the eligible partnership is able to recruit qualified individuals to become highly qualified teachers through the activities of the eligible partnership.

"(e) PARTNERSHIP GRANTS FOR THE ESTABLISHMENT OF TEACHING RESIDENCY PROGRAMS.—

"(1) IN GENERAL.—An eligible partnership receiving a grant to carry out an effective teaching residency program shall carry out a program that includes all of the following activities:

"(A) Supporting a teaching residency program described in paragraph (2) for high-need subjects and areas, as determined by the needs of the high-need local educational agency in the partnership.

"(B) Modifying staffing procedures to provide greater flexibility for local educational agency and school leaders to establish effective school-level staffing in order to facilitate placement of graduates of the teaching residency program in cohorts that facilitate professional collaboration, both among graduates of the teaching residency program and between such graduates and mentor teachers in the receiving school.

"(C) Ensuring that teaching residents that participated in the teaching residency program receive—

"(i) effective preservice preparation as described in paragraph (2);

"(ii) teacher mentoring;

"(iii) induction through the induction program as the teaching residents enter the classroom as new teachers; and

"(iv) the preparation described in subparagraphs (A), (B), and (C) of subsection (d)(2).

"(2) TEACHING RESIDENCY PROGRAMS.—

"(A) ESTABLISHMENT AND DESIGN.—A teaching residency program under this paragraph shall be a program based upon models of successful teaching residencies that serves as a mechanism to prepare teachers for success in the high-need schools in the eligible partnership, and shall be designed to include the following characteristics of successful programs:

"(i) The integration of pedagogy, classroom practice, and teacher mentoring.

"(ii) Engagement of teaching residents in rigorous graduate-level coursework to earn a master's degree while undertaking a guided teaching apprenticeship.

"(iii) Experience and learning opportunities alongside a trained and experienced mentor teacher—

"(I) whose teaching shall complement the residency program so that classroom clinical practice is tightly aligned with coursework;

"(II) who shall have extra responsibilities as a teacher leader of the teaching residency program, as a mentor for residents, and as a teacher coach during the induction program for novice teachers, and for establishing, within the program, a learning community in which all individuals are expected to continually improve their capacity to advance student learning; and

"(III) who may have full relief from teaching duties as a result of such additional responsibilities.

"(iv) The establishment of clear criteria for the selection of mentor teachers based on measures of teacher effectiveness and the appropriate subject area knowledge. Evaluation of teacher effectiveness shall be based on observations of such domains of teaching as the following:

"(I) Planning and preparation, including demonstrated knowledge of content, pedagogy, and assessment,

including the use of formative assessments to improve student learning.

"(II) Appropriate instruction that engages students with different learning styles.

"(III) Collaboration with colleagues to improve instruction.

"(IV) Analysis of gains in student learning, based on multiple measures, that, when feasible, may include valid and reliable objective measures of the influence of teachers on the rate of student academic progress.

"(V) In the case of mentor candidates who will be mentoring current or future literacy and mathematics coaches or instructors, appropriate skills in the essential components of reading instruction, teacher training in literacy instructional strategies across core subject areas, and teacher training in mathematics instructional strategies, as appropriate.

"(v) Grouping of teaching residents in cohorts to facilitate professional collaboration among such residents.

"(vi) The development of admissions goals and priorities aligned with the hiring objectives of the local educational agency partnering with the program, as well as the instructional initiatives and curriculum of the agency, in exchange for a commitment by the agency to hire graduates from the teaching residency program.

"(vii) Support for residents, once the teaching residents are hired as teachers of record, through an induction program, professional development, and networking opportunities to support the residents through not less than the residents' first 2 years of teaching.

"(B) SELECTION OF INDIVIDUALS AS TEACHER RESIDENTS.—

"(i) ELIGIBLE INDIVIDUAL.—In order to be eligible to be a teacher resident in a teaching residency program under this paragraph, an individual shall—

"(I) be a recent graduate of a 4-year institution of higher education or a mid-career professional from outside the field of education possessing strong content knowledge or a record of professional accomplishment; and

"(II) submit an application to the teaching residency program.

"(ii) SELECTION CRITERIA.—An eligible partnership carrying out a teaching residency program under this subparagraph shall establish criteria for the selection of eligible individuals to participate in the teaching residency program based on the following characteristics:

"(I) Strong content knowledge or record of accomplishment in the field or subject area to be taught.

"(II) Strong verbal and written communication skills, which may be demonstrated by performance on appropriate tests.

"(III) Other attributes linked to effective teaching, which may be determined by interviews or performance

assessments, as specified by the eligible partnership.

"(C) STIPEND AND SERVICE REQUIREMENT.—

"(i) STIPEND.—A teaching residency program under this paragraph shall provide a 1-year living stipend or salary to teaching residents during the 1-year teaching residency program.

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

"(iii) REPAYMENT.—If a teaching resident who received a stipend under this subparagraph does not complete the service requirement described in clause (ii), such individual shall repay to the high-need local educational agency a pro rata portion of the stipend amount for the

amount of teaching time that the individual did not complete.

"(f) CONSULTATION.—

"(1) IN GENERAL.—Members of an eligible partnership that receives a grant under this section shall engage in regular consultation throughout the development and implementation of programs and activities under this section.

"(2) REGULAR COMMUNICATION.—To ensure timely and meaningful consultation, regular communication shall occur among all members of the eligible partnership, including the high-need local educational agency. Such communication shall continue throughout the implementation of the grant and the assessment of programs and activities under this section.

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

"(g) CONSTRUCTION.—Nothing in this section shall be construed to prohibit an eligible partnership from using grant funds to coordinate with the activities of eligible partnerships in other States or on a regional basis through

Governors, State boards of education, State educational agencies, State agencies responsible for early childhood education, local educational agencies, or State agencies for higher education.

"(h) SUPPLEMENT, NOT SUPPLANT.—Funds made available under this section shall be used to supplement, and not supplant, other Federal, State, and local funds that would otherwise be expended to carry out activities under this section.

"SEC. 203. ADMINISTRATIVE PROVISIONS.

"(a) DURATION; NUMBER OF AWARDS; PAYMENTS.—

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

"(2) NUMBER OF AWARDS.—An eligible partnership may not receive more than 1 grant during a 5-year period. Nothing in this title shall be construed to prohibit an individual member, that can demonstrate need, of an eligible partnership that receives a grant under this title from entering into another eligible partnership consisting of new members and receiving a grant with such other eligible partnership before the 5-year period described in the preceding sentence applicable to the eligible partner-

ship with which the individual member has first partnered has expired.

"(3) PAYMENTS.—The Secretary shall make annual payments of grant funds awarded under this part.

"(b) PEER REVIEW.—

"(1) PANEL.—The Secretary shall provide the applications submitted under this part to a peer review panel for evaluation. With respect to each application, the peer review panel shall initially recommend the application for funding or for disapproval.

"(2) PRIORITY.—In recommending applications to the Secretary for funding under this part, the panel shall give priority—

"(A) to applications from broad-based eligible partnerships that involve businesses and community organizations; and

"(B) to eligible partnerships so that the awards promote an equitable geographic distribution of grants among rural and urban areas.

"(3) SECRETARIAL SELECTION.—The Secretary shall determine, based on the peer review process, which applications shall receive funding and the

amounts of the grants. In determining the grant amount, the Secretary shall take into account the total amount of funds available for all grants under this part and the types of activities proposed to be carried out by the eligible partnership.

"(c) MATCHING REQUIREMENTS.—

"(1) IN GENERAL.—Each eligible partnership receiving a grant under this part shall provide, from non-Federal sources, an amount equal to 100 percent of the amount of the grant, which may be provided in cash or in-kind, to carry out the activities supported by the grant.

"(2) WAIVER.—The Secretary may waive all or part of the matching requirement described in paragraph (1) for any fiscal year for an eligible partnership, if the Secretary determines that applying the matching requirement to the eligible partnership would result in serious hardship or an inability to carry out the authorized activities described in this part.

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

"SEC. 204. ACCOUNTABILITY AND EVALUATION.

''(a) ELIGIBLE PARTNERSHIP EVALUATION.—Each eligible partnership submitting an application for a grant under this part shall establish and include in such application, an evaluation plan that includes strong performance objectives. The plan shall include objectives and measures for increasing—

''(1) student achievement for all students as measured by the eligible partnership;

''(2) teacher retention in the first 3 years of a teacher's career;

''(3) improvement in the pass rates and scaled scores for initial State certification or licensure of teachers; and

''(4)(A) the percentage of highly qualified teachers hired by the high-need local educational agency participating in the eligible partnership;

''(B) the percentage of such teachers who are members of under represented groups;

''(C) the percentage of such teachers who teach high-need academic subject areas (such as reading, mathematics, science, and foreign language, including less commonly taught languages and critical foreign languages);

''(D) the percentage of such teachers who teach in high-need areas (including special education, lan-

guage instruction educational programs for limited English proficient students, and early childhood education);

"(E) the percentage of such teachers in high-need schools, disaggregated by the elementary, middle, and high school levels; and

"(F) as applicable, the percentage of early childhood education program classes in the geographic area served by the eligible partnership taught by early childhood educators who are highly competent.

"(b) INFORMATION.—An eligible partnership receiving a grant under this part shall ensure that teachers, principals, school superintendents, and faculty and leadership at institutions of higher education located in the geographic areas served by the eligible partnership under this part are provided information about the activities carried out with funds under this part, including through electronic means.

"(c) REVOCATION OF GRANT.—If the Secretary determines that an eligible partnership receiving a grant under this part is not making substantial progress in meeting the purposes, goals, objectives, and measures, as appropriate, of the grant by the end of the third year of a grant under this part, then the Secretary shall require

1 such eligible partnership to submit a revised application
2 that identifies the steps the partnership will take to make
3 substantial progress to meet the purposes, goals, objec-
4 tives, and measures, as appropriate, of this part.

5 ''(d) EVALUATION AND DISSEMINATION.—The Sec-
6 retary shall evaluate the activities funded under this part
7 and report the Secretary's findings regarding the activities
8 to the authorizing committees. The Secretary shall broadly
9 disseminate—

10 ''(1) successful practices developed by eligible
11 partnerships under this part; and

12 ''(2) information regarding such practices that
13 were found to be ineffective.

14 **''SEC. 205. ACCOUNTABILITY FOR PROGRAMS THAT PRE-**
15 **PARE TEACHERS.**

16 ''(a) INSTITUTIONAL AND PROGRAM REPORT CARDS
17 ON THE QUALITY OF TEACHER PREPARATION.—

18 ''(1) REPORT CARD.—Each institution of higher
19 education that conducts a traditional teacher prepa-
20 ration program or alternative routes to State certifi-
21 cation or licensure program and that enrolls stu-
22 dents receiving Federal assistance under this Act
23 shall report annually to the State and the general
24 public, in a uniform and comprehensible manner
25 that conforms with the definitions and methods es-

tablished by the Secretary, both for traditional teacher preparation programs and alternative routes to State certification or licensure programs, the following information:

"(A) PASS RATES AND SCALED SCORES.—For the most recent year for which the information is available for those students who took the assessments and are enrolled in the traditional teacher preparation program or alternative routes to State certification or licensure program, and for those who have taken the assessments and have completed the traditional teacher preparation program or alternative routes to State certification or licensure program during the 2-year period preceding such year, for each of the assessments used for teacher certification or licensure by the State in which the program is located—

"(i) the percentage of students who have completed 100 percent of the nonclinical coursework and taken the assessment who pass such assessment;

"(ii) the percentage of all such students who passed each such assessment;

"(iii) the percentage of students taking an assessment who completed the teacher preparation program after enrolling in the program, which shall be made available widely and publicly by the State;

"(iv) the average scaled score for all students who took each such assessment;

"(v) a comparison of the program's pass rates with the average pass rates for programs in the State; and

"(vi) a comparison of the program's average scaled scores with the average scaled scores for programs in the State.

"(B) PROGRAM INFORMATION.—The criteria for admission into the program, the number of students in the program (disaggregated by race and gender), the average number of hours of supervised clinical experience required for those in the program, the number of full-time equivalent faculty and students in the supervised clinical experience, and the total number of students who have been certified or licensed as teachers, disaggregated by subject and area of certification or licensure.

"(C) STATEMENT.—In States that require approval or accreditation of teacher preparation programs, a statement of whether the institution's program is so approved or accredited, and by whom.

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

"(E) USE OF TECHNOLOGY.—A description of the activities that prepare teachers to effectively integrate technology into curricula and instruction and effectively use technology to collect, manage, and analyze data in order to improve teaching, learning, and decisionmaking for the purpose of increasing student academic achievement.

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

"(3) FINES.—The Secretary may impose a fine not to exceed $25,000 on an institution of higher education for failure to provide the information de-

scribed in this subsection in a timely or accurate manner.

"(4) SPECIAL RULE.—In the case of an institution of higher education that conducts a traditional teacher preparation program or alternative routes to State certification or licensure program and has fewer than 10 scores reported on any single initial teacher certification or licensure assessment during an academic year, the institution shall collect and publish information, as required under paragraph (1)(A), with respect to an average pass rate and scaled score on each State certification or licensure assessment taken over a 3-year period.

"(b) STATE REPORT CARD ON THE QUALITY OF TEACHER PREPARATION.—

"(1) IN GENERAL.—Each State that receives funds under this Act shall provide to the Secretary, annually, in a uniform and comprehensible manner that conforms with the definitions and methods established by the Secretary, a State report card on the quality of teacher preparation in the State, both for traditional teacher preparation programs and for alternative routes to State certification or licensure programs, which shall include not less than the following:

"(A) A description of reliability and validity of the teacher certification and licensure assessments, and any other certification and licensure requirements, used by the State.

"(B) The standards and criteria that prospective teachers must meet in order to attain initial teacher certification or licensure and to be certified or licensed to teach particular academic subject areas or in particular grades within the State.

"(C) A description of how the assessments and requirements described in subparagraph (A) are aligned with the State's challenging academic content standards required under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965 and State early learning standards for early childhood education programs.

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

"(i) for each institution of higher education located in the State and each entity located in the State that offers an alternative route for teacher certification or licensure, the percentage of students at such

institution or entity who have completed 100 percent of the nonclinical coursework and taken the assessment who pass such assessment;

"(ii) the percentage of all such students at all such institutions taking the assessment who pass such assessment; and

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

"(E) A description of alternative routes to State certification or licensure in the State (including any such routes operated by entities that are not institutions of higher education), if any, including, for each of the assessments used by the State for teacher certification or licensure—

"(i) the percentage of individuals participating in such routes, or who have completed such routes during the 2-year period preceding the date of the determination, who passed each such assessment; and

"(ii) the average scaled score of individuals participating in such routes, or who have completed such routes during the period preceding the date of the determination, who took each such assessment.

"(F) A description of the State's criteria for assessing the performance of teacher preparation programs within institutions of higher education in the State. Such criteria shall include indicators of the academic content knowledge and teaching skills of students enrolled in such programs.

"(G) For each teacher preparation program in the State, the criteria for admission into the program, the number of students in the program, disaggregated by race and gender (except that such disaggregation shall not be required in a case in which the number of students in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student), the average number of hours of supervised clinical experience required for those in the program, and the number of full-time equivalent faculty, adjunct fac-

ulty, and students in supervised clinical experience.

"(H) For the State as a whole, and for each teacher preparation program in the State, the number of teachers prepared, in the aggregate and reported separately by—

"(i) area of certification or licensure;

"(ii) academic major; and

"(iii) subject area for which the teacher has been prepared to teach.

"(I) Using the data generated under subparagraphs (G) and (H), a description of the extent to which teacher preparation programs are helping to address shortages of highly qualified teachers, by area of certification or licensure, subject, and specialty, in the State's public schools.

"(J) A description of the activities that prepare teachers to effectively integrate technology into curricula and instruction and effectively use technology to collect, manage, and analyze data in order to improve teaching, learning, and decisionmaking for the purpose of increasing student academic achievement.

"(2) PROHIBITION AGAINST CREATING A NATIONAL LIST.—The Secretary shall not create a national list or ranking of States, institutions, or schools using the scaled scores provided under this subsection.

"(c) REPORT OF THE SECRETARY ON THE QUALITY OF TEACHER PREPARATION.—

"(1) REPORT CARD.—The Secretary shall provide to Congress, and publish and make widely available, a report card on teacher qualifications and preparation in the United States, including all the information reported in subparagraphs (A) through (J) of subsection (b)(1). Such report shall identify States for which eligible partnerships received a grant under this part. Such report shall be so provided, published, and made available annually.

"(2) REPORT TO CONGRESS.—The Secretary shall prepare and submit a report to Congress that contains the following:

"(A) A comparison of States' efforts to improve the quality of the current and future teaching force.

"(B) A comparison of eligible partnerships' efforts to improve the quality of the current and future teaching force.

"(C) The national mean and median scaled scores and pass rate on any standardized test that is used in more than 1 State for teacher certification or licensure.

"(3) SPECIAL RULE.—In the case of a teacher preparation program with fewer than 10 scores reported on any single initial teacher certification or licensure assessment during an academic year, the Secretary shall collect and publish information, and make publicly available, with respect to an average pass rate and scaled score on each State certification or licensure assessment taken over a 3-year period.

"(d) COORDINATION.—The Secretary, to the extent practicable, shall coordinate the information collected and published under this part among States for individuals who took State teacher certification or licensure assessments in a State other than the State in which the individual received the individual's most recent degree.

"SEC. 206. STATE FUNCTIONS.

"(a) STATE ASSESSMENT.—In order to receive funds under this Act, a State shall have in place a procedure to identify and assist, through the provision of technical assistance, low-performing programs of teacher preparation. Such State shall provide the Secretary an annual list of such low-performing teacher preparation programs that

1 includes an identification of those programs at risk of
2 being placed on such list. Such levels of performance shall
3 be determined solely by the State and may include criteria
4 based on information collected pursuant to this part. Such
5 assessment shall be described in the report under section
6 205(b).

7 "(b) TERMINATION OF ELIGIBILITY.—Any program
8 of teacher preparation from which the State has with-
9 drawn the State's approval, or terminated the State's fi-
10 nancial support, due to the low performance of the pro-
11 gram based upon the State assessment described in sub-
12 section (a)—

13 "(1) shall be ineligible for any funding for pro-
14 fessional development activities awarded by the De-
15 partment;

16 "(2) shall not be permitted to accept or enroll
17 any student that receives aid under title IV in the
18 institution's teacher preparation program; and

19 "(3) shall provide transitional support, includ-
20 ing remedial services if necessary, for students en-
21 rolled at the institution at the time of termination
22 of financial support or withdrawal of approval.

23 "(c) NEGOTIATED RULEMAKING.—If the Secretary
24 develops any regulations implementing subsection (b)(2),
25 the Secretary shall submit such proposed regulations to

a negotiated rulemaking process, which shall include representatives of States, institutions of higher education, and educational and student organizations.

"(d) APPLICATION OF THE REQUIREMENTS.—The requirements of this section shall apply to both traditional teacher preparation programs and alternative routes to State certification and licensure programs.

"SEC. 207. GENERAL PROVISIONS.

"(a) METHODS.—In complying with sections 205 and 206, the Secretary shall ensure that States and institutions of higher education use fair and equitable methods in reporting and that the reporting methods do not allow identification of individuals.

"(b) SPECIAL RULE.—For each State that does not use content assessments as a means of ensuring that all teachers teaching in core academic subjects within the State are highly qualified, as required under section 1119 of the Elementary and Secondary Education Act of 1965 and in accordance with the State plan submitted or revised under section 1111 of such Act, and that each person employed as a special education teacher in the State who teaches elementary school, middle school, or secondary school is highly qualified by the deadline, as required under section 612(a)(14)(C) of the Individuals with Disabilities Education Act—

"(1) the Secretary shall, to the extent practicable, collect data comparable to the data required under this part from States, local educational agencies, institutions of higher education, or other entities that administer such assessments to teachers or prospective teachers; and

"(2) notwithstanding any other provision of this part, the Secretary shall use such data to carry out requirements of this part related to assessments, pass rates, and scaled scores.

"(c) RELEASE OF INFORMATION TO TEACHER PREPARATION PROGRAMS.—

"(1) IN GENERAL.—For the purpose of improving teacher preparation programs, a State educational agency that receives funds under this Act, or that participates as a member of a partnership, consortium, or other entity that receives such funds, shall provide to a teacher preparation program, upon the request of the teacher preparation program, any and all pertinent education-related information that—

"(A) may enable the teacher preparation program to evaluate the effectiveness of the program's graduates or the program itself; and

"(B) is possessed, controlled, or accessible by the State educational agency.

"(2) CONTENT OF INFORMATION.—The information described in paragraph (1)—

"(A) shall include an identification of specific individuals who graduated from the teacher preparation program to enable the teacher preparation program to evaluate the information provided to the program from the State educational agency with the program's own data about the specific courses taken by, and field experiences of, the individual graduates; and

"(B) may include—

"(i) kindergarten through grade 12 academic achievement and demographic data, without revealing personally identifiable information about an individual student, for students who have been taught by graduates of the teacher preparation program; and

"(ii) teacher effectiveness evaluations for teachers who graduated from the teacher preparation program.

"SEC. 208. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this part such sums as may be necessary for fiscal year 2008 and each of the 5 succeeding fiscal years.''.

SEC. 202. GENERAL PROVISIONS.

Title II (20 U.S.C. 1021 et seq.) is amended by adding at the end the following:

"PART C—GENERAL PROVISIONS

"SEC. 231. LIMITATIONS.

''(a) FEDERAL CONTROL PROHIBITED.—Nothing in this title shall be construed to permit, allow, encourage, or authorize any Federal control over any aspect of any private, religious, or home school, whether or not a home school is treated as a private school or home school under State law. This section shall not be construed to prohibit private, religious, or home schools from participation in programs or services under this title.

''(b) NO CHANGE IN STATE CONTROL ENCOURAGED OR REQUIRED.—Nothing in this title shall be construed to encourage or require any change in a State's treatment of any private, religious, or home school, whether or not a home school is treated as a private school or home school under State law.

''(c) NATIONAL SYSTEM OF TEACHER CERTIFICATION OR LICENSURE PROHIBITED.—Nothing in this title shall be construed to permit, allow, encourage, or au-

thorize the Secretary to establish or support any national system of teacher certification or licensure.''.

TITLE III—INSTITUTIONAL AID

SEC. 301. PROGRAM PURPOSE.

Section 311 (20 U.S.C. 1057) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking ''351'' and inserting ''391''; and

(B) in paragraph (3)(F), by inserting '', including services that will assist in the education of special populations'' before the period; and

(2) in subsection (c)—

(A) in paragraph (6), by inserting '', including innovative, customized, remedial education and English language instruction courses designed to help retain students and move the students rapidly into core courses and through program completion'' before the period;

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

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

"(7) Education or counseling services designed to improve the financial literacy and economic literacy of students or the students' parents.";

(D) in paragraph (12) (as redesignated by subparagraph (B)), by striking "distance learning academic instruction capabilities" and inserting "distance education technologies"; and

(E) in the matter preceding subparagraph (A) of paragraph (13) (as redesignated by subparagraph (B)), by striking "subsection (c)" and inserting "subsection (b) and section 391".

SEC. 302. DEFINITIONS; ELIGIBILITY.

Section 312 (20 U.S.C. 1058) is amended—

(1) in subsection (b)(1)(A), by striking "subsection (c) of this section" and inserting "subsection (d)"; and

(2) in subsection (d)(2), by striking "subdivision" and inserting "paragraph".

SEC. 303. AMERICAN INDIAN TRIBALLY CONTROLLED COLLEGES AND UNIVERSITIES.

Section 316 (20 U.S.C. 1059c) is amended—

(1) by striking subsection (b)(3) and inserting the following:

"(3) TRIBAL COLLEGE OR UNIVERSITY.—The term 'Tribal College or University' means an institution that—

"(A) qualifies for funding under the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801 et seq.) or the Navajo Community College Assistance Act of 1978 (25 U.S.C. 640a note); or

"(B) is cited in section 532 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note).";

(2) in subsection (c)(2)—

(A) in subparagraph (B), by inserting before the semicolon at the end the following: "and the acquisition of real property adjacent to the campus of the institution";

(B) by redesignating subparagraphs (G), (H), (I), (J), (K), and (L) as subparagraphs (H), (I), (J), (K), (L), and (N), respectively;

(C) by inserting after subparagraph (F) the following:

"(G) education or counseling services designed to improve the financial literacy and economic literacy of students or the students' parents;";

(D) in subparagraph (L) (as redesignated by subparagraph (B)), by striking ''and'' after the semicolon;

(E) by inserting after subparagraph (L) (as redesignated by subparagraph (B)) the following:

''(M) developing or improving facilities for Internet use or other distance education technologies; and''; and

(F) in subparagraph (N) (as redesignated by subparagraph (B)), by striking ''subparagraphs (A) through (K)'' and inserting ''subparagraphs (A) through (M)''; and

(3) by striking subsection (d) and inserting the following:

''(d) APPLICATION, PLAN, AND ALLOCATION.—

''(1) INSTITUTIONAL ELIGIBILITY.—To be eligible to receive assistance under this section, a Tribal College or University shall be an eligible institution under section 312(b).

''(2) APPLICATION.—

''(A) IN GENERAL.—A Tribal College or University desiring to receive assistance under this section shall submit an application to the

Secretary at such time, and in such manner, as the Secretary may reasonably require.

"(B) STREAMLINED PROCESS.—The Secretary shall establish application requirements in such a manner as to simplify and streamline the process for applying for grants.

"(3) ALLOCATIONS TO INSTITUTIONS.—

"(A) CONSTRUCTION GRANTS.—

"(i) IN GENERAL.—Of the amount appropriated to carry out this section for any fiscal year, the Secretary may reserve 30 percent for the purpose of awarding 1-year grants of not less than $1,000,000 to address construction, maintenance, and renovation needs at eligible institutions.

"(ii) PREFERENCE.—In providing grants under clause (i), the Secretary shall give preference to eligible institutions that have not yet received an award under this section.

"(B) ALLOTMENT OF REMAINING FUNDS.—

"(i) IN GENERAL.—Except as provided in clause (ii), the Secretary shall distribute the remaining funds appropriated

for any fiscal year to each eligible institution as follows:

"(I) 60 percent of the remaining appropriated funds shall be distributed among the eligible Tribal Colleges and Universities on a pro rata basis, based on the respective Indian student counts (as defined in section 2(a) of the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801(a)) of the Tribal Colleges and Universities; and

"(II) the remaining 40 percent shall be distributed in equal shares to the eligible Tribal Colleges and Universities.

"(ii) MINIMUM GRANT.—The amount distributed to a Tribal College or University under clause (i) shall not be less than $500,000.

"(4) SPECIAL RULES.—

"(A) CONCURRENT FUNDING.—For the purposes of this part, no Tribal College or University that is eligible for and receives funds under this section shall concurrently receive

funds under other provisions of this part or part B.

"(B) EXEMPTION.—Section 313(d) shall not apply to institutions that are eligible to receive funds under this section.".

SEC. 304. ALASKA NATIVE AND NATIVE HAWAIIAN-SERVING INSTITUTIONS.

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

(1) in subparagraph (G), by striking "and" after the semicolon;

(2) in subparagraph (H), by striking the period and inserting "; and"; and

(3) by adding at the end the following:

"(I) education or counseling services designed to improve the financial literacy and economic literacy of students or the students' parents.".

SEC. 305. NATIVE AMERICAN-SERVING, NONTRIBAL INSTITUTIONS.

(a) GRANT PROGRAM AUTHORIZED.—Part A of title III (20 U.S.C. 1057 et seq.) is amended by adding at the end the following:

"SEC. 318. NATIVE AMERICAN-SERVING, NONTRIBAL INSTITUTIONS.

"(a) PROGRAM AUTHORIZED.—The Secretary shall provide grants and related assistance to Native American-serving, nontribal institutions to enable such institutions to improve and expand their capacity to serve Native Americans.

"(b) DEFINITIONS.—In this section:

"(1) NATIVE AMERICAN.—The term 'Native American' means an individual who is of a tribe, people, or culture that is indigenous to the United States.

"(2) NATIVE AMERICAN-SERVING, NONTRIBAL INSTITUTION.—The term 'Native American-serving, nontribal institution' means an institution of higher education that, at the time of application—

"(A) has an enrollment of undergraduate students that is not less than 10 percent Native American students; and

"(B) is not a Tribal College or University (as defined in section 316).

"(c) AUTHORIZED ACTIVITIES.—

"(1) TYPES OF ACTIVITIES AUTHORIZED.—Grants awarded under this section shall be used by Native American-serving, nontribal institutions to assist such institutions to plan, develop, undertake,

and carry out activities to improve and expand such institutions' capacity to serve Native Americans.

"(2) EXAMPLES OF AUTHORIZED ACTIVITIES.—Such programs may include—

"(A) the purchase, rental, or lease of scientific or laboratory equipment for educational purposes, including instructional and research purposes;

"(B) renovation and improvement in classroom, library, laboratory, and other instructional facilities;

"(C) support of faculty exchanges, and faculty development and faculty fellowships to assist faculty in attaining advanced degrees in the faculty's field of instruction;

"(D) curriculum development and academic instruction;

"(E) the purchase of library books, periodicals, microfilm, and other educational materials;

"(F) funds and administrative management, and acquisition of equipment for use in strengthening funds management;

"(G) the joint use of facilities such as laboratories and libraries; and

"(H) academic tutoring and counseling programs and student support services.

"(d) APPLICATION PROCESS.—

"(1) INSTITUTIONAL ELIGIBILITY.—A Native American-serving, nontribal institution desiring to receive assistance under this section shall submit to the Secretary such enrollment data as may be necessary to demonstrate that the institution is a Native American-serving, nontribal institution, along with such other information and data as the Secretary may by regulation require.

"(2) APPLICATIONS.—

"(A) PERMISSION TO SUBMIT APPLICATIONS.—Any institution that is determined by the Secretary to be a Native American-serving, nontribal institution may submit an application for assistance under this section to the Secretary.

"(B) SIMPLIFIED AND STREAMLINED FORMAT.—The Secretary shall, to the extent possible, prescribe a simplified and streamlined format for applications under this section that takes into account the limited number of institutions that are eligible for assistance under this section.

"(C) CONTENT.—An application submitted under subparagraph (A) shall include—

"(i) a 5-year plan for improving the assistance provided by the Native American-serving, nontribal institution to Native Americans; and

"(ii) such other information and assurances as the Secretary may require.

"(3) SPECIAL RULES.—

"(A) ELIGIBILITY.—No Native American-serving, nontribal institution that receives funds under this section shall concurrently receive funds under other provisions of this part or part B.

"(B) EXEMPTION.—Section 313(d) shall not apply to institutions that are eligible to receive funds under this section.

"(C) DISTRIBUTION.—In awarding grants under this section, the Secretary shall, to the extent possible and consistent with the competitive process under which such grants are awarded, ensure maximum and equitable distribution among all eligible institutions.".

(b) MINIMUM GRANT AMOUNT.—Section 399 (20 U.S.C. 1068h) is amended by adding at the end the following:

"(c) MINIMUM GRANT AMOUNT.—The minimum amount of a grant under this title shall be $200,000.".

SEC. 306. PART B DEFINITIONS.

Section 322(4) (20 U.S.C. 1061(4)) is amended by inserting ", in consultation with the Commissioner for Education Statistics" before "and the Commissioner".

SEC. 307. GRANTS TO INSTITUTIONS.

Section 323(a) (20 U.S.C. 1062(a)) is amended—

(1) in the matter preceding paragraph (1), by striking "360(a)(2)" and inserting "399(a)(2)";

(2) by redesignating paragraphs (7) through (12) as paragraphs (8) through (13), respectively; and

(3) by inserting after paragraph (6) the following:

"(7) Education or counseling services designed to improve the financial literacy and economic literacy of students or the students' parents.".

SEC. 308. ALLOTMENTS TO INSTITUTIONS.

Section 324 (20 U.S.C. 1063) is amended by adding at the end the following:

"(h) SPECIAL RULE ON ELIGIBILITY.—Notwithstanding any other provision of this section, a part B institution shall not receive an allotment under this section unless the part B institution provides, on an annual basis, data indicating that the part B institution—

"(1) enrolled Federal Pell Grant recipients in the preceding academic year;

"(2) in the preceding academic year, has graduated students from a program of academic study that is licensed or accredited by a nationally recognized accrediting agency or association recognized by the Secretary pursuant to part H of title IV where appropriate; and

"(3) where appropriate, has graduated students who, within the past 5 years, enrolled in graduate or professional school.".

SEC. 309. PROFESSIONAL OR GRADUATE INSTITUTIONS.

Section 326 (20 U.S.C. 1063b) is amended—

(1) in subsection (c)—

(A) in paragraph (2), by inserting ", and for the acquisition and development of real property that is adjacent to the campus for such construction, maintenance, renovation, or improvement" after "services";

(B) by redesignating paragraphs (5) through (7) as paragraphs (7) through (9), respectively;

(C) by inserting after paragraph (4) the following:

''(5) tutoring, counseling, and student service programs designed to improve academic success;

''(6) education or counseling services designed to improve the financial literacy and economic literacy of students or the students' parents;'';

(D) in paragraph (7) (as redesignated by subparagraph (B)), by striking ''establish or improve'' and inserting ''establishing or improving'';

(E) in paragraph (8) (as redesignated by subparagraph (B))—

(i) by striking ''assist'' and inserting ''assisting''; and

(ii) by striking ''and'' after the semicolon;

(F) in paragraph (9) (as redesignated by subparagraph (B)), by striking the period and inserting ''; and''; and

(G) by adding at the end the following:

"(10) other activities proposed in the application submitted under subsection (d) that—

"(A) contribute to carrying out the purposes of this part; and

"(B) are approved by the Secretary as part of the review and acceptance of such application.";

(2) in subsection (e)—

(A) in paragraph (1)—

(i) by inserting a colon after "the following";

(ii) in subparagraph (Q), by striking "and" at the end;

(iii) in subparagraph (R), by striking the period and inserting a semicolon; and

(iv) by adding at the end the following:

"(S) Alabama State University qualified graduate program;

"(T) Coppin State University qualified graduate program;

"(U) Prairie View A & M University qualified graduate program;

"(V) Fayetteville State University qualified graduate program;

"(W) Delaware State University qualified graduate program;

"(X) Langston University qualified graduate program; and

"(Y) West Virginia State University qualified graduate program.";

(B) in paragraph (2)(A)—

(i) by inserting "in law or" after "instruction"; and

(ii) by striking "mathematics, or" and inserting "mathematics, psychometrics, or";

(C) in paragraph (3)—

(i) by striking "1998" and inserting "2007"; and

(ii) by striking "(Q) and (R)" and inserting "(S), (T), (U), (V), (W), (X), and (Y)";

(3) in subsection (f)—

(A) in paragraph (1), by striking "(P)" and inserting "(R)";

(B) in paragraph (2), by striking "(Q) and (R)" and inserting "(S), (T), (U), (V), (W), (X), and (Y)"; and

(C) in paragraph (3)—

(i) by striking subparagraphs (A) and (B) and inserting the following:

''(A) The amount of non-Federal funds for the fiscal year for which the determination is made that the institution or program listed in subsection (e)—

''(i) allocates from institutional resources;

''(ii) secures from non-Federal sources, including amounts appropriated by the State and amounts from the private sector; and

''(iii) will utilize to match Federal funds awarded for the fiscal year for which the determination is made under this section to the institution or program.

''(B) The number of students enrolled in the qualified graduate programs of the eligible institution or program, for which the institution or program received and allocated funding under this section in the preceding year.'';

(ii) in subparagraph (C), by striking ''(or the equivalent) enrolled in the eligible professional or graduate school'' and all that follows through the period and insert-

ing "enrolled in the qualified programs or institutions listed in paragraph (1).";

(iii) in subparagraph (D)—

(I) by striking "students" and inserting "Black American students or minority students"; and

(II) by striking "institution" and inserting "institution or program"; and

(iv) by striking subparagraph (E) and inserting the following:

"(E) The percentage that the total number of Black American students and minority students who receive their first professional, master's, or doctoral degrees from the institution or program in the academic year preceding the academic year for which the determination is made, represents of the total number of Black American students and minority students in the United States who receive their first professional, master's, or doctoral degrees in the professions or disciplines related to the course of study at such institution or program, respectively, in the preceding academic year."; and

(4) in subsection (g), by striking ''1998'' and inserting ''2007''.

SEC. 310. AUTHORITY OF THE SECRETARY.

Section 345 (20 U.S.C. 1066d) is amended—

(1) in paragraph (6), by striking ''and'' after the semicolon;

(2) in paragraph (7), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(8) not later than 90 days after the date of enactment of the Higher Education Amendments of 2007, shall submit to the authorizing committees a report on the progress of the Department in implementing the recommendations made by the Government Accountability Office in October 2006 for improving the Historically Black College and Universities Capital Financing Program.''.

SEC. 311. AUTHORIZATION OF APPROPRIATIONS.

Subsection (a) of section 399 (20 U.S.C. 1068h) is amended to read as follows:

''(a) AUTHORIZATIONS.—

''(1) PART A.—(A) There are authorized to be appropriated to carry out part A (other than sections 316, 317, and 318) such sums as may be nec-

essary for fiscal year 2008 and each of the 5 succeeding fiscal years.

"(B) There are authorized to be appropriated to carry out section 316 such sums as may be necessary for fiscal year 2008 and each of the 5 succeeding fiscal years.

"(C) There are authorized to be appropriated to carry out section 317 such sums as may be necessary for fiscal year 2008 and each of the 5 succeeding fiscal years.

"(D) There are authorized to be appropriated to carry out section 318 such sums as may be necessary for fiscal year 2008 and each of the 5 succeeding fiscal years.

"(2) PART B.—(A) There are authorized to be appropriated to carry out part B (other than section 326) such sums as may be necessary for fiscal year 2008 and each of the 5 succeeding fiscal years.

"(B) There are authorized to be appropriated to carry out section 326 such sums as may be necessary for fiscal year 2008 and each of the 5 succeeding fiscal years.

"(3) PART C.—There are authorized to be appropriated to carry out part C such sums as may be

necessary for fiscal year 2008 and each of the 5 succeeding fiscal years.

''(4) PART D.—(A) There are authorized to be appropriated to carry out part D (other than section 345(7), but including section 347) such sums as may be necessary for fiscal year 2008 and each of the 5 succeeding fiscal years.

''(B) There are authorized to be appropriated to carry out section 345(7) such sums as may be necessary for fiscal year 2008 and each of the 5 succeeding fiscal years.

''(5) PART E.—There are authorized to be appropriated to carry out part E such sums as may be necessary for fiscal year 2008 and each of the 5 succeeding fiscal years.''.

SEC. 312. TECHNICAL CORRECTIONS.

Title III (20 U.S.C. 1051 et seq.) is further amended—

(1) in section 342(5)(C) (20 U.S.C. 1066a(5)(C)), by striking ''„'' and inserting ''‚'';

(2) in section 343(e) (20 U.S.C. 1066b(e)), by inserting ''SALE OF QUALIFIED BONDS.—'' before ''Notwithstanding'';

(3) in the matter preceding clause (i) of section 365(9)(A) (20 U.S.C. 1067k(9)(A)), by striking ''support'' and inserting ''supports'';

(4) in section 391(b)(7)(E) (20 U.S.C. 1068(b)(7)(E)), by striking ''subparagraph (E)'' and inserting ''subparagraph (D)'';

(5) in the matter preceding subparagraph (A) of section 392(b)(2) (20 U.S.C. 1068a(b)(2)), by striking ''eligible institutions under part A institutions'' and inserting ''eligible institutions under part A''; and

(6) in the matter preceding paragraph (1) of section 396 (20 U.S.C. 1068e), by striking ''360'' and inserting ''399''.

TITLE IV—STUDENT ASSISTANCE

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

SEC. 401. FEDERAL PELL GRANTS.

Section 401 (20 U.S.C. 1070a) is amended—

(1) in subsection (a)(1)—

(A) in the first sentence, by striking ''2004'' and inserting ''2013''; and

(B) in the second sentence, by striking ''‚,'' and inserting ''‚'';

(2) in subsection (b)—

(A) by striking paragraph (2)(A) and inserting the following:

"(2)(A) The amount of the Federal Pell Grant for a student eligible under this part shall be—

"(i) $5,400 for academic year 2008–2009;

"(ii) $5,700 for academic year 2009–2010;

"(iii) $6,000 for academic year 2010–2011; and

"(iv) $6,300 for academic year 2011–2012,

less an amount equal to the amount determined to be the expected family contribution with respect to that student for that year.";

(B) by striking paragraph (3);

(C) by redesignating paragraphs (4) through (8) as paragraphs (3) through (7), respectively;

(D) in paragraph (4) (as redesignated by subparagraph (C)), by striking "$400, except" and all that follows through the period and inserting "10 percent of the maximum basic grant level specified in the appropriate Appropriation Act for such academic year, except that a student who is eligible for a Federal Pell Grant in an amount that is equal to or greater than 5 percent of such level but less than 10 percent of such level shall be awarded a Federal

Pell grant in the amount of 10 percent of such level.''; and

(E) by striking paragraph (5) (as redesignated by subparagraph (C)) and inserting the following:

''(5) In the case of a student who is enrolled, on at least a half-time basis and for a period of more than 1 academic year in a 2-year or 4-year program of instruction for which an institution of higher education awards an associate or baccalaureate degree, the Secretary shall allow such student to receive not more than 2 Federal Pell Grants during a single award year to permit such student to accelerate the student's progress toward a degree by attending additional sessions. In the case of a student receiving more than 1 Federal Pell Grant in a single award year, the total amount of Federal Pell Grants awarded to such student for the award year may exceed the maximum basic grant level specified in the appropriate Appropriation Act for such award year.''; and

(3) in subsection (c), by adding at the end the following:

''(5) The period of time during which a student may receive Federal Pell Grants shall not exceed 18 semesters, or an equivalent period of time as determined by the Secretary pursuant to regulations, which period shall—

"(A) be determined without regard to whether the student is enrolled on a full-time basis during any portion of the period of time; and

"(B) include any period of time for which the student received a Federal Pell Grant prior to the date of enactment of the Higher Education Amendments of 2007.".

SEC. 402. ACADEMIC COMPETITIVENESS GRANTS.

Section 401A (20 U.S.C. 1070a–1) is amended—

(1) by striking subsection (a) and inserting the following:

"(a) ACADEMIC COMPETITIVENESS GRANT PROGRAM AUTHORIZED.—The Secretary shall award grants, in the amounts specified in subsection (d)(1), to eligible students to assist the eligible students in paying their college education expenses.";

(2) in subsection (b)—

(A) in paragraph (1), by striking "academic"; and

(B) in paragraph (2), by striking "third or fourth academic" and inserting "third, fourth, or fifth";

(3) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking "full-time" and all that follows

through ''is made'' and inserting ''student who'';

(B) by striking paragraph (1) and inserting the following:

''(1) is eligible for a Federal Pell Grant for the award year in which the determination of eligibility is made for a grant under this section;'';

(C) by striking paragraph (2) and inserting the following:

''(2) is enrolled or accepted for enrollment in an institution of higher education on not less than a half-time basis; and''; and

(D) in paragraph (3)—

(i) by striking subparagraph (A) and inserting the following:

''(A) the first year of a program of undergraduate education at a 2- or 4-year degree-granting institution of higher education (including a program of not less than 1 year for which the institution awards a certificate), has successfully completed, after January 1, 2006, a rigorous secondary school program of study established by a State or local educational agency and recognized as such by the Secretary;'';

(ii) in subparagraph (B)—

(I) in the matter preceding clause (i), by striking ''academic'' and all that follows through ''higher education'' and inserting ''year of a program of undergraduate education at a 2- or 4-year degree-granting institution of higher education (including a program of not less than 2 years for which the institution awards a certificate)''; and

(II) in clause (ii)—

(aa) by striking ''academic''; and

(bb) by striking ''or'' after the semicolon at the end;

(iii) in subparagraph (C)—

(I) by striking ''academic'';

(II) by striking ''four'' and inserting ''4'';

(III) by striking clause (i)(II) and inserting the following:

''(II) a critical foreign language; and''; and

(IV) in clause (ii), by striking the period at the end and inserting a semicolon; and

(iv) by adding at the end the following:

''(D) the third or fourth year of a program of undergraduate education at an institution of higher education (as defined in section 101(a)) that demonstrates, to the satisfaction of the Secretary, that the institution—

''(i) offers a single liberal arts curriculum leading to a baccalaureate degree, under which students are not permitted by the institution to declare a major in a particular subject area, but do study, in such years, a subject described in subparagraph (C)(i) that is at least equal to the requirements for an academic major at an institution of higher education that offers a baccalaureate degree in such subject, as certified by the appropriate official of the demonstrating institution; and

''(ii) offered such curriculum prior to February 8, 2006; or

"(E) the fifth year of a program of undergraduate education that requires 5 full years of coursework for which a baccalaureate degree is awarded by a degree-granting institution of higher education, as certified by the appropriate official of such institution—

"(i) is pursuing a major in—

"(I) the physical, life, or computer sciences, mathematics, technology, or engineering (as determined by the Secretary pursuant to regulations); or

"(II) a critical foreign language; and

"(ii) has obtained a cumulative grade point average of at least 3.0 (or the equivalent as determined under regulations prescribed by the Secretary) in the coursework required for the major described in clause (i).";

(4) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) by striking "The" and inserting "IN GENERAL.—The";

(II) in clause (ii), by striking "or" after the semicolon at the end;

(III) in clause (iii), by striking "subsection (c)(3)(C)." and inserting "subparagraph (C) or (D) of subsection (c)(3), for each of the 2 years described in such subparagraphs; or"; and

(IV) by adding at the end the following:

"(iv) $4,000 for an eligible student under subsection (c)(3)(E)."; and

(ii) in subparagraph (B)—

(I) by striking "Notwithstanding" and inserting "LIMITATION; RATABLE REDUCTION.—Notwithstanding";

(II) by redesignating clauses (i), (ii), and (iii), as clauses (ii), (iii), and (iv), respectively; and

(III) by inserting before clause (ii), as redesignated under subclause (II), the following:

"(i) in any case in which a student attends an institution of higher education on

less than a full-time basis, the amount of the grant to which such student is eligible shall be reduced in the same manner as a Federal Pell Grant is reduced under section 401(b)(2)(B);";

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

"(2) LIMITATIONS.—

"(A) NO GRANTS FOR PREVIOUS CREDIT.—The Secretary may not award a grant under this section to any student for a year of a program of undergraduate education described in subparagraph (A), (B), (C), (D), or (E) of subsection (c)(3) for which the student received credit before the date of enactment of the Higher Education Reconciliation Act of 2005.

