

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 4137)
TO AMEND AND EXTEND THE HIGHER EDUCATION ACT
OF 1965, AND FOR OTHER PURPOSES

FEBRUARY 6, 2008.—Referred to the House Calendar and ordered to be printed

Ms. SUTTON, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 956]

The Committee on Rules, having had under consideration House Resolution 956, by a nonrecord vote, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 4137, the College Opportunity and Affordability Act of 2007, under a structured rule. The rule provides one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor. The rule waives all points of order against consideration of the bill except clauses 9 and 10 of rule XXI. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against the amendment in the nature of a substitute except for clause 10 of rule XXI. This waiver does not affect the point of order available under clause 9 of rule XXI (regarding earmark disclosure).

The rule makes in order only those amendments printed in this report and the amendments en bloc. The amendments made in order may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the

Committee of the Whole. All points of order against the amendments except for clauses 9 and 10 of rule XXI are waived. The rule also permits the chairman of the Committee on Education and Labor or his designee to offer amendments en bloc consisting of those amendments that have been printed in this report and not earlier disposed of. The rule provides one motion to recommit with or without instructions. The rule provides that, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker. The rule tables House Resolution 941.

EXPLANATION OF WAIVERS

The waiver of all points of order against consideration of the bill (except for clauses 9 and 10 of rule XXI) includes a waiver of clause 3(b) of rule XIII, requiring the results of roll call votes in the committee report. The waiver of all points of order against the amendment in the nature of a substitute (except clause 10 of rule XXI) includes a waiver of clause 4 of rule XXI, prohibiting appropriations in legislative bills.

COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee record vote No. 425

Date: February 6, 2008.

Measure: H.R. 4137.

Motion by: Mr. Dreier.

Summary of motion: To grant a modified open rule.

Results: Defeated 3–8.

Vote by Members: McGovern—Nay; Hastings (FL)—Nay; Matsui—Nay; Cardoza—Nay; Castor—Nay; Arcuri—Nay; Sutton—Nay; Dreier—Yea; Diaz-Balart—Yea; Sessions—Yea; Slaughter—Nay.

Rules Committee record vote No. 426

Date: February 6, 2008.

Measure: H.R. 4137.

Motion by: Mr. Dreier.

Summary of motion: To make in order and provide appropriate waivers for an amendment by Rep. McKeon (CA), #44, which is a Sense of Congress that the Secretary of Education shall monitor the availability of student loans in light of the situation with the financial markets.

Results: Defeated 3–8.

Vote by Members: McGovern—Nay; Hastings (FL)—Nay; Matsui—Nay; Cardoza—Nay; Castor—Nay; Arcuri—Nay; Sutton—Nay; Dreier—Yea; Diaz-Balart—Yea; Sessions—Yea; Slaughter—Nay.

Rules Committee record vote No. 427

Date: February 6, 2008.

Measure: H.R. 4137.

Motion by: Mr. Dreier.

Summary of motion: To make in order and provide appropriate waivers for an amendment by Rep. King, Steve (IA), #31, which

would require colleges and universities that use Affirmative Action policies in admissions to fully disclose their admission policies. Would compile this data and make it publicly available.

Results: Defeated 3–8.

Vote by Members: McGovern—Nay; Hastings (FL)—Nay; Matsui—Nay; Cardoza—Nay; Castor—Nay; Arcuri—Nay; Sutton—Nay; Dreier—Yea; Diaz-Balart—Yea; Sessions—Yea; Slaughter—Nay.

Rule Committee record vote No. 428

Date: February 6, 2008.

Measure: H.R. 4137.

Motion by: Mr. Dreier.

Summary of motion: To make in order and provide appropriate waivers for an amendment by Rep. Souder (IN), #35, which would state the sense of Congress that no college student should be subject to discrimination on the basis of protected speech or association.

Results: Defeated 3–8.

Vote by Members: McGovern—Nay; Hastings (FL)—Nay; Matsui—Nay; Cardoza—Nay; Castor—Nay; Arcuri—Nay; Sutton—Nay; Dreier—Yea; Diaz-Balart—Yea; Sessions—Yea; Slaughter—Nay.

Rules Committee record vote No. 429

Date: February 6, 2008.

Measure: H.R. 4137.

Motion by: Mr. Diaz-Balart.

Summary of motion: To make in order and provide appropriate waivers for an amendment by Rep. Kline (MN), #43, which prohibits the disbursement of Higher Education Act funds by contract or grant to any institution that partners with any entity which discriminates or condones discrimination against the military or military recruiting centers.

Results: Defeated 3–8.

Vote by Members: McGovern—Nay; Hastings (FL)—Nay; Matsui—Nay; Cardoza—Nay; Castor—Nay; Arcuri—Nay; Sutton—Nay; Dreier—Yea; Diaz-Balart—Yea; Sessions—Yea; Slaughter—Nay.

Rules Committee record vote No. 430

Date: February 6, 2008.

Measure: H.R. 4137.

Motion by: Mr. Diaz-Balart.

Summary of motion: To make in order and provide appropriate waivers for each of the following amendments separately debatable for 10 minutes equally divided: an amendment by Rep. Hoekstra (MI), #58, which provides that the Secretary shall develop a student survey to determine employment or training for students graduating from international education programs funded by Title VI. The Secretary shall take job placement in areas of national need into consideration when institutions apply for Title VI grants. The Secretary shall release a biennial report to Congress and the public that identifies the areas of national need for expertise in foreign languages and world regions. Finally, the Assistant Secretary will consult with other agencies and departments to determine areas of national need for expertise in foreign languages and world regions; an amendment by Rep. Bishop, Rob (UT), #36, which re-

moves the maintenance of effort language in Title 1 of the bill, and instead directs the Secretary to identify and disseminate methods of cost containment; an amendment by Rep. Shays (CT), #56, which expresses the sense of Congress that Federal financial institutions and other entities utilize authority to assist in ensuring the liquidity and the availability of financing mechanisms for the purpose of bringing stability to the student loan marketplace; and an amendment by Rep. Davis, Lincoln (TN)/Myrick (NC), #61, which would allow the Department of Education to give grants to colleges and universities to establish pregnant and parenting student services centers for pregnant students, parenting students, prospective parenting students anticipating a birth or adoption, and students who are placing or have placed a child for adoption.

Results: Defeated 3–8.

Vote by Members: McGovern—Nay; Hastings (FL)—Nay; Matsui—Nay; Cardoza—Nay; Castor—Nay; Arcuri—Nay; Sutton—Nay; Dreier—Yea; Diaz-Balart—Yea; Sessions—Yea; Slaughter—Nay.

SUMMARY OF AMENDMENTS MADE IN ORDER

(Summaries derived from information provided by sponsors.)

1. Miller, George (CA): The Manager's amendment makes technical changes to the bill, as well as changes to the provisions on college costs to a more consumer friendly approach, while keeping the focus on accountability; a revision to the definition of the state funds that count toward meeting the State Maintenance of Effort requirement; a revised technical amendment to Pell grant funding; modifications to the Cohort Default Rate provisions to provide for a transition period before the new sanctions are imposed and provide for targeted technical assistance to schools in danger of losing their federal student aid as a result of high Cohort Default Rates; provisions to ensure that students are aware of lower-cost federal student aid options before turning to more expensive private loans and a means to help students avoid potentially compromising their federal aid eligibility by inadvertently relying on private student loans or borrowing excess amounts of private student loans; and includes studies. (20 minutes)

2. McKeon (CA): This amendment requires the National Research Council to conduct a study of the regulations on institutions of higher education. (10 minutes)

3. Kildee (MI): The amendment authorizes discretion currently exercised by the Secretary of Education to reserve for competitive grants to Tribally Controlled Colleges and Universities for construction, maintenance, or renovation of campus facilities a percentage of funds appropriated for Tribal Colleges and Universities under Title III of the Higher Education Act. (10 minutes)

4. Petri (WI): The amendment would require the existing Education-Treasury Study Group to evaluate the feasibility of an alternative market-based reform to the Federal Family Education Loan Program. The recommended alternative should reduce federal costs to taxpayers and use savings to increase need-based grant aid to low-income students. (10 minutes)

5. Petri (WI): The amendment would extend the new audit and reporting provisions applied only to the Direct Loan program to the Federal Family Education Loan Program. (10 minutes)

6. Castle (DE): An amendment to require the Quality Efficiency Task Forces to develop annual benchmarks for the top 5 percent of institutions in each institution category that have the largest increase in their tuition and fees over the most recent three year period in which data is available. The amendment also requires those institutions not meeting the benchmarks to provide the Secretary of Education a detailed explanation of the reasons why the institution did not meet such benchmarks. (10 minutes)

7. Davis, Danny (IL): An amendment to restore protections to private student loan borrowers similar to those afforded other unsecured debtors by allowing the discharge of private student loans via bankruptcy. (10 minutes)

8. Davis, Susan (CA): This amendment will prevent interest from accruing for active duty service members and qualifying National Guard members for the duration of their activation up to 60 months when serving in a combat zone. (10 minutes)

9. Sestak (PA): This amendment includes physical therapists as an occupation defined as an area of national need to qualify for student loan forgiveness under Sec. 428K of the Higher Education Act. (10 minutes)

10. Sestak (PA): This legislation amends the articulation agreement strategies that may be employed by states and institutions of higher education to include management systems regarding course equivalency, transfer of credit, and articulation. (10 minutes)

11. Yarmuth (KY): Provides competitive Teach to Reach grants to eligible partnerships to provide general education teacher candidates with the knowledge and skills to effectively instruct students with disabilities in their classrooms. Eligible partnerships must include an institution of higher education; a special education department within that institution, and a high-need local education agency. (10 minutes)

12. Hastings (FL)/Sánchez, Linda (CA): The amendment authorizes a nationwide pilot program through the Department of Education to promote holistic community-centered partnerships aimed at mitigating gang violence and reducing recidivism rates among juvenile ex-offenders previously detained for gang-related offenses. (10 minutes)

13. Welch (VT): Amendment would require annual reporting by colleges and universities on how much of their endowment was paid out each year for the purpose of containing college costs. (10 minutes)

14. Lantos (CA)/Watt (NC): The amendment makes a technical correction to the Graduate Assistance in Areas of National Need (GAANN) program to clarify Congressional intent that a Masters Degree level institution or program is eligible to be the lead recipient of a grant under the GAANN program. (10 minutes)

15. Edwards (TX)/Boyda (KS): Prohibits a state from charging members of the armed forces who are on active duty for more than 30 days and whose domicile or permanent duty station is in such state, and such members' dependents, more than the in-state tuition for attending a public institution of higher education (IHE) in that state. Provides that, even if such members' permanent duty station is subsequently changed to a location outside the state, they or their dependents must continue to be charged no more than the

in-state tuition if they remain continuously emolled at such IHE in the state. (10 minutes)

16. Johnson, Eddie Bernice (TX)/Young, Don (AK): This amendment expands Pell Grant eligibility to children who lost a parent or guardian as a result of the conflicts in Iraq or Afghanistan. These children will be eligible for the maximum amount of Pell Grant assistance. (10 minutes)

17. Stupak (MI): Provides federal student loan relief to borrowers who go into school administration in low-income school districts. Applies to any borrower who has been employed as a full-time school superintendent, principal, or other administrator for five consecutive complete school years in a school district in a low-income area. (10 minutes)

18. Doggett (TX): The amendment encourages the prepopulation of FAFSA income and asset information, by taxpayer consent, with tax data provided directly from the IRS to the Department of Education, and allows the Secretary of Education to provide for the use of second preceding tax year information. (10 minutes)

