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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, Mr. SANDERS, and Ms. MIKULSKI) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

JULY 10, 2007

Reported by Mr. KENNEDY, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

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".~~

1 ~~(b) TABLE OF CONTENTS.—The table of contents for~~

2 ~~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.~~
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~~Sec. 493. Program review and data.~~
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~~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.~~

~~SEC. 2. REFERENCES.~~

~~Except as otherwise expressly provided, whenever in 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 Work-~~

~~force 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 Representatives" 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 (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''; 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 approved 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~~

1 ~~"(B) who will be dually or concurrently en-~~
2 ~~rolled in the institution and a secondary~~
3 ~~school."; and~~
4 ~~(3) by striking subsection (c)(2) and inserting~~
5 ~~the following:~~
6 ~~"(2) ADDITIONAL INSTITUTIONS.—The term~~
7 ~~'postsecondary vocational institution' also includes~~
8 ~~an educational institution in any State that, in lieu~~
9 ~~of the requirement in section 101(a)(1), admits as~~
10 ~~regular students persons—~~
11 ~~"(A) who are beyond the age of compul-~~
12 ~~sory school attendance in the State in which the~~
13 ~~institution is located; or~~
14 ~~"(B) who will be dually or concurrently en-~~
15 ~~rolled in the institution and a secondary~~
16 ~~school.".~~
17 **~~SEC. 104. PROTECTION OF STUDENT SPEECH AND ASSOCIA-~~**
18 **~~TION RIGHTS.~~**
19 ~~Section 112 (20 U.S.C. 1011a) is amended—~~
20 ~~(1) in subsection (a)—~~
21 ~~(A) by inserting "(1)" before "It is the~~
22 ~~sense"; and~~
23 ~~(B) by adding at the end the following:~~
24 ~~"(2) It is the sense of Congress that—~~

1 ~~"(A) the diversity of institutions and edu-~~
2 ~~cational missions is one of the key strengths of~~
3 ~~American higher education;~~
4 ~~"(B) individual colleges and universities have~~
5 ~~different missions and each institution should design~~
6 ~~its academic program in accordance with its edu-~~
7 ~~cational goals;~~
8 ~~"(C) a college should facilitate the free and~~
9 ~~open exchange of ideas;~~
10 ~~"(D) students should not be intimidated, har-~~
11 ~~assed, discouraged from speaking out, or discrimi-~~
12 ~~nated against;~~
13 ~~"(E) students should be treated equally and~~
14 ~~fairly; and~~
15 ~~"(F) nothing in this paragraph shall be con-~~
16 ~~strued to modify, change, or infringe upon any con-~~
17 ~~stitutionally protected religious liberty, freedom, ex-~~
18 ~~pression, or association."; and~~
19 ~~(2) in subsection (b)(1), by inserting ", pro-~~
20 ~~vided that the imposition of such sanction is done~~
21 ~~objectively and fairly" after "higher education".~~
22 **~~SEC. 105. ACCREDITATION AND INSTITUTIONAL QUALITY~~**
23 **~~AND INTEGRITY ADVISORY COMMITTEE.~~**
24 ~~(a) IN GENERAL.—Section 114 (20 U.S.C. 1011c) is~~
25 ~~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—~~

1 ~~"(A) the basis of the individuals' experi-~~
2 ~~ence, integrity, impartiality, and good judg-~~
3 ~~ment;~~
4 ~~"(B) from among individuals who are rep-~~
5 ~~resentatives of, or knowledgeable concerning,~~
6 ~~education and training beyond secondary edu-~~
7 ~~cation, representatives of all sectors and types~~
8 ~~of institutions of higher education (as defined~~
9 ~~in section 102); and~~
10 ~~"(C) on the basis of the individuals' tech-~~
11 ~~nical qualifications, professional standing, and~~
12 ~~demonstrated knowledge in the fields of accredi-~~
13 ~~tation and administration in higher education.~~
14 ~~"(3) TERMS OF MEMBERS.—The term of office~~
15 ~~of each member of the Committee shall be for 6~~
16 ~~years, except that any member appointed to fill a va-~~
17 ~~cancy occurring prior to the expiration of the term~~
18 ~~for which the member's predecessor was appointed~~
19 ~~shall be appointed for the remainder of such term.~~
20 ~~"(4) VACANCY.—A vacancy on the Committee~~
21 ~~shall be filled in the same manner as the original ap-~~
22 ~~pointment was made not later than 90 days after~~
23 ~~the vacancy occurred. If a vacancy occurs in a posi-~~
24 ~~tion to be filled by the Secretary, the Secretary shall~~
25 ~~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.~~

1 ~~"(2) AGENDA.—~~

2 ~~"(A) ESTABLISHMENT.—The agenda for a~~
3 ~~meeting of the Committee shall be established~~
4 ~~by the Chairperson and shall be submitted to~~
5 ~~the members of the Committee upon notifica-~~
6 ~~tion of the meeting.~~

7 ~~"(B) OPPORTUNITY FOR PUBLIC COM-~~
8 ~~MENT.—The agenda shall include, at a min-~~
9 ~~imum, opportunity for public comment during~~
10 ~~the Committee's deliberations.~~

11 ~~"(3) SECRETARY'S DESIGNEE.—~~

12 ~~"(A) ATTENDANCE AT MEETING.—The~~
13 ~~Chairperson shall invite the Secretary's des-~~
14 ~~ignee to attend all meetings of the Committee.~~

15 ~~"(B) ROLE OF DESIGNEE.—The Sec-~~
16 ~~retary's designee may be present at a Com-~~
17 ~~mittee meeting to facilitate the exchange and~~
18 ~~free flow of information between the Secretary~~
19 ~~and the Committee. The designee shall have no~~
20 ~~authority over the agenda of the meeting, the~~
21 ~~items on that agenda, or on the resolution of~~
22 ~~any agenda item.~~

23 ~~"(4) FEDERAL ADVISORY COMMITTEE ACT.—~~
24 ~~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.~~

~~"(c) 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;~~

1 ~~"(B) a list of the date and location of each~~
2 ~~meeting during the preceding fiscal year;~~
3 ~~"(C) a list of the members of the Com-~~
4 ~~mittee and appropriate contact information;~~
5 ~~and~~
6 ~~"(D) a list of the functions of the Com-~~
7 ~~mittee, including any additional functions estab-~~
8 ~~lished by the Secretary through regulation.~~
9 ~~"(f) TERMINATION.—The Committee shall terminate~~
10 ~~on September 30, 2012.".~~
11 ~~(b) TERMINATION OF NACIQI.—The National Advi-~~
12 ~~sory Committee on Institutional Quality and Integrity, es-~~
13 ~~tablished under section 114 of the Higher Education Act~~
14 ~~of 1965 (as such section was in effect the day before the~~
15 ~~date of enactment of this Act) shall terminate 90 days~~
16 ~~after such date.~~
17 **~~SEC. 106. DRUG AND ALCOHOL ABUSE PREVENTION.~~**
18 ~~Section 120(a)(2) (20 U.S.C. 1011i(a)(2)) is amend-~~
19 ~~ed—~~
20 ~~(1) in subparagraph (A), by striking "and"~~
21 ~~after the semicolon;~~
22 ~~(2) by redesignating subparagraph (B) as sub-~~
23 ~~paragraph (D); and~~
24 ~~(3) by inserting after subparagraph (A) (as~~
25 ~~amended by paragraph (1)) the following:~~

1 ~~"(B) determine the number of drug and al-~~
2 ~~cohol-related incidents and fatalities that—~~
3 ~~"(i) occur on the institution's property~~
4 ~~or as part of any of the institution's activi-~~
5 ~~ties; and~~
6 ~~"(ii) are reported to the institution;~~
7 ~~"(C) determine the number and type of~~
8 ~~sanctions described in paragraph (1)(E) that~~
9 ~~are imposed by the institution as a result of~~
10 ~~drug and alcohol-related incidents and fatalities~~
11 ~~on the institution's property or as part of any~~
12 ~~of the institution's activities; and".~~

13 ~~**SEC. 107. PRIOR RIGHTS AND OBLIGATIONS.**~~

14 ~~Section 121(a) (20 U.S.C. 1011j(a)) is amended—~~
15 ~~(1) in paragraph (1), by striking "1999 and for~~
16 ~~each of the 4 succeeding fiscal years" and inserting~~
17 ~~"2008 and for each succeeding fiscal year"; and~~
18 ~~(2) in paragraph (2), by striking "1999 and for~~
19 ~~each of the 4 succeeding fiscal years" and inserting~~
20 ~~"2008 and for each succeeding fiscal year".~~

21 ~~**SEC. 108. TRANSPARENCY IN COLLEGE TUITION FOR CON-**~~
22 ~~**SUMERS.**~~

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

1 **~~"SEC. 132. TRANSPARENCY IN COLLEGE TUITION FOR CON-~~**
2 **~~SUMERS.~~**

3 ~~"(a) NET PRICE.—In this section, the term 'net~~
4 ~~price' means the average yearly tuition and fees paid by~~
5 ~~a full-time undergraduate student at an institution of~~
6 ~~higher education, after discounts and grants from the in-~~
7 ~~stitution, Federal Government, or a State have been ap-~~
8 ~~plied to the full price of tuition and fees at the institution.~~

9 ~~"(b) HIGHER EDUCATION PRICE INDEX.—~~

10 ~~"(1) IN GENERAL.—Not later than 1 year after~~
11 ~~the date of enactment of the Higher Education~~
12 ~~Amendments of 2007, the Commission of the Bu-~~
13 ~~reau of Labor Statistics, in consultation with the~~
14 ~~Commissioner of Education Statistics and represent-~~
15 ~~atives of institutions of higher education, shall de-~~
16 ~~velop higher education price indices that accurately~~
17 ~~reflect the annual change in tuition and fees for un-~~
18 ~~dergraduate students in the categories of institutions~~
19 ~~listed in paragraph (2). Such indices shall be up-~~
20 ~~dated annually.~~

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

24 ~~"(A) 4-year public degree-granting institu-~~
25 ~~tions of higher education.~~

1 ~~"(B) 4-year private degree-granting insti-~~
2 ~~tutions of higher education.~~
3 ~~"(C) 2-year public degree-granting institu-~~
4 ~~tions of higher education.~~
5 ~~"(D) 2-year private degree-granting insti-~~
6 ~~tutions of higher education.~~
7 ~~"(E) Less than 2-year institutions of high-~~
8 ~~er education.~~
9 ~~"(F) All types of institutions described in~~
10 ~~subparagraphs (A) through (E).~~
11 ~~"(3) AUTHORIZATION OF APPROPRIATIONS.—~~
12 ~~There are authorized to be appropriated to carry out~~
13 ~~this subsection such sums as may be necessary.~~
14 ~~"(c) REPORTING.—~~
15 ~~"(1) IN GENERAL.—The Secretary shall annu-~~
16 ~~ally report, in a national list and in a list for each~~
17 ~~State, a ranking of institutions of higher education~~
18 ~~according to such institutions' change in tuition and~~
19 ~~fees over the preceding 2 years. The purpose of such~~
20 ~~lists is to provide consumers with general informa-~~
21 ~~tion on pricing trends among institutions of higher~~
22 ~~education nationally and in each State.~~
23 ~~"(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.~~

1 ~~"(H) Less than 2-year private, nonprofit~~
2 ~~institutions of higher education.~~
3 ~~"(I) Less than 2-year private, for-profit in-~~
4 ~~stitutions of higher education.~~
5 ~~"(3) USE OF NET PRICE CALCULATOR BY IN-~~
6 ~~STITUTIONS.—Not later than 3 years after the date~~
7 ~~of enactment of the Higher Education Amendments~~
8 ~~of 2007, each institution of higher education that re-~~
9 ~~ceives Federal funds under this Act shall adopt and~~
10 ~~use a net price calculator to help students, families,~~
11 ~~and other consumers determine the net price of such~~
12 ~~institution of higher education. Such calculator may~~
13 ~~be—~~
14 ~~"(A) based on a model calculator developed~~
15 ~~by the Department; or~~
16 ~~"(B) developed by the institution of higher~~
17 ~~education.~~
18 ~~"(4) AUTHORIZATION OF APPROPRIATIONS.—~~
19 ~~There are authorized to be appropriated to carry out~~
20 ~~this subsection such sums as may be necessary.~~
21 ~~"(c) NET PRICE REPORTING IN APPLICATION INFOR-~~
22 ~~MATION.—An institution of higher education that receives~~
23 ~~Federal funds under this Act shall include, in the mate-~~
24 ~~rials accompanying an application for admission to the in-~~
25 ~~stitution, 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,~~

~~such costs for in-State and out-of-State students living on and off-campus.~~

~~"(Q) The average yearly grant amount (including Federal, State, and institutional aid) for a student enrolled at the institution.~~

~~"(R) The average yearly amount of Federal student loans, and other loans provided through the institution, to undergraduate students enrolled at the institution.~~

~~"(S) The total yearly grant aid available to undergraduate students enrolled at the institution, from the Federal Government, a State, the institution, and other sources.~~

~~"(T) The percentage of undergraduate students enrolled at the institution receiving Federal, State, and institutional grants, student loans, and any other type of student financial assistance provided publicly or through the institution, such as Federal work-study funds.~~

~~"(U) The average net price for all undergraduate students enrolled at the institution.~~

~~"(V) The percentage of first-year undergraduate students enrolled at the institution who live on campus and off campus.~~

1 ~~"(W) Information on the policies of the in-~~
2 ~~stitution related to transfer of credit from other~~
3 ~~institutions.~~
4 ~~"(X) Information on campus safety re-~~
5 ~~quired to be collected under section 485(f).~~
6 ~~"(Y) Links to the appropriate sections of~~
7 ~~the institution's website that provide informa-~~
8 ~~tion on student activities offered by the institu-~~
9 ~~tion, such as intercollegiate sports, student or-~~
10 ~~ganizations, study abroad opportunities, intra-~~
11 ~~mural and club sports, specialized housing op-~~
12 ~~tions, community service opportunities, cultural~~
13 ~~and arts opportunities on campus, religious and~~
14 ~~spiritual life on campus, and lectures and out-~~
15 ~~side learning opportunities.~~
16 ~~"(Z) Links to the appropriate sections of~~
17 ~~the institution's website that provide informa-~~
18 ~~tion on services offered by the institution to~~
19 ~~students during and after college, such as in-~~
20 ~~ternship opportunities, career and placement~~
21 ~~services, and preparation for further education.~~
22 ~~"(3) CONSULTATION.—The Secretary shall en-~~
23 ~~sure that current and prospective college students,~~
24 ~~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:~~

1 ~~"(i) the collection, processing, and~~
2 ~~transmission of data to students, institu-~~
3 ~~tions, lenders, State agencies, and other~~
4 ~~authorized parties;~~
5 ~~"(ii) the design and technical speci-~~
6 ~~fications for software development and pro-~~
7 ~~curement for systems supporting the stu-~~
8 ~~dent financial assistance programs author-~~
9 ~~ized under title IV;";~~
10 ~~(III) in clause (iii), by striking~~
11 ~~"delivery" and inserting "administra-~~
12 ~~tion";~~
13 ~~(IV) in clause (iv)—~~
14 ~~(aa) by inserting "the" after~~
15 ~~"supporting"; and~~
16 ~~(bb) by striking "and" after~~
17 ~~the semicolon;~~
18 ~~(V) in clause (v), by striking~~
19 ~~"systems that support those pro-~~
20 ~~grams." and inserting "the administra-~~
21 ~~tion of the Federal student assist-~~
22 ~~ance programs authorized under title~~
23 ~~IV; and"; and~~
24 ~~(VI) by adding at the end the fol-~~
25 ~~lowing:~~

~~"(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 (e)—~~

~~(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—~~

1 ~~"(A) to the maximum extent practicable,~~
2 ~~utilize procurement systems that streamline op-~~
3 ~~erations, improve internal controls, and enhance~~
4 ~~management; and~~
5 ~~"(B) assess the efficiency of such systems~~
6 ~~and assess such systems' ability to meet PBO~~
7 ~~requirements.";~~
8 ~~(2) by striking subsection (c)(2) and inserting~~
9 ~~the following:~~
10 ~~"(2) FEE FOR SERVICE ARRANGEMENTS.—The~~
11 ~~Chief Operating Officer shall, when appropriate and~~
12 ~~consistent with the purposes of the PBO, acquire~~
13 ~~services related to the functions set forth in section~~
14 ~~141(b)(2) from any entity that has the capability~~
15 ~~and capacity to meet the requirements set by the~~
16 ~~PBO. The Chief Operating Officer is authorized to~~
17 ~~pay fees that are equivalent to those paid by other~~
18 ~~entities to an organization that provides services~~
19 ~~that meet the requirements of the PBO, as deter-~~
20 ~~mined by the Chief Operating Officer.";~~
21 ~~(3) in subsection (d)(2)(B), by striking "on~~
22 ~~Federal Government contracts";~~
23 ~~(4) in subsection (g)—~~
24 ~~(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~~

1 ~~"(ii) in the case of any loan issued or~~
2 ~~provided to a student under part D of title~~
3 ~~IV, the Secretary; and~~
4 ~~"(B) includes any individual, group, or en-~~
5 ~~tity acting on behalf of the lender in connection~~
6 ~~with an educational loan.~~
7 ~~"(6) OFFICER.—The term 'officer' includes a~~
8 ~~director or trustee of an institution.~~
9 ~~**"SEC. 152. REQUIREMENTS FOR LENDERS AND INSTITU-**~~
10 ~~**TIONS PARTICIPATING IN EDUCATIONAL**~~
11 ~~**LOAN ARRANGEMENTS.**~~
12 ~~"(a) USE OF LENDER NAME.—A covered institution~~
13 ~~that enters into an educational loan arrangement has a~~
14 ~~duty to disclose the name of the lender in documentation~~
15 ~~related to the loan.~~
16 ~~"(b) DISCLOSURES.—~~
17 ~~"(1) DISCLOSURES BY LENDERS.—Before a~~
18 ~~lender issues or otherwise provides an educational~~
19 ~~loan to a student, the lender shall provide the stu-~~
20 ~~dent, in writing, with the disclosures described in~~
21 ~~paragraph (2).~~
22 ~~"(2) DISCLOSURES.—The disclosures required~~
23 ~~by this paragraph shall include a clear and promi-~~
24 ~~nent 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;~~

1 ~~"(vii) all fees that the borrower may~~
2 ~~be charged, including late payment pen-~~
3 ~~alties and associated fees; and~~
4 ~~"(viii) whether the amount of all loans~~
5 ~~issued by the lender to the borrower ex-~~
6 ~~ceeds the student's cost of attendance; and~~
7 ~~"(D) of such other information as the Sec-~~
8 ~~retary may require.~~
9 ~~"(c) DISCLOSURES TO THE SECRETARY BY LEND-~~
10 ~~ER.—~~
11 ~~"(1) IN GENERAL.—Each lender shall, on an~~
12 ~~annual basis, report to the Secretary any reasonable~~
13 ~~expenses paid or given under section 435(d)(5)(D),~~
14 ~~487(a)(21)(A)(ii), or 487(a)(21)(A)(iv) to any em-~~
15 ~~ployee who is employed in the financial aid office of~~
16 ~~a covered institution, or who otherwise has respon-~~
17 ~~sibilities with respect to educational loans or other~~
18 ~~financial aid of the institution. Such reports shall in-~~
19 ~~clude—~~
20 ~~"(A) the amount of each specific instance~~
21 ~~in which the lender provided such reimburse-~~
22 ~~ment;~~
23 ~~"(B) the name of the financial aid official~~
24 ~~or other employee to whom the reimbursement~~
25 ~~was made;~~

1 ~~"(C) the dates of the activity for which the~~
2 ~~reimbursement was made; and~~
3 ~~"(D) a brief description of the activity for~~
4 ~~which the reimbursement was made.~~
5 ~~"(2) REPORT TO CONGRESS.—The Secretary~~
6 ~~shall compile the information in paragraph (1) in a~~
7 ~~report and transmit such report to the authorizing~~
8 ~~committees annually.~~
9 **~~"SEC. 153. INTEREST RATE REPORT FOR INSTITUTIONS~~**
10 **~~AND LENDERS PARTICIPATING IN EDU-~~**
11 **~~CATIONAL LOAN ARRANGEMENTS.~~**
12 ~~"(a) SECRETARY DUTIES.—~~
13 ~~"(1) REPORT AND MODEL FORMAT.—Not later~~
14 ~~than 180 days after the date of enactment of the~~
15 ~~Higher Education Amendments of 2007, the Sec-~~
16 ~~retary shall—~~
17 ~~"(A) prepare a report on the adequacy of~~
18 ~~the information provided to students and the~~
19 ~~parents of such students about educational~~
20 ~~loans, after consulting with students, represent-~~
21 ~~atives of covered institutions (including finan-~~
22 ~~cial aid administrators, registrars, and business~~
23 ~~officers), lenders, loan servicers, and guaranty~~
24 ~~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;~~

1 ~~"(IV) the average interest rate~~
2 ~~on such loans provided to such stu-~~
3 ~~dents for the preceding academic year;~~
4 ~~and~~
5 ~~"(V) the amount that the bor-~~
6 ~~rower may repay in interest, based on~~
7 ~~the standard repayment period of a~~
8 ~~loan, on the average amount borrowed~~
9 ~~from the lender by students enrolled~~
10 ~~in the institution who obtain loans of~~
11 ~~such type from the lender for the pre-~~
12 ~~ceding academic year; and~~
13 ~~"(ii) which format shall be easily usa-~~
14 ~~ble by lenders, institutions, guaranty agen-~~
15 ~~cies, loan servicers, parents, and students;~~
16 ~~and~~
17 ~~"(C)(i) submit the report and model for-~~
18 ~~mat to the authorizing committees; and~~
19 ~~"(ii) make the report and model format~~
20 ~~available to covered institutions, lenders, and~~
21 ~~the public.~~
22 ~~"(2) USE OF FORM.—The Secretary shall take~~
23 ~~such steps as necessary to make the model format~~
24 ~~available to covered institutions and to encourage—~~

1 ~~"(A) lenders subject to subsection (b) to~~
2 ~~use the model format in providing the informa-~~
3 ~~tion required under subsection (b); and~~
4 ~~"(B) covered institutions to use such for-~~
5 ~~mat in preparing the information report under~~
6 ~~subsection (c).~~
7 ~~"(b) LENDER DUTIES.—Each lender that has an~~
8 ~~educational loan arrangement with a covered institution~~
9 ~~shall annually, by a date determined by the Secretary, pro-~~
10 ~~vide to the covered institution and to the Secretary the~~
11 ~~information included on the model format for each type~~
12 ~~of educational loan provided by the lender to students at-~~
13 ~~tending the covered institution, or the parents of such stu-~~
14 ~~dents, for the preceding academic year.~~
15 ~~"(c) COVERED INSTITUTION DUTIES.—Each covered~~
16 ~~institution shall—~~
17 ~~"(1) prepare and submit to the Secretary an~~
18 ~~annual report, by a date determined by the Sec-~~
19 ~~retary, that includes, for each lender that has an~~
20 ~~educational loan arrangement with the covered insti-~~
21 ~~tution and that has submitted to the institution the~~
22 ~~information required under subsection (b)—~~
23 ~~"(A) the information included on the~~
24 ~~model format for each type of educational loan~~
25 ~~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;~~

1 ~~"(2) improve the quality of the current and fu-~~
2 ~~ture teaching force by improving the preparation of~~
3 ~~prospective teachers and enhancing professional de-~~
4 ~~velopment activities;~~
5 ~~"(3) hold institutions of higher education ac-~~
6 ~~countable for preparing highly qualified teachers;~~
7 ~~and~~
8 ~~"(4) recruit qualified individuals, including mi-~~
9 ~~norities and individuals from other occupations, into~~
10 ~~the teaching force.~~
11 ~~"(b) DEFINITIONS.—In this part:~~
12 ~~"(1) ARTS AND SCIENCES.—The term 'arts and~~
13 ~~sciences' means—~~
14 ~~"(A) when referring to an organizational~~
15 ~~unit of an institution of higher education, any~~
16 ~~academic unit that offers 1 or more academic~~
17 ~~majors in disciplines or content areas cor-~~
18 ~~responding to the academic subject matter~~
19 ~~areas in which teachers provide instruction; and~~
20 ~~"(B) when referring to a specific academic~~
21 ~~subject area, the disciplines or content areas in~~
22 ~~which academic majors are offered by the arts~~
23 ~~and sciences organizational unit.~~
24 ~~"(2) CHILDREN FROM LOW-INCOME FAMI-~~
25 ~~LIES.—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 pre-numeracy), 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.~~

1 ~~"(6) EDUCATIONAL SERVICE AGENCY.—The~~
2 ~~term 'educational service agency' has the meaning~~
3 ~~given the term in section 9101 of the Elementary~~
4 ~~and Secondary Education Act of 1965.~~
5 ~~"(7) ELIGIBLE PARTNERSHIP.—The term 'eligi-~~
6 ~~ble partnership' means an entity that—~~
7 ~~"(A) shall include—~~
8 ~~"(i) a high-need local educational~~
9 ~~agency;~~
10 ~~"(ii) a high-need school or a consor-~~
11 ~~tium of high-need schools served by the~~
12 ~~high-need local educational agency or, as~~
13 ~~applicable, a high-need early childhood~~
14 ~~education program;~~
15 ~~"(iii) a partner institution;~~
16 ~~"(iv) a school, department, or pro-~~
17 ~~gram of education within such partner in-~~
18 ~~stitution; and~~
19 ~~"(v) a school or department of arts~~
20 ~~and sciences within such partner institu-~~
21 ~~tion; and~~
22 ~~"(B) may include any of the following:~~
23 ~~"(i) The Governor of the State.~~
24 ~~"(ii) The State educational agency.~~
25 ~~"(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.~~

1 ~~"(13) HIGHLY COMPETENT.—The term 'highly~~
2 ~~competent', when used with respect to an early~~
3 ~~childhood educator, means an educator—~~
4 ~~"(A) with specialized education and train-~~
5 ~~ing in development and education of young chil-~~
6 ~~dren from birth until entry into kindergarten;~~
7 ~~"(B) with—~~
8 ~~"(i) a baccalaureate degree in an aca-~~
9 ~~demic major in the arts and sciences; or~~
10 ~~"(ii) an associate's degree in a related~~
11 ~~educational area; and~~
12 ~~"(C) who has demonstrated a high level of~~
13 ~~knowledge and use of content and pedagogy in~~
14 ~~the relevant areas associated with quality early~~
15 ~~childhood education.~~
16 ~~"(14) HIGHLY QUALIFIED.—The term 'highly~~
17 ~~qualified' has the meaning given such term in sec-~~
18 ~~tion 9101 of the Elementary and Secondary Edu-~~
19 ~~cation Act of 1965 and, with respect to special edu-~~
20 ~~cation teachers, in section 602 of the Individuals~~
21 ~~with Disabilities Education Act.~~
22 ~~"(15) INDUCTION PROGRAM.—The term 'induc-~~
23 ~~tion program' means a formalized program for new~~
24 ~~teachers during not less than the teachers' first 2~~
25 ~~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—~~

1 ~~"(i) model the integration of research~~
2 ~~and practice in the classroom; and~~
3 ~~"(ii) assist new teachers with the ef-~~
4 ~~fective use and integration of technology in~~
5 ~~the classroom.~~
6 ~~"(G) Interdisciplinary collaboration among~~
7 ~~exemplary teachers, faculty, researchers, and~~
8 ~~other staff who prepare new teachers on the~~
9 ~~learning process and the assessment of learn-~~
10 ~~ing.~~
11 ~~"(H) Assistance with the understanding of~~
12 ~~data, particularly student achievement data,~~
13 ~~and the data's applicability in classroom in-~~
14 ~~struction.~~
15 ~~"(I) Regular evaluation of the new teacher.~~
16 ~~"(16) LIMITED ENGLISH PROFICIENT.—The~~
17 ~~term 'limited English proficient' has the meaning~~
18 ~~given such term in section 9101 of the Elementary~~
19 ~~and Secondary Education Act of 1965.~~
20 ~~"(17) PARTNER INSTITUTION.—The term 'part-~~
21 ~~ner institution' means an institution of higher edu-~~
22 ~~cation, which may include a 2-year institution of~~
23 ~~higher education offering a dual program with a 4-~~
24 ~~year institution of higher education, participating in~~

~~an eligible partnership that has a teacher preparation program—~~

~~"(A) whose graduates exhibit strong performance on State-determined qualifying assessments for new teachers through—~~

~~"(i) demonstrating that 80 percent or more of the graduates of the program who intend to enter the field of teaching have passed all of the applicable State qualification assessments for new teachers, which shall include an assessment of each prospective teacher's subject matter knowledge in the content area in which the teacher intends to teach; or~~

~~"(ii) being ranked among the highest-performing teacher preparation programs in the State as determined by the State—~~

~~"(I) using criteria consistent with the requirements for the State report card under section 205(b); and~~

~~"(II) using the State report card on teacher preparation required under section 205(b), after the first publication of such report card and for every year thereafter; or~~

1 ~~"(B) that requires—~~

2 ~~"(i) each student in the program to~~
3 ~~meet high academic standards and partici-~~
4 ~~pate in intensive clinical experience;~~

5 ~~"(ii) each student in the program pre-~~
6 ~~paring to become a teacher to become~~
7 ~~highly qualified; and~~

8 ~~"(iii) each student in the program~~
9 ~~preparing to become an early childhood ed-~~
10 ~~ucator to meet degree requirements, as es-~~
11 ~~tablished by the State, and become highly~~
12 ~~competent.~~

13 ~~"(18) PRINCIPLES OF SCIENTIFIC RESEARCH.—~~
14 ~~The term 'principles of scientific research' means re-~~
15 ~~search that—~~

16 ~~"(A) applies rigorous, systematic, and ob-~~
17 ~~jective methodology to obtain reliable and valid~~
18 ~~knowledge relevant to education activities and~~
19 ~~programs;~~

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

23 ~~"(C) includes, appropriate to the research~~
24 ~~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;~~

1 ~~"(E) effectively manage a classroom;~~

2 ~~"(F) communicate and work with parents~~
3 ~~and guardians, and involve parents and guard-~~
4 ~~ians in their children's education; and~~

5 ~~"(G) use age-appropriate strategies and~~
6 ~~practices for children, including in early child-~~
7 ~~hood education programs.~~

8 ~~"(23) TEACHING RESIDENCY PROGRAM.—The~~
9 ~~term 'teaching residency program' means a school-~~
10 ~~based teacher preparation program in which a pro-~~
11 ~~spective teacher—~~

12 ~~"(A) for 1 academic year, teaches along-~~
13 ~~side a mentor teacher, who is the teacher of~~
14 ~~record;~~

15 ~~"(B) receives concurrent instruction during~~
16 ~~the year described in subparagraph (A) from~~
17 ~~the partner institution, which courses may be~~
18 ~~taught by local educational agency personnel or~~
19 ~~residency program faculty, in the teaching of~~
20 ~~the content area in which the teacher will be-~~
21 ~~come certified or licensed;~~

22 ~~"(C) acquires effective teaching skills; and~~

23 ~~"(D) prior to completion of the program,~~
24 ~~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;~~

1 ~~"(B) a demonstration of the partnership's~~
2 ~~capability and commitment to the use of empiri-~~
3 ~~cally based practice and scientifically valid re-~~
4 ~~search on teaching and learning, and the acces-~~
5 ~~sibility to and involvement of faculty;~~
6 ~~"(C) a description of how the teacher prep-~~
7 ~~aration program will design and implement an~~
8 ~~induction program to support all new teachers~~
9 ~~through not less than the first 2 years of teach-~~
10 ~~ing in the further development of the new~~
11 ~~teachers' teaching skills, including the use of~~
12 ~~mentors who are trained and compensated by~~
13 ~~such program for the mentors' work with new~~
14 ~~teachers; and~~
15 ~~"(D) a description of how faculty involved~~
16 ~~in the induction program will be able to sub-~~
17 ~~stantially participate in an early childhood edu-~~
18 ~~cation program or an elementary or secondary~~
19 ~~school classroom setting, as applicable, includ-~~
20 ~~ing release time and receiving workload credit~~
21 ~~for such participation.~~
22 ~~"(c) REQUIRED USE OF GRANT FUNDS.—An eligible~~
23 ~~partnership that receives a grant under this part shall use~~
24 ~~grant funds to carry out a program for the pre-bacca-~~
25 ~~laureate 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~~

1 ~~"(iii) with respect to a mentor, a sti-~~
2 ~~pend.~~
3 ~~"(3) INDUCTION PROGRAMS FOR NEW TEACH-~~
4 ~~ERS.—Creating an induction program for new teach-~~
5 ~~ers, or, in the case of an early childhood education~~
6 ~~program, providing mentoring or coaching for new~~
7 ~~early childhood educators.~~
8 ~~"(4) SUPPORT AND TRAINING FOR PARTICI-~~
9 ~~PANTS IN EARLY CHILDHOOD EDUCATION PRO-~~
10 ~~GRAMS.—In the case of an eligible partnership fo-~~
11 ~~cusing on early childhood educator preparation, im-~~
12 ~~plementing initiatives that increase compensation for~~
13 ~~early childhood educators who attain associate or~~
14 ~~baccalaureate degrees in early childhood education.~~
15 ~~"(5) TEACHER RECRUITMENT.—Developing and~~
16 ~~implementing effective mechanisms to ensure that~~
17 ~~the eligible partnership is able to recruit qualified in-~~
18 ~~dividuals to become highly qualified teachers through~~
19 ~~the activities of the eligible partnership.~~
20 ~~"(c) PARTNERSHIP GRANTS FOR THE ESTABLISH-~~
21 ~~MENT OF TEACHING RESIDENCY PROGRAMS.—~~
22 ~~"(1) IN GENERAL.—An eligible partnership re-~~
23 ~~ceiving a grant to carry out an effective teaching~~
24 ~~residency program shall carry out a program that~~
25 ~~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—~~

1 ~~"(I) be a recent graduate of a 4-~~
2 ~~year institution of higher education or~~
3 ~~a mid-career professional from outside~~
4 ~~the field of education possessing~~
5 ~~strong content knowledge or a record~~
6 ~~of professional accomplishment; and~~
7 ~~"(II) submit an application to~~
8 ~~the teaching residency program.~~
9 ~~"(ii) SELECTION CRITERIA.—An eligi-~~
10 ~~ble partnership carrying out a teaching~~
11 ~~residency program under this subpara-~~
12 ~~graph shall establish criteria for the selec-~~
13 ~~tion of eligible individuals to participate in~~
14 ~~the teaching residency program based on~~
15 ~~the following characteristics:~~
16 ~~"(I) Strong content knowledge or~~
17 ~~record of accomplishment in the field~~
18 ~~or subject area to be taught.~~
19 ~~"(II) Strong verbal and written~~
20 ~~communication skills, which may be~~
21 ~~demonstrated by performance on ap-~~
22 ~~propriate tests.~~
23 ~~"(III) Other attributes linked to~~
24 ~~effective teaching, which may be de-~~
25 ~~termined 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.~~

1 **~~"SEC. 204. ACCOUNTABILITY AND EVALUATION.~~**

2 ~~"(a) ELIGIBLE PARTNERSHIP EVALUATION.—Each~~
3 ~~eligible partnership submitting an application for a grant~~
4 ~~under this part shall establish and include in such applica-~~
5 ~~tion, an evaluation plan that includes strong performance~~
6 ~~objectives. The plan shall include objectives and measures~~
7 ~~for increasing—~~

8 ~~"(1) student achievement for all students as~~
9 ~~measured by the eligible partnership;~~

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

12 ~~"(3) improvement in the pass rates and scaled~~
13 ~~scores for initial State certification or licensure of~~
14 ~~teachers; and~~