"(B) NUMBER OF GRANTS.—

"(i) FIRST YEAR.—In the case of a student described in subsection (c)(3)(A), the Secretary may not award more than 1 grant to such student for such first year of study.

"(ii) SECOND YEAR.—In the case of a student described in subsection (c)(3)(B),

the Secretary may not award more than 1 grant to such student for such second year of study.

"(iii) THIRD AND FOURTH YEARS.—In the case of a student described in subparagraph (C) or (D) of subsection (c)(3), the Secretary may not award more than 1 grant to such student for each of the third and fourth years of study.

"(iv) FIFTH YEAR.—In the case of a student described in subsection (c)(3)(E), the Secretary may not award more than 1 grant to such student for such fifth year of study."; and

(C) by adding at the end the following:

"(3) CALCULATION OF GRANT PAYMENTS.—An institution of higher education shall make payments for a grant awarded under this section in the same manner, using the same payment periods, as such institution makes payments for Federal Pell Grants under section 401.";

(5) by striking subsection (e)(2) and inserting the following:

"(2) AVAILABILITY OF FUNDS.—Funds made available under paragraph (1) for a fiscal year shall remain available for the succeeding fiscal year.";

(6) in subsection (f)—

(A) by striking "at least one" and inserting "not less than 1"; and

(B) by striking "subsection (c)(3)(A) and (B)" and inserting "subparagraphs (A) and (B) of subsection (c)(3)"; and

(7) in subsection (g), by striking "academic" and inserting "award".

SEC. 403. FEDERAL TRIO PROGRAMS.

(a) PROGRAM AUTHORITY; AUTHORIZATION OF APPROPRIATIONS.—Section 402A (20 U.S.C. 1070a–11) is amended—

(1) in subsection (b)—

(A) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking "4" and inserting "5";

(ii) by striking subparagraph (A); and

(iii) by redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively; and

(B) by striking paragraph (3) and inserting the following:

''(3) MINIMUM GRANTS.—Unless the institution or agency requests a smaller amount, an individual grant authorized under this chapter shall be awarded in an amount that is not less than $200,000, except that an individual grant authorized under section 402G shall be awarded in an amount that is not less than $170,000.'';

(2) in subsection (c)—

(A) in paragraph (2), by striking ''service delivery'' and inserting ''high quality service delivery, as determined under subsection (f),'';

(B) in paragraph (3)(B), by striking ''is not required to'' and inserting ''shall not''; and

(C) in paragraph (5), by striking ''campuses'' and inserting ''different campuses'';

(3) in subsection (e), by striking ''(g)(2)'' each place the term occurs and inserting ''(h)(4)'';

(4) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively;

(5) by inserting after subsection (e) the following:

''(f) OUTCOME CRITERIA.—

"(1) USE FOR PRIOR EXPERIENCE DETERMINATION.—The Secretary shall use the outcome criteria described in paragraphs (2) and (3) to evaluate the programs provided by a recipient of a grant under this chapter, and the Secretary shall determine an eligible entity's prior experience of high quality service delivery, as required under subsection (c)(2), based on the outcome criteria.

"(2) DISAGGREGATION OF RELEVANT DATA.—The outcome criteria under this subsection shall be disaggregated by low-income students, first generation college students, and individuals with disabilities, in the schools and institutions of higher education served by the program to be evaluated.

"(3) CONTENTS OF OUTCOME CRITERIA.—The outcome criteria under this subsection shall measure, annually and for longer periods, the quality and effectiveness of programs authorized under this chapter and shall include the following:

"(A) For programs authorized under section 402B, the extent to which the eligible entity met or exceeded the entity's objectives established in the entity's application for such program regarding—

"(i) the delivery of service to a total number of students served by the program;

"(ii) the continued secondary school enrollment of such students;

"(iii) the graduation of such students from secondary school;

"(iv) the enrollment of such students in an institution of higher education; and

"(v) to the extent practicable, the postsecondary education completion of such students.

"(B) For programs authorized under section 402C, the extent to which the eligible entity met or exceeded the entity's objectives for such program regarding—

"(i) the delivery of service to a total number of students served by the program, as agreed upon by the entity and the Secretary for the period;

"(ii) such students' school performance, as measured by the grade point average, or its equivalent;

"(iii) such students' academic performance, as measured by standardized

tests, including tests required by the students' State;

"(iv) the retention in, and graduation from, secondary school of such students; and

"(v) the enrollment of such students in an institution of higher education.

"(C) For programs authorized under section 402D—

"(i) the extent to which the eligible entity met or exceeded the entity's objectives regarding the retention in postsecondary education of the students served by the program;

"(ii)(I) in the case of an entity that is an institution of higher education offering a baccalaureate degree, the extent to which the entity met or exceeded the entity's objectives regarding such students' completion of the degree programs in which such students were enrolled; or

"(II) in the case of an entity that is an institution of higher education that does not offer a baccalaureate degree, the extent

to which the entity met or exceeded the entity's objectives regarding—

"(aa) the completion of a degree or certificate by such students; and

"(bb) the transfer of such students to institutions of higher education that offer baccalaureate degrees;

"(iii) the extent to which the entity met or exceeded the entity's objectives regarding the delivery of service to a total number of students, as agreed upon by the entity and the Secretary for the period; and

"(iv) the extent to which the entity met or exceeded the entity's objectives regarding such students remaining in good academic standing.

"(D) For programs authorized under section 402E, the extent to which the entity met or exceeded the entity's objectives for such program regarding—

"(i) the delivery of service to a total number of students, as agreed upon by the entity and the Secretary for the period;

"(ii) the provision of appropriate scholarly and research activities for the students served by the program;

"(iii) the acceptance and enrollment of such students in graduate programs; and

"(iv) the continued enrollment of such students in graduate study and the attainment of doctoral degrees by former program participants.

"(E) For programs authorized under section 402F, the extent to which the entity met or exceeded the entity's objectives for such program regarding—

"(i) the enrollment of students without a secondary school diploma or its recognized equivalent, who were served by the program, in programs leading to such diploma or equivalent;

"(ii) the enrollment of secondary school graduates who were served by the program in programs of postsecondary education;

"(iii) the delivery of service to a total number of students, as agreed upon by the

entity and the Secretary for the period; and

"(iv) the provision of assistance to students served by the program in completing financial aid applications and college admission applications.

"(4) MEASUREMENT OF PROGRESS.—In order to determine the extent to which an outcome criterion described in paragraphs (2) or (3) is met or exceeded, an eligible entity receiving assistance under this chapter shall compare the eligible entity's target for the criterion, as established in the eligible entity's application, with the results for the criterion, measured as of the last day of the applicable time period for the determination.";

(6) in subsection (g) (as redesignated by paragraph (4))—

(A) in the first sentence, by striking "$700,000,000 for fiscal year 1999" and all that follows through the period and inserting "such sums as may be necessary for fiscal year 2008 and each of the 5 succeeding fiscal years."; and

(B) by striking the fourth sentence; and

(7) in subsection (h) (as redesignated by paragraph (4))—

(A) by redesignating paragraphs (1) through (4) as paragraphs (3) through (6), respectively;

(B) by inserting before paragraph (3) (as redesignated by subparagraph (A)) the following:

''(1) DIFFERENT CAMPUS.—The term 'different campus' means a site of an institution of higher education that—

''(A) is geographically apart from the main campus of the institution;

''(B) is permanent in nature; and

''(C) offers courses in educational programs leading to a degree, certificate, or other recognized educational credential.

''(2) DIFFERENT POPULATION.—The term 'different population' means a group of individuals, with respect to whom an eligible entity desires to serve through an application for a grant under this chapter, that—

''(A) is separate and distinct from any other population that the entity has applied for a grant under this chapter to serve; or

"(B) while sharing some of the same needs as another population that the eligible entity has applied for a grant under this chapter to serve, has distinct needs for specialized services.";

(C) in paragraph (5) (as redesignated by subparagraph (A))—

(i) in subparagraph (A), by striking "or" after the semicolon;

(ii) in subparagraph (B), by striking the period at the end and inserting "; or"; and

(iii) by adding at the end the following:

"(C) was a member of a reserve component of the Armed Forces called to active duty for a period of more than 180 days."; and

(D) in paragraph (6), by striking "subparagraph (A) or (B) of paragraph (3)" and inserting "subparagraph (A), (B), or (C) of paragraph (5)".

(b) TALENT SEARCH.—Section 402B (20 U.S.C. 1070a–12) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''to identify qualified youths with potential for education at the postsecondary level and to encourage such youths'' and inserting ''to encourage eligible youths'';

(B) in paragraph (2), by inserting '', and facilitate the application for,'' after ''the availability of''; and

(C) in paragraph (3), by striking '', but who have the ability to complete such programs, to reenter'' and inserting ''to enter or reenter, and complete'';

(2) by redesignating subsection (c) as subsection (d);

(3) by striking subsection (b) and inserting the following:

''(b) REQUIRED SERVICES.—Any project assisted under this section shall provide—

''(1) academic tutoring, or connections to high quality academic tutoring services, to enable students to complete secondary or postsecondary courses, which may include instruction in reading, writing, study skills, mathematics, science, and other subjects;

1 ''(2) advice and assistance in secondary course
2 selection and, if applicable, initial postsecondary
3 course selection;
4 ''(3) assistance in preparing for college entrance
5 examinations and completing college admission ap-
6 plications;
7 ''(4)(A) information on both the full range of
8 Federal student financial aid programs (including
9 Federal Pell Grant awards and loan forgiveness) and
10 resources for locating public and private scholar-
11 ships; and
12 ''(B) assistance in completing financial aid ap-
13 plications, including the Free Application for Fed-
14 eral Student Aid described in section 483(a);
15 ''(5) guidance on and assistance in—
16 ''(A) secondary school reentry;
17 ''(B) alternative education programs for
18 secondary school dropouts that lead to the re-
19 ceipt of a regular secondary school diploma;
20 ''(C) entry into general educational devel-
21 opment (GED) programs; or
22 ''(D) postsecondary education; and
23 ''(6) education or counseling services designed
24 to improve the financial literacy and economic lit-

1 eracy of students or the students' parents, including
2 financial planning for postsecondary education.
3 "(c) PERMISSIBLE SERVICES.—Any project assisted
4 under this section may provide services such as—
5 "(1) personal and career counseling or activi-
6 ties;
7 "(2) information and activities designed to ac-
8 quaint youths with the range of career options avail-
9 able to the youths;
10 "(3) exposure to the campuses of institutions of
11 higher education, as well as cultural events, aca-
12 demic programs, and other sites or activities not
13 usually available to disadvantaged youth;
14 "(4) workshops and counseling for families of
15 students served;
16 "(5) mentoring programs involving elementary
17 or secondary school teachers or counselors, faculty
18 members at institutions of higher education, stu-
19 dents, or any combination of such persons; and
20 "(6) programs and activities as described in
21 subsection (b) or paragraphs (1) through (5) of this
22 subsection that are specially designed for students
23 who are limited English proficient, students with
24 disabilities, students who are homeless children and
25 youths (as such term is defined in section 725 of the

McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a)), or students who are in foster care or are aging out of the foster care system.''; and

(4) in the matter preceding paragraph (1) of subsection (d) (as redesignated by paragraph (2)), by striking ''talent search projects under this chapter'' and inserting ''projects under this section''.

(c) UPWARD BOUND.—Section 402C (20 U.S.C. 1070a–13) is amended—

(1) by striking subsection (b) and inserting the following:

''(b) REQUIRED SERVICES.—Any project assisted under this section shall provide—

''(1) academic tutoring to enable students to complete secondary or postsecondary courses, which may include instruction in reading, writing, study skills, mathematics, science, and other subjects;

''(2) advice and assistance in secondary and postsecondary course selection;

''(3) assistance in preparing for college entrance examinations and completing college admission applications;

''(4)(A) information on both the full range of Federal student financial aid programs (including Federal Pell Grant awards and loan forgiveness) and

resources for locating public and private scholarships; and

"(B) assistance in completing financial aid applications, including the Free Application for Federal Student Aid described in section 483(a);

"(5) guidance on and assistance in—

"(A) secondary school reentry;

"(B) alternative education programs for secondary school dropouts that lead to the receipt of a regular secondary school diploma;

"(C) entry into general educational development (GED) programs; or

"(D) postsecondary education; and

"(6) education or counseling services designed to improve the financial literacy and economic literacy of students or the students' parents, including financial planning for postsecondary education.";

(2) in subsection (c)—

(A) in the subsection heading, by striking "REQUIRED SERVICES" and inserting "ADDITIONAL REQUIRED SERVICES FOR MULTIPLE-YEAR GRANT RECIPIENTS"; and

(B) by striking "upward bound project assisted under this chapter" and inserting "project assisted under this section";

(3) by redesignating subsections (d) and (e) as subsections (f) and (g), respectively;

(4) by inserting after subsection (c) the following:

"(d) PERMISSIBLE SERVICES.—Any project assisted under this section may provide such services as—

"(1) exposure to cultural events, academic programs, and other activities not usually available to disadvantaged youth;

"(2) information, activities and instruction designed to acquaint youths participating in the project with the range of career options available to the youths;

"(3) on-campus residential programs;

"(4) mentoring programs involving elementary school or secondary school teachers or counselors, faculty members at institutions of higher education, students, or any combination of such persons;

"(5) work-study positions where youth participating in the project are exposed to careers requiring a postsecondary degree;

"(6) special services to enable veterans to make the transition to postsecondary education; and

"(7) programs and activities as described in subsection (b), subsection (c), or paragraphs (1)

through (6) of this subsection that are specially designed for students who are limited English proficient, students with disabilities, students who are homeless children and youths (as such term is defined in section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a)), or students who are in foster care or are aging out of the foster care system.

''(e) PRIORITY.—In providing assistance under this section the Secretary—

''(1) shall give priority to projects assisted under this section that select not less than 30 percent of all first-time participants in the projects from students who have a high academic risk for failure; and

''(2) shall not deny participation in a project assisted under this section to a student because the student will enter the project after the 9th grade.'';

(5) in the matter preceding paragraph (1) of subsection (f) (as redesignated by paragraph (3)), by striking ''upward bound projects under this chapter'' and inserting ''projects under this section''; and

(6) in subsection (g) (as redesignated by paragraph (3))—

(A) by striking ''during June, July, and August'' each place the term occurs and inserting ''during the summer school recess, for a period not to exceed 3 months''; and

(B) by striking ''(b)(10)'' and inserting ''(d)(5)''.

(d) STUDENT SUPPORT SERVICES.—Section 402D (20 U.S.C. 1070a–14) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking ''and'' after the semicolon;

(B) by striking paragraph (3) and inserting the following:

''(3) to foster an institutional climate supportive of the success of low-income and first generation college students, students with disabilities, students who are limited English proficient, students who are homeless children and youths (as such term is defined in section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a)), and students who are in foster care or are aging out of the foster care system.''; and

(C) by adding at the end the following:

''(4) to improve the financial literacy and economic literacy of students, including—

"(A) basic personal income, household money management, and financial planning skills; and

"(B) basic economic decisionmaking skills.";

(2) by redesignating subsections (c) and (d) as subsections (d) and (e);

(3) by striking subsection (b) and inserting the following:

"(b) REQUIRED SERVICES.—A project assisted under this section shall provide—

"(1) academic tutoring to enable students to complete postsecondary courses, which may include instruction in reading, writing, study skills, mathematics, science, and other subjects;

"(2) advice and assistance in postsecondary course selection;

"(3)(A) information on both the full range of Federal student financial aid programs (including Federal Pell Grant awards and loan forgiveness) and resources for locating public and private scholarships; and

"(B) assistance in completing financial aid applications, including the Free Application for Federal Student Aid described in section 483(a);

"(4) education or counseling services designed to improve the financial literacy and economic literacy of students, including financial planning for postsecondary education;

"(5) activities designed to assist students participating in the project in securing college admission and financial assistance for enrollment in graduate and professional programs; and

"(6) activities designed to assist students enrolled in 2-year institutions of higher education in securing admission and financial assistance for enrollment in a 4-year program of postsecondary education.

"(c) PERMISSIBLE SERVICES.—A project assisted under this section may provide services such as—

"(1) consistent, individualized personal, career, and academic counseling, provided by assigned counselors;

"(2) information, activities, and instruction designed to acquaint youths participating in the project with the range of career options available to the students;

"(3) exposure to cultural events and academic programs not usually available to disadvantaged students;

"(4) activities designed to acquaint students participating in the project with the range of career options available to the students;

"(5) mentoring programs involving faculty or upper class students, or a combination thereof;

"(6) securing temporary housing during breaks in the academic year for students who are homeless children and youths (as such term is defined in section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a)) or were formerly homeless children and youths and students who are in foster care or are aging out of the foster care system; and

"(7) programs and activities as described in subsection (b) or paragraphs (1) through (5) of this subsection that are specially designed for students who are limited English proficient, students with disabilities, students who are homeless children and youths (as such term is defined in section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a)) or were formerly homeless children and youths, or students who are in foster care or are aging out of the foster care system.";

(4) in subsection (d)(1) (as redesignated by paragraph (2)), by striking ''subsection (b)'' and inserting ''subsection (c)''; and

(5) in the matter preceding paragraph (1) of subsection (e) (as redesignated by paragraph (2)), by striking ''student support services projects under this chapter'' and inserting ''projects under this section''.

(e) POSTBACCALAUREATE ACHIEVEMENT PROGRAM AUTHORITY.—Section 402E (20 U.S.C. 1070a–15) is amended—

(1) in subsection (b)—

(A) in the subsection heading, by inserting ''REQUIRED'' before ''SERVICES'';

(B) in the matter preceding paragraph (1), by striking ''A postbaccalaureate achievement project assisted under this section may provide services such as—'' and inserting ''A project assisted under this section shall provide—'';

(C) in paragraph (5), by inserting ''and'' after the semicolon;

(D) in paragraph (6), by striking the semicolon and inserting a period; and

(E) by striking paragraphs (7) and (8);

(2) by redesignating subsections (c) through (f) as subsections (d) through (g), respectively;

(3) by inserting after subsection (b) the following:

''(c) PERMISSIBLE SERVICES.—A project assisted under this section may provide services such as—

''(1) education or counseling services designed to improve the financial literacy and economic literacy of students, including financial planning for postsecondary education;

''(2) mentoring programs involving faculty members at institutions of higher education, students, or any combination of such persons; and

''(3) exposure to cultural events and academic programs not usually available to disadvantaged students.'';

(4) in the matter preceding paragraph (1) of subsection (d) (as redesignated by paragraph (2)), by striking ''postbaccalaureate achievement'';

(5) in the matter preceding paragraph (1) of subsection (f) (as redesignated by paragraph (2)), by striking ''postbaccalaureate achievement project'' and inserting ''project under this section''; and

(6) in subsection (g) (as redesignated by paragraph (2))—

(A) by striking ''402A(f)'' and inserting ''402A(g)''; and

(B) by striking ''1993 through 1997'' and inserting ''2007 through 2012''.

(f) EDUCATIONAL OPPORTUNITY CENTERS.—Section 402F (20 U.S.C. 1070a–16) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''and'' after the semicolon;

(B) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(3) to improve the financial literacy and economic literacy of students, including—

''(A) basic personal income, household money management, and financial planning skills; and

''(B) basic economic decisionmaking skills.''; and

(2) in subsection (b)—

(A) by redesignating paragraphs (5) through (10) as paragraphs (6) through (11), respectively;

(B) by inserting after paragraph (4) the following:

"(5) education or counseling services designed to improve the financial literacy and economic literacy of students;";

(C) by striking paragraph (7) (as redesignated by subparagraph (A)) and inserting the following:

"(7) individualized personal, career, and academic counseling;"; and

(D) by striking paragraph (11) (as redesignated by subparagraph (A)) and inserting the following:

"(11) programs and activities as described in paragraphs (1) through (10) that are specially designed for students who are limited English proficient, students with disabilities, or students who are homeless children and youths (as such term is defined in section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a)), or programs and activities for students who are in foster care or are aging out of the foster care system.".

(g) STAFF DEVELOPMENT ACTIVITIES.—Section 402G(b)(3) (20 U.S.C. 1070a–17(b)(3)) is amended by inserting ", including strategies for recruiting and serving students who are homeless children and youths (as such term is defined in section 725 of the McKinney-Vento

Homeless Assistance Act (42 U.S.C. 11434a)) and students who are in foster care or are aging out of the foster care system'' before the period at the end.

(h) REPORTS, EVALUATIONS, AND GRANTS FOR PROJECT IMPROVEMENT AND DISSEMINATION.—Section 402H (20 U.S.C. 1070a–18) is amended—

(1) by striking the section heading and inserting ''**REPORTS, EVALUATIONS, AND GRANTS FOR PROJECT IMPROVEMENT AND DISSEMINATION**.'';

(2) by redesignating subsections (a) through (c) as subsections (b) through (d), respectively;

(3) by inserting before subsection (b) (as redesignated by paragraph (2)) the following:

''(a) REPORTS TO THE AUTHORIZING COMMITTEES.—The Secretary shall submit annually, to the authorizing committees, a report that documents the performance of all programs funded under this chapter. The report shall—

''(1) be submitted not later than 24 months after the eligible entities receiving funds under this chapter are required to report their performance to the Secretary;

"(2) focus on the programs' performance on the relevant outcome criteria determined under section 402A(f)(4);

"(3) aggregate individual project performance data on the outcome criteria in order to provide national performance data for each program;

"(4) include, when appropriate, descriptive data, multi-year data, and multi-cohort data; and

"(5) include comparable data on the performance nationally of low-income students, first-generation students, and students with disabilities."; and

(4) in subsection (b) (as redesignated by paragraph (2)), by striking paragraph (2) and inserting the following:

"(2) PRACTICES.—

"(A) IN GENERAL.—The evaluations described in paragraph (1) shall identify institutional, community, and program or project practices that are particularly effective in—

"(i) enhancing the access of low-income individuals and first-generation college students to postsecondary education;

"(ii) the preparation of the individuals and students for postsecondary education; and

"(iii) fostering the success of the individuals and students in postsecondary education.

"(B) PRIMARY PURPOSE.—Any evaluation conducted under this chapter shall have as its primary purpose the identification of particular practices that further the achievement of the outcome criteria determined under section 402A(f)(4).

"(C) DISSEMINATION AND USE OF EVALUATION FINDINGS.—The Secretary shall disseminate to eligible entities and make available to the public the practices identified under subparagraph (B). The practices may be used by eligible entities that receive assistance under this chapter after the dissemination.

"(3) EVALUATION SPECIAL RULES.—

"(A) RECRUITMENT.—The Secretary shall not require an eligible entity desiring to receive assistance under this chapter to recruit students to serve as a control group for purposes of evaluating any program or project assisted under this chapter.

"(B) PERMISSIBLE PRIORITY.—If the Secretary elects to provide for the conduct of an

evaluation of a program or project under this chapter using a control group, then the Secretary may give priority in providing assistance under this chapter, subject to section 402C(e), to an eligible entity that elects to participate in such an evaluation.''.

SEC. 404. GAINING EARLY AWARENESS AND READINESS FOR UNDERGRADUATE PROGRAMS.

(a) EARLY INTERVENTION AND COLLEGE AWARENESS PROGRAM AUTHORIZED.—Section 404A (20 U.S.C. 1070a–21) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) PROGRAM AUTHORIZED.—The Secretary is authorized, in accordance with the requirements of this chapter, to establish a program that encourages eligible entities to provide support to eligible low-income students to assist the students in obtaining a secondary school diploma (or its recognized equivalent) and to prepare for and succeed in postsecondary education, by providing—

''(1) financial assistance, academic support, additional counseling, mentoring, outreach, and supportive services to middle school and secondary school students to reduce—

"(A) the risk of such students dropping out of school; or

"(B) the need for remedial education for such students at the postsecondary level; and

"(2) information to students and their parents about the advantages of obtaining a postsecondary education and the college financing options for the students and their parents.";

(2) by striking subsection (b)(2)(A) and inserting the following:

"(A) give priority to eligible entities that have a prior, demonstrated commitment to early intervention leading to college access through collaboration and replication of successful strategies;"; and

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

"(2) a partnership—

"(A) consisting of—

"(i) 1 or more local educational agencies; and

"(ii) 1 or more degree granting institutions of higher education; and

"(B) which may include not less than 2 other community organizations or entities, such

as businesses, professional organizations, State agencies, institutions or agencies sponsoring programs authorized under subpart 4, or other public or private agencies or organizations.''.

(b) REQUIREMENTS.—Section 404B (20 U.S.C. 1070a–22) is amended—

(1) by striking subsection (a) and inserting the following: —

''(a) FUNDING RULES.—

''(1) DISTRIBUTION.—In awarding grants from the amount appropriated under section 404G for a fiscal year, the Secretary shall take into consideration—

''(A) the geographic distribution of such awards; and

''(B) the distribution of such awards between urban and rural applicants.

''(2) SPECIAL RULE.—The Secretary shall annually reevaluate the distribution of funds described in paragraph (1) based on number, quality, and promise of the applications.'';

(2) by striking subsections (b), (e), and (f);

(3) by redesignating subsections (c), (d), and (g) as subsections (b), (c), and (d), respectively; and

(4) by adding at the end the following:

"(e) SUPPLEMENT, NOT SUPPLANT.—Grant funds awarded under this chapter shall be used to supplement, and not supplant, other Federal, State, and local funds that would otherwise be expended to carry out activities assisted under this chapter.".

(c) APPLICATION.—Section 404C (20 U.S.C. 1070a–23) is amended—

(1) in the section heading, by striking "**ELIGIBLE ENTITY PLANS**" and inserting "**APPLICATIONS**";

(2) in subsection (a)—

(A) in the subsection heading, by striking "PLAN" and inserting "APPLICATION";

(B) in paragraph (1)—

(i) by striking "a plan" and inserting "an application"; and

(ii) by striking the second sentence; and

(C) by striking paragraph (2) and inserting the following:

"(2) CONTENTS.—Each application submitted pursuant to paragraph (1) shall be in such form, contain or be accompanied by such information or assurances, and be submitted at such time as the

Secretary may require. Each such application shall, at a minimum—

"(A) describe the activities for which assistance under this chapter is sought, including how the eligible entity will carry out the required activities described in section 404D(a);

"(B) describe how the eligible agency will meet the requirements of section 404E;

"(C) provide assurances that adequate administrative and support staff will be responsible for coordinating the activities described in section 404D;

"(D) ensure that activities assisted under this chapter will not displace an employee or eliminate a position at a school assisted under this chapter, including a partial displacement such as a reduction in hours, wages or employment benefits;

"(E) describe, in the case of an eligible entity described in section 404A(c)(2), how the eligible entity will define the cohorts of the students served by the eligible entity pursuant to section 404B(d), and how the eligible entity will serve the cohorts through grade 12, including—

"(i) how vacancies in the program under this chapter will be filled; and

"(ii) how the eligible entity will serve students attending different secondary schools;

"(F) describe how the eligible entity will coordinate programs with other existing Federal, State, or local programs to avoid duplication and maximize the number of students served;

"(G) provide such additional assurances as the Secretary determines necessary to ensure compliance with the requirements of this chapter; and

"(H) provide information about the activities that will be carried out by the eligible entity to support systemic changes from which future cohorts of students will benefit.";

(3) in the matter preceding subparagraph (A) of subsection (b)(1)—

(A) by striking "a plan" and inserting "an application"; and

(B) by striking "such plan" and inserting "such application"; and

(4) in subsection (c)(1), by striking the semicolon at the end and inserting ''including—

''(A) the amount contributed to a student scholarship fund established under section 404E; and

''(B) the amount of the costs of administering the scholarship program under section 404E;''.

(d) ACTIVITIES.—Section 404D (20 U.S.C. 1070a–24) is amended to read as follows:

''SEC. 404D. ACTIVITIES.

''(a) REQUIRED ACTIVITIES.—Each eligible entity receiving a grant under this chapter shall carry out the following:

''(1) Provide information regarding financial aid for postsecondary education to participating students in the cohort described in subsection 404B(d)(1)(A).

''(2) Encourage student enrollment in rigorous and challenging curricula and coursework, in order to reduce the need for remedial coursework at the postsecondary level.

''(3) Support activities designed to improve the number of participating students who—

"(A) obtain a secondary school diploma; and

"(B) complete applications for and enroll in a program of postsecondary education.

"(4) In the case of an eligible entity described in section 404A(c)(1), provide for the scholarships described in section 404E.

"(b) OPTIONAL ACTIVITIES FOR STATES AND PARTNERSHIPS.—An eligible entity that receives a grant under this chapter may use grant funds to carry out 1 or more of the following activities:

"(1) Providing tutoring and supporting mentors, including adults or former participants of a program under this chapter, for eligible students.

"(2) Conducting outreach activities to recruit priority students described in subsection (d) to participate in program activities.

"(3) Providing supportive services to eligible students.

"(4) Supporting the development or implementation of rigorous academic curricula, which may include college preparatory, Advanced Placement, or International Baccalaureate programs, and providing participating students access to rigorous core

courses that reflect challenging State academic standards.

"(5) Supporting dual or concurrent enrollment programs between the secondary school and institution of higher education partners of an eligible entity described in section 404A(c)(2), and other activities that support participating students in—

"(A) meeting challenging academic standards;

"(B) successfully applying for postsecondary education;

"(C) successfully applying for student financial aid; and

"(D) developing graduation and career plans.

"(6) Providing support for scholarships described in section 404E.

"(7) Introducing eligible students to institutions of higher education, through trips and school-based sessions.

"(8) Providing an intensive extended school day, school year, or summer program that offers—

"(A) additional academic classes; or

"(B) assistance with college admission applications.

"(9) Providing other activities designed to ensure secondary school completion and postsecondary education enrollment of at-risk children, such as—

"(A) the identification of at-risk children;

"(B) after-school and summer tutoring;

"(C) assistance to at-risk children in obtaining summer jobs;

"(D) academic counseling;

"(E) volunteer and parent involvement;

"(F) encouraging former or current participants of a program under this chapter to serve as peer counselors;

"(G) skills assessments;

"(H) personal counseling;

"(I) family counseling and home visits;

"(J) staff development; and

"(K) programs and activities described in this subsection that are specially designed for students who are limited English proficient.

"(10) Enabling eligible students to enroll in Advanced Placement or International Baccalaureate courses, or college entrance examination preparation courses.

"(11) Providing services to eligible students in the participating cohort described in section

404B(d)(1)(A), through the first year of attendance at an institution of higher education.

"(c) ADDITIONAL OPTIONAL ACTIVITIES FOR STATES.—In addition to the required activities described in subsection (a) and the optional activities described in subsection (b), an eligible entity described in section 404A(c)(1) receiving funds under this chapter may use grant funds to carry out 1 or more of the following activities:

"(1) Providing technical assistance to—

"(A) middle schools or secondary schools that are located within the State; or

"(B) partnerships described in section 404A(c)(2) that are located within the State.

"(2) Providing professional development opportunities to individuals working with eligible cohorts of students described in section 404B(d)(1)(A).

"(3) Providing strategies and activities that align efforts in the State to prepare eligible students for attending and succeeding in postsecondary education, which may include the development of graduation and career plans.

"(4) Disseminating information on the use of scientifically based research and best practices to improve services for eligible students.

"(5)(A) Disseminating information on effective coursework and support services that assist students in obtaining the goals described in subparagraph (B)(ii).

"(B) Identifying and disseminating information on best practices with respect to—

"(i) increasing parental involvement; and

"(ii) preparing students, including students with disabilities and students who are limited English proficient, to succeed academically in, and prepare financially for, postsecondary education.

"(6) Working to align State academic standards and curricula with the expectations of postsecondary institutions and employers.

"(7) Developing alternatives to traditional secondary school that give students a head start on attaining a recognized postsecondary credential (including an industry certificate, an apprenticeship, or an associate's or a bachelor's degree), including school designs that give students early exposure to college-level courses and experiences and allow students to earn transferable college credits or an associate's degree at the same time as a secondary school diploma.

"(8) Creating community college programs for drop-outs that are personalized drop-out recovery programs that allow drop-outs to complete a regular secondary school diploma and begin college-level work.

"(d) PRIORITY STUDENTS.—For eligible entities not using a cohort approach, the eligible entity shall treat as priority students any student in middle or secondary school who is eligible—

"(1) to be counted under section 1124(c) of the Elementary and Secondary Education Act of 1965;

"(2) for free or reduced price meals under the Richard B. Russell National School Lunch Act;

"(3) for assistance under a State program funded under part A or E of title IV of the Social Security Act (42 U.S.C. 601 et seq., 670 et seq.); or

"(4) for assistance under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.).

"(e) ALLOWABLE PROVIDERS.—In the case of eligible entities described in section 404A(c)(1), the activities required by this section may be provided by service providers such as community-based organizations, schools, institutions of higher education, public and private agencies,

nonprofit and philanthropic organizations, businesses, institutions and agencies sponsoring programs authorized under subpart 4, and other organizations the State determines appropriate.''.

(e) SCHOLARSHIP COMPONENT.—Section 404E (20 U.S.C. 1070a–25) is amended—

(1) by striking subsections (e) and (f);

(2) by redesignating subsections (b), (c), and (d) as subsections (d), (f), and (g), respectively;

(3) by inserting after subsection (a) the following:

''(b) LIMITATION.—

''(1) IN GENERAL.—Subject to paragraph (2), each eligible entity described in section 404A(c)(1) that receives a grant under this chapter shall use not less than 25 percent and not more than 50 percent of the grant funds for activities described in section 404D (except for the activity described in subsection (a)(4) of such section), with the remainder of such funds to be used for a scholarship program under this section in accordance with such subsection.

''(2) EXCEPTION.—Notwithstanding paragraph (1), the Secretary may allow an eligible entity to use more than 50 percent of grant funds received under

this chapter for such activities, if the eligible entity demonstrates that the eligible entity has another means of providing the students with the financial assistance described in this section and describes such means in the application submitted under section 404C.

''(c) NOTIFICATION OF ELIGIBILITY.—Each eligible entity providing scholarships under this section shall provide information on the eligibility requirements for the scholarships to all participating students upon the students' entry into the programs assisted under this chapter.'';

(4) in subsection (d) (as redesignated by paragraph (2)), by striking ''the lesser of'' and all that follows through the period at the end of paragraph (2) and inserting ''the minimum Federal Pell Grant award under section 401 for such award year.'';

(5) by inserting after subsection (d) (as redesignated by paragraph (2) and amended by paragraph (4)) the following:

''(e) PORTABILITY OF ASSISTANCE.—

''(1) IN GENERAL.—Each eligible entity described in section 404A(c)(1) that receives a grant under this chapter shall create or organize a trust for each cohort described in section 404B(d)(1)(A)

for which the grant is sought in the application submitted by the entity, which trust shall be an amount that is not less than the minimum scholarship amount described in subsection (d), multiplied by the number of students participating in the cohort.

"(2) REQUIREMENT FOR PORTABILITY.—Funds contributed to the trust for a cohort shall be available to a student in the cohort when the student has—

"(A) completed a secondary school diploma, its recognized equivalent, or other recognized alternative standard for individuals with disabilities; and

"(B) enrolled in an institution of higher education.

"(3) QUALIFIED EDUCATIONAL EXPENSES.—Funds available to an eligible student from a trust may be used for—

"(A) tuition, fees, books, supplies, and equipment required for the enrollment or attendance of the eligible student at an institution of higher education; and

"(B) in the case of an eligible student with special needs, expenses for special needs serv-

ices which are incurred in connection with such enrollment or attendance.

"(4) RETURN OF FUNDS.—

"(A) REDISTRIBUTION.—

"(i) IN GENERAL.—Trust funds that are not used by an eligible student within 6 years of the student's scheduled completion of secondary school may be redistributed by the eligible entity to other eligible students.

"(ii) RETURN OF EXCESS TO THE SECRETARY.—If, after meeting the requirements of paragraph (1) and, if applicable, redistributing excess funds in accordance with clause (i), an eligible entity has funds remaining, the eligible entity shall return excess funds to the Secretary for distribution to other grantees under this chapter.

"(B) NONPARTICIPATING ENTITY.—Notwithstanding subparagraph (A), in the case of an eligible entity described in section 404A(c)(1)(A) that does not receive assistance under this subpart for 6 fiscal years, the eligible entity shall return any trust funds not awarded or obligated to eligible students to the

Secretary for distribution to other grantees under this chapter.''; and

(6) in subsection (g) (as redesignated by paragraph (2))—

(A) in paragraph (2), by striking ''1993'' and inserting ''2001''; and

(B) in paragraph (4), by striking ''early intervention component required under section 404D'' and inserting ''activities required under section 404D(a)''.

(f) REPEAL OF 21ST CENTURY SCHOLAR CERTIFICATES.—Chapter 2 of subpart 2 of part A of title IV (20 U.S.C. 1070a–21 et seq.) is further amended—

(1) by striking section 404F; and

(2) by redesignating sections 404G and 404H as sections 404F and 404G, respectively.

(g) AUTHORIZATION OF APPROPRIATIONS.—Section 404G (as redesignated by subsection (f)) (20 U.S.C. 1070a–28) is amended by striking ''$200,000,000 for fiscal year 1999'' and all that follows through the period and inserting ''such sums as may be necessary for fiscal year 2008 and each of the 5 succeeding fiscal years.''.

(h) CONFORMING AMENDMENTS.—Chapter 2 of subpart 2 of part A of title IV (20 U.S.C. 1070a–21 et seq.) is further amended—

(1) in section 404A(b)(1), by striking ''404H'' and inserting ''404G'';

(2) in section 404B(a)(1), by striking ''404H'' and inserting ''404G''; and

(3) in section 404F(c) (as redesignated by subsection (f)(2)), by striking ''404H'' and inserting ''404G''.

SEC. 405. ACADEMIC ACHIEVEMENT INCENTIVE SCHOLARSHIPS.

Chapter 3 of subpart 2 of part A of title IV (20 U.S.C. 1070a–31 et seq.) is repealed.

SEC. 406. FEDERAL SUPPLEMENTAL EDUCATIONAL OPPORTUNITY GRANTS.

(a) APPROPRIATIONS AUTHORIZED.—Section 413A(b)(1) (20 U.S.C. 1070b(b)(1)) is amended by striking ''$675,000,000 for fiscal year 1999'' and all that follows through the period and inserting ''such sums as may be necessary for fiscal year 2008 and each of the 5 succeeding fiscal years.''.

(b) ALLOCATION OF FUNDS.—

(1) ALLOCATION OF FUNDS.—Section 413D (20 U.S.C. 1070b–3) is amended—

(A) by striking subsection (a)(4); and

(B) in subsection (c)(3)(D), by striking ''$450'' and inserting ''$600''.

(2) TECHNICAL CORRECTION.—Section 413D(a)(1) (20 U.S.C. 1070b–3(a)(1)) is amended by striking ''such institution'' and all that follows through the period and inserting ''such institution received under subsections (a) and (b) of this section for fiscal year 1999 (as such subsections were in effect with respect to allocations for such fiscal year).''.

SEC. 407. LEVERAGING EDUCATIONAL ASSISTANCE PARTNERSHIP PROGRAM.

(a) APPROPRIATIONS AUTHORIZED.—Section 415A(b)(1) (20 U.S.C. 1070c(b)(1)) is amended to read as follows:

''(1) IN GENERAL.—There are authorized to be appropriated to carry out this subpart such sums as may be necessary for fiscal year 2008 and each of the 5 succeeding fiscal years.''.

(b) APPLICATIONS.—Section 415C(b) (20 U.S.C. 1070c–2(b)) is amended—

(1) in the matter preceding subparagraph (A) of paragraph (2), by striking ''not in excess of $5,000 per academic year'' and inserting ''not to exceed the lesser of $12,500 or the student's cost of attendance per academic year''; and

(2) by striking paragraph (10) and inserting the following:

"(10) provides notification to eligible students that such grants are—

"(A) Leveraging Educational Assistance Partnership grants; and

"(B) funded by the Federal Government, the State, and other contributing partners.".

(c) GRANTS FOR ACCESS AND PERSISTENCE.—Section 415E (20 U.S.C. 1070c–3a) is amended to read as follows:

"SEC. 415E. GRANTS FOR ACCESS AND PERSISTENCE.

"(a) PURPOSE.—It is the purpose of this section to expand college access and increase college persistence by making allotments to States to enable the States to—

"(1) expand and enhance partnerships with institutions of higher education, early information and intervention, mentoring, or outreach programs, private corporations, philanthropic organizations, and other interested parties in order to—

"(A) carry out activities under this section; and

"(B) provide coordination and cohesion among Federal, State, and local governmental and private efforts that provide financial assist-

ance to help low-income students attend an institution of higher education;

"(2) provide need-based grants for access and persistence to eligible low-income students;

"(3) provide early notification to low-income students of the students' eligibility for financial aid; and

"(4) encourage increased participation in early information and intervention, mentoring, or outreach programs.

"(b) ALLOTMENTS TO STATES.—

"(1) IN GENERAL.—

"(A) AUTHORIZATION.—From sums reserved under section 415A(b)(2) for each fiscal year, the Secretary shall make an allotment to each State that submits an application for an allotment in accordance with subsection (c) to enable the State to pay the Federal share, as described in paragraph (2), of the cost of carrying out the activities under subsection (d).

"(B) DETERMINATION OF ALLOTMENT.—In making allotments under subparagraph (A), the Secretary shall consider the following:

"(i) CONTINUATION OF AWARD.—If a State continues to meet the specifications

established in such State's application under subsection (c), the Secretary shall make an allotment to such State that is not less than the allotment made to such State for the previous fiscal year.

"(ii) PRIORITY.—The Secretary shall give priority in making allotments to States that meet the requirements described in paragraph (2)(A)(ii).

"(2) FEDERAL SHARE.—

"(A) IN GENERAL.—The Federal share under this section shall be determined in accordance with the following:

"(i) If a State applies for an allotment under this section in partnership with—

"(I) any number of degree granting institutions of higher education in the State whose combined full-time enrollment represents less than a majority of all students attending institutions of higher education in the State; and

"(II)(aa) philanthropic organizations that are located in, or that provide funding in, the State; or

"(bb) private corporations that are located in, or that do business in, the State,

then the Federal share of the cost of carrying out the activities under subsection (d) shall be equal to 50 percent.

"(ii) If a State applies for an allotment under this section in partnership with—

"(I) any number of degree granting institutions of higher education in the State whose combined full-time enrollment represents a majority of all students attending institutions of higher education in the State; and

"(II)(aa) philanthropic organizations that are located in, or that provide funding in, the State; or

"(bb) private corporations that are located in, or that do business in, the State,

then the Federal share of the cost of carrying out the activities under subsection (d) shall be equal to 57 percent.

"(B) NON-FEDERAL SHARE.—

"(i) IN GENERAL.—The non-Federal share under this section may be provided in cash or in kind, fully evaluated and in accordance with this subparagraph.

"(ii) IN KIND CONTRIBUTION.—For the purpose of calculating the non-Federal share under this section, an in kind contribution is a non-cash award that has monetary value, such as provision of room and board and transportation passes, and that helps a student meet the cost of attendance.

"(iii) EFFECT ON NEED ANALYSIS.—For the purpose of calculating a student's need in accordance with part F of this title, an in-kind contribution described in clause (ii) shall not be considered an asset or income.

"(c) APPLICATION FOR ALLOTMENT.—

"(1) IN GENERAL.—

"(A) SUBMISSION.—A State that desires to receive an allotment under this section on behalf of a partnership described in paragraph (3) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

"(B) CONTENT.—An application submitted under subparagraph (A) shall include the following:

"(i) A description of the State's plan for using the allotted funds.