19. Baird (WA): This amendment would direct the Secretary of Education to conduct a study on the costs and benefits of making student aid available to less than half-time students. The Secretary would then make recommendations on how to best design a demonstration loan program targeted for less than half-time students. (10 minutes)

20. Inslee (WA): Ensures that competitive Sustainability Planning Grants explicitly provide for “greenhouse gas emissions reductions” to reduce the, threat of global warming and adds an eligibility requirement to FIPSE to ensure that institutions meet current energy efficiency standards. Additionally, includes a sense of Congress that the Federal Perkins Loan Program, which provides low-interest loans to help needy students finance a degree in higher education, should remain a campus-based aid program and to support increased funds to provide more low-income students with options. (10 minutes)

21. Crowley (NY): The amendment would allow community college students to have \$10 forgiven from their student loans for every hour they dedicate to mentoring an at-risk child. (10 minutes)

22. Cooper (TN): Increases the authorization level, from \$300 million to \$500 million, for the 103 Historically Black Colleges and Universities. Increases the authorization level, from \$100 million to \$125 million, for the 18 Historically Black Graduate Institutions. (10 minutes)

23. Ryan, Tim (OH)/Altmire (PA): Amendment creates a pilot competitive grant program (available to no more than 10 colleges) to assist institutions of higher education in setting up college textbook rental programs. (10 minutes)

24. Van Hollen (MD)/Castle (DE): This amendment authorizes Teach for America at \$20 million for FY09 and \$25 million for FY10. (10 minutes)

25. Gillibrand (NY): Institutions of Higher Education shall adopt a statement of current policy concerning the working relationship of campus security personnel with State and local law enforcement agencies for the investigation of felonies or a report of a missing student. (10 minutes)

26. Murphy, Patrick (PA)/Myrick (NC): The amendment would help students and families plan financially for higher education by requiring that colleges provide information about the anticipated cost of a post-secondary degree. Institutions would have the option of offering either a multi-year tuition and fee schedule or a traditional, single-year tuition and fee schedule with a nonbinding, multi-year estimate of a student's net costs. (10 minutes)

27. Shuler (NC): To authorize a competitive grant program through the Department of Education that would allow institutions of higher education or consortia to create longitudinal data systems to efficiently and accurately manage, analyze, disaggregate, and use individual student data. The amendment authorizes programs in no more than five states for a period of three years. (10 minutes)

TEXT OF AMENDMENTS MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GEORGE MILLER OF CALIFORNIA, OR HIS DESIGNEE, DEBATABLE FOR 20 MINUTES

Page 12, after line 16, insert the following new paragraph (and redesignate the succeeding paragraphs accordingly):

(1) in subsection (a)(1), by inserting before the semicolon the following: “, or persons who meet the requirements of section 484(d)(3)”;

Page 15, line 2, strike “and eligible” and insert “or eligible”.

Page 17, line 23, strike “1988))” and insert “1988)); as updated by the Secretary from time to time and published in the Federal Register.”.

Page 18, after line 3, insert the following new paragraph (and redesignate the succeeding paragraphs accordingly):

“(19) DISCONNECTED STUDENTS.—The term ‘disconnected students’ means students who are—

“(A) homeless children and youths, as such term is defined in section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a);

“(B) orphans, in foster care, or wards of the court, or who were in foster care or were wards of the court until the students reached the age of 16;

“(C) adjudicated or convicted juveniles, or who were adjudicated juveniles until the juveniles reached the upper age of juvenile court jurisdiction, or who were convicted juveniles who completed the sentence for the juvenile conviction prior to reaching the age of majority; or

“(D) pregnant or parenting youth.

Page 37, beginning on line 22, strike “The Secretary” and insert “Not later than 90 days after the Secretary receives the information required under paragraph (2), the Secretary”.

Page 39, beginning on line 7, strike subsection (a) and insert the following:

“(a) MAINTENANCE OF EFFORT REQUIRED.—A State shall provide—

“(1) for public institutions of higher education in such State for any academic year beginning on or after July 1, 2008, an amount which is equal to or greater than the average amount provided for non-capital and non-direct research and develop-

ment expenses or costs by such State to such institutions of higher education during the 5 most recent preceding academic years for which satisfactory data are available; and

“(2) for private institutions of higher education in such State for any academic year beginning on or after July 1, 2008, an amount which is equal to or greater than the average amount provided for student financial aid for paying costs associated with postsecondary education by such State to such institutions during the 5 most recent preceding academic years for which satisfactory data are available.

Page 39, line 23, after “precipitous” insert “and unforeseen”.

Page 41, beginning on line 1, strike section 109 through page 54, line 24, and insert the following:

SEC. 109. TRANSPARENCY IN COLLEGE TUITION FOR CONSUMERS.

(a) AMENDMENT TO TITLE I.—Part C of title I (20 U.S.C. 1015) is amended by adding after section 132 (as added by section 108 of this Act) the following new section:

“SEC. 133. TRANSPARENCY IN COLLEGE TUITION FOR CONSUMERS.

“(a) COLLEGE AFFORDABILITY AND TRANSPARENCY LISTS.—Effective July 1, 2011, the Secretary shall annually update and make publicly available on the College Navigator website, in a manner that is sortable by State, the following lists:

“(1) A list of the top 5 percent of the institutions in each category (as defined by subsection (b)) that have the highest tuition and fees.

“(2) A list of the top 5 percent of the institutions in each such category that have the lowest tuition and fees.

“(3) A list of the top 5 percent of the institutions in each such category that have the largest increase, expressed as a percentage change, in their tuition and fees over the most recent three year period for which satisfactory data is available.

“(b) CATEGORIES OF INSTITUTIONS.—The following categories shall be used in compiling the information in subsection (a):

“(1) 4-year public institutions of higher education.

“(2) 4-year private, nonprofit institutions of higher education.

“(3) 4-year private, for-profit institutions of higher education.

“(4) 2-year public institutions of higher education.

“(5) 2-year private, nonprofit institutions of higher education.

“(6) 2-year private, for-profit institutions of higher education.

“(7) Less than 2-year public institutions of higher education.

“(8) Less than 2-year private, nonprofit institutions of higher education.

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

“(10) All types of institutions described in paragraphs (1) through (9).

“(c) INSTITUTION REPORTS.—If an institution of higher education appears on the list described in subsection (a)(3), the institution or a representative association designated by the institution shall submit to the Secretary the following information:

“(1) A description of the factors contributing to the increase in the institution’s tuition and fees, including an identification of the major areas in the institution’s budget with the greatest cost increases.

“(2) If determinations of tuition and fee increases are not within the exclusive control of the institution, a description of the agency or instrumentality of State government or other entity that participates in such determinations, and the authority exercised by such agency, instrumentality, or entity.

“(d) QUALITY EFFICIENCY TASK FORCES.—Each institution that is required to submit information by subsection (c) shall establish a quality-efficiency task force to—

“(1) review the operations of such institution;

“(2) analyze institutional operating costs in comparison with such costs at other institutions within the same category of institutions;

“(3) identify areas where, in comparison with other institutions in such category, the institution operates more expensively to produce a similar result;

“(4) conduct an in-depth analysis of such identified areas for cost reduction opportunities; and

“(5) submit a report to the Secretary and the institution on the results of the review and analysis conducted under this subsection.

“(e) INFORMATION TO THE PUBLIC.—The Secretary shall compile the information submitted under subsections (c) and (d) and shall submit an annual report summarizing such information to the authorizing committees and publish such report on the College Navigator website.

“(f) EXEMPTIONS.—An institution shall not be placed on the list required under subsection (a)(3) and shall not be subject to the reporting in subsection (c) if, for the 3-year interval described in subsection (a)(3) the institution meets the following criteria:

“(1) With respect to the category of institutions described in subsection (b) to which the institution belongs, the computed price of the institution is in the lowest quartile of institutions within such category, as determined by the Secretary, during the last year of such 3-year interval.

“(2) The dollar amount of the institution’s increase in its full price, as computed under subsection (a)(3), is less than \$500 for such 3-year interval.

“(g) STATE HIGHER EDUCATION APPROPRIATIONS CHART.—The Secretary shall annually report on the College Navigator website, in charts for each State—

“(1) a comparison of—

“(A) the percentage change in State appropriations per full-time equivalent student in each public institution of higher education in the State for each of the 5 most recent preceding academic years; to

“(B) the percentage change in tuition and fees for each public institution of higher education in the State for each of the 5 most recent preceding academic years; and

“(2) the total amount of need-based and merit-based aid provided by the State to full-time equivalent students attending an institution of higher education in the State.

“(h) AVAILABILITY OF NET PRICE INFORMATION.—

“(1) NET PRICE.—In this section, the term ‘net price’ means the average yearly tuition and fees actually charged to a full-time undergraduate student receiving student aid at an insti-

tution of higher education, after deduction of any discounts and Federal and State aid, and any other institutional aid, that reduce the full price of tuition and fees at the institution, as determined in accordance with regulations prescribed by the Secretary.

“(2) NET PRICE CALCULATOR.—

“(A) DEVELOPMENT.—Not later than 1 year after the date of enactment of the College Opportunity and Affordability Act of 2007, the Secretary shall, in consultation with institutions of higher education, develop a net price calculator to help students, families, and consumers determine the net price of an institution of higher education. The calculator shall be developed in a manner that permits students to determine an estimate of their individual net price of attendance for an institution.

“(B) USE OF NET PRICE CALCULATOR BY INSTITUTIONS.—Not later than 3 years after the date of enactment of the College Opportunity and Affordability Act of 2007, each institution of higher education that receives Federal funds under this Act shall adopt and make available for use on the institution’s website the net price calculator developed under subparagraph (A) to help students, families, and other consumers determine the net price of such institution of higher education.

“(i) POSTSECONDARY EDUCATION PRICE INDICES.—Not later than 1 year after the date of enactment of the College Opportunity and Affordability Act of 2007, the Bureau of Labor Statistics, in consultation with the Commissioner of Education Statistics and representatives of institutions of higher education, shall develop, for inclusion in the higher education pricing summary page required under subsection (j)(3), postsecondary education price indices that accurately reflect the annual change in tuition and fees for undergraduate students in the categories of institutions described in subsection (b). Such indices shall be updated annually. Prior to the completion of the postsecondary education price indices, the Secretary is authorized to use an alternative, comparable index or indices.

“(j) CONSUMER COST INFORMATION.—

“(1) INFORMATION FROM INSTITUTIONS.—Not later than 1 year after the date of enactment of the College Opportunity and Affordability Act of 2007, the Secretary shall post on the College Navigator website and make available to institutions of higher education, students, families, and other consumers, in a consumer-friendly manner, the following information about each institution of higher education for the most recent academic year for which the Secretary has available data:

“(A) A statement of the institution’s mission and specialties.

“(B) 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) Percentage of enrolled undergraduate students at the institution registered with the office of disability services (or equivalent department) as students with disabilities.

“(I) Retention rates for full-time and part-time first-time, first-year undergraduate students enrolled at the institution.

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

“(K) 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-year and 4-year institutions), including by income category, as defined in paragraph (4).

“(L) Number of students who obtained a certificate or an associates, bachelors, masters, or doctoral degree at the institution.

“(M) Undergraduate major areas of study with the highest number of degrees awarded.

“(N) The student-faculty ratio, and number of full-time, part-time, and adjunct faculty, and graduate teaching and research assistants with instructional responsibilities, at the institution.

“(O) Percentage of faculty at the institution with the highest degree in their field.

“(P) Percentage change in total price in tuition and fees and the net price for an undergraduate at the institution in each of the 3 most recent preceding academic years.