15 ~~"(4)(A) the percentage of highly qualified~~
16 ~~teachers hired by the high-need local educational~~
17 ~~agency participating in the eligible partnership;~~

18 ~~"(B) the percentage of such teachers who are~~
19 ~~members of under represented groups;~~

20 ~~"(C) the percentage of such teachers who teach~~
21 ~~high-need academic subject areas (such as reading,~~
22 ~~mathematics, science, and foreign language, includ-~~
23 ~~ing less commonly taught languages and critical for-~~
24 ~~eign languages);~~

25 ~~"(D) the percentage of such teachers who teach~~
26 ~~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~~

~~such eligible partnership to submit a revised application that identifies the steps the partnership will take to make substantial progress to meet the purposes, goals, objectives, and measures, as appropriate, of this part.~~

~~"(d) EVALUATION AND DISSEMINATION.—The Secretary shall evaluate the activities funded under this part and report the Secretary's findings regarding the activities to the authorizing committees. The Secretary shall broadly disseminate—~~

~~"(1) successful practices developed by eligible partnerships under this part; and~~

~~"(2) information regarding such practices that were found to be ineffective.~~

~~"SEC. 205. ACCOUNTABILITY FOR PROGRAMS THAT PREPARE TEACHERS.~~

~~"(a) INSTITUTIONAL AND PROGRAM REPORT CARDS ON THE QUALITY OF TEACHER PREPARATION.—~~

~~"(1) REPORT CARD.—Each institution of higher education that conducts a traditional teacher preparation program or alternative routes to State certification or licensure program and that enrolls students receiving Federal assistance under this Act shall report annually to the State and the general public, in a uniform and comprehensible manner 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.~~

1 ~~"(C) STATEMENT.—In States that require~~
2 ~~approval or accreditation of teacher preparation~~
3 ~~programs, a statement of whether the institu-~~
4 ~~tion's program is so approved or accredited,~~
5 ~~and by whom.~~
6 ~~"(D) DESIGNATION AS LOW-PER-~~
7 ~~FORMING.—Whether the program has been des-~~
8 ~~ignated as low-performing by the State under~~
9 ~~section 207(a).~~
10 ~~"(E) USE OF TECHNOLOGY.—A descrip-~~
11 ~~tion of the activities that prepare teachers to ef-~~
12 ~~fectively integrate technology into curricula and~~
13 ~~instruction and effectively use technology to col-~~
14 ~~lect, manage, and analyze data in order to im-~~
15 ~~prove teaching, learning, and decisionmaking~~
16 ~~for the purpose of increasing student academic~~
17 ~~achievement.~~
18 ~~"(2) REPORT.—Each eligible partnership re-~~
19 ~~ceiving a grant under section 202 shall report annu-~~
20 ~~ally on the progress of the eligible partnership to-~~
21 ~~ward meeting the purposes of this part and the ob-~~
22 ~~jectives and measures described in section 204(a).~~
23 ~~"(3) FINES.—The Secretary may impose a fine~~
24 ~~not to exceed $25,000 on an institution of higher~~
25 ~~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~~

1 ~~"(ii) the average scaled score of indi-~~
2 ~~viduals participating in such routes, or who~~
3 ~~have completed such routes during the pe-~~
4 ~~riod preceding the date of the determina-~~
5 ~~tion, who took each such assessment.~~
6 ~~"(F) A description of the State's criteria~~
7 ~~for assessing the performance of teacher prepa-~~
8 ~~ration programs within institutions of higher~~
9 ~~education in the State. Such criteria shall in-~~
10 ~~clude indicators of the academic content knowl-~~
11 ~~edge and teaching skills of students enrolled in~~
12 ~~such programs.~~
13 ~~"(G) For each teacher preparation pro-~~
14 ~~gram in the State, the criteria for admission~~
15 ~~into the program, the number of students in the~~
16 ~~program, disaggregated by race and gender (ex-~~
17 ~~cept that such disaggregation shall not be re-~~
18 ~~quired in a case in which the number of stu-~~
19 ~~dents in a category is insufficient to yield sta-~~
20 ~~tistically reliable information or the results~~
21 ~~would reveal personally identifiable information~~
22 ~~about an individual student), the average num-~~
23 ~~ber of hours of supervised clinical experience re-~~
24 ~~quired for those in the program, and the num-~~
25 ~~ber 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.~~

1 ~~"(2) PROHIBITION AGAINST CREATING A NA-~~
2 ~~TIONAL LIST.—The Secretary shall not create a na-~~
3 ~~tional list or ranking of States, institutions, or~~
4 ~~schools using the scaled scores provided under this~~
5 ~~subsection.~~
6 ~~"(c) REPORT OF THE SECRETARY ON THE QUALITY~~
7 ~~OF TEACHER PREPARATION.—~~
8 ~~"(1) REPORT CARD.—The Secretary shall pro-~~
9 ~~vide to Congress, and publish and make widely avail-~~
10 ~~able, a report card on teacher qualifications and~~
11 ~~preparation in the United States, including all the~~
12 ~~information reported in subparagraphs (A) through~~
13 ~~(J) of subsection (b)(1). Such report shall identify~~
14 ~~States for which eligible partnerships received a~~
15 ~~grant under this part. Such report shall be so pro-~~
16 ~~vided, published, and made available annually.~~
17 ~~"(2) REPORT TO CONGRESS.—The Secretary~~
18 ~~shall prepare and submit a report to Congress that~~
19 ~~contains the following:~~
20 ~~"(A) A comparison of States' efforts to im-~~
21 ~~prove the quality of the current and future~~
22 ~~teaching force.~~
23 ~~"(B) A comparison of eligible partnerships'~~
24 ~~efforts to improve the quality of the current~~
25 ~~and future teaching force.~~

1 ~~"(C) The national mean and median scaled~~
2 ~~scores and pass rate on any standardized test~~
3 ~~that is used in more than 1 State for teacher~~
4 ~~certification or licensure.~~
5 ~~"(3) SPECIAL RULE.—In the case of a teacher~~
6 ~~preparation program with fewer than 10 scores re-~~
7 ~~ported on any single initial teacher certification or li-~~
8 ~~censure assessment during an academic year, the~~
9 ~~Secretary shall collect and publish information, and~~
10 ~~make publicly available, with respect to an average~~
11 ~~pass rate and scaled score on each State certification~~
12 ~~or licensure assessment taken over a 3-year period.~~
13 ~~"(d) COORDINATION.—The Secretary, to the extent~~
14 ~~practicable, shall coordinate the information collected and~~
15 ~~published under this part among States for individuals~~
16 ~~who took State teacher certification or licensure assess-~~
17 ~~ments in a State other than the State in which the indi-~~
18 ~~vidual received the individual's most recent degree.~~
19 **~~"SEC. 206. STATE FUNCTIONS.~~**
20 ~~"(a) STATE ASSESSMENT.—In order to receive funds~~
21 ~~under this Act, a State shall have in place a procedure~~
22 ~~to identify and assist, through the provision of technical~~
23 ~~assistance, low-performing programs of teacher prepara-~~
24 ~~tion. Such State shall provide the Secretary an annual list~~
25 ~~of such low-performing teacher preparation programs that~~

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

"(b) TERMINATION OF ELIGIBILITY.—Any program of teacher preparation from which the State has withdrawn the State's approval, or terminated the State's financial support, due to the low performance of the program based upon the State assessment described in subsection (a)—

"(1) shall be ineligible for any funding for professional development activities awarded by the Department;

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

"(3) shall provide transitional support, including remedial services if necessary, for students enrolled at the institution at the time of termination of financial support or withdrawal of approval.

"(c) NEGOTIATED RULEMAKING.—If the Secretary develops any regulations implementing subsection (b)(2), 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 ~~"(1) the Secretary shall, to the extent prac-~~
2 ~~ticable, collect data comparable to the data required~~
3 ~~under this part from States, local educational agen-~~
4 ~~cies, institutions of higher education, or other enti-~~
5 ~~ties that administer such assessments to teachers or~~
6 ~~prospective teachers; and~~
7 ~~"(2) notwithstanding any other provision of this~~
8 ~~part, the Secretary shall use such data to carry out~~
9 ~~requirements of this part related to assessments,~~
10 ~~pass rates, and sealed scores.~~
11 ~~"(c) RELEASE OF INFORMATION TO TEACHER PREP-~~
12 ~~ARATION PROGRAMS.—~~
13 ~~"(1) IN GENERAL.—For the purpose of improv-~~
14 ~~ing teacher preparation programs, a State edu-~~
15 ~~cational agency that receives funds under this Act,~~
16 ~~or that participates as a member of a partnership,~~
17 ~~consortium, or other entity that receives such funds,~~
18 ~~shall provide to a teacher preparation program, upon~~
19 ~~the request of the teacher preparation program, any~~
20 ~~and all pertinent education-related information~~
21 ~~that—~~
22 ~~"(A) may enable the teacher preparation~~
23 ~~program to evaluate the effectiveness of the~~
24 ~~program's graduates or the program itself; and~~

1 ~~"(B) is possessed, controlled, or accessible~~
2 ~~by the State educational agency.~~
3 ~~"(2) CONTENT OF INFORMATION.—The infor-~~
4 ~~mation described in paragraph (1)—~~
5 ~~"(A) shall include an identification of spe-~~
6 ~~cific individuals who graduated from the teach-~~
7 ~~er preparation program to enable the teacher~~
8 ~~preparation program to evaluate the informa-~~
9 ~~tion provided to the program from the State~~
10 ~~educational agency with the program's own~~
11 ~~data about the specific courses taken by, and~~
12 ~~field experiences of, the individual graduates;~~
13 ~~and~~
14 ~~"(B) may include—~~
15 ~~"(i) kindergarten through grade 12~~
16 ~~academic achievement and demographic~~
17 ~~data, without revealing personally identifi-~~
18 ~~able information about an individual stu-~~
19 ~~dent, for students who have been taught by~~
20 ~~graduates of the teacher preparation pro-~~
21 ~~gram; and~~
22 ~~"(ii) teacher effectiveness evaluations~~
23 ~~for teachers who graduated from the teach-~~
24 ~~er 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:~~

1 ~~"(7) Education or counseling services designed~~
2 ~~to improve the financial literacy and economic lit-~~
3 ~~eracy of students or the students' parents.";~~
4 ~~(D) in paragraph (12) (as redesignated by~~
5 ~~subparagraph (B)), by striking "distance learn-~~
6 ~~ing academic instruction capabilities" and in-~~
7 ~~serting "distance education technologies"; and~~
8 ~~(E) in the matter preceding subparagraph~~
9 ~~(A) of paragraph (13) (as redesignated by sub-~~
10 ~~paragraph (B)), by striking "subsection (c)"~~
11 ~~and inserting "subsection (b) and section 391".~~
12 **~~SEC. 302. DEFINITIONS; ELIGIBILITY.~~**
13 ~~Section 312 (20 U.S.C. 1058) is amended—~~
14 ~~(1) in subsection (b)(1)(A), by striking "sub-~~
15 ~~section (c) of this section" and inserting "subsection~~
16 ~~(d)"; and~~
17 ~~(2) in subsection (d)(2), by striking "subdivi-~~
18 ~~sion" and inserting "paragraph".~~
19 **~~SEC. 303. AMERICAN INDIAN TRIBALLY CONTROLLED COL-~~**
20 **~~LEGES AND UNIVERSITIES.~~**
21 ~~Section 316 (20 U.S.C. 1059c) is amended—~~
22 ~~(1) by striking subsection (b)(3) and inserting~~
23 ~~the following:~~

1 ~~"(3) TRIBAL COLLEGE OR UNIVERSITY.—The~~
2 ~~term 'Tribal College or University' means an institu-~~
3 ~~tion that—~~
4 ~~"(A) qualifies for funding under the Trib-~~
5 ~~ally Controlled College or University Assistance~~
6 ~~Act of 1978 (25 U.S.C. 1801 et seq.) or the~~
7 ~~Navajo Community College Assistance Act of~~
8 ~~1978 (25 U.S.C. 640a note); or~~
9 ~~"(B) is cited in section 532 of the Equity~~
10 ~~in Educational Land-Grant Status Act of 1994~~
11 ~~(7 U.S.C. 301 note).";~~
12 ~~(2) in subsection (c)(2)—~~
13 ~~(A) in subparagraph (B), by inserting be-~~
14 ~~fore the semicolon at the end the following:~~
15 ~~"and the acquisition of real property adjacent~~
16 ~~to the campus of the institution";~~
17 ~~(B) by redesignating subparagraphs (G),~~
18 ~~(H), (I), (J), (K), and (L) as subparagraphs~~
19 ~~(H), (I), (J), (K), (L), and (N), respectively;~~
20 ~~(C) by inserting after subparagraph (F)~~
21 ~~the following:~~
22 ~~"(G) education or counseling services de-~~
23 ~~signed to improve the financial literacy and eco-~~
24 ~~nomic literacy of students or the students' par-~~
25 ~~ents;";~~

~~(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:~~

1 **~~"SEC. 318. NATIVE AMERICAN-SERVING, NONTRIBAL INSTI-~~**
2 **~~TUTIONS.~~**

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

8 ~~"(b) DEFINITIONS.—In this section:~~

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

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

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

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

22 ~~"(c) AUTHORIZED ACTIVITIES.—~~

23 ~~"(1) TYPES OF ACTIVITIES AUTHORIZED.—~~
24 ~~Grants awarded under this section shall be used by~~
25 ~~Native American-serving, nontribal institutions to~~
26 ~~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~~

1 ~~"(H) academic tutoring and counseling~~
2 ~~programs and student support services.~~
3 ~~"(d) APPLICATION PROCESS.—~~
4 ~~"(1) INSTITUTIONAL ELIGIBILITY.—A Native~~
5 ~~American-serving, nontribal institution desiring to~~
6 ~~receive assistance under this section shall submit to~~
7 ~~the Secretary such enrollment data as may be nec-~~
8 ~~essary to demonstrate that the institution is a Na-~~
9 ~~tive American-serving, nontribal institution, along~~
10 ~~with such other information and data as the Sec-~~
11 ~~retary may by regulation require.~~
12 ~~"(2) APPLICATIONS.—~~
13 ~~"(A) PERMISSION TO SUBMIT APPLICA-~~
14 ~~TIONS.—Any institution that is determined by~~
15 ~~the Secretary to be a Native American-serving,~~
16 ~~nontribal institution may submit an application~~
17 ~~for assistance under this section to the Sec-~~
18 ~~retary.~~
19 ~~"(B) SIMPLIFIED AND STREAMLINED FOR-~~
20 ~~MAT.—The Secretary shall, to the extent pos-~~
21 ~~sible, prescribe a simplified and streamlined for-~~
22 ~~mat for applications under this section that~~
23 ~~takes into account the limited number of insti-~~
24 ~~tutions that are eligible for assistance under~~
25 ~~this section.~~

1 ~~"(C) CONTENT.—An application submitted~~
2 ~~under subparagraph (A) shall include—~~
3 ~~"(i) a 5-year plan for improving the~~
4 ~~assistance provided by the Native Amer-~~
5 ~~ican-serving, nontribal institution to Native~~
6 ~~Americans; and~~
7 ~~"(ii) such other information and as-~~
8 ~~surances as the Secretary may require.~~
9 ~~"(3) SPECIAL RULES.—~~
10 ~~"(A) ELIGIBILITY.—No Native American-~~
11 ~~serving, nontribal institution that receives funds~~
12 ~~under this section shall concurrently receive~~
13 ~~funds under other provisions of this part or~~
14 ~~part B.~~
15 ~~"(B) EXEMPTION.—Section 313(d) shall~~
16 ~~not apply to institutions that are eligible to re-~~
17 ~~ceive funds under this section.~~
18 ~~"(C) DISTRIBUTION.—In awarding grants~~
19 ~~under this section, the Secretary shall, to the~~
20 ~~extent possible and consistent with the competi-~~
21 ~~tive process under which such grants are~~
22 ~~awarded, ensure maximum and equitable dis-~~
23 ~~tribution 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:~~

1 ~~"(h) SPECIAL RULE ON ELIGIBILITY.—Notwith-~~
2 ~~standing any other provision of this section, a part B insti-~~
3 ~~tution shall not receive an allotment under this section un-~~
4 ~~less the part B institution provides, on an annual basis,~~
5 ~~data indicating that the part B institution—~~
6 ~~"(1) enrolled Federal Pell Grant recipients in~~
7 ~~the preceding academic year;~~
8 ~~"(2) in the preceding academic year, has grad-~~
9 ~~uated students from a program of academic study~~
10 ~~that is licensed or accredited by a nationally recog-~~
11 ~~nized accrediting agency or association recognized by~~
12 ~~the Secretary pursuant to part H of title IV where~~
13 ~~appropriate; and~~
14 ~~"(3) where appropriate, has graduated students~~
15 ~~who, within the past 5 years, enrolled in graduate or~~
16 ~~professional school.".~~
17 **~~SEC. 309. PROFESSIONAL OR GRADUATE INSTITUTIONS.~~**
18 ~~Section 326 (20 U.S.C. 1063b) is amended—~~
19 ~~(1) in subsection (c)—~~
20 ~~(A) in paragraph (2), by inserting ", and~~
21 ~~for the acquisition and development of real~~
22 ~~property that is adjacent to the campus for~~
23 ~~such construction, maintenance, renovation, or~~
24 ~~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 (c)—~~

~~"(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(c) (20 U.S.C. 1066b(c)), 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—~~

1 ~~"(A) be determined without regard to whether~~
2 ~~the student is enrolled on a full-time basis during~~
3 ~~any portion of the period of time; and~~
4 ~~"(B) include any period of time for which the~~
5 ~~student received a Federal Pell Grant prior to the~~
6 ~~date of enactment of the Higher Education Amend-~~
7 ~~ments of 2007.".~~
8 **~~SEC. 402. ACADEMIC COMPETITIVENESS GRANTS.~~**
9 ~~Section 401A (20 U.S.C. 1070a–1) is amended—~~
10 ~~(1) by striking subsection (a) and inserting the~~
11 ~~following:~~
12 ~~"(a) ACADEMIC COMPETITIVENESS GRANT PROGRAM~~
13 ~~AUTHORIZED.—The Secretary shall award grants, in the~~
14 ~~amounts specified in subsection (d)(1), to eligible students~~
15 ~~to assist the eligible students in paying their college edu-~~
16 ~~cation expenses.";~~
17 ~~(2) in subsection (b)—~~
18 ~~(A) in paragraph (1), by striking "aca-~~
19 ~~demic"; and~~
20 ~~(B) in paragraph (2), by striking "third or~~
21 ~~fourth academic" and inserting "third, fourth,~~
22 ~~or fifth";~~
23 ~~(3) in subsection (c)—~~
24 ~~(A) in the matter preceding paragraph (1),~~
25 ~~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~~

1 ~~"(E) the fifth year of a program of under-~~
2 ~~graduate education that requires 5 full years of~~
3 ~~coursework for which a baccalaureate degree is~~
4 ~~awarded by a degree-granting institution of~~
5 ~~higher education, as certified by the appropriate~~
6 ~~official of such institution—~~
7 ~~"(i) is pursuing a major in—~~
8 ~~"(I) the physical, life, or com-~~
9 ~~puter sciences, mathematics, tech-~~
10 ~~nology, or engineering (as determined~~
11 ~~by the Secretary pursuant to regula-~~
12 ~~tions); or~~
13 ~~"(II) a critical foreign language;~~
14 ~~and~~
15 ~~"(ii) has obtained a cumulative grade~~
16 ~~point average of at least 3.0 (or the equiv-~~
17 ~~alent as determined under regulations pre-~~
18 ~~scribed by the Secretary) in the coursework~~
19 ~~required for the major described in clause~~
20 ~~(i).";~~
21 ~~(4) in subsection (d)—~~
22 ~~(A) in paragraph (1)—~~
23 ~~(i) in subparagraph (A)—~~
24 ~~(I) by striking "The" and insert-~~
25 ~~ing "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 (c)(2) and inserting the following:

1 ~~"(2) AVAILABILITY OF FUNDS.—Funds made~~
2 ~~available under paragraph (1) for a fiscal year shall~~
3 ~~remain available for the succeeding fiscal year.";~~
4 ~~(6) in subsection (f)—~~
5 ~~(A) by striking "at least one" and insert-~~
6 ~~ing "not less than 1"; and~~
7 ~~(B) by striking "subsection (c)(3)(A) and~~
8 ~~(B)" and inserting "subparagraphs (A) and (B)~~
9 ~~of subsection (c)(3)"; and~~
10 ~~(7) in subsection (g), by striking "academic"~~
11 ~~and inserting "award".~~
12 **~~SEC. 403. FEDERAL TRIO PROGRAMS.~~**
13 ~~(a) PROGRAM AUTHORITY; AUTHORIZATION OF AP-~~
14 ~~PROPRIATIONS.—Section 402A (20 U.S.C. 1070a–11) is~~
15 ~~amended—~~
16 ~~(1) in subsection (b)—~~
17 ~~(A) in paragraph (2)—~~
18 ~~(i) in the matter preceding subpara-~~
19 ~~graph (A), by striking "4" and inserting~~
20 ~~"5";~~
21 ~~(ii) by striking subparagraph (A); and~~
22 ~~(iii) by redesignating subparagraphs~~
23 ~~(B) and (C) as subparagraphs (A) and~~
24 ~~(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 ~~"(1) USE FOR PRIOR EXPERIENCE DETERMINA-~~
2 ~~TION.—The Secretary shall use the outcome criteria~~
3 ~~described in paragraphs (2) and (3) to evaluate the~~
4 ~~programs provided by a recipient of a grant under~~
5 ~~this chapter, and the Secretary shall determine an~~
6 ~~eligible entity's prior experience of high quality serv-~~
7 ~~ice delivery, as required under subsection (c)(2),~~
8 ~~based on the outcome criteria.~~
9 ~~"(2) DISAGGREGATION OF RELEVANT DATA.—~~
10 ~~The outcome criteria under this subsection shall be~~
11 ~~disaggregated by low-income students, first genera-~~
12 ~~tion college students, and individuals with disabil-~~
13 ~~ities, in the schools and institutions of higher edu-~~
14 ~~cation served by the program to be evaluated.~~
15 ~~"(3) CONTENTS OF OUTCOME CRITERIA.—The~~
16 ~~outcome criteria under this subsection shall measure,~~
17 ~~annually and for longer periods, the quality and ef-~~
18 ~~fectiveness of programs authorized under this chap-~~
19 ~~ter and shall include the following:~~
20 ~~"(A) For programs authorized under sec-~~
21 ~~tion 402B, the extent to which the eligible enti-~~
22 ~~ty met or exceeded the entity's objectives estab-~~
23 ~~lished in the entity's application for such pro-~~
24 ~~gram regarding—~~

1 ~~"(i) the delivery of service to a total~~
2 ~~number of students served by the program;~~
3 ~~"(ii) the continued secondary school~~
4 ~~enrollment of such students;~~
5 ~~"(iii) the graduation of such students~~
6 ~~from secondary school;~~
7 ~~"(iv) the enrollment of such students~~
8 ~~in an institution of higher education; and~~
9 ~~"(v) to the extent practicable, the~~
10 ~~postsecondary education completion of~~
11 ~~such students.~~
12 ~~"(B) For programs authorized under sec-~~
13 ~~tion 402C, the extent to which the eligible enti-~~
14 ~~ty met or exceeded the entity's objectives for~~
15 ~~such program regarding—~~
16 ~~"(i) the delivery of service to a total~~
17 ~~number of students served by the program,~~
18 ~~as agreed upon by the entity and the Sec-~~
19 ~~retary for the period;~~
20 ~~"(ii) such students' school perform-~~
21 ~~ance, as measured by the grade point aver-~~
22 ~~age, or its equivalent;~~
23 ~~"(iii) such students' academic per-~~
24 ~~formance, 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~~

1 ~~"(B) while sharing some of the same needs~~
2 ~~as another population that the eligible entity~~
3 ~~has applied for a grant under this chapter to~~
4 ~~serve, has distinct needs for specialized serv-~~
5 ~~ices.";~~
6 ~~(C) in paragraph (5) (as redesignated by~~
7 ~~subparagraph (A))—~~
8 ~~(i) in subparagraph (A), by striking~~
9 ~~"or" after the semicolon;~~
10 ~~(ii) in subparagraph (B), by striking~~
11 ~~the period at the end and inserting "; or";~~
12 ~~and~~
13 ~~(iii) by adding at the end the fol-~~
14 ~~lowing:~~
15 ~~"(C) was a member of a reserve component~~
16 ~~of the Armed Forces called to active duty for a~~
17 ~~period of more than 180 days."; and~~
18 ~~(D) in paragraph (6), by striking "sub-~~
19 ~~paragraph (A) or (B) of paragraph (3)" and in-~~
20 ~~serting "subparagraph (A), (B), or (C) of para-~~
21 ~~graph (5)".~~
22 ~~(b) TALENT SEARCH.—Section 402B (20 U.S.C.~~
23 ~~1070a–12) is amended—~~
24 ~~(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 ~~cracy 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.

"(c) 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—~~

1 ~~"(A) basic personal income, household~~
2 ~~money management, and financial planning~~
3 ~~skills; and~~
4 ~~"(B) basic economic decisionmaking~~
5 ~~skills.";~~
6 ~~(2) by redesignating subsections (c) and (d) as~~
7 ~~subsections (d) and (c);~~
8 ~~(3) by striking subsection (b) and inserting the~~
9 ~~following:~~
10 ~~"(b) REQUIRED SERVICES.—A project assisted under~~
11 ~~this section shall provide—~~
12 ~~"(1) academic tutoring to enable students to~~
13 ~~complete postsecondary courses, which may include~~
14 ~~instruction in reading, writing, study skills, mathe-~~
15 ~~matics, science, and other subjects;~~
16 ~~"(2) advice and assistance in postsecondary~~
17 ~~course selection;~~
18 ~~"(3)(A) information on both the full range of~~
19 ~~Federal student financial aid programs (including~~
20 ~~Federal Pell Grant awards and loan forgiveness) and~~
21 ~~resources for locating public and private scholar-~~
22 ~~ships; and~~
23 ~~"(B) assistance in completing financial aid ap-~~
24 ~~plications, including the Free Application for Fed-~~
25 ~~eral Student Aid described in section 483(a);~~

1 ~~"(4) education or counseling services designed~~
2 ~~to improve the financial literacy and economic lit-~~
3 ~~eracy of students, including financial planning for~~
4 ~~postsecondary education;~~
5 ~~"(5) activities designed to assist students par-~~
6 ~~ticipating in the project in securing college admis-~~
7 ~~sion and financial assistance for enrollment in grad-~~
8 ~~uate and professional programs; and~~
9 ~~"(6) activities designed to assist students en-~~
10 ~~rolled in 2-year institutions of higher education in~~
11 ~~securing admission and financial assistance for en-~~
12 ~~rollment in a 4-year program of postsecondary edu-~~
13 ~~cation.~~
14 ~~"(c) PERMISSIBLE SERVICES.—A project assisted~~
15 ~~under this section may provide services such as—~~
16 ~~"(1) consistent, individualized personal, career,~~
17 ~~and academic counseling, provided by assigned coun-~~
18 ~~selors;~~
19 ~~"(2) information, activities, and instruction de-~~
20 ~~signed to acquaint youths participating in the~~
21 ~~project with the range of career options available to~~
22 ~~the students;~~
23 ~~"(3) exposure to cultural events and academic~~
24 ~~programs not usually available to disadvantaged stu-~~
25 ~~dents;~~

1 ~~"(4) activities designed to acquaint students~~
2 ~~participating in the project with the range of career~~
3 ~~options available to the students;~~
4 ~~"(5) mentoring programs involving faculty or~~
5 ~~upper class students, or a combination thereof;~~
6 ~~"(6) securing temporary housing during breaks~~
7 ~~in the academic year for students who are homeless~~
8 ~~children and youths (as such term is defined in sec-~~
9 ~~tion 725 of the McKinney-Vento Homeless Assist-~~
10 ~~ance Act (42 U.S.C. 11434a)) or were formerly~~
11 ~~homeless children and youths and students who are~~
12 ~~in foster care or are aging out of the foster care sys-~~
13 ~~tem; and~~
14 ~~"(7) programs and activities as described in~~
15 ~~subsection (b) or paragraphs (1) through (5) of this~~
16 ~~subsection that are specially designed for students~~
17 ~~who are limited English proficient, students with~~
18 ~~disabilities, students who are homeless children and~~
19 ~~youths (as such term is defined in section 725 of the~~
20 ~~McKinney-Vento Homeless Assistance Act (42~~
21 ~~U.S.C. 11434a)) or were formerly homeless children~~
22 ~~and youths, or students who are in foster care or are~~
23 ~~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 (c) (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:~~

1 ~~"(5) education or counseling services designed~~
2 ~~to improve the financial literacy and economic lit-~~
3 ~~eracy of students;";~~
4 ~~(C) by striking paragraph (7) (as redesig-~~
5 ~~nated by subparagraph (A)) and inserting the~~
6 ~~following:~~
7 ~~"(7) individualized personal, career, and aca-~~
8 ~~demic counseling;"; and~~
9 ~~(D) by striking paragraph (11) (as redesig-~~
10 ~~nated by subparagraph (A)) and inserting the~~
11 ~~following:~~
12 ~~"(11) programs and activities as described in~~
13 ~~paragraphs (1) through (10) that are specially de-~~
14 ~~signed for students who are limited English pro-~~
15 ~~ficient, students with disabilities, or students who~~
16 ~~are homeless children and youths (as such term is~~
17 ~~defined in section 725 of the McKinney-Vento~~
18 ~~Homeless Assistance Act (42 U.S.C. 11434a)), or~~
19 ~~programs and activities for students who are in fos-~~
20 ~~ter care or are aging out of the foster care system.".~~
21 ~~(g) STAFF DEVELOPMENT ACTIVITIES.—Section~~
22 ~~402G(b)(3) (20 U.S.C. 1070a–17(b)(3)) is amended by in-~~
23 ~~serting ", including strategies for recruiting and serving~~
24 ~~students who are homeless children and youths (as such~~
25 ~~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;~~

1 ~~"(2) focus on the programs' performance on the~~
2 ~~relevant outcome criteria determined under section~~
3 ~~402A(f)(4);~~
4 ~~"(3) aggregate individual project performance~~
5 ~~data on the outcome criteria in order to provide na-~~
6 ~~tional performance data for each program;~~
7 ~~"(4) include, when appropriate, descriptive~~
8 ~~data, multi-year data, and multi-cohort data; and~~
9 ~~"(5) include comparable data on the perform-~~
10 ~~ance nationally of low-income students, first-genera-~~
11 ~~tion students, and students with disabilities."; and~~
12 ~~(4) in subsection (b) (as redesignated by para-~~
13 ~~graph (2)), by striking paragraph (2) and inserting~~
14 ~~the following:~~
15 ~~"(2) PRACTICES.—~~
16 ~~"(A) IN GENERAL.—The evaluations de-~~
17 ~~scribed in paragraph (1) shall identify institu-~~
18 ~~tional, community, and program or project~~
19 ~~practices that are particularly effective in—~~
20 ~~"(i) enhancing the access of low-in-~~
21 ~~come individuals and first-generation col-~~
22 ~~lege students to postsecondary education;~~
23 ~~"(ii) the preparation of the individuals~~
24 ~~and students for postsecondary education;~~
25 ~~and~~

1 ~~"(iii) fostering the success of the indi-~~
2 ~~viduals and students in postsecondary edu-~~
3 ~~cation.~~
4 ~~"(B) PRIMARY PURPOSE.—Any evaluation~~
5 ~~conducted under this chapter shall have as its~~
6 ~~primary purpose the identification of particular~~
7 ~~practices that further the achievement of the~~
8 ~~outcome criteria determined under section~~
9 ~~402A(f)(4).~~
10 ~~"(C) DISSEMINATION AND USE OF EVAL-~~
11 ~~UATION FINDINGS.—The Secretary shall dis-~~
12 ~~seminate to eligible entities and make available~~
13 ~~to the public the practices identified under sub-~~
14 ~~paragraph (B). The practices may be used by~~
15 ~~eligible entities that receive assistance under~~
16 ~~this chapter after the dissemination.~~
17 ~~"(3) EVALUATION SPECIAL RULES.—~~
18 ~~"(A) RECRUITMENT.—The Secretary shall~~
19 ~~not require an eligible entity desiring to receive~~
20 ~~assistance under this chapter to recruit stu-~~
21 ~~dents to serve as a control group for purposes~~
22 ~~of evaluating any program or project assisted~~
23 ~~under this chapter.~~
24 ~~"(B) PERMISSIBLE PRIORITY.—If the Sec-~~
25 ~~retary 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(c), 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—~~

1 ~~"(A) the risk of such students dropping~~
2 ~~out of school; or~~
3 ~~"(B) the need for remedial education for~~
4 ~~such students at the postsecondary level; and~~
5 ~~"(2) information to students and their parents~~
6 ~~about the advantages of obtaining a postsecondary~~
7 ~~education and the college financing options for the~~
8 ~~students and their parents.";~~
9 ~~(2) by striking subsection (b)(2)(A) and inserting~~
10 ~~the following:~~
11 ~~"(A) give priority to eligible entities that~~
12 ~~have a prior, demonstrated commitment to~~
13 ~~early intervention leading to college access~~
14 ~~through collaboration and replication of suc-~~
15 ~~cessful strategies;"; and~~
16 ~~(3) by striking subsection (c)(2) and inserting~~
17 ~~the following:~~
18 ~~"(2) a partnership—~~
19 ~~"(A) consisting of—~~
20 ~~"(i) 1 or more local educational agen-~~
21 ~~cies; and~~
22 ~~"(ii) 1 or more degree granting insti-~~
23 ~~tutions of higher education; and~~
24 ~~"(B) which may include not less than 2~~
25 ~~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), (c), 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:~~

1 ~~"(e) SUPPLEMENT, NOT SUPPLANT.—Grant funds~~
2 ~~awarded under this chapter shall be used to supplement,~~
3 ~~and not supplant, other Federal, State, and local funds~~
4 ~~that would otherwise be expended to carry out activities~~
5 ~~assisted under this chapter.".~~
6 ~~(c) APPLICATION.—Section 404C (20 U.S.C. 1070a–~~
7 ~~23) is amended—~~
8 ~~(1) in the section heading, by striking "**ELIGI-**~~
9 ~~**BLE ENTITY PLANS**" and inserting "**APPLICA-**~~
10 ~~**TIONS**";~~
11 ~~(2) in subsection (a)—~~
12 ~~(A) in the subsection heading, by striking~~
13 ~~"PLAN" and inserting "APPLICATION";~~
14 ~~(B) in paragraph (1)—~~
15 ~~(i) by striking "a plan" and inserting~~
16 ~~"an application"; and~~
17 ~~(ii) by striking the second sentence;~~
18 ~~and~~
19 ~~(C) by striking paragraph (2) and insert-~~
20 ~~ing the following:~~
21 ~~"(2) CONTENTS.—Each application submitted~~
22 ~~pursuant to paragraph (1) shall be in such form,~~
23 ~~contain or be accompanied by such information or~~
24 ~~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—~~

1 ~~"(i) how vacancies in the program~~
2 ~~under this chapter will be filled; and~~
3 ~~"(ii) how the eligible entity will serve~~
4 ~~students attending different secondary~~
5 ~~schools;~~
6 ~~"(F) describe how the eligible entity will~~
7 ~~coordinate programs with other existing Fed-~~
8 ~~eral, State, or local programs to avoid duplica-~~
9 ~~tion and maximize the number of students~~
10 ~~served;~~
11 ~~"(G) provide such additional assurances as~~
12 ~~the Secretary determines necessary to ensure~~
13 ~~compliance with the requirements of this chap-~~
14 ~~ter; and~~
15 ~~"(H) provide information about the activi-~~
16 ~~ties that will be carried out by the eligible enti-~~
17 ~~ty to support systemic changes from which fu-~~
18 ~~ture cohorts of students will benefit.";~~
19 ~~(3) in the matter preceding subparagraph (A)~~
20 ~~of subsection (b)(1)—~~
21 ~~(A) by striking "a plan" and inserting "an~~
22 ~~application"; and~~
23 ~~(B) by striking "such plan" and inserting~~
24 ~~"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—~~

