

109TH CONGRESS
1ST SESSION

H. R. 4459

To provide tuition assistance to undergraduate students in exchange for the performance of National service.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 7, 2005

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

A BILL

To provide tuition assistance to undergraduate students in exchange for the performance of National service.

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

3 **SEC. 1. SHORT TITLE.**

4 This Act may be cited as the “Service for School Act
5 of 2005”.

6 **SECTION 2. PURPOSE.**

7 The purpose of this Act is to provide Federal tuition
8 assistance to undergraduate students attending eligible in-
9 stitutions in exchange for a commitment to perform Na-
10 tional service.

1 **SEC. 3. TUITION ASSISTANCE AUTHORIZED.**

2 (a) SERVICE FOR SCHOOL TUITION ASSISTANCE AU-
3 THORIZED.—The Secretary is authorized to pay, in ac-
4 cordance with subsection (b), to each Service for School
5 participant for each academic year during which such par-
6 ticipant is in attendance at an eligible institution as an
7 undergraduate, tuition assistance in an amount not more
8 than the amount such participant elects to receive in the
9 Service for School agreement. The authority to pay tuition
10 assistance under this Act shall be effective for any fiscal
11 year only to such extent or in such amounts as are pro-
12 vided in appropriations Acts.

13 (b) DISTRIBUTION OF TUITION ASSISTANCE TO STU-
14 DENTS.—Tuition assistance payments under this Act shall
15 be made in accordance with regulations promulgated by
16 the Secretary for such purpose and in such manner as will
17 best accomplish the purpose of this Act.

18 **SEC. 4. APPLICATION; ELIGIBILITY.**

19 (a) APPLICATION.—The Secretary shall from time to
20 time set dates by which eligible individuals shall file appli-
21 cations for tuition assistance under this Act. Each eligible
22 individual desiring to be a Service for School participant
23 for any year shall file an application with the Secretary
24 containing such information and assurances as the Sec-
25 retary may deem necessary to carry out the purpose of
26 this Act.

1 (b) ELIGIBILITY.—An individual shall be eligible to
2 apply for tuition assistance under this Act if the indi-
3 vidual—

4 (1) is enrolled or accepted for enrollment in an
5 educational program at an eligible institution, as de-
6 fined in section 10, for which such institution
7 awards an associate’s or a bachelors’ degree; and

8 (2) enters into a Service for School agreement
9 with the Secretary under section 6.

10 **SEC. 5. PARTICIPANT SELECTION.**

11 (a) SELECTION.—Each academic year, the Secretary
12 shall select Service for School participants from the appli-
13 cations received from eligible individuals under section 4.

14 (b) PRIORITY.—The Secretary shall give priority to
15 those eligible individuals who demonstrate the greatest fi-
16 nancial need.

17 **SEC. 6. SERVICE FOR SCHOOL AGREEMENT.**

18 (a) AGREEMENT TERMS.—The Service for School
19 agreement shall—

20 (1) require that any participant that receives
21 tuition assistance under this Act shall complete—

22 (A) one calendar year of full-time National
23 service for each academic year during which the
24 participant received the maximum amount of
25 tuition assistance under section 7;

1 (B) two calendar years of part-time Na-
2 tional service for each academic year during
3 which the participant received the maximum
4 amount of tuition assistance under section 7; or

5 (C) in the case of an academic year during
6 which the participant received less than the
7 maximum amount of tuition assistance under
8 section 7, National service for a period equiva-
9 lent to the amount of tuition assistance received
10 for such academic year, as determined by the
11 Secretary;

12 (2) include the amount of tuition assistance re-
13 quested by the eligible individual for that academic
14 year, not to exceed the maximum amount of tuition
15 assistance under section 7;

16 (3) require that a participant begin to perform
17 such National service no later than 12 months after
18 the date of graduation (or permanent departure)
19 from an eligible institution;

20 (4) require that a participant complete such
21 National service not later than 10 years after the
22 date of graduation (or permanent departure) from
23 an eligible institution;

24 (5) provide that a participant shall not be con-
25 sidered to have permanently departed from an insti-

1 tution if the participant, in a manner and under the
2 terms established by and with the approval of the
3 Secretary, transfers to another eligible institution, or
4 postpones or interrupts enrollment at an eligible in-
5 stitution for not more than 12 months;

6 (6) provide that a participant may appeal to the
7 Secretary for an extension of the time requirements
8 under paragraphs (3) and (4), and that the Sec-
9 retary may waive such requirements for exceptional
10 circumstances or hardship;

11 (7) provide that, in the event that a participant
12 fails to abide by the terms of the agreement, the
13 participant shall repay any Federal tuition assist-
14 ance received by the participant for which the partic-
15 ipant did not perform the required National service,
16 as determined by the Secretary; and

17 (8) provide that such Service for School agree-
18 ment shall be null and void if the eligible individual
19 is not selected by the Secretary to be a Service for
20 School participant for academic year for which the
21 application is submitted.