“(Q) Total average annual 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.

“(R) Average annual grant amount (including Federal, State, and institutional aid) broken down by income category as defined in paragraph (4) for a student enrolled at the institution.

“(S) Average annual amount of Federal student loans, and other loans provided through the institution, to undergraduate students enrolled at the institution.

“(T) Total annual grant aid available to undergraduate students enrolled at the institution, from the Federal Government, a State, the institution, and other sources.

“(U) 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.

“(V) Number of students receiving Federal Pell Grants at the institution.

“(W) Average net price of the institution calculated for each income category, as defined in paragraph (4), for each of the 3 most recent preceding academic years.

“(X) Percentage of first-year undergraduate students enrolled at the institution who live on campus and off campus.

“(Y) The institution’s cohort default rate, as defined under section 435(m).

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

“(AA) Information on campus safety required to be collected under section 485(f).

“(BB) 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.

“(CC) 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.

“(2) DATA COLLECTION.—The Commissioner of Education Statistics shall continue to redesign the relevant parts of the Integrated Postsecondary Education Data System to include additional data as required by this subsection and to continue to improve the usefulness and timeliness of data collected by such System in order to inform consumers about institutions of higher education.

“(3) HIGHER EDUCATION PRICING SUMMARY PAGE.—The Secretary shall make publicly available on an annual basis, in a sortable and searchable electronic format on the College Navigator website, a list of all institutions of higher education participating in aid programs under title IV of this Act that includes for each such institution:

“(A) The undergraduate tuition and fees for the upcoming academic year.

“(B) The average annual net price by income category, as defined in paragraph (4), over the 3 most recent preceding academic years.

“(C) The average annual percentage change and dollar change in such institution’s tuition and fees over the 3 most recent preceding academic years.

“(D) The average annual percentage change and dollar change in such institution’s per student instructional spending over the 3 most recent preceding academic years.

“(E) The difference between the average annual percentage change in such institution’s tuition and fees over the 3 most recent preceding academic years and the postsecondary education price indices, as defined in subsection (i).

“(F) A link to the institution information on the College Navigator website, as detailed in paragraph (1).

“(4) INCOME CATEGORIES.—

“(A) IN GENERAL.—For purposes of reporting the information required under this subsection and compiling information for the net price calculator, the following income categories shall apply:

“(i) \$0–35,000;

“(ii) \$35,001–70,000;

“(iii) \$70,001–105,000;

“(iv) \$105,001–140,000; and

“(v) \$140,000 and up.

“(B) ANNUAL ADJUSTMENT.—The Secretary shall make available to all institutions of higher education participating in an aid program under title IV of this Act, on an annual basis, the annual inflation adjustment for the income categories set forth in subparagraph (A).

“(C) IMPRACTICABLE REPORTING EXEMPTION.—An institution that is required by this subsection to report any information pertaining to institutional aid by income category is not required to report such information to the extent that reporting such information by income category is impractical or impossible because information concerning income is not collected from the recipients of such institutional aid.

“(k) STUDENT AID RECIPIENT SURVEY.—

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

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

“(B) to describe the income distribution and other socioeconomic characteristics of federally aided students;

“(C) to describe the combinations of aid from State, Federal, and private sources received by students from all income groups;

“(D) to describe the debt burden of educational loan recipients and their capacity to repay their education debts, and the impact of such debt burden on career choices;

“(E) to describe the role played by the price of postsecondary education in the determination by students of what institution to attend; and

“(F) to describe how the increased costs of textbooks and other instructional materials affects the costs of postsecondary education to students.

“(2) SURVEY DESIGN.—The survey shall be representative of full-time and part-time, undergraduate, graduate, professional, and current and former students in all types of institutions, and designed and administered in consultation with the Congress and the postsecondary education community.

“(3) DISSEMINATION.—The Commissioner of Education Statistics shall disseminate the information resulting from the survey in both printed and electronic form.

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

(b) SENSE OF CONGRESS REGARDING CONSUMER INFORMATION ABOUT INSTITUTIONS OF HIGHER EDUCATION.—

(1) FINDINGS.—Congress finds that—

(A) the diversity of the American higher education systems allows each student to find the right “fit” for his or her interests and talents;

(B) while the variety of options available is one of the great strengths of our system of higher education, it can also be overwhelming when students and their families begin a college search;

(C) there is a massive amount of information available about institutions of higher education, but it is often difficult to navigate or is scattered among several sources;

(D) the data collected and available is comprehensive; however, there is a need to keep consumer needs in mind in packaging the information that already exists and presenting the information in a simple, consumer-friendly format;

(E) in particular, prospective students and their families want a succinct overview of common key information about institutions, with easy access to more in-depth institution-specific information about campus life and the complete college experience; and

(F) a variety of efforts have been initiated by colleges and universities and others to provide web-based, consumer-friendly information geared to prospective students and their families.

(2) SENSE OF CONGRESS.—It is the sense of Congress that institutions of higher education should participate in efforts to provide concise, easily accessible, on-line consumer information to prospective students and families that is consistent across institutions while permitting opportunities for more in-depth exploration of specific institutions.

Page 59, line 1, after “writing” insert “(which may include electronic communications)”.

Page 59, line 9, after “textbook” insert “in the preceding 10 years”.

Page 74, line 18, strike “August 1 of each year” and insert “March 1 of each year, or such other date determined by the Secretary.”

Page 80, beginning on line 10, strike clause (i) and insert the following:

“(i) Standard material, activities, or programs on issues related to a loan, default aversion, default prevention, or financial literacy, such as a brochure, a workshop, or training.

Page 81, line 4, strike “Exit” and insert “Entrance and exit”.

Page 81, line 6, strike “exit” and insert “entrance and exit”.

Page 81, after line 21, insert the following:

“(vi) State education grants, scholarships, or financial aid funds administered by or on behalf of a State.

Page 88, line 11, strike “\$25,000” and insert “\$27,500”.

Page 88, line 13, after “Secretary may” insert “impose a civil penalty in an amount of not more than \$27,500, or”.

Page 97, line 21, insert before the semicolon the following: “, and includes Migrant and Seasonal Head Start and American Indian/Alaska Native Head Start”.

Page 97, line 24, after “program” insert “(including a program authorized under section 619 or part C of the Individuals with Disabilities Education Act)”.

Page 110, line 25, strike “or”; on page 111, line 14, strike the period and insert “; or”; and after line 14 insert the following new subparagraph:

“(C) whose participants include current teachers who seek ongoing professional development in the subject matter knowledge in which the teacher is assigned to teach; and

“(D) that requires the faculty of arts and sciences of the partner institution to lead collaborative seminars for such participants for the purpose of—

“(i) improving student learning;

“(ii) enhancing the quality of teaching and strengthening subject matter mastery and the pedagogical skills of current teachers through continuing professional development; and

“(iii) developing curriculum units, based on the subject matter presented, for use in the teachers’ classrooms.

Page 120, line 10, after “techniques” insert “and strategies, consistent with the principles of universal design for learning”.

Page 120, line 16, after “teaching skills” insert “, including the ability to effectively teach higher-order analytical, evaluative, problem-solving, and communications skills”.

Page 122, line 9, strike “and”; on line 11, after the semicolon insert “and”; and after line 11, insert the following:

“(cc) effectively teach high-order analytical, evaluative, problem solving and communications skills appropriate for the teacher’s content or specialty area;

Page 125, beginning on line 24, strike “incentive, or merit or performance-based pay.” and insert “or incentive pay, based on their extra skills and responsibilities.”.

Page 127, line 10, after “school” insert “teachers or”.

Page 127, line 12, after “instruction for” insert “elementary or secondary school teachers or”.

Page 128, beginning on line 24, strike “Modifying” and all that follows through page 129, line 2, and insert “Where feasible, attempt to place”.

Page 131, line 11, after “based on” insert “, but is not required to include all of, the”.

Page 131, line 12, strike “teaching as” and insert “teaching, which may include”.

Page 134, strike lines 22 and 23 and insert the following:

“(C) STIPENDS; APPLICATIONS; AGREEMENTS; REPAYMENTS.—

Page 135, line 3, after the period insert “The stipend or salary shall be provided for no longer than 1 year.”.

Page 135, strike line 4 and all that follows through line 20 and insert the following:

“(ii) APPLICATIONS FOR STIPENDS.—Each teacher residency candidate desiring a stipend or salary during the period of residency shall submit an application to the eligible partnership at such time, and containing such information and assurances, as the eligible partnership may require.

“(iii) AGREEMENTS TO SERVE.—Each application submitted under clause (ii) shall contain or be accompanied by an agreement that the applicant will—

“(I) serve as a full-time teacher for a total of not less than 3 academic years after successfully completing the teaching residency program;

“(II) teach in a high-need school served by the high-need local educational agency in the eligible partnership;

“(III) teach in a field designated as high-need by the eligible partnership;

“(IV) provide to the eligible partnership a certificate, from the chief administrative officer of the school at which the resident is employed, of the employment required in subclauses (I), (II), and (III), at the beginning of, and upon completion of, each year or partial year of service;

“(V) be a highly qualified teacher, as defined in section 9101 of the Elementary and Secondary Education Act of 1965, when the applicant begins to fulfill the service obligation under this clause; and

“(VI) comply with the requirements set by the eligible partnership under clause (iv) if the applicant is unable or unwilling to complete the service obligation required by this clause.

“(iv) REPAYMENTS.—

“(I) IN GENERAL.—An eligible partnership carrying out a teaching residency program under this subsection shall require a recipient of a stipend or salary under this subparagraph who does not complete the service obligation required by clause (iii)

to repay the stipend or salary to the eligible partnership, together with interest thereon accruing from the date of the stipend or salary award, and in accordance with such other terms and conditions specified by the eligible partnership, as necessary.

“(II) OTHER TERMS AND CONDITIONS.—Any other terms and conditions specified by the eligible partnership may include reasonable provisions for deferral of a teaching resident’s service obligation required by clause (iii) on grounds of health, incapacitation, inability to secure employment in a school served by the eligible partnership, or other extraordinary circumstances.

“(III) USE OF REPAYMENTS.—An eligible partnership shall use any repayment received under this clause to carry out additional activities that are consistent with the purposes of this subsection.

Page 136, line 8, strike “rural school districts” and insert “rural local educational agencies (as such term is defined in section 872 of this Act)”.

Page 138, line 15, strike “designated by the Secretary”.

Page 144, line 25, after “instruction” insert “, including technology consistent with the principles of universal design for learning,”.

Page 157, beginning on line 2, strike “As a condition of receiving assistance under title IV, each” and insert “Each”.

Page 157, line 12, strike “Secretary” and insert “State educational agency”.

Page 157, beginning on line 19, strike “As a condition” and all that follows through “title IV, each” on line 20, and insert “Each”.

Page 158, line 11, before the period insert “, as applicable”.

Page 164, line 17, and page 165, line 3, strike “develop skills to enter” and insert “develop learning skills to succeed in higher education and to enter”.

Page 165, line 2, after “environments” insert “, including environments consistent with the principles of universal design for learning,”.

Page 165, line 19, insert “or masters” before “degrees”.

Page 167, line 10, strike “technology development” and insert “development in the use of technology”.

Page 171, after line 5, insert the following new paragraph (and redesignate the succeeding paragraph accordingly):

“(6) A description of how the project—

“(A) will incorporate State teacher technology standards;
and

“(B) will incorporate State student technology standards.