1 ~~"(A) obtain a secondary school diploma;~~
2 ~~and~~
3 ~~"(B) complete applications for and enroll~~
4 ~~in a program of postsecondary education.~~
5 ~~"(4) In the case of an eligible entity described~~
6 ~~in section 404A(c)(1), provide for the scholarships~~
7 ~~described in section 404E.~~
8 ~~"(b) OPTIONAL ACTIVITIES FOR STATES AND PART-~~
9 ~~NERSHIPS.—An eligible entity that receives a grant under~~
10 ~~this chapter may use grant funds to carry out 1 or more~~
11 ~~of the following activities:~~
12 ~~"(1) Providing tutoring and supporting men-~~
13 ~~tors, including adults or former participants of a~~
14 ~~program under this chapter, for eligible students.~~
15 ~~"(2) Conducting outreach activities to recruit~~
16 ~~priority students described in subsection (d) to par-~~
17 ~~ticipate in program activities.~~
18 ~~"(3) Providing supportive services to eligible~~
19 ~~students.~~
20 ~~"(4) Supporting the development or implemen-~~
21 ~~tation of rigorous academic curricula, which may in-~~
22 ~~clude college preparatory, Advanced Placement, or~~
23 ~~International Baccalaureate programs, and providing~~
24 ~~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.~~

1 ~~"(9) Providing other activities designed to en-~~
2 ~~sure secondary school completion and postsecondary~~
3 ~~education enrollment of at-risk children, such as—~~
4 ~~"(A) the identification of at-risk children;~~
5 ~~"(B) after-school and summer tutoring;~~
6 ~~"(C) assistance to at-risk children in ob-~~
7 ~~taining summer jobs;~~
8 ~~"(D) academic counseling;~~
9 ~~"(E) volunteer and parent involvement;~~
10 ~~"(F) encouraging former or current par-~~
11 ~~ticipants of a program under this chapter to~~
12 ~~serve as peer counselors;~~
13 ~~"(G) skills assessments;~~
14 ~~"(H) personal counseling;~~
15 ~~"(I) family counseling and home visits;~~
16 ~~"(J) staff development; and~~
17 ~~"(K) programs and activities described in~~
18 ~~this subsection that are specially designed for~~
19 ~~students who are limited English proficient.~~
20 ~~"(10) Enabling eligible students to enroll in Ad-~~
21 ~~vanced Placement or International Baccalaureate~~
22 ~~courses, or college entrance examination preparation~~
23 ~~courses.~~
24 ~~"(11) Providing services to eligible students in~~
25 ~~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.~~

1 ~~"(8) Creating community college programs for~~
2 ~~drop-outs that are personalized drop-out recovery~~
3 ~~programs that allow drop-outs to complete a regular~~
4 ~~secondary school diploma and begin college-level~~
5 ~~work.~~
6 ~~"(d) PRIORITY STUDENTS.—For eligible entities not~~
7 ~~using a cohort approach, the eligible entity shall treat as~~
8 ~~priority students any student in middle or secondary~~
9 ~~school who is eligible—~~
10 ~~"(1) to be counted under section 1124(c) of the~~
11 ~~Elementary and Secondary Education Act of 1965;~~
12 ~~"(2) for free or reduced price meals under the~~
13 ~~Richard B. Russell National School Lunch Act;~~
14 ~~"(3) for assistance under a State program~~
15 ~~funded under part A or E of title IV of the Social~~
16 ~~Security Act (42 U.S.C. 601 et seq., 670 et seq.);~~
17 ~~or~~
18 ~~"(4) for assistance under subtitle B of title VII~~
19 ~~of the McKinney-Vento Homeless Assistance Act (42~~
20 ~~U.S.C. 11431 et seq.).~~
21 ~~"(e) ALLOWABLE PROVIDERS.—In the case of eligible~~
22 ~~entities described in section 404A(c)(1), the activities re-~~
23 ~~quired by this section may be provided by service providers~~
24 ~~such as community-based organizations, schools, institu-~~
25 ~~tions 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.''.~~

~~(c) SCHOLARSHIP COMPONENT.—Section 404E (20 U.S.C. 1070a–25) is amended—~~

~~(1) by striking subsections (c) 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.~~

~~"(e) 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~~

1 ~~(2) by striking paragraph (10) and inserting~~
2 ~~the following:~~
3 ~~"(10) provides notification to eligible students~~
4 ~~that such grants are—~~
5 ~~"(A) Leveraging Educational Assistance~~
6 ~~Partnership grants; and~~
7 ~~"(B) funded by the Federal Government,~~
8 ~~the State, and other contributing partners.".~~
9 ~~(c) GRANTS FOR ACCESS AND PERSISTENCE.—Sec-~~
10 ~~tion 415E (20 U.S.C. 1070c–3a) is amended to read as~~
11 ~~follows:~~
12 **~~"SEC. 415E. GRANTS FOR ACCESS AND PERSISTENCE.~~**
13 ~~"(a) PURPOSE.—It is the purpose of this section to~~
14 ~~expand college access and increase college persistence by~~
15 ~~making allotments to States to enable the States to—~~
16 ~~"(1) expand and enhance partnerships with in-~~
17 ~~stitutions of higher education, early information and~~
18 ~~intervention, mentoring, or outreach programs, pri-~~
19 ~~vate corporations, philanthropic organizations, and~~
20 ~~other interested parties in order to—~~
21 ~~"(A) carry out activities under this section;~~
22 ~~and~~
23 ~~"(B) provide coordination and cohesion~~
24 ~~among Federal, State, and local governmental~~
25 ~~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.—~~

1 ~~"(A) SUBMISSION.—A State that desires~~
2 ~~to receive an allotment under this section on be-~~
3 ~~half of a partnership described in paragraph (3)~~
4 ~~shall submit an application to the Secretary at~~
5 ~~such time, in such manner, and containing such~~
6 ~~information as the Secretary may require.~~
7 ~~"(B) CONTENT.—An application submitted~~
8 ~~under subparagraph (A) shall include the fol-~~
9 ~~lowing:~~
10 ~~"(i) A description of the State's plan~~
11 ~~for using the allotted funds.~~
12 ~~"(ii) Assurances that the State will~~
13 ~~provide the non-Federal share from State,~~
14 ~~institutional, philanthropic, or private~~
15 ~~funds, of not less than the required share~~
16 ~~of the cost of carrying out the activities~~
17 ~~under subsection (d), as determined under~~
18 ~~subsection (b), in accordance with the fol-~~
19 ~~lowing:~~
20 ~~"(I) The State shall specify the~~
21 ~~methods by which non-Federal share~~
22 ~~funds will be paid and include provi-~~
23 ~~sions designed to ensure that funds~~
24 ~~provided under this section will be~~
25 ~~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—~~

1 ~~"(A) not less than 1 public and 1 private~~
2 ~~degree granting institution of higher education~~
3 ~~that are located in the State, if applicable;~~
4 ~~"(B) new or existing early information and~~
5 ~~intervention, mentoring, or outreach programs~~
6 ~~located in the State; and~~
7 ~~"(C) not less than 1—~~
8 ~~"(i) philanthropic organization located~~
9 ~~in, or that provides funding in, the State;~~
10 ~~or~~
11 ~~"(ii) private corporation located in, or~~
12 ~~that does business in, the State.~~
13 ~~"(4) ROLES OF PARTNERS.—~~
14 ~~"(A) STATE AGENCY.—A State agency~~
15 ~~that is in a partnership receiving an allotment~~
16 ~~under this section—~~
17 ~~"(i) shall—~~
18 ~~"(I) serve as the primary admin-~~
19 ~~istrative unit for the partnership;~~
20 ~~"(II) provide or coordinate non-~~
21 ~~Federal share funds, and coordinate~~
22 ~~activities among partners;~~
23 ~~"(III) encourage each institution~~
24 ~~of higher education in the State to~~
25 ~~participate in the partnership;~~

1 ~~"(IV) make determinations and~~
2 ~~early notifications of assistance as de-~~
3 ~~scribed under subsection (d)(2); and~~
4 ~~"(V) annually report to the Sec-~~
5 ~~retary on the partnership's progress~~
6 ~~in meeting the purpose of this section;~~
7 ~~and~~
8 ~~"(ii) may provide early information~~
9 ~~and intervention, mentoring, or outreach~~
10 ~~programs.~~
11 ~~"(B) DEGREE GRANTING INSTITUTIONS OF~~
12 ~~HIGHER EDUCATION.—A degree granting insti-~~
13 ~~tution of higher education that is in a partner-~~
14 ~~ship receiving an allotment under this section—~~
15 ~~"(i) shall—~~
16 ~~"(I) recruit and admit partici-~~
17 ~~pating qualified students and provide~~
18 ~~such additional institutional grant aid~~
19 ~~to participating students as agreed to~~
20 ~~with the State agency;~~
21 ~~"(II) provide support services to~~
22 ~~students who receive grants for access~~
23 ~~and persistence under this section and~~
24 ~~are enrolled at such institution; and~~

1 ~~"(III) assist the State in the~~
2 ~~identification of eligible students and~~
3 ~~the dissemination of early notifica-~~
4 ~~tions of assistance as agreed to with~~
5 ~~the State agency; and~~
6 ~~"(ii) may provide funding for early in-~~
7 ~~formation and intervention, mentoring, or~~
8 ~~outreach programs or provide such services~~
9 ~~directly.~~
10 ~~"(C) PROGRAMS.—An early information~~
11 ~~and intervention, mentoring, or outreach pro-~~
12 ~~gram that is in a partnership receiving an allot-~~
13 ~~ment under this section shall provide direct~~
14 ~~services, support, and information to partici-~~
15 ~~pating students.~~
16 ~~"(D) PHILANTHROPIC ORGANIZATION OR~~
17 ~~PRIVATE CORPORATION.—A philanthropic orga-~~
18 ~~nization or private corporation that is in a part-~~
19 ~~nership receiving an allotment under this sec-~~
20 ~~tion shall provide funds for grants for access~~
21 ~~and persistence for participating students, or~~
22 ~~provide funds or support for early information~~
23 ~~and intervention, mentoring, or outreach pro-~~
24 ~~grams.~~
25 ~~"(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).~~

1 ~~"(ii) PARTNERSHIPS WITH INSTITU-~~
2 ~~TIONS SERVING THE MAJORITY OF STU-~~
3 ~~DENTS IN THE STATE.—In the case where~~
4 ~~a State receiving an allotment under this~~
5 ~~section is in a partnership described in~~
6 ~~subsection (b)(2)(A)(ii), the amount of a~~
7 ~~grant for access and persistence awarded~~
8 ~~by such State shall be not more than an~~
9 ~~amount that is equal to the average cost of~~
10 ~~attendance at 4-year public institutions of~~
11 ~~higher education in the State where the~~
12 ~~student resides (less any other Federal or~~
13 ~~State sponsored grant amount, college~~
14 ~~work study amount, and scholarship~~
15 ~~amount received by the student), and such~~
16 ~~amount shall be used by the student to at-~~
17 ~~tend an institution of higher education lo-~~
18 ~~cated in the State.~~
19 ~~"(C) SPECIAL RULES.—~~
20 ~~"(i) PARTNERSHIP INSTITUTIONS.—A~~
21 ~~State receiving an allotment under this~~
22 ~~section may restrict the use of grants for~~
23 ~~access and persistence under this section~~
24 ~~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—~~

1 ~~"(I) information about early in-~~
2 ~~formation and intervention, men-~~
3 ~~toring, or outreach programs available~~
4 ~~to the student;~~
5 ~~"(II) information that a stu-~~
6 ~~dent's candidacy for a grant for ac-~~
7 ~~cess and persistence is enhanced~~
8 ~~through participation in an early in-~~
9 ~~formation and intervention, men-~~
10 ~~toring, or outreach program;~~
11 ~~"(III) an explanation that stu-~~
12 ~~dent and family eligibility and partici-~~
13 ~~pation in other Federal means-tested~~
14 ~~programs may indicate eligibility for a~~
15 ~~grant for access and persistence and~~
16 ~~other student aid programs;~~
17 ~~"(IV) a nonbinding estimation of~~
18 ~~the total amount of financial aid a~~
19 ~~low-income student with a similar in-~~
20 ~~come level may expect to receive, in-~~
21 ~~cluding an estimation of the amount~~
22 ~~of a grant for access and persistence~~
23 ~~and an estimation of the amount of~~
24 ~~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).~~

1 ~~"(4) GRANT AWARD.—Once a student, includ-~~
2 ~~ing those students who have received early notifica-~~
3 ~~tion under paragraph (2) from the State, applies for~~
4 ~~admission to an institution that is a partner in the~~
5 ~~partnership, files a Free Application for Federal~~
6 ~~Student Aid and any related existing State form,~~
7 ~~and is determined eligible by the State under para-~~
8 ~~graph (3), the State shall—~~
9 ~~"(A) issue the student a preliminary award~~
10 ~~certificate for a grant for access and persistence~~
11 ~~with tentative award amounts; and~~
12 ~~"(B) inform the student that payment of~~
13 ~~the grant for access and persistence award~~
14 ~~amounts is subject to certification of enrollment~~
15 ~~and award eligibility by the institution of higher~~
16 ~~education.~~
17 ~~"(5) DURATION OF AWARD.—An eligible stu-~~
18 ~~dent that receives a grant for access and persistence~~
19 ~~under this section shall receive such grant award for~~
20 ~~each year of such student's undergraduate education~~
21 ~~in which the student remains eligible for assistance~~
22 ~~under this title, including pursuant to section~~
23 ~~484(c), and remains financially eligible as deter-~~
24 ~~mined by the State, except that the State may im-~~
25 ~~pose reasonable time limits to degree completion.~~

1 ~~"(e) USE OF FUNDS FOR ADMINISTRATIVE COSTS~~
2 ~~PROHIBITED.—A State that receives an allotment under~~
3 ~~this section shall not use any of the allotted funds to pay~~
4 ~~administrative costs associated with any of the authorized~~
5 ~~activities described in subsection (d).~~
6 ~~"(f) STATUTORY AND REGULATORY RELIEF FOR IN-~~
7 ~~STITUTIONS OF HIGHER EDUCATION.—The Secretary~~
8 ~~may grant, upon the request of an institution of higher~~
9 ~~education that is in a partnership described in subsection~~
10 ~~(b)(2)(A)(ii) and that receives an allotment under this sec-~~
11 ~~tion, a waiver for such institution from statutory or regu-~~
12 ~~latory requirements that inhibit the ability of the institu-~~
13 ~~tion to successfully and efficiently participate in the activi-~~
14 ~~ties of the partnership.~~
15 ~~"(g) APPLICABILITY RULE.—The provisions of this~~
16 ~~subpart which are not inconsistent with this section shall~~
17 ~~apply to the program authorized by this section.~~
18 ~~"(h) MAINTENANCE OF EFFORT REQUIREMENT.—~~
19 ~~Each State receiving an allotment under this section for~~
20 ~~a fiscal year shall provide the Secretary with an assurance~~
21 ~~that the aggregate amount expended per student or the~~
22 ~~aggregate expenditures by the State, from funds derived~~
23 ~~from non-Federal sources, for the authorized activities de-~~
24 ~~scribed in subsection (d) for the preceding fiscal year were~~
25 ~~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(e)(1)" and inserting "section 402A(e)(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.".~~

1 **~~SEC. 410. CHILD CARE ACCESS MEANS PARENTS IN~~**
2 **~~SCHOOL.~~**
3 ~~(a) MINIMUM GRANT.—Section 419N(b)(2)(B) (20~~
4 ~~U.S.C. 1070e(b)(2)(B)) is amended—~~
5 ~~(1) by striking "A grant" and inserting the fol-~~
6 ~~lowing:~~
7 ~~"(i) IN GENERAL.—Except as pro-~~
8 ~~vided in clause (ii), a grant"; and~~
9 ~~(2) by adding at the end the following:~~
10 ~~"(ii) INCREASE TRIGGER.—For any~~
11 ~~fiscal year for which the amount appro-~~
12 ~~priated under the authority of subsection~~
13 ~~(g) is equal to or greater than~~
14 ~~$20,000,000, a grant under this section~~
15 ~~shall be awarded in an amount that is not~~
16 ~~less than $30,000.".~~
17 ~~(b) DEFINITION OF LOW-INCOME STUDENT.—Para-~~
18 ~~graph (7) of section 419N(b) (20 U.S.C. 1070e(b)) is~~
19 ~~amended to read as follows:~~
20 ~~"(7) DEFINITION OF LOW-INCOME STUDENT.—~~
21 ~~For the purpose of this section, the term 'low-income~~
22 ~~student' means a student who—~~
23 ~~"(A) is eligible to receive a Federal Pell~~
24 ~~Grant for the fiscal year for which the deter-~~
25 ~~mination is made; or~~

1 ~~"(B) would otherwise be eligible to receive~~
2 ~~a Federal Pell Grant for the fiscal year for~~
3 ~~which the determination is made, except that~~
4 ~~the student fails to meet the requirements of—~~
5 ~~"(i) section 401(c)(1) because the stu-~~
6 ~~dent is enrolled in a graduate or first pro-~~
7 ~~fessional course of study; or~~
8 ~~"(ii) section 484(a)(5) because the~~
9 ~~student is in the United States for a tem-~~
10 ~~porary purpose.".~~
11 ~~(c) AUTHORIZATION OF APPROPRIATIONS.—Section~~
12 ~~419N(g) (20 U.S.C. 1070e(g)) is amended by striking~~
13 ~~"$45,000,000 for fiscal year 1999" and all that follows~~
14 ~~through the period and inserting "such sums as may be~~
15 ~~necessary for fiscal year 2008 and each of the 5 suc-~~
16 ~~ceeding fiscal years.".~~
17 **~~SEC. 411. LEARNING ANYTIME ANYWHERE PARTNERSHIPS.~~**
18 ~~Subpart 8 of part A of title IV (20 U.S.C. 1070f et~~
19 ~~seq.) is repealed.~~
20 **~~PART B—FEDERAL FAMILY EDUCATION LOAN~~**
21 **~~PROGRAM~~**
22 **~~SEC. 421. FEDERAL PAYMENTS TO REDUCE STUDENT IN-~~**
23 **~~TEREST COSTS.~~**
24 ~~Section 428 (as amended by this Act) (20 U.S.C.~~
25 ~~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~~

1 ~~"(E) conduct fraudulent or misleading ad-~~
2 ~~vertising concerning loan availability, terms, or~~
3 ~~conditions.~~
4 ~~It shall not be a violation of this paragraph for a~~
5 ~~guaranty agency to provide technical assistance to~~
6 ~~institutions of higher education comparable to the~~
7 ~~technical assistance provided to institutions of high-~~
8 ~~er education by the Department."; and~~
9 ~~(2) in subsection (c)—~~
10 ~~(A) in paragraph (2)(H)(i), by striking~~
11 ~~"preclaims" and inserting "default aversion";~~
12 ~~and~~
13 ~~(B) in paragraph (3)(C)—~~
14 ~~(i) in clause (i), by striking "and"~~
15 ~~after the semicolon;~~
16 ~~(ii) in clause (ii), by striking "and"~~
17 ~~after the semicolon; and~~
18 ~~(iii) by inserting after clause (ii) the~~
19 ~~following:~~
20 ~~"(iii) the lender shall, at the time of~~
21 ~~granting a borrower forbearance, provide~~
22 ~~information to the borrower to enable the~~
23 ~~borrower to understand the impact of cap-~~
24 ~~italization 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".~~

1 ~~**SEC. 422. FEDERAL CONSOLIDATION LOANS.**~~

2 ~~(a) AMENDMENTS.—Section 428C(b)(1) (20 U.S.C.~~
3 ~~1078–3(b)(1)) is amended—~~

4 ~~(1) in subparagraph (E), by striking "and"~~
5 ~~after the semicolon;~~

6 ~~(2) by redesignating subparagraph (F) as sub-~~
7 ~~paragraph (H); and~~

8 ~~(3) by inserting after subparagraph (E) the fol-~~
9 ~~lowing:~~

10 ~~"(F) that the lender will disclose, in a~~
11 ~~clear and conspicuous manner, to borrowers~~
12 ~~who consolidate loans made under part E of~~
13 ~~this title—~~

14 ~~"(i) that once the borrower adds the~~
15 ~~borrower's Federal Perkins Loan to a Fed-~~
16 ~~eral Consolidation Loan, the borrower will~~
17 ~~lose all interest-free periods that would~~
18 ~~have been available, such as those periods~~
19 ~~when no interest accrues on the Federal~~
20 ~~Perkins Loan while the borrower is en-~~
21 ~~rolled in school at least half-time, during~~
22 ~~the grace period, and during periods when~~
23 ~~the borrower's student loan repayments~~
24 ~~are deferred;~~

25 ~~"(ii) that the borrower will no longer~~
26 ~~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;~~

1 ~~"(C) entered into any type of consulting~~
2 ~~arrangement, or other contract to provide serv-~~
3 ~~ices to a lender, with an employee who is em-~~
4 ~~ployed in the financial aid office of an institu-~~
5 ~~tion of higher education, or who otherwise has~~
6 ~~responsibilities with respect to student loans or~~
7 ~~other financial aid of the institution;~~
8 ~~"(D) compensated an employee who is em-~~
9 ~~ployed in the financial aid office of an institu-~~
10 ~~tion of higher education, or who otherwise has~~
11 ~~responsibilities with respect to educational loans~~
12 ~~or other financial aid of the institution, and~~
13 ~~who is serving on an advisory board, commis-~~
14 ~~sion, or group established by a lender or group~~
15 ~~of lenders for providing such service, except~~
16 ~~that the eligible lender may reimburse such em-~~
17 ~~ployee for reasonable expenses incurred in pro-~~
18 ~~viding such service;~~
19 ~~"(E) performed for an institution of higher~~
20 ~~education any function that the institution of~~
21 ~~higher education is required to carry out under~~
22 ~~part B, D, or G;~~
23 ~~"(F) paid, on behalf of an institution of~~
24 ~~higher education, another person to perform~~
25 ~~any function that the institution of higher edu-~~

1 ~~cation is required to perform under part B, D,~~
2 ~~or G;~~
3 ~~"(G) provided payments or other benefits~~
4 ~~to a student at an institution of higher edu-~~
5 ~~cation to act as the lender's representative to~~
6 ~~secure applications under this title from indi-~~
7 ~~vidual prospective borrowers, unless such stu-~~
8 ~~dent—~~
9 ~~"(i) is also employed by the lender for~~
10 ~~other purposes; and~~
11 ~~"(ii) made all appropriate disclosures~~
12 ~~regarding such employment;"; and~~
13 ~~(2) by adding at the end the following:~~
14 ~~"(8) SUNSET OF AUTHORITY FOR SCHOOL AS~~
15 ~~LENDER PROGRAM.—~~
16 ~~"(A) SUNSET.—The authority provided~~
17 ~~under subsection (d)(1)(E) for an institution to~~
18 ~~serve as an eligible lender, and under paragraph~~
19 ~~(7) for an eligible lender to serve as a trustee~~
20 ~~for an institution of higher education or an or-~~
21 ~~ganization affiliated with an institution of high-~~
22 ~~er education, shall expire on June 30, 2011.~~
23 ~~"(B) APPLICATION TO EXISTING INSTITU-~~
24 ~~TIONAL LENDERS.—An institution that was an~~
25 ~~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—~~

1 ~~"(i) receives a loan made, insured or~~
2 ~~guaranteed under this title; or~~
3 ~~"(ii) has earned income in excess of~~
4 ~~the poverty line; or~~
5 ~~"(B) the Secretary determines necessary.".~~
6 ~~**SEC. 430. SPECIAL ALLOWANCES.**~~
7 ~~(a) AMENDMENT.—Paragraph (2) of section 438(d)~~
8 ~~(20 U.S.C. 1087–1(d)) is amended to read as follows:~~
9 ~~"(2) AMOUNT OF LOAN FEES.—~~
10 ~~"(A) IN GENERAL.—Except as provided in~~
11 ~~subparagraph (B), with respect to any loan~~
12 ~~made under this part for which the first dis-~~
13 ~~bursement was made on or after October 1,~~
14 ~~1993, the amount of the loan fee that shall be~~
15 ~~deducted under paragraph (1) shall be equal to~~
16 ~~0.50 percent of the principal amount of the~~
17 ~~loan.~~
18 ~~"(B) CONSOLIDATION LOANS.—With re-~~
19 ~~spect to any loan made under section 428C on~~
20 ~~or after July 1, 2007, the amount of the loan~~
21 ~~fee that shall be deducted under paragraph (1)~~
22 ~~shall be equal to 1.0 percent of the principal~~
23 ~~amount of the loan.".~~
24 ~~(b) EFFECTIVE DATE.—The amendment made by~~
25 ~~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—~~

1 ~~"(i) the Secretary determines that en-~~
2 ~~forcing this subparagraph would cause~~
3 ~~hardship for students at the institution; or~~
4 ~~"(ii) the institution certifies to the~~
5 ~~Secretary that 15 percent or more of its~~
6 ~~total full-time enrollment participates in~~
7 ~~community service activities described in~~
8 ~~section 441(c) or tutoring and literacy ac-~~
9 ~~tivities described in subsection (d) of this~~
10 ~~section;".~~

11 **~~SEC. 444. JOB LOCATION AND DEVELOPMENT PROGRAMS.~~**

12 ~~Section 446(a)(1) (42 U.S.C. 2756(a)(1)) is amended~~
13 ~~by striking "$50,000" and inserting "$75,000".~~

14 **~~SEC. 445. WORK COLLEGES.~~**

15 ~~Section 448 (42 U.S.C. 2756b) is amended—~~
16 ~~(1) in subsection (a), by striking "work-learn-~~
17 ~~ing" and inserting "work-learning-service";~~
18 ~~(2) in subsection (b)—~~
19 ~~(A) in paragraph (1), by striking "under~~
20 ~~subsection (f)" and inserting "for this section~~
21 ~~under section 441(b)"; and~~
22 ~~(B) in paragraph (2)—~~
23 ~~(i) in the matter preceding subpara-~~
24 ~~graph (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;~~

1 ~~"(5) references to the statutory authority, ap-~~
2 ~~plicable regulations, and current guidance issued by~~
3 ~~the Secretary regarding each report or disclosure;~~
4 ~~and~~
5 ~~"(6) any other information which is pertinent to~~
6 ~~the content or distribution of the report or disclo-~~
7 ~~sure.".~~
8 **~~SEC. 473. FORMS AND REGULATIONS.~~**
9 ~~Section 483 (20 U.S.C. 1090) is amended—~~
10 ~~(1) by striking subsections (a) and (b) and in-~~
11 ~~serting the following:~~
12 ~~"(a) COMMON FINANCIAL AID FORM DEVELOPMENT~~
13 ~~AND PROCESSING.—~~
14 ~~"(1) IN GENERAL.—~~
15 ~~"(A) COMMON FORMS.—The Secretary, in~~
16 ~~cooperation with representatives of agencies and~~
17 ~~organizations involved in student financial as-~~
18 ~~sistance, shall produce, distribute, and process~~
19 ~~free of charge common financial reporting~~
20 ~~forms as described in this subsection to be used~~
21 ~~to determine the need and eligibility of a stu-~~
22 ~~dent for financial assistance under parts A~~
23 ~~through E of this title (other than under sub-~~
24 ~~part 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.—

1 ~~"(i) PHASE-OUT OF PRINTING OF~~
2 ~~FULL PAPER FAFSA.—At such time as the~~
3 ~~Secretary determines that it is not cost-ef-~~
4 ~~fective to print the full paper version of~~
5 ~~FAFSA, the Secretary shall—~~
6 ~~"(I) phase out the printing of the~~
7 ~~full paper version of FAFSA;~~
8 ~~"(II) maintain on the Internet~~
9 ~~easily accessible, downloadable for-~~
10 ~~mats of the full paper version of~~
11 ~~FAFSA; and~~
12 ~~"(III) provide a printed copy of~~
13 ~~the full paper version of FAFSA upon~~
14 ~~request.~~
15 ~~"(ii) USE OF SAVINGS.—The Sec-~~
16 ~~retary shall utilize any savings realized by~~
17 ~~phasing out the printing of the full paper~~
18 ~~version of FAFSA and moving applicants~~
19 ~~to the electronic versions of FAFSA, to im-~~
20 ~~prove access to the electronic versions for~~
21 ~~applicants meeting the requirements of~~
22 ~~section 479(c).~~
23 ~~"(3) ELECTRONIC VERSIONS.—~~
24 ~~"(A) IN GENERAL.—The Secretary shall~~
25 ~~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).~~

1 ~~"(I) PERSONAL IDENTIFICATION NUMBERS~~
2 ~~AUTHORIZED.—The Secretary is authorized to~~
3 ~~assign to an applicant a personal identification~~
4 ~~number—~~
5 ~~"(i) to enable the applicant to use~~
6 ~~such number as a signature for purposes~~
7 ~~of completing an electronic version of a~~
8 ~~form developed under this paragraph; and~~
9 ~~"(ii) for any purpose determined by~~
10 ~~the Secretary to enable the Secretary to~~
11 ~~carry out this title.~~
12 ~~"(J) PERSONAL IDENTIFICATION NUMBER~~
13 ~~IMPROVEMENT.—Not later than 180 days after~~
14 ~~the date of enactment of the Higher Education~~
15 ~~Amendments of 2007, the Secretary shall im-~~
16 ~~plement a real-time data match between the So-~~
17 ~~cial Security Administration and the Depart-~~
18 ~~ment to minimize the time required for an ap-~~
19 ~~plicant to obtain a personal identification num-~~
20 ~~ber when applying for aid under this title~~
21 ~~through an electronic version of a form devel-~~
22 ~~oped under this paragraph.~~
23 ~~"(4) STREAMLINED REAPPLICATION PROC-~~
24 ~~ESS.—~~

1 ~~"(A) IN GENERAL.—The Secretary shall~~
2 ~~develop streamlined paper and electronic re-~~
3 ~~application forms and processes for an appli-~~
4 ~~cant who applies for financial assistance under~~
5 ~~this title in the next succeeding academic year~~
6 ~~subsequent to an academic year for which such~~
7 ~~applicant applied for financial assistance under~~
8 ~~this title.~~
9 ~~"(B) UPDATING OF DATA ELEMENTS.—~~
10 ~~The Secretary shall determine, in cooperation~~
11 ~~with States, institutions of higher education,~~
12 ~~agencies, and organizations involved in student~~
13 ~~financial assistance, the data elements that may~~
14 ~~be transferred from the previous academic~~
15 ~~year's application and those data elements that~~
16 ~~shall be updated.~~
17 ~~"(C) REDUCED DATA AUTHORIZED.—~~
18 ~~Nothing in this title shall be construed as lim-~~
19 ~~iting the authority of the Secretary to reduce~~
20 ~~the number of data elements required of re-~~
21 ~~applicants.~~
22 ~~"(D) ZERO FAMILY CONTRIBUTION.—Ap-~~
23 ~~plicants determined to have a zero family con-~~
24 ~~tribution pursuant to section 479(c) shall not~~
25 ~~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-~~

~~tion number, and organizational affiliation of the preparer on the applicant's form.~~

~~"(3) ADDITIONAL REQUIREMENTS.—A preparer that provides consultative or preparation services pursuant to this subsection shall—~~

~~"(A) clearly inform each individual upon initial contact, including contact through the Internet or by telephone, that the FAFSA and EZ FAFSA may be completed for free via paper or electronic versions of the forms that are provided by the Secretary;~~

~~"(B) include in any advertising clear and conspicuous information that the FAFSA and EZ FAFSA may be completed for free via paper or electronic versions of the forms that are provided by the Secretary;~~

~~"(C) if advertising or providing any information on a website, or if providing services through a website, include on the website a link to the website described in subsection (a)(3) that provides the electronic versions of the forms developed under subsection (a);~~

~~"(D) refrain from producing or disseminating any form other than the forms developed by the Secretary under subsection (a); and~~

1 ~~"(E) not charge any fee to any individual~~
2 ~~seeking services who meets the requirements of~~
3 ~~subsection (b) or (c) of section 479.~~
4 ~~"(4) SPECIAL RULE.—Nothing in this Act shall~~
5 ~~be construed to limit preparers of the financial re-~~
6 ~~porting forms required to be made under this title~~
7 ~~that meet the requirements of this subsection from~~
8 ~~collecting source information from a student or par-~~
9 ~~ent, including Internal Revenue Service tax forms, in~~
10 ~~providing consultative and preparation services in~~
11 ~~completing the forms."; and~~
12 ~~(5) by adding at the end the following:~~
13 ~~"(c) EARLY APPLICATION AND AWARD DEMONSTRA-~~
14 ~~TION PROGRAM.—~~
15 ~~"(1) PURPOSE.—The purpose of the dem-~~
16 ~~onstration program implemented under this sub-~~
17 ~~section is to determine the feasibility of imple-~~
18 ~~menting a comprehensive early application and noti-~~
19 ~~fication system for all dependent students and to~~
20 ~~measure the benefits and costs of such a system.~~
21 ~~"(2) PROGRAM AUTHORIZED.—Not later than 2~~
22 ~~years after the date of enactment of the Higher~~
23 ~~Education Amendments of 2007, the Secretary shall~~
24 ~~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—~~

1 ~~"(i) expected family contribution for~~
2 ~~the first year of the student's enrollment in~~
3 ~~an institution of higher education; and~~
4 ~~"(ii) Federal Pell Grant award for the~~
5 ~~first such year, based on the maximum~~
6 ~~Federal Pell Grant award at the time of~~
7 ~~application;~~
8 ~~"(B) provide each student who does not~~
9 ~~meet the requirements under section 479(c)~~
10 ~~with an estimate of such student's—~~
11 ~~"(i) expected family contribution for~~
12 ~~the first year of the student's planned en-~~
13 ~~rollment; and~~
14 ~~"(ii) Federal Pell Grant award for the~~
15 ~~first such year, based on the maximum~~
16 ~~Federal Pell Grant award at the time of~~
17 ~~application; and~~
18 ~~"(C) remind the students of the need to~~
19 ~~update the students' information during the cal-~~
20 ~~endar year of enrollment using the expedited re-~~
21 ~~application process provided for in subsection~~
22 ~~(a)(4).~~
23 ~~"(4) PARTICIPANTS.—The Secretary shall in-~~
24 ~~clude, as participants in the demonstration pro-~~
25 ~~gram—~~

1 ~~"(A) States selected through the application process described in paragraph (5);~~
2
3 ~~"(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~~
4
5
6
7
8
9
10 ~~"(C) secondary schools within the selected States that are interested in participating in the demonstration program and can commit resources to—~~
11
12
13
14 ~~"(i) advertising the availability of the program;~~
15
16 ~~"(ii) identifying students who might be interested in participating in the program;~~
17
18
19 ~~"(iii) encouraging such students to apply; and~~
20
21 ~~"(iv) participating in the evaluation of the program.~~
22
23 ~~"(5) APPLICATIONS.—States that are interested in participating in the demonstration program shall submit an application to the Secretary at such time,~~
24
25