22 (b) DURATION OF AGREEMENT; RENEWAL.—A Serv-
23 ice for School agreement shall be made for only one aca-
24 demic year of tuition assistance at a time. Such agreement
25 shall be renewable on an annual basis if the participant

1 remains eligible. A participant may revise annually the
2 amount of tuition assistance requested (in accordance with
3 subsection (a)(2)).

4 **SEC. 7. TUITION ASSISTANCE.**

5 (a) **MAXIMUM AMOUNT OF TUITION ASSISTANCE.—**

6 For each academic year, a Service for School participant
7 shall be eligible to receive tuition assistance in an amount
8 not to exceed the lesser of—

9 (1) the average total tuition and fees for full-
10 time students for a complete academic year at four-
11 year public colleges and universities, as determined
12 annually by the College Board, for the most recent
13 academic year for which data is available; or

14 (2) such participant's cost of attendance, as de-
15 fined under section 472 of the Higher Education Act
16 of 1965 (20 U.S.C. 1087ll).

17 (b) **ELECTION OF REDUCED TUITION ASSISTANCE.—**

18 A Service for School participant may elect to receive less
19 than the maximum amount of tuition assistance in ex-
20 change for a reduced requirement to perform National
21 service (in accordance with section 6(a)(1)(C)).

22 (c) **FORM OF TUITION ASSISTANCE.—**The tuition as-
23 sistance provided to a Service for School participant under
24 this Act shall be in the form of grants, remissions of ex-

1 penses, or such other form as the Secretary considers ap-
2 propriate.

3 **SEC. 8. COLLECTION AND WAIVER AUTHORITY.**

4 (a) **COLLECTION BY THE SECRETARY.**—The Sec-
5 retary shall have the authority to collect amounts owed
6 by a Service for School participant under section 6(a)(7).
7 The Secretary may, for the purpose of collection of such
8 amounts, exercise the authorities conferred on the Sec-
9 retary by sections 467 and 468 of the Higher Education
10 Act of 1965 (20 U.S.C. 1087gg and 1087hh) with respect
11 to the collection of defaulted loans under part E of title
12 IV of such Act. Amounts collected under this subsection
13 shall remain available to the Secretary for making tuition
14 assistance payments under this Act during the succeeding
15 fiscal year.

16 (b) **WAIVER FOR EXCEPTIONAL CIRCUMSTANCES.**—
17 The Secretary may waive the National service perform-
18 ance requirement under section 6(a)(1), and the repay-
19 ment requirement under section 6(a)(7), if exceptional cir-
20 cumstances such as illness or death prevent a Service for
21 School participant from meeting such requirements.

22 **SEC. 9. REGULATIONS.**

23 The Secretary is authorized to issue such regulations
24 as may be necessary to carry out the provisions of this
25 Act, including any regulations necessary to verify comple-

1 tion by the participants of the terms of the Service for
2 School agreement under section 6.

3 **SEC. 10. DEFINITIONS.**

4 In this Act:

5 (1) NATIONAL SERVICE.—The term “National
6 service” means service in—

7 (A) the Armed Forces (as defined under
8 10 U.S.C. 101), including service on active duty
9 and service in the National Guard or a reserve
10 component of the Armed Forces;

11 (B) the Peace Corps;

12 (C) any AmeriCorps-sponsored program,
13 including City Year and Teach for America;

14 (D) any Citizen Corps program;

15 (E) any USA Freedom Corps program; or

16 (F) any program specifically authorized as
17 such by the Secretary for the purpose of this
18 Act.

19 (2) ELIGIBLE INSTITUTION.—The term “eligi-
20 ble institution” means an institution of higher edu-
21 cation as defined in section 101 of the Higher Edu-
22 cation Act of 1965 (20 U.S.C. 1001).

23 (3) FULL-TIME NATIONAL SERVICE.—The term
24 “full-time National service” means the performance

1 of National service for not less than 40 hours per
2 week, including active duty in the Armed Forces.

3 (4) PART-TIME NATIONAL SERVICE.—The term
4 “part-time National service” means the performance
5 of National service for less than 40 hours per week,
6 but not less than 40 hours per month, including
7 service in the National Guard and in a reserve com-
8 ponent of the Armed Forces.

9 (5) SECRETARY.—The term “Secretary” means
10 the Secretary of Education.

11 (6) STATE.—The term “State” means each of
12 the several States, the District of Columbia, the
13 Commonwealth of Puerto Rico, the Commonwealth
14 of the Northern Mariana Islands, American Samoa,
15 Guam, the United States Virgin Islands, and any
16 other territory or possession of the United States.

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