Page 174, line 20, strike “and”; page 175, line 2, strike the period and insert a semicolon; and after line 2, insert the following new paragraphs:

“(6) may be used to develop and apply virtual classroom simulation and related technologies to enhance recruitment, preparation, and retention for high-need schools in the areas of mathematics, science, foreign languages, special education, or

teaching the English language to students who are limited English proficient; and

“(7) may be used to develop innovative teacher preparation programs that emphasize the essential components of reading instruction and other strategies based on scientifically valid research and that address early intervention strategies for students with reading difficulty or language processing differences.

Page 177, line 10, strike “and”; line 13, strike the period and insert a semicolon; and after line 13, insert the following new paragraphs:

“(12) develop associate’s degree programs with an emphasis on the essential components of reading instruction to train educators such as pre-service teachers, paraprofessionals, speech-language pathology assistants, and tutors to teach students with reading difficulties and students who learn to read differently than their peers; and

“(13) develop licensure programs for early childhood educators that emphasize the essential components of reading instruction and other strategies based on scientifically valid research, and that address strategies for early screening and early intervention for students with reading difficulty and who learn to read differently than their peers.”.

Page 179, beginning on line 24, strike “has the meaning” and all that follows through line 25, and insert “means a publicly funded institution of higher education (as defined in section 101) at which the highest degree awarded is predominantly the associates degree.”.

Page 183, line 13, after “teachers to” insert “serve in low-performing schools and”.

Page 188, line 15, strike “ACHIEVEMENT” and insert “STUDENT LEARNING”; and on lines 17 and 19, strike “achievement” and insert “student learning”.

Page 189, line 3, insert after the period the following: “Further, the peer review standards shall ensure that reviewers have expertise in assessment systems, accountability, and instruction.”.

Page 190, line 10, after “childhood” insert “development and”.

Page 190, strike lines 11 and 12, and redesignate the succeeding subparagraphs accordingly.

Page 190, beginning on line 15, strike “through age 5” and insert “to school entry”.

Page 192, line 4, after “supplemental initiative,” insert “the State Head Start collaboration director,”.

Page 222, line 2, strike “by regulation”.

Page 234, beginning on line 5, strike section 308 and insert the following:

SEC. 308. HISTORICALLY BLACK COLLEGE AND UNIVERSITY CAPITAL FINANCING.

(a) DEFINITIONS.—Section 342 (20 U.S.C. 1066a) is amended—

(1) in paragraph (5)(G), by inserting “by an accrediting agency or association recognized by the Secretary of Education” after “agency or association”;

(2) in paragraph (8)—

(A) is amended by striking “the private” and inserting “any private”; and

(B) by inserting adding “capital project” after “issuing taxable”; and

(3) by adding at the end the following new paragraphs:

“(10) The term ‘eligible foundation’ means a non-profit foundation owned and sponsored by an eligible institution, or an entity wholly owned by such a foundation.

“(11) The term ‘borrower’ means the eligible institution or the eligible foundation that receives funding pursuant to a loan.”.

(b) FEDERAL INSURANCE FOR BONDS.—

(1) RESPONSIBILITIES OF DESIGNATED BONDING AUTHORITY.—Section 343(b) (20 U.S.C. 1066b(b)) is amended—

(A) in paragraph (1), by striking “2 percent” and inserting “1 percent”;

(B) in paragraph (3)(A), by inserting “, not to exceed 1 percent,” after “charge such interest”;

(C) in paragraph (8)—

(i) by inserting “for loans closed before June 15, 2008,” before “establish an escrow account”;

(ii) in subparagraph (B)(ii), by inserting “within 90 days” after “loan proceeds”;

(D) by striking “and” at the end of paragraph (10);

(E) by striking the period at the end of paragraph (11) and inserting a semicolon; and

(F) by adding at the end the following new paragraphs:

“(12) with respect to any such loan, provide that any loan collateralization shall not exceed 100 percent of the loan amount; and

“(13) for loans closed after, June 15, 2008, establish a reserve account which shall be available to the Secretary to pay principal and interest on the bonds in the event of delinquency in loan repayment, which reserve account shall consist of an origination fee of 1 percent with respect to each loan.”.

(2) FORBEARANCE; DEFERMENT.—Section 343 is further amended by adding at the end the follow new subsections:

“(f) FORBEARANCE.—An insurance agreement under this subsection shall contain provisions providing that, upon request from the borrower and with the approval of the Secretary in consultation with the Advisory Board, the designated bond authority shall grant a borrower forbearance, renewable at 12-month intervals, on terms agreed to in writing by the parties to the loan with the approval of the Secretary, and otherwise consistent with the regulations of the Secretary.

“(g) DEFERMENT.—An insurance agreement under this subsection shall contain provisions providing that, during construction or renovation, the Designated Bond Authority shall grant a borrower deferment, renewable at 12-month intervals, on terms agreed to in writing by the parties to the loan with the approval of the Secretary in consultation with the Advisory Board, and otherwise consistent with the regulations of the Secretary.”.

(c) LIMITATIONS ON FEDERAL INSURANCE FOR BONDS ISSUED BY THE DESIGNATED BONDING AUTHORITY.—Section 344(a) (20 U.S.C. 1066c(a)) is amended—

(1) by striking “\$375,000,000” and inserting “\$1,100,000,000”;

- (2) by striking “\$250,000,000” and inserting “\$733,333,333”;
and
(3) by striking “\$125,000,000” and inserting “\$366,666,666”.
- (d) AUTHORITY OF THE SECRETARY.—Section 345(1) (20 U.S.C. 1066d(1)) is amended—
- (1) by striking “the Higher Education Amendments of 1992,” and inserting “the College Opportunity and Affordability Act of 2007”;
- (2) by striking “and” at the end of subparagraph (A); and
- (3) by inserting after subparagraph (B) the following new subparagraphs:
 “(C) specify up to 3 designated bonding authorities to be authorized under this part; and
 “(D) provide for periodic review of designated bonding authority authorizations no less frequently than every 3 years;”.
- (e) HBCU CAPITAL FINANCING ADVISORY BOARD.—Section 347(b)(1) (20 U.S.C. 1066f(b)(1)) is amended—
- (1) by striking out “9 members” and inserting “11 members”;
- (2) in subparagraph (C), by striking “two” and inserting “three”;
- (3) by adding at the end the following new subparagraph:
 “(G) The president of the Thurgood Marshall Scholarship Fund.”.

Page 238, beginning on line 8, strike “this subpart” and all that follows through “including” on line 9 and insert “this subpart. Such plan shall include, if the Secretary determines that it is practical, an objective measure of the impact of such projects, such as”.

Page 238, after line 19, insert the following new subparagraph (and redesignate the succeeding subparagraphs accordingly):

(B) in subparagraph (C), by inserting before the semicolon the following: “, the Department of Defense, or the National Science Foundation”;

Page 248, beginning on line 12, strike subsection (d) and insert the following:

(d) TECHNICAL AMENDMENTS TO CCRAA.—Section 401(b)(9) is amended—

- (1) by amending subparagraph (D) to read as follows:
 “(D) PROGRAM REQUIREMENTS AND OPERATIONS OTHERWISE UNAFFECTED.—Except as provided in subparagraphs (B) and (C), nothing in this paragraph shall be construed to alter the requirements and operations of the Federal Pell Grant Program as authorized under this section, or authorize the imposition of additional requirements or operations for the determination and allocation of Federal Pell Grants under this section.”; and

- (2) by amending subparagraph (F) to read as follows:
 “(F) AVAILABILITY OF FUNDS.—The amounts made available by subparagraph (A) for any fiscal year shall be available beginning on October 1 of that fiscal year, and shall remain available through September 30 of the succeeding fiscal year.”.

Page 254, line 10, insert “and” after the semicolon and strike lines 11 through 14 and insert the following:

(ii) by amending subparagraph (A) to read as follows:

“(A) to synchronize the awarding of grants for programs under this chapter, the Secretary may, under such terms as are consistent with the purposes of this chapter, provide a one-time, limited extension of the length of such an award;” and

Page 255, beginning on line 1, strike subparagraph (A) and insert the following:

(A) in paragraph (2)—

(i) by striking “(2) PRIOR EXPERIENCE.—In” and inserting the following:

“(2) CONSIDERATIONS.—(A) PRIOR EXPERIENCE.—In”;

(ii) by striking “service delivery” and inserting “high quality service delivery, as determined under subsection (f);” and

(iii) by adding at the end the following new subparagraph:

“(B) PARTICIPANT NEED.—In making grants under this chapter, the Secretary shall consider the number, percentages, and needs of eligible participants in the area, college, or school or schools to be served to aid such participants in preparing for, enrolling in, or succeeding in college, as appropriate to the particular program for which the eligible entity is applying.”;

Page 255, line 12, after “foster care youth” insert “(including youth in foster care and youth who have left foster care after reaching age 16)”.

Page 261, beginning on line 20, strike paragraph (5) and insert the following:

“(5) APPEALS.—(A) Upon a determination by the Secretary not to accept an application, or upon a determination by the Secretary through the peer review process as specified in subsection (c)(4) not to fund an application, for any program under this chapter, the Secretary shall allow such applicant to appeal the funding decision. An applicant may submit a written request for reconsideration of the application, with appropriate documentary evidence, to the Secretary.

“(B) For appeals regarding the awarding of points for prior experience of high quality service delivery or a decision not to read an application or any mishandling of such application, a panel of three Department employees appointed by the Secretary shall review each request for reconsideration. The panel shall review the request for the purpose of identifying any technical errors or administrative problems with the scoring of the application, the awarding of prior experience points, or the handling of the application, including any decision not to read an application. The panel shall make its recommendations to the Secretary in writing.

“(C) For appeals regarding scoring decisions by the peer review panel, the Secretary shall refer the application to a second peer review panel.

“(D) In each instance, after the Secretary or the Secretary’s designee considers the recommendations of the panel and makes a final decision, the Secretary shall notify each entity requesting reconsideration under this paragraph regarding the

status of their appeal within 90 days after the date the applicant submitted the appeal.”;

Page 264, after line 20, insert the following new subsection (and redesignate the succeeding subsections accordingly):

(b) TALENT SEARCH.—Section 402B(b)(10) (20 U.S.C. 1070a-12(b)(10)) is amended by inserting “, groups of persons from disadvantaged backgrounds that have particular lower educational access or outcomes, or disconnected students” after “limited English proficiency”.

Page 264, line 25, strike “and”; and on page 265, before line 1, insert the following new paragraph (and redesignate the succeeding paragraph accordingly):

(2) in subsection (b)(12), by inserting “, groups of persons from disadvantaged backgrounds that have particular lower educational access or outcomes, or disconnected students” after “limited English proficiency”; and

Page 265, beginning on line 2, strike subsection (f) and insert the following:

“(f) ABSOLUTE PRIORITY PROHIBITED IN UPWARD BOUND PROGRAM.—Upon enactment of this subsection and except as otherwise expressly provided by amendment to this section, the Secretary shall not continue to implement or enforce the absolute priority for Upward Bound Program published by the Department of Education in the Federal Register on September 22, 2006 (71 Fed. Reg. 55447 et seq.). This subsection shall not be applied retroactively. In implementing this subsection, the Department shall allow the programs and participants chosen in the grant cycle to which the priority applies to continue their grants and participation without a further recompetition. The entities shall not be required to apply the absolute priority conditions or restrictions to future participants.”.

Page 265, after line 9, insert the following new subsection (and redesignate the succeeding subsections accordingly):

(d) STUDENT SUPPORT SERVICES.—Section 402D(b)(10) (20 U.S.C. 1070a-14(b)(10)) is amended by inserting “, groups of persons from disadvantaged backgrounds that have particular lower educational access or outcomes, or disconnected students” after “limited English proficiency”.