~~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;~~

1 ~~"(D) a plan for selecting institutions of~~
2 ~~higher education and secondary schools to par-~~
3 ~~ticipate in the program that—~~
4 ~~"(i) demonstrate a commitment to en-~~
5 ~~couraging students to submit a FAFSA,~~
6 ~~or, as appropriate, an EZ FAFSA, 2 years~~
7 ~~before the students' planned date of enroll-~~
8 ~~ment in an institution of higher education;~~
9 ~~"(ii) serve different populations of~~
10 ~~students;~~
11 ~~"(iii) in the case of institutions of~~
12 ~~higher education—~~
13 ~~"(I) to the extent possible, are of~~
14 ~~varying types and control; and~~
15 ~~"(II) commit to making, not later~~
16 ~~than the year prior to the year that~~
17 ~~dependent students participating in~~
18 ~~the demonstration program plan to~~
19 ~~enroll in the institution—~~
20 ~~"(aa) institutional awards to~~
21 ~~participating dependent students~~
22 ~~who meet the requirements of~~
23 ~~section 479(c);~~

1 ~~"(bb) estimates of institu-~~
2 ~~tional awards to other partici-~~
3 ~~pating dependent students; and~~
4 ~~"(cc) expected or tentative~~
5 ~~awards of grants or other finan-~~
6 ~~cial aid available under this title~~
7 ~~(including supplemental grants~~
8 ~~under subpart 3 of part A), for~~
9 ~~all participating dependent stu-~~
10 ~~dents, along with information on~~
11 ~~State awards, as provided to the~~
12 ~~institution by the State;~~
13 ~~"(E) a commitment to participate in the~~
14 ~~evaluation conducted by the Secretary; and~~
15 ~~"(F) such other information as the Sec-~~
16 ~~retary may require.~~
17 ~~"(6) SPECIAL PROVISIONS.—~~
18 ~~"(A) DISCRETION OF STUDENT FINANCIAL~~
19 ~~AID ADMINISTRATORS.—A financial aid admin-~~
20 ~~istrator at an institution of higher education~~
21 ~~participating in a demonstration program under~~
22 ~~this subsection may utilize the discretion, as~~
23 ~~provided under section 479A, as necessary, in~~
24 ~~awarding financial aid to students participating~~
25 ~~in the demonstration program.~~

1 ~~"(B) WAIVERS.—The Secretary is author-~~
2 ~~ized to waive, for an institution participating in~~
3 ~~the demonstration program, any requirements~~
4 ~~under the title, or regulations prescribed under~~
5 ~~this title, that would make the demonstration~~
6 ~~program unworkable, except that the Secretary~~
7 ~~shall not waive any provisions with respect to~~
8 ~~the maximum award amounts for grants and~~
9 ~~loans under this title.~~
10 ~~"(7) OUTREACH.—The Secretary shall make~~
11 ~~appropriate efforts in order to notify States, institu-~~
12 ~~tions of higher education, and secondary schools of~~
13 ~~the demonstration program.~~
14 ~~"(8) EVALUATION.—The Secretary shall con-~~
15 ~~duct a rigorous evaluation of the demonstration pro-~~
16 ~~gram to measure the program's benefits and adverse~~
17 ~~effects, as the benefits and effects relate to the pur-~~
18 ~~pose of the program described in paragraph (1). In~~
19 ~~conducting the evaluation, the Secretary shall—~~
20 ~~"(A) identify whether receiving financial~~
21 ~~aid awards or estimates, as applicable, 1 year~~
22 ~~prior to the year in which the student plans to~~
23 ~~enroll in an institution of higher education, has~~
24 ~~a positive impact on the higher education aspi-~~
25 ~~rations and plans of such student;~~

1 ~~"(B) measure the extent to which using a~~
2 ~~student's income information from the year that~~
3 ~~is 2 years prior to the student's planned enroll-~~
4 ~~ment date had an impact on the ability of~~
5 ~~States and institutions to make financial aid~~
6 ~~awards and commitments;~~
7 ~~"(C) determine what operational changes~~
8 ~~would be required to implement the program on~~
9 ~~a larger scale;~~
10 ~~"(D) identify any changes to Federal law~~
11 ~~that would be necessary to implement the pro-~~
12 ~~gram on a permanent basis; and~~
13 ~~"(E) identify the benefits and adverse ef-~~
14 ~~fects of providing early awards or estimates on~~
15 ~~program costs, program operations, program in-~~
16 ~~tegrity, award amounts, distribution, and deliv-~~
17 ~~ery of aid.~~
18 ~~"(9) CONSULTATION.—The Secretary shall con-~~
19 ~~sult, as appropriate, with the Advisory Committee on~~
20 ~~Student Financial Assistance established under sec-~~
21 ~~tion 491 on the design, implementation, and evalua-~~
22 ~~tion of the demonstration program.~~
23 ~~"(f) USE OF IRS DATA AND REDUCED INCOME AND~~
24 ~~ASSET INFORMATION TO DETERMINE ELIGIBILITY FOR~~
25 ~~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—~~

1 ~~"(A) to shorten the FAFSA and make it~~
2 ~~easier and less time-consuming to complete,~~
3 ~~thereby increasing higher education access for~~
4 ~~low-income students;~~
5 ~~"(B) to examine the feasibility and evalu-~~
6 ~~ate the costs and benefits of using income data~~
7 ~~from the Internal Revenue Service to pre-popu-~~
8 ~~late the electronic version of the FAFSA;~~
9 ~~"(C) to determine ways in which to provide~~
10 ~~reliable information on the amount of Federal~~
11 ~~grant aid and financial assistance a student can~~
12 ~~expect to receive, assuming constant income, 2~~
13 ~~to 3 years before the student's enrollment; and~~
14 ~~"(D) to simplify the process for deter-~~
15 ~~mining eligibility for student financial aid with-~~
16 ~~out causing significant redistribution of Federal~~
17 ~~grants and subsidized loans under this title.~~
18 ~~"(4) REQUIRED SUBJECTS OF STUDY.—The~~
19 ~~study required under paragraph (2) shall consider—~~
20 ~~"(A) how the expected family contribution~~
21 ~~of a student could be calculated using substan-~~
22 ~~tially less income and asset information than~~
23 ~~the approach currently used, as of the time of~~
24 ~~the study, to calculate the expected family con-~~
25 ~~tribution 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.";~~

1 ~~(2) by striking subsection (l) and inserting the~~
2 ~~following:~~
3 ~~"(l) COURSES OFFERED THROUGH DISTANCE EDU-~~
4 ~~CATION.—~~
5 ~~"(1) RELATION TO CORRESPONDENCE~~
6 ~~COURSES.—~~
7 ~~"(A) IN GENERAL.—A student enrolled in~~
8 ~~a course of instruction at an institution of high-~~
9 ~~er education that is offered principally through~~
10 ~~distance education and leads to a recognized~~
11 ~~certificate, or associate, baccalaureate, or grad-~~
12 ~~uate degree, conferred by such institution, shall~~
13 ~~not be considered to be enrolled in correspond-~~
14 ~~ence courses.~~
15 ~~"(B) EXCEPTION.—An institution of high-~~
16 ~~er education referred to in subparagraph (A)~~
17 ~~shall not include an institution or school de-~~
18 ~~scribed in section 3(3)(C) of the Carl D. Per-~~
19 ~~kins Career and Technical Education Act of~~
20 ~~2006.~~
21 ~~"(2) RESTRICTION OR REDUCTIONS OF FINAN-~~
22 ~~CIAL AID.—A student's eligibility to receive grants,~~
23 ~~loans, or work assistance under this title shall be re-~~
24 ~~duced if a financial aid officer determines under the~~
25 ~~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—

1 ~~"(i) has completed secondary school with a~~
2 ~~diploma or certificate; or~~
3 ~~"(ii) has completed secondary school; or~~
4 ~~"(B) be an individual who is no longer eligible~~
5 ~~for assistance under the Individuals with Disabilities~~
6 ~~Education Act because the individual has exceeded~~
7 ~~the maximum age for which the State provides a~~
8 ~~free appropriate public education;~~
9 ~~"(3) be enrolled or accepted for enrollment in~~
10 ~~a comprehensive transition and postsecondary edu-~~
11 ~~cation program that—~~
12 ~~"(A) is designed for students with an intel-~~
13 ~~lectual disability who are seeking to continue~~
14 ~~academic, vocational, and independent living in-~~
15 ~~struction at the institution in order to prepare~~
16 ~~for gainful employment and independent living;~~
17 ~~"(B) includes an advising and curriculum~~
18 ~~structure;~~
19 ~~"(C) requires students to participate on at~~
20 ~~least a half-time basis, as determined by the in-~~
21 ~~stitution; or~~
22 ~~"(D) includes—~~
23 ~~"(i) regular enrollment in courses of-~~
24 ~~fered by the institution;~~

1 ~~"(ii) auditing or participating in~~
2 ~~courses offered by the institution for which~~
3 ~~the student does not receive regular aca-~~
4 ~~demic credit;~~
5 ~~"(iii) enrollment in noncredit, non-~~
6 ~~degree courses;~~
7 ~~"(iv) participation in internships; or~~
8 ~~"(v) a combination of 2 or more of~~
9 ~~the activities described in clauses (i)~~
10 ~~through (iv);~~
11 ~~"(4) be maintaining satisfactory progress in the~~
12 ~~program as determined by the institution, in accord-~~
13 ~~ance with standards established by the institution;~~
14 ~~and~~
15 ~~"(5) meet the requirements of paragraphs (3),~~
16 ~~(4), (5), and (6) of subsection (a).".~~
17 ~~**SEC. 475. STATUTE OF LIMITATIONS AND STATE COURT**~~
18 ~~**JUDGMENTS.**~~
19 ~~Section 484A (20 U.S.C. 1091a) is amended—~~
20 ~~(1) in subsection (b)—~~
21 ~~(A) in paragraph (1), by striking "and"~~
22 ~~after the semicolon;~~
23 ~~(B) in paragraph (2), by striking the pe-~~
24 ~~riod and inserting "; and"; and~~
25 ~~(C) by adding at the end the following:~~

1 ~~"(3) in collecting any obligation arising from a~~
2 ~~loan made under part E of this title, an institution~~
3 ~~of higher education that has an agreement with the~~
4 ~~Secretary pursuant to section 463(a) shall not be~~
5 ~~subject to a defense raised by any borrower based on~~
6 ~~a claim of infancy.";~~ ~~and~~
7 ~~(2) by adding at the end the following:~~
8 ~~"(d) SPECIAL RULE.—This section shall not apply in~~
9 ~~the case of a student who is deceased or to a deceased~~
10 ~~student's estate or the estate of such student's family. If~~
11 ~~a student is deceased, then the student's estate or the es-~~
12 ~~tate of the student's family shall not be required to repay~~
13 ~~any financial assistance under this title, including interest~~
14 ~~paid on the student's behalf, collection costs, or other~~
15 ~~charges specified in this title.".~~
16 **~~SEC. 476. INSTITUTIONAL REFUNDS.~~**
17 ~~Section 484B(e)(2) (20 U.S.C. 1091B(e)(2)) is~~
18 ~~amended by striking "may determine the appropriate~~
19 ~~withdrawal date." and inserting "may determine—~~
20 ~~"(A) the appropriate withdrawal date; and~~
21 ~~"(B) that the requirements of this section~~
22 ~~do not apply to the student.".~~
23 **~~SEC. 477. INSTITUTIONAL AND FINANCIAL ASSISTANCE IN-~~**
24 **~~FORMATION FOR STUDENTS.~~**
25 ~~Section 485 (20 U.S.C. 1092) is amended—~~

1 ~~(1) in subsection (a)—~~

2 ~~(A) in paragraph (1)—~~

3 ~~(i) by striking subparagraph (M) and~~

4 ~~inserting the following:~~

5 ~~"(M) the terms and conditions of the loans~~

6 ~~that students receive under parts B, D, and~~

7 ~~E;";~~

8 ~~(ii) in subparagraph (N), by striking~~

9 ~~"and" after the semicolon;~~

10 ~~(iii) in subparagraph (O), by striking~~

11 ~~the period and inserting a semicolon; and~~

12 ~~(iv) by adding at the end the fol-~~

13 ~~lowing:~~

14 ~~"(P) institutional policies and sanctions related~~

15 ~~to copyright infringement that inform students that~~

16 ~~unauthorized distribution of copyrighted material on~~

17 ~~the institution's information technology systems, in-~~

18 ~~cluding engaging in unauthorized peer-to-peer file~~

19 ~~sharing, may subject the students to civil and crimi-~~

20 ~~nal penalties;"~~

21 ~~"(Q) student body diversity at the institution,~~

22 ~~including information on the percentage of enrolled,~~

23 ~~full-time students who are—~~

24 ~~"(i) male;~~

25 ~~"(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~~

~~part or part D (other than a loan made under section 428H or a Federal Direct Unsubsidized Stafford Loan) who did not receive a Federal Pell Grant, and by recipients of neither a Federal Pell Grant nor a loan made under this part or part D (other than a loan made under section 428H or a Federal Direct Unsubsidized Stafford Loan), if the number of students in such subgroup or with such status is sufficient to yield statistically reliable information and reporting would not reveal personally identifiable information about an individual student. If such number is not sufficient for such purposes, then the institution shall note that the institution enrolled too few of such students to so disclose or report with confidence and confidentiality.'';~~

~~(2) in subsection (b)—~~

~~(A) in paragraph (1)(A), by striking the subparagraph designation and all that follows through ''465.'' and inserting the following:~~

~~''(A) Each eligible institution shall, through financial aid offices or otherwise, provide counseling to borrowers of loans that are made, insured, or guaranteed under part B (other than loans made pursuant to section 428C or loans made to parents pursuant to section 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;~~

1 ~~"(II) the effects of consolidation~~
2 ~~on a borrower's underlying loan bene-~~
3 ~~fits, including all grace periods, loan~~
4 ~~forgiveness, cancellation, and~~
5 ~~deferment opportunities;~~
6 ~~"(III) the ability of the borrower~~
7 ~~to prepay the loan or change repay-~~
8 ~~ment plans; and~~
9 ~~"(IV) that borrower benefit pro-~~
10 ~~grams may vary among different loan~~
11 ~~holders; and~~
12 ~~"(ix) a notice to borrowers about the~~
13 ~~availability of the National Student Loan~~
14 ~~Data System and how the system can be~~
15 ~~used by a borrower to obtain information~~
16 ~~on the status of the borrower's loans."; and~~
17
18 ~~(B) by adding at the end the following:~~
19 ~~"(3) Each eligible institution shall, during the~~
20 ~~exit interview required by this subsection, provide to~~
21 ~~a borrower of a loan made under part B, D, or E~~
22 ~~a clear and conspicuous notice describing the general~~
23 ~~effects of using a consolidation loan to discharge the~~
24 ~~borrower's student loans, including—~~

1 ~~"(A) the effects of consolidation on total~~
2 ~~interest to be paid, fees to be paid, and length~~
3 ~~of repayment;~~
4 ~~"(B) the effects of consolidation on a bor-~~
5 ~~rower's underlying loan benefits, including loan~~
6 ~~forgiveness, cancellation, and deferment;~~
7 ~~"(C) the ability for the borrower to prepay~~
8 ~~the loan, pay on a shorter schedule, and to~~
9 ~~change repayment plans, and that borrower~~
10 ~~benefit programs may vary among different~~
11 ~~loan holders;~~
12 ~~"(D) the tax benefits for which the bor-~~
13 ~~rower may be eligible; and~~
14 ~~"(E) the consequences of default.";~~
15 ~~(3) in subsection (d)(2)—~~
16 ~~(A) by inserting "grant assistance, as well~~
17 ~~as State" after "describing State"; and~~
18 ~~(B) by inserting "and other means, includ-~~
19 ~~ing through the Internet" before the period at~~
20 ~~the end;~~
21 ~~(4) in subsection (e), by striking paragraph (3)~~
22 ~~and inserting the following:~~
23 ~~"(3) For purposes of this subsection, institu-~~
24 ~~tions 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:~~

1 ~~"(15) COMPLIANCE REPORT.—The Secretary~~
2 ~~shall annually report to the authorizing committees~~
3 ~~regarding compliance with this subsection by institu-~~
4 ~~tions of higher education, including an up-to-date re-~~
5 ~~port on the Secretary's monitoring of such compli-~~
6 ~~ance.~~
7 ~~"(16) BEST PRACTICES.—The Secretary may~~
8 ~~seek the advice and counsel of the Attorney General~~
9 ~~concerning the development, and dissemination to~~
10 ~~institutions of higher education, of best practices in-~~
11 ~~formation about campus safety and emergencies.";~~
12 ~~and~~
13 ~~(6) by adding at the end the following:~~
14 ~~"(h) TRANSFER OF CREDIT POLICIES.—~~
15 ~~"(1) DISCLOSURE.—Each institution of higher~~
16 ~~education participating in any program under this~~
17 ~~title shall publicly disclose in a readable and com-~~
18 ~~prehensible manner the institution's transfer of cred-~~
19 ~~it policies which shall include a statement of the in-~~
20 ~~stitution's current transfer of credit policies that in-~~
21 ~~cludes, at a minimum—~~
22 ~~"(A) a statement that transfer of credit~~
23 ~~shall not be denied solely on the basis of the~~
24 ~~agency or association that accredited such other~~
25 ~~institution of higher education, if that agency~~

1 ~~or association is recognized by the Secretary~~
2 ~~pursuant to section 496 to be a reliable author-~~
3 ~~ity as to the quality of the education or training~~
4 ~~offered; and~~
5 ~~"(B) a list of institutions of higher edu-~~
6 ~~cation with which the institution has established~~
7 ~~an articulation agreement.~~
8 ~~"(2) RULE OF CONSTRUCTION.—Nothing in~~
9 ~~this subsection shall be construed to—~~
10 ~~"(A) authorize an officer or employee of~~
11 ~~the Department to exercise any direction, su-~~
12 ~~pervision, or control over the curriculum, pro-~~
13 ~~gram of instruction, administration, or per-~~
14 ~~sonnel of any institution of higher education, or~~
15 ~~over any accrediting agency or association;~~
16 ~~"(B) limit the application of the General~~
17 ~~Education Provisions Act; or~~
18 ~~"(C) create any legally enforceable right on~~
19 ~~the part of a student to require an institution~~
20 ~~of higher education to accept a transfer of cred-~~
21 ~~it from another institution.~~
22 ~~"(i) DISCLOSURE OF FIRE SAFETY STANDARDS AND~~
23 ~~MEASURES.—~~
24 ~~"(1) ANNUAL FIRE SAFETY REPORTS ON STU-~~
25 ~~DENT 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

1 ~~"(B) in coordination with nationally recog-~~
2 ~~nized fire organizations and representatives of~~
3 ~~institutions of higher education, representatives~~
4 ~~of associations of institutions of higher edu-~~
5 ~~cation, and other organizations that represent~~
6 ~~and house a significant number of students—~~
7 ~~"(i) identify exemplary fire safety~~
8 ~~policies, procedures, programs, and prac-~~
9 ~~tices;~~
10 ~~"(ii) disseminate information to the~~
11 ~~Administrator of the United States Fire~~
12 ~~Administration;~~
13 ~~"(iii) make available to the public in-~~
14 ~~formation concerning those policies, proce-~~
15 ~~dures, programs, and practices that have~~
16 ~~proven effective in the reduction of fires;~~
17 ~~and~~
18 ~~"(iv) develop a protocol for institu-~~
19 ~~tions to review the status of their fire safe-~~
20 ~~ty systems.~~
21 ~~"(5) RULES OF CONSTRUCTION.—Nothing in~~
22 ~~this subsection shall be construed to—~~
23 ~~"(A) authorize the Secretary to require~~
24 ~~particular policies, procedures, programs, or~~
25 ~~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~~

1 ~~"(C) monitor the use of the data system by~~
2 ~~guaranty agencies and eligible lenders to deter-~~
3 ~~mine whether an agency or lender is accessing~~
4 ~~the records of students in which the agency or~~
5 ~~lender has no existing financial interest; and~~
6 ~~"(6) developing standardized protocols for lim-~~
7 ~~iting access to the data system that include—~~
8 ~~"(A) collecting data on the usage of the~~
9 ~~data system to monitor whether access has been~~
10 ~~or is being used contrary to the purposes of the~~
11 ~~data system;~~
12 ~~"(B) defining the steps necessary for de-~~
13 ~~termining whether, and how, to deny or restrict~~
14 ~~access to the data system; and~~
15 ~~"(C) determining the steps necessary to re-~~
16 ~~open access to the data system following a de-~~
17 ~~nial or restriction of access."; and~~
18 ~~(4) by striking subsection (e) (as redesignated~~
19 ~~by paragraph (1)) and inserting the following:~~
20 ~~"(e) REPORTS TO CONGRESS.—~~
21 ~~"(1) ANNUAL REPORT.—Not later than Sep-~~
22 ~~tember 30 of each fiscal year, the Secretary shall~~
23 ~~prepare and submit to the appropriate committees of~~
24 ~~Congress a report describing—~~

1 ~~"(A) the results obtained by the establish-~~
2 ~~ment and operation of the National Student~~
3 ~~Loan Data System authorized by this section;~~
4 ~~"(B) the effectiveness of existing privacy~~
5 ~~safeguards in protecting student and parent in-~~
6 ~~formation in the data system;~~
7 ~~"(C) the success of any new authorization~~
8 ~~protocols in more effectively preventing abuse of~~
9 ~~the data system;~~
10 ~~"(D) the ability of the Secretary to mon-~~
11 ~~itor how the system is being used, relative to~~
12 ~~the intended purposes of the data system; and~~
13 ~~"(E) any protocols developed under sub-~~
14 ~~section (d)(6) during the preceding fiscal year.~~
15 ~~"(2) STUDY.—~~
16 ~~"(A) IN GENERAL.—The Secretary shall~~
17 ~~conduct a study regarding—~~
18 ~~"(i) available mechanisms for pro-~~
19 ~~viding students and parents with the abil-~~
20 ~~ity to opt in or opt out of allowing eligible~~
21 ~~lenders to access their records in the Na-~~
22 ~~tional Student Loan Data System; and~~
23 ~~"(ii) appropriate protocols for limiting~~
24 ~~access to the data system, based on the~~
25 ~~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~~

1 ~~lender list on the basis of the benefits pro-~~
2 ~~vided to borrowers, including —~~
3 ~~"(I) highly competitive interest~~
4 ~~rates, terms, or conditions for loans~~
5 ~~made under part B;~~
6 ~~"(II) high-quality customer serv-~~
7 ~~ice for such loans; or~~
8 ~~"(III) additional benefits beyond~~
9 ~~the standard terms and conditions for~~
10 ~~such loans.~~
11 ~~"(B) DEFINITION OF AFFILIATE; CON-~~
12 ~~TROL.—~~
13 ~~"(i) DEFINITION OF AFFILIATE.—For~~
14 ~~the purposes of subparagraph (A)(ii) the~~
15 ~~term 'affiliate' means a person that con-~~
16 ~~trols, is controlled by, or is under common~~
17 ~~control with, another person.~~
18 ~~"(ii) CONTROL.—For purposes of sub-~~
19 ~~paragraph (A)(ii), a person has control~~
20 ~~over another person if—~~
21 ~~"(I) the person directly or indi-~~
22 ~~rectly, or acting through 1 or more~~
23 ~~others, owns, controls, or has the~~
24 ~~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 (e) 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.~~

~~"(c) 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.~~

1 ~~"(E) Funds generated by the institution~~
2 ~~from institutional activities that are necessary~~
3 ~~for the education and training of the institu-~~
4 ~~tion's students, if such activities are—~~
5 ~~"(i) conducted on campus or at a fa-~~
6 ~~cility under the control of the institution;~~
7 ~~"(ii) performed under the supervision~~
8 ~~of a member of the institution's faculty;~~
9 ~~and~~
10 ~~"(iii) required to be performed by all~~
11 ~~students in a specific educational program~~
12 ~~at the institution.~~
13 ~~"(F) Institutional aid, as follows:~~
14 ~~"(i) In the case of loans made by the~~
15 ~~institution, only the amount of loan repay-~~
16 ~~ments received by the institution during~~
17 ~~the fiscal year for which the determination~~
18 ~~is made.~~
19 ~~"(ii) In the case of scholarships pro-~~
20 ~~vided by the institution, only those scholar-~~
21 ~~ship funds provided by the institution that~~
22 ~~are—~~
23 ~~"(I) in the form of monetary aid~~
24 ~~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).~~

1 ~~"(B) REVIEW PANELS.—The Advisory~~
2 ~~Committee shall convene not less than 2 review~~
3 ~~panels of representatives of the groups involved~~
4 ~~in student financial assistance programs under~~
5 ~~this title who have experience and expertise in~~
6 ~~the regulations issued under this title to review~~
7 ~~the regulations under this title, and to provide~~
8 ~~recommendations to the Advisory Committee~~
9 ~~with respect to the review and analysis under~~
10 ~~paragraph (2). The panels shall be made up of~~
11 ~~experts in areas such as the operations of the~~
12 ~~financial assistance programs, the institutional~~
13 ~~eligibility requirements for the financial assist-~~
14 ~~ance programs, regulations not directly related~~
15 ~~to the operations or the institutional eligibility~~
16 ~~requirements of the financial assistance pro-~~
17 ~~grams, and regulations for dissemination of in-~~
18 ~~formation to students about the financial assist-~~
19 ~~ance programs.~~
20 ~~"(4) REPORTS TO CONGRESS.—The Advisory~~
21 ~~Committee shall submit, not later than 2 years after~~
22 ~~the completion of the negotiated rulemaking process~~
23 ~~required under section 492 resulting from the~~
24 ~~amendments to this Act made by the Higher Edu-~~
25 ~~cation Amendments of 2007, a report to the author-~~

~~izing committees and the Secretary detailing the expert panels' findings and recommendations with respect to the review and analysis under paragraph (2).~~

~~"(5) ADDITIONAL SUPPORT.—The Secretary and the Inspector General of the Department shall provide such assistance and resources to the Advisory Committee as the Secretary and Inspector General determine are necessary to conduct the review required by this subsection.~~

~~"(m) STUDY OF INNOVATIVE PATHWAYS TO BACCALAUREATE DEGREE ATTAINMENT.—~~

~~"(1) STUDY REQUIRED.—The Advisory Committee shall conduct a study of the feasibility of increasing baccalaureate degree attainment rates by reducing the costs and financial barriers to attaining a baccalaureate degree through innovative programs.~~

~~"(2) SCOPE OF STUDY.—The Advisory Committee shall examine new and existing programs that promote baccalaureate degree attainment through innovative ways, such as dual or concurrent enrollment programs, changes made to the Federal Pell Grant program, simplification of the needs analysis process, compressed or modular scheduling, articulation agreements, and programs that allow 2-year in-~~

~~stitutions of higher education to offer baccalaureate degrees.~~

~~"(3) REQUIRED ASPECTS OF THE STUDY.—In performing the study described in this subsection, the Advisory Committee shall examine the following aspects of such innovative programs:~~

~~"(A) The impact of such programs on baccalaureate attainment rates.~~

~~"(B) The degree to which a student's total cost of attaining a baccalaureate degree can be reduced by such programs.~~

~~"(C) The ways in which low- and moderate-income students can be specifically targeted by such programs.~~

~~"(D) The ways in which nontraditional students can be specifically targeted by such programs.~~

~~"(E) The cost-effectiveness for the Federal Government, States, and institutions of higher education to implement such programs.~~

~~"(4) CONSULTATION.—~~

~~"(A) IN GENERAL.—In performing the study described in this subsection the Advisory Committee shall consult with a broad range of 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-

~~cluding religious missions, and that ensure that the courses or programs of instruction, training, or study offered by the institution of higher education, including distance education courses or programs, are of sufficient quality to achieve, for the duration of the accreditation period, the stated objective for which the courses or the programs are offered; and~~

~~"(B) if such agency or association has or seeks to include within its scope of recognition the evaluation of the quality of institutions or programs offering distance education, such agency or association shall, in addition to meeting the other requirements of this subpart, demonstrate to the Secretary that—~~

~~"(i) the agency or association's standards effectively address the quality of an institution's distance education in the areas identified in section 496(a)(5), except that the agency or association shall not be required to have separate standards, procedures or policies for the evaluation of distance education institutions or programs in order to meet the requirements of this subparagraph; and~~

~~"(ii) the agency or association requires an institution that offers distance education to 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—~~

1 ~~"(I) results on State licensing ex-~~
2 ~~aminations; and~~
3 ~~"(II) job placement rates;~~
4 ~~"(v) as appropriate, enrollment in~~
5 ~~graduate or professional programs; and~~
6 ~~"(vi) as appropriate, other student~~
7 ~~performance information selected by the~~
8 ~~institution, particularly information—~~
9 ~~"(I) used by the institution to~~
10 ~~evaluate or strengthen the institu-~~
11 ~~tion's programs; and~~
12 ~~"(II) that reflects the institu-~~
13 ~~tion's individual mission and the insti-~~
14 ~~tution's distinctive goals for stu-~~
15 ~~dents;";~~
16 ~~(C) by striking paragraph (6) and insert-~~
17 ~~ing the following:~~
18 ~~"(6) such an agency or association shall estab-~~
19 ~~lish and apply review procedures throughout the ac-~~
20 ~~crediting process, including evaluation and with-~~
21 ~~drawal proceedings which comply with due process~~
22 ~~procedures that provide for—~~
23 ~~"(A) adequate specification of require-~~
24 ~~ments and deficiencies at the institution of~~
25 ~~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—~~

1 ~~"(A) that are publicly disclosed; and~~

2 ~~"(B) that do not deny transfer of credit~~

3 ~~based solely on the accreditation of the sending~~

4 ~~institution, if the agency or association accred-~~

5 ~~iting the sending institution is recognized by~~

6 ~~the Secretary pursuant to this section."; and~~

7 ~~(3) in subsection (g), by adding at the end the~~

8 ~~following: "Nothing in this section shall be construed~~

9 ~~to permit the Secretary to establish any criteria that~~

10 ~~specifies, defines, or prescribes the standards that~~

11 ~~accrediting agencies or associations shall use to as-~~

12 ~~sess any institution's success with respect to student~~

13 ~~achievement, beyond the standards and criteria es-~~

14 ~~tablished under subsection (a)(5).".~~

15 **~~SEC. 492. ADMINISTRATIVE CAPACITY STANDARD.~~**

16 ~~Section 498 (20 U.S.C. 1099c) is amended—~~

17 ~~(1) in subsection (d)(1)(B), by inserting "and"~~

18 ~~after the semicolon; and~~

19 ~~(2) by adding at the end the following:~~

20 ~~"(k) TREATMENT OF TEACH-OUTS AT ADDITIONAL~~

21 ~~LOCATIONS.—~~

22 ~~"(1) IN GENERAL.—A location of a closed insti-~~

23 ~~tution of higher education shall be eligible as an ad-~~

24 ~~ditional location of an eligible institution of higher~~

25 ~~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;~~

1 ~~"(8) the date by which the borrower needs to~~
2 ~~make a payment in order to avoid additional fees;~~
3 ~~"(9) the amount of such payment that will be~~
4 ~~applied to the interest, the balance, and any fees on~~
5 ~~the loan; and~~
6 ~~"(10) the lender's address and toll-free phone~~
7 ~~number for payment and billing error purposes.~~
8 ~~"(b) INFORMATION PROVIDED BEFORE COMMENCE-~~
9 ~~MENT OF REPAYMENT.—A lender of a loan made, insured,~~
10 ~~or guaranteed under this title shall provide to the borrower~~
11 ~~of such loan, at least one month before the loan enters~~
12 ~~repayment, a clear and conspicuous notice of not less than~~
13 ~~the following information:~~
14 ~~"(1) The borrower's options, including repay-~~
15 ~~ment plans, deferments, forbearances, and discharge~~
16 ~~options to which the borrower may be entitled.~~
17 ~~"(2) The conditions under which a borrower~~
18 ~~may be charged any fee, and the amount of such fee.~~
19 ~~"(3) The conditions under which a loan may de-~~
20 ~~fault, and the consequences of default.~~
21 ~~"(4) Resources, including nonprofit organiza-~~
22 ~~tions, advocates, and counselors (including the Office~~
23 ~~of the Ombudsman at the Department), where bor-~~
24 ~~rowers can receive advice and assistance, if such re-~~
25 ~~sources exist.~~

1 ~~"(c) INFORMATION PROVIDED DURING DELIN-~~
2 ~~QUENCY.—In addition to any other information required~~
3 ~~under law, a lender of a loan made, insured, or guaranteed~~
4 ~~under this title shall provide a borrower in delinquency~~
5 ~~with a clear and conspicuous notice of the date on which~~
6 ~~the loan will default if no payment is made, the minimum~~
7 ~~payment that must be made to avoid default, discharge~~
8 ~~options to which the borrower may be entitled, resources,~~
9 ~~including nonprofit organizations, advocates, and coun-~~
10 ~~selors (including the Office of the Ombudsman at the De-~~
11 ~~partment), where borrowers can receive advice and assist-~~
12 ~~ance, if such resources exist.~~
13 ~~"(d) INFORMATION PROVIDED DURING DEFAULT.—~~
14 ~~A lender of a loan made, insured, or guaranteed under~~
15 ~~this title shall provide a borrower in default, on not less~~
16 ~~than 2 separate occasions, with a clear and conspicuous~~
17 ~~notice of not less than the following information:~~
18 ~~"(1) The options available to the borrower to be~~
19 ~~removed from default.~~
20 ~~"(2) The relevant fees and conditions associated~~
21 ~~with each option.".~~
22 **~~SEC. 495. AUCTION EVALUATION AND REPORT.~~**
23 ~~(a) EVALUATION.—If Congress enacts an Act that~~
24 ~~authorizes the Secretary of Education to carry out a pilot~~
25 ~~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—~~

1 ~~"(A) in an instructional program with stat-~~
2 ~~ed performance goals for functional foreign lan-~~
3 ~~guage use or in a program developing such per-~~
4 ~~formance goals, in combination with area stud-~~
5 ~~ies, international studies, or the international~~
6 ~~aspects of a professional studies program; and~~
7 ~~"(B)(i) in the case of an undergraduate~~
8 ~~student, in the intermediate or advanced study~~
9 ~~of a less commonly taught language; or~~
10 ~~"(ii) in the case of a graduate student, in~~
11 ~~graduate study in connection with a program~~
12 ~~described in subparagraph (A), including—~~
13 ~~"(I) predissertation level study;~~
14 ~~"(II) preparation for dissertation re-~~
15 ~~search;~~
16 ~~"(III) dissertation research abroad; or~~
17 ~~"(IV) dissertation writing.";~~
18 ~~(3) by striking subsection (d) and inserting the~~
19 ~~following:~~
20 ~~"(d) ALLOWANCES.—~~
21 ~~"(1) GRADUATE LEVEL RECIPIENTS.—A sti-~~
22 ~~pend awarded to a graduate level recipient may in-~~
23 ~~clude allowances for dependents and for travel for~~
24 ~~research and study in the United States and abroad.~~

1 ~~"(2) UNDERGRADUATE LEVEL RECIPIENTS.—A~~
2 ~~stipend awarded to an undergraduate level recipient~~
3 ~~may include an allowance for educational programs~~
4 ~~in the United States or educational programs abroad~~
5 ~~that—~~
6 ~~"(A) are closely linked to the overall goals~~
7 ~~of the recipient's course of study; and~~
8 ~~"(B) have the purpose of promoting for-~~
9 ~~eign language fluency and knowledge of foreign~~
10 ~~cultures."; and~~
11 ~~(4) by adding at the end the following:~~
12 ~~"(c) APPLICATION.—Each institution or combination~~
13 ~~of institutions desiring a grant under this section shall~~
14 ~~submit an application to the Secretary at such time, in~~
15 ~~such manner, and accompanied by such information and~~
16 ~~assurances as the Secretary may require. Each application~~
17 ~~shall include an explanation of how the activities funded~~
18 ~~by the grant will reflect diverse perspectives and a wide~~
19 ~~range of views and generate debate on world regions and~~
20 ~~international affairs. Each application shall also describe~~
21 ~~how the applicant will address disputes regarding whether~~
22 ~~activities funded under the application reflect diverse per-~~
23 ~~spectives and a wide range of views. Each application shall~~
24 ~~also include a description of how the applicant will encour-~~
25 ~~age 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)—~~