"(ii) Assurances that the State will provide the non-Federal share from State, institutional, philanthropic, or private funds, of not less than the required share of the cost of carrying out the activities under subsection (d), as determined under subsection (b), in accordance with the following:

"(I) The State shall specify the methods by which non-Federal share funds will be paid and include provisions designed to ensure that funds provided under this section will be used to supplement, and not supplant,

Federal and non-Federal funds available for carrying out the activities under this title.

''(II) A State that uses non-Federal funds to create or expand existing partnerships with nonprofit organizations or community-based organizations in which such organizations match State funds for student scholarships, may apply such matching funds from such organizations toward fulfilling the State's non-Federal share obligation under this clause.

''(iii) Assurances that early information and intervention, mentoring, or outreach programs exist within the State or that there is a plan to make such programs widely available.

''(iv) A description of the organizational structure that the State has in place to administer the activities under subsection (d), including a description of the system the State will use to track the participation of students who receive grants under this section to degree completion.

"(v) Assurances that the State has a method in place, such as acceptance of the automatic zero expected family contribution determination described in section 479, to identify eligible low-income students and award State grant aid to such students.

"(vi) Assurances that the State will provide notification to eligible low-income students that grants under this section are—

"(I) Leveraging Educational Assistance Partnership Grants; and

"(II) funded by the Federal Government, the State, and other contributing partners.

"(2) STATE AGENCY.—The State agency that submits an application for a State under section 415C(a) shall be the same State agency that submits an application under paragraph (1) for such State.

"(3) PARTNERSHIP.—In applying for an allotment under this section, the State agency shall apply for the allotment in partnership with—

"(A) not less than 1 public and 1 private degree granting institution of higher education that are located in the State, if applicable;

"(B) new or existing early information and intervention, mentoring, or outreach programs located in the State; and

"(C) not less than 1—

"(i) philanthropic organization located in, or that provides funding in, the State; or

"(ii) private corporation located in, or that does business in, the State.

"(4) ROLES OF PARTNERS.—

"(A) STATE AGENCY.—A State agency that is in a partnership receiving an allotment under this section—

"(i) shall—

"(I) serve as the primary administrative unit for the partnership;

"(II) provide or coordinate non-Federal share funds, and coordinate activities among partners;

"(III) encourage each institution of higher education in the State to participate in the partnership;

"(IV) make determinations and early notifications of assistance as described under subsection (d)(2); and

"(V) annually report to the Secretary on the partnership's progress in meeting the purpose of this section; and

"(ii) may provide early information and intervention, mentoring, or outreach programs.

"(B) DEGREE GRANTING INSTITUTIONS OF HIGHER EDUCATION.—A degree granting institution of higher education that is in a partnership receiving an allotment under this section—

"(i) shall—

"(I) recruit and admit participating qualified students and provide such additional institutional grant aid to participating students as agreed to with the State agency;

"(II) provide support services to students who receive grants for access and persistence under this section and are enrolled at such institution; and

"(III) assist the State in the identification of eligible students and the dissemination of early notifications of assistance as agreed to with the State agency; and

"(ii) may provide funding for early information and intervention, mentoring, or outreach programs or provide such services directly.

"(C) PROGRAMS.—An early information and intervention, mentoring, or outreach program that is in a partnership receiving an allotment under this section shall provide direct services, support, and information to participating students.

"(D) PHILANTHROPIC ORGANIZATION OR PRIVATE CORPORATION.—A philanthropic organization or private corporation that is in a partnership receiving an allotment under this section shall provide funds for grants for access and persistence for participating students, or provide funds or support for early information and intervention, mentoring, or outreach programs.

"(d) AUTHORIZED ACTIVITIES.—

1 "(1) IN GENERAL.—

2 "(A) ESTABLISHMENT OF PARTNER-
3 SHIP.—Each State receiving an allotment under
4 this section shall use the funds to establish a
5 partnership to award grants for access and per-
6 sistence to eligible low-income students in order
7 to increase the amount of financial assistance
8 such students receive under this subpart for un-
9 dergraduate education expenses.

10 "(B) AMOUNT OF GRANTS.—

11 "(i) PARTNERSHIPS WITH INSTITU-
12 TIONS SERVING LESS THAN A MAJORITY
13 OF STUDENTS IN THE STATE.—

14 "(I) IN GENERAL.—In the case
15 where a State receiving an allotment
16 under this section is in a partnership
17 described in subsection (b)(2)(A)(i),
18 the amount of a grant for access and
19 persistence awarded by such State
20 shall be not less than the amount that
21 is equal to the average undergraduate
22 tuition and mandatory fees at 4-year
23 public institutions of higher education
24 in the State where the student resides
25 (less any other Federal or State spon-

sored grant amount, work study amount, and scholarship amount received by the student), and such amount shall be used toward the cost of attendance at an institution of higher education located in the State.

"(II) COST OF ATTENDANCE.—A State that has a program, apart from the partnership under this section, of providing eligible low-income students with grants that are equal to the average undergraduate tuition and mandatory fees at 4-year public institutions of higher education in the State, may increase the amount of grants for access and persistence awarded by such State up to an amount that is equal to the average cost of attendance at 4-year public institutions of higher education in the State (less any other Federal or State sponsored grant amount, work study amount, and scholarship amount received by the student).

"(ii) PARTNERSHIPS WITH INSTITUTIONS SERVING THE MAJORITY OF STUDENTS IN THE STATE.—In the case where a State receiving an allotment under this section is in a partnership described in subsection (b)(2)(A)(ii), the amount of a grant for access and persistence awarded by such State shall be not more than an amount that is equal to the average cost of attendance at 4-year public institutions of higher education in the State where the student resides (less any other Federal or State sponsored grant amount, college work study amount, and scholarship amount received by the student), and such amount shall be used by the student to attend an institution of higher education located in the State.

"(C) SPECIAL RULES.—

"(i) PARTNERSHIP INSTITUTIONS.—A State receiving an allotment under this section may restrict the use of grants for access and persistence under this section by awarding the grants only to students

attending institutions of higher education that are participating in the partnership.

"(ii) OUT-OF-STATE INSTITUTIONS.—If a State provides grants through another program under this subpart to students attending institutions of higher education located in another State, such agreement may also apply to grants awarded under this section.

"(2) EARLY NOTIFICATION.—

"(A) IN GENERAL.—Each State receiving an allotment under this section shall annually notify low-income students, such as students who are eligible to receive a free lunch under the school lunch program established under the Richard B. Russell National School Lunch Act, in grade 7 through grade 12 in the State, of the students' potential eligibility for student financial assistance, including a grant for access and persistence, to attend an institution of higher education.

"(B) CONTENT OF NOTICE.—The notification under subparagraph (A)—

"(i) shall include—

"(I) information about early information and intervention, mentoring, or outreach programs available to the student;

"(II) information that a student's candidacy for a grant for access and persistence is enhanced through participation in an early information and intervention, mentoring, or outreach program;

"(III) an explanation that student and family eligibility and participation in other Federal means-tested programs may indicate eligibility for a grant for access and persistence and other student aid programs;

"(IV) a nonbinding estimation of the total amount of financial aid a low-income student with a similar income level may expect to receive, including an estimation of the amount of a grant for access and persistence and an estimation of the amount of grants, loans, and all other available

types of aid from the major Federal and State financial aid programs;

"(V) an explanation that in order to be eligible for a grant for access and persistence, at a minimum, a student shall—

"(aa) meet the requirement under paragraph (3);

"(bb) graduate from secondary school; and

"(cc) enroll at an institution of higher education that is a partner in the partnership or qualifies under subsection (d)(1)(C)(ii);

"(VI) information on any additional requirements (such as a student pledge detailing student responsibilities) that the State may impose for receipt of a grant for access and persistence under this section; and

"(VII) instructions on how to apply for a grant for access and persistence and an explanation that a student is required to file a Free Ap-

plication for Federal Student Aid authorized under section 483(a) to be eligible for such grant and assistance from other Federal and State financial aid programs; and

"(ii) may include a disclaimer that grant awards for access and persistence are contingent upon—

"(I) a determination of the student's financial eligibility at the time of the student's enrollment at an institution of higher education that is a partner in the partnership or qualifies under subsection (d)(1)(C)(ii);

"(II) annual Federal and State appropriations; and

"(III) other aid received by the student at the time of the student's enrollment at such institution of higher education.

"(3) ELIGIBILITY.—In determining which students are eligible to receive grants for access and persistence, the State shall ensure that each such student meets not less than 1 of the following:

"(A) Meets not less than 2 of the following criteria, with priority given to students meeting all of the following criteria:

"(i) Has an expected family contribution equal to zero (as described in section 479) or a comparable alternative based upon the State's approved criteria in section 415C(b)(4).

"(ii) Has qualified for a free lunch, or at the State's discretion a reduced price lunch, under the school lunch program established under the Richard B. Russell National School Lunch Act.

"(iii) Qualifies for the State's maximum undergraduate award, as authorized under section 415C(b).

"(iv) Is participating in, or has participated in, a Federal, State, institutional, or community early information and intervention, mentoring, or outreach program, as recognized by the State agency administering activities under this section.

"(B) Is receiving, or has received, a grant for access and persistence under this section, in accordance with paragraph (5).

"(4) GRANT AWARD.—Once a student, including those students who have received early notification under paragraph (2) from the State, applies for admission to an institution that is a partner in the partnership, files a Free Application for Federal Student Aid and any related existing State form, and is determined eligible by the State under paragraph (3), the State shall—

"(A) issue the student a preliminary award certificate for a grant for access and persistence with tentative award amounts; and

"(B) inform the student that payment of the grant for access and persistence award amounts is subject to certification of enrollment and award eligibility by the institution of higher education.

"(5) DURATION OF AWARD.—An eligible student that receives a grant for access and persistence under this section shall receive such grant award for each year of such student's undergraduate education in which the student remains eligible for assistance under this title, including pursuant to section 484(c), and remains financially eligible as determined by the State, except that the State may impose reasonable time limits to degree completion.

"(e) USE OF FUNDS FOR ADMINISTRATIVE COSTS PROHIBITED.—A State that receives an allotment under this section shall not use any of the allotted funds to pay administrative costs associated with any of the authorized activities described in subsection (d).

"(f) STATUTORY AND REGULATORY RELIEF FOR INSTITUTIONS OF HIGHER EDUCATION.—The Secretary may grant, upon the request of an institution of higher education that is in a partnership described in subsection (b)(2)(A)(ii) and that receives an allotment under this section, a waiver for such institution from statutory or regulatory requirements that inhibit the ability of the institution to successfully and efficiently participate in the activities of the partnership.

"(g) APPLICABILITY RULE.—The provisions of this subpart which are not inconsistent with this section shall apply to the program authorized by this section.

"(h) MAINTENANCE OF EFFORT REQUIREMENT.—Each State receiving an allotment under this section for a fiscal year shall provide the Secretary with an assurance that the aggregate amount expended per student or the aggregate expenditures by the State, from funds derived from non-Federal sources, for the authorized activities described in subsection (d) for the preceding fiscal year were not less than the amount expended per student or the ag-

gregate expenditure by the State for the activities for the second preceding fiscal year.

"(i) SPECIAL RULE.—Notwithstanding subsection (h), for purposes of determining a State's share of the cost of the authorized activities described in subsection (d), the State shall consider only those expenditures from non-Federal sources that exceed the State's total expenditures for need-based grants, scholarships, and work-study assistance for fiscal year 1999 (including any such assistance provided under this subpart).

"(j) CONTINUATION AND TRANSITION.—For the 2-year period that begins on the date of enactment of the Higher Education Amendments of 2007, the Secretary shall continue to award grants under section 415E of the Higher Education Act of 1965 as such section existed on the day before the date of enactment of such Act to States that choose to apply for grants under such predecessor section.

"(k) REPORTS.—Not later than 3 years after the date of enactment of the Higher Education Amendments of 2007 and annually thereafter, the Secretary shall submit a report describing the activities and the impact of the partnerships under this section to the authorizing committees.".

SEC. 408. SPECIAL PROGRAMS FOR STUDENTS WHOSE FAMILIES ARE ENGAGED IN MIGRANT AND SEASONAL FARMWORK.

Section 418A (20 U.S.C. 1070d–2) is amended—

(1) in subsection (b)—

(A) in paragraph (1)(B)(i), by striking ''parents'' and inserting ''immediate family'';

(B) in paragraph (3)(B), by inserting ''(including preparation for college entrance examinations)'' after ''college program'';

(C) in paragraph (5), by striking ''weekly'';

(D) in paragraph (7), by striking ''and'' after the semicolon;

(E) in paragraph (8)—

(i) by inserting ''(such as transportation and child care)'' after ''services''; and

(ii) by striking the period at the end and inserting ''; and''; and

(F) by adding at the end the following:

''(9) other activities to improve persistence and retention in postsecondary education.'';

(2) in subsection (c)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''parents'' and inserting ''family'';

(ii) in subparagraph (B)—

(I) in the matter preceding clause (i), by inserting ''to improve placement, persistence, and retention in postsecondary education'' after ''services''; and

(II) in clause (i), by striking ''and career'' and inserting ''career, and economic education or personal finance'';

(iii) in subparagraph (E), by striking ''and'' after the semicolon;

(iv) by redesignating subparagraph (F) as subparagraph (G);

(v) by inserting after subparagraph (E) the following:

''(F) internships; and''; and

(vi) in subparagraph (G) (as redesignated by clause (iv)), by striking ''support services'' and inserting ''essential supportive services (such as transportation and child care)''; and

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''and'' after the semicolon;

(ii) in subparagraph (B), by striking the period at the end and inserting ", and coordinating such services, assistance, and aid with other non-program services, assistance, and aid, including services, assistance, and aid provided by community-based organizations, which may include mentoring and guidance; and"; and

(iii) by adding at the end the following:

"(C) for students attending 2-year institutions of higher education, encouraging the students to transfer to 4-year institutions of higher education, where appropriate, and monitoring the rate of transfer of such students.";

(3) in subsection (e), by striking "section 402A(c)(1)" and inserting "section 402A(c)(2)";

(4) in subsection (f)—

(A) in paragraph (1), by striking "$150,000" and inserting "$180,000"; and

(B) in paragraph (2), by striking "$150,000" and inserting "$180,000";

(5) by redesignating subsections (g) and (h) as subsections (h) and (i), respectively;

(6) by inserting after subsection (f) the following:

"(g) RESERVATION OF FUNDS.—From the amounts made available under subsection (i), the Secretary may reserve not more than a total of ½ of 1 percent for outreach activities, technical assistance, and professional development programs relating to the programs under subsection (a).";

(7) by striking subsection (h) (as redesignated by paragraph (5)) and inserting the following:

"(h) DATA COLLECTION.—The Commissioner for Education Statistics shall—

"(1) annually collect data on persons receiving services authorized under this subpart regarding such persons' rates of secondary school graduation, entrance into postsecondary education, and completion of postsecondary education;

"(2) not less often than once every 2 years, prepare and submit a report based on the most recently available data under paragraph (1) to the authorizing committees; and

"(3) make such report available to the public."; and

(8) in subsection (i) (as redesignated by paragraph (5))—

(A) in paragraph (1), by striking ''$15,000,000 for fiscal year 1999'' and all that follows through the period and inserting ''such sums as may be necessary for fiscal year 2008 and each of the 5 succeeding fiscal years.''; and

(B) in paragraph (2), by striking ''$5,000,000 for fiscal year 1999'' and all that follows through the period and inserting ''such sums as may be necessary for fiscal year 2008 and each of the 5 succeeding fiscal years.''.

SEC. 409. ROBERT C. BYRD HONORS SCHOLARSHIP PROGRAM.

(a) ELIGIBILITY OF SCHOLARS.—Section 419F(a) (20 U.S.C. 1070d–36(a)) is amended by inserting ''(or a home school, whether treated as a home school or a private school under State law)'' after ''public or private secondary school''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 419K (20 U.S.C. 1070d–41) is amended by striking ''$45,000,000 for fiscal year 1999'' and all that follows through the period and inserting ''such sums as may be necessary for fiscal year 2008 and each of the 5 succeeding fiscal years.''.

SEC. 410. CHILD CARE ACCESS MEANS PARENTS IN SCHOOL.

(a) MINIMUM GRANT.—Section 419N(b)(2)(B) (20 U.S.C. 1070e(b)(2)(B)) is amended—

(1) by striking ''A grant'' and inserting the following:

''(i) IN GENERAL.—Except as provided in clause (ii), a grant''; and

(2) by adding at the end the following:

''(ii) INCREASE TRIGGER.—For any fiscal year for which the amount appropriated under the authority of subsection (g) is equal to or greater than $20,000,000, a grant under this section shall be awarded in an amount that is not less than $30,000.''.

(b) DEFINITION OF LOW-INCOME STUDENT.—Paragraph (7) of section 419N(b) (20 U.S.C. 1070e(b)) is amended to read as follows:

''(7) DEFINITION OF LOW-INCOME STUDENT.—For the purpose of this section, the term 'low-income student' means a student who—

''(A) is eligible to receive a Federal Pell Grant for the fiscal year for which the determination is made; or

"(B) would otherwise be eligible to receive a Federal Pell Grant for the fiscal year for which the determination is made, except that the student fails to meet the requirements of—

"(i) section 401(c)(1) because the student is enrolled in a graduate or first professional course of study; or

"(ii) section 484(a)(5) because the student is in the United States for a temporary purpose.".

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 419N(g) (20 U.S.C. 1070e(g)) is amended by striking "$45,000,000 for fiscal year 1999" and all that follows through the period and inserting "such sums as may be necessary for fiscal year 2008 and each of the 5 succeeding fiscal years.".

SEC. 411. LEARNING ANYTIME ANYWHERE PARTNERSHIPS.

Subpart 8 of part A of title IV (20 U.S.C. 1070f et seq.) is repealed.

PART B—FEDERAL FAMILY EDUCATION LOAN PROGRAM

SEC. 421. FEDERAL PAYMENTS TO REDUCE STUDENT INTEREST COSTS.

Section 428 (as amended by this Act) (20 U.S.C. 1078) is further amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (X), by striking "and" after the semicolon;

(ii) in subparagraph (Y)—

(I) by striking clause (i) and inserting the following:

"(i) the lender shall determine the eligibility of a borrower for a deferment described in subparagraph (M)(i) based on—

"(I) receipt of a request for deferment from the borrower and documentation of the borrower's eligibility for the deferment;

"(II) receipt of a newly completed loan application that documents the borrower's eligibility for a deferment;

"(III) receipt of student status information received by the lender that the borrower is enrolled on at least a half-time basis; or

"(IV) the lender's confirmation of the borrower's half-time enrollment status through use of the National

Student Loan Data System, if the confirmation is requested by the institution of higher education.''; and

(II) in clause (ii), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(Z) provides that the lender shall, at the time the lender grants a deferment to a borrower who received a loan under section 428H and is eligible for a deferment under section 428(b)(1)(M), provide information to the borrower to enable the borrower to understand the impact of capitalization of interest on the borrower's loan principal and total amount of interest to be paid during the life of the loan.'';

(B) in paragraph (2)(F)—

(i) in clause (i)—

(I) in subclause (III), by striking ''and'' after the semicolon;

(II) in subclause (IV), by striking ''and'' after the semicolon; and

(III) by adding at the end the following:

"(V) the effective date of the transfer;

"(VI) the date the current servicer will stop accepting payments; and

"(VII) the date at which the new servicer will begin accepting payments."; and

(C) by striking paragraph (3) and inserting the following:

"(3) RESTRICTIONS ON INDUCEMENTS, PAYMENTS, MAILINGS, AND ADVERTISING.—A guaranty agency shall not—

"(A) offer, directly or indirectly, premiums, payments, stock or other securities, prizes, travel, entertainment expenses, tuition repayment, or other inducements to—

"(i) any institution of higher education or the employees of an institution of higher education in order to secure applicants for loans made under this part; or

"(ii) any lender, or any agent, employee, or independent contractor of any lender or guaranty agency, in order to administer or market loans made under this

part (other than a loan made under section 428H or a loan made as part of the guaranty agency's lender-of-last-resort program pursuant to section 439(q)) for the purpose of securing the designation of the guaranty agency as the insurer of such loans;

''(B) conduct unsolicited mailings, by postal or electronic means, of educational loan application forms to students enrolled in secondary school or postsecondary educational institutions, or to the parents of such students, except that applications may be mailed, by postal or electronic means, to students or borrowers who have previously received loans guaranteed under this part by the guaranty agency;

''(C) perform, for an institution of higher education participating in a program under this title, any function that the institution is required to perform under part B, D, or G;

''(D) pay, on behalf of the institution of higher education, another person to perform any function that the institution of higher education is required to perform under part B, D, or G; or

"(E) conduct fraudulent or misleading advertising concerning loan availability, terms, or conditions.

It shall not be a violation of this paragraph for a guaranty agency to provide technical assistance to institutions of higher education comparable to the technical assistance provided to institutions of higher education by the Department."; and

(2) in subsection (c)—

(A) in paragraph (2)(H)(i), by striking "preclaims" and inserting "default aversion"; and

(B) in paragraph (3)(C)—

(i) in clause (i), by striking "and" after the semicolon;

(ii) in clause (ii), by striking "and" after the semicolon; and

(iii) by inserting after clause (ii) the following:

"(iii) the lender shall, at the time of granting a borrower forbearance, provide information to the borrower to enable the borrower to understand the impact of capitalization of interest on the borrower's

loan principal and total amount of interest to be paid during the life of the loan; and

"(iv) the lender shall contact the borrower not less often than once every 180 days during the period of forbearance to inform the borrower of—

"(I) the amount of unpaid principal and the amount of interest that has accrued since the last statement of such amounts provided to the borrower by the lender;

"(II) the fact that interest will accrue on the loan for the period of forbearance;

"(III) the amount of interest that will be capitalized, and the date on which capitalization will occur;

"(IV) the ability of the borrower to pay the interest that has accrued before the interest is capitalized; and

"(V) the borrower's option to discontinue the forbearance at any time; and".

SEC. 422. FEDERAL CONSOLIDATION LOANS.

(a) AMENDMENTS.—Section 428C(b)(1) (20 U.S.C. 1078–3(b)(1)) is amended—

(1) in subparagraph (E), by striking ''and'' after the semicolon;

(2) by redesignating subparagraph (F) as subparagraph (H); and

(3) by inserting after subparagraph (E) the following:

''(F) that the lender will disclose, in a clear and conspicuous manner, to borrowers who consolidate loans made under part E of this title—

''(i) that once the borrower adds the borrower's Federal Perkins Loan to a Federal Consolidation Loan, the borrower will lose all interest-free periods that would have been available, such as those periods when no interest accrues on the Federal Perkins Loan while the borrower is enrolled in school at least half-time, during the grace period, and during periods when the borrower's student loan repayments are deferred;

''(ii) that the borrower will no longer be eligible for loan forgiveness of Federal

Perkins Loans under any provision of section 465; and

"(iii) the occupations described in section 465(a)(2), individually and in detail, for which the borrower will lose eligibility for Federal Perkins Loan forgiveness; and

"(G) that the lender shall, upon application for a consolidation loan, provide the borrower with information about the possible impact of loan consolidation, including—

"(i) the total interest to be paid and fees to be paid on the consolidation loan, and the length of repayment for the loan;

"(ii) whether consolidation would result in a loss of loan benefits under this part or part D, including loan forgiveness, cancellation, and deferment;

"(iii) in the case of a borrower that plans to include a Federal Perkins Loan under part E in the consolidation loan, that once the borrower adds the borrower's Federal Perkins Loan to a consolidation loan—

"(I) the borrower will lose all interest–free periods that would have

been available for such loan under part E, such as the periods during which no interest accrues on the Federal Perkins Loan while the borrower is enrolled in school at least half-time, the grace period, and the periods during which the borrower's student loan repayments are deferred under section 464(c)(2); and

"(II) the borrower will no longer be eligible for cancellation of part or all of a Federal Perkins loan under section 465(a);

"(iv) the ability of the borrower to prepay the consolidation loan, pay such loan on a shorter schedule, and to change repayment plans;

"(v) that borrower benefit programs for a consolidation loan may vary among different lenders;

"(vi) the consequences of default on the consolidation loan; and

"(vii) that by applying for a consolidation loan, the borrower is not obligated to agree to take the consolidation loan; and".

(b) CONFORMING AMENDMENT.—Section 455(g) (20 U.S.C. 1087e(g)) is amended by striking ''428C(b)(1)(F)'' and inserting ''428C(b)(1)(H)''.

SEC. 423. DEFAULT REDUCTION PROGRAM.

Section 428F (20 U.S.C. 1078–6) is amended by adding at the end the following:

''(c) FINANCIAL AND ECONOMIC LITERACY.—Where appropriate as determined by the institution of higher education in which a borrower is enrolled, each program described in subsection (b) shall include making available financial and economic education materials for the borrower, including making the materials available before, during, or after rehabilitation of a loan.''.

SEC. 424. REPORTS TO CONSUMER REPORTING AGENCIES AND INSTITUTIONS OF HIGHER EDUCATION.

Section 430A (20 U.S.C. 1080a) is amended—

(1) in the section heading, by striking ''**CREDIT BUREAUS**'' and inserting ''**CONSUMER REPORTING AGENCIES**''; and

(2) in subsection (a)—

(A) in the first sentence, by striking ''with credit bureau organizations'' and inserting ''with each consumer reporting agency that compiles and maintains files on consumers on a nationwide basis (as defined in section 603(p)

of the Fair Credit Reporting Act (15 U.S.C. 1681a(p))";

(B) by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (4), and (5), respectively;

(C) by inserting before paragraph (2) (as redesignated by subparagraph (B)), the following:

"(1) the type of loan made, insured, or guaranteed under this title;";

(D) by inserting after paragraph (2) (as redesignated by subparagraph (B)), the following:

"(3) information concerning the repayment status of the loan, which information shall be included in the file of the borrower, except that nothing in this subsection shall be construed to affect any otherwise applicable provision of the Fair Credit Reporting Act (15 U.S.C. 1681 et seq.)";

(E) in paragraph (4) (as redesignated by subparagraph (B)), by striking "and" after the semicolon;

(F) in paragraph (5) (as redesignated by subparagraph (B)), by striking the period and inserting "; and"; and

(G) by adding at the end the following:

"(6) any other information required to be reported by Federal law.".

SEC. 425. COMMON FORMS AND FORMATS.

Section 432(m)(1)(D)(i) (20 U.S.C. 1082(m)(1)(D)(i)) is amended by adding at the end the following: "Unless otherwise notified by the Secretary, each institution of higher education that participates in the program under this part or part D may use a master promissory note for loans under this part and part D.".

SEC. 426. STUDENT LOAN INFORMATION BY ELIGIBLE LENDERS.

Section 433 (20 U.S.C. 1083) is amended by adding at the end the following:

"(f) BORROWER INFORMATION AND PRIVACY.—Each entity participating in a program under this part that is subject to subtitle A of title V of the Gramm-Leach-Bliley Act (15 U.S.C. 6801 et seq.) shall only use, release, disclose, sell, transfer, or give student information, including the name, address, social security number, or amount borrowed by a borrower or a borrower's parent, in accordance with the provisions of such subtitle.

"(g) LOAN BENEFIT DISCLOSURES.—

"(1) IN GENERAL.—Each eligible lender, holder, or servicer of a loan made, insured, or guaran-

teed under this part shall provide the borrower with information on the loan benefit repayment options the lender, holder, or servicer offer, including information on reductions in interest rates—

"(A) by repaying the loan by automatic payroll or checking account deduction;

"(B) by completing a program of on-time repayment; and

"(C) under any other interest rate reduction program.

"(2) INFORMATION.—Such borrower information shall include—

"(A) any limitations on such options;

"(B) explicit information on the reasons a borrower may lose eligibility for such an option;

"(C) examples of the impact the interest rate reductions will have on a borrower's time for repayment and amount of repayment;

"(D) upon the request of the borrower, the effect the reductions in interest rates will have with respect to the borrower's payoff amount and time for repayment; and

"(E) information on borrower recertification requirements.".

SEC. 427. CONSUMER EDUCATION INFORMATION.

Part B (20 U.S.C. 1071 et seq.) is amended by inserting after section 433 (20 U.S.C. 1083) the following:

"SEC. 433A. CONSUMER EDUCATION INFORMATION.

''Each guaranty agency participating in a program under this part working with the institutions of higher education served by such guaranty agency (or in the case of an institution of higher education that provides loans exclusively through part D, the institution working with a guaranty agency or with the Secretary) shall develop and make available a quality educational program and materials to provide training for students in budgeting and financial management, including debt management and other aspects of financial literacy, such as the cost of using very high interest loans to pay for postsecondary education, particularly as budgeting and financial management relates to student loan programs authorized by this title. Nothing in this section shall be construed to prohibit a guaranty agency from using an existing program or existing materials to meet the requirement of this section. The activities described in this section shall be considered default reduction activities for the purposes of section 422.''.

SEC. 428. DEFINITION OF ELIGIBLE LENDER.

Section 435(d) (20 U.S.C. 1085(d)) is amended—

(1) in paragraph (5)—

(A) by redesignating subparagraphs (C) and (D) as subparagraphs (H) and (I), respectively; and

(B) by striking subparagraphs (A) and (B) and inserting the following:

''(A) offered, directly or indirectly, points, premiums, payments (including payments for referrals and for processing or finder fees), prizes, stock or other securities, travel, entertainment expenses, tuition repayment, the provision of information technology equipment at below-market value, additional financial aid funds, or other inducements to any institution of higher education or any employee of an institution of higher education in order to secure applicants for loans under this part;

''(B) conducted unsolicited mailings, by postal or electronic means, of student loan application forms to students enrolled in secondary school or postsecondary institutions, or to parents of such students, except that applications may be mailed, by postal or electronic means, to students or borrowers who have previously received loans under this part from such lender;

"(C) entered into any type of consulting arrangement, or other contract to provide services to a lender, with an employee who is employed in the financial aid office of an institution of higher education, or who otherwise has responsibilities with respect to student loans or other financial aid of the institution;

"(D) compensated an employee who is employed in the financial aid office of an institution of higher education, or who otherwise has responsibilities with respect to educational loans or other financial aid of the institution, and who is serving on an advisory board, commission, or group established by a lender or group of lenders for providing such service, except that the eligible lender may reimburse such employee for reasonable expenses incurred in providing such service;

"(E) performed for an institution of higher education any function that the institution of higher education is required to carry out under part B, D, or G;

"(F) paid, on behalf of an institution of higher education, another person to perform any function that the institution of higher edu-

cation is required to perform under part B, D, or G;

"(G) provided payments or other benefits to a student at an institution of higher education to act as the lender's representative to secure applications under this title from individual prospective borrowers, unless such student—

"(i) is also employed by the lender for other purposes; and

"(ii) made all appropriate disclosures regarding such employment;"; and

(2) by adding at the end the following:

"(8) SUNSET OF AUTHORITY FOR SCHOOL AS LENDER PROGRAM.—

"(A) SUNSET.—The authority provided under subsection (d)(1)(E) for an institution to serve as an eligible lender, and under paragraph (7) for an eligible lender to serve as a trustee for an institution of higher education or an organization affiliated with an institution of higher education, shall expire on June 30, 2011.

"(B) APPLICATION TO EXISTING INSTITUTIONAL LENDERS.—An institution that was an eligible lender under this subsection, or an eligi-

ble lender that served as a trustee for an institution of higher education or an organization affiliated with an institution of higher education under paragraph (7), before June 30, 2011, shall—

"(i) not issue any new loans in such a capacity under part B after June 30, 2011; and

"(ii) shall continue to carry out the institution's responsibilities for any loans issued by the institution under part B on or before June 30, 2011, except that, beginning on June 30, 2010, the eligible institution or trustee may, notwithstanding any other provision of this Act, sell or otherwise dispose of such loans if all profits from the divestiture are used for need-based grant programs at the institution.

"(C) AUDIT REQUIREMENT.—All institutions serving as an eligible lender under subsection (d)(1)(E) and all eligible lenders serving as a trustee for an institution of higher education or an organization affiliated with an institution of higher education shall annually

complete and submit to the Secretary a compliance audit to determine whether—

"(i) the institution or lender is using all proceeds from special allowance payments and interest payments from borrowers, interest subsidies received from the Department, and any proceeds from the sale or other disposition of loans, for need-based aid programs, in accordance with section 435(d)(2)(A)(viii);

"(ii) the institution or lender is using no more than a reasonable portion of the proceeds described in section 435(d)(2)(A)(viii) for direct administrative expenses; and

"(iii) the institution or lender is ensuring that the proceeds described in section 435(d)(2)(A)(viii) are being used to supplement, and not to supplant, non-Federal funds that would otherwise be used for need-based grant programs.".

SEC. 429. DISCHARGE AND CANCELLATION RIGHTS IN CASES OF DISABILITY.

(a) FFEL AND DIRECT LOANS.—Section 437(a) (20 U.S.C. 1087) is amended—

(1) by inserting ", or if a student borrower who has received such a loan is unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment that can be expected to result in death, has lasted for a continuous period of not less than 60 months, or can be expected to last for a continuous period of not less than 60 months" after "of the Secretary),"; and

(2) by adding at the end the following: "The Secretary may develop such safeguards as the Secretary determines necessary to prevent fraud and abuse in the discharge of liability under this subsection. Notwithstanding any other provision of this subsection, the Secretary may promulgate regulations to resume collection on loans discharged under this subsection in any case in which—

"(1) a borrower received a discharge of liability under this subsection and after the discharge the borrower—

"(A) receives a loan made, insured or guaranteed under this title; or

"(B) has earned income in excess of the poverty line; or

"(2) the Secretary determines necessary.".

(b) PERKINS.—Section 464(c) (20 U.S.C. 1087dd(c)) is amended—

(1) in paragraph (1)(F)—

(A) by striking ''or if he'' and inserting ''if the borrower''; and

(B) by inserting '', or if the borrower is unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment that can be expected to result in death, has lasted for a continuous period of not less than 60 months, or can be expected to last for a continuous period of not less than 60 months'' after ''the Secretary''; and

(2) by adding at the end the following:

''(8) The Secretary may develop such additional safeguards as the Secretary determines necessary to prevent fraud and abuse in the cancellation of liability under paragraph (1)(F). Notwithstanding paragraph (1)(F), the Secretary may promulgate regulations to resume collection on loans cancelled under paragraph (1)(F) in any case in which—

''(A) a borrower received a cancellation of liability under paragraph (1)(F) and after the cancellation the borrower—

"(i) receives a loan made, insured or guaranteed under this title; or

"(ii) has earned income in excess of the poverty line; or

"(B) the Secretary determines necessary.".

SEC. 430. SPECIAL ALLOWANCES.

(a) AMENDMENT.—Paragraph (2) of section 438(d) (20 U.S.C. 1087–1(d)) is amended to read as follows:

"(2) AMOUNT OF LOAN FEES.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), with respect to any loan made under this part for which the first disbursement was made on or after October 1, 1993, the amount of the loan fee that shall be deducted under paragraph (1) shall be equal to 0.50 percent of the principal amount of the loan.

"(B) CONSOLIDATION LOANS.—With respect to any loan made under section 428C on or after July 1, 2007, the amount of the loan fee that shall be deducted under paragraph (1) shall be equal to 1.0 percent of the principal amount of the loan.".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to any loan made,

insured, or guaranteed under part B of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.) for which the first disbursement is made on or after July 1, 2007.

PART C—FEDERAL WORK-STUDY PROGRAMS

SEC. 441. AUTHORIZATION OF APPROPRIATIONS.

Section 441(b) (42 U.S.C. 2751(b)) is amended by striking ''$1,000,000 for fiscal year 1999'' and all that follows through the period and inserting ''such sums as may be necessary for fiscal year 2008 and each of the 5 succeeding fiscal years.''.

SEC. 442. ALLOWANCE FOR BOOKS AND SUPPLIES.

Section 442(c)(4)(D) (42 U.S.C. 2752(c)(4)(D)) is amended by striking ''$450'' and inserting ''$600''.

SEC. 443. GRANTS FOR FEDERAL WORK-STUDY PROGRAMS.

Section 443(b)(2) (42 U.S.C. 2753(b)(2)) is amended—

(1) by striking subparagraph (A);

(2) by redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively; and

(3) in subparagraph (A) (as redesignated by paragraph (2)), by striking ''this subparagraph if'' and all that follows through ''institution;'' and inserting ''this subparagraph if—

"(i) the Secretary determines that enforcing this subparagraph would cause hardship for students at the institution; or

"(ii) the institution certifies to the Secretary that 15 percent or more of its total full-time enrollment participates in community service activities described in section 441(c) or tutoring and literacy activities described in subsection (d) of this section;".

SEC. 444. JOB LOCATION AND DEVELOPMENT PROGRAMS.

Section 446(a)(1) (42 U.S.C. 2756(a)(1)) is amended by striking "$50,000" and inserting "$75,000".

SEC. 445. WORK COLLEGES.

Section 448 (42 U.S.C. 2756b) is amended—

(1) in subsection (a), by striking "work-learning" and inserting "work-learning-service";

(2) in subsection (b)—

(A) in paragraph (1), by striking "under subsection (f)" and inserting "for this section under section 441(b)"; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking "pursuant to sub-

section (f)'' and inserting ''for this section under section 441(b)'';

(ii) in subparagraph (A), by striking ''work-learning program'' and inserting ''comprehensive work-learning-service program'';

(iii) by redesignating subparagraphs (C) through (F) as subparagraphs (D) through (G), respectively;

(iv) by inserting after subparagraph (B) the following:

''(C) support existing and new model student volunteer community service projects associated with local institutions of higher education, such as operating drop-in resource centers that are staffed by students and that link people in need with the resources and opportunities necessary to become self-sufficient; and'';

(v) in subparagraph (E) (as redesignated by clause (iii)), by striking ''work-learning'' each place the term occurs and inserting ''work-learning-service''; and

(vi) in subparagraph (F) (as redesignated by clause (iii)), by striking ''work

service learning'' and inserting ''work-learning-service'';

(3) in subsection (c), by striking ''by subsection (f) to use funds under subsection (b)(1)'' and inserting ''for this section under section 441(b) or to use funds under subsection (b)(1),'';

(4) in subsection (e)—

(A) in paragraph (1)—

(i) in subparagraph (A), by inserting ''4-year, degree-granting'' after ''non-profit'';

(ii) in subparagraph (B), by striking ''work-learning'' and inserting ''work-learning-service'';

(iii) by striking subparagraph (C) and inserting the following:

''(C) requires all resident students, including at least ½ of all resident students who are enrolled on a full-time basis, to participate in a comprehensive work-learning-service program for not less than 5 hours each week, or not less than 80 hours during each period of enrollment except summer school, unless the student is engaged in a study abroad or externship program

that is organized or approved by the institution; and''; and

(iv) in subparagraph (D), by striking ''work-learning'' and inserting ''work-learning-service''; and

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

''(2) the term 'comprehensive work-learning-service program' means a student work-learning-service program that—

''(A) is an integral and stated part of the institution's educational philosophy and program;

''(B) requires participation of all resident students for enrollment and graduation;

''(C) includes learning objectives, evaluation, and a record of work performance as part of the student's college record;

''(D) provides programmatic leadership by college personnel at levels comparable to traditional academic programs;

''(E) recognizes the educational role of work-learning-service supervisors; and

''(F) includes consequences for non-performance or failure in the work-learning-

service program similar to the consequences for failure in the regular academic program.''; and

(5) by striking subsection (f).

PART D—FEDERAL PERKINS LOANS

SEC. 451. CANCELLATION OF LOANS FOR CERTAIN PUBLIC SERVICE.

Section 465(a) (20 U.S.C. 1087ee(a)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (B), by striking ''Head Start Act which'' and inserting ''Head Start Act, or in a prekindergarten or child care program that is licensed or regulated by the State, that'';

(B) in subparagraph (H), by striking ''or'' after the semicolon;

(C) in subparagraph (I), by striking the period and inserting a semicolon; and

(D) by inserting before the matter following subparagraph (I) (as amended by subparagraph (C)) the following:

''(J) as a full-time faculty member at a Tribal College or University, as that term is defined in section 316;

''(K) as a librarian, if the librarian has a master's degree in library science and is employed in—

"(i) an elementary school or secondary school that is eligible for assistance under title I of the Elementary and Secondary Education Act of 1965; or

"(ii) a public library that serves a geographic area that contains 1 or more schools eligible for assistance under title I of the Elementary and Secondary Education Act of 1965; or

"(L) as a full-time speech language therapist, if the therapist has a master's degree and is working exclusively with schools that are eligible for assistance under title I of the Elementary and Secondary Education Act of 1965."; and

(2) in paragraph (3)(A)—

(A) in clause (i)—

(i) by inserting "(D)," after "(C),"; and

(ii) by striking "or (I)" and inserting "(I), (J), (K), or (L)";

(B) in clause (ii), by inserting "or" after the semicolon;

(C) by striking clause (iii); and

(D) by redesignating clause (iv) as clause (iii).

PART E—NEED ANALYSIS

SEC. 461. COST OF ATTENDANCE.

Section 472(3) (20 U.S.C. 1087kk(3)) is amended—

(1) in subparagraph (B), by striking ''and'' after the semicolon;

(2) by redesignating subparagraph (C) as subparagraph (D); and

(3) by inserting after subparagraph (B), as amended by paragraph (1), the following:

''(C) for students who live in housing located on a military base or for which a basic allowance is provided under section 403(b) of title 37, United States Code, shall be an allowance based on the expenses reasonably incurred by such students for board but not for room; and''.

SEC. 462. DEFINITIONS.

Section 480(b)(6) (20 U.S.C. 1087vv(b)(6)) is amended by inserting '', except that the value of on-base military housing or the value of basic allowance for housing determined under section 403(b) of title 37, United States Code, received by the parents, in the case of a dependent student, or the student or student's spouse, in the case of an independent student, shall be excluded'' before the semicolon.

PART F—GENERAL PROVISIONS RELATING TO STUDENT ASSISTANCE

SEC. 471. DEFINITIONS.

Section 481(a)(2)(B) (20 U.S.C. 1088(a)(2)(B)) is amended by inserting ''and that measures program length in credit hours or clock hours'' after ''baccalaureate degree''.

SEC. 472. COMPLIANCE CALENDAR.

Section 482 (20 U.S.C. 1089) is amended by adding at the end the following:

''(e) COMPLIANCE CALENDAR.—Prior to the beginning of each award year, the Secretary shall provide to institutions of higher education a list of all the reports and disclosures required under this Act. The list shall include—

''(1) the date each report or disclosure is required to be completed and to be submitted, made available, or disseminated;

''(2) the required recipients of each report or disclosure;

''(3) any required method for transmittal or dissemination of each report or disclosure;

''(4) a description of the content of each report or disclosure sufficient to allow the institution to identify the appropriate individuals to be assigned the responsibility for such report or disclosure;

"(5) references to the statutory authority, applicable regulations, and current guidance issued by the Secretary regarding each report or disclosure; and

"(6) any other information which is pertinent to the content or distribution of the report or disclosure.".

SEC. 473. FORMS AND REGULATIONS.

Section 483 (20 U.S.C. 1090) is amended—

(1) by striking subsections (a) and (b) and inserting the following:

"(a) COMMON FINANCIAL AID FORM DEVELOPMENT AND PROCESSING.—

"(1) IN GENERAL.—

"(A) COMMON FORMS.—The Secretary, in cooperation with representatives of agencies and organizations involved in student financial assistance, shall produce, distribute, and process free of charge common financial reporting forms as described in this subsection to be used to determine the need and eligibility of a student for financial assistance under parts A through E of this title (other than under subpart 4 of part A). The forms shall be made

available to applicants in both paper and electronic formats.

"(B) FAFSA.—The common financial reporting forms described in this subsection (excluding the form described in paragraph (2)(B)), shall be referred to collectively as the 'Free Application for Federal Student Aid', or 'FAFSA'.

"(2) PAPER FORMAT.—

"(A) IN GENERAL.—The Secretary shall encourage applicants to file the electronic versions of the forms described in paragraph (3), but shall develop, make available, and process—

"(i) a paper version of EZ FAFSA, as described in subparagraph (B); and

"(ii) a paper version of the other forms described in this subsection, in accordance with subparagraph (C), for any applicant who does not meet the requirements of or does not wish to use the process described in subparagraph (B).

"(B) EZ FAFSA.—

"(i) IN GENERAL.—The Secretary shall develop and use, after appropriate

field testing, a simplified paper application form for applicants meeting the requirements of section 479(c), which form shall be referred to as the 'EZ FAFSA'.

"(ii) REQUIRED FEDERAL DATA ELEMENTS.—The Secretary shall include on the EZ FAFSA only the data elements required to determine student eligibility and whether the applicant meets the requirements of section 479(c).

"(iii) REQUIRED STATE DATA ELEMENTS.—The Secretary shall include on the EZ FAFSA such data items as may be necessary to award State financial assistance, as provided under paragraph (5), except the Secretary shall not include a State's data if that State does not permit its applicants for State assistance to use the EZ FAFSA.