Page 265, after line 14, insert the following new subsections (and redesignate the succeeding subsection accordingly):

(f) EDUCATIONAL OPPORTUNITY CENTERS.—Section 402F(b)(10) (20 U.S.C. 1070a-16(b)(10)) is amended by inserting “, groups of persons from disadvantaged backgrounds that have particular lower educational access or outcomes, or disconnected students” after “limited English proficiency”.

(g) STAFF DEVELOPMENT ACTIVITIES.—Section 402G(b) (20 U.S.C. 1070a-17(b)) is amended by adding at the end the following new paragraph:

“(5) Strategies for recruiting and serving hard-to-reach populations, including students of limited English proficiency, groups of persons from disadvantaged backgrounds that have particular lower educational access or outcomes, disconnected students, and students with disabilities.”.

Page 272, beginning on line 8, strike clauses (iv) and (v) and insert the following:

(iv) in paragraph (3), by inserting “eligible” before “for assistance”, and by striking the period and inserting “; or”; and

(v) by adding at the end the following new paragraph:

“(4) a disconnected student.”.

Page 276, strike lines 1 through 13 and insert the following:

(f) SCHOLARSHIP COMPONENT.—Section 404E(b)(2) (20 U.S.C. 1070a–25) is amended by striking “the maximum Federal Pell Grant” and inserting “the minimum Federal Pell Grant”.

Page 276, line 23, strike “subpart 1” and insert “subpart 2”.

Page 283, beginning on line 16, strike “and include” and all that follows through “this title” on line 21.

Page 289, beginning on line 11, strike “(less any” and all that follows through “by the student)” on line 15.

Page 290, beginning on line 8, strike “(less any” and all that follows through “by the student)” on line 11.

Page 290, beginning on line 22, strike “(less any” and all that follows through “by the student)” on line 25.

Page 301, beginning on line 25, strike paragraph (6) through page 302, line 6, and insert the following:

(6) by inserting after subsection (f) the following:

“(g) RESERVATION AND ALLOCATION OF FUNDS.—From the amounts made available under subsection (i), the Secretary—

“(1) 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); and

“(2) shall, in awarding grants from the remainder of such amounts—

“(A) make available not less than 45 percent of such remainder for the high school equivalency programs and not less than 45 percent of such remainder for the college assistance migrant programs;

“(B) award the rest of such remainder for either high school equivalency programs or college assistance migrant programs based on the number, quality, and promise of the applications; and

“(C) consider the need to provide an equitable geographic distribution of such grants.”;

Page 302, beginning on line 22, strike paragraph (8) through page 303, line 8, and insert the following:

(8) by striking subsection (i) (as redesignated by paragraph (5)) and inserting the following:

“(i) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of making grants and contracts under this section, there are authorized to be appropriated \$75,000,000 for fiscal year 2009 and such sums as may be necessary for the each of the 4 succeeding fiscal years.”.

Page 305, line 6, strike “social psychology or”.

Page 306, strike lines 19 through 22.

Page 311, line 13, after “service” insert “in a full-time position related to the field in which the student obtained his or her undergraduate degree.”; and after “following” insert “the later of—”.

Page 311, strike lines 14 and 15, and before line 16, insert the following:

“(A) the completion of the student’s undergraduate degree program; or

“(B) the completion of a graduate degree program in a field related to the field in which the student obtained his or her undergraduate degree.

Page 323, after line 3, insert the following new subsection:

“(g) REPORT ON BEST PRACTICES.—Within one year after the date of enactment of this section, the Secretary shall—

“(1) conduct a study to identify the best practices to strengthen the role of institutions that receive funding under title III or title V in increasing America’s critical foreign language education efforts; and

“(2) submit a report on the results of such study to the authorizing committees.

Page 323, before line 4, insert the following new section (and redesignate the succeeding section accordingly):

“SEC. 419D. ADJUNCT TEACHER CORPS.

“(a) PURPOSE.—The purpose of this section is to create opportunities for individuals with subject matter expertise in mathematics, science, and critical foreign languages to provide such subject matter expertise to secondary school students on an adjunct basis.

“(b) PROGRAM AUTHORIZED.—The Secretary is authorized to award grants to eligible entities to identify, recruit, and train individuals with subject matter expertise in mathematics, science, and critical foreign languages to serve as adjunct content specialists.

“(c) DURATION OF GRANTS.—The Secretary may award grants under this section for a period of not more than 5 years.

“(d) ELIGIBLE ENTITY.—For the purpose of this section, an eligible entity is—

“(1) a local educational agency; or

“(2) a partnership consisting of a local educational agency, serving as a fiscal agent, and a public or private educational organization or business.

“(e) USES OF FUNDS.—An eligible entity that receives a grant under this section is authorized to use such grant to carry out one or both of the following activities:

“(1) To develop the capacity of the eligible entity to identify, recruit, and train individuals with subject matter expertise in mathematics, science, and critical foreign languages who are not employed in the elementary and secondary education system (including individuals in business and government, and individuals who would participate through distance-learning arrangements) to become adjunct content specialists.

“(2) To provide pre-service training and on-going professional development to adjunct content specialists.

“(f) APPLICATIONS.—

“(1) APPLICATION REQUIRED.—To be considered for a grant under this section, an eligible entity shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary requires.

“(2) CONTENTS.—Such application shall include a description of—

“(A) the need for, and expected benefits of using, adjunct content specialists in the schools of the local educational agency, which may include information on the difficulty the local educational agency faces in recruiting qualified faculty in mathematics, science, and critical foreign language courses;

“(B) measurable objectives for the activities supported by the grant, including the number of adjunct content specialists the eligible entity intends to place in schools and classrooms, and the gains in academic achievement expected as a result of the addition of such specialists;

“(C) how the eligible entity will establish criteria for and recruit the most qualified individuals and public or private organizations and businesses to participate in the activities supported by the grant;

“(D) how the eligible entity will provide pre-service training and on-going professional development to adjunct content specialists to ensure that such specialists have the capacity to serve effectively;

“(E) how the eligible entity will use funds received under this section, including how the eligible entity will evaluate the success of the activities supported by the grant;

“(F) how the eligible entity will support and continue the activities supported by the grant after the grant has expired, including how such entity will seek support from other sources, such as State and local government and the private sector; and

“(G) an assurance that the use of adjunct content specialists will not result in the displacement or transfer of currently employed teachers nor a reduction in the number of overall teachers in the district.

“(g) PRIORITIES.—In awarding grants under this section, the Secretary shall give priority to eligible entities that demonstrate in the application for such a grant a plan to—

“(1) serve the schools of the local educational agency that have a large number or percentage of students performing below grade level in mathematics, science, or critical foreign language courses;

“(2) serve local educational agencies that have a large number or percentage of students from families with incomes below the poverty line (as such term is defined in section 200); and

“(3) recruit and train individuals to serve as adjunct content specialists in schools that have an insufficient number of teachers in mathematics, science, or critical foreign languages.

“(h) MATCHING REQUIREMENT.—Each eligible entity that receives a grant under this section shall provide, from non-Federal sources, an amount equal to 100 percent of the amount of such grant (in cash or in kind) to carry out the activities supported by such grant.

“(i) PERFORMANCE REPORT.—Each eligible entity receiving a grant under this section shall prepare and submit to the Secretary a final report on the results of the activities supported by such grant, which shall contain such information as the Secretary may require, including any improvements in student academic achievement as a result of the use of adjunct content specialists.

“(j) EVALUATION.—The Secretary shall evaluate the activities supported by grants under this section, including the impact of such activities on student academic achievement, and shall report the results of such evaluation to the authorizing committees.

“(k) DEFINITION.—In this section the term ‘adjunct content specialist’ means an individual who—

“(1) meets the requirements of section 9101(23)(B)(ii) of the Elementary and Secondary Education Act of 1965;

“(2) has demonstrated expertise in mathematics, science, or a critical foreign language, as determined by the local educational agency; and

“(3) may not be the primary provider of instructional services to a student unless the adjunct content specialist is under the direct supervision of a teacher who meets the requirements of Section 9101(23) of such Act.”.

Page 323, after line 25, insert the following new subsection (and redesignate the succeeding subsection accordingly):

(e) REPORTING REQUIREMENTS.—Section 419N(e) is amended—

(1) in paragraph (1)(A), by striking “18 months,” and all that follows through the end thereof and inserting “annually.”; and

(2) in paragraph (2)—

(A) by striking “the third annual grant payment” and inserting “continuation awards”; and

(B) by striking “the 18-month report” and inserting “the reports”.

Page 324, line 23, strike “and” and after such line insert the following new paragraph (and redesignate the succeeding paragraph accordingly):

(3) in section 420N—

(A) in subsection (b)—

(i) in paragraph (1)(E), by striking “and” after the semicolon;

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

(iii) by adding at the end the following new paragraph:

“(3) contains, or is accompanied by, a plain-language disclosure form developed by the Secretary that clearly describes the nature of the TEACH Grant award, the service obligation, and the loan repayment requirements that are the consequence of the failure to complete the service obligation.”; and

(B) by adding at the end the following new subsection:

“(d) ADDITIONAL ADMINISTRATIVE PROVISIONS.—

“(1) CHANGE OF HIGH-NEED DESIGNATION.—In the event that a recipient of an initial grant under this subpart has acquired an academic degree, or expertise, in a field that was, at the time of the recipient’s application for that grant, designated as high-need in accordance with subsection (b)(1)(C)(vii), but is no longer so designated, the grant recipient may fulfill the service obligation described in subsection (b)(1) by teaching in that field.

“(2) EXTENUATING CIRCUMSTANCES.—The Secretary shall establish, by regulation, categories of extenuating circumstances under which a recipient of a grant under this subpart who is unable to fulfill all or part of his or her service obligation may

be excused from fulfilling that portion of the service obligation.”; and

Page 325, beginning on line 4, strike “Such evaluation shall” and all that follows through line 18 and insert close quotations marks and a period.

Page 326, line 21, after “this title” insert “, as determined by the Secretary,”.

Page 327, beginning on line 1, strike subparagraph (B) and insert the following:

“(B) An institution and any third party servicer obtaining access to information under subparagraph (A), including any subcontractor obtaining access to information under subparagraph (C)(iii), shall safeguard that information—

“(i) as required by any law applicable to the institution, third party servicer, or subcontractor; and

“(ii) at least to the same extent that the disclosing financial institution is required to safeguard its customer information under sections 501 and 505(b) of the Gramm-Leach-Bliley Act (15 U.S.C. 6801, 6805(b)).

Page 327, line 16, after “the borrower” insert “, a subcontractor of the third party servicer for purposes of skip tracing,”.

Page 327, line 23, strike the close quotation marks and the following period; and after line 23, insert the following:

“(D) Any requirement under subparagraph (A) to provide student loan information shall be considered an applicable legal requirement for the purposes of section 502(e)(8) of the Gramm-Leach-Bliley Act (15 U.S.C. 6802(e)(8)).

“(E) Any subcontractor obtaining access to information under subparagraph (C)(iii) shall meet the same restrictions that apply to third party servicers under subparagraph (C).”.

Page 328, before line 1, insert the following new sections (and redesignate the succeeding sections accordingly):

SEC. 424. VOLUNTARY FLEXIBLE AGREEMENTS..