1 ~~(A) by striking "FUNDING SUPPORT.—The~~
2 ~~Secretary" and inserting "FUNDING SUP-~~
3 ~~PORT.—~~
4 ~~"(1) THE SECRETARY.—The Secretary";~~
5 ~~(B) by striking "10" and inserting "20";~~
6 ~~and~~
7 ~~(C) by adding at the end the following:~~
8 ~~"(2) GRANTEES.—Of the total amount of grant~~
9 ~~funds awarded to a grantee under this section, the~~
10 ~~grantee may use not more than 10 percent of such~~
11 ~~funds for the activity described in subsection~~
12 ~~(a)(2)(I).".~~
13 **~~SEC. 604. RESEARCH; STUDIES.~~**
14 ~~Section 605(a) (20 U.S.C. 1125(a)) is amended—~~
15 ~~(1) in paragraph (8), by striking "and" after~~
16 ~~the semicolon;~~
17 ~~(2) in paragraph (9), by striking the period and~~
18 ~~inserting a semicolon; and~~
19 ~~(3) by adding at the end the following:~~
20 ~~"(10) evaluation of the extent to which pro-~~
21 ~~grams assisted under this title reflect diverse per-~~
22 ~~spectives and a wide range of views and generate de-~~
23 ~~bate on world regions and international affairs;~~

1 ~~"(11) the systematic collection, analysis, and~~
2 ~~dissemination of data that contribute to achieving~~
3 ~~the purposes of this part; and~~
4 ~~"(12) support for programs or activities to~~
5 ~~make data collected, analyzed, or disseminated under~~
6 ~~this section publicly available and easy to under-~~
7 ~~stand.".~~
8 **~~SEC. 605. TECHNOLOGICAL INNOVATION AND COOPERA-~~**
9 **~~TION FOR FOREIGN INFORMATION ACCESS.~~**
10 ~~Section 606 (20 U.S.C. 1126) is amended—~~
11 ~~(1) in subsection (a)—~~
12 ~~(A) by striking "new electronic tech-~~
13 ~~nologies" and inserting "electronic tech-~~
14 ~~nologies";~~
15 ~~(B) by inserting "from foreign sources"~~
16 ~~after "disseminate information";~~
17 ~~(C) in the subsection heading, by striking~~
18 ~~"AUTHORITY.—The Secretary" and inserting~~
19 ~~"AUTHORITY.—~~
20 ~~"(1) IN GENERAL.—The Secretary"; and~~
21 ~~(D) by adding at the end the following:~~
22 ~~"(2) PARTNERSHIPS WITH NOT-FOR-PROFIT~~
23 ~~EDUCATIONAL ORGANIZATIONS.—The Secretary may~~
24 ~~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:~~

1 ~~"(8) to establish linkages to facilitate carrying~~
2 ~~out the activities described in this subsection be-~~
3 ~~tween—~~
4 ~~"(A) the institutions of higher education,~~
5 ~~libraries, and consortia receiving grants under~~
6 ~~this section; and~~
7 ~~"(B) institutions of higher education, not-~~
8 ~~for-profit educational organizations, and librar-~~
9 ~~ies overseas; and~~
10 ~~"(9) to carry out other activities that the Sec-~~
11 ~~retary determines are consistent with the purpose of~~
12 ~~the grants or contracts awarded under this section."; and~~
13
14 ~~(3) in subsection (c), by striking "institution or~~
15 ~~consortium" and inserting "institution of higher~~
16 ~~education, library, or consortium".~~
17 **~~SEC. 606. SELECTION OF CERTAIN GRANT RECIPIENTS.~~**
18 ~~Section 607 (20 U.S.C. 1127) is amended—~~
19 ~~(1) in subsection (a), by striking "evaluates the~~
20 ~~applications for comprehensive and undergraduate~~
21 ~~language and area centers and programs." and in-~~
22 ~~serting "evaluates—~~
23 ~~"(1) the applications for comprehensive foreign~~
24 ~~language and area or international studies centers~~
25 ~~and programs; and~~

1 ~~"(2) the applications for undergraduate foreign~~
2 ~~language and area or international studies centers~~
3 ~~and programs."; and~~
4 ~~(2) in subsection (b), by adding at the end the~~
5 ~~following: "The Secretary shall also consider an ap-~~
6 ~~plicant's record of placing students into service in~~
7 ~~areas of national need and an applicant's stated ef-~~
8 ~~forts to increase the number of such students that~~
9 ~~go into such service.".~~
10 ~~**SEC. 607. AMERICAN OVERSEAS RESEARCH CENTERS.**~~
11 ~~Section 609 (20 U.S.C. 1128a) is amended by adding~~
12 ~~at the end the following:~~
13 ~~"(c) APPLICATION.—Each center desiring a grant~~
14 ~~under this section shall submit an application to the Sec-~~
15 ~~retary at such time, in such manner, and accompanied by~~
16 ~~such information and assurances as the Secretary may re-~~
17 ~~quire.".~~
18 ~~**SEC. 608. AUTHORIZATION OF APPROPRIATIONS FOR**~~
19 ~~**INTERNATIONAL AND FOREIGN LANGUAGE**~~
20 ~~**STUDIES.**~~
21 ~~Section 610 (20 U.S.C. 1128b) is amended by strik-~~
22 ~~ing "$80,000,000 for fiscal year 1999" and all that fol-~~
23 ~~lows through the period and inserting "such sums as may~~
24 ~~be necessary for fiscal year 2008 and each of the 5 suc-~~
25 ~~ceeding 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 ~~"(1) REQUIREMENTS.—A student receiving a~~
2 ~~summer stipend under this section shall use such sti-~~
3 ~~pend to defray the student's cost of participation in~~
4 ~~a summer institute program funded under this part,~~
5 ~~including the costs of travel, living, and educational~~
6 ~~expenses necessary for the student's participation in~~
7 ~~such program.~~
8 ~~"(2) AMOUNT.—A summer stipend awarded to~~
9 ~~a student under this section shall not exceed $3,000~~
10 ~~per summer.~~
11 ~~"(c) RALPH BUNCHE SCHOLARSHIP.—~~
12 ~~"(1) REQUIREMENTS.—A student receiving a~~
13 ~~Ralph Bunche scholarship under this section—~~
14 ~~"(A) shall be a full-time student at an in-~~
15 ~~stitution of higher education who is accepted~~
16 ~~into a program funded under this part; and~~
17 ~~"(B) shall use such scholarship to pay~~
18 ~~costs related to the cost of attendance, as de-~~
19 ~~fined in section 472, at the institution of higher~~
20 ~~education in which the student is enrolled.~~
21 ~~"(2) AMOUNT AND DURATION.—A Ralph~~
22 ~~Bunche scholarship awarded to a student under this~~
23 ~~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~~

~~certified by the Council on Legal Education Opportunity.'';~~

~~(4) in subsection (d)—~~

~~(A) in the matter preceding paragraph (1), by inserting ''pre-college programs, undergraduate'' before ''pre-law'';~~

~~(B) in paragraph (1)—~~

~~(i) in subparagraph (B), by inserting ''law school'' before ''graduation''; and~~

~~(ii) by striking subparagraph (D) and inserting the following:~~

~~''(D) pre-college and undergraduate preparatory courses in analytical and writing skills, study methods, and curriculum selection;'';~~

~~(C) by redesignating paragraphs (2) through (6) as paragraphs (3) through (7), respectively;~~

~~(D) by inserting after paragraph (1) the following:~~

~~''(2) summer academic programs for secondary school students who have expressed interest in a career in the law;'';~~ ~~and~~

~~(E) in paragraph (7) (as redesignated by subparagraph (C)), by inserting ''and Associates'' 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:~~

1 ~~"(9) the introduction of reforms in remedial~~
2 ~~education, including English language instruction, to~~
3 ~~customize remedial courses to student goals and help~~
4 ~~students progress rapidly from remedial courses into~~
5 ~~core courses and through program completion; and~~
6 ~~"(10) the creation of consortia that join diverse~~
7 ~~institutions of higher education to design and offer~~
8 ~~curricular and co-curricular interdisciplinary pro-~~
9 ~~grams at the undergraduate and graduate levels,~~
10 ~~sustained for not less than a 5 year period, that—~~
11 ~~"(A) focus on poverty and human capa-~~
12 ~~bility; and~~
13 ~~"(B) include—~~
14 ~~"(i) a service-learning component; and~~
15 ~~"(ii) the delivery of educational serv-~~
16 ~~ices through informational resource cen-~~
17 ~~ters, summer institutes, midyear seminars,~~
18 ~~and other educational activities that stress~~
19 ~~the effects of poverty and how poverty can~~
20 ~~be alleviated through different career~~
21 ~~paths."; and~~
22 ~~(2) by adding at the end the following:~~
23 ~~"(c) PROJECT GRAD.—~~
24 ~~"(1) PURPOSES.—The purposes of this sub-~~
25 ~~section 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;~~

1 ~~"(iv) activities for the purpose of pro-~~
2 ~~moting greater public awareness of inte-~~
3 ~~grated education reform services to im-~~
4 ~~prove secondary school graduation, college~~
5 ~~attendance, and college completion rates~~
6 ~~for at-risk students; and~~
7 ~~"(v) other activities directly related to~~
8 ~~improving secondary school graduation,~~
9 ~~college attendance, and college completion~~
10 ~~rates for at-risk students.~~
11 ~~"(5) GRANTEE CONTRIBUTION AND MATCHING~~
12 ~~REQUIREMENT.—~~
13 ~~"(A) IN GENERAL.—The grantee shall pro-~~
14 ~~vide funds to each subcontractor based on the~~
15 ~~number of students served by the subcontractor~~
16 ~~in the Project GRAD program, adjusted to take~~
17 ~~into consideration—~~
18 ~~"(i) the resources available in the area~~
19 ~~where the subcontractor will implement the~~
20 ~~Project GRAD program; and~~
21 ~~"(ii) the need for the Project GRAD~~
22 ~~program in such area to improve student~~
23 ~~outcomes, including reading and mathe-~~
24 ~~matics 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:

1 ~~"(B) EFFECTIVE TRANSITION PRAC-~~
2 ~~TICES.—The development of innovative and ef-~~
3 ~~fective teaching methods and strategies to en-~~
4 ~~sure the successful transition of students with~~
5 ~~disabilities from secondary school to postsec-~~
6 ~~ondary education.";~~
7 ~~(iv) in subparagraph (C), as redesig-~~
8 ~~nated by clause (ii), by striking the period~~
9 ~~at the end and inserting ", including data~~
10 ~~on the postsecondary education of and im-~~
11 ~~pact on subsequent employment of stu-~~
12 ~~dents with disabilities. Such research, in-~~
13 ~~formation, and data shall be made publicly~~
14 ~~available and accessible.";~~
15 ~~(v) by inserting after subparagraph~~
16 ~~(C), as redesignated by clause (ii), the fol-~~
17 ~~lowing:~~
18 ~~"(D) DISTANCE LEARNING.—The develop-~~
19 ~~ment of innovative and effective teaching meth-~~
20 ~~ods and strategies to provide faculty and ad-~~
21 ~~ministrators with the ability to provide acces-~~
22 ~~sible distance education programs or classes~~
23 ~~that would enhance access of students with dis-~~
24 ~~abilities 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 (1) in the part heading, by striking "**DEM-**
2 **ONSTRATION**";
3 (2) by inserting after the part heading the fol-
4 lowing:
5 **"Subpart 1—Quality Higher Education";**
6 and
7 (3) by adding at the end the following:
8 **"Subpart 2—Transition Programs for Students With**
9 **Intellectual Disabilities Into Higher Education;**
10 **Coordinating Center**
11 **"SEC. 771. PURPOSE.**
12 "It is the purpose of this subpart to support model
13 demonstration programs that promote the successful tran-
14 sition of students with intellectual disabilities into higher
15 education.
16 **"SEC. 772. DEFINITIONS.**
17 "In this subpart:
18 "(1) COMPREHENSIVE TRANSITION AND POST-
19 SECONDARY PROGRAM FOR STUDENTS WITH INTEL-
20 LECTUAL DISABILITIES.—The term 'comprehensive
21 transition and postsecondary program for students
22 with intellectual disabilities' means a degree, certifi-
23 cate, or nondegree program offered by an institution
24 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 ~~"(1) IN GENERAL.—The Secretary shall annu-~~
2 ~~ally award grants, on a competitive basis, to institu-~~
3 ~~tions of higher education (or consortia of institutions~~
4 ~~of higher education), to create or expand high-qual-~~
5 ~~ity, inclusive model comprehensive transition and~~
6 ~~postsecondary programs for students with intellec-~~
7 ~~tual disabilities.~~
8 ~~"(2) NUMBER AND DURATION OF GRANTS.—~~
9 ~~The Secretary shall award not less than 10 grants~~
10 ~~per year under this section, and each grant awarded~~
11 ~~under this subsection shall be for a period of 5~~
12 ~~years.~~
13 ~~"(b) APPLICATION.—An institution of higher edu-~~
14 ~~cation (or a consortium) desiring a grant under this sec-~~
15 ~~tion shall submit an application to the Secretary at such~~
16 ~~time, in such manner, and containing such information as~~
17 ~~the Secretary may require.~~
18 ~~"(c) PREFERENCE.—In awarding grants under this~~
19 ~~section, the Secretary shall give preference to institutions~~
20 ~~of higher education (or consortia) that—~~
21 ~~"(1) will carry out a model program under the~~
22 ~~grant in a State that does not already have a com-~~
23 ~~prehensive transition and postsecondary program for~~
24 ~~students with intellectual disabilities; or~~

1 ~~"(2) in the application submitted under sub-~~
2 ~~section (b), agree to incorporate 1 or more the fol-~~
3 ~~lowing elements into the model programs carried out~~
4 ~~under the grant:~~
5 ~~"(A) The formation of a partnership with~~
6 ~~any relevant agency serving students with intel-~~
7 ~~lectual disabilities, such as a vocational rehabili-~~
8 ~~tation agency.~~
9 ~~"(B) In the case of an institution of higher~~
10 ~~education that provides institutionally-owned or~~
11 ~~operated housing for students attending the in-~~
12 ~~stitution, the integration of students with intel-~~
13 ~~lectual disabilities into such housing.~~
14 ~~"(C) The involvement of students attend-~~
15 ~~ing the institution of higher education who are~~
16 ~~studying special education, general education,~~
17 ~~vocational rehabilitation, assistive technology, or~~
18 ~~related fields in the model program carried out~~
19 ~~under the grant.~~
20 ~~"(d) USE OF FUNDS.—An institution of higher edu-~~
21 ~~cation (or consortium) receiving a grant under this section~~
22 ~~shall use the grant funds to establish a model comprehen-~~
23 ~~sive transition and postsecondary program for students~~
24 ~~with intellectual disabilities that—~~

1 ~~"(1) serves students with intellectual disabil-~~
2 ~~ities, including students with intellectual disabilities~~
3 ~~who are no longer eligible for special education and~~
4 ~~related services under the Individuals with Disabil-~~
5 ~~ities Education Act;~~
6 ~~"(2) provides individual supports and services~~
7 ~~for the academic and social inclusion of students~~
8 ~~with intellectual disabilities in academic courses, ex-~~
9 ~~tracurricular activities, and other aspects of the in-~~
10 ~~stitution of higher education's regular postsecondary~~
11 ~~program;~~
12 ~~"(3) with respect to the students with intellec-~~
13 ~~tual disabilities participating in the model program,~~
14 ~~provides a focus on—~~
15 ~~"(A) academic enrichment;~~
16 ~~"(B) socialization;~~
17 ~~"(C) independent living, including self-ad-~~
18 ~~vocacy skills; and~~
19 ~~"(D) integrated work experiences and ca-~~
20 ~~reer skills that lead to gainful employment;~~
21 ~~"(4) integrates person-centered planning in the~~
22 ~~development of the course of study for each student~~
23 ~~with an intellectual disability participating in the~~
24 ~~model program;~~

1 ~~"(5) participates with the coordinating center~~
2 ~~established under section 774 in the evaluation of~~
3 ~~the model program;~~
4 ~~"(6) partners with 1 or more local educational~~
5 ~~agencies to support students with intellectual disabil-~~
6 ~~ities participating in the model program who are still~~
7 ~~eligible for special education and related services~~
8 ~~under such Act, including regarding the utilization~~
9 ~~of funds available under part B of the Individuals~~
10 ~~with Disabilities Education Act for such students;~~
11 ~~"(7) plans for the sustainability of the model~~
12 ~~program after the end of the grant period; and~~
13 ~~"(8) creates and offers a meaningful credential~~
14 ~~for students with intellectual disabilities upon the~~
15 ~~completion of the model program.~~
16 ~~"(e) MATCHING REQUIREMENT.—An institution of~~
17 ~~higher education that receives a grant under this section~~
18 ~~shall provide toward the cost of the model comprehensive~~
19 ~~transition and postsecondary program for students with~~
20 ~~intellectual disabilities carried out under the grant, match-~~
21 ~~ing funds, which may be provided in cash or in-kind, in~~
22 ~~an amount not less than 25 percent of the amount of such~~
23 ~~grant funds.~~
24 ~~"(f) REPORT.—Not later than 3 years after the date~~
25 ~~of enactment of the Higher Education Amendments of~~

1 ~~2007, the Secretary shall prepare and disseminate a re-~~
2 ~~port reviewing the activities of the model comprehensive~~
3 ~~transition and postsecondary programs for students with~~
4 ~~intellectual disabilities authorized under this subpart and~~
5 ~~providing guidance and recommendations on how success-~~
6 ~~ful programs can be replicated.~~

7 ~~"(g) AUTHORIZATION OF APPROPRIATIONS.—There~~
8 ~~are authorized to be appropriated to carry out this section~~
9 ~~such sums as may be necessary.~~

10 **~~"SEC. 774. COORDINATING CENTER FOR TECHNICAL AS-~~**
11 **~~SISTANCE, EVALUATION, AND DEVELOPMENT~~**
12 **~~OF ACCREDITATION STANDARDS.~~**

13 ~~"(a) IN GENERAL.—~~

14 ~~"(1) AWARD.—The Secretary shall, on a com-~~
15 ~~petitive basis, enter into a cooperative agreement~~
16 ~~with an eligible entity, for the purpose of estab-~~
17 ~~lishing a coordinating center for technical assistance,~~
18 ~~evaluation, and development of accreditation stand-~~
19 ~~ards for institutions of higher education that offer~~
20 ~~inclusive model comprehensive transition and post-~~
21 ~~secondary programs for students with intellectual~~
22 ~~disabilities.~~

23 ~~"(2) DURATION.—The cooperative agreement~~
24 ~~under this section shall be for a period of 5 years.~~

1 ~~"(b) REQUIREMENTS OF COOPERATIVE AGREE-~~
2 ~~MENT.—The eligible entity entering into a cooperative~~
3 ~~agreement under this section shall establish and maintain~~
4 ~~a center that shall—~~
5 ~~"(1) serve as the technical assistance entity for~~
6 ~~all model comprehensive transition and postsec-~~
7 ~~ondary programs for students with intellectual dis-~~
8 ~~abilities assisted under section 773;~~
9 ~~"(2) provide technical assistance regarding the~~
10 ~~development, evaluation, and continuous improve-~~
11 ~~ment of such programs;~~
12 ~~"(3) develop an evaluation protocol for such~~
13 ~~programs that includes qualitative and quantitative~~
14 ~~methodology measuring student outcomes and pro-~~
15 ~~gram strengths in the areas of academic enrichment,~~
16 ~~socialization, independent living, and competitive or~~
17 ~~supported employment;~~
18 ~~"(4) assist recipients of grants under section~~
19 ~~773 in efforts to award a meaningful credential to~~
20 ~~students with intellectual disabilities upon the com-~~
21 ~~pletion of such programs, which credential takes into~~
22 ~~consideration unique State factors;~~
23 ~~"(5) develop model criteria, standards, and pro-~~
24 ~~cedures to be used in accrediting such programs~~
25 ~~that—~~

1 ~~"(A) include, in the development of the~~
2 ~~model criteria, standards, and procedures for~~
3 ~~such programs, the participation of—~~
4 ~~"(i) an expert in higher education;~~
5 ~~"(ii) an expert in special education;~~
6 ~~"(iii) a disability organization that~~
7 ~~represents students with intellectual dis-~~
8 ~~abilities; and~~
9 ~~"(iv) a State, regional, or national ac-~~
10 ~~crediting agency or association recognized~~
11 ~~by the Secretary under subpart 2 of part~~
12 ~~H of title IV; and~~
13 ~~"(B) define the necessary components of~~
14 ~~such programs, such as—~~
15 ~~"(i) academic, vocational, social, and~~
16 ~~independent living skills;~~
17 ~~"(ii) evaluation of student progress;~~
18 ~~"(iii) program administration and~~
19 ~~evaluation;~~
20 ~~"(iv) student eligibility; and~~
21 ~~"(v) issues regarding the equivalency~~
22 ~~of a student's participation in such pro-~~
23 ~~grams to semester, trimester, quarter,~~
24 ~~credit, or clock hours at an institution of~~
25 ~~higher education, as the case may be;~~

1 ~~"(6) analyze possible funding streams for such~~
2 ~~programs and provide recommendations regarding~~
3 ~~the funding streams;~~
4 ~~"(7) develop model memoranda of agreement~~
5 ~~between institutions of higher education and agen-~~
6 ~~cies providing funding for such programs;~~
7 ~~"(8) develop mechanisms for regular commu-~~
8 ~~nication between the recipients of grants under sec-~~
9 ~~tion 773 regarding such programs; and~~
10 ~~"(9) host a meeting of all recipients of grants~~
11 ~~under section 773 not less often than once a year.~~
12 ~~"(c) DEFINITION OF ELIGIBLE ENTITY.—In this sec-~~
13 ~~tion, the term 'eligible entity' means an entity, or a part-~~
14 ~~nership of entities, that has demonstrated expertise in the~~
15 ~~fields of higher education, students with intellectual dis-~~
16 ~~abilities, the development of comprehensive transition and~~
17 ~~postsecondary programs for students with intellectual dis-~~
18 ~~abilities, and evaluation.~~
19 ~~"(d) AUTHORIZATION OF APPROPRIATIONS.—There~~
20 ~~are authorized to be appropriated to carry out this section~~
21 ~~such sums as may be necessary.".~~
22 ~~(c) CONFORMING AMENDMENTS.—Part D of title VII~~
23 ~~(20 U.S.C. 1140 et seq.) is further amended—~~
24 ~~(1) in section 761, by striking "part" and in-~~
25 ~~serting "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:~~

1 ~~"(4) a description of the extent to which the in-~~
2 ~~stitution will work to replicate the research based~~
3 ~~and best practices of institutions of higher education~~
4 ~~with demonstrated success in serving students with~~
5 ~~disabilities.".~~

6 **~~SEC. 716. AUTHORIZATION OF APPROPRIATIONS FOR DEM-~~**
7 **~~ONSTRATION PROJECTS TO ENSURE STU-~~**
8 **~~DENTS WITH DISABILITIES RECEIVE A QUAL-~~**
9 **~~ITY HIGHER EDUCATION.~~**

10 ~~Section 765 (20 U.S.C. 1140d) is amended by strik-~~
11 ~~ing "$10,000,000 for fiscal year 1999" and all that fol-~~
12 ~~lows through the period and inserting "such sums as may~~
13 ~~be necessary for fiscal year 2008 and each of the 5 suc-~~
14 ~~ceeding fiscal years.".~~

15 **~~TITLE VIII—MISCELLANEOUS~~**

16 **~~SEC. 801. MISCELLANEOUS.~~**

17 ~~The Act (20 U.S.C. 1001 et seq.) is amended by add-~~
18 ~~ing at the end the following:~~

19 **~~"TITLE VIII—MISCELLANEOUS~~**

20 **~~"PART A—MATHEMATICS AND SCIENCE~~**
21 **~~SCHOLARS PROGRAM~~**

22 **~~"SEC. 811. MATHEMATICS AND SCIENCE SCHOLARS PRO-~~**
23 **~~GRAM.~~**

24 ~~"(a) PROGRAM AUTHORIZED.—The Secretary is au-~~
25 ~~thorized 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 ~~"(1) in an amount that does not exceed $1,000;~~
2 ~~and~~
3 ~~"(2) for not more than 2 years of under-~~
4 ~~graduate study.~~
5 ~~"(f) MATCHING REQUIREMENT.—In order to receive~~
6 ~~a grant under this section, a State shall provide matching~~
7 ~~funds for the scholarships awarded under this section in~~
8 ~~an amount equal to 50 percent of the Federal funds re-~~
9 ~~ceived.~~
10 ~~"(g) AUTHORIZATION.—There are authorized to be~~
11 ~~appropriated to carry out this section such sums as may~~
12 ~~be necessary for fiscal year 2008 and each of the 5 suc-~~
13 ~~ceeding fiscal years.~~
14 **~~"PART B—POSTSECONDARY EDUCATION~~**
15 **~~ASSESSMENT~~**
16 **~~"SEC. 816. POSTSECONDARY EDUCATION ASSESSMENT.~~**
17 ~~"(a) CONTRACT FOR ASSESSMENT.—The Secretary~~
18 ~~shall enter into a contract, with an independent, bipartisan~~
19 ~~organization with specific expertise in public administra-~~
20 ~~tion and financial management, to carry out an inde-~~
21 ~~pendent assessment of the cost factors associated with the~~
22 ~~cost of tuition at institutions of higher education.~~
23 ~~"(b) TIMEFRAME.—The Secretary shall enter into~~
24 ~~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~~

1 ~~"(C) has delayed enrollment at an institu-~~
2 ~~tion of higher education.~~
3 ~~"(3) INSTITUTION OF HIGHER EDUCATION.—~~
4 ~~The term 'institution of higher education' means an~~
5 ~~institution of higher education, as defined in section~~
6 ~~101(b), that offers a 1- or 2-year program of study~~
7 ~~leading to a degree or certificate.~~
8 ~~"(c) APPLICATION.—~~
9 ~~"(1) IN GENERAL.—Each eligible partnership~~
10 ~~that desires a grant under this section shall submit~~
11 ~~an application to the Secretary at such time, in such~~
12 ~~manner, and accompanied by such additional infor-~~
13 ~~mation as the Secretary may require.~~
14 ~~"(2) CONTENTS.—Each application submitted~~
15 ~~under paragraph (1) shall include a description of—~~
16 ~~"(A) how the eligible partnership, through~~
17 ~~the institution of higher education, will provide~~
18 ~~relevant job skill training for students to enter~~
19 ~~high-growth occupations or industries;~~
20 ~~"(B) local high-growth occupations or in-~~
21 ~~dustries; and~~
22 ~~"(C) the need for qualified workers to meet~~
23 ~~the local demand of high-growth occupations or~~
24 ~~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 ~~"(1) to expand or create academic programs or~~
2 ~~programs of training that provide relevant job skill~~
3 ~~training for high-growth occupations or industries;~~
4 ~~"(2) to purchase equipment which will facilitate~~
5 ~~the development of academic programs or programs~~
6 ~~of training that provide training for high-growth oc-~~
7 ~~cupations or industries;~~
8 ~~"(3) to support outreach efforts that enable~~
9 ~~students to attend institutions of higher education~~
10 ~~with academic programs or programs of training fo-~~
11 ~~cused on high-growth occupations or industries;~~
12 ~~"(4) to expand or create programs for distance,~~
13 ~~evening, weekend, modular, or compressed learning~~
14 ~~opportunities that provide relevant job skill training~~
15 ~~in high-growth occupations or industries;~~
16 ~~"(5) to build partnerships with local businesses~~
17 ~~in high-growth occupations or industries;~~
18 ~~"(6) to support curriculum development related~~
19 ~~to entrepreneurial training; and~~
20 ~~"(7) for other uses that the Secretary deter-~~
21 ~~mines to be consistent with the intent of this section.~~
22 ~~"(f) REQUIREMENTS.—~~
23 ~~"(1) FISCAL AGENT.—For the purpose of this~~
24 ~~section, the institution of higher education in an eli-~~

1 ~~gible partnership shall serve as the fiscal agent and~~
2 ~~grant recipient for the eligible partnership.~~
3 ~~"(2) DURATION.—The Secretary shall award~~
4 ~~grants under this section for periods that may not~~
5 ~~exceed 5 years.~~
6 ~~"(3) SUPPLEMENT, NOT SUPPLANT.—Funds~~
7 ~~made available under this section shall be used to~~
8 ~~supplement and not supplant other Federal, State,~~
9 ~~and local funds available to the eligible partnership~~
10 ~~for carrying out the activities described in subsection~~
11 ~~(c).~~
12 ~~"(g) AUTHORIZATION OF APPROPRIATIONS.—There~~
13 ~~are authorized to be appropriated to carry out this part~~
14 ~~such sums as may be necessary for fiscal year 2008 and~~
15 ~~each of the 5 succeeding fiscal years.~~
16 **~~"PART D—ADDITIONAL CAPACITY FOR R.N. STU-~~**
17 **~~DENTS OR GRADUATE-LEVEL NURSING STU-~~**
18 **~~DENTS~~**
19 **~~"SEC. 826. ADDITIONAL CAPACITY FOR R.N. STUDENTS OR~~**
20 **~~GRADUATE-LEVEL NURSING STUDENTS.~~**
21 ~~"(a) AUTHORIZATION.—The Secretary shall award~~
22 ~~grants to institutions of higher education that offer—~~
23 ~~"(1) a R.N. nursing program at the bacca-~~
24 ~~laureate or associate degree level to enable such pro-~~
25 ~~gram 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~~

~~awarded a grant under this section an amount that is equal to $3,000 multiplied by the number of matriculated nursing program students at such institution for such academic year that is more than the average number determined with respect to such institution under subsection (b)(1). Such amount shall be used for the purposes described in subsection (a).~~

~~"(2) DISTRIBUTION OF GRANTS AMONG DIFFERENT DEGREE PROGRAMS.—~~

~~"(A) IN GENERAL.—Subject to subparagraph (B), from the funds available to award grants under this section for each fiscal year, the Secretary shall—~~

~~"(i) use 20 percent of such funds to award grants under this section to institutions of higher education for the purpose of accommodating advanced practice degrees or students in graduate-level nursing programs;~~

~~"(ii) 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 baccalaureate degree level; and~~

1 ~~"(iii) use 40 percent of such funds to~~
2 ~~award grants under this section to institu-~~
3 ~~tions of higher education for the purpose~~
4 ~~of expanding R.N. nursing programs at the~~
5 ~~associate degree level.~~
6 ~~"(B) DISTRIBUTION OF EXCESS FUNDS.—~~
7 ~~If, for a fiscal year, funds described in clause~~
8 ~~(i), (ii), or (iii) of subparagraph (A) remain~~
9 ~~after the Secretary awards grants under this~~
10 ~~section to all applicants for the particular cat-~~
11 ~~egory of nursing programs described in such~~
12 ~~clause, the Secretary shall use equal amounts of~~
13 ~~the remaining funds to award grants under this~~
14 ~~section to applicants for the remaining cat-~~
15 ~~egories of nursing programs.~~
16 ~~"(C) EQUITABLE DISTRIBUTION.—In~~
17 ~~awarding grants under this section, the Sec-~~
18 ~~retary shall, to the extent practicable, ensure—~~
19 ~~"(i) an equitable geographic distribu-~~
20 ~~tion of the grants among the States; and~~
21 ~~"(ii) an equitable distribution of the~~
22 ~~grants among different types of institu-~~
23 ~~tions of higher education.~~
24 ~~"(d) PROHIBITION.—~~

1 ~~"(1) IN GENERAL.—Funds provided under this~~
2 ~~section may not be used for the construction of new~~
3 ~~facilities.~~
4 ~~"(2) RULE OF CONSTRUCTION.—Nothing in~~
5 ~~paragraph (1) shall be construed to prohibit funds~~
6 ~~provided under this section from being used for the~~
7 ~~repair or renovation of facilities.~~
8 ~~"(c) AUTHORIZATION OF APPROPRIATIONS.—There~~
9 ~~are authorized to be appropriated to carry out this section~~
10 ~~such sums as may be necessary.~~
11 **~~"PART E—AMERICAN HISTORY FOR FREEDOM~~**
12 **~~"SEC. 831. AMERICAN HISTORY FOR FREEDOM.~~**
13 ~~"(a) GRANTS AUTHORIZED.—The Secretary is au-~~
14 ~~thorized to award 3-year grants, on a competitive basis,~~
15 ~~to eligible institutions to establish or strengthen postsec-~~
16 ~~ondary academic programs or centers that promote and~~
17 ~~impart knowledge of—~~
18 ~~"(1) traditional American history;~~
19 ~~"(2) the history and nature of, and threats to,~~
20 ~~free institutions; or~~
21 ~~"(3) the history and achievements of Western~~
22 ~~civilization.~~
23 ~~"(b) DEFINITIONS.—In this section:~~

1 ~~"(1) ELIGIBLE INSTITUTION.—The term 'eligi-~~
2 ~~ble institution' means an institution of higher edu-~~
3 ~~cation as defined in section 101.~~
4 ~~"(2) FREE INSTITUTION.—The term 'free insti-~~
5 ~~tution' means an institution that emerged out of~~
6 ~~Western civilization, such as democracy, constitu-~~
7 ~~tional government, individual rights, market econom-~~
8 ~~ics, religious freedom and religious tolerance, and~~
9 ~~freedom of thought and inquiry.~~
10 ~~"(3) TRADITIONAL AMERICAN HISTORY.—The~~
11 ~~term 'traditional American history' means—~~
12 ~~"(A) the significant constitutional, polit-~~
13 ~~ical, intellectual, economic, and foreign policy~~
14 ~~trends and issues that have shaped the course~~
15 ~~of American history; and~~
16 ~~"(B) the key episodes, turning points, and~~
17 ~~leading figures involved in the constitutional,~~
18 ~~political, intellectual, diplomatic, and economic~~
19 ~~history of the United States.~~
20 ~~"(c) APPLICATION.—~~
21 ~~"(1) IN GENERAL.—Each eligible institution~~
22 ~~that desires a grant under this part shall submit an~~
23 ~~application to the Secretary at such time, in such~~
24 ~~manner, and accompanied by such additional infor-~~
25 ~~mation as the Secretary may require.~~

1 ~~"(2) CONTENTS.—Each application submitted~~
2 ~~under subsection (a) shall include a description of —~~
3 ~~"(A) how funds made available under this~~
4 ~~part will be used for the activities set forth~~
5 ~~under subsection (c), including how such activi-~~
6 ~~ties will increase knowledge with respect to tra-~~
7 ~~ditional American history, free institutions, or~~
8 ~~Western civilization;~~
9 ~~"(B) how the eligible institution will ensure~~
10 ~~that information about the activities funded~~
11 ~~under this part is widely disseminated pursuant~~
12 ~~to subsection (c)(1)(B);~~
13 ~~"(C) any activities to be undertaken pursu-~~
14 ~~ant to subsection (c)(2)(A), including identifica-~~
15 ~~tion of entities intended to participate;~~
16 ~~"(D) how funds made available under this~~
17 ~~part shall be used to supplement and not sup-~~
18 ~~plant non-Federal funds available for the activi-~~
19 ~~ties described in subsection (c); and~~
20 ~~"(E) such fiscal controls and accounting~~
21 ~~procedures as may be necessary to ensure prop-~~
22 ~~er disbursement of and accounting for funding~~
23 ~~made available to the eligible institution under~~
24 ~~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;~~