"(iv) FREE AVAILABILITY AND DATA DISTRIBUTION.—The provisions of paragraphs (6) and (10) shall apply to the EZ FAFSA.

"(C) PHASE-OUT OF FULL PAPER FAFSA.—

"(i) PHASE-OUT OF PRINTING OF FULL PAPER FAFSA.—At such time as the Secretary determines that it is not cost-effective to print the full paper version of FAFSA, the Secretary shall—

"(I) phase out the printing of the full paper version of FAFSA;

"(II) maintain on the Internet easily accessible, downloadable formats of the full paper version of FAFSA; and

"(III) provide a printed copy of the full paper version of FAFSA upon request.

"(ii) USE OF SAVINGS.—The Secretary shall utilize any savings realized by phasing out the printing of the full paper version of FAFSA and moving applicants to the electronic versions of FAFSA, to improve access to the electronic versions for applicants meeting the requirements of section 479(c).

"(3) ELECTRONIC VERSIONS.—

"(A) IN GENERAL.—The Secretary shall produce, make available through a broadly

available website, and process electronic versions of the FAFSA and the EZ FAFSA.

"(B) MINIMUM QUESTIONS.—The Secretary shall use all available technology to ensure that a student using an electronic version of the FAFSA under this paragraph answers only the minimum number of questions necessary.

"(C) REDUCED REQUIREMENTS.—The Secretary shall enable applicants who meet the requirements of subsection (b) or (c) of section 479 to provide information on the electronic version of the FAFSA only for the data elements required to determine student eligibility and whether the applicant meets the requirements of subsection (b) or (c) of section 479.

"(D) STATE DATA.—The Secretary shall include on the electronic version of the FAFSA the questions needed to determine whether the applicant is eligible for State financial assistance, as provided under paragraph (5), except that the Secretary shall not—

"(i) require applicants to complete data required by any State other than the applicant's State of residence; and

"(ii) include a State's data if such State does not permit its applicants for State assistance to use the electronic version of the FAFSA described in this paragraph.

"(E) FREE AVAILABILITY AND DATA DISTRIBUTION.—The provisions of paragraphs (6) and (10) shall apply to the electronic version of the FAFSA.

"(F) USE OF FORMS.—Nothing in this subsection shall be construed to prohibit the use of the electronic versions of the forms developed by the Secretary pursuant to this paragraph by an eligible institution, eligible lender, a guaranty agency, a State grant agency, a private computer software provider, a consortium of such entities, or such other entity as the Secretary may designate. Data collected by the electronic versions of such forms shall be used only for the application, award, and administration of aid awarded under this title, State aid, or aid awarded by eligible institutions or such entities as the Secretary may designate. No data collected by such electronic versions of the forms shall be used for making final aid awards

under this title until such data have been processed by the Secretary or a contractor or designee of the Secretary, except as may be permitted under this title.

"(G) PRIVACY.—The Secretary shall ensure that data collection under this paragraph complies with section 552a of title 5, United States Code, and that any entity using an electronic version of a form developed by the Secretary under this paragraph shall maintain reasonable and appropriate administrative, technical, and physical safeguards to ensure the integrity and confidentiality of the information, and to protect against security threats, or unauthorized uses or disclosures of the information provided on the electronic version of the form.

"(H) SIGNATURE.—Notwithstanding any other provision of this Act, the Secretary may permit an electronic version of a form developed under this paragraph to be submitted without a signature, if a signature is subsequently submitted by the applicant or if the applicant uses a personal identification number provided by the Secretary under subparagraph (I).

"(I) PERSONAL IDENTIFICATION NUMBERS AUTHORIZED.—The Secretary is authorized to assign to an applicant a personal identification number—

"(i) to enable the applicant to use such number as a signature for purposes of completing an electronic version of a form developed under this paragraph; and

"(ii) for any purpose determined by the Secretary to enable the Secretary to carry out this title.

"(J) PERSONAL IDENTIFICATION NUMBER IMPROVEMENT.—Not later than 180 days after the date of enactment of the Higher Education Amendments of 2007, the Secretary shall implement a real-time data match between the Social Security Administration and the Department to minimize the time required for an applicant to obtain a personal identification number when applying for aid under this title through an electronic version of a form developed under this paragraph.

"(4) STREAMLINED REAPPLICATION PROCESS.—

"(A) IN GENERAL.—The Secretary shall develop streamlined paper and electronic re-application forms and processes for an applicant who applies for financial assistance under this title in the next succeeding academic year subsequent to an academic year for which such applicant applied for financial assistance under this title.

"(B) UPDATING OF DATA ELEMENTS.—The Secretary shall determine, in cooperation with States, institutions of higher education, agencies, and organizations involved in student financial assistance, the data elements that may be transferred from the previous academic year's application and those data elements that shall be updated.

"(C) REDUCED DATA AUTHORIZED.—Nothing in this title shall be construed as limiting the authority of the Secretary to reduce the number of data elements required of re-applicants.

"(D) ZERO FAMILY CONTRIBUTION.—Applicants determined to have a zero family contribution pursuant to section 479(c) shall not be required to provide any financial data in a

reapplication form, except data that are necessary to determine eligibility under such section.

"(5) STATE REQUIREMENTS.—

"(A) IN GENERAL.—Except as provided in paragraphs (2)(B)(iii), (3)(D), and (4)(B), the Secretary shall include on the forms developed under this subsection, such State-specific data items as the Secretary determines are necessary to meet State requirements for need-based State aid. Such items shall be selected in consultation with State agencies in order to assist in the awarding of State financial assistance in accordance with the terms of this subsection. The number of such data items shall not be less than the number included on the common financial reporting form for the 2005–2006 award year unless a State notifies the Secretary that the State no longer requires those data items for the distribution of State need-based aid.

"(B) ANNUAL REVIEW.—The Secretary shall conduct an annual review to determine—

"(i) which data items each State requires to award need-based State aid; and

"(ii) if the State will permit an applicant to file a form described in paragraph (2)(B) or (3)(C).

"(C) USE OF SIMPLIFIED APPLICATION FORMS ENCOURAGED.—The Secretary shall encourage States to take such steps as are necessary to encourage the use of simplified forms under this subsection, including those forms described in paragraphs (2)(B) and (3)(C), for applicants who meet the requirements of subsection (b) or (c) of section 479.

"(D) CONSEQUENCES IF STATE DOES NOT ACCEPT SIMPLIFIED FORMS.—If a State does not permit an applicant to file a form described in paragraph (2)(B) or (3)(C) for purposes of determining eligibility for State need-based financial aid, the Secretary may determine that State-specific questions for such State will not be included on a form described in paragraph (2)(B) or (3)(B). If the Secretary makes such determination, the Secretary shall advise the State of the Secretary's determination.

"(E) LACK OF STATE RESPONSE TO REQUEST FOR INFORMATION.—If a State does not respond to the Secretary's request for informa-

tion under subparagraph (B), the Secretary shall—

"(i) permit residents of that State to complete simplified forms under paragraphs (2)(B) and (3)(B); and

"(ii) not require any resident of such State to complete any data items previously required by that State under this section.

"(F) RESTRICTION.—The Secretary shall not require applicants to complete any financial or non-financial data items that are not required—

"(i) by the applicant's State; or

"(ii) by the Secretary.

"(6) CHARGES TO STUDENTS AND PARENTS FOR USE OF FORMS PROHIBITED.—The need and eligibility of a student for financial assistance under parts A through E (other than under subpart 4 of part A) may be determined only by using a form developed by the Secretary under this subsection. Such forms shall be produced, distributed, and processed by the Secretary, and no parent or student shall be charged a fee by the Secretary, a contractor, a third-party servicer or private software provider, or any

other public or private entity for the collection, processing, or delivery of financial aid through the use of such forms. No data collected on a paper or electronic version of a form developed under this subsection, or other document that was created to replace, or used to complete, such a form, and for which a fee was paid, shall be used.

"(7) RESTRICTIONS ON USE OF PIN.—No person, commercial entity, or other entity shall request, obtain, or utilize an applicant's personal identification number assigned under paragraph (3)(I) for purposes of submitting a form developed under this subsection on an applicant's behalf.

"(8) APPLICATION PROCESSING CYCLE.—The Secretary shall enable students to submit forms developed under this subsection and initiate the processing of such forms under this subsection, as early as practicable prior to January 1 of the student's planned year of enrollment.

"(9) EARLY ESTIMATES OF EXPECTED FAMILY CONTRIBUTIONS.—The Secretary shall permit an applicant to complete a form described in this subsection in the years prior to enrollment in order to obtain from the Secretary a nonbinding estimate of the applicant's expected family contribution, com-

1 puted in accordance with part F. Such applicant
2 shall be permitted to update information submitted
3 on a form described in this subsection using the
4 process required under paragraph (4).

5 "(10) DISTRIBUTION OF DATA.—Institutions of
6 higher education, guaranty agencies, and States
7 shall receive, without charge, the data collected by
8 the Secretary using a form developed under this sub-
9 section for the purposes of processing loan applica-
10 tions and determining need and eligibility for insti-
11 tutional and State financial aid awards. Entities des-
12 ignated by institutions of higher education, guaranty
13 agencies, or States to receive such data shall be sub-
14 ject to all the requirements of this section, unless
15 such requirements are waived by the Secretary.

16 "(11) THIRD PARTY SERVICERS AND PRIVATE
17 SOFTWARE PROVIDERS.—To the extent practicable
18 and in a timely manner, the Secretary shall provide,
19 to private organizations and consortia that develop
20 software used by institutions of higher education for
21 the administration of funds under this title, all the
22 necessary specifications that the organizations and
23 consortia must meet for the software the organiza-
24 tions and consortia develop, produce, and distribute
25 (including any diskette, modem, or network commu-

nications) which are so used. The specifications shall contain record layouts for required data. The Secretary shall develop in advance of each processing cycle an annual schedule for providing such specifications. The Secretary, to the extent practicable, shall use multiple means of providing such specifications, including conferences and other meetings, outreach, and technical support mechanisms (such as training and printed reference materials). The Secretary shall, from time to time, solicit from such organizations and consortia means of improving the support provided by the Secretary.

''(12) PARENT'S SOCIAL SECURITY NUMBER AND BIRTH DATE.—The Secretary is authorized to include space on the forms developed under this subsection for the social security number and birth date of parents of dependent students seeking financial assistance under this title.'';

(2) by redesignating subsections (c) through (e) as subsections (b) through (d), respectively;

(3) in subsection (c) (as redesignated by paragraph (2)), by striking ''that is authorized'' and all that follows through the period at the end and inserting ''or other appropriate provider of technical assistance and information on postsecondary edu-

cational services that is authorized under section 663(a) of the Individuals with Disabilities Education Act. Not later than 2 years after the date of enactment of the Higher Education Amendments of 2007, the Secretary shall test and implement, to the extent practicable, a toll-free telephone based system to permit applicants who meet the requirements of 479(c) to submit an application over such system.'';

(4) by striking subsection (d) (as redesignated by paragraph (2)) and inserting the following:

''(d) ASSISTANCE IN PREPARATION OF FINANCIAL AID APPLICATION.—

''(1) PREPARATION AUTHORIZED.—Notwithstanding any provision of this Act, an applicant may use a preparer for consultative or preparation services for the completion of a form developed under subsection (a) if the preparer satisfies the requirements of this subsection.

''(2) PREPARER IDENTIFICATION REQUIRED.—If an applicant uses a preparer for consultative or preparation services for the completion of a form developed under subsection (a), the preparer shall include the name, signature, address or employer's address, social security number or employer identifica-

1 tion number, and organizational affiliation of the
2 preparer on the applicant's form.
3 "(3) ADDITIONAL REQUIREMENTS.—A preparer
4 that provides consultative or preparation services
5 pursuant to this subsection shall—
6 "(A) clearly inform each individual upon
7 initial contact, including contact through the
8 Internet or by telephone, that the FAFSA and
9 EZ FAFSA may be completed for free via
10 paper or electronic versions of the forms that
11 are provided by the Secretary;
12 "(B) include in any advertising clear and
13 conspicuous information that the FAFSA and
14 EZ FAFSA may be completed for free via
15 paper or electronic versions of the forms that
16 are provided by the Secretary;
17 "(C) if advertising or providing any infor-
18 mation on a website, or if providing services
19 through a website, include on the website a link
20 to the website described in subsection (a)(3)
21 that provides the electronic versions of the
22 forms developed under subsection (a);
23 "(D) refrain from producing or dissemi-
24 nating any form other than the forms developed
25 by the Secretary under subsection (a); and

"(E) not charge any fee to any individual seeking services who meets the requirements of subsection (b) or (c) of section 479.

"(4) SPECIAL RULE.—Nothing in this Act shall be construed to limit preparers of the financial reporting forms required to be made under this title that meet the requirements of this subsection from collecting source information from a student or parent, including Internal Revenue Service tax forms, in providing consultative and preparation services in completing the forms."; and

(5) by adding at the end the following:

"(e) EARLY APPLICATION AND AWARD DEMONSTRATION PROGRAM.—

"(1) PURPOSE.—The purpose of the demonstration program implemented under this subsection is to determine the feasibility of implementing a comprehensive early application and notification system for all dependent students and to measure the benefits and costs of such a system.

"(2) PROGRAM AUTHORIZED.—Not later than 2 years after the date of enactment of the Higher Education Amendments of 2007, the Secretary shall implement an early application demonstration pro-

gram enabling dependent students who wish to participate in the program—

"(A) to complete an application under this subsection during the academic year that is 2 years prior to the year such students plan to enroll in an institution of higher education; and

"(B) based on the application described in subparagraph (A), to obtain, not later than 1 year prior to the year of the students' planned enrollment, information on eligibility for Federal Pell Grants, Federal student loans under this title, and State and institutional financial aid for the student's first year of enrollment in an the institution of higher education.

"(3) EARLY APPLICATION AND AWARD.—For all dependent students selected for participation in the demonstration program who submit a completed FAFSA, or, as appropriate, an EZ FAFSA, 2 years prior to the year such students plan to enroll in an institution of higher education, the Secretary shall, not later than 1 year prior to the year of such planned enrollment—

"(A) provide each student who meets the requirements under section 479(c) with a determination of such student's—

"(i) expected family contribution for the first year of the student's enrollment in an institution of higher education; and

"(ii) Federal Pell Grant award for the first such year, based on the maximum Federal Pell Grant award at the time of application;

"(B) provide each student who does not meet the requirements under section 479(c) with an estimate of such student's—

"(i) expected family contribution for the first year of the student's planned enrollment; and

"(ii) Federal Pell Grant award for the first such year, based on the maximum Federal Pell Grant award at the time of application; and

"(C) remind the students of the need to update the students' information during the calendar year of enrollment using the expedited reapplication process provided for in subsection (a)(4).

"(4) PARTICIPANTS.—The Secretary shall include, as participants in the demonstration program—

"(A) States selected through the application process described in paragraph (5);

"(B) institutions of higher education within the selected States that are interested in participating in the demonstration program and that can make estimates or commitments of institutional student financial aid, as appropriate, to students the year before the students' planned enrollment date; and

"(C) secondary schools within the selected States that are interested in participating in the demonstration program and can commit resources to—

"(i) advertising the availability of the program;

"(ii) identifying students who might be interested in participating in the program;

"(iii) encouraging such students to apply; and

"(iv) participating in the evaluation of the program.

"(5) APPLICATIONS.—States that are interested in participating in the demonstration program shall submit an application to the Secretary at such time,

in such form, and containing such information as the Secretary shall require. The application shall include—

"(A) information on the amount of the State's need-based student financial assistance available and the eligibility criteria for receiving such assistance;

"(B) a commitment to make, not later than the year before the dependent students participating in the demonstration program plan to enroll in an institution of higher education—

"(i) determinations of State financial aid awards to dependent students participating in the program who meet the requirements of section 479(c); and

"(ii) estimates of State financial aid awards to other dependent students participating in the program;

"(C) a plan for recruiting institutions of higher education and secondary schools with different demographic characteristics to participate in the program;

"(D) a plan for selecting institutions of higher education and secondary schools to participate in the program that—

"(i) demonstrate a commitment to encouraging students to submit a FAFSA, or, as appropriate, an EZ FAFSA, 2 years before the students' planned date of enrollment in an institution of higher education;

"(ii) serve different populations of students;

"(iii) in the case of institutions of higher education—

"(I) to the extent possible, are of varying types and control; and

"(II) commit to making, not later than the year prior to the year that dependent students participating in the demonstration program plan to enroll in the institution—

"(aa) institutional awards to participating dependent students who meet the requirements of section 479(c);

"(bb) estimates of institutional awards to other participating dependent students; and

"(cc) expected or tentative awards of grants or other financial aid available under this title (including supplemental grants under subpart 3 of part A), for all participating dependent students, along with information on State awards, as provided to the institution by the State;

"(E) a commitment to participate in the evaluation conducted by the Secretary; and

"(F) such other information as the Secretary may require.

"(6) SPECIAL PROVISIONS.—

"(A) DISCRETION OF STUDENT FINANCIAL AID ADMINISTRATORS.—A financial aid administrator at an institution of higher education participating in a demonstration program under this subsection may utilize the discretion, as provided under section 479A, as necessary, in awarding financial aid to students participating in the demonstration program.

"(B) WAIVERS.—The Secretary is authorized to waive, for an institution participating in the demonstration program, any requirements under the title, or regulations prescribed under this title, that would make the demonstration program unworkable, except that the Secretary shall not waive any provisions with respect to the maximum award amounts for grants and loans under this title.

"(7) OUTREACH.—The Secretary shall make appropriate efforts in order to notify States, institutions of higher education, and secondary schools of the demonstration program.

"(8) EVALUATION.—The Secretary shall conduct a rigorous evaluation of the demonstration program to measure the program's benefits and adverse effects, as the benefits and effects relate to the purpose of the program described in paragraph (1). In conducting the evaluation, the Secretary shall—

"(A) identify whether receiving financial aid awards or estimates, as applicable, 1 year prior to the year in which the student plans to enroll in an institution of higher education, has a positive impact on the higher education aspirations and plans of such student;

"(B) measure the extent to which using a student's income information from the year that is 2 years prior to the student's planned enrollment date had an impact on the ability of States and institutions to make financial aid awards and commitments;

"(C) determine what operational changes would be required to implement the program on a larger scale;

"(D) identify any changes to Federal law that would be necessary to implement the program on a permanent basis; and

"(E) identify the benefits and adverse effects of providing early awards or estimates on program costs, program operations, program integrity, award amounts, distribution, and delivery of aid.

"(9) CONSULTATION.—The Secretary shall consult, as appropriate, with the Advisory Committee on Student Financial Assistance established under section 491 on the design, implementation, and evaluation of the demonstration program.

"(f) USE OF IRS DATA AND REDUCED INCOME AND ASSET INFORMATION TO DETERMINE ELIGIBILITY FOR STUDENT FINANCIAL AID.—

1 "(1) FORMATION OF STUDY GROUP.—Not later
2 than 180 days after the date of enactment of the
3 Higher Education Amendments of 2007, the Comp-
4 troller General of the United States and the Sec-
5 retary of Education shall convene a study group
6 whose members shall include the Secretary of the
7 Treasury, the Director of the Office of Management
8 and Budget, the Director of the Congressional
9 Budget Office, and such other individuals as the
10 Comptroller General and Secretary of Education
11 may designate.
12 "(2) STUDY REQUIRED.—The Comptroller Gen-
13 eral and the Secretary, in consultation with the
14 study group convened under paragraph (1), shall de-
15 sign and conduct a study to identify and evaluate
16 the means of simplifying the process of applying for
17 Federal financial aid available under this title. The
18 study shall focus on developing alternative ap-
19 proaches for calculating the expected family con-
20 tribution that use substantially less income and
21 asset data than the methodology currently used, as
22 of the time of the study, for determining the ex-
23 pected family contribution.
24 "(3) OBJECTIVES OF STUDY.—The objectives of
25 the study required under paragraph (2) are—

"(A) to shorten the FAFSA and make it easier and less time-consuming to complete, thereby increasing higher education access for low-income students;

"(B) to examine the feasibility and evaluate the costs and benefits of using income data from the Internal Revenue Service to pre-populate the electronic version of the FAFSA;

"(C) to determine ways in which to provide reliable information on the amount of Federal grant aid and financial assistance a student can expect to receive, assuming constant income, 2 to 3 years before the student's enrollment; and

"(D) to simplify the process for determining eligibility for student financial aid without causing significant redistribution of Federal grants and subsidized loans under this title.

"(4) REQUIRED SUBJECTS OF STUDY.—The study required under paragraph (2) shall consider—

"(A) how the expected family contribution of a student could be calculated using substantially less income and asset information than the approach currently used, as of the time of the study, to calculate the expected family contribution without causing significant redistribu-

tion of Federal grants and subsidized loans under this title, State aid, or institutional aid, or change in the composition of the group of recipients of such aid, which alternative approaches for calculating the expected family contribution shall, to the extent practicable—

"(i) rely mainly, in the case of students and parents who file income tax returns, on information available on the 1040, 1040EZ, and 1040A; and

"(ii) include formulas for adjusting income or asset information to produce similar results to the existing approach with less data;

"(B) how the Internal Revenue Service can provide income and other data needed to compute an expected family contribution for taxpayers and dependents of taxpayers to the Secretary of Education, and when in the application cycle the data can be made available;

"(C) whether data provided by the Internal Revenue could be used to—

"(i) prepopulate the electronic version of the FAFSA with student and parent taxpayer data; or

"(ii) generate an expected family contribution without additional action on the part of the student and taxpayer;

"(D) the extent to which the use of income data from 2 years prior to a student's planned enrollment date would change the expected family contribution computed in accordance with part F, and potential adjustments to the need analysis formula that would minimize the change;

"(E) the extent to which States and institutions would accept the data provided by the Internal Revenue Service to prepopulate the electronic version of the FAFSA in determining the distribution of State and institutional student financial aid funds;

"(F) the changes to the electronic version of the FAFSA and verification processes that would be needed or could be made if Internal Revenue Service data were used to prepopulate such electronic version;

"(G) the data elements currently collected, as of the time of the study, on the FAFSA that are needed to determine eligibility for student aid, or to administer Federal student financial

aid programs, but are not needed to compute an expected family contribution, such as whether information regarding the student's citizenship or permanent residency status, registration for selective service, or driver's license number could be reduced without adverse effects;

"(H) additional steps that can be taken to simplify the financial aid application process for students who (or, in the case of dependent students, whose parents) are not required to file an income tax return for the prior taxable year;

"(I) information on the State need for and usage of the full array of income, asset, and other information currently collected, as of the time of the study, on the FAFSA, including analyses of—

"(i) what data are currently used by States to determine eligibility for State student financial aid, and whether the data are used for merit or need-based aid;

"(ii) the extent to which the full array of income and asset information currently collected on the FAFSA play an important role in the awarding of need-based State financial aid, and whether the State could

use income and asset information that was more limited to support determinations of eligibility for such State aid programs;

"(iii) whether data are required by State law, State regulations, or policy directives;

"(iv) what State official has the authority to advise the Department on what the State requires to calculate need-based State student financial aid;

"(v) the extent to which any State-specific information requirements could be met by completion of a State application linked to the electronic version of the FAFSA; and

"(vi) whether the State can use, as of the time of the study, or could use, a student's expected family contribution based on data from 2 years prior to the student's planned enrollment date and a calculation with reduced data elements and, if not, what additional information would be needed or what changes would be required; and

"(J) information on institutional needs, including the extent to which institutions of high-

er education are already using supplemental forms to collect additional data from students and their families to determine eligibility for institutional funds.

"(5) USE OF DATA FROM THE INTERNAL REVENUE SERVICE TO PREPOPULATE FAFSA FORMS.—After the study required under this subsection has been completed, the Secretary may use Internal Revenue Service data to prepopulate the electronic version of the FAFSA if the Secretary, in a joint decision with the Secretary of Treasury, determines that such use will not significantly negatively impact students, institutions of higher education, States, or the Federal Government based on each of the following criteria:

"(A) Program costs.

"(B) Redistributive effects on students.

"(C) Accuracy of aid determinations.

"(D) Reduction of burden to the FAFSA filers.

"(E) Whether all States and institutions that currently accept the Federal aid formula accept the use of data from 2 years prior to the date of a student's planned enrollment in an institution of higher education to award Federal,

State, and institutional aid, and as a result will not require students to complete any additional forms to receive this aid.

''(6) CONSULTATION.—The Secretary shall consult with the Advisory Committee on Student Financial Assistance established under section 491 as appropriate in carrying out this subsection.

''(7) REPORT.—Not later than 18 months after the date of enactment of the Higher Education Amendments of 2007, the Comptroller General and the Secretary shall prepare and submit a report on the results of the study required under this subsection to the authorizing committees.''.

SEC. 474. STUDENT ELIGIBILITY.

Section 484 (20 U.S.C. 1091) is amended—

(1) in subsection (d), by adding at the end the following:

''(4) The student shall be determined by the institution of higher education as having the ability to benefit from the education or training offered by the institution of higher education, upon satisfactory completion of 6 credit hours or the equivalent coursework that are applicable toward a degree or certificate offered by the institution of higher education.'';

(2) by striking subsection (l) and inserting the following:

"(l) COURSES OFFERED THROUGH DISTANCE EDUCATION.—

"(1) RELATION TO CORRESPONDENCE COURSES.—

"(A) IN GENERAL.—A student enrolled in a course of instruction at an institution of higher education that is offered principally through distance education and leads to a recognized certificate, or associate, baccalaureate, or graduate degree, conferred by such institution, shall not be considered to be enrolled in correspondence courses.

"(B) EXCEPTION.—An institution of higher education referred to in subparagraph (A) shall not include an institution or school described in section 3(3)(C) of the Carl D. Perkins Career and Technical Education Act of 2006.

"(2) RESTRICTION OR REDUCTIONS OF FINANCIAL AID.—A student's eligibility to receive grants, loans, or work assistance under this title shall be reduced if a financial aid officer determines under the discretionary authority provided in section 479A

that distance education results in a substantially reduced cost of attendance to such student.

"(3) SPECIAL RULE.—For award years prior to the date of enactment of this subsection, the Secretary shall not take any compliance, disallowance, penalty, or other action against a student or an eligible institution when such action arises out of such institution's prior award of student assistance under this title if the institution demonstrates to the satisfaction of the Secretary that its course of instruction would have been in conformance with the requirements of this subsection."; and

(3) by adding at the end the following:

"(s) STUDENTS WITH INTELLECTUAL DISABILITIES.—Notwithstanding subsection (a), in order to receive any grant or work assistance under subparts 1 and 3 of part A and part C of this title, a student with an intellectual disability shall—

"(1) be an individual with an intellectual disability whose mental retardation or other significant cognitive impairment substantially impacts the individual's intellectual and cognitive functioning;

"(2)(A) be a student eligible for assistance under the Individuals with Disabilities Education Act who—

"(i) has completed secondary school with a diploma or certificate; or

"(ii) has completed secondary school; or

"(B) be an individual who is no longer eligible for assistance under the Individuals with Disabilities Education Act because the individual has exceeded the maximum age for which the State provides a free appropriate public education;

"(3) be enrolled or accepted for enrollment in a comprehensive transition and postsecondary education program that—

"(A) is designed for students with an intellectual disability who are seeking to continue academic, vocational, and independent living instruction at the institution in order to prepare for gainful employment and independent living;

"(B) includes an advising and curriculum structure;

"(C) requires students to participate on at least a half-time basis, as determined by the institution; or

"(D) includes—

"(i) regular enrollment in courses offered by the institution;

"(ii) auditing or participating in courses offered by the institution for which the student does not receive regular academic credit;

"(iii) enrollment in noncredit, nondegree courses;

"(iv) participation in internships; or

"(v) a combination of 2 or more of the activities described in clauses (i) through (iv);

"(4) be maintaining satisfactory progress in the program as determined by the institution, in accordance with standards established by the institution; and

"(5) meet the requirements of paragraphs (3), (4), (5), and (6) of subsection (a).".

SEC. 475. STATUTE OF LIMITATIONS AND STATE COURT JUDGMENTS.

Section 484A (20 U.S.C. 1091a) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking "and" after the semicolon;

(B) in paragraph (2), by striking the period and inserting "; and"; and

(C) by adding at the end the following:

"(3) in collecting any obligation arising from a loan made under part E of this title, an institution of higher education that has an agreement with the Secretary pursuant to section 463(a) shall not be subject to a defense raised by any borrower based on a claim of infancy."; and

(2) by adding at the end the following:

"(d) SPECIAL RULE.—This section shall not apply in the case of a student who is deceased or to a deceased student's estate or the estate of such student's family. If a student is deceased, then the student's estate or the estate of the student's family shall not be required to repay any financial assistance under this title, including interest paid on the student's behalf, collection costs, or other charges specified in this title.".

SEC. 476. INSTITUTIONAL REFUNDS.

Section 484B(c)(2) (20 U.S.C. 1091B(c)(2)) is amended by striking "may determine the appropriate withdrawal date." and inserting "may determine—

"(A) the appropriate withdrawal date; and

"(B) that the requirements of this section do not apply to the student.".

SEC. 477. INSTITUTIONAL AND FINANCIAL ASSISTANCE INFORMATION FOR STUDENTS.

Section 485 (20 U.S.C. 1092) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking subparagraph (M) and inserting the following:

''(M) the terms and conditions of the loans that students receive under parts B, D, and E;'';

(ii) in subparagraph (N), by striking ''and'' after the semicolon;

(iii) in subparagraph (O), by striking the period and inserting a semicolon; and

(iv) by adding at the end the following:

''(P) institutional policies and sanctions related to copyright infringement that inform students that unauthorized distribution of copyrighted material on the institution's information technology systems, including engaging in unauthorized peer-to-peer file sharing, may subject the students to civil and criminal penalties;''

''(Q) student body diversity at the institution, including information on the percentage of enrolled, full-time students who are—

''(i) male;

''(ii) female;

"(iii) from a low-income background; and

"(iv) a self-identified member of a major racial or ethnic group;

"(R) the placement in employment of, and types of employment obtained by, graduates of the institution's degree or certificate programs, gathered from such sources as alumni surveys, student satisfaction surveys, the National Survey of Student Engagement, the Community College Survey of Student Engagement, State data systems, or other relevant sources;

"(S) the types of graduate and professional education in which graduates of the institution's 4-year degree programs enrolled, gathered from such sources as alumni surveys, student satisfaction surveys, the National Survey of Student Engagement, State data systems, or other relevant sources; and

"(T) the fire safety report prepared by the institution pursuant to subsection (i).";

(B) by striking paragraph (4) and inserting the following:

"(4) For purposes of this section, institutions may—

"(A) exclude from the information disclosed in accordance with subparagraph (L) of paragraph (1) the completion or graduation rates of students who leave school to serve in the Armed Forces, on official church missions, or with a recognized foreign aid service of the Federal Government; or

"(B) in cases where the students described in subparagraph (A) represent 20 percent or more of the certificate- or degree-seeking, full-time, undergraduate students at the institution, the institution may recalculate the completion or graduation rates of such students by excluding from the calculation described in paragraph (3) the time period such students were not enrolled due to their service in the Armed Forces, on official church missions, or with a recognized foreign aid service of the Federal Government."; and

(C) by adding at the end the following:

"(7) The information disclosed under subparagraph (L) of paragraph (1), or reported under subsection (e), shall include information disaggregated by gender, by each major racial and ethnic subgroup, by recipients of a Federal Pell Grant, by recipients of a loan made under this

1 part or part D (other than a loan made under section
2 428H or a Federal Direct Unsubsidized Stafford Loan)
3 who did not receive a Federal Pell Grant, and by recipients
4 of neither a Federal Pell Grant nor a loan made under
5 this part or part D (other than a loan made under section
6 428H or a Federal Direct Unsubsidized Stafford Loan),
7 if the number of students in such subgroup or with such
8 status is sufficient to yield statistically reliable informa-
9 tion and reporting would not reveal personally identifiable
10 information about an individual student. If such number
11 is not sufficient for such purposes, then the institution
12 shall note that the institution enrolled too few of such stu-
13 dents to so disclose or report with confidence and con-
14 fidentiality.'';

15 (2) in subsection (b)—

16 (A) in paragraph (1)(A), by striking the
17 subparagraph designation and all that follows
18 through ''465.'' and inserting the following:

19 ''(A) Each eligible institution shall,
20 through financial aid offices or otherwise, pro-
21 vide counseling to borrowers of loans that are
22 made, insured, or guaranteed under part B
23 (other than loans made pursuant to section
24 428C or loans made to parents pursuant to sec-
25 tion 428B), or made under part D (other than

Federal Direct Consolidation Loans or Federal Direct PLUS Loans made to parents) or E, prior to the completion of the course of study for which the borrower enrolled at the institution or at the time of departure from such institution. The counseling required by this subsection shall include—

"(i) information on the repayment plans available, including a discussion of the different features of each plan and sample information showing the difference in interest paid and total payments under each plan;

"(ii) the average anticipated monthly repayments under the standard repayment plan and, at the borrower's request, the other repayment plans for which the borrower is eligible;

"(iii) such debt and management strategies as the institution determines are designed to facilitate the repayment of such indebtedness;

"(iv) an explanation that the borrower has the ability to prepay each such loan,

pay the loan on a shorter schedule, and change repayment plans;

"(v) the terms and conditions under which the student may obtain full or partial forgiveness or cancellation of principal or interest under sections 428J, 460, and 465 (to the extent that such sections are applicable to the student's loans);

"(vi) the terms and conditions under which the student may defer repayment of principal or interest or be granted forbearance under subsections (b)(1)(M) and (o) of section 428, 428H(e)(7), subsections (f) and (l) of section 455, and section 464(c)(2), and the potential impact of such deferment or forbearance;

"(vii) the consequences of default on such loans;

"(viii) information on the effects of using a consolidation loan to discharge the borrower's loans under parts B, D, and E, including, at a minimum—

"(I) the effects of consolidation on total interest to be paid, fees to be paid, and length of repayment;

"(II) the effects of consolidation on a borrower's underlying loan benefits, including all grace periods, loan forgiveness, cancellation, and deferment opportunities;

"(III) the ability of the borrower to prepay the loan or change repayment plans; and

"(IV) that borrower benefit programs may vary among different loan holders; and

"(ix) a notice to borrowers about the availability of the National Student Loan Data System and how the system can be used by a borrower to obtain information on the status of the borrower's loans."; and

(B) by adding at the end the following:

"(3) Each eligible institution shall, during the exit interview required by this subsection, provide to a borrower of a loan made under part B, D, or E a clear and conspicuous notice describing the general effects of using a consolidation loan to discharge the borrower's student loans, including—

"(A) the effects of consolidation on total interest to be paid, fees to be paid, and length of repayment;

"(B) the effects of consolidation on a borrower's underlying loan benefits, including loan forgiveness, cancellation, and deferment;

"(C) the ability for the borrower to prepay the loan, pay on a shorter schedule, and to change repayment plans, and that borrower benefit programs may vary among different loan holders;

"(D) the tax benefits for which the borrower may be eligible; and

"(E) the consequences of default.";

(3) in subsection (d)(2)—

(A) by inserting "grant assistance, as well as State" after "describing State"; and

(B) by inserting "and other means, including through the Internet" before the period at the end;

(4) in subsection (e), by striking paragraph (3) and inserting the following:

"(3) For purposes of this subsection, institutions may—

"(A) exclude from the reporting requirements under paragraphs (1) and (2) the completion or graduation rates of students and student athletes who leave school to serve in the Armed Forces, on official church missions, or with a recognized foreign aid service of the Federal Government; or

"(B) in cases where the students described in subparagraph (A) represent 20 percent or more of the certificate- or degree-seeking, full-time, undergraduate students at the institution, the institution may calculate the completion or graduation rates of such students by excluding from the calculations described in paragraph (1) the time period such students were not enrolled due to their service in the Armed Forces, on official church missions, or with a recognized foreign aid service of the Federal Government.";

(5) in subsection (f)—

(A) in paragraph (1)—

(i) the matter preceding subparagraph (A), by inserting ", other than a foreign institution of higher education," after "under this title"; and

(ii) by adding at the end the following:

''(J) A statement of current campus policies regarding immediate emergency response and evacuation procedures, including the use of electronic and cellular communication (if appropriate), which policies shall include procedures—

''(i) to notify the campus community in a reasonable and timely manner in the event of a significant emergency or dangerous situation, involving an immediate threat to the health or safety of students or staff, occurring on the campus;

''(ii) to publicize emergency response and evacuation procedures on an annual basis in a manner designed to reach students and staff; and

''(iii) to test emergency response and evacuation procedures on an annual basis.'';

(B) by redesignating paragraph (15) as paragraph (17); and

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

"(15) COMPLIANCE REPORT.—The Secretary shall annually report to the authorizing committees regarding compliance with this subsection by institutions of higher education, including an up-to-date report on the Secretary's monitoring of such compliance.

"(16) BEST PRACTICES.—The Secretary may seek the advice and counsel of the Attorney General concerning the development, and dissemination to institutions of higher education, of best practices information about campus safety and emergencies."; and

(6) by adding at the end the following:

"(h) TRANSFER OF CREDIT POLICIES.—

"(1) DISCLOSURE.—Each institution of higher education participating in any program under this title shall publicly disclose in a readable and comprehensible manner the institution's transfer of credit policies which shall include a statement of the institution's current transfer of credit policies that includes, at a minimum—

"(A) a statement that transfer of credit shall not be denied solely on the basis of the agency or association that accredited such other institution of higher education, if that agency

or association is recognized by the Secretary pursuant to section 496 to be a reliable authority as to the quality of the education or training offered; and

"(B) a list of institutions of higher education with which the institution has established an articulation agreement.

"(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to—

"(A) authorize an officer or employee of the Department to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any institution of higher education, or over any accrediting agency or association;

"(B) limit the application of the General Education Provisions Act; or

"(C) create any legally enforceable right on the part of a student to require an institution of higher education to accept a transfer of credit from another institution.

"(i) DISCLOSURE OF FIRE SAFETY STANDARDS AND MEASURES.—

"(1) ANNUAL FIRE SAFETY REPORTS ON STUDENT HOUSING REQUIRED.—Each eligible institu-

tion participating in any program under this title shall, on an annual basis, publish a fire safety report, which shall contain information with respect to the campus fire safety practices and standards of that institution, including—

"(A) statistics concerning the following in each on-campus student housing facility during the most recent calendar years for which data are available—

"(i) the number of fires and the cause of each fire;

"(ii) the number of injuries related to a fire that result in treatment at a medical facility;

"(iii) the number of deaths related to a fire; and

"(iv) the value of property damage caused by a fire;

"(B) a description of each on-campus student housing facility fire safety system, including the fire sprinkler system;

"(C) the number of regular mandatory supervised fire drills;

"(D) policies or rules on portable electrical appliances, smoking, and open flames (such as

candles), procedures for evacuation, and policies regarding fire safety education and training programs provided to students, faculty, and staff; and

"(E) plans for future improvements in fire safety, if determined necessary by such institution.

"(2) REPORT TO THE SECRETARY.—Each eligible institution participating in any program under this title shall, on an annual basis submit to the Secretary a copy of the statistics required to be made available under subparagraph (A).

"(3) CURRENT INFORMATION TO CAMPUS COMMUNITY.—Each institution participating in any program under this title shall—

"(A) make, keep, and maintain a log, recording all fires in on-campus student housing facilities, including the nature, date, time, and general location of each fire; and

"(B) make annual reports to the campus community on such fires.

"(4) RESPONSIBILITIES OF THE SECRETARY.—The Secretary shall—

"(A) make such statistics submitted to the Secretary available to the public; and

"(B) in coordination with nationally recognized fire organizations and representatives of institutions of higher education, representatives of associations of institutions of higher education, and other organizations that represent and house a significant number of students—

"(i) identify exemplary fire safety policies, procedures, programs, and practices;

"(ii) disseminate information to the Administrator of the United States Fire Administration;

"(iii) make available to the public information concerning those policies, procedures, programs, and practices that have proven effective in the reduction of fires; and

"(iv) develop a protocol for institutions to review the status of their fire safety systems.

"(5) RULES OF CONSTRUCTION.—Nothing in this subsection shall be construed to—

"(A) authorize the Secretary to require particular policies, procedures, programs, or practices by institutions of higher education

with respect to fire safety, other than with respect to the collection, reporting, and dissemination of information required by this subsection;

"(B) affect the Family Educational Rights and Privacy Act of 1974 or the regulations issued under section 264 of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d–2 note).

"(C) create a cause of action against any institution of higher education or any employee of such an institution for any civil liability; and

"(D) establish any standard of care.

"(6) COMPLIANCE REPORT.—The Secretary shall annually report to the authorizing committees regarding compliance with this subsection by institutions of higher education, including an up-to-date report on the Secretary's monitoring of such compliance.

"(7) EVIDENCE.—Notwithstanding any other provision of law, evidence regarding compliance or noncompliance with this subsection shall not be admissible as evidence in any proceeding of any court, agency, board, or other entity, except with respect to an action to enforce this subsection.".

SEC. 478. NATIONAL STUDENT LOAN DATA SYSTEM.

Section 485B (20 U.S.C. 1092b) is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (6) through (10) as paragraphs (7) through (11), respectively;

(B) in paragraph (5) (as added by Public Law 101–610), by striking ''effectiveness.'' and inserting ''effectiveness;''; and

(C) by redesignating paragraph (5) (as added by Public Law 101–234) as paragraph (6);

(2) by redesignating subsections (d) through (g) as subsections (e) through (h), respectively; and

(3) by inserting after subsection (c) the following:

''(d) PRINCIPLES FOR ADMINISTERING THE DATA SYSTEM.—In managing the National Student Loan Data System, the Secretary shall take actions necessary to maintain confidence in the data system, including, at a minimum—

''(1) ensuring that the primary purpose of access to the data system by guaranty agencies, eligible lenders, and eligible institutions of higher education is for legitimate program operations, such as the need to verify the eligibility of a student, poten-

tial student, or parent for loans under part B, D, or E;

"(2) prohibiting nongovernmental researchers and policy analysts from accessing personally identifiable information;

"(3) creating a disclosure form for students and potential students that is distributed when such students complete the common financial reporting form under section 483, and as a part of the exit counseling process under section 485(b), that—

"(A) informs the students that any title IV grant or loan the students receive will be included in the National Student Loan Data System, and instructs the students on how to access that information;

"(B) describes the categories of individuals or entities that may access the data relating to such grant or loan through the data system, and for what purposes access is allowed;

"(C) defines and explains the categories of information included in the data system;

"(D) provides a summary of the provisions of the Family Educational Rights and Privacy Act of 1974 and other applicable Federal privacy statutes, and a statement of the students'

rights and responsibilities with respect to such statutes;

"(E) explains the measures taken by the Department to safeguard the students' data; and

"(F) includes other information as determined appropriate by the Secretary;

"(4) requiring guaranty agencies, eligible lenders, and eligible institutions of higher education that enter into an agreement with a potential student, student, or parent of such student regarding a loan under part B, D, or E, to inform the student or parent that such loan shall be—

"(A) submitted to the data system; and

"(B) accessible to guaranty agencies, eligible lenders, and eligible institutions of higher education determined by the Secretary to be authorized users of the data system;

"(5) regularly reviewing the data system to—

"(A) delete inactive users from the data system;

"(B) ensure that the data in the data system are not being used for marketing purposes; and

"(C) monitor the use of the data system by guaranty agencies and eligible lenders to determine whether an agency or lender is accessing the records of students in which the agency or lender has no existing financial interest; and

"(6) developing standardized protocols for limiting access to the data system that include—

"(A) collecting data on the usage of the data system to monitor whether access has been or is being used contrary to the purposes of the data system;

"(B) defining the steps necessary for determining whether, and how, to deny or restrict access to the data system; and

"(C) determining the steps necessary to reopen access to the data system following a denial or restriction of access."; and

(4) by striking subsection (e) (as redesignated by paragraph (1)) and inserting the following:

"(e) REPORTS TO CONGRESS.—

"(1) ANNUAL REPORT.—Not later than September 30 of each fiscal year, the Secretary shall prepare and submit to the appropriate committees of Congress a report describing—

"(A) the results obtained by the establishment and operation of the National Student Loan Data System authorized by this section;

"(B) the effectiveness of existing privacy safeguards in protecting student and parent information in the data system;

"(C) the success of any new authorization protocols in more effectively preventing abuse of the data system;

"(D) the ability of the Secretary to monitor how the system is being used, relative to the intended purposes of the data system; and

"(E) any protocols developed under subsection (d)(6) during the preceding fiscal year.

"(2) STUDY.—

"(A) IN GENERAL.—The Secretary shall conduct a study regarding—

"(i) available mechanisms for providing students and parents with the ability to opt in or opt out of allowing eligible lenders to access their records in the National Student Loan Data System; and

"(ii) appropriate protocols for limiting access to the data system, based on the risk assessment required under subchapter

III of chapter 35 of title 44, United States Code.