Section 428A(a) (20 U.S.C. 1078-1(a)) is amended by adding at the end the following new paragraph:

“(3) REPORT REQUIRED.—The Secretary, in consultation with the guaranty agencies participating under voluntary flexible agreements, shall report on an annual basis to the authorizing committees regarding the program outcomes that the voluntary flexible agreements have had with respect to program integrity, program and cost efficiencies, delinquency prevention, default aversion, and consumer education programs described in section 433A, and the availability and delivery of student financial aid. Such report shall include—

“(A) a description of each voluntary flexible agreement and the performance goals established by the Secretary for each agreement;

“(B) a list of participating guaranty agencies and the specific statutory or regulatory waivers provided to each guaranty agency and any waivers provided to other guaranty agencies under paragraph (2);

“(C) a description of the standards by which each agency’s performance under the agency’s voluntary flexible

agreement was assessed and the degree to which each agency achieved the performance standards;

“(D) an analysis of the fees paid by the Secretary, and the costs and efficiencies achieved under each voluntary flexible agreement; and

“(E) an identification of promising practices for program improvement that could be replicated by other guaranty agencies.”.

SEC. 425. GRACE PERIOD FOR GRADUATE AND PROFESSIONAL STUDENT PLUS LOANS.

(a) AMENDMENT.—Section 428B(d) (20 U.S.C. 1078-2(d)) is amended by amending paragraphs (1) and (2) to read as follows:

“(1) COMMENCEMENT OF REPAYMENT.—Repayment of principal on loans made under this section shall—

“(A) commence not later than—

“(i) in the case of a parent borrower, 60 days after the date such loan is disbursed by the lender; and

“(ii) in the case of a graduate or professional student borrower, commence at the beginning of a repayment period that begins the day after 6 months after the date the student ceases to carry at least one-half the normal full-time academic workload (as determined by the institution); and

“(B) be subject to deferral during any period during which the graduate or professional student or the parent meets the conditions required for a deferral under section 427(a)(2)(C) or 428(b)(1)(M).

“(2) CAPITALIZATION OF INTEREST.—

“(A) IN GENERAL.—Interest on loans made under this section—

“(i) which accrues prior to the beginning of repayment under paragraph (1)(A)(i), shall be added to the principal amount of the loan; and

“(ii) which accrues during a period in which payments of principal are deferred pursuant to paragraph (1)(B) shall, if agreed upon by the borrower and the lender—

“(I)(aa) be paid monthly or quarterly; or

“(bb) be added to the principal amount of the loan not more frequently than quarterly by the lender.

“(B) INSURABLE LIMITS.—Capitalization of interest under this paragraph shall not be deemed to exceed the annual insurable limit on account of the borrower.”.

(b) CONFORMING AMENDMENT.—Section 428(b)(7)(C) (20 U.S.C. 1078(b)(7)(C)) is amended by striking “, 428B,”.

(c) EFFECTIVE DATE.—The amendments made by this section shall be effective for loans issued on or after July 1, 2008.

Page 329, after line 4 insert the following new sections (and redesignate the succeeding sections accordingly):

SEC. 427. EXTENSION OF CONSOLIDATION LOAN AUTHORITY.

Section 428C(e) (20 U.S.C. 1078–3(c)) is amended by striking “2012” and inserting “2013.”

SEC. 428. REQUIREMENTS FOR DISBURSEMENT OF STUDENT LOANS.

(a) **SPECIAL RULE.**—Section 428G(a) (20 U.S.C. 1078-7(a)) is amended by adding at the end the following new paragraph:

“(4) **AMENDMENT TO SPECIAL RULE.**—Beginning on October 1, 2011, the special rule under paragraph (3) shall be applied by substituting ‘15 percent’ for ‘10 percent’.”.

(b) **REQUIREMENTS FOR DISBURSEMENTS TO FIRST YEAR STUDENTS.**—Section 428G(b) (20 U.S.C. 1078-7(b)) is amended by adding at the end the following new paragraph:

“(3) **AMENDMENT TO COHORT DEFAULT RATE EXEMPTION.**—Beginning on October 1, 2011, the exemption to the requirements of paragraph (1) in the second sentence of such paragraph shall be applied by substituting ‘15 percent’ for ‘10 percent’.”.

Page 332, line 22, after “PATHOLOGISTS” insert “AND AUDIOLOGISTS”; and line 23, after “pathologist” insert “or audiologist”.

Page 333, line 2, insert “, audiology” before the comma.

Page 335, after line 14, insert the following new paragraphs:

“(14) **DENTISTS.**—An individual who—

“(A) has received his or her degree from an accredited dental school (as accredited by the Commission on Dental Accreditation) and has completed residency training in pediatric dentistry, general dentistry, or dental public health; or

“(B) is employed as a member of the faculty at a program or school accredited by the Commission on Dental Accreditation.

“(15) **STEM EMPLOYEES.**—An individual who is employed in engineering, technology, applied sciences, or mathematics.

Page 336, after line 18, insert the following new paragraph (and redesignate the succeeding paragraphs accordingly):

“(1) **AUDIOLOGIST.**—The term ‘audiologist’ means an individual who—

“(A) has received, at a minimum, a graduate degree in audiology from an institution of higher education accredited by an agency or association recognized by the Secretary pursuant to section 496(a) of this Act; and

“(B) provides audiology services under subsection (l)(2) of section 1861 of the Social Security Act (42 U.S.C. 1395x(l)(2)), or meets or exceeds the qualifications for a qualified audiologist under subsection (l)(4) of such section (42 U.S.C. 1395x(l)(4)).

Page 348, beginning on line 5, strike subsection (c) and insert the following:

“(c) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to prohibit—

“(1) a guaranty agency from using activities, programs, and materials existing on the date of enactment of this section in meeting the requirements of this section; or

“(2) a lender or loan servicer from providing outreach or financial aid literacy information in accordance with subsection (b).”.

Page 348, after line 8, insert the following new section (and redesignate the succeeding sections accordingly):

SEC. 433. DEFINITION OF ELIGIBLE INSTITUTION: PARTICIPATION RATE INDEX.

(a) AMENDMENTS.—Section 435(a) (20 U.S.C. 1085(a)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (A)(ii), by striking “paragraph (4)” and inserting “paragraph (5)”; and

(B) in subparagraph (B)—

(i) by striking “and” at the end of clause (ii); and

(ii) by striking clause (iii) and inserting the following new clauses:

“(iii) 25 percent for fiscal year 1994 through fiscal year 2011; and

“(iv) 30 percent for fiscal year 2012 and any succeeding fiscal year.”;

(2) by redesignating paragraph (6) as paragraph (8), and redesignating paragraphs (3) through (5) as paragraphs (4) through (6), respectively;

(3) by inserting after paragraph (2) the following new paragraph:

“(3) APPEALS FOR REGULATORY RELIEF.—An institution whose cohort default rate, calculated in accordance with subsection (m), is equal to or greater than the threshold percentage specified in paragraph (2)(B)(iv) of this subsection, for two consecutive fiscal years may, within 30 days of receiving notification from the Secretary, file an appeal demonstrating exceptional mitigating circumstances, as defined in paragraph (5). The Secretary shall issue a decision on any such appeal within 45 days after its submission. If the Secretary determines that the institution demonstrates exceptional mitigating circumstances, the Secretary shall not subject the institution to provisional certification based solely on the institution’s cohort default rate.”;

(4) in paragraph (5)(A) (as redesignated by paragraph (2) of this subsection), by striking “For the purposes of paragraph (2)(A)(ii)” and all that follows through “following criteria:”, and inserting “For purposes of this subsection, an institution of higher education shall be treated as having exceptional mitigating circumstances that make application of paragraph (2) inequitable, and that provide for regulatory relief under paragraph (3), if such institution, in the opinion of an independent auditor, meets the following criteria:”;

(5) by inserting after paragraph (6) (as redesignated by paragraph (2) of this subsection) the following new paragraph:

“(7) DEFAULT PREVENTION AND ASSESSMENT OF ELIGIBILITY BASED ON HIGH DEFAULT RATES.—

“(A) FIRST YEAR.—(i) An institution whose cohort default rate is equal to or greater than the threshold percentage specified in paragraph (2)(B)(iv) in any fiscal year shall establish a default prevention task force to prepare a plan to—

“(I) identify the factors causing the institution’s cohort default rate to exceed such threshold;

“(II) establish measurable objectives to improve the institution’s cohort default rate; and

“(III) specify actions that the institution can take to improve student loan repayment, including enhanced use of professional judgment and discretion of student financial aid administrators.

“(ii) Each institution subject to this subparagraph shall submit the plan under clause (i) to the Secretary, who shall review the plan and offer technical assistance to the institution to promote improved student loan repayment.

“(B) SECOND CONSECUTIVE YEAR.—(i) An institution whose cohort default rate is equal to or greater than the threshold percentage specified in paragraph (2)(B)(iv) for two consecutive fiscal years shall require the institution’s default prevention task force established under subparagraph (A) to review and revise the plan required under such subparagraph, and shall submit such revised plan to the Secretary.

“(ii) The Secretary shall review each revised plan submitted in accordance with this subparagraph, and may direct that such a plan be amended to include actions, with measurable objectives, that the Secretary determines, based on available data and analyses of student loan defaults, will promote student loan repayment.

“(C) COHORT DEFAULT RATES PUBLISHED.—The Secretary shall make available to the public on the College Navigator web site the cohort default rate and the plan of the default prevention task force of each institution that is subject to this paragraph.”; and

(6) in paragraph (8)(A) (as redesignated by paragraph (2) of this subsection), by striking “0.0375” and inserting “0.0625”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a)(6) is effective for fiscal years beginning on or after October 1, 2011.

Page 348, line 22, strike “beginning of the third” and insert “end of the second”.

Page 348, after line 23, insert the following new paragraph (and redesignate the succeeding paragraphs accordingly):

(2) in paragraph (1)(B), by striking “such fiscal year” and inserting “such second fiscal year”;

Page 349, beginning on line 1, strike “beginning of the third” and insert “end of the second”.

Page 349, strike lines 4 through 10 and insert the following:

(3) in paragraph (2)(C)—

(A) by striking “end of such following fiscal year is not considered as in default for the purposes of this subsection” and inserting “end of the second fiscal year following the year in which the loan entered repayment is not considered as in default for purposes of this subsection”; and

(B) by striking “such fiscal year” and inserting “such second fiscal year”; and

Page 349, line 21, strike “cohort default data” and insert “cohort default rate”.

Page 348, line 19, insert “(a) AMENDMENTS.—” before “Section 435(m)”; and on page 350, after line 13, insert the following new subsection:

(b) EFFECTIVE DATE AND TRANSITION.—

(1) EFFECTIVE DATE.—The amendments made by subsection (a) shall be effective for purposes of calculating cohort default rates for fiscal year 2008 and succeeding fiscal years.

(2) TRANSITION.—Notwithstanding paragraph (1), the method of calculating cohort default rates under section 435(m) of the Higher Education Act of 1965 as in effect on the day before the date of enactment of this Act shall continue in effect, and the rates so calculated shall be the basis for any sanctions imposed on institutions of higher education because of their cohort default rates, until three consecutive years of cohort default rates calculated in accordance with the amendments made by subsection (a) are available.

Page 351, line 19, strike “2752(d)(4)(D)” and insert “2752(c)(4)(D)”.

Page 351, after line 20, insert the following new subsections:

(c) GRANTS FOR FEDERAL WORK-STUDY PROGRAMS.—Section 443 (42 U.S.C. 2753) is amended —

(1) in subsection (b)(2)(B), strike “(as described in subsection (d)), is” insert the following: “(as described in subsection (d)), and not less than 1 civic education and participation project (as described in subsection (e)), are”;

(2) by adding at the end the following new subsection:

“(e) CIVIC EDUCATION AND PARTICIPATION ACTIVITIES.—

“(1) USE OF FUNDS.—In any academic year to which subsection (b)(2)(B) applies, an institution shall ensure that funds granted to such institution under this section are used in accordance with such subsection to compensate (including compensation for time spent in training and travel directly related to civic education and participation activities) students employed in projects that—

“(A) teach civics in schools;

“(B) raise awareness of government functions or resources; or

“(C) increase civic participation such as in voting or running for elected office.