1 ~~"(iv) support for faculty teaching in~~
2 ~~undergraduate and, if applicable, graduate~~
3 ~~programs;~~
4 ~~"(v) support for graduate and post-~~
5 ~~graduate fellowships, if applicable; or~~
6 ~~"(vi) teacher preparation initiatives~~
7 ~~that stress content mastery regarding tra-~~
8 ~~ditional American history, free institutions,~~
9 ~~or Western civilization; and~~
10 ~~"(B) conduct outreach activities to ensure~~
11 ~~that information about the activities funded~~
12 ~~under this part is widely disseminated—~~
13 ~~"(i) to undergraduate students (in-~~
14 ~~cluding students enrolled in teacher edu-~~
15 ~~cation programs, if applicable);~~
16 ~~"(ii) to graduate students (including~~
17 ~~students enrolled in teacher education pro-~~
18 ~~grams), if applicable;~~
19 ~~"(iii) to faculty;~~
20 ~~"(iv) to local educational agencies;~~
21 ~~and~~
22 ~~"(v) within the local community.~~
23 ~~"(2) ALLOWABLE USES OF FUNDS.—Funds~~
24 ~~provided under this part may be used to support—~~
25 ~~"(A) collaboration with entities such as—~~

1 ~~"(i) local educational agencies, for the~~
2 ~~purpose of providing elementary, middle~~
3 ~~and secondary school teachers an oppor-~~
4 ~~tunity to enhance their knowledge of tradi-~~
5 ~~tional American history, free institutions,~~
6 ~~or Western civilization; and~~
7 ~~"(ii) nonprofit organizations whose~~
8 ~~mission is consistent with the purpose of~~
9 ~~this part, such as academic organizations,~~
10 ~~museums, and libraries, for assistance in~~
11 ~~carrying out activities described under sub-~~
12 ~~section (a); and~~
13 ~~"(B) other activities that meet the pur-~~
14 ~~poses of this part.~~
15 ~~"(f) AUTHORIZATION OF APPROPRIATIONS.—For the~~
16 ~~purpose of carrying out this part, there are authorized to~~
17 ~~be appropriated such sums as may be necessary for fiscal~~
18 ~~year 2008 and each of the 5 succeeding fiscal years.~~
19 **~~"PART F—TEACH FOR AMERICA~~**
20 **~~"SEC. 836. TEACH FOR AMERICA.~~**
21 ~~"(a) DEFINITIONS.—~~
22 ~~"(1) IN GENERAL.—The terms 'highly quali-~~
23 ~~fied', 'local educational agency', and 'Secretary' have~~
24 ~~the meanings given the terms in section 9101 of the~~

~~Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).~~

~~"(2) GRANTEE.—The term 'grantee' means Teach For America, Inc.~~

~~"(3) HIGH NEED.—The term 'high need', when used with respect to a local educational agency, means a local educational agency experiencing a shortage of highly qualified teachers.~~

~~"(b) GRANTS AUTHORIZED.—The Secretary is authorized to award a grant to Teach For America, Inc., the national teacher corps of outstanding recent college graduates who commit to teach for 2 years in underserved communities in the United States, to implement and expand its program of recruiting, selecting, training, and supporting new teachers.~~

~~"(c) REQUIREMENTS.—In carrying out the grant program under subsection (b), the Secretary shall enter into an agreement with the grantee under which the grantee agrees to use the grant funds provided under this section—~~

~~"(1) to provide highly qualified teachers to high need local educational agencies in urban and rural communities;~~

~~"(2) to pay the cost of recruiting, selecting, training, and supporting new teachers; and~~

1 ~~"(3) to serve a substantial number and percent-~~
2 ~~age of underserved students.~~
3 ~~"(d) AUTHORIZED ACTIVITIES.—~~
4 ~~"(1) IN GENERAL.—Grant funds provided~~
5 ~~under this section shall be used by the grantee to~~
6 ~~carry out each of the following activities:~~
7 ~~"(A) Recruiting and selecting teachers~~
8 ~~through a highly selective national process.~~
9 ~~"(B) Providing preservice training to the~~
10 ~~teachers through a rigorous summer institute~~
11 ~~that includes hands-on teaching experience and~~
12 ~~significant exposure to education coursework~~
13 ~~and theory.~~
14 ~~"(C) Placing the teachers in schools and~~
15 ~~positions designated by partner local edu-~~
16 ~~cational agencies as high need placements serv-~~
17 ~~ing underserved students.~~
18 ~~"(D) Providing ongoing professional devel-~~
19 ~~opment activities for the teachers' first 2 years~~
20 ~~in the classroom, including regular classroom~~
21 ~~observations and feedback, and ongoing train-~~
22 ~~ing and support.~~
23 ~~"(2) LIMITATION.—The grantee shall use all~~
24 ~~grant funds received under this section to support~~
25 ~~activities related directly to the recruitment, selec-~~

~~tion, training, and support of teachers as described in subsection (a).~~

~~"(c) 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.~~

1 ~~"(B) ACHIEVEMENT GAINS COMPARED.—~~
2 ~~The study shall compare, within the same~~
3 ~~schools, the achievement gains made by stu-~~
4 ~~dents taught by teachers who are assisted~~
5 ~~under this section with the achievement gains~~
6 ~~made by students taught by teachers who are~~
7 ~~not assisted under this section.~~
8 ~~"(3) REQUIREMENTS.—The Secretary shall~~
9 ~~provide for such a study not less than once every 3~~
10 ~~years, and each such study shall include multiple~~
11 ~~placement sites and multiple schools within place-~~
12 ~~ment sites.~~
13 ~~"(4) PEER REVIEW STANDARDS.—Each such~~
14 ~~study shall meet the peer review standards of the~~
15 ~~education research community.~~
16 ~~"(f) AUTHORIZATION OF APPROPRIATIONS.—~~
17 ~~"(1) IN GENERAL.—There are authorized to be~~
18 ~~appropriated to carry out this section such sums as~~
19 ~~may be necessary for fiscal year 2008 and each of~~
20 ~~the 5 succeeding fiscal years.~~
21 ~~"(2) LIMITATION.—The grantee shall not use~~
22 ~~more than 25 percent of Federal funds from any~~
23 ~~source for administrative costs.~~

1 **“PART G—PATSY T. MINK FELLOWSHIP PROGRAM**

2 **“SEC. 841. PATSY T. MINK FELLOWSHIP PROGRAM.**

3 “(a) PURPOSE.—

4 “(1) IN GENERAL.—It is the purpose of this
5 section to provide, through eligible institutions, a
6 program of fellowship awards to assist highly quali-
7 fied minorities and women to acquire the doctoral
8 degree, or highest possible degree available, in aca-
9 demic areas in which such individuals are underrep-
10 resented for the purpose of enabling such individuals
11 to enter the higher education professoriate.

12 “(2) DESIGNATION.—Each recipient of a fellow-
13 ship award from an eligible institution receiving a
14 grant under this section shall be known as a ‘Patsy
15 T. Mink Graduate Fellow’.

16 “(b) DEFINITIONS.—In this section, the term ‘eligible
17 institution’ means an institution of higher education, or
18 a consortium of such institutions, that offers a program
19 of postbaccalaureate study leading to a graduate degree.

20 “(c) PROGRAM AUTHORIZED.—

21 “(1) GRANTS BY SECRETARY.—

22 “(A) IN GENERAL.—The Secretary shall
23 award grants to eligible institutions to enable
24 such institutions to make fellowship awards to
25 individuals in accordance with the provisions of
26 this section.

1 ~~"(B) PRIORITY CONSIDERATION.—In~~
2 ~~awarding grants under this section, the Sec-~~
3 ~~retary shall consider the eligible institution's~~
4 ~~prior experience in producing doctoral degree,~~
5 ~~or highest possible degree available, holders who~~
6 ~~are minorities and women, and shall give pri-~~
7 ~~ority consideration in making grants under this~~
8 ~~section to those eligible institutions with a dem-~~
9 ~~onstrated record of producing minorities and~~
10 ~~women who have earned such degrees.~~
11 ~~"(2) APPLICATIONS.—~~
12 ~~"(A) IN GENERAL.—An eligible institution~~
13 ~~that desires a grant under this section shall~~
14 ~~submit an application to the Secretary at such~~
15 ~~time, in such manner, and containing such in-~~
16 ~~formation as the Secretary may require.~~
17 ~~"(B) APPLICATIONS MADE ON BEHALF.—~~
18 ~~"(i) IN GENERAL.—The following en-~~
19 ~~tities may submit an application on behalf~~
20 ~~of an eligible institution:~~
21 ~~"(I) A graduate school or depart-~~
22 ~~ment of such institution.~~
23 ~~"(II) A graduate school or de-~~
24 ~~partment 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;~~

1 ~~"(ii) the current and projected need~~
2 ~~for highly trained individuals in all areas~~
3 ~~of the higher education professoriate; and~~
4 ~~"(iii) the present and projected need~~
5 ~~for highly trained individuals in academic~~
6 ~~career fields in which minorities and~~
7 ~~women are underrepresented in the higher~~
8 ~~education professoriate; and~~
9 ~~"(B) consider the need to prepare a large~~
10 ~~number of minorities and women generally in~~
11 ~~academic career fields of high national priority,~~
12 ~~especially in areas in which such individuals are~~
13 ~~traditionally underrepresented in college and~~
14 ~~university faculty.~~
15 ~~"(4) DISTRIBUTION AND AMOUNTS OF~~
16 ~~GRANTS.—~~
17 ~~"(A) EQUITABLE DISTRIBUTION.—In~~
18 ~~awarding grants under this section, the Sec-~~
19 ~~retary shall, to the maximum extent feasible,~~
20 ~~ensure an equitable geographic distribution of~~
21 ~~awards and an equitable distribution among~~
22 ~~public and independent eligible institutions that~~
23 ~~apply for grants under this section and that~~
24 ~~demonstrate an ability to achieve the purpose of~~
25 ~~this section.~~

1 ~~"(B) SPECIAL RULE.—To the maximum~~
2 ~~extent practicable, the Secretary shall use not~~
3 ~~less than 30 percent of the amount appro-~~
4 ~~priated pursuant to subsection (f) to award~~
5 ~~grants to eligible institutions that—~~
6 ~~"(i) are eligible for assistance under~~
7 ~~title III or title V; or~~
8 ~~"(ii) have formed a consortium that~~
9 ~~includes both non-minority serving institu-~~
10 ~~tions and minority serving institutions.~~
11 ~~"(C) ALLOCATION.—In awarding grants~~
12 ~~under this section, the Secretary shall allocate~~
13 ~~appropriate funds to those eligible institutions~~
14 ~~whose applications indicate an ability to signifi-~~
15 ~~cantly increase the numbers of minorities and~~
16 ~~women entering the higher education professo-~~
17 ~~riate and that commit institutional resources to~~
18 ~~the attainment of the purpose of this section.~~
19 ~~"(D) NUMBER OF FELLOWSHIP~~
20 ~~AWARDS.—An eligible institution that receives a~~
21 ~~grant under this section shall make not less~~
22 ~~than 15 fellowship awards.~~
23 ~~"(E) REALLOTMENT.—If the Secretary de-~~
24 ~~termines that an eligible institution awarded a~~
25 ~~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.~~

1 ~~"(B) USE OF FUNDS.—Institutional allow-~~
2 ~~ances may be expended in the discretion of the~~
3 ~~eligible institution and may be used to provide,~~
4 ~~except as prohibited under paragraph (4), aca-~~
5 ~~demic support and career transition services for~~
6 ~~individuals awarded fellowships by such institu-~~
7 ~~tion.~~
8 ~~"(C) REDUCTION.—The institutional al-~~
9 ~~lowance paid under paragraph (1) shall be re-~~
10 ~~duced by the amount the eligible institution~~
11 ~~charges and collects from a fellowship recipient~~
12 ~~for tuition and other expenses as part of the re-~~
13 ~~cipient's instructional program.~~
14 ~~"(D) USE FOR OVERHEAD PROHIBITED.—~~
15 ~~Funds made available under this section may~~
16 ~~not be used for general operational overhead of~~
17 ~~the academic department or institution receiv-~~
18 ~~ing funds under this section.~~
19 ~~"(d) FELLOWSHIP RECIPIENTS.—~~
20 ~~"(1) AUTHORIZATION.—An eligible institution~~
21 ~~that receives a grant under this section shall use the~~
22 ~~grant funds to make fellowship awards to minorities~~
23 ~~and women who are enrolled at such institution in~~
24 ~~a doctoral degree, or highest possible degree avail-~~
25 ~~able, program and—~~

1 ~~"(A) intend to pursue a career in instruc-~~
2 ~~tion at—~~
3 ~~"(i) an institution of higher education~~
4 ~~(as the term is defined in section 101);~~
5 ~~"(ii) an institution of higher education~~
6 ~~(as the term is defined in section~~
7 ~~102(a)(1));~~
8 ~~"(iii) an institution of higher edu-~~
9 ~~cation outside the United States (as the~~
10 ~~term is described in section 102(a)(2)); or~~
11 ~~"(iv) a proprietary institution of high-~~
12 ~~er education (as the term is defined in sec-~~
13 ~~tion 102(b)); and~~
14 ~~"(B) sign an agreement with the Secretary~~
15 ~~agreeing—~~
16 ~~"(i) to begin employment at an insti-~~
17 ~~tution described in paragraph (1) not later~~
18 ~~than 3 years after receiving the doctoral~~
19 ~~degree or highest possible degree available,~~
20 ~~which 3-year period may be extended by~~
21 ~~the Secretary for extraordinary cir-~~
22 ~~cumstances; and~~
23 ~~"(ii) to be employed by such institu-~~
24 ~~tion for 1 year for each year of fellowship~~
25 ~~assistance received under this section.~~

1 ~~"(2) FAILURE TO COMPLY.—If an individual~~
2 ~~who receives a fellowship award under this section~~
3 ~~fails to comply with the agreement signed pursuant~~
4 ~~to subsection (a)(2), then the Secretary shall do 1~~
5 ~~or both of the following:~~
6 ~~"(A) Require the individual to repay all or~~
7 ~~the applicable portion of the total fellowship~~
8 ~~amount awarded to the individual by converting~~
9 ~~the balance due to a loan at the interest rate~~
10 ~~applicable to loans made under part B of title~~
11 ~~IV.~~
12 ~~"(B) Impose a fine or penalty in an~~
13 ~~amount to be determined by the Secretary.~~
14 ~~"(3) WAIVER AND MODIFICATION.—~~
15 ~~"(A) REGULATIONS.—The Secretary shall~~
16 ~~promulgate regulations setting forth criteria to~~
17 ~~be considered in granting a waiver for the serv-~~
18 ~~ice requirement under subsection (a)(2).~~
19 ~~"(B) CONTENT.—The criteria under para-~~
20 ~~graph (1) shall include whether compliance with~~
21 ~~the service requirement by the fellowship recipi-~~
22 ~~ent would be—~~
23 ~~"(i) inequitable and represent an ex-~~
24 ~~traordinary 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-~~

1 ~~mined by the eligible institution to be consistent~~
2 ~~with and supportive of the student's progress~~
3 ~~toward the appropriate degree.~~
4 ~~"(e) RULE OF CONSTRUCTION.—Nothing in this sec-~~
5 ~~tion shall be construed to require an eligible institution~~
6 ~~that receives a grant under this section—~~
7 ~~"(1) to grant a preference or to differentially~~
8 ~~treat any applicant for a faculty position as a result~~
9 ~~of the institution's participation in the program~~
10 ~~under this section; or~~
11 ~~"(2) to hire a Patsy T. Mink Fellow who com-~~
12 ~~pletes this program and seeks employment at such~~
13 ~~institution.~~
14 ~~"(f) AUTHORIZATION OF APPROPRIATIONS.—There~~
15 ~~is authorized to be appropriated to carry out this section~~
16 ~~such sums as may be necessary for fiscal year 2008 for~~
17 ~~each of the 5 succeeding fiscal years.~~
18 **~~"PART H—IMPROVING COLLEGE ENROLLMENT~~**
19 **~~BY SECONDARY SCHOOLS~~**
20 **~~"SEC. 846. IMPROVING COLLEGE ENROLLMENT BY SEC-~~**
21 **~~ONDARY SCHOOLS.~~**
22 ~~"(a) IN GENERAL.—The Secretary shall contract~~
23 ~~with 1 nonprofit organization described in subsection (b)~~
24 ~~to enable the nonprofit organization—~~

1 ~~"(1) to make publicly available the year-to-year~~
2 ~~higher education enrollment rate trends of secondary~~
3 ~~school students, disaggregated by secondary school,~~
4 ~~in full compliance with the Family Education Rights~~
5 ~~and Privacy Act of 1974;~~
6 ~~"(2) to identify not less than 50 urban local~~
7 ~~educational agencies and 5 States with significant~~
8 ~~rural populations, each serving a significant popu-~~
9 ~~lation of low-income students, and to carry out a~~
10 ~~comprehensive needs assessment in the agencies and~~
11 ~~States of the factors known to contribute to im-~~
12 ~~proved higher education enrollment rates, which fac-~~
13 ~~tors shall include—~~
14 ~~"(A) an evaluation of the local educational~~
15 ~~agency's and State's leadership strategies;~~
16 ~~"(B) the secondary school curriculum and~~
17 ~~class offerings of the local educational agency~~
18 ~~and State;~~
19 ~~"(C) the professional development used by~~
20 ~~the local educational agency and the State to~~
21 ~~assist teachers, higher education counselors,~~
22 ~~and administrators in supporting the transition~~
23 ~~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.~~

1 ~~"(b) GRANT RECIPIENT CRITERIA.—The recipient of~~
2 ~~the grant awarded under subsection (a) shall be a non-~~
3 ~~profit organization with demonstrated expertise—~~
4 ~~"(1) in increasing school-wide higher education~~
5 ~~enrollment rates in low-income communities nation-~~
6 ~~wide by providing curriculum, training, and technical~~
7 ~~assistance to secondary school staff and student peer~~
8 ~~influencers; and~~
9 ~~"(2) in a college transition data management~~
10 ~~system.~~
11 ~~"(c) AUTHORIZATION OF APPROPRIATIONS.—There~~
12 ~~are authorized to be appropriated to carry out this section~~
13 ~~such sums as are necessary for fiscal year 2008 and each~~
14 ~~of the 5 succeeding fiscal years.~~
15 **~~"PART I—PREDOMINANTLY BLACK INSTITUTIONS~~**
16 **~~"SEC. 850. PREDOMINANTLY BLACK INSTITUTIONS.~~**
17 ~~"(a) PURPOSE.—It is the purpose of this section to~~
18 ~~assist Predominantly Black Institutions in expanding edu-~~
19 ~~cational opportunity through a program of Federal assist-~~
20 ~~ance.~~
21 ~~"(b) DEFINITIONS.—In this section:~~
22 ~~"(1) EDUCATIONAL AND GENERAL EXPENDI-~~
23 ~~TURES.—The term 'educational and general expendi-~~
24 ~~tures' has the meaning given the term in section~~
25 ~~312.~~

1 ~~"(2) ELIGIBLE INSTITUTION.—The term 'eligi-~~
2 ~~ble institution' means an institution of higher edu-~~
3 ~~cation that—~~
4 ~~"(A) has an enrollment of needy under-~~
5 ~~graduate students;~~
6 ~~"(B) has an average educational and gen-~~
7 ~~eral expenditure which is low, per full-time~~
8 ~~equivalent undergraduate student in comparison~~
9 ~~with the average educational and general ex-~~
10 ~~penditure per full-time equivalent under-~~
11 ~~graduate student of institutions that offer simi-~~
12 ~~lar instruction, except that the Secretary may~~
13 ~~apply the waiver requirements described in sec-~~
14 ~~tion 392(b) to this subparagraph in the same~~
15 ~~manner as the Secretary applies the waiver re-~~
16 ~~quirements to section 312(b)(1)(B);~~
17 ~~"(C) has an enrollment of undergraduate~~
18 ~~students that is not less than 40 percent Black~~
19 ~~American students;~~
20 ~~"(D) is legally authorized to provide, and~~
21 ~~provides within the State, an educational pro-~~
22 ~~gram for which the institution of higher edu-~~
23 ~~cation awards a baccalaureate degree, or in the~~
24 ~~case of a junior or community college, an asso-~~
25 ~~ciate's degree; and~~

1 ~~"(E) is accredited by a nationally recog-~~
2 ~~nized accrediting agency or association deter-~~
3 ~~mined by the Secretary to be a reliable author-~~
4 ~~ity as to the quality of training offered, or is,~~
5 ~~according to such an agency or association,~~
6 ~~making reasonable progress toward accredita-~~
7 ~~tion.~~
8 ~~"(3) ENDOWMENT FUND.—The term 'endow-~~
9 ~~ment fund' has the meaning given the term in sec-~~
10 ~~tion 312.~~
11 ~~"(4) ENROLLMENT OF NEEDY STUDENTS.—~~
12 ~~The term 'enrollment of needy students' means the~~
13 ~~enrollment at an eligible institution with respect to~~
14 ~~which not less than 50 percent of the undergraduate~~
15 ~~students enrolled in an academic program leading to~~
16 ~~a degree—~~
17 ~~"(A) in the second fiscal year preceding~~
18 ~~the fiscal year for which the determination is~~
19 ~~made, were Federal Pell Grant recipients for~~
20 ~~such year;~~
21 ~~"(B) come from families that receive bene-~~
22 ~~fits under a means-tested Federal benefit pro-~~
23 ~~gram;~~
24 ~~"(C) attended a public or nonprofit private~~
25 ~~secondary school—~~

1 ~~"(i) that is in the school district of a~~
2 ~~local educational agency that was eligible~~
3 ~~for assistance under part A of title I of the~~
4 ~~Elementary and Secondary Education Act~~
5 ~~of 1965 for any year during which the stu-~~
6 ~~dent attended such secondary school; and~~
7 ~~"(ii) which for the purpose of this~~
8 ~~paragraph and for that year was deter-~~
9 ~~mined by the Secretary (pursuant to regu-~~
10 ~~lations and after consultation with the~~
11 ~~State educational agency of the State in~~
12 ~~which the school is located) to be a school~~
13 ~~in which the enrollment of children counted~~
14 ~~under section 1113(a)(5) of such Act ex-~~
15 ~~ceeds 30 percent of the total enrollment of~~
16 ~~such school; or~~
17 ~~"(D) are first-generation college students~~
18 ~~and a majority of such first-generation college~~
19 ~~students are low-income individuals.~~
20 ~~"(5) FIRST GENERATION COLLEGE STUDENT.—~~
21 ~~The term 'first generation college student' has the~~
22 ~~meaning given the term in section 402A(g).~~
23 ~~"(6) LOW-INCOME INDIVIDUAL.—The term~~
24 ~~'low-income individual' has the meaning given such~~
25 ~~term in section 402A(g).~~

1 ~~"(7) MEANS-TESTED FEDERAL BENEFIT PRO-~~
2 ~~GRAM.—The term 'means-tested Federal benefit pro-~~
3 ~~gram' means a program of the Federal Government,~~
4 ~~other than a program under title IV, in which eligi-~~
5 ~~bility for the program's benefits, or the amount of~~
6 ~~such benefits, are determined on the basis of income~~
7 ~~or resources of the individual or family seeking the~~
8 ~~benefit.~~
9 ~~"(8) PREDOMINANTLY BLACK INSTITUTION.—~~
10 ~~The term 'Predominantly Black Institution' means~~
11 ~~an institution of higher education, as defined in sec-~~
12 ~~tion 101(a)—~~
13 ~~"(A) that is an eligible institution with not~~
14 ~~less than 1,000 undergraduate students;~~
15 ~~"(B) at which not less than 50 percent of~~
16 ~~the undergraduate students enrolled at the eli-~~
17 ~~gible institution are low-income individuals or~~
18 ~~first generation college students; and~~
19 ~~"(C) at which not less than 50 percent of~~
20 ~~the undergraduate students are enrolled in an~~
21 ~~educational program leading to a bachelor's or~~
22 ~~associate's degree that the eligible institution is~~
23 ~~licensed to award by the State in which the eli-~~
24 ~~gible institution is located.~~

1 ~~"(9) STATE.—The term 'State' means each of~~
2 ~~the 50 States and the District of Columbia.~~
3 ~~"(c) GRANT AUTHORITY.—~~
4 ~~"(1) IN GENERAL.—The Secretary is authorized~~
5 ~~to award grants, from allotments under subsection~~
6 ~~(c), to Predominantly Black Institutions to enable~~
7 ~~the Predominantly Black Institutions to carry out~~
8 ~~the authorized activities described in subsection (d).~~
9 ~~"(2) PRIORITY.—In awarding grants under this~~
10 ~~section the Secretary shall give priority to Predomi-~~
11 ~~nantly Black Institutions with large numbers or per-~~
12 ~~centages of students described in subsections~~
13 ~~(b)(2)(A) or (b)(2)(C). The level of priority given to~~
14 ~~Predominantly Black Institutions with large num-~~
15 ~~bers or percentages of students described in sub-~~
16 ~~section (b)(2)(A) shall be twice the level of priority~~
17 ~~given to Predominantly Black Institutions with large~~
18 ~~numbers or percentages of students described in~~
19 ~~subsection (b)(2)(C).~~
20 ~~"(d) AUTHORIZED ACTIVITIES.—~~
21 ~~"(1) REQUIRED ACTIVITIES.—Grant funds pro-~~
22 ~~vided under this section shall be used—~~
23 ~~"(A) to assist the Predominantly Black In-~~
24 ~~stitution to plan, develop, undertake, and imple-~~
25 ~~ment 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.~~

1 ~~"(D) Establishing community outreach~~
2 ~~programs that will encourage elementary school~~
3 ~~and secondary school students to develop the~~
4 ~~academic skills and the interest to pursue post-~~
5 ~~secondary education.~~
6 ~~"(E) Other activities proposed in the appli-~~
7 ~~cation submitted pursuant to subsection (f)~~
8 ~~that—~~
9 ~~"(i) contribute to carrying out the~~
10 ~~purpose of this section; and~~
11 ~~"(ii) are approved by the Secretary as~~
12 ~~part of the review and approval of an ap-~~
13 ~~plication submitted under subsection (f).~~
14 ~~"(3) ENDOWMENT FUND.—~~
15 ~~"(A) IN GENERAL.—A Predominantly~~
16 ~~Black Institution may use not more than 20~~
17 ~~percent of the grant funds provided under this~~
18 ~~section to establish or increase an endowment~~
19 ~~fund at the institution.~~
20 ~~"(B) MATCHING REQUIREMENT.—In order~~
21 ~~to be eligible to use grant funds in accordance~~
22 ~~with subparagraph (A), a Predominantly Black~~
23 ~~Institution shall provide matching funds from~~
24 ~~non-Federal sources, in an amount equal to or~~
25 ~~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~~

1 ~~"(C) compensation initiatives for individ-~~
2 ~~uals working in an early childhood education~~
3 ~~program that reflect the individuals' credentials,~~
4 ~~degrees, and experience.~~

5 **~~"SEC. 853. DEFINITION OF EARLY CHILDHOOD EDUCATION~~**
6 **~~PROGRAM.~~**

7 ~~"In this part, the term 'early childhood education~~
8 ~~program' means—~~

9 ~~"(1) a family child care program, center-based~~
10 ~~child care program, State prekindergarten program,~~
11 ~~or school-based program, that—~~

12 ~~"(A) provides early childhood education;~~

13 ~~"(B) uses developmentally appropriate~~
14 ~~practices;~~

15 ~~"(C) is licensed or regulated by the State;~~
16 ~~and~~

17 ~~"(D) serves children from birth through~~
18 ~~age 5;~~

19 ~~"(2) a Head Start Program carried out under~~
20 ~~the Head Start Act; or~~

21 ~~"(3) an Early Head Start Program carried out~~
22 ~~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-

1 ~~laureate degree granting institution of higher education),~~
2 ~~an early childhood education program, a nonprofit early~~
3 ~~childhood organization, a statewide early childhood work-~~
4 ~~force scholarship or supplemental initiative, and any other~~
5 ~~entity or individual the Governor determines appropriate.~~
6 ~~**"SEC. 856. STATE TASK FORCE ACTIVITIES.**~~
7 ~~"(a) ACTIVITIES.—The State Task Force shall—~~
8 ~~"(1) coordinate and communicate regularly with~~
9 ~~the State Advisory Council on Early Care and Edu-~~
10 ~~cation (hereafter in this part referred to as 'State~~
11 ~~Advisory Council') or a similar State entity charged~~
12 ~~with creating a comprehensive system of early care~~
13 ~~and education in the State, for the purposes of—~~
14 ~~"(A) integrating recommendations for~~
15 ~~early childhood professional development and~~
16 ~~career activities into the plans of the State Ad-~~
17 ~~visory Council; and~~
18 ~~"(B) assisting in the implementation of~~
19 ~~professional development and career activities~~
20 ~~that are consistent with the plans described in~~
21 ~~subparagraph (A);~~
22 ~~"(2) conduct a review of opportunities for and~~
23 ~~barriers to high quality professional development,~~
24 ~~training, and higher education degree programs, in~~
25 ~~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—~~

1 ~~"(i) shall only be provided to an indi-~~
2 ~~vidual who—~~
3 ~~"(I) enters into an agreement~~
4 ~~under which the individual agrees to~~
5 ~~work, for a reasonable number of~~
6 ~~years after receiving such a degree, in~~
7 ~~an early childhood education program~~
8 ~~that is located in a low-income area;~~
9 ~~and~~
10 ~~"(II) has a family income equal~~
11 ~~to or less than the annually adjusted~~
12 ~~national median family income as de-~~
13 ~~termined by the Bureau of the Cen-~~
14 ~~sus; and~~
15 ~~"(ii) shall be provided in an amount~~
16 ~~that does not exceed $17,500;~~
17 ~~"(E) supporting professional development~~
18 ~~activities and a career lattice for a variety of~~
19 ~~early childhood professional roles with varying~~
20 ~~professional qualifications and responsibilities~~
21 ~~for early childhood education personnel, includ-~~
22 ~~ing strategies to enhance the compensation of~~
23 ~~such personnel;~~
24 ~~"(F) supporting articulation agreements~~
25 ~~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 ~~"(1) the membership of the State Task Force;~~

2 ~~"(2) the activities for which the grant assist-~~

3 ~~ance will be used;~~

4 ~~"(3) other Federal, State, local, and private re-~~

5 ~~sources that will be available to support the activi-~~

6 ~~ties of the State Task Force described in section~~

7 ~~856;~~

8 ~~"(4) the availability within the State of train-~~

9 ~~ing, early childhood educator preparation, profes-~~

10 ~~sional development, compensation initiatives, and ca-~~

11 ~~reer systems, related to early childhood education;~~

12 ~~and~~

13 ~~"(5) the resources available within the State for~~

14 ~~such training, educator preparation, professional de-~~

15 ~~velopment, compensation initiatives, and career sys-~~

16 ~~tems.~~

17 ~~"(b) REPORT TO THE SECRETARY.—Not later than~~

18 ~~2 years after receiving a grant under this part, a State~~

19 ~~shall submit a report to the Secretary that shall describe—~~

20 ~~"(1) other Federal, State, local, and private re-~~

21 ~~sources that will be used in combination with a~~

22 ~~grant under this section to develop or expand the~~

23 ~~State's early childhood education professional devel-~~

24 ~~opment and career activities;~~

1 ~~"(2) the ways in which the State Advisory~~
2 ~~Council (or similar State entity) will coordinate the~~
3 ~~various State and local activities that support the~~
4 ~~early childhood education professional development~~
5 ~~and career system; and~~
6 ~~"(3) the ways in which the State Task Force~~
7 ~~will use funds provided under this part and carry~~
8 ~~out the activities described in section 856.~~
9 ~~**"SEC. 858. EVALUATIONS.**~~
10 ~~"(a) STATE EVALUATION.—Each State receiving a~~
11 ~~grant under this part shall—~~
12 ~~"(1) evaluate the activities that are assisted~~
13 ~~under this part in order to determine—~~
14 ~~"(A) the effectiveness of the activities in~~
15 ~~achieving State goals;~~
16 ~~"(B) the impact of a career lattice for indi-~~
17 ~~viduals working in early childhood education~~
18 ~~programs;~~
19 ~~"(C) the impact of the activities on licens-~~
20 ~~ing or regulating requirements for individuals~~
21 ~~in the field of early childhood development;~~
22 ~~"(D) the impact of the activities, and the~~
23 ~~impact of the statewide plan described in sec-~~
24 ~~tion 856(a)(3), on the quality of education, pro-~~
25 ~~fessional 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—~~

1 ~~"(A) 1 or more colleges or schools of engi-~~
2 ~~neering;~~
3 ~~"(B) 1 or more colleges of science, engi-~~
4 ~~neering, or mathematics;~~
5 ~~"(C) 1 or more institutions of higher edu-~~
6 ~~cation that offer 2-year degrees; and~~
7 ~~"(D) 1 or more private entities that con-~~
8 ~~duct career awareness activities showcasing~~
9 ~~local technology professionals, develop intern-~~
10 ~~ships and apprenticeships in partnership with~~
11 ~~relevant industries, and assist with the place-~~
12 ~~ment of interns and apprentices.~~
13 ~~"(4) NATIVE HAWAIIAN.—The term 'Native~~
14 ~~Hawaiian' has the meaning given the term in section~~
15 ~~7207 of the Elementary and Secondary Education~~
16 ~~Act of 1965.~~
17 ~~"(c) GRANT AUTHORIZED.—The Secretary is author-~~
18 ~~ized to award a grant to an eligible partnership to enable~~
19 ~~the eligible partnership to expand programs for the devel-~~
20 ~~opment of science, technology, engineering, or mathe-~~
21 ~~matics professionals, from elementary school through col-~~
22 ~~lege, including existing programs for Alaska Native and~~
23 ~~Native Hawaiian students.~~
24 ~~"(d) USES OF FUNDS.—Grant funds under this sec-~~
25 ~~tion shall be used for 1 or more of the following:~~

1 ~~"(1) Development or implementation of cul-~~
2 ~~tural, social, or educational transition programs to~~
3 ~~assist students to transition into college life and aca-~~
4 ~~demics in order to increase such students' retention~~
5 ~~rates in the fields of science, technology, engineer-~~
6 ~~ing, or mathematics, with a focus on Alaska Native~~
7 ~~or Native Hawaiian students.~~
8 ~~"(2) Development or implementation of aca-~~
9 ~~demic support or supplemental educational programs~~
10 ~~to increase the graduation rates of students in the~~
11 ~~fields of science, technology, engineering, or mathe-~~
12 ~~matics, with a focus on Alaska Native and Native~~
13 ~~Hawaiian students.~~
14 ~~"(3) Development or implementation of intern-~~
15 ~~ship programs, carried out in coordination with edu-~~
16 ~~cational institutions and private entities, to prepare~~
17 ~~students for careers in the fields of science, tech-~~
18 ~~nology, engineering, or mathematics, with a focus on~~
19 ~~programs that serve Alaska Native or Native Hawai-~~
20 ~~ian students.~~
21 ~~"(4) Such other activities that are consistent~~
22 ~~with the purposes of this section.~~
23 ~~"(c) APPLICATION.—Each eligible partnership that~~
24 ~~desires a grant under this section shall submit an applica-~~

1 ~~tion to the Secretary at such time, in such manner, and~~
2 ~~containing such information as the Secretary may require.~~
3 ~~"(f) PRIORITY.—In awarding grants under this sec-~~
4 ~~tion, the Secretary shall give priority to an eligible part-~~
5 ~~nership that provides 1 or more programs in which 30 per-~~
6 ~~cent or more of the program participants are Alaska Na-~~
7 ~~tive or Native Hawaiian.~~
8 ~~"(g) PERIOD OF GRANT.—A grant under this section~~
9 ~~shall be awarded for a period of 5 years.~~
10 ~~"(h) EVALUATION AND REPORT.—Each eligible part-~~
11 ~~nership that receives a grant under this section shall con-~~
12 ~~duct an evaluation to determine the effectiveness of the~~
13 ~~programs funded under the grant and shall provide a re-~~
14 ~~port regarding the evaluation to the Secretary not later~~
15 ~~than 6 months after the end of the grant period.~~
16 ~~"(i) AUTHORIZATION OF APPROPRIATIONS.—There~~
17 ~~are authorized to be appropriated to carry out this section~~
18 ~~such sums as may be necessary for fiscal year 2008 and~~
19 ~~each of the 5 succeeding fiscal years.~~