"(B) SUBMISSION OF STUDY.—Not later than 3 years after the date of enactment of the Higher Education Amendments of 2007, the Secretary shall prepare and submit a report on the findings of the study to the appropriate committees of Congress.".

SEC. 479. EARLY AWARENESS OF FINANCIAL AID ELIGIBILITY.

Part G of title IV (20 U.S.C. 1088 et seq.) is further amended by inserting after section 485D (20 U.S.C. 1092c) the following:

"SEC. 485E. EARLY AWARENESS OF FINANCIAL AID ELIGIBILITY.

"(a) IN GENERAL.—The Secretary shall implement, in cooperation with States, institutions of higher education, secondary schools, middle schools, early intervention and outreach programs under this title, other agencies and organizations involved in student financial assistance and college access, public libraries, community centers, employers, and businesses, a comprehensive system of early financial aid information in order to provide students and families with early information about financial aid and early estimates of such students' eligibility for fi-

nancial aid from multiple sources. Such system shall include the activities described in subsections (b) and (c).

"(b) COMMUNICATION OF AVAILABILITY OF AID AND AID ELIGIBILITY.—

"(1) STUDENTS WHO RECEIVE BENEFITS.—The Secretary shall—

"(A) make special efforts to notify students, who receive or are eligible to receive benefits under a Federal means-tested benefit program (including the food stamp program under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.)) or another such benefit program as determined by the Secretary, of such students' potential eligibility for a maximum Federal Pell Grant under subpart 1 of part A; and

"(B) disseminate such informational materials as the Secretary determines necessary.

"(2) MIDDLE SCHOOL STUDENTS.—The Secretary, in cooperation with States, institutions of higher education, other organizations involved in college access and student financial aid, middle schools, and programs under this title that serve middle school students, shall make special efforts to notify students and their parents of the availability of financial aid under this title and, in accordance with

subsection (c), shall provide nonbinding estimates of grant and loan aid that an individual may be eligible for under this title upon completion of an application form under section 483(a). The Secretary shall ensure that such information is as accurate as possible and that such information is provided in an age-appropriate format using dissemination mechanisms suitable for students in middle school.

"(3) SECONDARY SCHOOL STUDENTS.—The Secretary, in cooperation with States, institutions of higher education, other organizations involved in college access and student financial aid, secondary schools, and programs under this title that serve secondary school students, shall make special efforts to notify students in secondary school and their parents, as early as possible but not later than such students' junior year of secondary school, of the availability of financial aid under this title and, in accordance with subsection (c), shall provide nonbinding estimates of the amounts of grant and loan aid that an individual may be eligible for under this title upon completion of an application form under section 483(a). The Secretary shall ensure that such information is as accurate as possible and that such information is provided in an age-appropriate format

using dissemination mechanisms suitable for students in secondary school.

"(4) ADULT LEARNERS.—The Secretary, in cooperation with States, institutions of higher education, other organizations involved in college access and student financial aid, employers, workforce investment boards and public libraries, shall make special efforts to provide individuals who would qualify as independent students, as defined in section 480(d), with information regarding the availability of financial aid under this title and, in accordance with subsection (c), with nonbinding estimates of the amounts of grant and loan aid that an individual may be eligible for under this title upon completion of an application form under section 483(a). The Secretary shall ensure that such information—

"(A) is as accurate as possible;

"(B) includes specific information regarding the availability of financial aid for students qualified as independent students, as defined in section 480(d); and

"(C) uses dissemination mechanisms suitable for adult learners.

"(5) PUBLIC AWARENESS CAMPAIGN.—Not later than 2 years after the date of enactment of the

Higher Education Amendments of 2007, the Secretary, in coordination with States, institutions of higher education, early intervention and outreach programs under this title, other agencies and organizations involved in student financial aid, local educational agencies, public libraries, community centers, businesses, employers, employment services, workforce investment boards, and movie theaters, shall implement a public awareness campaign in order to increase national awareness regarding the availability of financial aid under this title. The public awareness campaign shall disseminate accurate information regarding the availability of financial aid under this title and shall be implemented, to the extent practicable, using a variety of media, including print, television, radio and the Internet. The Secretary shall design and implement the public awareness campaign based upon relevant independent research and the information and dissemination strategies found most effective in implementing paragraphs (1) through (4).

"(c) AVAILABILITY OF NONBINDING ESTIMATES OF FEDERAL FINANCIAL AID ELIGIBILITY.—

"(1) IN GENERAL.—The Secretary, in cooperation with States, institutions of higher education,

and other agencies and organizations involved in student financial aid, shall provide, via a printed form and the Internet or other electronic means, the capability for individuals to determine easily, by entering relevant data, nonbinding estimates of amounts of grant and loan aid an individual may be eligible for under this title upon completion and processing of an application and enrollment in an institution of higher education.

''(2) DATA ELEMENTS.—The Secretary, in cooperation with States, institutions of higher education, and other agencies and organizations involved in student financial aid, shall determine the data elements that are necessary to create a simplified form that individuals can use to obtain easily nonbinding estimates of the amounts of grant and loan aid an individual may be eligible for under this title.

''(3) QUALIFICATION TO USE SIMPLIFIED APPLICATION.—The capability provided under this paragraph shall include the capability to determine whether the individual is eligible to submit a simplified application form under paragraph (2)(B) or (3)(B) of section 483(a).''.

SEC. 480. PROGRAM PARTICIPATION AGREEMENTS.

Section 487 (20 U.S.C. 1094) is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (21), (22), and (23) as (24), (25), and (26), respectively;

(B) by inserting after paragraph (20) the following:

"(21) CODE OF CONDUCT.—

"(A) IN GENERAL.—The institution will establish, follow, and enforce a code of conduct regarding student loans that includes not less than the following:

"(i) REVENUE SHARING PROHIBITION.—The institution is prohibited from receiving anything of value from any lender in exchange for any advantage sought by the lender to make educational loans to a student enrolled, or who is expected to be enrolled, at the institution, except that an institution shall not be prohibited from receiving a philanthropic contribution from a lender if the contribution is not made in exchange for any such advantage.

"(ii) GIFT AND TRIP PROHIBITION.—Any employee who is employed in the fi-

nancial aid office of the institution, or who otherwise has responsibilities with respect to educational loans or other financial aid of the institution, is prohibited from taking from any lender any gift or trip worth more than nominal value, except for reasonable expenses for professional development that will improve the efficiency and effectiveness of programs under this title and for domestic travel to such professional development.

''(iii) CONTRACTING ARRANGEMENTS.—Any employee who is employed in the financial aid office of the institution, or who otherwise has responsibilities with respect to educational loans or other financial aid of the institution, shall be prohibited from entering into any type of consulting arrangement or other contract to provide services to a lender.

''(iv) ADVISORY BOARD COMPENSATION.—Any employee who is employed in the financial aid office of the institution, or who otherwise has responsibilities with respect to educational loans or other finan-

cial aid of the institution, and who serves on an advisory board, commission, or group established by a lender or group of lenders shall be prohibited from receiving anything of value from the lender or group of lenders, except that the employee may be reimbursed for reasonable expenses incurred in serving on such advisory board, commission or group.

"(v) INTERACTION WITH BORROWERS.—The institution will not—

"(I) for any first-time borrower, assign, through award packaging or other methods, the borrower's loan to a particular lender; and

"(II) refuse to certify, or, delay certification of, any loan in accordance with paragraph (6) based on the borrower's selection of a particular lender or guaranty agency.

"(B) DESIGNATION.—The institution will designate an individual who shall be responsible for signing an annual attestation on behalf of the institution that the institution agrees to, and is in compliance with, the requirements of

the code of conduct described in this paragraph. Such individual shall be the chief executive officer, chief operating officer, chief financial officer, or comparable official, of the institution, and shall annually submit the signed attestation to the Secretary.

''(C) AVAILABILITY.—The institution will make the code of conduct widely available to the institution's faculty members, students, and parents through a variety of means, including the institution's website.'';

(C) in paragraph (26) (as redesignated by subparagraph (A)), by adding at the end the following:

''(D) In the case of a proprietary institution of higher education as defined in section 102(b), the institution shall be considered in compliance with the requirements of subparagraph (A) for any student to whom the institution electronically transmits a message containing a voter registration form acceptable for use in the State in which the institution is located, or an Internet address where such a form can be downloaded, if such information is

in an electronic message devoted solely to voter registration.''; and

(D) by adding at the end the following:

''(27) In the case of a proprietary institution of higher education as defined in section 102(b), the institution will, as calculated in accordance with subsection (h)(1), have not less than 10 percent of its revenues from sources other than funds provided under this title, or will be subject to the sanctions described in subsection (h)(2).

''(28) PREFERRED LENDER LISTS.—

''(A) IN GENERAL.—In the case of an institution (including an employee or agent of an institution) that maintains a preferred lender list, in print or any other medium, through which the institution recommends one or more specific lenders for loans made under part B to the students attending the institution (or the parents of such students), the institution will—

''(i) clearly and fully disclose on the preferred lender list—

''(I) why the institution has included each lender as a preferred lender, especially with respect to

terms and conditions favorable to the borrower; and

"(II) that the students attending the institution (or the parents of such students) do not have to borrow from a lender on the preferred lender list;

"(ii) ensure, through the use of the list provided by the Secretary under subparagraph (C), that—

"(I) there are not less than 3 lenders named on the preferred lending list that are not affiliates of each other; and

"(II) the preferred lender list—

"(aa) specifically indicates, for each lender on the list, whether the lender is or is not an affiliate of each other lender on the list; and

"(bb) if the lender is an affiliate of another lender on the list, describes the specifics of such affiliation; and

"(iii) establish a process to ensure that lenders are placed upon the preferred

lender list on the basis of the benefits provided to borrowers, including —

"(I) highly competitive interest rates, terms, or conditions for loans made under part B;

"(II) high-quality customer service for such loans; or

"(III) additional benefits beyond the standard terms and conditions for such loans.

"(B) DEFINITION OF AFFILIATE; CONTROL.—

"(i) DEFINITION OF AFFILIATE.—For the purposes of subparagraph (A)(ii) the term 'affiliate' means a person that controls, is controlled by, or is under common control with, another person.

"(ii) CONTROL.—For purposes of subparagraph (A)(ii), a person has control over another person if—

"(I) the person directly or indirectly, or acting through 1 or more others, owns, controls, or has the power to vote 5 percent or more of

any class of voting securities of such other person;

"(II) the person controls, in any manner, the election of a majority of the directors or trustees of such other person; or

"(III) the Secretary determines (after notice and opportunity for a hearing) that the person directly or indirectly exercises a controlling interest over the management or policies of such other person.

"(C) LIST OF LENDER AFFILIATES.—The Secretary, in consultation with the Director of the Federal Deposit Insurance Corporation, shall maintain and update a list of lender affiliates of all eligible lenders, and shall provide such list to the eligible institutions for use in carrying out subparagraph (A).";

(2) in subsection (c)(1)(A)(i), by inserting ", except that the Secretary may modify the requirements of this clause with regard to an institution outside the United States" before the semicolon at the end;

(3) by redesignating subsections (d) and (e) as subsection (f) and (g), respectively;

(4) by inserting after subsection (c) the following:

"(d) INSTITUTIONAL REQUIREMENTS FOR TEACH-OUTS.—

"(1) IN GENERAL.—In the event the Secretary initiates the limitation, suspension, or termination of the participation of an institution of higher education in any program under this title under the authority of subsection (c)(1)(F) or initiates an emergency action under the authority of subsection (c)(1)(G) and its prescribed regulations, the Secretary shall require that institution to prepare a teach-out plan for submission to the institution's accrediting agency or association in compliance with section 496(c)(4), the Secretary's regulations on teach-out plans, and the standards of the institution's accrediting agency or association.

"(2) TEACH-OUT PLAN DEFINED.—In this subsection, the term 'teach-out plan' means a written plan that provides for the equitable treatment of students if an institution of higher education ceases to operate before all students have completed their program of study, and may include, if required by the

institution's accrediting agency or association, an agreement between institutions for such a teach-out plan.

"(e) VIOLATION OF CODE OF CONDUCT REGARDING STUDENT LOANS.—

"(1) IN GENERAL.—Upon a finding by the Secretary, after reasonable notice and an opportunity for a hearing, that an institution of higher education that has entered into a program participation agreement with the Secretary under subsection (a) willfully contravened the institution's attestation of compliance with the provisions of subsection (a)(21), the Secretary may impose a penalty described in paragraph (2).

"(2) PENALTIES.—A violation of paragraph (1) shall result in the limitation, suspension, or termination of the eligibility of the institution for the loan programs under this title."; and

(5) by adding at the end the following:

"(h) IMPLEMENTATION OF NONTITLE IV REVENUE REQUIREMENT.—

"(1) CALCULATION.—In carrying out subsection (a)(27), a proprietary institution of higher education (as defined in section 102(b)) shall use the cash basis of accounting and count the following

funds as from sources of funds other than funds provided under this title:

"(A) Funds used by students from sources other than funds received under this title to pay tuition, fees, and other institutional charges to the institution, provided the institution can reasonably demonstrate that such funds were used for such purposes.

"(B) Funds used by the institution to satisfy matching-fund requirements for programs under this title.

"(C) Funds used by a student from savings plans for educational expenses established by or on behalf of the student and which qualify for special tax treatment under the Internal Revenue Code of 1986.

"(D) Funds paid by a student, or on behalf of a student by a party other than the institution, to the institution for an education or training program that is not eligible for funds under this title, provided that the program is approved or licensed by the appropriate State agency or an accrediting agency recognized by the Secretary.

"(E) Funds generated by the institution from institutional activities that are necessary for the education and training of the institution's students, if such activities are—

"(i) conducted on campus or at a facility under the control of the institution;

"(ii) performed under the supervision of a member of the institution's faculty; and

"(iii) required to be performed by all students in a specific educational program at the institution.

"(F) Institutional aid, as follows:

"(i) In the case of loans made by the institution, only the amount of loan repayments received by the institution during the fiscal year for which the determination is made.

"(ii) In the case of scholarships provided by the institution, only those scholarship funds provided by the institution that are—

"(I) in the form of monetary aid based upon the academic achieve-

ments or financial need of students; and

"(II) disbursed during the fiscal year for which the determination is made from an established restricted account and only to the extent that the funds in that account represent designated funds from an outside source or income earned on those funds.

"(iii) In the case of tuition discounts, only those tuition discounts based upon the academic achievement or financial need of students.

"(2) SANCTIONS.—

"(A) FAILURE TO MEET REQUIREMENT FOR 1 YEAR.—In addition to such other means of enforcing the requirements of this title as may be available to the Secretary, if an institution fails to meet the requirements of subsection (a)(27) in any year, the Secretary may impose 1 or both of the following sanctions on the institution:

"(i) Place the institution on provisional certification in accordance with sec-

tion 498(h) until the institution demonstrates, to the satisfaction of the Secretary, that it is in compliance with subsection (a)(27).

"(ii) Require such other increased monitoring and reporting requirements as the Secretary determines necessary until the institution demonstrates, to the satisfaction of the Secretary, that it is in compliance with subsection (a)(27).

"(B) FAILURE TO MEET REQUIREMENT FOR 2 YEARS.—An institution that fails to meet the requirements of subsection (a)(27) for 2 consecutive years shall be ineligible to participate in the programs authorized under this title until the institution demonstrates, to the satisfaction of the Secretary, that it is in compliance with subsection (a)(27).

"(3) PUBLIC AVAILABILITY OF INFORMATION.—The Secretary shall make publicly available, through the means described in subsection (b) of section 131, any institution that fails to meet the requirements of subsection (a)(27) in any year as an institution that is failing to meet the minimum non-Federal source

of revenue requirements of such subsection (a)(27).''.

SEC. 481. REGULATORY RELIEF AND IMPROVEMENT.

Section 487A(b) (20 U.S.C. 1094a(b)) is amended—

(1) in paragraph (1)—

(A) by striking ''1998'' and inserting ''2007'' ; and

(B) by striking ''1999'' and inserting ''2008'';

(2) by striking the matter preceding paragraph (2)(A) and inserting the following:

''(2) REPORT.—The Secretary shall review and evaluate the experience of institutions participating as experimental sites and shall, on a biennial basis, submit a report based on the review and evaluation to the authorizing committees. Such report shall include—''; and

(3) in paragraph (3)—

(A) in subparagraph (A)—

(i) by striking ''Upon the submission of the report required by paragraph (2), the'' and inserting ''The''; and

(ii) by inserting ''periodically'' after ''authorized to'';

(B) by striking subparagraph (B);

(C) by redesignating subparagraph (C) as subparagraph (B); and

(D) in subparagraph (B) (as redesignated by subparagraph (C))—

(i) by inserting ", including requirements related to the award process and disbursement of student financial aid (such as innovative delivery systems for modular or compressed courses, or other innovative systems), verification of student financial aid application data, entrance and exit interviews, or other management procedures or processes as determined in the negotiated rulemaking process under section 492" after "requirements in this title";

(ii) by inserting "(other than an award rule related to an experiment in modular or compressed schedules)" after "award rules"; and

(iii) by inserting "unless the waiver of such provisions is authorized by another provision under this title" before the period at the end.

SEC. 482. TRANSFER OF ALLOTMENTS.

Section 488 (20 U.S.C. 1095) is amended in the first sentence—

(1) in paragraph (1), by striking ''and'' after the semicolon;

(2) in paragraph (2), by striking ''413D.'' and inserting ''413D; and''; and

(3) by adding at the end ''(3) transfer 25 percent of the institution's allotment under section 413D to the institution's allotment under section 442.''.

SEC. 483. PURPOSE OF ADMINISTRATIVE PAYMENTS.

Section 489(b) (20 U.S.C. 1096(b)) is amended by striking ''offsetting the administrative costs of'' and inserting ''administering''.

SEC. 484. ADVISORY COMMITTEE ON STUDENT FINANCIAL ASSISTANCE.

Section 491 (20 U.S.C. 1098) is amended—

(1) in subsection (a)(2)—

(A) in subparagraph (B), by striking ''and'' after the semicolon;

(B) in subparagraph (C), by striking the period and inserting a semicolon; and

(C) by adding at the end the following:

''(D) to provide knowledge and understanding of early intervention programs, and to

make recommendations that will result in early awareness by low- and moderate-income students and families—

"(i) of their eligibility for assistance under this title; and

"(ii) to the extent practicable, of their eligibility for other forms of State and institutional need-based student assistance; and

"(E) to make recommendations that will expand and improve partnerships among the Federal Government, States, institutions of higher education, and private entities to increase the awareness and the total amount of need-based student assistance available to low- and moderate-income students.";

(2) in subsection (c), by adding at the end the following:

"(3) The appointment of a member under subparagraph (A) or (B) of paragraph (1) shall be effective upon confirmation of the member by the Senate and publication of such appointment in the Congressional Record.";

(3) in subsection (d)(6), by striking ", but nothing" and all that follows through "or analyses";

(4) in subsection (j)—

(A) in paragraph (1)—

(i) by inserting ''and simplification'' after ''modernization'' each place the term appears; and

(ii) by striking ''including'' and all that follows through ''Department,''; and

(B) by striking paragraphs (4) and (5) and inserting the following:

''(4) conduct a review and analysis of regulations in accordance with subsection (l); and

''(5) conduct a study in accordance with subsection (m).'';

(5) in subsection (k), by striking ''2004'' and inserting ''2013''; and

(6) by adding at the end the following:

''(l) REVIEW AND ANALYSIS OF REGULATIONS.—

''(1) RECOMMENDATIONS.—The Advisory Committee shall make recommendations to the Secretary and Congress for consideration of future legislative action regarding redundant or outdated regulations under this title, consistent with the Secretary's requirements under section 498B.

''(2) REVIEW AND ANALYSIS OF REGULATIONS.—The Advisory Committee shall conduct a review and analysis of the regulations issued under

this title that are in effect at the time of the review and that apply to the operations or activities of participants in the programs assisted under this title. The review and analysis may include a determination of whether the regulation is duplicative, is no longer necessary, is inconsistent with other Federal requirements, or is overly burdensome. In conducting the review, the Advisory Committee shall pay specific attention to evaluating ways in which regulations under this title affecting institutions of higher education (other than institutions described in section 102(a)(1)(C)), that have received in each of the 2 most recent award years prior to the date of enactment of the Higher Education Amendments of 2007 less than $200,000 in funds through this title, may be improved, streamlined, or eliminated.

"(3) CONSULTATION.—

"(A) IN GENERAL.—In carrying out the review and analysis under paragraph (2), the Advisory Committee shall consult with the Secretary, relevant representatives of institutions of higher education, and individuals who have expertise and experience with the regulations issued under this title, in accordance with subparagraph (B).

"(B) REVIEW PANELS.—The Advisory Committee shall convene not less than 2 review panels of representatives of the groups involved in student financial assistance programs under this title who have experience and expertise in the regulations issued under this title to review the regulations under this title, and to provide recommendations to the Advisory Committee with respect to the review and analysis under paragraph (2). The panels shall be made up of experts in areas such as the operations of the financial assistance programs, the institutional eligibility requirements for the financial assistance programs, regulations not directly related to the operations or the institutional eligibility requirements of the financial assistance programs, and regulations for dissemination of information to students about the financial assistance programs.

"(4) REPORTS TO CONGRESS.—The Advisory Committee shall submit, not later than 2 years after the completion of the negotiated rulemaking process required under section 492 resulting from the amendments to this Act made by the Higher Education Amendments of 2007, a report to the author-

1 izing committees and the Secretary detailing the ex-
2 pert panels' findings and recommendations with re-
3 spect to the review and analysis under paragraph
4 (2).

5 "(5) ADDITIONAL SUPPORT.—The Secretary
6 and the Inspector General of the Department shall
7 provide such assistance and resources to the Advi-
8 sory Committee as the Secretary and Inspector Gen-
9 eral determine are necessary to conduct the review
10 required by this subsection.

11 "(m) STUDY OF INNOVATIVE PATHWAYS TO BACCA-
12 LAUREATE DEGREE ATTAINMENT.—

13 "(1) STUDY REQUIRED.—The Advisory Com-
14 mittee shall conduct a study of the feasibility of in-
15 creasing baccalaureate degree attainment rates by
16 reducing the costs and financial barriers to attaining
17 a baccalaureate degree through innovative programs.

18 "(2) SCOPE OF STUDY.—The Advisory Com-
19 mittee shall examine new and existing programs that
20 promote baccalaureate degree attainment through
21 innovative ways, such as dual or concurrent enroll-
22 ment programs, changes made to the Federal Pell
23 Grant program, simplification of the needs analysis
24 process, compressed or modular scheduling, articula-
25 tion agreements, and programs that allow 2-year in-

1 stitutions of higher education to offer baccalaureate
2 degrees.
3 "(3) REQUIRED ASPECTS OF THE STUDY.—In
4 performing the study described in this subsection,
5 the Advisory Committee shall examine the following
6 aspects of such innovative programs:
7 "(A) The impact of such programs on bac-
8 calaureate attainment rates.
9 "(B) The degree to which a student's total
10 cost of attaining a baccalaureate degree can be
11 reduced by such programs.
12 "(C) The ways in which low- and mod-
13 erate-income students can be specifically tar-
14 geted by such programs.
15 "(D) The ways in which nontraditional
16 students can be specifically targeted by such
17 programs.
18 "(E) The cost-effectiveness for the Federal
19 Government, States, and institutions of higher
20 education to implement such programs.
21 "(4) CONSULTATION.—
22 "(A) IN GENERAL.—In performing the
23 study described in this subsection the Advisory
24 Committee shall consult with a broad range of
25 interested parties in higher education, including

parents, students, appropriate representatives of secondary schools and institutions of higher education, appropriate State administrators, administrators of dual or concurrent enrollment programs, and appropriate Department officials.

"(B) CONGRESSIONAL CONSULTATION.—The Advisory Committee shall consult on a regular basis with the authorizing committees in carrying out the study required by this section.

"(5) REPORTS TO CONGRESS.—

"(A) INTERIM REPORT.—The Advisory Committee shall prepare and submit to the authorizing committees and the Secretary an interim report, not later than 1 year after the date of enactment of the Higher Education Amendments of 2007, describing the progress that has been made in conducting the study required by this subsection and any preliminary findings on the topics identified under paragraph (2).

"(B) FINAL REPORT.—The Advisory Committee shall, not later than 3 years after the date of enactment of the Higher Education Amendments of 2007, prepare and submit to

the authorizing committees and the Secretary a final report on the study, including recommendations for legislative, regulatory, and administrative changes based on findings related to the topics identified under paragraph (2).''.

SEC. 485. REGIONAL MEETINGS.

Section 492(a)(1) (20 U.S.C. 1098a(a)(1)) is amended by inserting ''State student grant agencies,'' after ''institutions of higher education,''.

SEC. 486. YEAR 2000 REQUIREMENTS AT THE DEPARTMENT.

(a) REPEAL.—Section 493A (20 U.S.C. 1098c) is repealed.

(b) REDESIGNATION.—Section 493B (20 U.S.C. 1098d) is redesignated as section 493A.

PART G—PROGRAM INTEGRITY

SEC. 491. RECOGNITION OF ACCREDITING AGENCY OR ASSOCIATION.

Section 496 (20 U.S.C. 1099b) is amended—

(1) in subsection (a)—

(A) by striking paragraph (4) and inserting the following:

''(4)(A) such agency or association consistently applies and enforces standards that respect the stated mission of the institution of higher education, in-

1 cluding religious missions, and that ensure that the
2 courses or programs of instruction, training, or
3 study offered by the institution of higher education,
4 including distance education courses or programs,
5 are of sufficient quality to achieve, for the duration
6 of the accreditation period, the stated objective for
7 which the courses or the programs are offered; and
8 ''(B) if such agency or association has or seeks
9 to include within its scope of recognition the evalua-
10 tion of the quality of institutions or programs offer-
11 ing distance education, such agency or association
12 shall, in addition to meeting the other requirements
13 of this subpart, demonstrate to the Secretary that—
14 ''(i) the agency or association's standards
15 effectively address the quality of an institution's
16 distance education in the areas identified in sec-
17 tion 496(a)(5), except that the agency or asso-
18 ciation shall not be required to have separate
19 standards, procedures or policies for the evalua-
20 tion of distance education institutions or pro-
21 grams in order to meet the requirements of this
22 subparagraph; and
23 ''(ii) the agency or association requires an
24 institution that offers distance education to
25 have processes through which the institution es-

tablishes that the student who registers in a distance education course or program is the same student who participates in and completes the program and receives the academic credit;'';

(B) in paragraph (5), by striking subparagraph (A) and inserting the following:

''(A) success with respect to student achievement in relation to the institution's mission, which may include different standards for different institutions or programs, through the determination of expected levels of student outcomes that are established by the institution, and which use empirical evidence, and as appropriate, external indicators, with respect to criteria regarding—

''(i) student retention rates;

''(ii) course completion rates;

''(iii) program completion and graduation rates;

''(iv) for prebaccalaureate career and technical education programs, degree programs leading to initial professional licensure or certification, and other programs as appropriate—

"(I) results on State licensing examinations; and

"(II) job placement rates;

"(v) as appropriate, enrollment in graduate or professional programs; and

"(vi) as appropriate, other student performance information selected by the institution, particularly information—

"(I) used by the institution to evaluate or strengthen the institution's programs; and

"(II) that reflects the institution's individual mission and the institution's distinctive goals for students;";

(C) by striking paragraph (6) and inserting the following:

"(6) such an agency or association shall establish and apply review procedures throughout the accrediting process, including evaluation and withdrawal proceedings which comply with due process procedures that provide for—

"(A) adequate specification of requirements and deficiencies at the institution of higher education or program examined;

"(B) an opportunity for a written response by any such institution to be included, prior to final action, in the evaluation and withdrawal proceedings;

"(C) upon the written request of an institution, an opportunity for the institution to appeal any adverse action, including denial, withdrawal, suspension, or termination of accreditation, or placement on probation of an institution, at a hearing prior to such action becoming final, before an appeals panel that—

"(i) shall not include current members of the agency or association's underlying decision-making body that made the adverse decision; and

"(ii) is subject to a conflict of interest policy; and

"(D) the right to representation by counsel for such an institution during an appeal of the adverse action;"; and

(D) by striking paragraph (8) and inserting the following:

"(8) such agency or association shall make available to the public and the State licensing or authorizing agency, and submit to the Secretary, a

summary of agency or association actions, including—

"(A) the award of accreditation or reaccreditation of an institution;

"(B) final denial, withdrawal, suspension, or termination of accreditation, or placement on probation of an institution, and any findings made in connection with the action taken, together with the official comments of the affected institution; and

"(C) any other adverse action taken with respect to an institution.";

(2) in subsection (c)—

(A) in paragraph (1), by inserting ", including those regarding distance education" after "their responsibilities";

(B) by redesignating paragraphs (2) through (6) as paragraphs (5) through (9);

(C) by inserting after paragraph (1) (as amended by subparagraph (A)) the following:

"(2) ensures that the agency or association's on-site evaluation for accreditation or reaccreditation includes review of the Federally required information the institution or program provides its current and prospective students;

"(3) monitors the growth of programs at institutions that are experiencing significant enrollment growth;

"(4) requires an institution to submit a teach-out plan for approval to the accrediting agency upon the occurrence of any of the following events:

"(A) The Department notifies the accrediting agency of an action against the institution pursuant to section 487(d).

"(B) The accrediting agency acts to withdraw, terminate, or suspend the accreditation of an institution.

"(C) The institution notifies the accrediting agency that the institution intends to cease operations.";

(D) in paragraph (8) (as redesignated by subparagraph (B)), by striking "and" after the semicolon;

(E) in subparagraph (9) (as redesignated by subparagraph (B)), by striking the period and inserting "; and"; and

(F) by adding at the end the following:

"(10) confirms, as a part of the agency or association's review for accreditation or reaccreditation, that the institution has transfer of credit policies—

"(A) that are publicly disclosed; and

"(B) that do not deny transfer of credit based solely on the accreditation of the sending institution, if the agency or association accrediting the sending institution is recognized by the Secretary pursuant to this section."; and

(3) in subsection (g), by adding at the end the following: "Nothing in this section shall be construed to permit the Secretary to establish any criteria that specifies, defines, or prescribes the standards that accrediting agencies or associations shall use to assess any institution's success with respect to student achievement, beyond the standards and criteria established under subsection (a)(5).".

SEC. 492. ADMINISTRATIVE CAPACITY STANDARD.

Section 498 (20 U.S.C. 1099c) is amended—

(1) in subsection (d)(1)(B), by inserting "and" after the semicolon; and

(2) by adding at the end the following:

"(k) TREATMENT OF TEACH-OUTS AT ADDITIONAL LOCATIONS.—

"(1) IN GENERAL.—A location of a closed institution of higher education shall be eligible as an additional location of an eligible institution of higher education, as defined pursuant to regulations of the

Secretary, for the purposes of a teach-out, if such teach-out has been approved by the institution's accrediting agency.

"(2) SPECIAL RULE.—An institution of higher education that conducts a teach-out through the establishment of an additional location described in paragraph (1) shall be permitted to establish a permanent additional location at a closed institution and shall not be required—

"(A) to meet the requirements of sections 102(b)(1)(E) and 102(c)(1)(C) for such additional location; or

"(B) to assume the liabilities of the closed institution.".

SEC. 493. PROGRAM REVIEW AND DATA.

Section 498A(b) (20 U.S.C. 1099c–1(b)) is amended—

(1) in paragraph (4), by striking "and" after the semicolon;

(2) in paragraph (5) by striking the period and inserting a semicolon; and

(3) by adding at the end the following:

"(6) provide to an institution of higher education an adequate opportunity to review and respond to any program review report and relevant

materials related to the report before any final program review report is issued;

"(7) review and take into consideration an institution of higher education's response in any final program review report or audit determination, and include in the report or determination—

"(A) a written statement addressing the institution of higher education's response;

"(B) a written statement of the basis for such report or determination; and

"(C) a copy of the institution's response; and

"(8) maintain and preserve at all times the confidentiality of any program review report until the requirements of paragraphs (6) and (7) are met, and until a final program review is issued, other than to the extent required to comply with paragraph (5), except that the Secretary shall promptly disclose any and all program review reports to the institution of higher education under review.".

SEC. 494. TIMELY INFORMATION ABOUT LOANS.

(a) IN GENERAL.—Title IV (20 U.S.C. 1070 et seq.) is further amended by adding at the end the following:

"SEC. 499. ACCESS TO TIMELY INFORMATION ABOUT LOANS.

"(a) REGULAR BILL PROVIDING PERTINENT INFORMATION ABOUT A LOAN.—A lender of a loan made, insured, or guaranteed under this title shall provide the borrower of such loan a bill each month or, in the case of a loan payable less frequently than monthly, a bill that corresponds to each payment installment time period, including a clear and conspicuous notice of—

"(1) the borrower's principal borrowed;

"(2) the borrower's current balance;

"(3) the interest rate on such loan;

"(4) the amount the borrower has paid in interest;

"(5) the amount of additional interest payments the borrower is expected to pay over the life of the loan;

"(6) the total amount the borrower has paid for the loan, including the amount the borrower has paid in interest, the amount the borrower has paid in fees, and the amount the borrower has paid against the balance, in a brief, borrower-friendly manner;

"(7) a description of each fee the borrower has been charged for the current payment period;

"(8) the date by which the borrower needs to make a payment in order to avoid additional fees;

"(9) the amount of such payment that will be applied to the interest, the balance, and any fees on the loan; and

"(10) the lender's address and toll-free phone number for payment and billing error purposes.

"(b) INFORMATION PROVIDED BEFORE COMMENCEMENT OF REPAYMENT.—A lender of a loan made, insured, or guaranteed under this title shall provide to the borrower of such loan, at least one month before the loan enters repayment, a clear and conspicuous notice of not less than the following information:

"(1) The borrower's options, including repayment plans, deferments, forbearances, and discharge options to which the borrower may be entitled.

"(2) The conditions under which a borrower may be charged any fee, and the amount of such fee.

"(3) The conditions under which a loan may default, and the consequences of default.

"(4) Resources, including nonprofit organizations, advocates, and counselors (including the Office of the Ombudsman at the Department), where borrowers can receive advice and assistance, if such resources exist.

"(c) INFORMATION PROVIDED DURING DELINQUENCY.—In addition to any other information required under law, a lender of a loan made, insured, or guaranteed under this title shall provide a borrower in delinquency with a clear and conspicuous notice of the date on which the loan will default if no payment is made, the minimum payment that must be made to avoid default, discharge options to which the borrower may be entitled, resources, including nonprofit organizations, advocates, and counselors (including the Office of the Ombudsman at the Department), where borrowers can receive advice and assistance, if such resources exist.

"(d) INFORMATION PROVIDED DURING DEFAULT.—A lender of a loan made, insured, or guaranteed under this title shall provide a borrower in default, on not less than 2 separate occasions, with a clear and conspicuous notice of not less than the following information:

"(1) The options available to the borrower to be removed from default.

"(2) The relevant fees and conditions associated with each option.".

SEC. 495. AUCTION EVALUATION AND REPORT.

(a) EVALUATION.—If Congress enacts an Act that authorizes the Secretary of Education to carry out a pilot program under which the Secretary establishes a mecha-

nism for an auction of Federal PLUS Loans, then the Comptroller General shall evaluate such pilot program. The evaluation shall determine—

(1) the extent of the savings to the Federal Government that are generated through the pilot program, compared to the cost the Federal Government would have incurred in operating the parent loan program under section 428B of the Higher Education Act of 1965 in the absence of the pilot program;

(2) the number of lenders that participated in the pilot program, and the extent to which the pilot program generated competition among lenders to participate in the auctions under the pilot program;

(3) the effect of the transition to and operation of the pilot program on the ability of—

(A) lenders participating in the pilot program to originate loans made through the pilot program smoothly and efficiently;

(B) institutions of higher education participating in the pilot program to disburse loans made through the pilot program smoothly and efficiently; and

(C) the ability of parents to obtain loans made through the pilot program in a timely and efficient manner;

(4) the differential impact, if any, of the auction among the States, including between rural and non-rural States; and

(5) the feasibility of using the mechanism piloted to operate other loan programs under part B of the title IV of the Higher Education Act of 1965.

(b) REPORTS.—The Comptroller General shall—

(1) not later than September 1, 2010, submit to the authorizing committees (as defined in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003)) a preliminary report regarding the findings of the evaluation described in subsection (a);

(2) not later than September 1, 2012, submit to the authorizing committees an interim report regarding such findings; and

(3) not later than September 1, 2014, submit to the authorizing committees a final report regarding such findings.

TITLE V—DEVELOPING INSTITUTIONS

SEC. 501. AUTHORIZED ACTIVITIES.

Section 503(b) (20 U.S.C. 1101b(b)) is amended—

(1) by redesignating paragraphs (6) through (14) as paragraphs (8) through (16), respectively;

(2) in paragraph (5), by inserting ", including innovative, customized remedial education and English language instruction courses designed to help retain students and move the students rapidly into core courses and through program completion" before the period at the end;

(3) by inserting after paragraph (5) the following:

"(6) Education or counseling services designed to improve the financial literacy and economic literacy of students or the students' parents.

"(7) Articulation agreements and student support programs designed to facilitate the transfer from 2-year to 4-year institutions."; and

(4) in paragraph (12) (as redesignated by paragraph (1)), by striking "distance learning academic instruction capabilities" and inserting "distance education technologies".

SEC. 502. POSTBACCALAUREATE OPPORTUNITIES FOR HISPANIC AMERICANS.

(a) ESTABLISHMENT OF PROGRAM.—Title V (20 U.S.C. 1101 et seq.) is amended—

(1) by redesignating part B as part C;

(2) by redesignating sections 511 through 518 as sections 521 through 528, respectively; and

(3) by inserting after section 505 the following:

"PART B—PROMOTING POSTBACCALAUREATE OPPORTUNITIES FOR HISPANIC AMERICANS

"SEC. 511. PROGRAM AUTHORITY AND ELIGIBILITY.

"(a) PROGRAM AUTHORIZED.—Subject to the availability of funds appropriated to carry out this part, the Secretary shall award grants, on a competitive basis, to eligible institutions to enable the eligible institutions to carry out the authorized activities described in section 512.

"(b) ELIGIBILITY.—For the purposes of this part, an 'eligible institution' means an institution of higher education that—

"(1) is a Hispanic-serving institution (as defined in section 502); and

"(2) offers a postbaccalaureate certificate or degree granting program.

"SEC. 512. AUTHORIZED ACTIVITIES.

''Grants awarded under this part shall be used for 1 or more of the following activities:

''(1) Purchase, rental, or lease of scientific or laboratory equipment for educational purposes, including instructional and research purposes.

''(2) Construction, maintenance, renovation, and improvement in classroom, library, laboratory, and other instructional facilities, including purchase or rental of telecommunications technology equipment or services.

''(3) Purchase of library books, periodicals, technical and other scientific journals, microfilm, microfiche, and other educational materials, including telecommunications program materials.

''(4) Support for needy postbaccalaureate students, including outreach, academic support services, mentoring, scholarships, fellowships, and other financial assistance, to permit the enrollment of such students in postbaccalaureate certificate and degree granting programs.

''(5) Support of faculty exchanges, faculty development, faculty research, curriculum development, and academic instruction.

''(6) Creating or improving facilities for Internet or other distance education technologies, includ-

ing purchase or rental of telecommunications technology equipment or services.

"(7) Collaboration with other institutions of higher education to expand postbaccalaureate certificate and degree offerings.

"(8) Other activities proposed in the application submitted pursuant to section 513 that are approved by the Secretary as part of the review and acceptance of such application.

"SEC. 513. APPLICATION AND DURATION.

"(a) APPLICATION.—Any eligible institution may apply for a grant under this part by submitting an application to the Secretary at such time and in such manner as the Secretary may require. Such application shall demonstrate how the grant funds will be used to improve postbaccalaureate education opportunities for Hispanic and low-income students and will lead to such students' greater financial independence.

"(b) DURATION.—Grants under this part shall be awarded for a period not to exceed 5 years.

"(c) LIMITATION.—The Secretary may not award more than 1 grant under this part in any fiscal year to any Hispanic-serving institution.".

SEC. 503. APPLICATIONS.

Section 521(b)(1)(A) (as redesignated by section 502(a)(2)) (20 U.S.C. 1103(b)(1)(A)) is amended by striking ''subsection (b)'' and inserting ''subsection (c)''.

SEC. 504. COOPERATIVE ARRANGEMENTS.

Section 524(a) (as redesignated by section 502(a)(2)) (20 U.S.C. 1103c(a)) is amended by striking ''section 503'' and inserting ''sections 503 and 512''.

SEC. 505. AUTHORIZATION OF APPROPRIATIONS.

Section 528(a) (as redesignated by section 502(a)(2)) (20 U.S.C. 1103g(a)) is amended—

(1) by inserting ''part A of'' after ''carry out'';

(2) by striking ''$62,500,000 for fiscal year 1999'' and all that follows through the period and inserting ''such sums as may be necessary for fiscal year 2008 and each of the 5 succeeding fiscal years.'';

(3) by striking ''(a) AUTHORIZATIONS.—'' and inserting the following:

''(a) AUTHORIZATIONS.—

''(1) PART A.—There are''; and

(4) by adding at the end the following:

''(2) PART B.—There are authorized to be appropriated to carry out part B of this title such sums as may be necessary for fiscal year 2008 and each of the 5 succeeding fiscal years.''.

TITLE VI—INTERNATIONAL EDUCATION PROGRAMS

SEC. 601. FINDINGS.

Section 601 (20 U.S.C. 1121) is amended—

(1) in the section heading, by striking ''**AND PURPOSES**'' and inserting ''**; PURPOSES; CONSULTATION; SURVEY**'';

(2) in subsection (a)(3), by striking ''post-Cold War'';

(3) in subsection (b)(1)(D), by inserting '', including through linkages with overseas institutions'' before the semicolon; and

(4) by adding at the end the following:

''(c) CONSULTATION.—The Secretary shall, prior to requesting applications for funding under this title during each grant cycle, consult with and receive recommendations regarding national need for expertise in foreign languages and world regions from the head officials of a wide range of Federal agencies. Such agencies shall provide information to the Secretary regarding how the agencies utilize expertise and resources provided by grantees under this title. The Secretary shall take into account such recommendations and information when requesting applications for funding under this title, and shall make available

to applicants a list of areas identified as areas of national need.

"(d) SURVEY.—The Secretary shall assist grantees in developing a survey to administer to students who have participated in programs under this title to determine postgraduation placement. All grantees, where applicable, shall administer such survey not less often than annually and report such data to the Secretary.".

SEC. 602. GRADUATE AND UNDERGRADUATE LANGUAGE AND AREA CENTERS AND PROGRAMS.

Section 602 (20 U.S.C. 1122) is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) in subparagraph (G), by striking "and" after the semicolon;

(ii) in subparagraph (H), by striking the period and inserting "; and"; and

(iii) by adding at the end the following:

"(I) support for instructors of the less commonly taught languages."; and

(B) in paragraph (4)—

(i) by redesignating subparagraphs (C) through (E) as subparagraphs (D) through (F), respectively;

(ii) by inserting after subparagraph (B) the following:

''(C) Programs of linkage or outreach between or among—

''(i) foreign language, area studies, or other international fields; and

''(ii) State educational agencies or local educational agencies.'';

(iii) in subparagraph (D) (as redesignated by clause (i)) by inserting '', including Federal or State scholarship programs for students in related areas'' before the period at the end; and

(iv) in subparagraph (F) (as redesignated by clause (i)), by striking ''and (D)'' and inserting ''(D), and (E)'';

(2) in subsection (b)—

(A) in the subsection heading, by striking ''GRADUATE''; and

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

''(2) ELIGIBLE STUDENTS.—A student receiving a stipend described in paragraph (1) shall be engaged—

"(A) in an instructional program with stated performance goals for functional foreign language use or in a program developing such performance goals, in combination with area studies, international studies, or the international aspects of a professional studies program; and

"(B)(i) in the case of an undergraduate student, in the intermediate or advanced study of a less commonly taught language; or

"(ii) in the case of a graduate student, in graduate study in connection with a program described in subparagraph (A), including—

"(I) predissertation level study;

"(II) preparation for dissertation research;

"(III) dissertation research abroad; or

"(IV) dissertation writing.";

(3) by striking subsection (d) and inserting the following:

"(d) ALLOWANCES.—

"(1) GRADUATE LEVEL RECIPIENTS.—A stipend awarded to a graduate level recipient may include allowances for dependents and for travel for research and study in the United States and abroad.

"(2) UNDERGRADUATE LEVEL RECIPIENTS.—A stipend awarded to an undergraduate level recipient may include an allowance for educational programs in the United States or educational programs abroad that—

"(A) are closely linked to the overall goals of the recipient's course of study; and

"(B) have the purpose of promoting foreign language fluency and knowledge of foreign cultures."; and

(4) by adding at the end the following:

"(e) APPLICATION.—Each institution or combination of institutions desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information and assurances as the Secretary may require. Each application shall include an explanation of how the activities funded by the grant will reflect diverse perspectives and a wide range of views and generate debate on world regions and international affairs. Each application shall also describe how the applicant will address disputes regarding whether activities funded under the application reflect diverse perspectives and a wide range of views. Each application shall also include a description of how the applicant will encourage government service in areas of national need, as iden-

tified by the Secretary, as well as in needs in the education, business, and nonprofit sectors.''.