“(2) PRIORITY FOR SCHOOLS.—To the extent practicable, an institution shall—

“(A) give priority to the employment of students participating in projects that educate or train the public about evacuation, emergency response, and injury prevention strategies relating to natural disasters, acts of terrorism, and other emergency situations; and

“(B) ensure that any student compensated with the funds described in paragraph (1) receives appropriate training to carry out the educational services required.

“(3) FEDERAL SHARE.—The Federal share of the compensation of work-study students compensated under this subsection may exceed 75 percent.”.

(d) FLEXIBLE USE OF FUNDS.—Section 445 (42 U.S.C. 2755) is amended by adding at the end the following new subsection:

“(d) FLEXIBILITY IN THE EVENT OF A MAJOR DISASTER.—

“(1) In the event of a major disaster, an eligible institution located in any area affected by such major disaster, as determined by the Secretary, may make payments under this part to disaster-affected students as follows:

“(A) For any academic year during which a major disaster occurs, such an eligible institution may pay wages under this part to disaster-affected students in an amount equal to or less than the amount of wages such students would have been paid under this part had the students been able to complete the work obligation necessary to receive work study funds for such academic year.

“(B) Wages shall not be awarded to any student who, for the academic year during which a major disaster occurs, was not eligible for work study or was not completing the work obligation necessary to receive work study funds under this part prior to the occurrence of the major disaster.

“(C) Any wages awarded to disaster-affected students under this subsection shall meet the matching requirements outlined in section 443.

“(2) DEFINITIONS.—In this subsection:

“(A) The term ‘disaster-affected students’ means students enrolled at an eligible institution who—

“(i) were receiving Federal work study payments from such eligible institution for an academic year prior to the occurrence of a major disaster during such academic year; and

“(ii) were prevented from fulfilling their work-study obligations for such academic year due to such major disaster, as determined by the Secretary.

“(B) The term ‘major disaster’ has the meaning given such term in section 102(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act.”.

Page 367, after line 3, insert the following new subsection (and redesignate the succeeding subsections accordingly):

(c) TREATMENT OF COOPERATIVE EDUCATION WORK INCOME.—Section 480(e) (20 U.S.C. 1087vv(e)) is amended—

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

(2) by inserting after paragraph (1) the following new paragraph:

“(2) any income earned from work under a cooperative education program offered by an institution of higher education;”.

Page 400, beginning on line 3, strike paragraphs (1) through page 402, line 6, and insert the following (and redesignate the succeeding paragraph accordingly):

“(1) IN GENERAL.—Notwithstanding subsections (a), (c), and (d), in order to receive any grant or work assistance under section 401, subpart 3 of part A, and part C of this title, a student with an intellectual disability (as defined in section 768(2)) shall—

“(A) be enrolled or accepted for enrollment in a comprehensive transition and postsecondary education program for students with intellectual disabilities at an institution of higher education;

“(B) be maintaining satisfactory progress in the program as determined by the institution, in accordance with standards established by the institution; and

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

“(2) AUTHORITY.—Notwithstanding any other provision of law, unless enacted with specific reference to this section, the Secretary is authorized to waive any statutory provision applicable to the student financial assistance programs under section 401, subpart 3 of part A, or part C of this title, or any institutional eligibility provisions of this title, as the Secretary deems necessary to ensure that programs enrolling students with intellectual disabilities otherwise determined to be eligible under this subsection may receive such financial assistance.

Page 402, line 7, strike “rules” and insert “regulations”.

Page 405, strike lines 7 through 9 and insert the following:

(a) DISCLOSURE OF POLICIES.—Section 485(a) (20 U.S.C. 1092(a)) is amended—

Page 405, after line 9, insert the following new paragraph:

(1) in paragraph (1)—

(A) in subparagraph (G), by striking “program, and”;

Page 405, beginning on line 10, redesignate paragraphs (1), (2), and (3) as subparagraphs (B), (C), and (D), respectively, and move the margins of such subparagraphs (as so redesignated) to the right two ems spaces.

Page 405, strike line 13 and insert “graph (O) and inserting a semicolon; and”.

Page 405, line 15, strike “paragraph” and insert “paragraphs”.

Page 406, line 12, strike the period, close quotation marks, and following period and insert “; and”, and after such line insert the following new subparagraph:

“(Q) institutional policies regarding meningococcal vaccinations which may include offering the vaccinations through the institution at a cost to the student.”; and

Page 406, before line 13, insert the following new paragraph:

(2) by amending paragraph (4) to read as follows:

“(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 in which the students described in subparagraph (A) represent 20 percent or more of the certificate- or degree-seeking, full-time, undergraduate students at an 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 during which such students were not enrolled due to the service described in subparagraph (A) of this paragraph.”

Page 406, beginning on line 18, strike paragraph (2) through page 407, line 23, and insert the following:

(2) in subparagraph (F)(ii), by inserting after “through (VIII) of clause (I)” the following: “, and for larceny-theft, simple assault, intimidation, and destruction, damage, or vandalism of property,”.

Page 417, line 18, strike “Each” and insert the following:

“(1) NOTICE UPON ENROLLMENT.—Each

Page 417, line 21, strike the close quotation marks and following period, and after such line insert the following;

“(2) NOTICE AFTER LOSS OF ELIGIBILITY.—Within two weeks of notification by the Secretary that a student has lost eligibility under section 484(r) for any grant, loan, or work assistance, an institution of higher education shall provide to each such student affected by the penalties listed under 484(r)(1) a separate, clear, and conspicuous written notice that notifies the student of the loss of eligibility and advises the student of the ways in which the student can regain eligibility under section 484(r)(2).”

Page 417, before line 22, insert the following new subsection:

(e) DISCLOSURE OF ATHLETICALLY RELATED GRADUATION RATES.—Section 485(e)(3) (20 U.S.C. 1092(e)(3)) is amended to read as follows:

“(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 in which the students described in subparagraph (A) represent 20 percent or more of the certificate- or degree-seeking, full-time, undergraduate students at an 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 during which such students were not enrolled due to the service described in subparagraph (A) of this paragraph.”

Page 418, line 4, strike “REQUIREMENTS” and insert “ESTABLISHED”.

Page 418, beginning on line 12, strike “, and on the application materials of such institutions”.

Page 418, line 18, insert “and” after the semicolon; strike lines 19 through 21; and redesignate the succeeding subparagraphs accordingly.

Page 419, beginning on line 4, strike “limit the” and all that follows through line 5 and insert “authorize the Secretary to require particular policies, procedures, or practices by institutions of higher education with respect to articulation agreements.”.

Page 419, beginning on line 10, strike “, including private non-profit and for-profit institutions”.

Page 420, line 24, after “degree” insert “or program”.

Page 430, beginning on line 6, strike clause (i) and insert the following new clauses (and redesignate the succeeding clause accordingly):

“(i) in the case of loans made by an institution, for each of the institution’s fiscal years 2009 through 2012, the principal amount of loans made by the institution, based on the expected interest earned less the estimated amount to account for future defaults and loan forgiveness accounted for on an accrual basis, in

accordance with Generally Accepted Accounting Principles and related standards and guidance, if the loans are bona fide as evidenced by enforceable promissory notes, are issued at intervals related to the institution's enrollment periods, and are subject to regular loan repayments and collections;

“(ii) in the case of loans made by an institution, for the institution's fiscal year 2013 and each of the institution's subsequent fiscal years, only the amount of loan repayments received during the fiscal year; and

Page 435, after line 10, insert the following new subsection:

(f) INSTITUTIONAL CERTIFICATIONS FOR PRIVATE EDUCATIONAL LOANS.—Section 487(a) is further amended by adding at the end the following new paragraph:

“(29)(A) The institution will—

“(i) upon the request of a private educational lender, acting in connection with an application initiated by a consumer for a private educational loan, provide certification to such private educational lender—

“(I) that the student who initiated the application for the private educational loan, or on whose behalf the application was initiated, is enrolled or is scheduled to enroll at the institution;

“(II) of the student's cost of attendance at the institution as determined under part F of this title; and

“(III) of the difference between the cost of attendance of the institution and the student's estimated financial assistance received under this title and other assistance known to the institution;

“(ii) disclose a borrower's ability to select a private educational lender of the borrower's choice; and

“(iii) inform students about the impact of a proposed private educational loan on the students' potential eligibility for other financial assistance, including Federal financial assistance under this title.

“(B) For purposes of this paragraph, the terms ‘private educational lender’ and ‘private educational loan’ have the meanings given in section 140 of the Truth in Lending Act (15 U.S.C. 1631 et seq.).”.

Page 437, after line 12, insert the following new section (and redesignate the succeeding sections accordingly):

SEC. 492. TRANSFER OF ALLOTMENTS.

Section 488 (20 U.S.C. 1095) is amended by striking “section 413D.” and inserting “section 413D or 462 (or both).”.

Page 443, line 2, after “graph” insert “, nor shall the agency or association be required to obtain the approval of the Secretary to expand its scope of accreditation to include distance education, provided that the agency or association notifies the Secretary in writing of the change in scope”.

Page 443, after line 9, insert the following new subparagraph (and redesignate the succeeding subparagraphs accordingly):

(B) in paragraph (5), by amending subparagraph (A) to read as follows:

“(A) success with respect to student achievement in relation the institution’s mission, which may include different standards for different institutions or programs, as established by the institution, including, as appropriate, consideration of State licensing examinations, consideration of course completion, and job placement rates;”;

Page 447, after line 9, insert the following new subsection (and redesignate the succeeding subsection accordingly):

(b) **RULE OF CONSTRUCTION.**—Section 496 is further amended by adding at the end the following new subsection:

“(p) **RULE OF CONSTRUCTION.**—Nothing in subsection (a)(5) of this section shall restrict the authority of—

“(1) an accrediting agency or association to set, with the involvement of its members, and to apply accreditation standards to institutions or programs that seek review by the agency or association; or

“(2) an institution to develop and use institutional standards to show its success with respect to student achievement, which shall be considered as part of any accreditation review.”.

Page 481, beginning on line 24, strike subsection (e) through page 482, line 2, and redesignate the succeeding subsection accordingly.

Page 492, line 14, strike “subpart 5” and insert “subpart 6”; line 17, strike “**THROUGH 4**” and insert “**THROUGH 5**”; line 20, strike “through 4” and insert “through 5”; and line 23, strike “or 4” and insert “4, or 5”.

Page 502, after line 23, insert the following new section (and redesignate the succeeding sections accordingly):

SEC. 705. MASTERS DEGREES PROGRAMS AT HISTORICALLY BLACK COLLEGES AND UNIVERSITIES AND OTHER MINORITY SERVING INSTITUTIONS.

Part A of title VII (20 U.S.C. 1134) is further amended by inserting after subpart 4 (as added by section 704 of this Act) the following subpart:

“Subpart 5—Masters Degrees Programs at Historically Black Colleges and Universities and Other Minority Serving Institutions

“SEC. 723. GRANTS TO ACADEMIC DEPARTMENTS AND PROGRAMS AT ELIGIBLE INSTITUTIONS.