20 **~~"PART L—PILOT PROGRAM TO INCREASE~~**
21 **~~PERSISTENCE IN COMMUNITY COLLEGES~~**

22 **~~"SEC. 865. PILOT PROGRAM TO INCREASE PERSISTENCE IN~~**
23 **~~COMMUNITY COLLEGES.~~**

24 ~~"(a) DEFINITIONS.—In this section:~~

1 ~~"(1) INSTITUTION OF HIGHER EDUCATION.—~~
2 ~~Except as otherwise provided in this section, the~~
3 ~~term 'institution of higher education' means an in-~~
4 ~~stitution of higher education, as defined in section~~
5 ~~101, that provides a 1- or 2-year program of study~~
6 ~~leading to a degree or certificate.~~
7 ~~"(2) ELIGIBLE STUDENT.—The term 'eligible~~
8 ~~student' means a student who—~~
9 ~~"(A) meets the requirements of section~~
10 ~~484(a);~~
11 ~~"(B) is enrolled at least half time;~~
12 ~~"(C) is not younger than age 19 and not~~
13 ~~older than age 33;~~
14 ~~"(D) is the parent of at least 1 dependent~~
15 ~~child, which dependent child is age 18 or~~
16 ~~younger;~~
17 ~~"(E) has a family income below 200 per-~~
18 ~~cent of the poverty line;~~
19 ~~"(F) has a secondary school diploma or its~~
20 ~~recognized equivalent, and earned a passing~~
21 ~~score on a college entrance examination; and~~
22 ~~"(G) does not have a degree or occupa-~~
23 ~~tional certificate from an institution of higher~~
24 ~~education, as defined in section 101 or 102(a).~~

1 ~~"(b) PROGRAM AUTHORIZED.—The Secretary is au-~~
2 ~~thorized to award grants, on a competitive basis, to insti-~~
3 ~~tutions of higher education to enable the institutions of~~
4 ~~higher education to provide additional monetary and non-~~
5 ~~monetary support to eligible students to enable the eligible~~
6 ~~students to maintain enrollment and complete degree or~~
7 ~~certificate programs.~~
8 ~~"(c) USES OF FUNDS.—~~
9 ~~"(1) REQUIRED USES.—Each institution of~~
10 ~~higher education receiving a grant under this section~~
11 ~~shall use the grant funds—~~
12 ~~"(A) to provide scholarships in accordance~~
13 ~~with subsection (d); and~~
14 ~~"(B) to provide counseling services in ac-~~
15 ~~cordance with subsection (e).~~
16 ~~"(2) ALLOWABLE USES OF FUNDS.—Grant~~
17 ~~funds provided under this section may be used—~~
18 ~~"(A) to conduct outreach to make students~~
19 ~~aware of the scholarships and counseling serv-~~
20 ~~ices available under this section and to encour-~~
21 ~~age the students to participate in the program~~
22 ~~assisted under this section;~~
23 ~~"(B) to provide gifts of $20 or less, such~~
24 ~~as a store gift card, to applicants who complete~~
25 ~~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 ~~"(1) the number of students to be served under~~
2 ~~this section;~~
3 ~~"(2) a description of the scholarships and coun-~~
4 ~~seling services that will be provided under this sec-~~
5 ~~tion; and~~
6 ~~"(3) a description of how the program under~~
7 ~~this section will be evaluated.~~
8 ~~"(g) PERIOD OF GRANT.—The Secretary may award~~
9 ~~a grant under this section for a period of 5 years.~~
10 ~~"(h) EVALUATION.—~~
11 ~~"(1) IN GENERAL.—Each institution of higher~~
12 ~~education receiving a grant under this section shall~~
13 ~~conduct an annual evaluation of the impact of the~~
14 ~~grant and shall provide the evaluation to the Sec-~~
15 ~~retary. The Secretary shall disseminate to the public~~
16 ~~the findings, information on best practices, and les-~~
17 ~~sons learned, with respect to the evaluations.~~
18 ~~"(2) RANDOM ASSIGNMENT RESEARCH DE-~~
19 ~~SIGN.—The evaluation shall be conducted using a~~
20 ~~random assignment research design with the fol-~~
21 ~~lowing requirements:~~
22 ~~"(A) When students are recruited for the~~
23 ~~program, all students will be told about the pro-~~
24 ~~gram and the evaluation.~~

1 ~~"(B) Baseline data will be collected from~~
2 ~~all applicants for assistance under this section.~~
3 ~~"(C) Students will be assigned randomly to~~
4 ~~2 groups, which will consist of—~~
5 ~~"(i) a program group that will receive~~
6 ~~the scholarship and the additional coun-~~
7 ~~seling services; and~~
8 ~~"(ii) a control group that will receive~~
9 ~~whatever regular financial aid and coun-~~
10 ~~seling services are available to all students~~
11 ~~at the institution of higher education.~~
12 ~~"(3) PREVIOUS COHORTS.—In conducting the~~
13 ~~evaluation for the second and third years of the pro-~~
14 ~~gram, each institution of higher education shall in-~~
15 ~~clude information on previous cohorts of students as~~
16 ~~well as students in the current program year.~~
17 ~~"(i) AUTHORIZATION OF APPROPRIATIONS.—There~~
18 ~~are authorized to be appropriated to carry out this section~~
19 ~~such sums as may be necessary for fiscal year 2008 and~~
20 ~~each of the 5 succeeding fiscal years.~~
21 **~~"PART M—STUDENT SAFETY AND CAMPUS~~**
22 **~~EMERGENCY MANAGEMENT~~**
23 **~~"SEC. 871. STUDENT SAFETY AND CAMPUS EMERGENCY~~**
24 **~~MANAGEMENT.~~**
25 ~~"(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.~~

1 ~~"(3) Coordinating with appropriate local enti-~~
2 ~~ties the provision of, mental health services for stu-~~
3 ~~dents enrolled in the institution of higher education~~
4 ~~or consortium, including mental health crisis re-~~
5 ~~sponse and intervention services, to individuals af-~~
6 ~~fected by a campus or community emergency.~~
7 ~~"(d) APPLICATION.—Each institution of higher edu-~~
8 ~~cation or consortium desiring a grant under this section~~
9 ~~shall submit an application to the Secretary at such time,~~
10 ~~in such manner, and containing such information as the~~
11 ~~Secretary may require.~~
12 ~~"(e) TECHNICAL ASSISTANCE.—The Secretary shall~~
13 ~~coordinate technical assistance provided by State and local~~
14 ~~emergency management agencies, the Department of~~
15 ~~Homeland Security, and other agencies as appropriate, to~~
16 ~~institutions of higher education or consortia that request~~
17 ~~assistance in developing and implementing the activities~~
18 ~~assisted under this section.~~
19 ~~"(f) RULE OF CONSTRUCTION.—Nothing in this sec-~~
20 ~~tion shall be construed—~~
21 ~~"(1) to provide a private right of action to any~~
22 ~~person to enforce any provision of this section;~~
23 ~~"(2) to create a cause of action against any in-~~
24 ~~stitution of higher education or any employee of the~~
25 ~~institution for any civil liability; or~~

1 ~~"(3) to affect the Family Educational Rights~~
2 ~~and Privacy Act of 1974 or the regulations issued~~
3 ~~under section 264 of the Health Insurance Port-~~
4 ~~ability and Accountability Act of 1996 (42 U.S.C.~~
5 ~~1320d–2 note).~~
6 ~~"(g) AUTHORIZATION OF APPROPRIATIONS.—There~~
7 ~~are authorized to be appropriated to carry out this section~~
8 ~~such sums as may be necessary for fiscal year 2008 and~~
9 ~~each of the 5 succeeding fiscal years.~~
10 ~~**"SEC. 872. MODEL EMERGENCY RESPONSE POLICIES, PRO-**~~
11 ~~**CEDURES, AND PRACTICES.**~~
12 ~~"The Secretary of Education, the Attorney General~~
13 ~~of the United States, and the Secretary of Homeland Se-~~
14 ~~curity shall jointly have the authority—~~
15 ~~"(1) to advise institutions of higher education~~
16 ~~on model emergency response policies, procedures,~~
17 ~~and practices; and~~
18 ~~"(2) to disseminate information concerning~~
19 ~~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~~

1 ~~inserting "subchapter IV of chapter 31 of~~
2 ~~title 40, United States Code, commonly re-~~
3 ~~ferred to as the Davis-Bacon Act"; and~~
4 ~~(ii) by striking "section 2 of the Act~~
5 ~~of June 13, 1934 (40 U.S.C. 276c)" and~~
6 ~~inserting "section 3145 of title 40, United~~
7 ~~States Code".~~

8 ~~**SEC. 904. CULTURAL EXPERIENCES GRANTS.**~~

9 ~~(a) CULTURAL EXPERIENCES GRANTS.—Title I of~~
10 ~~the Education of the Deaf Act of 1986 (20 U.S.C. 4301~~
11 ~~et seq.) is amended by adding at the end the following:~~

12 ~~**"PART C—OTHER PROGRAMS**~~

13 ~~**"SEC. 121. CULTURAL EXPERIENCES GRANTS.**~~

14 ~~"(a) IN GENERAL.—The Secretary shall, on a com-~~
15 ~~petitive basis, make grants to, and enter into contracts~~
16 ~~and cooperative agreements with, eligible entities to sup-~~
17 ~~port the activities described in subsection (b).~~

18 ~~"(b) ACTIVITIES.—In carrying out this section, the~~
19 ~~Secretary shall support activities providing cultural experi-~~
20 ~~ences, through appropriate nonprofit organizations with a~~
21 ~~demonstrated proficiency in providing such activities,~~
22 ~~that—~~

23 ~~"(1) enrich the lives of deaf and hard-of-hear-~~
24 ~~ing children and adults;~~

1 ~~"(2) increase public awareness and under-~~
2 ~~standing of deafness and of the artistic and intellec-~~
3 ~~tual achievements of deaf and hard-of-hearing per-~~
4 ~~sons; or~~
5 ~~"(3) promote the integration of hearing, deaf,~~
6 ~~and hard-of-hearing persons through shared cul-~~
7 ~~tural, educational, and social experiences.~~
8 ~~"(c) APPLICATIONS.—An eligible entity that desires~~
9 ~~to receive a grant, or enter into a contract or cooperative~~
10 ~~agreement, under this section shall submit an application~~
11 ~~to the Secretary at such time, in such manner, and con-~~
12 ~~taining such information as the Secretary may require.~~
13 ~~"(d) AUTHORIZATION OF APPROPRIATIONS.—There~~
14 ~~are authorized to be appropriated to carry out this section~~
15 ~~such sums as may be necessary for fiscal year 2007 and~~
16 ~~each of the 5 succeeding fiscal years.".~~
17 ~~(b) CONFORMING AMENDMENT.—The title heading~~
18 ~~of title I of the Education of the Deaf Act of 1986 (20~~
19 ~~U.S.C. 4301 et seq.) is amended by adding at the end~~
20 ~~"; OTHER PROGRAMS".~~
21 ~~**SEC. 905. AUDIT.**~~
22 ~~Section 203 of the Education of the Deaf Act of 1986~~
23 ~~(20 U.S.C. 4353) is amended—~~
24 ~~(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~~

1 ~~"(ii) such student has made a good~~
2 ~~faith effort to secure aid through such stu-~~
3 ~~dent's government or other sources; and~~
4 ~~"(B) under subsection (b)(2) from 50 per-~~
5 ~~cent to not less than 25 percent if—~~
6 ~~"(i) a student described under sub-~~
7 ~~section (b)(2) demonstrates need; and~~
8 ~~"(ii) such student has made a good~~
9 ~~faith effort to secure aid through such stu-~~
10 ~~dent's government or other sources.~~
11 ~~"(2) DEVELOPMENT OF SLIDING SCALE.—The~~
12 ~~University and NTID shall develop a sliding scale~~
13 ~~model that—~~
14 ~~"(A) will be used to determine the amount~~
15 ~~of a tuition surcharge reduction pursuant to~~
16 ~~paragraph (1); and~~
17 ~~"(B) shall be approved by the Secretary.~~
18 ~~"(d) DEFINITION.—In this section, the term 'devel-~~
19 ~~oping country' means a country with a per-capita income~~
20 ~~of not more than $4,825, measured in 1999 United States~~
21 ~~dollars, as adjusted by the Secretary to reflect inflation~~
22 ~~since 1999.".~~
23 **~~SEC. 912. RESEARCH PRIORITIES.~~**
24 ~~Section 210(b) of the Education of the Deaf Act of~~
25 ~~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,''.~~

1 ~~(b) BOARD OF DIRECTORS.—Section 1706 of the~~
2 ~~United States Institute of Peace Act (22 U.S.C. 4605)~~
3 ~~is amended—~~
4 ~~(1) by striking "(b)(5)" each place the term ap-~~
5 ~~pears and inserting "(b)(4)"; and~~
6 ~~(2) in subsection (c), by adding at the end the~~
7 ~~following:~~
8 ~~"(5) The term of a member of the Board shall~~
9 ~~not commence until the member is confirmed by the~~
10 ~~Senate and sworn in as a member of the Board.".~~
11 ~~(c) FUNDING.—Section 1710 of the United States In-~~
12 ~~stitute of Peace Act (22 U.S.C. 4609) is amended—~~
13 ~~(1) by striking "to be appropriated" and all~~
14 ~~that follows through the period at the end and in-~~
15 ~~serting "to be appropriated such sums as may be~~
16 ~~necessary for fiscal years 2008 through 2013."; and~~
17 ~~(2) by adding at the end the following:~~
18 ~~"(d) EXTENSION.—Any authorization of appropria-~~
19 ~~tions made for the purposes of carrying out this title shall~~
20 ~~be extended in the same manner as applicable programs~~
21 ~~are extended under section 422 of the General Education~~
22 ~~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 ~~"(1) shall establish a program in accordance~~
2 ~~with this section to provide grants to the State cor-~~
3 ~~rectional education agencies in the States, from allo-~~
4 ~~cations for the States under subsection (h), to assist~~
5 ~~and encourage youth offenders to acquire functional~~
6 ~~literacy, life, and job skills, through—~~
7 ~~"(A) the pursuit of a postsecondary edu-~~
8 ~~cation certificate, or an associate or bachelor's~~
9 ~~degree while in prison; and~~
10 ~~"(B) employment counseling and other re-~~
11 ~~lated services which start during incarceration~~
12 ~~and end not later than 1 year after release from~~
13 ~~confinement; and~~
14 ~~"(2) may establish such performance objectives~~
15 ~~and reporting requirements for State correctional~~
16 ~~education agencies receiving grants under this sec-~~
17 ~~tion as the Secretary determines are necessary to as-~~
18 ~~sess the effectiveness of the program under this sec-~~
19 ~~tion.~~
20 ~~"(c) APPLICATION.—To be eligible for a grant under~~
21 ~~this section, a State correctional education agency shall~~
22 ~~submit to the Secretary a proposal for a youth offender~~
23 ~~program that—~~

1 ~~"(1) identifies the scope of the problem, includ-~~
2 ~~ing the number of youth offenders in need of post-~~
3 ~~secondary education and vocational training;~~
4 ~~"(2) lists the accredited public or private edu-~~
5 ~~cational institution or institutions that will provide~~
6 ~~postsecondary educational services;~~
7 ~~"(3) lists the cooperating agencies, public and~~
8 ~~private, or businesses that will provide related serv-~~
9 ~~ices, such as counseling in the areas of career devel-~~
10 ~~opment, substance abuse, health, and parenting~~
11 ~~skills;~~
12 ~~"(4) describes specific performance objectives~~
13 ~~and evaluation methods (in addition to, and con-~~
14 ~~sistent with, any objectives established by the Sec-~~
15 ~~retary under subsection (b)(2)) that the State cor-~~
16 ~~rectional education agency will use in carrying out~~
17 ~~its proposal, including—~~
18 ~~"(A) specific and quantified student out-~~
19 ~~come measures that are referenced to outcomes~~
20 ~~for non-program participants with similar de-~~
21 ~~mographic characteristics; and~~
22 ~~"(B) measures, consistent with the data~~
23 ~~elements and definitions described in subsection~~
24 ~~(d)(1)(A), of—~~

1 ~~"(i) program completion, including an~~
2 ~~explicit definition of what constitutes a~~
3 ~~program completion within the proposal;~~
4 ~~"(ii) knowledge and skill attainment,~~
5 ~~including specification of instruments that~~
6 ~~will measure knowledge and skill attain-~~
7 ~~ment;~~
8 ~~"(iii) attainment of employment both~~
9 ~~prior to and subsequent to release;~~
10 ~~"(iv) success in employment indicated~~
11 ~~by job retention and advancement; and~~
12 ~~"(v) recidivism, including such sub-~~
13 ~~indicators as time before subsequent of-~~
14 ~~fense and severity of offense;~~
15 ~~"(5) describes how the proposed programs are~~
16 ~~to be integrated with existing State correctional edu-~~
17 ~~cation programs (such as adult education, graduate~~
18 ~~education degree programs, and vocational training)~~
19 ~~and State industry programs;~~
20 ~~"(6) describes how the proposed programs will~~
21 ~~have considered or will utilize technology to deliver~~
22 ~~the services under this section; and~~
23 ~~"(7) describes how students will be selected so~~
24 ~~that only youth offenders eligible under subsection~~
25 ~~(e) will be enrolled in postsecondary programs.~~

1 ~~"(d) PROGRAM REQUIREMENTS.—Each State correc-~~
2 ~~tional education agency receiving a grant under this sec-~~
3 ~~tion shall—~~
4 ~~"(1) annually report to the Secretary regard-~~
5 ~~ing—~~
6 ~~"(A) the results of the evaluations con-~~
7 ~~ducted using data elements and definitions pro-~~
8 ~~vided by the Secretary for the use of State cor-~~
9 ~~rectional education programs;~~
10 ~~"(B) any objectives or requirements estab-~~
11 ~~lished by the Secretary pursuant to subsection~~
12 ~~(b)(2); and~~
13 ~~"(C) the additional performance objectives~~
14 ~~and evaluation methods contained in the pro-~~
15 ~~posal described in subsection (c)(4) as nec-~~
16 ~~essary to document the attainment of project~~
17 ~~performance objectives; and~~
18 ~~"(2) provide to each State for each student eli-~~
19 ~~gible under subsection (c) not more than—~~
20 ~~"(A) $3,000 annually for tuition, books,~~
21 ~~and essential materials; and~~
22 ~~"(B) $300 annually for related services~~
23 ~~such as career development, substance abuse~~
24 ~~counseling, parenting skills training, and health~~
25 ~~education.~~

1 ~~"(e) STUDENT ELIGIBILITY.—A youth offender shall~~
2 ~~be eligible for participation in a program receiving a grant~~
3 ~~under this section if the youth offender—~~
4 ~~"(1) is eligible to be released within 5 years (in-~~
5 ~~cluding a youth offender who is eligible for parole~~
6 ~~within such time); and~~
7 ~~"(2) is 35 years of age or younger.~~
8 ~~"(f) LENGTH OF PARTICIPATION.—A State correc-~~
9 ~~tional education agency receiving a grant under this sec-~~
10 ~~tion shall provide educational and related services to each~~
11 ~~participating youth offender for a period not to exceed 5~~
12 ~~years, 1 year of which may be devoted to study in a grad-~~
13 ~~uate education degree program or to remedial education~~
14 ~~services for students who have obtained a secondary school~~
15 ~~diploma or its recognized equivalent. Educational and re-~~
16 ~~lated services shall start during the period of incarceration~~
17 ~~in prison or prerelease, and the related services may con-~~
18 ~~tinue for not more than 1 year after release from confine-~~
19 ~~ment.~~
20 ~~"(g) EDUCATION DELIVERY SYSTEMS.—State cor-~~
21 ~~rectional education agencies and cooperating institutions~~
22 ~~shall, to the extent practicable, use high-tech applications~~
23 ~~in developing programs to meet the requirements and~~
24 ~~goals of this section.~~

1 ~~"(h) ALLOCATION OF FUNDS.—From the funds ap-~~
2 ~~propriated pursuant to subsection (i) for each fiscal year,~~
3 ~~the Secretary shall allot to each State an amount that~~
4 ~~bears the same relationship to such funds as the total~~
5 ~~number of students eligible under subsection (c) in such~~
6 ~~State bears to the total number of such students in all~~
7 ~~States.~~

8 ~~"(i) AUTHORIZATION OF APPROPRIATIONS.—There~~
9 ~~are authorized to be appropriated to carry out this section~~
10 ~~such sums as may be necessary for fiscal years 2008~~
11 ~~through 2013.".~~

12 **~~SEC. 933. UNDERGROUND RAILROAD EDUCATIONAL AND~~**
13 **~~CULTURAL PROGRAM.~~**

14 ~~Section 841(c) of the Higher Education Amendments~~
15 ~~of 1998 (20 U.S.C. 1153(c)) is amended by striking "this~~
16 ~~section" and all that follows through the period at the end~~
17 ~~and inserting "this section such sums as may be necessary~~
18 ~~for fiscal years 2008 through 2013.".~~

19 **~~SEC. 934. OLYMPIC SCHOLARSHIPS UNDER THE HIGHER~~**
20 **~~EDUCATION AMENDMENTS OF 1992.~~**

21 ~~Section 1543(d) of the Higher Education Amend-~~
22 ~~ments of 1992 (20 U.S.C. 1070 note) is amended by strik-~~
23 ~~ing "to be appropriated" and all that follows through the~~
24 ~~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";

1 ~~(2) in the second sentence, by striking "In the~~
2 ~~awarding of contracts for technical assistance, pref-~~
3 ~~erence shall be given" and inserting the following:~~
4 ~~"(2) DESIGNATED ORGANIZATION.—The Sec-~~
5 ~~retary shall require that a contract for technical as-~~
6 ~~sistance under paragraph (1) shall be awarded";~~ ~~and~~
7 ~~(3) in the third sentence, by striking "No au-~~
8 ~~thority" and inserting the following:~~
9 ~~"(b) EFFECT OF SECTION.—No authority".~~
10 ~~(f) AMOUNT OF GRANTS.—Section 108(a) of the~~
11 ~~Tribally Controlled College or University Assistance Act~~
12 ~~of 1978 (25 U.S.C. 1808(a)) is amended—~~
13 ~~(1) by redesignating paragraphs (1) and (2) as~~
14 ~~subparagraphs (A) and (B), respectively, and indent-~~
15 ~~ing the subparagraphs appropriately;~~
16 ~~(2) by striking "(a) Except as provided in sec-~~
17 ~~tion 111," and inserting the following:~~
18 ~~"(a) REQUIREMENT.—~~
19 ~~"(1) IN GENERAL.—Except as provided in para-~~
20 ~~graph (2) and section 111,";~~
21 ~~(3) in paragraph (1) (as redesignated by para-~~
22 ~~graphs (1) and (2))—~~
23 ~~(A) in the matter preceding subparagraph~~
24 ~~(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).

1 **~~"SEC. 502. TRIBALLY CONTROLLED POSTSECONDARY CA-~~**
2 **~~REER AND TECHNICAL INSTITUTIONS PRO-~~**
3 **~~GRAM.~~**
4 ~~"(a) IN GENERAL.—Subject to the availability of ap-~~
5 ~~propriations, for fiscal year 2008 and each fiscal year~~
6 ~~thereafter, the Secretary shall—~~
7 ~~"(1) subject to subsection (b), select 2 tribally~~
8 ~~controlled postsecondary career and technical insti-~~
9 ~~tutions to receive assistance under this title; and~~
10 ~~"(2) provide funding to the selected tribally~~
11 ~~controlled postsecondary career and technical insti-~~
12 ~~tutions to pay the costs (including institutional sup-~~
13 ~~port costs) of operating postsecondary career and~~
14 ~~technical education programs for Indian students at~~
15 ~~the tribally controlled postsecondary career and tech-~~
16 ~~nical institutions.~~
17 ~~"(b) SELECTION OF CERTAIN INSTITUTIONS.—~~
18 ~~"(1) REQUIREMENT.—For each fiscal year dur-~~
19 ~~ing which the Secretary determines that a tribally~~
20 ~~controlled postsecondary career and technical insti-~~
21 ~~tution described in paragraph (2) meets the defini-~~
22 ~~tion referred to in section 501, the Secretary shall~~
23 ~~select that tribally controlled postsecondary career~~
24 ~~and technical institution under subsection (a)(1) to~~
25 ~~receive funding under this section.~~

1 ~~"(2) INSTITUTIONS.—The 2 tribally controlled~~
2 ~~postsecondary career and technical institutions re-~~
3 ~~ferred to in paragraph (1) are—~~
4 ~~"(A) the United Tribes Technical College;~~
5 ~~and~~
6 ~~"(B) the Navajo Technical College.~~
7 ~~"(c) METHOD OF PAYMENT.—For each applicable~~
8 ~~fiscal year, the Secretary shall provide funding under this~~
9 ~~section to each tribally controlled postsecondary career~~
10 ~~and technical institution selected for the fiscal year under~~
11 ~~subsection (a)(1) in a lump sum payment for the fiscal~~
12 ~~year.~~
13 ~~"(d) DISTRIBUTION.—~~
14 ~~"(1) IN GENERAL.—For fiscal year 2009 and~~
15 ~~each fiscal year thereafter, of amounts made avail-~~
16 ~~able pursuant to section 504, the Secretary shall dis-~~
17 ~~tribute to each tribally controlled postsecondary ca-~~
18 ~~reer and technical institution selected for the fiscal~~
19 ~~year under subsection (a)(1) an amount equal to the~~
20 ~~greater of—~~
21 ~~"(A) the total amount appropriated for the~~
22 ~~tribally controlled postsecondary career and~~
23 ~~technical institution for fiscal year 2006; or~~

1 ~~"(B) the total amount appropriated for the~~
2 ~~tribally controlled postsecondary career and~~
3 ~~technical institution for fiscal year 2008.~~
4 ~~"(2) EXCESS AMOUNTS.—If, for any fiscal year,~~
5 ~~the amount made available pursuant to section 504~~
6 ~~exceeds the sum of the amounts required to be dis-~~
7 ~~tributed under paragraph (1) to the tribally con-~~
8 ~~trolled postsecondary career and technical institu-~~
9 ~~tions selected for the fiscal year under subsection~~
10 ~~(a)(1), the Secretary shall distribute to each tribally~~
11 ~~controlled postsecondary career and technical insti-~~
12 ~~tution selected for that fiscal year a portion of the~~
13 ~~excess amount, to be determined by—~~
14 ~~"(A) dividing the excess amount by the ag-~~
15 ~~gregate Indian student count (as defined in sec-~~
16 ~~tion 117(h) of the Carl D. Perkins Career and~~
17 ~~Technical Education Act of 2006 (20 U.S.C.~~
18 ~~2327(h)) of such institutions for the prior aca-~~
19 ~~demic year; and~~
20 ~~"(B) multiplying the quotient described in~~
21 ~~subparagraph (A) by the Indian student count~~
22 ~~of each such institution for the prior academic~~
23 ~~year.~~

1 **~~"SEC. 503. APPLICABILITY OF OTHER LAWS.~~**

2 ~~"(a) IN GENERAL.—Paragraphs (4) and (7) of sub-~~
3 ~~section (a), and subsection (b), of section 2, sections 105,~~
4 ~~108, 111, 112 and 113, and titles II, III, and IV shall~~
5 ~~not apply to this title.~~

6 ~~"(b) INDIAN SELF-DETERMINATION AND EDU-~~
7 ~~CATION ASSISTANCE.—Funds made available pursuant to~~
8 ~~this title shall be subject to the Indian Self-Determination~~
9 ~~and Education Assistance Act (25 U.S.C. 450 et seq.).~~

10 ~~"(c) ELECTION TO RECEIVE.—A tribally controlled~~
11 ~~postsecondary career and technical institution selected for~~
12 ~~a fiscal year under section 502(b) may elect to receive~~
13 ~~funds pursuant to section 502 in accordance with an~~
14 ~~agreement between the tribally controlled postsecondary~~
15 ~~career and technical institution and the Secretary under~~
16 ~~the Indian Self-Determination and Education Assistance~~
17 ~~Act (25 U.S.C. 450 et seq.) if the agreement is in exist-~~
18 ~~ence on the date of enactment of the Higher Education~~
19 ~~Amendments of 2007.~~

20 ~~"(d) OTHER ASSISTANCE.—Eligibility for, or receipt~~
21 ~~of, assistance under this title shall not preclude the eligi-~~
22 ~~bility of a tribally controlled postsecondary career and~~
23 ~~technical institutions to receive Federal financial assist-~~
24 ~~ance under—~~

25 ~~"(1) any program under the Higher Education~~
26 ~~Act of 1965 (20 U.S.C. 1001 et seq.);~~

1 ~~"(2) any program under the Carl D. Perkins~~
2 ~~Career and Technical Education Act of 2006; or~~
3 ~~"(3) any other applicable program under which~~
4 ~~a benefit is provided for—~~
5 ~~"(A) institutions of higher education;~~
6 ~~"(B) community colleges; or~~
7 ~~"(C) postsecondary educational institu-~~
8 ~~tions.~~
9 **~~"SEC. 504. AUTHORIZATION OF APPROPRIATIONS.~~**
10 ~~"There are authorized to be appropriated such sums~~
11 ~~as are necessary for fiscal year 2008 and each fiscal year~~
12 ~~thereafter to carry out this title.".~~
13 ~~(2) CONFORMING AMENDMENTS.—Section 117~~
14 ~~of the Carl D. Perkins Career and Technical Edu-~~
15 ~~cation Act of 2006 (20 U.S.C. 2327) is amended—~~
16 ~~(A) by striking subsection (a) and insert-~~
17 ~~ing the following:~~
18 ~~"(a) GRANT PROGRAM.—Subject to the availability of~~
19 ~~appropriations, the Secretary shall make grants under this~~
20 ~~section, to provide basic support for the education and~~
21 ~~training of Indian students, to tribally controlled postsec-~~
22 ~~ondary career and technical institutions that are not re-~~
23 ~~ceiving Federal assistance as of the date on which the~~
24 ~~grant is provided under—~~

1 ~~"(1) title I of the Tribally Controlled College or~~
2 ~~University Assistance Act of 1978 (25 U.S.C. 1802~~
3 ~~et seq.); or~~
4 ~~"(2) the Navajo Community College Act (25~~
5 ~~U.S.C. 640a et seq.)."; and~~
6 ~~(B) by striking subsection (d) and insert-~~
7 ~~ing the following:~~
8 ~~"(d) APPLICATIONS.—To be eligible to receive a~~
9 ~~grant under this section, a tribally controlled postsec-~~
10 ~~ondary career and technical institution that is not receiv-~~
11 ~~ing Federal assistance under title I of the Tribally Con-~~
12 ~~trolled College or University Assistance Act (25 U.S.C.~~
13 ~~1802 et seq.) or the Navajo Community College Act (25~~
14 ~~U.S.C. 640a et seq.) shall submit to the Secretary an ap-~~
15 ~~plication at such time, in such manner, and containing~~
16 ~~such information as the Secretary may require.".~~
17 ~~(k) SHORT TITLE.—~~
18 ~~(1) IN GENERAL.—The first section of the Trib-~~
19 ~~ally Controlled College or University Assistance Act~~
20 ~~of 1978 (25 U.S.C. 1801 note; Public Law 95–471)~~
21 ~~is amended to read as follows:~~
22 ~~**"SECTION 1. SHORT TITLE.**~~
23 ~~"This Act may be cited as the 'Tribally Controlled~~
24 ~~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;~~

1 ~~"(iii) activities relating to the preser-~~
2 ~~vation and protection of the Navajo lan-~~
3 ~~guage, philosophy, and culture;~~
4 ~~"(iv) employment and training oppor-~~
5 ~~tunities;~~
6 ~~"(v) economic development and com-~~
7 ~~munity outreach; and~~
8 ~~"(vi) a safe learning, working, and liv-~~
9 ~~ing environment."; and~~
10 ~~(3) in subsection (c), by striking "the Navajo~~
11 ~~Community College" and inserting "Diné College".~~
12 ~~(e) EFFECT ON OTHER LAWS.—Section 6 of the~~
13 ~~Navajo Community College Act (25 U.S.C. 640c–2) is~~
14 ~~amended—~~
15 ~~(1) by striking "the Navajo Community Col-~~
16 ~~lege" each place it appears and inserting "Diné Col-~~
17 ~~lege"; and~~
18 ~~(2) in subsection (b), by striking "college" and~~
19 ~~inserting "College".~~
20 ~~(f) PAYMENTS; INTEREST.—Section 7 of the Navajo~~
21 ~~Community College Act (25 U.S.C. 640c–3) is amended~~
22 ~~by striking "the Navajo Community College" each place~~
23 ~~it appears and inserting "Diné College".~~

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

2 *(a) SHORT TITLE.—This Act may be cited as the*
3 *"Higher Education Amendments of 2007".*

4 *(b) TABLE OF CONTENTS.—The table of contents for*
5 *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. Clear and easy-to-find information on student financial aid.
Sec. 111. Performance-based organization for the delivery of Federal student financial assistance.
Sec. 112. Procurement flexibility.
Sec. 113. 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.

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. Program authority.
Sec. 452. 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. Entrance counseling required.
Sec. 479. National Student Loan Data System.
Sec. 480. Early awareness of financial aid eligibility.
Sec. 481. Program participation agreements.
Sec. 482. Regulatory relief and improvement.
Sec. 483. Transfer of allotments.
Sec. 484. Purpose of administrative payments.
Sec. 485. Advisory Committee on student financial assistance.
Sec. 486. Regional meetings.
Sec. 487. 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.
Sec. 717. Research grants.

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

8 ***SEC. 3. GENERAL EFFECTIVE DATE.***

9 *Except as otherwise provided in this Act or the amend-*
10 *ments made by this Act, the amendments made by this Act*
11 *shall take effect on the date of enactment of this Act.*

12 # *TITLE I—GENERAL PROVISIONS*

13 ***SEC. 101. ADDITIONAL DEFINITIONS.***

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

16 *(1) by redesignating paragraphs (9) through (16)*
17 *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, 31412; promulgated 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 Representatives" 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 Representa-

tives" 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 approved 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 pub-

lish a Federal Register notice soliciting nominations 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 the public, including 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,

such costs for in-State and out-of-State students living on and off-campus.

"(Q) The average yearly grant amount (including Federal, State, and institutional aid) for a student enrolled at the institution.

"(R) The average yearly amount of Federal student loans, and other loans provided through the institution, to undergraduate students enrolled at the institution.

"(S) The total yearly grant aid available to undergraduate students enrolled at the institution, from the Federal Government, a State, the institution, and other sources.

"(T) The percentage of undergraduate students enrolled at the institution receiving Federal, State, and institutional grants, student loans, and any other type of student financial assistance provided publicly or through the institution, such as Federal work-study funds.

"(U) The average net price for all undergraduate students enrolled at the institution.

"(V) The percentage of first-year undergraduate students enrolled at the institution 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 databases

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. CLEAR AND EASY-TO-FIND INFORMATION ON STUDENT FINANCIAL AID.

Part C of title I (as amended by sections 108 and 109) is further amended by adding at the end the following:

''SEC. 134. CLEAR AND EASY-TO-FIND INFORMATION ON STUDENT FINANCIAL AID.