SEC. 603. UNDERGRADUATE INTERNATIONAL STUDIES AND FOREIGN LANGUAGE PROGRAMS.

Section 604 (20 U.S.C. 1124) is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) by redesignating subparagraphs (I) through (M) as subparagraphs (J) through (N), respectively; and

(ii) by inserting after subparagraph (H) the following:

''(I) providing subgrants to undergraduate students for educational programs abroad that—

''(i) are closely linked to the overall goals of the program for which the grant is awarded; and

''(ii) have the purpose of promoting foreign language fluency and knowledge of foreign cultures;''; and

(B) in paragraph (7)—

(i) in subparagraph (C), by striking ''and'' after the semicolon;

(ii) in subparagraph (D), by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following:

''(E) a description of how the applicant will provide information to students regarding federally funded scholarship programs in related areas;

''(F) an explanation of how the activities funded by the grant will reflect diverse perspectives and a wide range of views and generate debate on world regions and international affairs, where applicable;

''(G) a description of how the applicant will address disputes regarding whether the activities funded under the application reflect diverse perspectives and a wide range of views; and

''(H) a description of how the applicant will encourage service in areas of national need as identified by the Secretary.''; and

(2) in subsection (c)—

(A) by striking ''FUNDING SUPPORT.—The Secretary'' and inserting ''FUNDING SUPPORT.—

''(1) THE SECRETARY.—The Secretary'';

(B) by striking ''10'' and inserting ''20''; and

(C) by adding at the end the following:

''(2) GRANTEES.—Of the total amount of grant funds awarded to a grantee under this section, the grantee may use not more than 10 percent of such funds for the activity described in subsection (a)(2)(I).''.

SEC. 604. RESEARCH; STUDIES.

Section 605(a) (20 U.S.C. 1125(a)) is amended—

(1) in paragraph (8), by striking ''and'' after the semicolon;

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

(3) by adding at the end the following:

''(10) evaluation of the extent to which programs assisted under this title reflect diverse perspectives and a wide range of views and generate debate on world regions and international affairs;

"(11) the systematic collection, analysis, and dissemination of data that contribute to achieving the purposes of this part; and

"(12) support for programs or activities to make data collected, analyzed, or disseminated under this section publicly available and easy to understand.".

SEC. 605. TECHNOLOGICAL INNOVATION AND COOPERATION FOR FOREIGN INFORMATION ACCESS.

Section 606 (20 U.S.C. 1126) is amended—

(1) in subsection (a)—

(A) by striking "new electronic technologies" and inserting "electronic technologies";

(B) by inserting "from foreign sources" after "disseminate information";

(C) in the subsection heading, by striking "AUTHORITY.—The Secretary" and inserting "AUTHORITY.—

"(1) IN GENERAL.—The Secretary"; and

(D) by adding at the end the following:

"(2) PARTNERSHIPS WITH NOT-FOR-PROFIT EDUCATIONAL ORGANIZATIONS.—The Secretary may award grants under this section to carry out the ac-

tivities authorized under this section to the following:

"(A) An institution of higher education.

"(B) A public or nonprofit private library.

"(C) A consortium of an institution of higher education and 1 or more of the following:

"(i) Another institution of higher education.

"(ii) A library.

"(iii) A not-for-profit educational organization.";

(2) in subsection (b)—

(A) in paragraph (1), by striking "to facilitate access to" and inserting "to acquire, facilitate access to,";

(B) in paragraph (2), by inserting "or standards for" after "means of";

(C) in paragraph (6), by striking "and" after the semicolon;

(D) in paragraph (7), by striking the period and inserting a semicolon; and

(E) by adding at the end the following:

"(8) to establish linkages to facilitate carrying out the activities described in this subsection between—

"(A) the institutions of higher education, libraries, and consortia receiving grants under this section; and

"(B) institutions of higher education, not-for-profit educational organizations, and libraries overseas; and

"(9) to carry out other activities that the Secretary determines are consistent with the purpose of the grants or contracts awarded under this section."; and

(3) in subsection (c), by striking "institution or consortium" and inserting "institution of higher education, library, or consortium".

SEC. 606. SELECTION OF CERTAIN GRANT RECIPIENTS.

Section 607 (20 U.S.C. 1127) is amended—

(1) in subsection (a), by striking "evaluates the applications for comprehensive and undergraduate language and area centers and programs." and inserting "evaluates—

"(1) the applications for comprehensive foreign language and area or international studies centers and programs; and

"(2) the applications for undergraduate foreign language and area or international studies centers and programs."; and

(2) in subsection (b), by adding at the end the following: "The Secretary shall also consider an applicant's record of placing students into service in areas of national need and an applicant's stated efforts to increase the number of such students that go into such service.".

SEC. 607. AMERICAN OVERSEAS RESEARCH CENTERS.

Section 609 (20 U.S.C. 1128a) is amended by adding at the end the following:

"(e) APPLICATION.—Each center desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information and assurances as the Secretary may require.".

SEC. 608. AUTHORIZATION OF APPROPRIATIONS FOR INTERNATIONAL AND FOREIGN LANGUAGE STUDIES.

Section 610 (20 U.S.C. 1128b) is amended by striking "$80,000,000 for fiscal year 1999" and all that follows through the period and inserting "such sums as may be necessary for fiscal year 2008 and each of the 5 succeeding fiscal years.".

SEC. 609. CENTERS FOR INTERNATIONAL BUSINESS EDUCATION.

Section 612(f)(3) (20 U.S.C. 1130–1(f)(3)) is amended by inserting ‘‘, and that diverse perspectives will be made available to students in programs under this section’’ before the semicolon.

SEC. 610. EDUCATION AND TRAINING PROGRAMS.

Section 613(c) (20 U.S.C. 1130a(c)) is amended by adding at the end the following: ‘‘Each such application shall include an assurance that, where applicable, the activities funded by the grant will reflect diverse perspectives and a wide range of views on world regions and international affairs.’’.

SEC. 611. AUTHORIZATION OF APPROPRIATIONS FOR BUSINESS AND INTERNATIONAL EDUCATION PROGRAMS.

Section 614 (20 U.S.C. 1130b) is amended—

(1) in subsection (a), by striking ‘‘$11,000,000 for fiscal year 1999’’ and all that follows through ‘‘fiscal years’’ and inserting ‘‘such sums as may be necessary for fiscal year 2008 and each of the 5 succeeding fiscal years’’; and

(2) in subsection (b), by striking ‘‘$7,000,000 for fiscal year 1999’’ and all that follows through ‘‘fiscal years,’’ and inserting ‘‘such sums as may be

necessary for fiscal year 2008 and each of the 5 succeeding fiscal years''.

SEC. 612. MINORITY FOREIGN SERVICE PROFESSIONAL DEVELOPMENT PROGRAM.

Section 621 (20 U.S.C. 1131) is amended—

(1) in subsection (c), by adding at the end the following: ''Each application shall include a description of how the activities funded by the grant will reflect diverse perspectives and a wide range of views on world regions and international affairs, where applicable.''; and

(2) in subsection (e)—

(A) by striking ''MATCH REQUIRED.—The eligible'' and inserting ''MATCHING FUNDS.—

''(1) IN GENERAL.—Subject to paragraph (2), the eligible''; and

(B) by adding at the end the following:

''(2) WAIVER.—The Secretary may waive the requirement of paragraph (1) for an eligible recipient if the Secretary determines such waiver is appropriate.''.

SEC. 613. INSTITUTIONAL DEVELOPMENT.

Section 622 (20 U.S.C. 1131–1) is amended—

(1) in subsection (a)—

(A) by striking ''Tribally Controlled Colleges or Universities'' and inserting ''tribally controlled colleges or universities''; and

(B) by striking ''international affairs programs.'' and inserting ''international affairs, international business, and foreign language study programs, including the teaching of foreign languages, at such colleges, universities, and institutions, respectively, which may include collaboration with institutions of higher education that receive funding under this title.''; and

(2) in subsection (c)—

(A) by striking paragraphs (1) and (3);

(B) by redesignating paragraphs (2) and (4) as paragraphs (1) and (2), respectively; and

(C) in paragraph (1) (as redesignated by subparagraph (B)), by inserting ''and'' after the semicolon.

SEC. 614. STUDY ABROAD PROGRAM.

Section 623(a) (20 U.S.C. 1131a(a)) is amended—

(1) by striking ''as defined in section 322 of this Act''; and

(2) by striking ''tribally controlled Indian community colleges as defined in the Tribally Controlled

Community College Assistance Act of 1978'' and inserting ''tribally controlled colleges or universities''.

SEC. 615. ADVANCED DEGREE IN INTERNATIONAL RELATIONS.

Section 624 (20 U.S.C. 1131b) is amended—

(1) in the section heading, by striking ''**MASTERS**'' and inserting ''**ADVANCED**'';

(2) in the first sentence, by inserting '', and in exceptional circumstances, a doctoral degree,'' after ''masters degree'';

(3) in the second sentence, by striking ''masters degree'' and inserting ''advanced degree''; and

(4) in the fourth sentence, by striking ''United States'' and inserting ''United States.''.

SEC. 616. INTERNSHIPS.

Section 625 (20 U.S.C. 1131c) is amended—

(1) in subsection (a)—

(A) by striking ''as defined in section 322 of this Act'';

(B) by striking ''tribally controlled Indian community colleges as defined in the Tribally Controlled Community College Assistance Act of 1978'' and inserting ''tribally controlled colleges or universities'';

(C) by striking ''an international'' and inserting ''international,''; and

(D) by striking ''the United States Information Agency'' and inserting ''the Department of State''; and

(2) in subsection (c)(1)—

(A) in subparagraph (E), by inserting ''and'' after the semicolon;

(B) in subparagraph (F), by striking ''; and'' and inserting a period; and

(C) by striking subparagraph (G).

SEC. 617. FINANCIAL ASSISTANCE.

Part C of title VI (20 U.S.C. 1131 et seq.) is further amended—

(1) by redesignating sections 626, 627, and 628 as sections 627, 628, and 629, respectively; and

(2) by inserting after section 625 the following:

''SEC. 626. FINANCIAL ASSISTANCE.

''(a) AUTHORITY.—The Institute may provide financial assistance, in the form of summer stipends described in subsection (b) and Ralph Bunche scholarship assistance described in subsection (c), to needy students to facilitate the participation of the students in the Institute's programs under this part.

''(b) SUMMER STIPENDS.—

"(1) REQUIREMENTS.—A student receiving a summer stipend under this section shall use such stipend to defray the student's cost of participation in a summer institute program funded under this part, including the costs of travel, living, and educational expenses necessary for the student's participation in such program.

"(2) AMOUNT.—A summer stipend awarded to a student under this section shall not exceed $3,000 per summer.

"(c) RALPH BUNCHE SCHOLARSHIP.—

"(1) REQUIREMENTS.—A student receiving a Ralph Bunche scholarship under this section—

"(A) shall be a full-time student at an institution of higher education who is accepted into a program funded under this part; and

"(B) shall use such scholarship to pay costs related to the cost of attendance, as defined in section 472, at the institution of higher education in which the student is enrolled.

"(2) AMOUNT AND DURATION.—A Ralph Bunche scholarship awarded to a student under this section shall not exceed $5,000 per academic year.".

SEC. 618. REPORT.

Section 627 (as redesignated by section 617(1)) (20 U.S.C. 1131d) is amended by striking ''annually'' and inserting ''biennially''.

SEC. 619. GIFTS AND DONATIONS.

Section 628 (as redesignated by section 617(1)) (20 U.S.C. 1131e) is amended by striking ''annual report described in section 626'' and inserting ''biennial report described in section 627''.

SEC. 620. AUTHORIZATION OF APPROPRIATIONS FOR THE INSTITUTE FOR INTERNATIONAL PUBLIC POLICY.

Section 629 (as redesignated by section 617(1)) (20 U.S.C. 1131f) is amended by striking ''$10,000,000 for fiscal year 1999'' and all that follows through the period and inserting ''such sums as may be necessary for fiscal year 2008 and each of the 5 succeeding fiscal years.''.

SEC. 621. DEFINITIONS.

Section 631 (20 U.S.C. 1132) is amended—

(1) by striking paragraph (7);

(2) by redesignating paragraphs (2), (3), (4), (5), (6), (8), and (9), as paragraphs (7), (4), (8), (2), (10), (6), and (3), respectively;

(3) in paragraph (2), as redesignated by paragraph (2), by striking ''comprehensive language and

area center'' and inserting ''comprehensive foreign language and area or international studies center'';

(4) in paragraph (3), as redesignated by paragraph (2), by striking the period at the end and inserting a semicolon;

(5) by inserting after paragraph (4), as redesignated by paragraph (2), the following:

''(5) the term 'historically Black college and university' has the meaning given the term 'part B institution' in section 322;'';

(6) in paragraph (6), as redesignated by paragraph (2), by striking ''and'' after the semicolon;

(7) by inserting after paragraph (8), as redesignated by paragraph (2), the following:

''(9) the term 'tribally controlled college or university' has the meaning given the term in section 2 of the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801); and''; and

(8) in paragraph (10), as redesignated by paragraph (2), by striking ''undergraduate language and area center'' and inserting ''undergraduate foreign language and area or international studies center''.

SEC. 622. ASSESSMENT AND ENFORCEMENT.

Part D of title VI (20 U.S.C. 1132) is amended by adding at the end the following:

"SEC. 632. ASSESSMENT; ENFORCEMENT; RULE OF CONSTRUCTION.

"(a) IN GENERAL.—The Secretary is authorized to assess and ensure compliance with all the conditions and terms of grants provided under this title. If a complaint regarding activities funded under this title is not resolved under the process outlined in the relevant grantee's application, such complaint shall be filed with the Department and reviewed by the Secretary. The Secretary shall take the review of such complaints into account when determining the renewal of grants.

"(b) RULE OF CONSTRUCTION.—Nothing in this title shall be construed to authorize the Secretary to mandate, direct, or control an institution of higher education's specific instructional content, curriculum, or program of instruction.

"SEC. 633. EVALUATION, OUTREACH, AND INFORMATION.

"The Secretary may use not more than 1 percent of the funds made available under this title to carry out program evaluation, national outreach, and information dissemination activities relating to the programs authorized under this title.

"SEC. 634. BIENNIAL REPORT.

"The Secretary shall, in consultation and collaboration with the Secretary of State, the Secretary of Defense, and the heads of other relevant Federal agencies, submit

a biennial report that identifies areas of national need in foreign language, area, and international studies as such studies relate to government, education, business, and nonprofit needs, and a plan to address those needs. The report shall be provided to the authorizing committees and made available to the public.''.

TITLE VII—GRADUATE AND POSTSECONDARY IMPROVEMENT PROGRAMS

SEC. 701. PURPOSE.

Section 700(1)(B)(i) (20 U.S.C. 1133(1)(B)(i)) is amended by inserting '', including those areas critical to United States national and homeland security needs such as mathematics, science, and engineering'' before the semicolon at the end.

SEC. 702. ALLOCATION OF JACOB K. JAVITS FELLOWSHIPS.

Section 702(a)(1) (20 U.S.C. 1134a(a)(1)) is amended to read as follows:

''(1) APPOINTMENT.—

''(A) IN GENERAL.—The Secretary shall appoint a Jacob K. Javits Fellows Program Fellowship Board (referred to in this subpart as the 'Board') consisting of 9 individuals representative of both public and private institu-

tions of higher education who are especially qualified to serve on the Board.

"(B) QUALIFICATIONS.—In making appointments under subparagraph (A), the Secretary shall—

"(i) give due consideration to the appointment of individuals who are highly respected in the academic community;

"(ii) assure that individuals appointed to the Board are broadly representative of a range of disciplines in graduate education in arts, humanities, and social sciences;

"(iii) appoint members to represent the various geographic regions of the United States; and

"(iv) include representatives from minority institutions, as defined in section 365.".

SEC. 703. STIPENDS.

Section 703(a) (20 U.S.C. 1134b(a)) is amended by striking "graduate fellowships" and inserting "Graduate Research Fellowship Program".

SEC. 704. AUTHORIZATION OF APPROPRIATIONS FOR THE JACOB K. JAVITS FELLOWSHIP PROGRAM.

Section 705 (20 U.S.C. 1134d) is amended by striking ''$30,000,000 for fiscal year 1999'' and all that follows through the period and inserting ''such sums as may be necessary for fiscal year 2008 and each of the 5 succeeding fiscal years to carry out this subpart.''.

SEC. 705. INSTITUTIONAL ELIGIBILITY UNDER THE GRADUATE ASSISTANCE IN AREAS OF NATIONAL NEED PROGRAM.

Section 712(b) (20 U.S.C. 1135a(b)) is amended to read as follows:

''(b) DESIGNATION OF AREAS OF NATIONAL NEED.—After consultation with appropriate Federal and nonprofit agencies and organizations, including the National Science Foundation, the Department of Defense, the Department of Homeland Security, the National Academy of Sciences, and the Bureau of Labor Statistics, the Secretary shall designate areas of national need. In making such designations, the Secretary shall take into consideration—

''(1) the extent to which the interest in the area is compelling;

''(2) the extent to which other Federal programs support postbaccalaureate study in the area concerned;

"(3) an assessment of how the program may achieve the most significant impact with available resources; and

"(4) an assessment of current and future professional workforce needs of the United States.".

SEC. 706. AWARDS TO GRADUATE STUDENTS.

Section 714 (20 U.S.C. 1135c) is amended—

(1) in subsection (b)—

(A) by striking "1999–2000" and inserting "2008–2009"; and

(B) by striking "graduate fellowships" and inserting "Graduate Research Fellowship Program"; and

(2) in subsection (c)—

(A) by striking "716(a)" and inserting "715(a)"; and

(B) by striking "714(b)(2)" and inserting "713(b)(2)".

SEC. 707. ADDITIONAL ASSISTANCE FOR COST OF EDUCATION.

Section 715(a)(1) (20 U.S.C. 1135d(a)(1)) is amended—

(1) by striking "1999–2000" and inserting "2008–2009"; and

(2) by striking ''1998–1999'' and inserting ''2007–2008''.

SEC. 708. AUTHORIZATION OF APPROPRIATIONS FOR THE GRADUATE ASSISTANCE IN AREAS OF NATIONAL NEED PROGRAM.

Section 716 (20 U.S.C. 1135e) is amended by striking ''$35,000,000 for fiscal year 1999'' and all that follows through the period and inserting ''such sums as may be necessary for fiscal year 2008 and each of the 5 succeeding fiscal years to carry out this subpart.''.

SEC. 709. LEGAL EDUCATIONAL OPPORTUNITY PROGRAM.

Section 721 (20 U.S.C. 1136) is amended—

(1) in subsection (a)—

(A) by inserting ''secondary school and'' after ''disadvantaged''; and

(B) by inserting ''and admission to law practice'' before the period at the end;

(2) in the matter preceding paragraph (1) of subsection (b), by inserting ''secondary school student or'' before ''college student'';

(3) in subsection (c)—

(A) in paragraph (1), by inserting ''secondary school and'' before ''college students'';

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

"(2) to prepare such students for successful completion of a baccalaureate degree and for study at accredited law schools, and to assist them with the development of analytical skills, writing skills, and study methods to enhance the students' success and promote the students' admission to and completion of law school;";

(C) in paragraph (4), by striking "and" after the semicolon;

(D) by striking paragraph (5) and inserting the following:

"(4) to motivate and prepare such students—

"(A) with respect to law school studies and practice in low-income communities; and

"(B) to provide legal services to low-income individuals and families; and;"; and

(E) by adding at the end the following:

"(6) to award Thurgood Marshall Fellowships to eligible law school students—

"(A) who participated in summer institutes under subsection (d)(6) and who are enrolled in an accredited law school; or

"(B) who have successfully completed summer institute programs comparable to the summer institutes under subsection (d) that are

1 certified by the Council on Legal Education Op-
2 portunity.'';
3 (4) in subsection (d)—
4 (A) in the matter preceding paragraph (1),
5 by inserting ''pre-college programs, under-
6 graduate'' before ''pre-law'';
7 (B) in paragraph (1)—
8 (i) in subparagraph (B), by inserting
9 ''law school'' before ''graduation''; and
10 (ii) by striking subparagraph (D) and
11 inserting the following:
12 ''(D) pre-college and undergraduate pre-
13 paratory courses in analytical and writing skills,
14 study methods, and curriculum selection;'';
15 (C) by redesignating paragraphs (2)
16 through (6) as paragraphs (3) through (7), re-
17 spectively;
18 (D) by inserting after paragraph (1) the
19 following:
20 ''(2) summer academic programs for secondary
21 school students who have expressed interest in a ca-
22 reer in the law;''; and
23 (E) in paragraph (7) (as redesignated by
24 subparagraph (C)), by inserting ''and Associ-
25 ates'' after ''Thurgood Marshall Fellows'';

(5) in subsection (e)(1), by inserting ", including before and during undergraduate study" before the semicolon;

(6) in subsection (f)—

(A) by inserting "national and State bar associations," after "agencies and organizations,"; and

(B) by striking "and organizations." and inserting "organizations, and associations.";

(7) by striking subsection (g) and inserting the following:

"(g) FELLOWSHIPS AND STIPENDS.—The Secretary shall annually establish the maximum fellowship to be awarded, and stipend to be paid (including allowances for participant travel and for the travel of the dependents of the participant), to Thurgood Marshall Fellows or Associates for the period of participation in summer institutes, midyear seminars, and bar preparation seminars. A Fellow or Associate may be eligible for such a fellowship or stipend only if the Thurgood Marshall Fellow or Associate maintains satisfactory academic progress toward the Juris Doctor or Bachelor of Laws degree, as determined by the respective institutions (except with respect to a law school graduate enrolled in a bar preparation course)."; and

(8) in subsection (h), by striking ''$5,000,000 for fiscal year 1999'' and all that follows through the period at the end and inserting ''such sums as may be necessary for fiscal year 2008 and for each of the 5 succeeding fiscal years''.

SEC. 710. FUND FOR THE IMPROVEMENT OF POSTSECONDARY EDUCATION.

Section 741 (20 U.S.C. 1138) is amended—

(1) in subsection (a)—

(A) by striking paragraph (3) and inserting the following:

''(3) the establishment and continuation of institutions, programs, consortia, collaborations, and other joint efforts based on the technology of communications, including those efforts that utilize distance education and technological advancements to educate and train postsecondary students (including health professionals serving medically underserved populations);'';

(B) in paragraph (7), by striking ''and'' after the semicolon;

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

(D) by adding at the end the following:

"(9) the introduction of reforms in remedial education, including English language instruction, to customize remedial courses to student goals and help students progress rapidly from remedial courses into core courses and through program completion; and

"(10) the creation of consortia that join diverse institutions of higher education to design and offer curricular and co-curricular interdisciplinary programs at the undergraduate and graduate levels, sustained for not less than a 5 year period, that—

"(A) focus on poverty and human capability; and

"(B) include—

"(i) a service-learning component; and

"(ii) the delivery of educational services through informational resource centers, summer institutes, midyear seminars, and other educational activities that stress the effects of poverty and how poverty can be alleviated through different career paths."; and

(2) by adding at the end the following:

"(c) PROJECT GRAD.—

"(1) PURPOSES.—The purposes of this subsection are—

"(A) to provide support and assistance to programs implementing integrated education reform services in order to improve secondary school graduation, college attendance, and college completion rates for at-risk students; and

"(B) to promote the establishment of new programs to implement such integrated education reform services.

"(2) DEFINITIONS.—In this subsection:

"(A) AT-RISK.—The term 'at-risk' has the same meaning given such term in section 1432 of the Elementary and Secondary Education Act of 1965.

"(B) FEEDER PATTERN.—The term 'feeder pattern' means a secondary school and the elementary schools and middle schools that channel students into that secondary school.

"(3) GRANT AUTHORIZED.—The Secretary is authorized to award a grant to Project GRAD USA (referred to in this subsection as the 'grantee'), a nonprofit educational organization that has as its primary purpose the improvement of secondary school graduation, college attendance, and college completion rates for at-risk students, to implement and sustain the integrated education reform pro-

gram at existing Project GRAD sites, and to promote the expansion of the Project GRAD program to new sites.

"(4) REQUIREMENTS OF GRANT AGREEMENT.—The Secretary shall enter into an agreement with the grantee that requires that the grantee shall—

"(A) enter into subcontracts with nonprofit educational organizations that serve a substantial number or percentage of at-risk students (referred to in this subsection as 'subcontractors'), under which the subcontractors agree to implement the Project GRAD program and provide matching funds for such programs; and

"(B) directly carry out—

"(i) activities to implement and sustain the literacy, mathematics, classroom management, social service, and college access components of the Project GRAD program;

"(ii) activities for the purpose of implementing new Project GRAD program sites;

"(iii) activities to support, evaluate, and consistently improve the Project GRAD program;

"(iv) activities for the purpose of promoting greater public awareness of integrated education reform services to improve secondary school graduation, college attendance, and college completion rates for at-risk students; and

"(v) other activities directly related to improving secondary school graduation, college attendance, and college completion rates for at-risk students.

"(5) GRANTEE CONTRIBUTION AND MATCHING REQUIREMENT.—

"(A) IN GENERAL.—The grantee shall provide funds to each subcontractor based on the number of students served by the subcontractor in the Project GRAD program, adjusted to take into consideration—

"(i) the resources available in the area where the subcontractor will implement the Project GRAD program; and

"(ii) the need for the Project GRAD program in such area to improve student outcomes, including reading and mathematics achievement and, where applicable,

1 secondary school graduation, college at-
2 tendance, and college completion rates.
3 "(B) MATCHING REQUIREMENT.—Each
4 subcontractor shall provide funds for the
5 Project GRAD program in an amount that is
6 equal to or greater than the amount received by
7 the subcontractor from the grantee. Such
8 matching funds may be provided in cash or in-
9 kind, fairly evaluated.
10 "(6) EVALUATION.—The Secretary shall select
11 an independent entity to evaluate, every 3 years, the
12 performance of students who participate in a Project
13 GRAD program under this subsection.
14 "(d) CENTER FOR BEST PRACTICES TO SUPPORT
15 SINGLE PARENT STUDENTS.—
16 "(1) PROGRAM AUTHORIZED.—The Secretary is
17 authorized to award 1 grant or contract to an insti-
18 tution of higher education to enable such institution
19 to establish and maintain a center to study and de-
20 velop best practices for institutions of higher edu-
21 cation to support single parents who are also stu-
22 dents attending such institutions.
23 "(2) INSTITUTION REQUIREMENTS.—The Sec-
24 retary shall award the grant or contract under this
25 subsection to a 4-year institution of higher education

that has demonstrated expertise in the development of programs to assist single parents who are students at institutions of higher education, as shown by the institution's development of a variety of targeted services to such students, including on-campus housing, child care, counseling, advising, internship opportunities, financial aid, and financial aid counseling and assistance.

"(3) CENTER ACTIVITIES.—The center funded under this section shall—

"(A) assist institutions implementing innovative programs that support single parents pursuing higher education;

"(B) study and develop an evaluation protocol for such programs that includes quantitative and qualitative methodologies;

"(C) provide appropriate technical assistance regarding the replication, evaluation, and continuous improvement of such programs; and

"(D) develop and disseminate best practices for such programs.

"(e) UNDERSTANDING THE FEDERAL REGULATORY IMPACT ON HIGHER EDUCATION.—

"(1) PURPOSE.—The purpose of this subsection is to help institutions of higher education under-

stand the regulatory impact of the Federal Government on such institutions, in order to raise awareness of institutional legal obligations and provide information to improve compliance with, and to reduce the duplication and inefficiency of, Federal regulations.

"(2) PROGRAM AUTHORIZED.—The Secretary is authorized to award 1 grant or contract to an institution of higher education to enable the institution to carry out the activities described in the agreement under paragraph (4).

"(3) INSTITUTION REQUIREMENTS.—The Secretary shall award the grant or contract under this subsection to an institution of higher education that has demonstrated expertise in—

"(A) reviewing Federal higher education regulations;

"(B) maintaining a clearinghouse of compliance training materials; and

"(C) explaining the impact of such regulations to institutions of higher education through a comprehensive and freely accessible website.

"(4) REQUIREMENTS OF AGREEMENT.—As a condition of receiving a grant or contract under this subsection, the institution of higher education shall

enter into an agreement with the Secretary that shall require the institution to—

"(A) monitor Federal regulations, including notices of proposed rulemaking, for their impact or potential impact on higher education;

"(B) provide a succinct description of each regulation or proposed regulation that is relevant to higher education; and

"(C) maintain a website providing information on Federal regulations that is easy to use, searchable, and updated regularly.".

SEC. 711. SPECIAL PROJECTS.

Section 744(c) (20 U.S.C. 1138c) is amended to read as follows:

"(c) AREAS OF NATIONAL NEED.—Areas of national need shall include, at a minimum, the following:

"(1) Institutional restructuring to improve learning and promote productivity, efficiency, quality improvement, and cost and price control.

"(2) Improvements in academic instruction and student learning, including efforts designed to assess the learning gains made by postsecondary students.

"(3) Articulation between 2- and 4-year institutions of higher education, including developing innovative methods for ensuring the successful transfer

of students from 2- to 4-year institutions of higher education.

"(4) Development, evaluation and dissemination of model programs, including model core curricula that—

"(A) provide students with a broad and integrated knowledge base;

"(B) include, at a minimum, broad survey courses in English literature, American and world history, American political institutions, economics, philosophy, college-level mathematics, and the natural sciences; and

"(C) include sufficient study of a foreign language to lead to reading and writing competency in the foreign language.

"(5) International cooperation and student exchanges among postsecondary educational institutions.".

SEC. 712. AUTHORIZATION OF APPROPRIATIONS FOR THE FUND FOR THE IMPROVEMENT OF POSTSECONDARY EDUCATION.

Section 745 (20 U.S.C. 1138d) is amended by striking "$30,000,000 for fiscal year 1999" and all that follows through the period and inserting "such sums as may

be necessary for fiscal year 2008 and each of the 5 succeeding fiscal years.''.

SEC. 713. REPEAL OF THE URBAN COMMUNITY SERVICE PROGRAM.

Part C of title VII (20 U.S.C. 1139 et seq.) is repealed.

SEC. 714. GRANTS FOR STUDENTS WITH DISABILITIES.

(a) GRANTS AUTHORIZED FOR DEMONSTRATION PROJECTS TO ENSURE STUDENTS WITH DISABILITIES RECEIVE A QUALITY HIGHER EDUCATION.—Section 762 (20 U.S.C. 1140a) is amended—

(1) in subsection (b)—

(A) in paragraph (2)—

(i) in subparagraph (A), by striking ''to teach students with disabilities'' and inserting ''to teach and meet the academic and programmatic needs of students with disabilities in order to improve retention and completion of postsecondary education'';

(ii) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (F), respectively;

(iii) by inserting after subparagraph (A) the following:

"(B) EFFECTIVE TRANSITION PRACTICES.—The development of innovative and effective teaching methods and strategies to ensure the successful transition of students with disabilities from secondary school to postsecondary education.";

(iv) in subparagraph (C), as redesignated by clause (ii), by striking the period at the end and inserting ", including data on the postsecondary education of and impact on subsequent employment of students with disabilities. Such research, information, and data shall be made publicly available and accessible.";

(v) by inserting after subparagraph (C), as redesignated by clause (ii), the following:

"(D) DISTANCE LEARNING.—The development of innovative and effective teaching methods and strategies to provide faculty and administrators with the ability to provide accessible distance education programs or classes that would enhance access of students with disabilities to higher education, including the use

of accessible curriculum and electronic communication for instruction and advisement.

"(E) DISABILITY CAREER PATHWAYS.—

"(i) IN GENERAL.—Training and providing support to secondary and postsecondary staff with respect to disability-related fields to—

"(I) encourage interest and participation in such fields, among students with disabilities and other students;

"(II) enhance awareness and understanding of such fields among such students;

"(III) provide educational opportunities in such fields among such students;

"(IV) teach practical skills related to such fields among such students; and

"(V) offer work-based opportunities in such fields among such students.

"(ii) DEVELOPMENT.—The training and support described in clause (i) may in-

clude developing means to offer students credit-bearing, college-level coursework, and career and educational counseling.'';

(vi) by adding at the end the following:

''(G) ACCESSIBILITY OF EDUCATION.—Making postsecondary education more accessible to students with disabilities through curriculum development.''; and

(B) in paragraph (3), by striking ''subparagraphs (A) through (C)'' and inserting ''subparagraphs (A) through (G)''; and

(2) by adding at the end the following:

''(d) REPORT.—Not later than 3 years after the date of enactment of the Higher Education Amendments of 2007, the Secretary shall prepare and disseminate a report reviewing the activities of the demonstration projects authorized under this subpart and providing guidance and recommendations on how successful projects can be replicated.''.

(b) TRANSITION PROGRAMS FOR STUDENTS WITH INTELLECTUAL DISABILITIES INTO HIGHER EDUCATION; COORDINATING CENTER.—Part D of title VII (20 U.S.C. 1140 et seq.) is further amended—

(1) in the part heading, by striking "**DEMONSTRATION**";

(2) by inserting after the part heading the following:

"Subpart 1—Quality Higher Education";

and

(3) by adding at the end the following:

"Subpart 2—Transition Programs for Students With Intellectual Disabilities Into Higher Education; Coordinating Center

"SEC. 771. PURPOSE.

"It is the purpose of this subpart to support model demonstration programs that promote the successful transition of students with intellectual disabilities into higher education.

"SEC. 772. DEFINITIONS.

"In this subpart:

"(1) COMPREHENSIVE TRANSITION AND POSTSECONDARY PROGRAM FOR STUDENTS WITH INTELLECTUAL DISABILITIES.—The term 'comprehensive transition and postsecondary program for students with intellectual disabilities' means a degree, certificate, or nondegree program offered by an institution of higher education that—

"(A) is designed for students with intellectual disabilities who seek to continue academic, vocational, or independent living instruction at the institution in order to prepare for gainful employment;

"(B) includes an advising and curriculum structure; and

"(C) requires the enrollment of the student (through enrollment in credit-bearing courses, auditing or participating in courses, participating in internships, or enrollment in non-credit, nondegree courses) in the equivalent of not less than a half-time course of study, as determined by the institution.

"(2) STUDENT WITH AN INTELLECTUAL DISABILITY.—The term 'student with an intellectual disability' means a student whose mental retardation or other significant cognitive impairment substantially impacts the student's intellectual and cognitive functioning.

"SEC. 773. MODEL COMPREHENSIVE TRANSITION AND POSTSECONDARY PROGRAMS FOR STUDENTS WITH INTELLECTUAL DISABILITIES.

"(a) GRANTS AUTHORIZED.—

"(1) IN GENERAL.—The Secretary shall annually award grants, on a competitive basis, to institutions of higher education (or consortia of institutions of higher education), to create or expand high-quality, inclusive model comprehensive transition and postsecondary programs for students with intellectual disabilities.

"(2) NUMBER AND DURATION OF GRANTS.—The Secretary shall award not less than 10 grants per year under this section, and each grant awarded under this subsection shall be for a period of 5 years.

"(b) APPLICATION.—An institution of higher education (or a consortium) desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

"(c) PREFERENCE.—In awarding grants under this section, the Secretary shall give preference to institutions of higher education (or consortia) that—

"(1) will carry out a model program under the grant in a State that does not already have a comprehensive transition and postsecondary program for students with intellectual disabilities; or

"(2) in the application submitted under subsection (b), agree to incorporate 1 or more the following elements into the model programs carried out under the grant:

"(A) The formation of a partnership with any relevant agency serving students with intellectual disabilities, such as a vocational rehabilitation agency.

"(B) In the case of an institution of higher education that provides institutionally-owned or operated housing for students attending the institution, the integration of students with intellectual disabilities into such housing.

"(C) The involvement of students attending the institution of higher education who are studying special education, general education, vocational rehabilitation, assistive technology, or related fields in the model program carried out under the grant.

"(d) USE OF FUNDS.—An institution of higher education (or consortium) receiving a grant under this section shall use the grant funds to establish a model comprehensive transition and postsecondary program for students with intellectual disabilities that—

"(1) serves students with intellectual disabilities, including students with intellectual disabilities who are no longer eligible for special education and related services under the Individuals with Disabilities Education Act;

"(2) provides individual supports and services for the academic and social inclusion of students with intellectual disabilities in academic courses, extracurricular activities, and other aspects of the institution of higher education's regular postsecondary program;

"(3) with respect to the students with intellectual disabilities participating in the model program, provides a focus on—

"(A) academic enrichment;

"(B) socialization;

"(C) independent living, including self-advocacy skills; and

"(D) integrated work experiences and career skills that lead to gainful employment;

"(4) integrates person-centered planning in the development of the course of study for each student with an intellectual disability participating in the model program;

"(5) participates with the coordinating center established under section 774 in the evaluation of the model program;

"(6) partners with 1 or more local educational agencies to support students with intellectual disabilities participating in the model program who are still eligible for special education and related services under such Act, including regarding the utilization of funds available under part B of the Individuals with Disabilities Education Act for such students;

"(7) plans for the sustainability of the model program after the end of the grant period; and

"(8) creates and offers a meaningful credential for students with intellectual disabilities upon the completion of the model program.

"(e) MATCHING REQUIREMENT.—An institution of higher education that receives a grant under this section shall provide toward the cost of the model comprehensive transition and postsecondary program for students with intellectual disabilities carried out under the grant, matching funds, which may be provided in cash or in-kind, in an amount not less than 25 percent of the amount of such grant funds.

"(f) REPORT.—Not later than 3 years after the date of enactment of the Higher Education Amendments of

2007, the Secretary shall prepare and disseminate a report reviewing the activities of the model comprehensive transition and postsecondary programs for students with intellectual disabilities authorized under this subpart and providing guidance and recommendations on how successful programs can be replicated.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary.

''SEC. 774. COORDINATING CENTER FOR TECHNICAL ASSISTANCE, EVALUATION, AND DEVELOPMENT OF ACCREDITATION STANDARDS.

''(a) IN GENERAL.—

''(1) AWARD.—The Secretary shall, on a competitive basis, enter into a cooperative agreement with an eligible entity, for the purpose of establishing a coordinating center for technical assistance, evaluation, and development of accreditation standards for institutions of higher education that offer inclusive model comprehensive transition and postsecondary programs for students with intellectual disabilities.

''(2) DURATION.—The cooperative agreement under this section shall be for a period of 5 years.

"(b) REQUIREMENTS OF COOPERATIVE AGREEMENT.—The eligible entity entering into a cooperative agreement under this section shall establish and maintain a center that shall—

"(1) serve as the technical assistance entity for all model comprehensive transition and postsecondary programs for students with intellectual disabilities assisted under section 773;

"(2) provide technical assistance regarding the development, evaluation, and continuous improvement of such programs;

"(3) develop an evaluation protocol for such programs that includes qualitative and quantitative methodology measuring student outcomes and program strengths in the areas of academic enrichment, socialization, independent living, and competitive or supported employment;

"(4) assist recipients of grants under section 773 in efforts to award a meaningful credential to students with intellectual disabilities upon the completion of such programs, which credential takes into consideration unique State factors;

"(5) develop model criteria, standards, and procedures to be used in accrediting such programs that—

"(A) include, in the development of the model criteria, standards, and procedures for such programs, the participation of—

"(i) an expert in higher education;

"(ii) an expert in special education;

"(iii) a disability organization that represents students with intellectual disabilities; and

"(iv) a State, regional, or national accrediting agency or association recognized by the Secretary under subpart 2 of part H of title IV; and

"(B) define the necessary components of such programs, such as—

"(i) academic, vocational, social, and independent living skills;

"(ii) evaluation of student progress;

"(iii) program administration and evaluation;

"(iv) student eligibility; and

"(v) issues regarding the equivalency of a student's participation in such programs to semester, trimester, quarter, credit, or clock hours at an institution of higher education, as the case may be;

"(6) analyze possible funding streams for such programs and provide recommendations regarding the funding streams;

"(7) develop model memoranda of agreement between institutions of higher education and agencies providing funding for such programs;

"(8) develop mechanisms for regular communication between the recipients of grants under section 773 regarding such programs; and

"(9) host a meeting of all recipients of grants under section 773 not less often than once a year.

"(c) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term 'eligible entity' means an entity, or a partnership of entities, that has demonstrated expertise in the fields of higher education, students with intellectual disabilities, the development of comprehensive transition and postsecondary programs for students with intellectual disabilities, and evaluation.

"(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary.".

(c) CONFORMING AMENDMENTS.—Part D of title VII (20 U.S.C. 1140 et seq.) is further amended—

(1) in section 761, by striking "part" and inserting "subpart";

(2) in section 762 (as amended by subsection (a)), by striking ''part'' each place the term appears and inserting ''subpart'';

(3) in section 763, by striking ''part'' both places the term appears and inserting ''subpart'';

(4) in section 764, by striking ''part'' and inserting ''subpart''; and

(5) in section 765, by striking ''part'' and inserting ''subpart''.

SEC. 715. APPLICATIONS FOR DEMONSTRATION PROJECTS TO ENSURE STUDENTS WITH DISABILITIES RECEIVE A QUALITY HIGHER EDUCATION.

Section 763 (as amended in section 714(c)(3)) (20 U.S.C. 1140b) is further amended—

(1) by striking paragraph (1) and inserting the following:

''(1) a description of how such institution plans to address the activities allowed under this subpart;'';

(2) in paragraph (2), by striking ''and'' after the semicolon;

(3) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following:

"(4) a description of the extent to which the institution will work to replicate the research based and best practices of institutions of higher education with demonstrated success in serving students with disabilities.".

SEC. 716. AUTHORIZATION OF APPROPRIATIONS FOR DEMONSTRATION PROJECTS TO ENSURE STUDENTS WITH DISABILITIES RECEIVE A QUALITY HIGHER EDUCATION.

Section 765 (20 U.S.C. 1140d) is amended by striking "$10,000,000 for fiscal year 1999" and all that follows through the period and inserting "such sums as may be necessary for fiscal year 2008 and each of the 5 succeeding fiscal years.".

TITLE VIII—MISCELLANEOUS

SEC. 801. MISCELLANEOUS.

The Act (20 U.S.C. 1001 et seq.) is amended by adding at the end the following:

"TITLE VIII—MISCELLANEOUS

"PART A—MATHEMATICS AND SCIENCE SCHOLARS PROGRAM

"SEC. 811. MATHEMATICS AND SCIENCE SCHOLARS PROGRAM.

"(a) PROGRAM AUTHORIZED.—The Secretary is authorized to award grants to States, on a competitive basis,

to enable the States to award eligible students, who complete a rigorous secondary school curriculum in mathematics and science, scholarships for undergraduate study.

"(b) ELIGIBLE STUDENTS.—A student is eligible for a scholarship under this section if the student is a full-time undergraduate student in the student's first and second year of study who has completed a rigorous secondary school curriculum in mathematics and science.

"(c) RIGOROUS CURRICULUM.—Each participating State shall determine the requirements for a rigorous secondary school curriculum in mathematics and science described in subsection (b).

"(d) PRIORITY FOR SCHOLARSHIPS.—The Governor of a State may set a priority for awarding scholarships under this section for particular eligible students, such as students attending schools in high-need areas, students who are from groups underrepresented in the fields of mathematics, science, and engineering, students served by local educational agencies that do not meet or exceed State standards in mathematics and science, or students with regional or geographic needs as determined appropriate by the Governor.

"(e) AMOUNT AND DURATION OF SCHOLARSHIP.—The Secretary shall award a grant under this section—

"(1) in an amount that does not exceed $1,000; and

"(2) for not more than 2 years of undergraduate study.

"(f) MATCHING REQUIREMENT.—In order to receive a grant under this section, a State shall provide matching funds for the scholarships awarded under this section in an amount equal to 50 percent of the Federal funds received.

"(g) AUTHORIZATION.—There are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal year 2008 and each of the 5 succeeding fiscal years.

"PART B—POSTSECONDARY EDUCATION ASSESSMENT

"SEC. 816. POSTSECONDARY EDUCATION ASSESSMENT.

"(a) CONTRACT FOR ASSESSMENT.—The Secretary shall enter into a contract, with an independent, bipartisan organization with specific expertise in public administration and financial management, to carry out an independent assessment of the cost factors associated with the cost of tuition at institutions of higher education.

"(b) TIMEFRAME.—The Secretary shall enter into the contract described in subsection (a) not later than 90

days after the date of enactment of the Higher Education Amendments of 2007.

"(c) MATTERS ASSESSED.—The assessment described in subsection (a) shall—

"(1) examine the key elements driving the cost factors associated with the cost of tuition at institutions of higher education during the 2001–2002 academic year and succeeding academic years;

"(2) identify and evaluate measures being used to control postsecondary education costs;

"(3) identify and evaluate effective measures that may be utilized to control postsecondary education costs in the future; and

"(4) identify systemic approaches to monitor future postsecondary education cost trends and postsecondary education cost control mechanisms.