''(a) PROMINENT DISPLAY.—The Secretary shall ensure that a link to current student financial aid information is displayed prominently on the home page of the Department website.

''(b) ENHANCED STUDENT FINANCIAL AID INFORMATION.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Higher Education Amendments of 2007, the Secretary shall contract with an independent organization with demonstrated expertise in the development of consumer-friendly websites to develop improvements to the usefulness and accessibility of the information provided by the Department on college financial planning and student financial aid.

"(2) IMPLEMENTATION.—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 paragraph (1) to the college financial planning and student financial aid website of the Department.

"(3) DISSEMINATION.—The Secretary shall make the availability of the information on the website widely known through a major media campaign and other forms of communication.".

SEC. 111. 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. 112. 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. 113. 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 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 shall 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 pre-

ceding academic year, for each type of loan being offered;

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

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

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

"(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 lend-

ers 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 an eligible partnership that has a teacher preparation program—

"(A) whose graduates exhibit strong performance on State-determined qualifying assessments for new teachers through—

"(i) demonstrating that 80 percent or more of the graduates of the program who intend to enter the field of teaching have passed all of the applicable State qualification assessments for new teachers, which

shall include an assessment of each prospective teacher's subject matter knowledge in the content area in which the teacher intends to teach; or

"(ii) being ranked among the highest-performing teacher preparation programs in the State as determined by the State—

"(I) using criteria consistent with the requirements for the State report card under section 205(b); and

"(II) using the State report card on teacher preparation required under section 205(b), after the first publication of such report card and for every 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 estab-

lished 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

"(ii) joint professional development opportunities.

"(22) TEACHING SKILLS.—The term 'teaching skills' means skills that enable a teacher to—

"(A) increase student learning, achievement, and the ability to apply knowledge;

"(B) effectively convey and explain academic subject matter;

"(C) employ strategies grounded in the disciplines of teaching and learning that—

"(i) are based on empirically based practice and scientifically valid research, where applicable, on teaching and learning;

"(ii) are specific to academic subject matter; and

"(iii) focus on the identification of students' specific learning needs, particularly students with disabilities, students who are limited English proficient, students who are gifted and talented, and students with low literacy levels, and the tailoring of academic instruction to such needs;

"(D) conduct an ongoing assessment of 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, es-

tablished 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 educational 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, includ-

ing 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, which may include bonus, differential, incentive, or merit or performance-based pay.

"(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 part-

nerships 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 partnership 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 such eligible partnership to submit a revised application that identifies the steps the partnership will take to make substantial progress

to meet the purposes, goals, objectives, and measures, as appropriate, of this part.

"(d) EVALUATION AND DISSEMINATION.—The Secretary shall evaluate the activities funded under this part and report the Secretary's findings regarding the activities to the authorizing committees. The Secretary shall broadly disseminate—

"(1) successful practices developed by eligible partnerships under this part; and

"(2) information regarding such practices that were found to be ineffective.

"SEC. 205. ACCOUNTABILITY FOR PROGRAMS THAT PREPARE TEACHERS.

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

"(1) REPORT CARD.—Each institution of higher education that conducts a traditional teacher preparation program or alternative routes to State certification or licensure program and that enrolls students receiving Federal assistance under this Act shall report annually to the State and the general public, in a uniform and comprehensible manner that conforms with the definitions and methods established 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 institu-

tion'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 described 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 faculty, 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 li-

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

"(b) TERMINATION OF ELIGIBILITY.—Any program of teacher preparation from which the State has withdrawn

the State's approval, or terminated the State's financial support, due to the low performance of the program based upon the State assessment described in subsection (a)—

"(1) shall be ineligible for any funding for professional development activities awarded by the Department;

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

"(3) shall provide transitional support, including remedial services if necessary, for students enrolled at the institution at the time of termination of financial support or withdrawal of approval.

"(c) NEGOTIATED RULEMAKING.—If the Secretary develops any regulations implementing subsection (b)(2), 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 pri-

vate, 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 authorize 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 eco-

nomic 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) in the matter preceding subparagraph (A), by striking "(R)" and inserting "(Y)";

(ii) 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 insti-

tution or program, for which the institution or program received and allocated funding under this section in the preceding year.";

(iii) in subparagraph (C), by striking "(or the equivalent) enrolled in the eligible professional or graduate school" and all that follows through the period and inserting "enrolled in the qualified programs or institutions listed in paragraph (1).";

(iv) 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

(v) 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 necessary 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.

(a) AMENDMENTS.—Section 401 (20 U.S.C. 1070a) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the first sentence, by striking "2004" and inserting "2013"; and

(ii) in the second sentence, by striking ",," and inserting ","; and

(B) in paragraph (3), by striking "this subpart" and inserting "this section";

(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) 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

(D) 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 single award 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 award such student not more than 2 Federal Pell Grants during that award year to permit such student to accelerate the student’s progress toward a degree. 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 appropriations 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 July 1, 2008.".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on July 1, 2008.

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 estab-

lished 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 that such student may receive

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 any year of a program of undergraduate education 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 subpara-

graph (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 of 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 post-secondary 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;

"(2) advice and assistance in secondary course selection and, if applicable, initial 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.

"(c) PERMISSIBLE SERVICES.—Any project assisted under this section may provide services such as—

"(1) personal and career counseling or activities;

"(2) information and activities designed to acquaint youths with the range of career options available to the youths;

"(3) exposure to the campuses of institutions of higher education, as well as cultural events, academic programs, and other sites or activities not usually available to disadvantaged youth;

"(4) workshops and counseling for families of students served;

"(5) mentoring programs involving elementary or secondary school teachers or counselors, faculty members at institutions of higher education, students, or any combination of such persons; and

"(6) programs and activities as described in subsection (b) or paragraphs (1) through (5) of this sub-

section 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.”; 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) 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.".

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 col-

laboration 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 stu-

dents 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 post-secondary 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 services 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 ex-

cess 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, pri-

vate 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 assistance 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 de-

scribed 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 en-

rollment 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) IN GENERAL.—

"(A) ESTABLISHMENT OF PARTNERSHIP.—Each State receiving an allotment under this section shall use the funds to establish a partnership to award grants for access and persistence to eligible low-income students in order to increase the amount of financial assistance such students receive under this subpart for undergraduate education expenses.

"(B) AMOUNT OF GRANTS.—

"(i) PARTNERSHIPS WITH INSTITUTIONS SERVING LESS THAN A MAJORITY OF STUDENTS IN THE STATE.—

"(I) IN GENERAL.—In the case where a State receiving an allotment under this section is in a partnership described in subsection (b)(2)(A)(i), the amount of a grant for access and persistence awarded to a student by such State shall be not less than the amount that is equal to the average undergraduate tuition and mandatory fees at 4-year public institutions of higher education in the State where the student resides (less any amounts of other

Federal or State sponsored grants, work study, and scholarships received by the student), and such grant for access and persistence 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 to students 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 amounts of other Federal or State sponsored grants, work study, and scholarships 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 to a student 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 amounts of other Federal or State sponsored grants, work study, and scholarships received by the student), and such grant for access and persistence 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 at-

tending 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 eligibility 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 for, 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 estimate of the total amount of financial aid that a low-income student with a similar income level may expect to receive, including an estimate of the amount of a grant for access and persistence and an estimate 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 Application for Federal Student Aid author-

ized 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 aggregate ex-

penditure 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 "immediate family"; and

(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 award year for which the determination is made; or

"(B) would otherwise be eligible to receive a Federal Pell Grant for the award 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 in-

stitutions 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)(D)—

(i) in clause (i), by striking "and" after the comma at the end;

(ii) in clause (ii), by striking the period and inserting a 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.".

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 cancellation 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 cancellation; 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 de-

scribed 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 guaranteed 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 guar-

anty agency or with the Secretary), shall develop and make available a high-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 ex-

penses, 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 education 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, 2012.

"(B) APPLICATION TO EXISTING INSTITUTIONAL LENDERS.—An institution that was an eligible lender under this subsection, or an eligible 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, 2012, shall—

"(i) not issue any new loans in such a capacity under part B after June 30, 2012; and

"(ii) continue to carry out the institution's responsibilities for any loans issued by the institution under part B on or before June 30, 2012, except that, beginning on June 30, 2011, 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.".

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on July 1, 2008.

PART C—FEDERAL WORK-STUDY PROGRAMS

SEC. 441. AUTHORIZATION OF APPROPRIATIONS.

Section 441(b) (42 U.S.C. 2751(b)) is amended by striking "$1,000,000,000 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 subsection (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 "nonprofit";

(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 nonperformance 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. PROGRAM AUTHORITY.

Section 461(b)(1) (20 U.S.C. 1087aa(b)(1)) is amended by striking "$250,000,000 for fiscal year 1999" and all that follows through the period and inserting "such sums as may be necessary for each of the fiscal years 2008 through 2012.".

SEC. 452. 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.

(a) AMENDMENTS.—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".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on July 1, 2008.

SEC. 462. DEFINITIONS.

(a) AMENDMENT.—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.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on July 1, 2008.

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 reapplication 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 reapplicants.

"(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 information 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, computed in accordance with part F. Such applicant shall be permitted to update information submitted on a form described in this subsection using the process required under paragraph (4).

"(10) DISTRIBUTION OF DATA.—Institutions of higher education, guaranty agencies, and States shall receive, without charge, the data collected by the Secretary using a form developed under this subsection for the purposes of processing loan applications and determining need and eligibility for institutional and State financial aid awards. Entities designated by institutions of higher education, guaranty agencies, or States to receive such data shall be subject to all the

requirements of this section, unless such requirements are waived by the Secretary.

"(11) THIRD PARTY SERVICERS AND PRIVATE SOFTWARE PROVIDERS.—To the extent practicable and in a timely manner, the Secretary shall provide, to private organizations and consortia that develop software used by institutions of higher education for the administration of funds under this title, all the necessary specifications that the organizations and consortia must meet for the software the organizations and consortia develop, produce, and distribute (including any diskette, modem, or network communications) 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 amended by section 101(b)(11)) 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 educational 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 identification number, and organizational affiliation of the preparer on the applicant's form.

"(3) ADDITIONAL REQUIREMENTS.—A preparer that provides consultative or preparation services pursuant to this subsection shall—

"(A) clearly inform each individual upon initial contact, including contact through the Internet or by telephone, that the FAFSA and EZ FAFSA may be completed for free via paper or electronic versions of the forms that are provided by the Secretary;

"(B) include in any advertising clear and conspicuous information that the FAFSA and EZ FAFSA may be completed for free via paper or electronic versions of the forms that are provided by the Secretary;

"(C) if advertising or providing any information on a website, or if providing services through a website, include on the website a link to the website described in subsection (a)(3) that provides the electronic versions of the forms developed under subsection (a);

"(D) refrain from producing or disseminating any form other than the forms developed 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 program 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 partici-

pating 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 use the discretion 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) FORMATION OF STUDY GROUP.—Not later than 180 days after the date of enactment of the Higher Education Amendments of 2007, the Comptroller General of the United States and the Secretary of Education shall convene a study group whose members shall include the Secretary of the Treasury, the Director of the Office of Management and Budget, the Director of the Congressional Budget Office, and such other individuals as the Comptroller General and Secretary of Education may designate.

"(2) STUDY REQUIRED.—The Comptroller General and the Secretary, in consultation with the study

group convened under paragraph (1), shall design and conduct a study to identify and evaluate the means of simplifying the process of applying for Federal financial aid available under this title. The study shall focus on developing alternative approaches for calculating the expected family contribution that use substantially less income and asset data than the methodology currently used, as of the time of the study, for determining the expected family contribution.

"(3) OBJECTIVES OF STUDY.—The objectives of 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 redistribution 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 simi-

lar 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 In-

ternal 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 higher 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.

(a) AMENDMENTS.—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 certifi-

cate, 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 July 1, 2008, 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 accord-

ance with standards established by the institution; and

"(5) meet the requirements of paragraphs (3), (4), (5), and (6) of subsection (a).".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take affect on July 1, 2008.

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 stu-

dent 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.

(a) AMENDMENT.—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 subsection (b)(2) do not apply to the student.".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on July 1, 2008.

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 part or part D (other than a loan made under section 428H or a Federal Direct Unsubsidized Stafford Loan) who did not receive a Federal Pell Grant, and by recipients of neither a Federal Pell Grant nor a loan made under this part or part D (other than a loan made under section 428H or a Federal Direct Unsubsidized Stafford Loan), if the number of students in such subgroup or with such status is sufficient to

yield statistically reliable information and reporting would not reveal personally identifiable information about an individual student. If such number is not sufficient for such purposes, then the institution shall note that the institution enrolled too few of such students to so disclose or report with confidence and confidentiality.";

(2) in subsection (b)—

(A) in paragraph (1)(A), by striking the subparagraph designation and all that follows through "465." and inserting the following:

"(A) Each eligible institution shall, through financial aid offices or otherwise, provide counseling to borrowers of loans that are made, insured, or guaranteed under part B (other than loans made pursuant to section 428C or loans made to parents pursuant to section 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 ben-

efit programs may vary among different loan holders;

"(D) a general description of the types of tax benefits which may be available to borrowers of student loans; 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 of whether the institution denies a transfer of credit solely on the basis of the agency or association that accredited such other institution of higher education; 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 the Secretary or the Accreditation and Institutional Quality and Integrity Advisory Committee to require particular policies, procedures, or practices by institutions of higher education with respect to transfer of credit;

"(B) 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;

"(C) limit the application of the General Education Provisions Act; or

"(D) 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 institution 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 Sec-

retary 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. ENTRANCE COUNSELING REQUIRED.

Section 485 (as amended by section 477) is further amended—

(1) by redesignating subsections (b) through (i) as subsections (c) through (j), respectively; and

(2) by inserting after subsection (a) the following:

"(b) ENTRANCE COUNSELING FOR BORROWERS.—

"(1) DISCLOSURE REQUIRED PRIOR TO DISBURSEMENT.—

"(A) IN GENERAL.—Each eligible institution shall, at or prior to the time of a disbursement to a first-time student borrower of a loan made, insured, or guaranteed under part B or D, ensure that the borrower receives comprehensive information on the terms and conditions of the loan and the responsibilities the borrower has with respect to such loan. Such information shall be provided in simple and understandable terms and may be provided—

"(i) during an entrance counseling session conducted in person;

"(ii) on a separate written form provided to the borrower that the borrower signs and returns to the institution; or

"(iii) online, with the borrower acknowledging receipt and understanding of the information.

"(B) USE OF INTERACTIVE PROGRAMS.—The Secretary shall encourage institutions to carry out the requirements of subparagraph (A) through the use of interactive programs that test the borrowers' understanding of the terms and conditions of the borrowers' loans under part B

or D, using comprehensible language and displays with clear formatting.

"(2) INFORMATION TO BE PROVIDED.—The information provided to the borrower under paragraph (1)(A) shall include—

"(A) an explanation of the use of the Master Promissory Note;

"(B) in the case of a loan made under section 428B or 428H, a Federal Direct PLUS Loan, or a Federal Direct Unsubsidized Stafford Loan—

"(i) the ability of the borrower to pay the interest while the borrower is in school; and

"(ii) how often interest is capitalized;

"(C) the definition of half-time enrollment at the institution, during regular terms and summer school, if applicable, and the consequences of not maintaining half-time enrollment;

"(D) an explanation of the importance of contacting the appropriate institutional offices if the borrower withdraws prior to completing the borrower's program of study so that the institution can provide exit counseling, including infor-

mation regarding the borrower's repayment options and loan consolidation;

"(E) the obligation of the borrower to repay the full amount of the loan even if the borrower does not complete the program in which the borrower is enrolled;

"(F) information on the National Student Loan Data System and how the borrower can access the borrower's records; and

"(G) the name of an individual the borrower may contact if the borrower has any questions about the borrower's rights and responsibilities or the terms and conditions of the loan.".

SEC. 479. 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, potential 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 Sys-

tem, 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. 480. 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 financial 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 eli-

gibility 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 sec-

ondary 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 appli-

cation 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. 481. 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 paragraphs (22), (23), and (24), 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 financial 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 student financial 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 (24) (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:

“(25) 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).

“(26) 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 stu-

dents 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 achievements 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 section 498(h) until the institution dem-

onstrates, 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. 482. 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"; and

(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. 483. 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. 484. 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. 485. 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 authorizing committees and the Secretary detailing the expert panels' findings and recommendations with respect to the review and analysis under paragraph (2).

"(5) ADDITIONAL SUPPORT.—The Secretary and the Inspector General of the Department shall provide such assistance and resources to the Advisory Committee as the Secretary and Inspector General determine are necessary to conduct the review required by this subsection.

"(m) STUDY OF INNOVATIVE PATHWAYS TO BACCALAUREATE DEGREE ATTAINMENT.—

"(1) STUDY REQUIRED.—The Advisory Committee shall conduct a study of the feasibility of increasing baccalaureate degree attainment rates by reducing the costs and financial barriers to attaining a baccalaureate degree through innovative programs.

"(2) SCOPE OF STUDY.—The Advisory Committee shall examine new and existing programs that promote baccalaureate degree attainment through innovative ways, such as dual or concurrent enrollment programs, changes made to the Federal Pell Grant program, simplification of the needs analysis process, compressed or modular scheduling, articulation agreements, and programs that allow 2-year institutions of higher education to offer baccalaureate degrees.

"(3) REQUIRED ASPECTS OF THE STUDY.—In performing the study described in this subsection, the

Advisory Committee shall examine the following aspects of such innovative programs:

"(A) The impact of such programs on baccalaureate attainment rates.

"(B) The degree to which a student's total cost of attaining a baccalaureate degree can be reduced by such programs.

"(C) The ways in which low- and moderate-income students can be specifically targeted by such programs.

"(D) The ways in which nontraditional students can be specifically targeted by such programs.

"(E) The cost-effectiveness for the Federal Government, States, and institutions of higher education to implement such programs.

"(4) CONSULTATION.—

"(A) IN GENERAL.—In performing the study described in this subsection the Advisory Committee shall consult with a broad range of interested parties in higher education, including parents, students, appropriate representatives of secondary schools and institutions of higher education, appropriate State administrators, ad-

ministrators 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. 486. 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. 487. 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, including religious missions, and that ensure that the courses or programs of instruction, training, or study offered by the institution of higher education, including distance education courses or programs, are of sufficient quality to achieve, for the duration of the accreditation period, the stated objective for which the courses or the programs are offered; and

"(B) if such agency or association has or seeks to include within its scope of recognition the evaluation of the quality of institutions or programs offering distance education, such agency or association shall, in addition to meeting the other requirements of this subpart, demonstrate to the Secretary that—

"(i) the agency or association's standards effectively address the quality of an institution's distance education in the areas identified in section 496(a)(5), except that the agency or association shall not be required to have separate standards, procedures or policies for the evaluation of distance education institutions or programs in order to meet the requirements of this subparagraph; and

"(ii) the agency or association requires an institution that offers distance education to have processes through which the institution establishes 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 achievement that are established by the institution, and which use, as appropriate, empirical evidence and 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 include a statement of whether the institution denies a transfer of credit based solely on the accreditation of the sending institution."; 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.".

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. 499A. 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 repay-

ment, 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 Depart-

ment), 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 mechanism 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 the other loan programs under part B of 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 eli-

gible 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, including 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 dem-

onstrate 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 identified 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 activities 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 institutions 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 cer-

tified by the Council on Legal Education Opportunity.";

(4) in subsection (d)—

(A) in the matter preceding paragraph (1), by inserting "pre-college programs, undergraduate" before "pre-law";

(B) in paragraph (1)—

(i) in subparagraph (B), by inserting "law school" before "graduation"; and

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

"(D) pre-college and undergraduate preparatory courses in analytical and writing skills, study methods, and curriculum selection;";

(C) by redesignating paragraphs (2) through (6) as paragraphs (3) through (7), respectively;

(D) by inserting after paragraph (1) the following:

"(2) summer academic programs for secondary school students who have expressed interest in a career in the law;"; and

(E) in paragraph (7) (as redesignated by subparagraph (C)), by inserting "and Associates" 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 re-

form 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 program 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, secondary school graduation, college attendance, and college completion rates.

"(B) MATCHING REQUIREMENT.—Each subcontractor shall provide funds for the Project

GRAD program in an amount that is equal to or greater than the amount received by the subcontractor from the grantee. Such matching funds may be provided in cash or in-kind, fairly evaluated.

"(6) EVALUATION.—The Secretary shall select an independent entity to evaluate, every 3 years, the performance of students who participate in a Project GRAD program under this subsection.

"(d) CENTER FOR BEST PRACTICES TO SUPPORT SINGLE PARENT STUDENTS.—

"(1) PROGRAM AUTHORIZED.—The Secretary is authorized to award 1 grant or contract to an institution of higher education to enable such institution to establish and maintain a center to study and develop best practices for institutions of higher education to support single parents who are also students attending such institutions.

"(2) INSTITUTION REQUIREMENTS.—The Secretary shall award the grant or contract under this 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 serv-

ices 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 understand 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.

"(f) SCHOLARSHIP PROGRAM FOR FAMILY MEMBERS OF VETERANS OR MEMBERS OF THE MILITARY.—

"(1) AUTHORIZATION.—The Secretary shall contract with a nonprofit organization with demonstrated experience in carrying out the activities described in this subsection to carry out a program to provide postsecondary education scholarships for eligible students.

"(2) ELIGIBLE STUDENTS.—In this subsection, the term 'eligible student' means an individual who is—

"(A)(i) a dependent student who is a child of—

"(I) an individual who is—

"(aa) serving on active duty during a war or other military operation

or national emergency (as defined in section 481); or

"(bb) performing qualifying National Guard duty during a war or other military operation or national emergency (as defined in section 481); or

"(II) a veteran who died while serving or performing, as described in subclause (I), since September 11, 2001, or has been disabled while serving or performing, as described in subclause (I), as a result of such event; or

"(ii) an independent student who is a spouse of—

"(I) an individual who is—

"(aa) serving on active duty during a war or other military operation or national emergency (as defined in section 481); or

"(bb) performing qualifying National Guard duty during a war or other military operation or national emergency (as defined in section 481); or

"(II) a veteran who died while serving or performing, as described in subclause (I), since September 11, 2001, or has been disabled while serving or performing, as described in subclause (I), as a result of such event; and

"(B) enrolled as a full-time or part-time student at an institution of higher education (as defined in section 102).

"(3) AWARDING OF SCHOLARSHIPS.—Scholarships awarded under this subsection shall be awarded based on need with priority given to eligible students who are eligible to receive Federal Pell Grants under subpart 1 of part A of title IV.

"(4) MAXIMUM SCHOLARSHIP AMOUNT.—The maximum scholarship amount awarded to an eligible student under this subsection for an academic year shall be the lesser of—

"(A) the difference between the eligible student's cost of attendance (as defined in section 472) and any non-loan based aid such student receives; or

"(B) $5,000.

"(5) AMOUNTS FOR SCHOLARSHIPS.—100 percent of amounts appropriated to carry out this sub-

section shall be used for scholarships awarded under this subsection.".

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 include developing means to offer students credit-bearing, college-level coursework, and career and educational counseling."; and

(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 transi-

tion 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 noncredit, 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 stu-

dents 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.".

SEC. 717. RESEARCH GRANTS.

Title VII (20 U.S.C. 1133 et seq.) is further amended by adding at the end the following:

1 ***"PART E—RESEARCH GRANTS***

2 ***"SEC. 781. RESEARCH GRANTS.***

3 *"(a) GRANTS AUTHORIZED.—The Secretary is author-*
4 *ized to award grants, on a competitive basis, to eligible en-*
5 *tities to enable the eligible entities to develop or improve*
6 *valid and reliable measures of student achievement for use*
7 *by institutions of higher education to measure and evaluate*
8 *learning in higher education.*

9 *"(b) DEFINITIONS.—In this section:*

10 *"(1) ELIGIBLE ENTITY.—The term 'eligible enti-*
11 *ty' means—*

12 *"(A) an institution of higher education;*

13 *"(B) a State agency responsible for higher*
14 *education;*

15 *"(C) a recognized higher education accred-*
16 *iting agency or an organization of higher edu-*
17 *cation accreditors;*

18 *"(D) an eligible applicant described in sec-*
19 *tion 174(c) of the Education Sciences Reform*
20 *Act of 2002; and*

21 *"(E) a consortium of any combination of*
22 *entities described in subparagraphs (A) through*
23 *(D).*

24 *"(c) APPLICATION.—*

25 *"(1) IN GENERAL.—Each eligible entity that de-*
26 *sires a grant under this part shall submit an applica-*

tion to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require.

"(2) CONTENTS.—Each application submitted under subsection (a) shall include a description of how the eligible entity—

"(A) will work with relevant experts, including psychometricians, research experts, institutions, associations, and other qualified individuals as determined appropriate by the eligible entity;

"(B) will reach a broad and diverse range of audiences;

"(C) has participated in work in improving postsecondary education;

"(D) has participated in work in developing or improving assessments to measure student achievement;

"(E) includes faculty, to the extent practicable, in the development of any assessments or measures of student achievement; and

"(F) will focus on program specific measures of student achievement generally applicable to an entire—

"(i) institution of higher education; or

"(ii) State system of higher education.

"(d) AWARD BASIS.—In awarding grants under this section, the Secretary shall take into consideration—

"(1) the quality of an application for a grant under this section;

"(2) the distribution of the grants to different—

"(A) geographic regions;

"(B) types of institutions of higher education; and

"(C) higher education accreditors.

"(e) USE OF FUNDS.—Each eligible entity receiving a grant under this section may use the grant funds—

"(1) to enable the eligible entity to improve the quality, validity, and reliability of existing assessments used by institutions of higher education;

"(2) to develop measures of student achievement using multiple measures of student achievement from multiple sources;

"(3) to measure improvement in student achievement over time;

"(4) to evaluate student achievement;

"(5) to develop models of effective practices; and

"(6) for a pilot or demonstration project of measures of student achievement.

"(f) MATCHING REQUIREMENT.—An eligible entity described in subparagraph (A), (B), or (C) of subsection (b)(1) that receives a grant under this section shall provide for each fiscal year, from non-Federal sources, an amount (which may be provided in cash or in kind), to carry out the activities supported by the grant, equal to 50 percent of the amount received for the fiscal year under the grant.

"(g) SUPPLEMENT, NOT SUPPLANT.—Grant funds provided under this section shall be used to supplement, not supplant, other Federal or State funds.

"(h) REPORT.—

"(1) REPORT.—The Secretary shall provide an annual report to Congress on the implementation of the grant program assisted under this section.

"(2) CONTENT.—The report shall include—

"(A) information regarding the development or improvement of scientifically valid and reliable measures of student achievement;

"(B) a description of the assessments or other measures developed by eligible entities;

"(C) the results of any pilot or demonstration projects assisted under this section; and

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

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.

1 ***"PART B—POSTSECONDARY EDUCATION***
2 ***ASSESSMENT***

3 ***"SEC. 816. POSTSECONDARY EDUCATION ASSESSMENT.***

4 *"(a) CONTRACT FOR ASSESSMENT.—The Secretary*
5 *shall enter into a contract, with an independent, bipartisan*
6 *organization with specific expertise in public administra-*
7 *tion and financial management, to carry out an inde-*
8 *pendent assessment of the cost factors associated with the*
9 *cost of tuition at institutions of higher education.*

10 *"(b) TIMEFRAME.—The Secretary shall enter into the*
11 *contract described in subsection (a) not later than 90 days*
12 *after the date of enactment of the Higher Education Amend-*
13 *ments of 2007.*

14 *"(c) MATTERS ASSESSED.—The assessment described*
15 *in subsection (a) shall—*

16 *"(1) examine the key elements driving the cost*
17 *factors associated with the cost of tuition at institu-*
18 *tions of higher education during the 2001–2002 aca-*
19 *demic year and succeeding academic years;*

20 *"(2) identify and evaluate measures being used*
21 *to control postsecondary education costs;*

22 *"(3) identify and evaluate effective measures that*
23 *may be utilized to control postsecondary education*
24 *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.

"(b) DEFINITIONS.—In this section:

"(1) ELIGIBLE PARTNERSHIP.—The term 'eligible partnership' means a partnership—

"(A) between an institution of higher education and a local board (as such term is defined in section 101 of the Workforce Investment Act of 1998); or

"(B) if an institution of higher education is located within a State that does not operate local boards, between the institution of higher education and a State board (as such term is defined in section 101 of the Workforce Investment Act of 1998).

"(2) NONTRADITIONAL STUDENT.—The term 'nontraditional student' means a student who—

"(A) is independent, as defined in section 480(d);

"(B) attends an institution of higher education—

"(i) on less than a full-time basis;

"(ii) via evening, weekend, modular, or compressed courses; or

"(iii) via distance education methods; 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.

"(d) AWARD BASIS.—In awarding grants under this section, the Secretary shall—

"(1) ensure an equitable distribution of grant funds under this section among urban and rural areas of the United States; and

"(2) take into consideration the capability of the institution of higher education—

"(A) to offer relevant, high quality instruction and job skill training for students entering a high-growth occupation or industry;

"(B) to involve the local business community and to place graduates in the community in employment in high-growth occupations or industries;

"(C) to provide secondary students with dual-enrollment or concurrent enrollment options;

"(D) to serve nontraditional or low-income students, or adult or displaced workers; and

"(E) to serve students from rural or remote communities.

"(e) USE OF FUNDS.—Grant funds provided under 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 eligible 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 awarded a grant under this section an amount that is equal to $3,000 multiplied by the number of matriculated nursing program students at such institution for such academic year that is more than the average number determined with respect to such institution under subsection (b)(1). Such amount shall be used for the purposes described in subsection (a).

"(2) DISTRIBUTION OF GRANTS AMONG DIFFERENT DEGREE PROGRAMS.—

"(A) IN GENERAL.—Subject to subparagraph (B), from the funds available to award grants under this section for each fiscal year, the Secretary shall—

"(i) use 20 percent of such funds to award grants under this section to institutions of higher education for the purpose of accommodating advanced practice degrees

or students in graduate-level nursing programs;

"(ii) 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 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.

"(d) AWARD BASIS.—In awarding grants under this part, the Secretary shall take into consideration the capability of the eligible institution to—

"(1) increase access to quality programming that expands knowledge of traditional American history, free institutions, or Western civilization;

"(2) involve personnel with strong expertise in traditional American history, free institutions, or Western civilization; and

"(3) sustain the activities funded under this part after the grant has expired.

"(e) USE OF FUNDS.—

"(1) REQUIRED USE OF FUNDS.—Funds provided under this part shall be used to—

"(A) establish or strengthen academic programs or centers focused on traditional American history, free institutions, or Western civilization, which may include—

"(i) design and implementation of programs of study, courses, lecture series, seminars, and symposia;

"(ii) development, publication, and dissemination of instructional materials;

"(iii) research;

"(iv) support for faculty teaching in undergraduate and, if applicable, graduate programs;

"(v) support for graduate and postgraduate 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 Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

"(2) GRANTEE.—The term 'grantee' means Teach For America, Inc.

"(3) HIGH NEED.—The term 'high need', when used with respect to a local educational agency, means a local educational agency experiencing a shortage of highly qualified teachers.

"(b) GRANTS AUTHORIZED.—The Secretary is authorized to award a grant to Teach For America, Inc., the national teacher corps of outstanding recent college graduates who commit to teach for 2 years in underserved communities in the United States, to implement and expand its program of recruiting, selecting, training, and supporting new teachers.

"(c) REQUIREMENTS.—In carrying out the grant program under subsection (b), the Secretary shall enter into an agreement with the grantee under which the grantee agrees to use the grant funds provided under this section—

"(1) to provide highly qualified teachers to high need local educational agencies in urban and rural communities;

"(2) to pay the cost of recruiting, selecting, 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 ob-

servations 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, selection, 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 collabora-

tion 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 pur-

suant 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), aca-

demic 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 sti-

pend 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 determined 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 nonprofit organization with demonstrated expertise—

"(1) in increasing school-wide higher education enrollment rates in low-income communities nationwide 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 eligi-

ble 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 Predomi-

nantly 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 capacity 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 postsecondary 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 es-

tablish 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 accordance 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, direc-

tors, 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 baccalaureate 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, includ-

ing strategies to enhance the compensation of such personnel;

"(F) supporting articulation agreements between 2- and 4-year public and private institutions 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 establishing 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—

"(i) conduct career awareness activities showcasing local technology professionals;

"(ii) encourage students to pursue education in science, technology, engineering, and mathematics from elementary school through college, and careers in those fields, with the assistance of local technology professionals;

"(iii) develop internships, apprenticeships, and mentoring programs in partnership with relevant industries; and

"(iv) assist with 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 application 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 nonmonetary 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.

"(e) COUNSELING SERVICES.—

"(1) IN GENERAL.—Each institution of higher education receiving a grant under this section shall use the grant funds to provide students at the institution with a counseling staff dedicated to students participating in the program under this section. Each such counselor shall—

"(A) have a caseload of less than 125 students;

"(B) use a proactive, team-oriented approach to counseling;

"(C) hold a minimum of 2 meetings with students each semester; and

"(D) provide referrals to and follow-up with other student services staff, including financial and career services.

"(2) COUNSELING SERVICES AVAILABILITY.—The counseling services provided under this section shall be available to participating students during the daytime and evening hours.

"(f) APPLICATION.—An institution of higher education that desires to receive 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, 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 as-

signment 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) IN GENERAL.—The Secretary is authorized to award grants, on a competitive basis, to institutions of higher education or consortia of institutions of higher education to enable institutions of higher education or consortia to pay the Federal share of the cost of carrying out the authorized activities described in subsection (c).

"(2) CONSULTATION WITH THE ATTORNEY GENERAL AND THE SECRETARY OF HOMELAND SECURITY.—Where appropriate, the Secretary shall award grants under this section in consultation with the Attorney General of the United States and the Secretary of Homeland Security.

"(3) DURATION.—The Secretary shall award each grant under this section for a period of 2 years.

"(4) LIMITATION ON INSTITUTIONS AND CONSORTIA.—An institution of higher education or consortium shall be eligible for only 1 grant under this section.

"(b) FEDERAL SHARE; NON-FEDERAL SHARE.—

"(1) IN GENERAL.—The Federal share shall be 50 percent.

"(2) NON-FEDERAL SHARE.—The institution of higher education or consortium shall provide the non-Federal share, which may 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 con-

sortium 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:

"(5) The University, for purposes of the elementary and secondary education programs carried out at the Clerc Center, shall—

"(A)(i) select challenging academic content standards, challenging student academic achievement standards, and academic assessments of a State, adopted and implemented, as appropriate, pursuant to paragraphs (1) and (3) of section 1111(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(1) and (3)) and approved by the Secretary; and

"(ii) implement such standards and assessments for such programs by not later than the beginning of the 2009–2010 academic year;

"(B) annually determine whether such programs at the Clerc Center are making adequate yearly progress, as determined according to the definition of adequate yearly progress defined (pursuant to section 1111(b)(2)(C) of such Act (20 U.S.C. 6311(b)(2)(C))) by the State that has adopted and implemented the standards and assessments selected under subparagraph (A)(i); and

"(C) publicly report the results of the academic assessments implemented under subparagraph (A) 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 in-

serting "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 (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

(B) 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 inserting "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 because 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 "Committee 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);

"(2) is 35 years of age or younger; and

"(3) has not been convicted of—

"(A) a 'criminal offense against a victim who is a minor' or a 'sexually violent offense', as such terms are defined in the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act (42 U.S.C. 14071 et seq.); or

"(B) murder, as described in section 1111 of title 18, United States Code.

"(f) LENGTH OF PARTICIPATION.—A State correctional education agency receiving a grant under this section shall provide educational and related services to each par-

ticipating 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".

Calendar No. 264

110TH CONGRESS
1ST SESSION

S. 1642

A BILL

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

JULY 10, 2007

Reported with an amendment