"PART C—JOB SKILL TRAINING IN HIGH-GROWTH OCCUPATIONS OR INDUSTRIES

"SEC. 821. JOB SKILL TRAINING IN HIGH-GROWTH OCCUPATIONS OR INDUSTRIES.

"(a) GRANTS AUTHORIZED.—The Secretary is authorized to award grants, on a competitive basis, to eligible partnerships to enable the eligible partnerships to provide relevant job skill training in high-growth industries or occupations.

1 "(b) DEFINITIONS.—In this section:

2 "(1) ELIGIBLE PARTNERSHIP.—The term 'eligi-
3 ble partnership' means a partnership—

4 "(A) between an institution of higher edu-
5 cation and a local board (as such term is de-
6 fined in section 101 of the Workforce Invest-
7 ment Act of 1998); or

8 "(B) if an institution of higher education
9 is located within a State that does not operate
10 local boards, between the institution of higher
11 education and a State board (as such term is
12 defined in section 101 of the Workforce Invest-
13 ment Act of 1998).

14 "(2) NONTRADITIONAL STUDENT.—The term
15 'nontraditional student' means a student who—

16 "(A) is independent, as defined in section
17 480(d);

18 "(B) attends an institution of higher edu-
19 cation—

20 "(i) on less than a full-time basis;

21 "(ii) via evening, weekend, modular,
22 or compressed courses; or

23 "(iii) via distance education methods;
24 or

"(C) has delayed enrollment at an institution of higher education.

"(3) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' means an institution of higher education, as defined in section 101(b), that offers a 1- or 2-year program of study leading to a degree or certificate.

"(c) APPLICATION.—

"(1) IN GENERAL.—Each eligible partnership that desires a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such additional information as the Secretary may require.

"(2) CONTENTS.—Each application submitted under paragraph (1) shall include a description of—

"(A) how the eligible partnership, through the institution of higher education, will provide relevant job skill training for students to enter high-growth occupations or industries;

"(B) local high-growth occupations or industries; and

"(C) the need for qualified workers to meet the local demand of high-growth occupations or industries.

1 "(d) AWARD BASIS.—In awarding grants under this
2 section, the Secretary shall—
3 "(1) ensure an equitable distribution of grant
4 funds under this section among urban and rural
5 areas of the United States; and
6 "(2) take into consideration the capability of
7 the institution of higher education—
8 "(A) to offer relevant, high quality instruc-
9 tion and job skill training for students entering
10 a high-growth occupation or industry;
11 "(B) to involve the local business commu-
12 nity and to place graduates in the community
13 in employment in high-growth occupations or
14 industries;
15 "(C) to provide secondary students with
16 dual-enrollment or concurrent enrollment op-
17 tions;
18 "(D) to serve nontraditional or low-income
19 students, or adult or displaced workers; and
20 "(E) to serve students from rural or re-
21 mote communities.
22 "(e) USE OF FUNDS.—Grant funds provided under
23 this section may be used—

"(1) to expand or create academic programs or programs of training that provide relevant job skill training for high-growth occupations or industries;

"(2) to purchase equipment which will facilitate the development of academic programs or programs of training that provide training for high-growth occupations or industries;

"(3) to support outreach efforts that enable students to attend institutions of higher education with academic programs or programs of training focused on high-growth occupations or industries;

"(4) to expand or create programs for distance, evening, weekend, modular, or compressed learning opportunities that provide relevant job skill training in high-growth occupations or industries;

"(5) to build partnerships with local businesses in high-growth occupations or industries;

"(6) to support curriculum development related to entrepreneurial training; and

"(7) for other uses that the Secretary determines to be consistent with the intent of this section.

"(f) REQUIREMENTS.—

"(1) FISCAL AGENT.—For the purpose of this section, the institution of higher education in an eli-

gible partnership shall serve as the fiscal agent and grant recipient for the eligible partnership.

"(2) DURATION.—The Secretary shall award grants under this section for periods that may not exceed 5 years.

"(3) SUPPLEMENT, NOT SUPPLANT.—Funds made available under this section shall be used to supplement and not supplant other Federal, State, and local funds available to the eligible partnership for carrying out the activities described in subsection (e).

"(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this part such sums as may be necessary for fiscal year 2008 and each of the 5 succeeding fiscal years.

"PART D—ADDITIONAL CAPACITY FOR R.N. STUDENTS OR GRADUATE-LEVEL NURSING STUDENTS

"SEC. 826. ADDITIONAL CAPACITY FOR R.N. STUDENTS OR GRADUATE-LEVEL NURSING STUDENTS.

"(a) AUTHORIZATION.—The Secretary shall award grants to institutions of higher education that offer—

"(1) a R.N. nursing program at the baccalaureate or associate degree level to enable such program to expand the faculty and facilities of such

program to accommodate additional R.N. nursing program students; or

"(2) a graduate-level nursing program to accommodate advanced practice degrees for R.N.s or to accommodate students enrolled in a graduate-level nursing program to provide teachers of nursing students.

"(b) DETERMINATION OF NUMBER OF STUDENTS AND APPLICATION.—Each institution of higher education that offers a program described in subsection (a) that desires to receive a grant under this section shall—

"(1) determine for the 4 academic years preceding the academic year for which the determination is made the average number of matriculated nursing program students at such institution for such academic years; and

"(2) submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require, including the average number determined under paragraph (1).

"(c) GRANT AMOUNT; AWARD BASIS.—

"(1) GRANT AMOUNT.—For each academic year after academic year 2006–2007, the Secretary shall provide to each institution of higher education

1 awarded a grant under this section an amount that
2 is equal to $3,000 multiplied by the number of ma-
3 triculated nursing program students at such institu-
4 tion for such academic year that is more than the
5 average number determined with respect to such in-
6 stitution under subsection (b)(1). Such amount shall
7 be used for the purposes described in subsection (a).
8 ''(2) DISTRIBUTION OF GRANTS AMONG DIF-
9 FERENT DEGREE PROGRAMS.—
10 ''(A) IN GENERAL.—Subject to subpara-
11 graph (B), from the funds available to award
12 grants under this section for each fiscal year,
13 the Secretary shall—
14 ''(i) use 20 percent of such funds to
15 award grants under this section to institu-
16 tions of higher education for the purpose
17 of accommodating advanced practice de-
18 grees or students in graduate-level nursing
19 programs;
20 ''(ii) use 40 percent of such funds to
21 award grants under this section to institu-
22 tions of higher education for the purpose
23 of expanding R.N. nursing programs at the
24 baccalaureate degree level; and

"(iii) use 40 percent of such funds to award grants under this section to institutions of higher education for the purpose of expanding R.N. nursing programs at the associate degree level.

"(B) DISTRIBUTION OF EXCESS FUNDS.—If, for a fiscal year, funds described in clause (i), (ii), or (iii) of subparagraph (A) remain after the Secretary awards grants under this section to all applicants for the particular category of nursing programs described in such clause, the Secretary shall use equal amounts of the remaining funds to award grants under this section to applicants for the remaining categories of nursing programs.

"(C) EQUITABLE DISTRIBUTION.—In awarding grants under this section, the Secretary shall, to the extent practicable, ensure—

"(i) an equitable geographic distribution of the grants among the States; and

"(ii) an equitable distribution of the grants among different types of institutions of higher education.

"(d) PROHIBITION.—

"(1) IN GENERAL.—Funds provided under this section may not be used for the construction of new facilities.

"(2) RULE OF CONSTRUCTION.—Nothing in paragraph (1) shall be construed to prohibit funds provided under this section from being used for the repair or renovation of facilities.

"(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary.

"PART E—AMERICAN HISTORY FOR FREEDOM

"SEC. 831. AMERICAN HISTORY FOR FREEDOM.

"(a) GRANTS AUTHORIZED.—The Secretary is authorized to award 3-year grants, on a competitive basis, to eligible institutions to establish or strengthen postsecondary academic programs or centers that promote and impart knowledge of—

"(1) traditional American history;

"(2) the history and nature of, and threats to, free institutions; or

"(3) the history and achievements of Western civilization.

"(b) DEFINITIONS.—In this section:

"(1) ELIGIBLE INSTITUTION.—The term 'eligible institution' means an institution of higher education as defined in section 101.

"(2) FREE INSTITUTION.—The term 'free institution' means an institution that emerged out of Western civilization, such as democracy, constitutional government, individual rights, market economics, religious freedom and religious tolerance, and freedom of thought and inquiry.

"(3) TRADITIONAL AMERICAN HISTORY.—The term 'traditional American history' means—

"(A) the significant constitutional, political, intellectual, economic, and foreign policy trends and issues that have shaped the course of American history; and

"(B) the key episodes, turning points, and leading figures involved in the constitutional, political, intellectual, diplomatic, and economic history of the United States.

"(c) APPLICATION.—

"(1) IN GENERAL.—Each eligible institution that desires a grant under this part shall submit an application to the Secretary at such time, in such manner, and accompanied by such additional information as the Secretary may require.

"(2) CONTENTS.—Each application submitted under subsection (a) shall include a description of —

"(A) how funds made available under this part will be used for the activities set forth under subsection (e), including how such activities will increase knowledge with respect to traditional American history, free institutions, or Western civilization;

"(B) how the eligible institution will ensure that information about the activities funded under this part is widely disseminated pursuant to subsection (e)(1)(B);

"(C) any activities to be undertaken pursuant to subsection (e)(2)(A), including identification of entities intended to participate;

"(D) how funds made available under this part shall be used to supplement and not supplant non-Federal funds available for the activities described in subsection (e); and

"(E) such fiscal controls and accounting procedures as may be necessary to ensure proper disbursement of and accounting for funding made available to the eligible institution under this part.

1 "(d) AWARD BASIS.—In awarding grants under this
2 part, the Secretary shall take into consideration the capa-
3 bility of the eligible institution to—
4 "(1) increase access to quality programming
5 that expands knowledge of traditional American his-
6 tory, free institutions, or Western civilization;
7 "(2) involve personnel with strong expertise in
8 traditional American history, free institutions, or
9 Western civilization; and
10 "(3) sustain the activities funded under this
11 part after the grant has expired.
12 "(e) USE OF FUNDS.—
13 "(1) REQUIRED USE OF FUNDS.—Funds pro-
14 vided under this part shall be used to—
15 "(A) establish or strengthen academic pro-
16 grams or centers focused on traditional Amer-
17 ican history, free institutions, or Western civili-
18 zation, which may include—
19 "(i) design and implementation of
20 programs of study, courses, lecture series,
21 seminars, and symposia;
22 "(ii) development, publication, and
23 dissemination of instructional materials;
24 "(iii) research;

"(iv) support for faculty teaching in undergraduate and, if applicable, graduate programs;

"(v) support for graduate and post-graduate fellowships, if applicable; or

"(vi) teacher preparation initiatives that stress content mastery regarding traditional American history, free institutions, or Western civilization; and

"(B) conduct outreach activities to ensure that information about the activities funded under this part is widely disseminated—

"(i) to undergraduate students (including students enrolled in teacher education programs, if applicable);

"(ii) to graduate students (including students enrolled in teacher education programs), if applicable;

"(iii) to faculty;

"(iv) to local educational agencies; and

"(v) within the local community.

"(2) ALLOWABLE USES OF FUNDS.—Funds provided under this part may be used to support—

"(A) collaboration with entities such as—

"(i) local educational agencies, for the purpose of providing elementary, middle and secondary school teachers an opportunity to enhance their knowledge of traditional American history, free institutions, or Western civilization; and

"(ii) nonprofit organizations whose mission is consistent with the purpose of this part, such as academic organizations, museums, and libraries, for assistance in carrying out activities described under subsection (a); and

"(B) other activities that meet the purposes of this part.

"(f) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this part, there are authorized to be appropriated such sums as may be necessary for fiscal year 2008 and each of the 5 succeeding fiscal years.

"PART F—TEACH FOR AMERICA

"SEC. 836. TEACH FOR AMERICA.

"(a) DEFINITIONS.—

"(1) IN GENERAL.—The terms 'highly qualified', 'local educational agency', and 'Secretary' have the meanings given the terms in section 9101 of the

1 Elementary and Secondary Education Act of 1965
2 (20 U.S.C. 7801).
3 ''(2) GRANTEE.—The term 'grantee' means
4 Teach For America, Inc.
5 ''(3) HIGH NEED.—The term 'high need', when
6 used with respect to a local educational agency,
7 means a local educational agency experiencing a
8 shortage of highly qualified teachers.
9 ''(b) GRANTS AUTHORIZED.—The Secretary is au-
10 thorized to award a grant to Teach For America, Inc.,
11 the national teacher corps of outstanding recent college
12 graduates who commit to teach for 2 years in underserved
13 communities in the United States, to implement and ex-
14 pand its program of recruiting, selecting, training, and
15 supporting new teachers.
16 ''(c) REQUIREMENTS.—In carrying out the grant pro-
17 gram under subsection (b), the Secretary shall enter into
18 an agreement with the grantee under which the grantee
19 agrees to use the grant funds provided under this sec-
20 tion—
21 ''(1) to provide highly qualified teachers to high
22 need local educational agencies in urban and rural
23 communities;
24 ''(2) to pay the cost of recruiting, selecting,
25 training, and supporting new teachers; and

"(3) to serve a substantial number and percentage of underserved students.

"(d) AUTHORIZED ACTIVITIES.—

"(1) IN GENERAL.—Grant funds provided under this section shall be used by the grantee to carry out each of the following activities:

"(A) Recruiting and selecting teachers through a highly selective national process.

"(B) Providing preservice training to the teachers through a rigorous summer institute that includes hands-on teaching experience and significant exposure to education coursework and theory.

"(C) Placing the teachers in schools and positions designated by partner local educational agencies as high need placements serving underserved students.

"(D) Providing ongoing professional development activities for the teachers' first 2 years in the classroom, including regular classroom observations and feedback, and ongoing training and support.

"(2) LIMITATION.—The grantee shall use all grant funds received under this section to support activities related directly to the recruitment, selec-

tion, training, and support of teachers as described in subsection (a).

"(e) REPORTS AND EVALUATIONS.—

"(1) ANNUAL REPORT.—The grantee shall provide to the Secretary an annual report that includes—

"(A) data on the number and quality of the teachers provided to local educational agencies through a grant under this section;

"(B) an externally conducted analysis of the satisfaction of local educational agencies and principals with the teachers so provided; and

"(C) comprehensive data on the background of the teachers chosen, the training the teachers received, the placement sites of the teachers, the professional development of the teachers, and the retention of the teachers.

"(2) STUDY.—

"(A) IN GENERAL.—From funds appropriated under subsection (f), the Secretary shall provide for a study that examines the achievement levels of the students taught by the teachers assisted under this section.

"(B) ACHIEVEMENT GAINS COMPARED.—The study shall compare, within the same schools, the achievement gains made by students taught by teachers who are assisted under this section with the achievement gains made by students taught by teachers who are not assisted under this section.

"(3) REQUIREMENTS.—The Secretary shall provide for such a study not less than once every 3 years, and each such study shall include multiple placement sites and multiple schools within placement sites.

"(4) PEER REVIEW STANDARDS.—Each such study shall meet the peer review standards of the education research community.

"(f) AUTHORIZATION OF APPROPRIATIONS.—

"(1) IN GENERAL.—There are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal year 2008 and each of the 5 succeeding fiscal years.

"(2) LIMITATION.—The grantee shall not use more than 25 percent of Federal funds from any source for administrative costs.

"PART G—PATSY T. MINK FELLOWSHIP PROGRAM

"SEC. 841. PATSY T. MINK FELLOWSHIP PROGRAM.

"(a) PURPOSE.—

"(1) IN GENERAL.—It is the purpose of this section to provide, through eligible institutions, a program of fellowship awards to assist highly qualified minorities and women to acquire the doctoral degree, or highest possible degree available, in academic areas in which such individuals are underrepresented for the purpose of enabling such individuals to enter the higher education professoriate.

"(2) DESIGNATION.—Each recipient of a fellowship award from an eligible institution receiving a grant under this section shall be known as a 'Patsy T. Mink Graduate Fellow'.

"(b) DEFINITIONS.—In this section, the term 'eligible institution' means an institution of higher education, or a consortium of such institutions, that offers a program of postbaccalaureate study leading to a graduate degree.

"(c) PROGRAM AUTHORIZED.—

"(1) GRANTS BY SECRETARY.—

"(A) IN GENERAL.—The Secretary shall award grants to eligible institutions to enable such institutions to make fellowship awards to individuals in accordance with the provisions of this section.

"(B) PRIORITY CONSIDERATION.—In awarding grants under this section, the Secretary shall consider the eligible institution's prior experience in producing doctoral degree, or highest possible degree available, holders who are minorities and women, and shall give priority consideration in making grants under this section to those eligible institutions with a demonstrated record of producing minorities and women who have earned such degrees.

"(2) APPLICATIONS.—

"(A) IN GENERAL.—An eligible institution that desires a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

"(B) APPLICATIONS MADE ON BEHALF.—

"(i) IN GENERAL.—The following entities may submit an application on behalf of an eligible institution:

"(I) A graduate school or department of such institution.

"(II) A graduate school or department of such institution in col-

laboration with an undergraduate college or university of such institution.

"(III) An organizational unit within such institution that offers a program of postbaccalaureate study leading to a graduate degree, including an interdisciplinary or an interdepartmental program.

"(IV) A nonprofit organization with a demonstrated record of helping minorities and women earn postbaccalaureate degrees.

"(ii) NONPROFIT ORGANIZATIONS.—Nothing in this paragraph shall be construed to permit the Secretary to award a grant under this section to an entity other than an eligible institution.

"(3) SELECTION OF APPLICATIONS.—In awarding grants under subsection (a), the Secretary shall—

"(A) take into account—

"(i) the number and distribution of minority and female faculty nationally;

"(ii) the current and projected need for highly trained individuals in all areas of the higher education professoriate; and

"(iii) the present and projected need for highly trained individuals in academic career fields in which minorities and women are underrepresented in the higher education professoriate; and

"(B) consider the need to prepare a large number of minorities and women generally in academic career fields of high national priority, especially in areas in which such individuals are traditionally underrepresented in college and university faculty.

"(4) DISTRIBUTION AND AMOUNTS OF GRANTS.—

"(A) EQUITABLE DISTRIBUTION.—In awarding grants under this section, the Secretary shall, to the maximum extent feasible, ensure an equitable geographic distribution of awards and an equitable distribution among public and independent eligible institutions that apply for grants under this section and that demonstrate an ability to achieve the purpose of this section.

"(B) SPECIAL RULE.—To the maximum extent practicable, the Secretary shall use not less than 30 percent of the amount appropriated pursuant to subsection (f) to award grants to eligible institutions that—

"(i) are eligible for assistance under title III or title V; or

"(ii) have formed a consortium that includes both non-minority serving institutions and minority serving institutions.

"(C) ALLOCATION.—In awarding grants under this section, the Secretary shall allocate appropriate funds to those eligible institutions whose applications indicate an ability to significantly increase the numbers of minorities and women entering the higher education professoriate and that commit institutional resources to the attainment of the purpose of this section.

"(D) NUMBER OF FELLOWSHIP AWARDS.—An eligible institution that receives a grant under this section shall make not less than 15 fellowship awards.

"(E) REALLOTMENT.—If the Secretary determines that an eligible institution awarded a grant under this section is unable to use all of

the grant funds awarded to the institution, the Secretary shall reallot, on such date during each fiscal year as the Secretary may fix, the unused funds to other eligible institutions that demonstrate that such institutions can use any reallocated grant funds to make fellowship awards to individuals under this section.

"(5) INSTITUTIONAL ALLOWANCE.—

"(A) IN GENERAL.—

"(i) NUMBER OF ALLOWANCES.—In awarding grants under this section, the Secretary shall pay to each eligible institution awarded a grant, for each individual awarded a fellowship by such institution under this section, an institutional allowance.

"(ii) AMOUNT.—Except as provided in paragraph (3), an institutional allowance shall be in an amount equal to, for academic year 2007–2008 and succeeding academic years, the amount of institutional allowance made to an institution of higher education under section 715 for such academic year.

"(B) USE OF FUNDS.—Institutional allowances may be expended in the discretion of the eligible institution and may be used to provide, except as prohibited under paragraph (4), academic support and career transition services for individuals awarded fellowships by such institution.

"(C) REDUCTION.—The institutional allowance paid under paragraph (1) shall be reduced by the amount the eligible institution charges and collects from a fellowship recipient for tuition and other expenses as part of the recipient's instructional program.

"(D) USE FOR OVERHEAD PROHIBITED.—Funds made available under this section may not be used for general operational overhead of the academic department or institution receiving funds under this section.

"(d) FELLOWSHIP RECIPIENTS.—

"(1) AUTHORIZATION.—An eligible institution that receives a grant under this section shall use the grant funds to make fellowship awards to minorities and women who are enrolled at such institution in a doctoral degree, or highest possible degree available, program and—

"(A) intend to pursue a career in instruction at—

"(i) an institution of higher education (as the term is defined in section 101);

"(ii) an institution of higher education (as the term is defined in section 102(a)(1));

"(iii) an institution of higher education outside the United States (as the term is described in section 102(a)(2)); or

"(iv) a proprietary institution of higher education (as the term is defined in section 102(b)); and

"(B) sign an agreement with the Secretary agreeing—

"(i) to begin employment at an institution described in paragraph (1) not later than 3 years after receiving the doctoral degree or highest possible degree available, which 3-year period may be extended by the Secretary for extraordinary circumstances; and

"(ii) to be employed by such institution for 1 year for each year of fellowship assistance received under this section.

"(2) FAILURE TO COMPLY.—If an individual who receives a fellowship award under this section fails to comply with the agreement signed pursuant to subsection (a)(2), then the Secretary shall do 1 or both of the following:

"(A) Require the individual to repay all or the applicable portion of the total fellowship amount awarded to the individual by converting the balance due to a loan at the interest rate applicable to loans made under part B of title IV.

"(B) Impose a fine or penalty in an amount to be determined by the Secretary.

"(3) WAIVER AND MODIFICATION.—

"(A) REGULATIONS.—The Secretary shall promulgate regulations setting forth criteria to be considered in granting a waiver for the service requirement under subsection (a)(2).

"(B) CONTENT.—The criteria under paragraph (1) shall include whether compliance with the service requirement by the fellowship recipient would be—

"(i) inequitable and represent an extraordinary hardship; or

"(ii) deemed impossible because the individual is permanently and totally disabled at the time of the waiver request.

"(4) AMOUNT OF FELLOWSHIP AWARDS.—Fellowship awards under this section shall consist of a stipend in an amount equal to the level of support provided to the National Science Foundation graduate fellows, except that such stipend shall be adjusted as necessary so as not to exceed the fellow's tuition and fees or demonstrated need (as determined by the institution of higher education where the graduate student is enrolled), whichever is greater.

"(5) ACADEMIC PROGRESS REQUIRED.—An individual student shall not be eligible to receive a fellowship award—

"(A) except during periods in which such student is enrolled, and such student is maintaining satisfactory academic progress in, and devoting essentially full time to, study or research in the pursuit of the degree for which the fellowship support was awarded; and

"(B) if the student is engaged in gainful employment, other than part-time employment in teaching, research, or similar activity deter-

mined by the eligible institution to be consistent with and supportive of the student's progress toward the appropriate degree.

"(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require an eligible institution that receives a grant under this section—

"(1) to grant a preference or to differentially treat any applicant for a faculty position as a result of the institution's participation in the program under this section; or

"(2) to hire a Patsy T. Mink Fellow who completes this program and seeks employment at such institution.

"(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section such sums as may be necessary for fiscal year 2008 for each of the 5 succeeding fiscal years.

"PART H—IMPROVING COLLEGE ENROLLMENT BY SECONDARY SCHOOLS

"SEC. 846. IMPROVING COLLEGE ENROLLMENT BY SECONDARY SCHOOLS.

"(a) IN GENERAL.—The Secretary shall contract with 1 nonprofit organization described in subsection (b) to enable the nonprofit organization—

"(1) to make publicly available the year-to-year higher education enrollment rate trends of secondary school students, disaggregated by secondary school, in full compliance with the Family Education Rights and Privacy Act of 1974;

"(2) to identify not less than 50 urban local educational agencies and 5 States with significant rural populations, each serving a significant population of low-income students, and to carry out a comprehensive needs assessment in the agencies and States of the factors known to contribute to improved higher education enrollment rates, which factors shall include—

"(A) an evaluation of the local educational agency's and State's leadership strategies;

"(B) the secondary school curriculum and class offerings of the local educational agency and State;

"(C) the professional development used by the local educational agency and the State to assist teachers, higher education counselors, and administrators in supporting the transition of secondary students into higher education;

"(D) secondary school student attendance and other factors demonstrated to be associated with enrollment into higher education;

"(E) the data systems used by the local educational agency and the State to measure college enrollment rates and the incentives in place to motivate the efforts of faculty and students to improve student and school-wide outcomes; and

"(F) strategies to mobilize student leaders to build a college-bound culture; and

"(3) to provide comprehensive services to improve the school-wide higher education enrollment rates of each of not less than 10 local educational agencies and States, with the federally funded portion of each project declining by not less than 20 percent each year beginning in the second year of the comprehensive services, that—

"(A) participated in the needs assessment described in paragraph (2); and

"(B) demonstrated a willingness and commitment to improving the higher education enrollment rates of the local educational agency or State, respectively.

"(b) GRANT RECIPIENT CRITERIA.—The recipient of the grant awarded under subsection (a) shall be a non-profit organization with demonstrated expertise—

"(1) in increasing school-wide higher education enrollment rates in low-income communities nation-wide by providing curriculum, training, and technical assistance to secondary school staff and student peer influencers; and

"(2) in a college transition data management system.

"(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as are necessary for fiscal year 2008 and each of the 5 succeeding fiscal years.

"PART I—PREDOMINANTLY BLACK INSTITUTIONS

"SEC. 850. PREDOMINANTLY BLACK INSTITUTIONS.

"(a) PURPOSE.—It is the purpose of this section to assist Predominantly Black Institutions in expanding educational opportunity through a program of Federal assistance.

"(b) DEFINITIONS.—In this section:

"(1) EDUCATIONAL AND GENERAL EXPENDITURES.—The term 'educational and general expenditures' has the meaning given the term in section 312.

"(2) ELIGIBLE INSTITUTION.—The term 'eligible institution' means an institution of higher education that—

"(A) has an enrollment of needy undergraduate students;

"(B) has an average educational and general expenditure which is low, per full-time equivalent undergraduate student in comparison with the average educational and general expenditure per full-time equivalent undergraduate student of institutions that offer similar instruction, except that the Secretary may apply the waiver requirements described in section 392(b) to this subparagraph in the same manner as the Secretary applies the waiver requirements to section 312(b)(1)(B);

"(C) has an enrollment of undergraduate students that is not less than 40 percent Black American students;

"(D) is legally authorized to provide, and provides within the State, an educational program for which the institution of higher education awards a baccalaureate degree, or in the case of a junior or community college, an associate's degree; and

"(E) is accredited by a nationally recognized accrediting agency or association determined by the Secretary to be a reliable authority as to the quality of training offered, or is, according to such an agency or association, making reasonable progress toward accreditation.

"(3) ENDOWMENT FUND.—The term 'endowment fund' has the meaning given the term in section 312.

"(4) ENROLLMENT OF NEEDY STUDENTS.—The term 'enrollment of needy students' means the enrollment at an eligible institution with respect to which not less than 50 percent of the undergraduate students enrolled in an academic program leading to a degree—

"(A) in the second fiscal year preceding the fiscal year for which the determination is made, were Federal Pell Grant recipients for such year;

"(B) come from families that receive benefits under a means-tested Federal benefit program;

"(C) attended a public or nonprofit private secondary school—

"(i) that is in the school district of a local educational agency that was eligible for assistance under part A of title I of the Elementary and Secondary Education Act of 1965 for any year during which the student attended such secondary school; and

"(ii) which for the purpose of this paragraph and for that year was determined by the Secretary (pursuant to regulations and after consultation with the State educational agency of the State in which the school is located) to be a school in which the enrollment of children counted under section 1113(a)(5) of such Act exceeds 30 percent of the total enrollment of such school; or

"(D) are first-generation college students and a majority of such first-generation college students are low-income individuals.

"(5) FIRST GENERATION COLLEGE STUDENT.—The term 'first generation college student' has the meaning given the term in section 402A(g).

"(6) LOW-INCOME INDIVIDUAL.—The term 'low-income individual' has the meaning given such term in section 402A(g).

"(7) MEANS-TESTED FEDERAL BENEFIT PROGRAM.—The term 'means-tested Federal benefit program' means a program of the Federal Government, other than a program under title IV, in which eligibility for the program's benefits, or the amount of such benefits, are determined on the basis of income or resources of the individual or family seeking the benefit.

"(8) PREDOMINANTLY BLACK INSTITUTION.—The term 'Predominantly Black Institution' means an institution of higher education, as defined in section 101(a)—

"(A) that is an eligible institution with not less than 1,000 undergraduate students;

"(B) at which not less than 50 percent of the undergraduate students enrolled at the eligible institution are low-income individuals or first generation college students; and

"(C) at which not less than 50 percent of the undergraduate students are enrolled in an educational program leading to a bachelor's or associate's degree that the eligible institution is licensed to award by the State in which the eligible institution is located.

"(9) STATE.—The term 'State' means each of the 50 States and the District of Columbia.

"(c) GRANT AUTHORITY.—

"(1) IN GENERAL.—The Secretary is authorized to award grants, from allotments under subsection (e), to Predominantly Black Institutions to enable the Predominantly Black Institutions to carry out the authorized activities described in subsection (d).

"(2) PRIORITY.—In awarding grants under this section the Secretary shall give priority to Predominantly Black Institutions with large numbers or percentages of students described in subsections (b)(2)(A) or (b)(2)(C). The level of priority given to Predominantly Black Institutions with large numbers or percentages of students described in subsection (b)(2)(A) shall be twice the level of priority given to Predominantly Black Institutions with large numbers or percentages of students described in subsection (b)(2)(C).

"(d) AUTHORIZED ACTIVITIES.—

"(1) REQUIRED ACTIVITIES.—Grant funds provided under this section shall be used—

"(A) to assist the Predominantly Black Institution to plan, develop, undertake, and implement programs to enhance the institution's ca-

pacity to serve more low- and middle-income Black American students;

"(B) to expand higher education opportunities for students eligible to participate in programs under title IV by encouraging college preparation and student persistence in secondary school and postsecondary education; and

"(C) to strengthen the financial ability of the Predominantly Black Institution to serve the academic needs of the students described in subparagraphs (A) and (B).

"(2) ADDITIONAL ACTIVITIES.—Grant funds provided under this section shall be used for 1 or more of the following activities:

"(A) The activities described in paragraphs (1) through (11) of section 311(c).

"(B) Academic instruction in disciplines in which Black Americans are underrepresented.

"(C) Establishing or enhancing a program of teacher education designed to qualify students to teach in a public elementary school or secondary school in the State that shall include, as part of such program, preparation for teacher certification or licensure.

"(D) Establishing community outreach programs that will encourage elementary school and secondary school students to develop the academic skills and the interest to pursue post-secondary education.

"(E) Other activities proposed in the application submitted pursuant to subsection (f) that—

"(i) contribute to carrying out the purpose of this section; and

"(ii) are approved by the Secretary as part of the review and approval of an application submitted under subsection (f).

"(3) ENDOWMENT FUND.—

"(A) IN GENERAL.—A Predominantly Black Institution may use not more than 20 percent of the grant funds provided under this section to establish or increase an endowment fund at the institution.

"(B) MATCHING REQUIREMENT.—In order to be eligible to use grant funds in accordance with subparagraph (A), a Predominantly Black Institution shall provide matching funds from non-Federal sources, in an amount equal to or greater than the Federal funds used in accord-

ance with subparagraph (A), for the establishment or increase of the endowment fund.

"(C) COMPARABILITY.—The provisions of part C of title III, regarding the establishment or increase of an endowment fund, that the Secretary determines are not inconsistent with this subsection, shall apply to funds used under subparagraph (A).

"(4) LIMITATION.—Not more than 50 percent of the grant funds provided to a Predominantly Black Institution under this section may be available for the purpose of constructing or maintaining a classroom, library, laboratory, or other instructional facility.

"(e) ALLOTMENTS TO PREDOMINANTLY BLACK INSTITUTIONS.—

"(1) FEDERAL PELL GRANT BASIS.—From the amounts appropriated to carry out this section for any fiscal year, the Secretary shall allot to each Predominantly Black Institution having an application approved under subsection (f) a sum that bears the same ratio to one-half of that amount as the number of Federal Pell Grant recipients in attendance at such institution at the end of the academic year preceding the beginning of that fiscal year, bears to the

total number of Federal Pell Grant recipients at all such institutions at the end of such academic year.

"(2) GRADUATES BASIS.—From the amounts appropriated to carry out this section for any fiscal year, the Secretary shall allot to each Predominantly Black Institution having an application approved under subsection (f) a sum that bears the same ratio to one-fourth of that amount as the number of graduates for such academic year at such institution, bears to the total number of graduates for such academic year at all such institutions.

"(3) GRADUATES SEEKING A HIGHER DEGREE BASIS.—From the amounts appropriated to carry out this section for any fiscal year, the Secretary shall allot to each Predominantly Black Institution having an application approved under subsection (f) a sum that bears the same ratio to one-fourth of that amount as the percentage of graduates from such institution who are admitted to and in attendance at, not later than 2 years after graduation with an associate's degree or a baccalaureate degree, a baccalaureate degree-granting institution or a graduate or professional school in a degree program in disciplines in which Black American students are

underrepresented, bears to the percentage of such graduates for all such institutions.

"(4) MINIMUM ALLOTMENT.—

"(A) IN GENERAL.—Notwithstanding paragraphs (1), (2), and (3), the amount allotted to each Predominantly Black Institution under this section shall not be less than $250,000.

"(B) INSUFFICIENT AMOUNT.—If the amount appropriated pursuant to subsection (i) for a fiscal year is not sufficient to pay the minimum allotment provided under subparagraph (A) for the fiscal year, then the amount of such minimum allotment shall be ratably reduced. If additional sums become available for such fiscal year, such reduced allotment shall be increased on the same basis as the allotment was reduced until the amount allotted equals the minimum allotment required under subparagraph (A).

"(5) REALLOTMENT.—The amount of a Predominantly Black Institution's allotment under paragraph (1), (2), (3), or (4) for any fiscal year that the Secretary determines will not be required for such institution for the period such allotment is available, shall be available for reallotment to other

Predominantly Black Institutions in proportion to the original allotment to such other institutions under this section for such fiscal year. The Secretary shall reallot such amounts from time to time, on such date and during such period as the Secretary determines appropriate.

''(f) APPLICATIONS.—Each Predominantly Black Institution desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing or accompanied by such information as the Secretary may reasonably require.

''(g) PROHIBITION.—No Predominantly Black Institution that applies for and receives a grant under this section may apply for or receive funds under any other program under part A or part B of title III.

''(h) DURATION AND CARRYOVER.—Any grant funds paid to a Predominantly Black Institution under this section that are not expended or used for the purposes for which the funds were paid within 10 years following the date on which the grant was awarded, shall be repaid to the Treasury.

''(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal year 2008 and each of 5 succeeding fiscal years.

"PART J—EARLY CHILDHOOD EDUCATION PROFESSIONAL DEVELOPMENT AND CAREER TASK FORCE

"SEC. 851. SHORT TITLE.

''This part may be cited as the 'Early Childhood Education Professional Development and Career Task Force Act'.

"SEC. 852. PURPOSE.

''It is the purpose of this part—

''(1) to improve the quality of the early childhood education workforce by creating a statewide early childhood education professional development and career task force for early childhood education program staff, directors, and administrators; and

''(2) to create—

''(A) a coherent system of core competencies, pathways to qualifications, credentials, degrees, quality assurances, access, and outreach, for early childhood education program staff, directors, and administrators, that is linked to compensation commensurate with experience and qualifications;

''(B) articulation agreements that enable early childhood education professionals to transition easily among degrees; and

"(C) compensation initiatives for individuals working in an early childhood education program that reflect the individuals' credentials, degrees, and experience.

"SEC. 853. DEFINITION OF EARLY CHILDHOOD EDUCATION PROGRAM.

"In this part, the term 'early childhood education program' means—

"(1) a family child care program, center-based child care program, State prekindergarten program, or school-based program, that—

"(A) provides early childhood education;

"(B) uses developmentally appropriate practices;

"(C) is licensed or regulated by the State; and

"(D) serves children from birth through age 5;

"(2) a Head Start Program carried out under the Head Start Act; or

"(3) an Early Head Start Program carried out under section 645A of the Head Start Act.

"SEC. 854. GRANTS AUTHORIZED.

"(a) IN GENERAL.—The Secretary is authorized to award grants to States in accordance with the provisions of this part to enable such States—

"(1) to establish a State Task Force described in section 855; and

"(2) to support activities of the State Task Force described in section 856.

"(b) COMPETITIVE BASIS.—Grants under this part shall be awarded on a competitive basis.

"(c) EQUITABLE GEOGRAPHIC DISTRIBUTION.—In awarding grants under this part, the Secretary shall take into consideration providing an equitable geographic distribution of such grants.

"(d) DURATION.—Grants under this part shall be awarded for a period of 5 years.

"SEC. 855. STATE TASK FORCE ESTABLISHMENT.

"(a) STATE TASK FORCE ESTABLISHED.—The Governor of a State receiving a grant under this part shall establish, or designate an existing entity to serve as, the State Early Childhood Education Professional Development and Career Task Force (hereafter in this part referred to as the 'State Task Force').

"(b) MEMBERSHIP.—The State Task Force shall include a representative of a State agency, an institution of higher education (including an associate or a bacca-

laureate degree granting institution of higher education), an early childhood education program, a nonprofit early childhood organization, a statewide early childhood workforce scholarship or supplemental initiative, and any other entity or individual the Governor determines appropriate.

"SEC. 856. STATE TASK FORCE ACTIVITIES.

"(a) ACTIVITIES.—The State Task Force shall—

"(1) coordinate and communicate regularly with the State Advisory Council on Early Care and Education (hereafter in this part referred to as 'State Advisory Council') or a similar State entity charged with creating a comprehensive system of early care and education in the State, for the purposes of—

"(A) integrating recommendations for early childhood professional development and career activities into the plans of the State Advisory Council; and

"(B) assisting in the implementation of professional development and career activities that are consistent with the plans described in subparagraph (A);

"(2) conduct a review of opportunities for and barriers to high quality professional development, training, and higher education degree programs, in early childhood development and learning, including

a periodic statewide survey concerning the demographics of individuals working in early childhood education programs in the State, which survey shall include information disaggregated by—

"(A) race, gender, and ethnicity;

"(B) compensation levels;

"(C) type of early childhood education program setting;

"(D) specialized knowledge of child development;

"(E) years of experience in an early childhood education program; and

"(F) attainment of—

"(i) academic credit for coursework;

"(ii) an academic degree;

"(iii) a credential;

"(iv) licensure; or

"(v) certification in early childhood education; and

"(3) develop a plan for a comprehensive statewide professional development and career system for individuals working in early childhood education programs or for early childhood education providers, which plan shall include—

"(A) methods of providing outreach to early childhood education program staff, directors, and administrators, including methods for how outreach is provided to non-English speaking providers, in order to enable the providers to be aware of opportunities and resources under the statewide plan;

"(B) developing a unified data collection and dissemination system for early childhood education training, professional development, and higher education programs;

"(C) increasing the participation of early childhood educators in high quality training and professional development by assisting in paying the costs of enrollment in and completion of such training and professional development courses;

"(D) increasing the participation of early childhood educators in postsecondary education programs leading to degrees in early childhood education by providing assistance to pay the costs of enrollment in and completion of such postsecondary education programs, which assistance—

"(i) shall only be provided to an individual who—

"(I) enters into an agreement under which the individual agrees to work, for a reasonable number of years after receiving such a degree, in an early childhood education program that is located in a low-income area; and

"(II) has a family income equal to or less than the annually adjusted national median family income as determined by the Bureau of the Census; and

"(ii) shall be provided in an amount that does not exceed $17,500;

"(E) supporting professional development activities and a career lattice for a variety of early childhood professional roles with varying professional qualifications and responsibilities for early childhood education personnel, including strategies to enhance the compensation of such personnel;

"(F) supporting articulation agreements between 2- and 4-year public and private insti-

tutions of higher education and mechanisms to transform other training, professional development, and experience into academic credit;

"(G) developing mentoring and coaching programs to support new educators in and directors of early childhood education programs;

"(H) providing career development advising with respect to the field of early childhood education, including informing an individual regarding—

"(i) entry into and continuing education requirements for professional roles in the field;

"(ii) available financial assistance; and

"(iii) professional development and career advancement in the field;

"(I) enhancing the quality of faculty and coursework in postsecondary programs that lead to an associate, baccalaureate, or graduate degree in early childhood education;

"(J) consideration of the availability of online graduate level professional development offered by institutions of higher education with experience and demonstrated expertise in estab-

lishing programs in child development, in order to improve the skills and expertise of individuals working in early childhood education programs; and

"(K) developing or enhancing a system of quality assurance with respect to the early childhood education professional development and career system, including standards or qualifications for individuals and entities who offer training and professional development in early childhood education.

"(b) PUBLIC HEARINGS.—The State Task Force shall hold public hearings and provide an opportunity for public comment on the activities described in the statewide plan described in subsection (a)(3).

"(c) PERIODIC REVIEW.—The State Task Force shall meet periodically to review implementation of the statewide plan and to recommend any changes to the statewide plan the State Task Force determines necessary.

"SEC. 857. STATE APPLICATION AND REPORT.

"(a) IN GENERAL.—Each State desiring a grant under this part shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require. Each such application shall include a description of—

"(1) the membership of the State Task Force;

"(2) the activities for which the grant assistance will be used;

"(3) other Federal, State, local, and private resources that will be available to support the activities of the State Task Force described in section 856;

"(4) the availability within the State of training, early childhood educator preparation, professional development, compensation initiatives, and career systems, related to early childhood education; and

"(5) the resources available within the State for such training, educator preparation, professional development, compensation initiatives, and career systems.

"(b) REPORT TO THE SECRETARY.—Not later than 2 years after receiving a grant under this part, a State shall submit a report to the Secretary that shall describe—

"(1) other Federal, State, local, and private resources that will be used in combination with a grant under this section to develop or expand the State's early childhood education professional development and career activities;

"(2) the ways in which the State Advisory Council (or similar State entity) will coordinate the various State and local activities that support the early childhood education professional development and career system; and

"(3) the ways in which the State Task Force will use funds provided under this part and carry out the activities described in section 856.

"SEC. 858. EVALUATIONS.

"(a) STATE EVALUATION.—Each State receiving a grant under this part shall—

"(1) evaluate the activities that are assisted under this part in order to determine—

"(A) the effectiveness of the activities in achieving State goals;

"(B) the impact of a career lattice for individuals working in early childhood education programs;

"(C) the impact of the activities on licensing or regulating requirements for individuals in the field of early childhood development;

"(D) the impact of the activities, and the impact of the statewide plan described in section 856(a)(3), on the quality of education, professional development, and training related to

early childhood education programs that are offered in the State;

"(E) the change in compensation and retention of individuals working in early childhood education programs within the State resulting from the activities; and

"(F) the impact of the activities on the demographic characteristics of individuals working in early childhood education programs; and

"(2) submit a report at the end of the grant period to the Secretary regarding the evaluation described in paragraph (1).

"(b) SECRETARY'S EVALUATION.—Not later than September 30, 2013, the Secretary, in consultation with the Secretary of Health and Human Services, shall prepare and submit to the authorizing committees an evaluation of the State reports submitted under subsection (a)(2).

"SEC. 859. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated to carry out this part such sums as may be necessary for fiscal year 2008 and each of the 5 succeeding fiscal years.

"PART K—IMPROVING SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS EDUCATION WITH A FOCUS ON ALASKA NATIVE AND NATIVE HAWAIIAN STUDENTS

"SEC. 861. IMPROVING SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS EDUCATION WITH A FOCUS ON ALASKA NATIVE AND NATIVE HAWAIIAN STUDENTS.

''(a) PURPOSE.—The purpose of this section is—

''(1) to develop or expand programs for the development of professionals in the fields of science, technology, engineering, and mathematics; and

''(2) to focus resources on meeting the educational and cultural needs of Alaska Natives and Native Hawaiians.

''(b) DEFINITIONS.—In this section:

''(1) ALASKA NATIVE.—The term 'Alaska Native' has the meaning given the term 'Native' in section 3(b) of the Alaska Natives Claims Settlement Act (43 U.S.C. 1602(b)).

''(2) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given the term in section 101(a).

''(3) ELIGIBLE PARTNERSHIP.—The term 'eligible partnership' means a partnership that includes—

"(A) 1 or more colleges or schools of engineering;

"(B) 1 or more colleges of science, engineering, or mathematics;

"(C) 1 or more institutions of higher education that offer 2-year degrees; and

"(D) 1 or more private entities that conduct career awareness activities showcasing local technology professionals, develop internships and apprenticeships in partnership with relevant industries, and assist with the placement of interns and apprentices.

"(4) NATIVE HAWAIIAN.—The term 'Native Hawaiian' has the meaning given the term in section 7207 of the Elementary and Secondary Education Act of 1965.

"(c) GRANT AUTHORIZED.—The Secretary is authorized to award a grant to an eligible partnership to enable the eligible partnership to expand programs for the development of science, technology, engineering, or mathematics professionals, from elementary school through college, including existing programs for Alaska Native and Native Hawaiian students.

"(d) USES OF FUNDS.—Grant funds under this section shall be used for 1 or more of the following:

"(1) Development or implementation of cultural, social, or educational transition programs to assist students to transition into college life and academics in order to increase such students' retention rates in the fields of science, technology, engineering, or mathematics, with a focus on Alaska Native or Native Hawaiian students.

"(2) Development or implementation of academic support or supplemental educational programs to increase the graduation rates of students in the fields of science, technology, engineering, or mathematics, with a focus on Alaska Native and Native Hawaiian students.

"(3) Development or implementation of internship programs, carried out in coordination with educational institutions and private entities, to prepare students for careers in the fields of science, technology, engineering, or mathematics, with a focus on programs that serve Alaska Native or Native Hawaiian students.

"(4) Such other activities that are consistent with the purposes of this section.

"(e) APPLICATION.—Each eligible partnership that desires a grant under this section shall submit an applica-

tion to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

"(f) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to an eligible partnership that provides 1 or more programs in which 30 percent or more of the program participants are Alaska Native or Native Hawaiian.

"(g) PERIOD OF GRANT.—A grant under this section shall be awarded for a period of 5 years.

"(h) EVALUATION AND REPORT.—Each eligible partnership that receives a grant under this section shall conduct an evaluation to determine the effectiveness of the programs funded under the grant and shall provide a report regarding the evaluation to the Secretary not later than 6 months after the end of the grant period.

"(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal year 2008 and each of the 5 succeeding fiscal years.

"PART L—PILOT PROGRAM TO INCREASE PERSISTENCE IN COMMUNITY COLLEGES

"SEC. 865. PILOT PROGRAM TO INCREASE PERSISTENCE IN COMMUNITY COLLEGES.

"(a) DEFINITIONS.—In this section:

"(1) INSTITUTION OF HIGHER EDUCATION.—Except as otherwise provided in this section, the term 'institution of higher education' means an institution of higher education, as defined in section 101, that provides a 1- or 2-year program of study leading to a degree or certificate.

"(2) ELIGIBLE STUDENT.—The term 'eligible student' means a student who—

"(A) meets the requirements of section 484(a);

"(B) is enrolled at least half time;

"(C) is not younger than age 19 and not older than age 33;

"(D) is the parent of at least 1 dependent child, which dependent child is age 18 or younger;

"(E) has a family income below 200 percent of the poverty line;

"(F) has a secondary school diploma or its recognized equivalent, and earned a passing score on a college entrance examination; and

"(G) does not have a degree or occupational certificate from an institution of higher education, as defined in section 101 or 102(a).

"(b) PROGRAM AUTHORIZED.—The Secretary is authorized to award grants, on a competitive basis, to institutions of higher education to enable the institutions of higher education to provide additional monetary and non-monetary support to eligible students to enable the eligible students to maintain enrollment and complete degree or certificate programs.

"(c) USES OF FUNDS.—

"(1) REQUIRED USES.—Each institution of higher education receiving a grant under this section shall use the grant funds—

"(A) to provide scholarships in accordance with subsection (d); and

"(B) to provide counseling services in accordance with subsection (e).

"(2) ALLOWABLE USES OF FUNDS.—Grant funds provided under this section may be used—

"(A) to conduct outreach to make students aware of the scholarships and counseling services available under this section and to encourage the students to participate in the program assisted under this section;

"(B) to provide gifts of $20 or less, such as a store gift card, to applicants who complete the process of applying for assistance under this

section, as an incentive and as compensation for the student's time; and

"(C) to evaluate the success of the program.

"(d) SCHOLARSHIP REQUIREMENTS.—

"(1) IN GENERAL.—Each scholarship awarded under this section shall—

"(A) be awarded for 1 academic year;

"(B) be awarded in the amount of $1,000 for each of 2 semesters (prorated for quarters), or $2,000 for an academic year;

"(C) require the student to maintain during the scholarship period at least half-time enrollment and a 2.0 or C grade point average; and

"(D) be paid in increments of—

"(i) $250 upon enrollment (prorated for quarters);

"(ii) $250 upon passing midterm examinations (prorated for quarters); and

"(iii) $500 upon passing courses (prorated for quarters).

"(2) NUMBER.—An institution may award an eligible student not more than 2 scholarships under this section.

1 "(e) COUNSELING SERVICES.—

2 "(1) IN GENERAL.—Each institution of higher
3 education receiving a grant under this section shall
4 use the grant funds to provide students at the insti-
5 tution with a counseling staff dedicated to students
6 participating in the program under this section.
7 Each such counselor shall—

8 "(A) have a caseload of less than 125 stu-
9 dents;

10 "(B) use a proactive, team-oriented ap-
11 proach to counseling;

12 "(C) hold a minimum of 2 meetings with
13 students each semester; and

14 "(D) provide referrals to and follow-up
15 with other student services staff, including fi-
16 nancial and career services.

17 "(2) COUNSELING SERVICES AVAILABILITY.—
18 The counseling services provided under this section
19 shall be available to participating students during
20 the daytime and evening hours.

21 "(f) APPLICATION.—An institution of higher edu-
22 cation that desires to receive a grant under this section
23 shall submit an application to the Secretary at such time,
24 in such manner, and containing such information as the
25 Secretary may require, including—

"(1) the number of students to be served under this section;

"(2) a description of the scholarships and counseling services that will be provided under this section; and

"(3) a description of how the program under this section will be evaluated.

"(g) PERIOD OF GRANT.—The Secretary may award a grant under this section for a period of 5 years.

"(h) EVALUATION.—

"(1) IN GENERAL.—Each institution of higher education receiving a grant under this section shall conduct an annual evaluation of the impact of the grant and shall provide the evaluation to the Secretary. The Secretary shall disseminate to the public the findings, information on best practices, and lessons learned, with respect to the evaluations.

"(2) RANDOM ASSIGNMENT RESEARCH DESIGN.—The evaluation shall be conducted using a random assignment research design with the following requirements:

"(A) When students are recruited for the program, all students will be told about the program and the evaluation.

"(B) Baseline data will be collected from all applicants for assistance under this section.

"(C) Students will be assigned randomly to 2 groups, which will consist of—

"(i) a program group that will receive the scholarship and the additional counseling services; and

"(ii) a control group that will receive whatever regular financial aid and counseling services are available to all students at the institution of higher education.

"(3) PREVIOUS COHORTS.—In conducting the evaluation for the second and third years of the program, each institution of higher education shall include information on previous cohorts of students as well as students in the current program year.

"(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal year 2008 and each of the 5 succeeding fiscal years.

"PART M—STUDENT SAFETY AND CAMPUS EMERGENCY MANAGEMENT

"SEC. 871. STUDENT SAFETY AND CAMPUS EMERGENCY MANAGEMENT.

"(a) GRANTS AUTHORIZED.—

1 "(1) IN GENERAL.—The Secretary is authorized
2 to award grants, on a competitive basis, to institu-
3 tions of higher education or consortia of institutions
4 of higher education to enable institutions of higher
5 education or consortia to pay the Federal share of
6 the cost of carrying out the authorized activities de-
7 scribed in subsection (c).

8 "(2) CONSULTATION WITH THE ATTORNEY
9 GENERAL AND THE SECRETARY OF HOMELAND SE-
10 CURITY.—Where appropriate, the Secretary shall
11 award grants under this section in consultation with
12 the Attorney General of the United States and the
13 Secretary of Homeland Security.

14 "(3) DURATION.—The Secretary shall award
15 each grant under this section for a period of 2 years.

16 "(4) LIMITATION ON INSTITUTIONS AND CON-
17 SORTIA.—An institution of higher education or con-
18 sortium shall be eligible for only 1 grant under this
19 section.

20 "(b) FEDERAL SHARE; NON-FEDERAL SHARE.—

21 "(1) IN GENERAL.—The Federal share shall be
22 50 percent.

23 "(2) NON-FEDERAL SHARE.—The non-Federal
24 share shall be provided from other Federal, State,

and local resources dedicated to emergency preparedness and response.

"(c) AUTHORIZED ACTIVITIES.—Each institution of higher education or consortium receiving a grant under this section may use the grant funds to carry out 1 or more of the following:

"(1) Developing and implementing a state-of-the-art emergency communications system for each campus of an institution of higher education or consortium, in order to contact students via cellular, text message, or other state-of-the-art communications methods when a significant emergency or dangerous situation occurs. An institution or consortium using grant funds to carry out this paragraph shall also, in coordination with the appropriate State and local emergency management authorities—

"(A) develop procedures that students, employees, and others on a campus of an institution of higher education or consortium will be directed to follow in the event of a significant emergency or dangerous situation; and

"(B) develop procedures the institution of higher education or consortium shall follow to inform, within a reasonable and timely manner, students, employees, and others on a campus in

the event of a significant emergency or dangerous situation, which procedures shall include the emergency communications system described in this paragraph.

''(2) Supporting measures to improve safety at the institution of higher education or consortium, such as—

''(A) security assessments;

''(B) security training of personnel and students at the institution of higher education or consortium;

''(C) where appropriate, coordination of campus preparedness and response efforts with local law enforcement, local emergency management authorities, and other agencies, to improve coordinated responses in emergencies among such entities; and

''(D) establishing a hotline that allows a student or staff member at an institution or consortium to report another student or staff member at the institution or consortium who the reporting student or staff member believes may be a danger to the reported student or staff member or to others.

"(3) Coordinating with appropriate local entities the provision of, mental health services for students enrolled in the institution of higher education or consortium, including mental health crisis response and intervention services, to individuals affected by a campus or community emergency.

"(d) APPLICATION.—Each institution of higher education or consortium desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

"(e) TECHNICAL ASSISTANCE.—The Secretary shall coordinate technical assistance provided by State and local emergency management agencies, the Department of Homeland Security, and other agencies as appropriate, to institutions of higher education or consortia that request assistance in developing and implementing the activities assisted under this section.

"(f) RULE OF CONSTRUCTION.—Nothing in this section shall be construed—

"(1) to provide a private right of action to any person to enforce any provision of this section;

"(2) to create a cause of action against any institution of higher education or any employee of the institution for any civil liability; or

"(3) to affect the Family Educational Rights and Privacy Act of 1974 or the regulations issued under section 264 of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d–2 note).

"(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal year 2008 and each of the 5 succeeding fiscal years.

"SEC. 872. MODEL EMERGENCY RESPONSE POLICIES, PROCEDURES, AND PRACTICES.

"The Secretary of Education, the Attorney General of the United States, and the Secretary of Homeland Security shall jointly have the authority—

"(1) to advise institutions of higher education on model emergency response policies, procedures, and practices; and

"(2) to disseminate information concerning those policies, procedures, and practices.".

TITLE IX—AMENDMENTS TO OTHER LAWS

PART A—EDUCATION OF THE DEAF ACT OF 1986

SEC. 901. LAURENT CLERC NATIONAL DEAF EDUCATION CENTER.

Section 104 of the Education of the Deaf Act of 1986 (20 U.S.C. 4304) is amended—

(1) by striking the section heading and inserting "**LAURENT CLERC NATIONAL DEAF EDUCATION CENTER**";

(2) in subsection (a)(1)(A), by inserting "the Laurent Clerc National Deaf Education Center (referred to in this section as the 'Clerc Center') to carry out" after "maintain and operate"; and

(3) in subsection (b)—

(A) in the matter preceding subparagraph (A) of paragraph (1), by striking "elementary and secondary education programs" and inserting "Clerc Center";

(B) in paragraph (2), by striking "elementary and secondary education programs" and inserting "Clerc Center"; and

(C) by adding at the end the following:

1 "(5) The University, for purposes of the elementary
2 and secondary education programs carried out at the Clerc
3 Center, shall—
4 "(A)(i) select challenging academic content
5 standards, challenging student academic achieve-
6 ment standards, and academic assessments of a
7 State, adopted and implemented, as appropriate,
8 pursuant to paragraphs (1) and (3) of section
9 1111(b) of the Elementary and Secondary Edu-
10 cation Act of 1965 (20 U.S.C. 6311(b)(1) and (3))
11 and approved by the Secretary; and
12 "(ii) implement such standards and assess-
13 ments for such programs by not later than the be-
14 ginning of the 2009–2010 academic year;
15 "(B) annually determine whether such pro-
16 grams at the Clerc Center are making adequate
17 yearly progress, as determined according to the defi-
18 nition of adequate yearly progress defined (pursuant
19 to section 1111(b)(2)(C) of such Act (20 U.S.C.
20 6311(b)(2)(C))) by the State that has adopted and
21 implemented the standards and assessments selected
22 under subparagraph (A)(i); and
23 "(C) publicly report the results of the academic
24 assessments implemented under subparagraph (A)
25 and whether the programs at the Clerc Center are

making adequate yearly progress, as determined under subparagraph (B).''.

SEC. 902. AGREEMENT WITH GALLAUDET UNIVERSITY.

Section 105(b)(4) of the Education of the Deaf Act of 1986 (20 U.S.C. 4305(b)(4)) is amended—

(1) by striking ''the Act of March 3, 1931 (40 U.S.C. 276a–276a–5) commonly referred to as the Davis-Bacon Act'' and inserting ''subchapter IV of chapter 31 of title 40, United States Code, commonly referred to as the Davis-Bacon Act''; and

(2) by striking ''section 2 of the Act of June 13, 1934 (40 U.S.C. 276c)'' and inserting ''section 3145 of title 40, United States Code''.

SEC. 903. AGREEMENT FOR THE NATIONAL TECHNICAL INSTITUTE FOR THE DEAF.

Section 112 of the Education of the Deaf Act of 1986 (20 U.S.C. 4332) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the first sentence—

(I) by striking ''an institution of higher education'' and inserting ''the Rochester Institute of Technology, Rochester, New York''; and

(II) by striking ''of a'' and inserting ''of the''; and

(ii) by striking the second sentence;

(B) by redesignating paragraph (2) as paragraph (3); and

(C) by inserting after paragraph (1) the following:

''(2) Notwithstanding the requirement under paragraph (1), if the Secretary or the Rochester Institute of Technology terminates the agreement under paragraph (1), the Secretary shall consider proposals from other institutions of higher education and enter into an agreement with 1 of such institutions for the establishment and operation of a National Technical Institution for the Deaf.''; and

(2) in subsection (b)—

(A) in paragraph (3), by striking ''Committee on Labor and Human Resources of the Senate'' and inserting ''Committee on Health, Education, Labor, and Pensions of the Senate''; and

(B) in paragraph (5)—

(i) by striking ''the Act of March 3, 1931 (40 U.S.C. 276a–276a–5) commonly referred to as the Davis-Bacon Act'' and

inserting ''subchapter IV of chapter 31 of title 40, United States Code, commonly referred to as the Davis-Bacon Act''; and

(ii) by striking ''section 2 of the Act of June 13, 1934 (40 U.S.C. 276c)'' and inserting ''section 3145 of title 40, United States Code''.

SEC. 904. CULTURAL EXPERIENCES GRANTS.

(a) CULTURAL EXPERIENCES GRANTS.—Title I of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.) is amended by adding at the end the following:

''PART C—OTHER PROGRAMS

''SEC. 121. CULTURAL EXPERIENCES GRANTS.

''(a) IN GENERAL.—The Secretary shall, on a competitive basis, make grants to, and enter into contracts and cooperative agreements with, eligible entities to support the activities described in subsection (b).

''(b) ACTIVITIES.—In carrying out this section, the Secretary shall support activities providing cultural experiences, through appropriate nonprofit organizations with a demonstrated proficiency in providing such activities, that—

''(1) enrich the lives of deaf and hard-of-hearing children and adults;

"(2) increase public awareness and understanding of deafness and of the artistic and intellectual achievements of deaf and hard-of-hearing persons; or

"(3) promote the integration of hearing, deaf, and hard-of-hearing persons through shared cultural, educational, and social experiences.

"(c) APPLICATIONS.—An eligible entity that desires to receive a grant, or enter into a contract or cooperative agreement, under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

"(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal year 2007 and each of the 5 succeeding fiscal years.".

(b) CONFORMING AMENDMENT.—The title heading of title I of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.) is amended by adding at the end "; OTHER PROGRAMS".

SEC. 905. AUDIT.

Section 203 of the Education of the Deaf Act of 1986 (20 U.S.C. 4353) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking the second sentence and inserting the following: ''The institution of higher education that the Secretary has an agreement with under section 112 shall have an annual independent financial and compliance audit made of NTID programs and activities. The audit shall follow the cycle of the Federal fiscal year.'';

(B) in paragraph (2), by striking ''sections'' and all that follows through the period and inserting ''sections 102(b), 105(b)(4), 112(b)(5), 203(c), 207(b)(2), subsections (c) through (f) of section 207, and subsections (b) and (c) of section 209.''; and

(C) in paragraph (3), by inserting ''and the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate'' after ''Secretary''; and

(2) in subsection (c)(2)(A), by striking ''Committee on Labor and Human Resources of the Senate'' and inserting ''Committee on Health, Education, Labor, and Pensions of the Senate''.

SEC. 906. REPORTS.

Section 204 of the Education of the Deaf Act of 1986 (20 U.S.C. 4354) is amended—

(1) in the matter preceding paragraph (1), by striking ''Committee on Labor and Human Resources of the Senate'' and inserting ''Committee on Health, Education, Labor, and Pensions of the Senate'';

(2) in paragraph (1), by striking ''preparatory,'';

(3) in paragraph (2)(C), by striking ''upon graduation/completion'' and inserting ''on the date that is 1 year after the date of graduation or completion''; and

(4) in paragraph (3)(B), by striking ''of the institution of higher education'' and all that follows through the period and inserting ''of NTID programs and activities.''.

SEC. 907. MONITORING, EVALUATION, AND REPORTING.

Section 205 of the Education of the Deaf Act of 1986 (20 U.S.C. 4355) is amended—

(1) in subsection (b), by striking ''The Secretary, as part of the annual report required under section 426 of the Department of Education Organization Act, shall include a description of'' and in-

serting ''The Secretary shall annually transmit information to Congress on''; and

(2) in subsection (c), by striking ''fiscal years 1998 through 2003'' and inserting ''fiscal years 2008 through 2013''.

SEC. 908. LIAISON FOR EDUCATIONAL PROGRAMS.

Section 206(a) of the Education of the Deaf Act of 1986 (20 U.S.C. 4356(a)) is amended by striking ''Not later than 30 days after the date of enactment of this Act, the'' and inserting ''The''.

SEC. 909. FEDERAL ENDOWMENT PROGRAMS FOR GALLAUDET UNIVERSITY AND THE NATIONAL TECHNICAL INSTITUTE FOR THE DEAF.

Section 207(h) of the Education of the Deaf Act of 1986 (20 U.S.C. 4357(h)) is amended by striking ''fiscal years 1998 through 2003'' each place it appears and inserting ''fiscal years 2008 through 2013''.

SEC. 910. OVERSIGHT AND EFFECT OF AGREEMENTS.

Section 208(a) of the Education of the Deaf Act of 1986 (20 U.S.C. 4359(a)) is amended by striking ''Committee on Labor and Human Resources of the Senate and the Committee on Education and the Workforce of the House of Representatives'' and inserting ''Committee on Education and Labor of the House of Representatives and

the Committee on Health, Education, Labor, and Pensions of the Senate''.

SEC. 911. INTERNATIONAL STUDENTS.

Section 209 of the Education of the Deaf Act of 1986 (20 U.S.C. 4359a) is amended—

(1) in subsection (a)—

(A) by striking ''preparatory, undergraduate,'' and inserting ''undergraduate'';

(B) by striking ''Effective with'' and inserting the following:

''(1) IN GENERAL.—Except as provided in paragraph (2), effective with''; and

(C) by adding at the end the following:

''(2) DISTANCE LEARNING.—International students who participate in distance learning courses that are at NTID or the University and who are residing outside of the United States shall—

''(A) not be counted as international students for purposes of the cap on international students under paragraph (1), except that in any school year no United States citizen who applies to participate in distance learning courses that are at the University or NTID shall be denied participation in such courses be-

cause of the participation of an international student in such courses; and

"(B) not be charged a tuition surcharge, as described in subsection (b)."; and

(2) by striking subsections (b), (c), and (d), and inserting the following:

"(b) TUITION SURCHARGE.—Except as provided in subsections (a)(2)(B) and (c), the tuition for postsecondary international students enrolled in the University (including undergraduate and graduate students) or NTID shall include, for academic year 2008–2009 and any succeeding academic year, a surcharge of—

"(1) 100 percent for a postsecondary international student from a non-developing country; and

"(2) 50 percent for a postsecondary international student from a developing country.

"(c) REDUCTION OF SURCHARGE.—

"(1) IN GENERAL.—Beginning with the academic year 2008–2009, the University or NTID may reduce the surcharge—

"(A) under subsection (b)(1) from 100 percent to not less than 50 percent if—

"(i) a student described under subsection (b)(1) demonstrates need; and

"(ii) such student has made a good faith effort to secure aid through such student's government or other sources; and

"(B) under subsection (b)(2) from 50 percent to not less than 25 percent if—

"(i) a student described under subsection (b)(2) demonstrates need; and

"(ii) such student has made a good faith effort to secure aid through such student's government or other sources.

"(2) DEVELOPMENT OF SLIDING SCALE.—The University and NTID shall develop a sliding scale model that—

"(A) will be used to determine the amount of a tuition surcharge reduction pursuant to paragraph (1); and

"(B) shall be approved by the Secretary.

"(d) DEFINITION.—In this section, the term 'developing country' means a country with a per-capita income of not more than $4,825, measured in 1999 United States dollars, as adjusted by the Secretary to reflect inflation since 1999.".

SEC. 912. RESEARCH PRIORITIES.

Section 210(b) of the Education of the Deaf Act of 1986 (20 U.S.C. 4359b(b)) is amended by striking "Com-

mittee on Education and the Workforce of the House of Representatives, and the Committee on Labor and Human Resources of the Senate'' and inserting ''Committee on Education and Labor of the House of Representatives, and the Committee on Health, Education, Labor, and Pensions of the Senate''.

SEC. 913. AUTHORIZATION OF APPROPRIATIONS.

Section 212 of the Education of the Deaf Act of 1986 (20 U.S.C. 4360a) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking ''fiscal years 1998 through 2003'' and inserting ''fiscal years 2008 through 2013''; and

(2) in subsection (b), by striking ''fiscal years 1998 through 2003'' and inserting ''fiscal years 2008 through 2013''.

PART B—UNITED STATES INSTITUTE OF PEACE ACT

SEC. 921. UNITED STATES INSTITUTE OF PEACE ACT.

(a) POWERS AND DUTIES.—Section 1705(b)(3) of the United States Institute of Peace Act (22 U.S.C. 4604(b)(3)) is amended by striking ''the Arms Control and Disarmament Agency,''.

(b) BOARD OF DIRECTORS.—Section 1706 of the United States Institute of Peace Act (22 U.S.C. 4605) is amended—

(1) by striking ''(b)(5)'' each place the term appears and inserting ''(b)(4)''; and

(2) in subsection (e), by adding at the end the following:

''(5) The term of a member of the Board shall not commence until the member is confirmed by the Senate and sworn in as a member of the Board.''.

(c) FUNDING.—Section 1710 of the United States Institute of Peace Act (22 U.S.C. 4609) is amended—

(1) by striking ''to be appropriated'' and all that follows through the period at the end and inserting ''to be appropriated such sums as may be necessary for fiscal years 2008 through 2013.''; and

(2) by adding at the end the following:

''(d) EXTENSION.—Any authorization of appropriations made for the purposes of carrying out this title shall be extended in the same manner as applicable programs are extended under section 422 of the General Education Provisions Act.''.

PART C—THE HIGHER EDUCATION AMENDMENTS OF 1998

SEC. 931. REPEALS.

The following provisions of title VIII of the Higher Education Amendments of 1998 (Public Law 105–244) are repealed:

(1) Part A.

(2) Part C (20 U.S.C. 1070 note).

(3) Part F (20 U.S.C. 1862 note).

(4) Part J.

(5) Section 861.

(6) Section 863.

SEC. 932. GRANTS TO STATES FOR WORKPLACE AND COMMUNITY TRANSITION TRAINING FOR INCARCERATED YOUTH OFFENDERS.

Section 821 of the Higher Education Amendments of 1998 (20 U.S.C. 1151) is amended to read as follows:

"SEC. 821. GRANTS TO STATES FOR IMPROVED WORKPLACE AND COMMUNITY TRANSITION TRAINING FOR INCARCERATED YOUTH OFFENDERS.

''(a) DEFINITION.—In this section, the term 'youth offender' means a male or female offender under the age of 35, who is incarcerated in a State prison, including a prerelease facility.

''(b) GRANT PROGRAM.—The Secretary of Education (in this section referred to as the 'Secretary')—

"(1) shall establish a program in accordance with this section to provide grants to the State correctional education agencies in the States, from allocations for the States under subsection (h), to assist and encourage youth offenders to acquire functional literacy, life, and job skills, through—

"(A) the pursuit of a postsecondary education certificate, or an associate or bachelor's degree while in prison; and

"(B) employment counseling and other related services which start during incarceration and end not later than 1 year after release from confinement; and

"(2) may establish such performance objectives and reporting requirements for State correctional education agencies receiving grants under this section as the Secretary determines are necessary to assess the effectiveness of the program under this section.

"(c) APPLICATION.—To be eligible for a grant under this section, a State correctional education agency shall submit to the Secretary a proposal for a youth offender program that—

"(1) identifies the scope of the problem, including the number of youth offenders in need of postsecondary education and vocational training;

"(2) lists the accredited public or private educational institution or institutions that will provide postsecondary educational services;

"(3) lists the cooperating agencies, public and private, or businesses that will provide related services, such as counseling in the areas of career development, substance abuse, health, and parenting skills;

"(4) describes specific performance objectives and evaluation methods (in addition to, and consistent with, any objectives established by the Secretary under subsection (b)(2)) that the State correctional education agency will use in carrying out its proposal, including—

"(A) specific and quantified student outcome measures that are referenced to outcomes for non-program participants with similar demographic characteristics; and

"(B) measures, consistent with the data elements and definitions described in subsection (d)(1)(A), of—

"(i) program completion, including an explicit definition of what constitutes a program completion within the proposal;

"(ii) knowledge and skill attainment, including specification of instruments that will measure knowledge and skill attainment;

"(iii) attainment of employment both prior to and subsequent to release;

"(iv) success in employment indicated by job retention and advancement; and

"(v) recidivism, including such subindicators as time before subsequent offense and severity of offense;

"(5) describes how the proposed programs are to be integrated with existing State correctional education programs (such as adult education, graduate education degree programs, and vocational training) and State industry programs;

"(6) describes how the proposed programs will have considered or will utilize technology to deliver the services under this section; and

"(7) describes how students will be selected so that only youth offenders eligible under subsection (e) will be enrolled in postsecondary programs.

"(d) PROGRAM REQUIREMENTS.—Each State correctional education agency receiving a grant under this section shall—

"(1) annually report to the Secretary regarding—

"(A) the results of the evaluations conducted using data elements and definitions provided by the Secretary for the use of State correctional education programs;

"(B) any objectives or requirements established by the Secretary pursuant to subsection (b)(2); and

"(C) the additional performance objectives and evaluation methods contained in the proposal described in subsection (c)(4) as necessary to document the attainment of project performance objectives; and

"(2) provide to each State for each student eligible under subsection (e) not more than—

"(A) $3,000 annually for tuition, books, and essential materials; and

"(B) $300 annually for related services such as career development, substance abuse counseling, parenting skills training, and health education.

"(e) STUDENT ELIGIBILITY.—A youth offender shall be eligible for participation in a program receiving a grant under this section if the youth offender—

"(1) is eligible to be released within 5 years (including a youth offender who is eligible for parole within such time); and

"(2) is 35 years of age or younger.

"(f) LENGTH OF PARTICIPATION.—A State correctional education agency receiving a grant under this section shall provide educational and related services to each participating youth offender for a period not to exceed 5 years, 1 year of which may be devoted to study in a graduate education degree program or to remedial education services for students who have obtained a secondary school diploma or its recognized equivalent. Educational and related services shall start during the period of incarceration in prison or prerelease, and the related services may continue for not more than 1 year after release from confinement.

"(g) EDUCATION DELIVERY SYSTEMS.—State correctional education agencies and cooperating institutions shall, to the extent practicable, use high-tech applications in developing programs to meet the requirements and goals of this section.

"(h) ALLOCATION OF FUNDS.—From the funds appropriated pursuant to subsection (i) for each fiscal year, the Secretary shall allot to each State an amount that bears the same relationship to such funds as the total number of students eligible under subsection (e) in such State bears to the total number of such students in all States.

"(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal years 2008 through 2013.".

SEC. 933. UNDERGROUND RAILROAD EDUCATIONAL AND CULTURAL PROGRAM.

Section 841(c) of the Higher Education Amendments of 1998 (20 U.S.C. 1153(c)) is amended by striking "this section" and all that follows through the period at the end and inserting "this section such sums as may be necessary for fiscal years 2008 through 2013.".

SEC. 934. OLYMPIC SCHOLARSHIPS UNDER THE HIGHER EDUCATION AMENDMENTS OF 1992.

Section 1543(d) of the Higher Education Amendments of 1992 (20 U.S.C. 1070 note) is amended by striking "to be appropriated" and all that follows through the period at the end and inserting "to be appropriated such

sums as may be necessary for fiscal years 2008 through 2013.''.

PART D—INDIAN EDUCATION

Subpart 1—Tribal Colleges and Universities

SEC. 941. REAUTHORIZATION OF THE TRIBALLY CONTROLLED COLLEGE OR UNIVERSITY ASSISTANCE ACT OF 1978.

(a) CLARIFICATION OF THE DEFINITION OF NATIONAL INDIAN ORGANIZATION.—Section 2(a)(6) of the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801(a)(6)) is amended by striking ''in the field of Indian education'' and inserting ''in the fields of tribally controlled colleges and universities and Indian higher education''.

(b) INDIAN STUDENT COUNT.—Section 2(a) of the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801(a)) is amended—

(1) by redesignating paragraphs (7) and (8) as paragraphs (8) and (9), respectively; and

(2) by inserting after paragraph (6) the following:

''(7) 'Indian student' means a student who is—

''(A) a member of an Indian tribe; or

''(B) a biological child of a member of an Indian tribe, living or deceased;''.

(c) CONTINUING EDUCATION.—Section 2(b) of the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801(b)) is amended—

(1) in the matter preceding paragraph (1), by striking ''paragraph (7) of subsection (a)'' and inserting ''subsection (a)(8)'';

(2) by striking paragraph (5) and inserting the following:

''(5) DETERMINATION OF CREDITS.—Eligible credits earned in a continuing education program—

''(A) shall be determined as 1 credit for every 10 contact hours in the case of an institution on a quarter system, or 15 contact hours in the case of an institution on a semester system, of participation in an organized continuing education experience under responsible sponsorship, capable direction, and qualified instruction, as described in the criteria established by the International Association for Continuing Education and Training; and

''(B) shall be limited to 10 percent of the Indian student count of a tribally controlled college or university.''; and

(3) by striking paragraph (6).

(d) ACCREDITATION REQUIREMENT.—Section 103 of the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1804) is amended—

(1) in paragraph (2), by striking ''and'' at the end;

(2) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(3) by inserting after paragraph (3), the following:

''(4)(A) is accredited by a nationally recognized accrediting agency or association determined by the Secretary of Education to be a reliable authority with regard to the quality of training offered; or

''(B) according to such an agency or association, is making reasonable progress toward accreditation.''.

(e) TECHNICAL ASSISTANCE CONTRACTS.—Section 105 of the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1805) is amended—

(1) by striking the section designation and heading and all that follows through ''The Secretary shall'' and inserting the following:

''SEC. 105. TECHNICAL ASSISTANCE CONTRACTS.

''(a) TECHNICAL ASSISTANCE.—

''(1) IN GENERAL.—The Secretary shall'';

(2) in the second sentence, by striking ''In the awarding of contracts for technical assistance, preference shall be given'' and inserting the following:

''(2) DESIGNATED ORGANIZATION.—The Secretary shall require that a contract for technical assistance under paragraph (1) shall be awarded''; and

(3) in the third sentence, by striking ''No authority'' and inserting the following:

''(b) EFFECT OF SECTION.—No authority''.

(f) AMOUNT OF GRANTS.—Section 108(a) of the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1808(a)) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting the subparagraphs appropriately;

(2) by striking ''(a) Except as provided in section 111,'' and inserting the following:

''(a) REQUIREMENT.—

''(1) IN GENERAL.—Except as provided in paragraph (2) and section 111,'';

(3) in paragraph (1) (as redesignated by paragraphs (1) and (2))—

(A) in the matter preceding subparagraph (A) (as redesignated by paragraph (1))—

(i) by striking ''him'' and inserting ''the Secretary''; and

(ii) by striking ''product of'' and inserting ''product obtained by multiplying'';

(B) in subparagraph (A) (as redesignated by paragraph (1)), by striking ''section 2(a)(7)'' and inserting ''section 2(a)(8)''; and

(C) in subparagraph (B) (as redesignated by paragraph (1)), by striking ''$6,000,'' and inserting ''$8,000, as adjusted annually for inflation.''; and

(4) by striking ''except that no grant shall exceed the total cost of the education program provided by such college or university.'' and inserting the following:

''(2) EXCEPTION.—The amount of a grant under paragraph (1) shall not exceed an amount equal to the total cost of the education program provided by the applicable tribally controlled college or university.''.

(g) GENERAL PROVISIONS REAUTHORIZATION.—Section 110(a) of the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1810(a)) is amended—

(1) in paragraphs (1), (2), (3), and (4), by striking ''1999'' and inserting ''2008'';

(2) in paragraphs (1), (2), and (3), by striking ''4 succeeding'' and inserting ''5 succeeding'';

(3) in paragraph (2), by striking ''$40,000,000'' and inserting ''such sums as may be necessary'';

(4) in paragraph (3), by striking ''$10,000,000'' and inserting ''such sums as may be necessary''; and

(5) in paragraph (4), by striking ''succeeding 4'' and inserting ''5 succeeding''.

(h) ENDOWMENT PROGRAM REAUTHORIZATION.—Section 306(a) of the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1836(a)) is amended—

(1) by striking ''1999'' and inserting ''2008''; and

(2) by striking ''4 succeeding'' and inserting ''5 succeeding''.

(i) TRIBAL ECONOMIC DEVELOPMENT REAUTHORIZATION.—Section 403 of the Tribal Economic Development and Technology Related Education Assistance Act of 1990 (25 U.S.C. 1852) is amended—

(1) by striking ''$2,000,000 for fiscal year 1999'' and inserting ''such sums as may be necessary for fiscal year 2008''; and

(2) by striking ''4 succeeding'' and inserting ''5 succeeding''.

(j) TRIBALLY CONTROLLED POSTSECONDARY CAREER AND TECHNICAL INSTITUTIONS.—

(1) IN GENERAL.—The Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801 et seq.) is amended by adding at the end the following:

''Subtitle V—Tribally Controlled Postsecondary Career and Technical Institutions

''SEC. 501. DEFINITION OF TRIBALLY CONTROLLED POSTSECONDARY CAREER AND TECHNICAL INSTITUTION.

''In this title, the term 'tribally controlled postsecondary career and technical institution' has the meaning given the term in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302).

"SEC. 502. TRIBALLY CONTROLLED POSTSECONDARY CAREER AND TECHNICAL INSTITUTIONS PROGRAM.

"(a) IN GENERAL.—Subject to the availability of appropriations, for fiscal year 2008 and each fiscal year thereafter, the Secretary shall—

"(1) subject to subsection (b), select 2 tribally controlled postsecondary career and technical institutions to receive assistance under this title; and

"(2) provide funding to the selected tribally controlled postsecondary career and technical institutions to pay the costs (including institutional support costs) of operating postsecondary career and technical education programs for Indian students at the tribally controlled postsecondary career and technical institutions.

"(b) SELECTION OF CERTAIN INSTITUTIONS.—

"(1) REQUIREMENT.—For each fiscal year during which the Secretary determines that a tribally controlled postsecondary career and technical institution described in paragraph (2) meets the definition referred to in section 501, the Secretary shall select that tribally controlled postsecondary career and technical institution under subsection (a)(1) to receive funding under this section.

"(2) INSTITUTIONS.—The 2 tribally controlled postsecondary career and technical institutions referred to in paragraph (1) are—

"(A) the United Tribes Technical College; and

"(B) the Navajo Technical College.

"(c) METHOD OF PAYMENT.—For each applicable fiscal year, the Secretary shall provide funding under this section to each tribally controlled postsecondary career and technical institution selected for the fiscal year under subsection (a)(1) in a lump sum payment for the fiscal year.

"(d) DISTRIBUTION.—

"(1) IN GENERAL.—For fiscal year 2009 and each fiscal year thereafter, of amounts made available pursuant to section 504, the Secretary shall distribute to each tribally controlled postsecondary career and technical institution selected for the fiscal year under subsection (a)(1) an amount equal to the greater of—

"(A) the total amount appropriated for the tribally controlled postsecondary career and technical institution for fiscal year 2006; or

"(B) the total amount appropriated for the tribally controlled postsecondary career and technical institution for fiscal year 2008.

"(2) EXCESS AMOUNTS.—If, for any fiscal year, the amount made available pursuant to section 504 exceeds the sum of the amounts required to be distributed under paragraph (1) to the tribally controlled postsecondary career and technical institutions selected for the fiscal year under subsection (a)(1), the Secretary shall distribute to each tribally controlled postsecondary career and technical institution selected for that fiscal year a portion of the excess amount, to be determined by—

"(A) dividing the excess amount by the aggregate Indian student count (as defined in section 117(h) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2327(h)) of such institutions for the prior academic year; and

"(B) multiplying the quotient described in subparagraph (A) by the Indian student count of each such institution for the prior academic year.

"SEC. 503. APPLICABILITY OF OTHER LAWS.

"(a) IN GENERAL.—Paragraphs (4) and (7) of subsection (a), and subsection (b), of section 2, sections 105, 108, 111, 112 and 113, and titles II, III, and IV shall not apply to this title.

"(b) INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE.—Funds made available pursuant to this title shall be subject to the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

"(c) ELECTION TO RECEIVE.—A tribally controlled postsecondary career and technical institution selected for a fiscal year under section 502(b) may elect to receive funds pursuant to section 502 in accordance with an agreement between the tribally controlled postsecondary career and technical institution and the Secretary under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) if the agreement is in existence on the date of enactment of the Higher Education Amendments of 2007.

"(d) OTHER ASSISTANCE.—Eligibility for, or receipt of, assistance under this title shall not preclude the eligibility of a tribally controlled postsecondary career and technical institutions to receive Federal financial assistance under—

"(1) any program under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.);

"(2) any program under the Carl D. Perkins Career and Technical Education Act of 2006; or

"(3) any other applicable program under which a benefit is provided for—

"(A) institutions of higher education;

"(B) community colleges; or

"(C) postsecondary educational institutions.

"SEC. 504. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated such sums as are necessary for fiscal year 2008 and each fiscal year thereafter to carry out this title.".

(2) CONFORMING AMENDMENTS.—Section 117 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2327) is amended—

(A) by striking subsection (a) and inserting the following:

"(a) GRANT PROGRAM.—Subject to the availability of appropriations, the Secretary shall make grants under this section, to provide basic support for the education and training of Indian students, to tribally controlled postsecondary career and technical institutions that are not receiving Federal assistance as of the date on which the grant is provided under—

"(1) title I of the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1802 et seq.); or

"(2) the Navajo Community College Act (25 U.S.C. 640a et seq.)."; and

(B) by striking subsection (d) and inserting the following:

"(d) APPLICATIONS.—To be eligible to receive a grant under this section, a tribally controlled postsecondary career and technical institution that is not receiving Federal assistance under title I of the Tribally Controlled College or University Assistance Act (25 U.S.C. 1802 et seq.) or the Navajo Community College Act (25 U.S.C. 640a et seq.) shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.".

(k) SHORT TITLE.—

(1) IN GENERAL.—The first section of the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801 note; Public Law 95–471) is amended to read as follows:

"SECTION 1. SHORT TITLE.

"This Act may be cited as the 'Tribally Controlled Colleges and Universities Assistance Act of 1978'.".

(2) REFERENCES.—Any reference in law (including regulations) to the Tribally Controlled College or University Assistance Act of 1978 shall be considered to be a reference to the ''Tribally Controlled Colleges and Universities Assistance Act of 1978''.

Subpart 2—Navajo Higher Education

SEC. 945. SHORT TITLE.

This subpart may be cited as the ''Navajo Nation Higher Education Act of 2006''.

SEC. 946. REAUTHORIZATION OF NAVAJO COMMUNITY COLLEGE ACT.

(a) PURPOSE.—Section 2 of the Navajo Community College Act (25 U.S.C. 640a) is amended—

(1) by striking ''Navajo Tribe of Indians'' and inserting ''Navajo Nation''; and

(2) by striking ''the Navajo Community College'' and inserting ''Diné College''.

(b) GRANTS.—Section 3 of the Navajo Community College Act (25 U.S.C. 640b) is amended—

(1) in the first sentence—

(A) by inserting ''the'' before ''Interior'';

(B) by striking ''Navajo Tribe of Indians'' and inserting ''Navajo Nation''; and

(C) by striking ''the Navajo Community College'' and inserting ''Diné College''; and

(2) in the second sentence—

(A) by striking ''Navajo Tribe'' and inserting ''Navajo Nation''; and

(B) by striking ''Navajo Indians'' and inserting ''Navajo people''.

(c) STUDY OF FACILITIES NEEDS.—Section 4 of the Navajo Community College Act (25 U.S.C. 640c) is amended—

(1) in subsection (a)—

(A) in the first sentence—

(i) by striking ''the Navajo Community College'' and inserting ''Dine College''; and

(ii) by striking ''August 1, 1979'' and inserting ''October 31, 2010''; and

(B) in the second sentence, by striking ''Navajo Tribe'' and inserting ''Navajo Nation'';

(2) in subsection (b), by striking ''the date of enactment of the Tribally Controlled Community College Assistance Act of 1978'' and inserting ''October 1, 2007''; and

(3) in subsection (c), in the first sentence, by striking ''the Navajo Community College'' and inserting ''Diné College''.

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 5 of the Navajo Community College Act (25 U.S.C. 640c–1) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''$2,000,000'' and all that follows through the end of the paragraph and inserting ''such sums as are necessary for fiscal years 2008 through 2013.''; and

(B) by adding at the end the following:

''(3) Sums described in paragraph (2) shall be used to provide grants for construction activities, including the construction of buildings, water and sewer facilities, roads, information technology and telecommunications infrastructure, classrooms, and external structures (such as walkways).'';

(2) in subsection (b)(1)—

(A) in the matter preceding subparagraph (A)—

(i) by striking ''the Navajo Community College'' and inserting ''Diné College''; and

(ii) by striking ‘‘, for each fiscal year’’ and all that follows through ‘‘for—’’ and inserting ‘‘such sums as are necessary for fiscal years 2008 through 2013 to pay the cost of—’’;

(B) in subparagraph (A)—

(i) by striking ‘‘college’’ and inserting ‘‘College’’;

(ii) in clauses (i) and (iii), by striking the commas at the ends of the clauses and inserting semicolons; and

(iii) in clause (ii), by striking ‘‘, and’’ at the end and inserting ‘‘; and’’;

(C) in subparagraph (B), by striking the comma at the end and inserting a semicolon;

(D) in subparagraph (C), by striking ‘‘, and’’ at the end and inserting a semicolon;

(E) in subparagraph (D), by striking the period at the end and inserting ‘‘; and’’; and

(F) by adding at the end the following:

‘‘(E) improving and expanding the College, including by providing, for the Navajo people and others in the community of the College—

‘‘(i) higher education programs;

‘‘(ii) career and technical education;

"(iii) activities relating to the preservation and protection of the Navajo language, philosophy, and culture;

"(iv) employment and training opportunities;

"(v) economic development and community outreach; and

"(vi) a safe learning, working, and living environment."; and

(3) in subsection (c), by striking "the Navajo Community College" and inserting "Diné College".

(e) EFFECT ON OTHER LAWS.—Section 6 of the Navajo Community College Act (25 U.S.C. 640c–2) is amended—

(1) by striking "the Navajo Community College" each place it appears and inserting "Diné College"; and

(2) in subsection (b), by striking "college" and inserting "College".

(f) PAYMENTS; INTEREST.—Section 7 of the Navajo Community College Act (25 U.S.C. 640c–3) is amended by striking "the Navajo Community College" each place it appears and inserting "Diné College".

○