“(a) **GRANT AUTHORITY.**—

“(1) **IN GENERAL.**—From the amounts appropriated under subsection (g), the Secretary shall make grants to graduate academic departments, programs, and other academic units at historically Black colleges and universities and other minority-serving institutions that provide qualified courses of study leading to a degree in a qualified masters degree program described in subsection (d)(1)(B). Such grants shall be used to make fellowship awards to eligible students and may be combined with matching grants from non-Federal sources to strengthen qualified masters degree programs.

“(2) **ADDITIONAL GRANTS.**—From the amounts appropriated under subsection (g), The Secretary may also make grants to consortia and cooperative arrangements among eligible institu-

tions that submit joint proposals, and have formal arrangements designed to fulfill the purposes of this subpart.

“(b) AWARD AND DURATION OF GRANTS.—

“(1) AWARDS.—The Secretary shall make awards to institutions that are eligible under subsection (d) and that submit an application to the Secretary in accordance with subsection (c). Awards shall be based on the following criteria:

“(A) The number of students enrolled in the masters degree program.

“(B) The number of students who earned such degrees in the previous year from the program for which the eligible institution is seeking funds.

“(C) The average cost of education per student, for all full-time masters degree students enrolled in the qualified masters degree program.

“(D) The quality of the academic program at the institution.

“(E) The quality of the application submitted by the institution or consortium.

“(2) DURATION AND AMOUNT.—

“(A) DURATION.—The Secretary shall award a grant under this subpart for a period of 5 years, which may be renewed for an additional 5 years consistent with subsection (c).

“(B) AMOUNT.—The Secretary shall award a grant to an academic department, program, or consortium at an eligible institution of higher education under this subpart for a fiscal year in an amount that is not less than \$100,000, and not greater than \$750,000.

“(c) APPLICATION.—

“(1) CONTENTS OF APPLICATIONS.—An institution that is eligible under subsection (d) that seeks a grant under this subpart shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require. The application shall include—

“(A) a description of the qualified masters degree program or programs that the institution intends to provide fellowship awards to, including the number of student awards to be made;

“(B) a budget describing the amount of the fellowship awards to students for 2 successive academic years, based on the academic progress of such students and the cost of attendance at the eligible institution, except that in no instance shall a graduate student receive a fellowship in excess of the award level provided for such students by the National Science Foundation;

“(C) a budget for stipends to students who are awarded fellowships under this subpart in order to encourage highly qualified students to pursue graduate study for the purposes described in this part; and

“(D) a description of activities to be undertaken with institutional, private foundation, or State matching funds that will be used to contribute to the increased production of minority masters degree candidates.

“(2) PREFERENCE TO CONTINUING GRANT RECIPIENTS.—

“(A) IN GENERAL.—The Secretary shall make initial grant awards consistent with the criteria in subsection (b)(1), and shall renew such awards if the grantee demonstrates success in satisfying the criteria in subparagraphs (A) and (B) of such subsection by increasing the number of African Americans and other minorities earning masters degrees at the institution based on benchmarks established by the Secretary.

“(B) RATABLE REDUCTION.—To the extent that appropriations are insufficient to comply with subparagraph (A) and subsection (b)(2)(B), available funds shall be distributed by ratably reducing the amounts required to be awarded under subsection (b)(2)(B).

“(d) INSTITUTIONAL ELIGIBILITY.—

“(1) QUALIFIED MASTERS DEGREE PROGRAMS.—

“(A) IN GENERAL.—To be eligible to apply for a grant under this part, an applicant shall be an academic department, program, or unit at an institution of higher education that is within the meaning of the term ‘part B institution’ as defined in section 322(2), that offers a qualified masters degree program, and that is specifically enumerated in paragraph (2), or a consortium of such institutions.

“(B) QUALIFIED MASTERS DEGREE PROGRAM.—For purposes of this subpart, the term ‘qualified masters degree program’ means a program of study leading to a masters degree in the physical or natural sciences, mathematics, engineering, computer science, information technology, nursing, allied health, or related scientific or health field identified by the Secretary.

“(C) LIMITATION.—No department, program, or unit shall be eligible to apply unless the qualified masters degree program has been in existence and awarded such degrees for at least four years.

“(2) ENUMERATED INSTITUTIONS.—For purposes of paragraph (1)(A), the institutions enumerated in this paragraph are—

- “(A) Albany State University;
- “(B) Alcorn State University;
- “(C) Chicago State University;
- “(D) Columbia Union College;
- “(E) Coppin State University;
- “(F) Elizabeth City State University;
- “(G) Fayetteville State University;
- “(H) Fisk University;
- “(I) Fort Valley State University;
- “(J) Grambling State University;
- “(K) Kentucky State University;
- “(L) Long Island University, Brooklyn campus;
- “(M) Mississippi Valley State University;
- “(N) Robert Morris College;
- “(O) Savannah State University;
- “(P) South Carolina State University;
- “(Q) University of Arkansas, Pine Bluff;
- “(R) Virginia State University;
- “(S) West Virginia State University;
- “(T) Winston-Salem State University; and

“(U) York College, The City University of New York.

“(3) LIMITATION.—No institution that is eligible for and receives an award under section 326 for a fiscal year shall be eligible to apply for, or receive funds under this subpart for the same fiscal year.

“(e) MATCHING FUNDS RULE.—Each eligible institution or consortium that receives an award under this subpart, may elect to use up to 25 percent of the total grant to carry out activities designed to strengthen its qualified masters degree program. An institution that elects to use funds for strengthening a qualified masters degree program shall provide an equal amount for such purpose from institutional, private foundation, or State sources. Matching funds must supplement, not supplant, existing resources available at the time of the Secretary’s award.

“(f) USES OF FUNDS.—Funds made available under this section shall be used in accordance with the application under subsection (c).

“(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$25,000,000 for fiscal year 2009 and such sums as may be necessary for each of the 4 succeeding fiscal years.”.

Page 510, strike lines 4 through 9 and insert “shall be \$5,000.”.

Page 513, line 15, strike the close quotation marks and following period, and after line 15 insert the following new paragraph:

“(6) Establishment of centers to incorporate education in quality and safety into the preparation of medical and nursing students, through grants to medical schools, nursing schools, and osteopathic schools. Such grants shall be used to assist in providing courses of instruction that specifically equip students to understand the causes and remedies for medical error, medically-induced patient injuries and complications, and other defects in medical care; engage effectively in personal and systemic efforts to continually reduce medical harm; and improve patient care and outcomes, as recommended by the Institute of Medicine.”.

Page 521, line 13, strike “The Secretary” and insert “The Office of Postsecondary Education”.

Page 522, line 10, strike “disabilities,” and insert “disabilities and”; and on line 11, strike “, and disability support service personnel”.

Page 523, line 19, strike “or” and insert “and”.

Page 524, line 3, strike “and maintaining” and insert “, maintaining, and updating”.

Page 524, line 5, after “education,” insert “or for expanding and updating an existing database of disabilities support services information with respect to institutions of higher education,”.

Page 524, line 9, after “shall include” insert “available”.

Page 524, beginning on line 21, strike paragraph (4) and insert the following:

“(4) PROFESSIONAL STANDARDS FOR DISABILITY SUPPORT PERSONNEL.—The Center shall work with organizations and individuals with proven expertise related to disability support services for postsecondary students with disabilities to consolidate, evaluate, improve upon, and disseminate information related to professional standards and best practices for disability

support services personnel and offices in institutions of higher education.

Page 525, line 4, strike “The Center” and insert “Not later than 3 years after the establishment of the Center, and every 2 years thereafter, the Center”.

Page 525, strike line 5, and insert “prepare and disseminate a report to Congress and the Secretary analyzing”.

Page 525, line 9, strike “ths” and insert “this”, on line 10, insert “annual” before “enrollment”, and on line 12, insert before the semicolon the following: “from existing data”.

Page 526, beginning on line 1, strike “Such personnel” and all that follows through line 5.

Page 542, line 13, strike “The” and insert “Not later than 3 years after the date of the first grant award under this section, the”.

Page 542, strike line 14 and insert “mit to Congress a report that”.

Page 544, beginning on line 13, strike section 768 and insert the following:

“SEC. 768. DEFINITIONS.

“In this Act:

“(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 that is—

“(A) offered by an institution of higher education;

“(B) designed to support students with an intellectual disability who are seeking to continue academic, vocational, and independent living instruction at an institution of higher education in order to prepare for gainful employment and independent living;

“(C) includes an advising and curriculum structure; and

“(D) requires students to participate on at least a half-time basis, as determined by the institution, with such participation focusing on academic components such as reading, language arts, or math, and occurring through a combination of one or more of the following activities:

“(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 apprenticeships.

“(2) STUDENT WITH AN INTELLECTUAL DISABILITY.—The term ‘student with an intellectual disability’ means a student who is—

“(A) an individual whose mental retardation or other significant cognitive impairment substantially impacts the individual’s intellectual and cognitive functioning; and

“(B)(i) a student eligible for assistance under the Individuals with Disabilities Education Act who has completed secondary school; or

“(ii) an individual who was, but is no longer, eligible for assistance under the Individuals with Disabilities Edu-

cation Act because the individual has exceeded the maximum age for which the State in which the student resides provides a free appropriate public education.

Page 545, lines 7, 18, 20, and 22, strike “Secretary” and insert “Office of Postsecondary Education”.

Page 545, beginning on line 24, strike paragraph (1) and insert the following:

“(1) are located in geographically diverse, underserved areas;

or

Page 548, beginning on line 21, strike “Not later” and all that follows through “Secretary” on line 23, and insert “Not later than 5 years after the date of the first grant award under this section, the Office of Postsecondary Education”.

Page 549, line 7, strike “**ACCREDITATION**”.

Page 549, line 9, strike “Secretary” and insert “Office of Postsecondary Education”.

Page 549, line 13, after “and” insert “recommendations related to the”.

Page 549, lines 14 and 24, strike “model”.

Page 550, strike line 17 and all that follows through page 551, line 7; on page 551, beginning on line 8, redesignate subparagraph (B) and clauses (i) through (v) thereof as paragraph (5) and subparagraphs (A) through (E), respectively; and move such redesignate paragraph 2 em spaces to the left.

Page 552, line 6, strike “and”; on line 8, strike the period and insert “; and”; and after line 8, insert the following (and redesignate the succeeding subsection accordingly):

“(10) convene a workgroup to develop recommendations on criteria, standards, and components of such programs as described in paragraph (5), to include the participation of—

“(A) an expert in higher education;

“(B) an expert in special education;

“(C) a disability organization that represents students with intellectual disabilities; and

“(D) a national, State, or regional accrediting agency or association recognized by the Secretary under subpart 2 of part H of title IV.

“(c) REPORT.—No later than 5 years after the date of the establishment of the coordinating center under this section, such center shall report to the Secretary, the Congress, and the National Advisory Committee on Institutional Quality and Integrity on the recommendations of the workgroup described in subsection (b)(10).

Page 553, line 16, strike “section 435(d)(5)(J)” and insert “section 435(j)”.

Page 554, line 18, after “program students” insert “, in each of the institution’s nursing programs (associate, baccalaureate, or advanced nursing degree program).”.

Page 554, line 23, after “average number” insert “in each of the institution’s nursing programs”.

Page 557, beginning on line 18, strike “fund release time for qualified nurse employees, so that” and insert “ensure that”.

Page 559, line 6, after “higher education” insert the following: “, including institutions providing alternative methods of delivery of instruction in addition to on-site learning”.

Page 560, line 2, after “technologies” insert the following: “and to expand methods of delivery of instruction to include alternatives in addition to on-site learning”.

Page 560, line 22, after “program” insert the following: “if the program requires a clinical site”.

Page 560, line 24, insert “at least” before “a”.

Page 561, line 2, insert “at least” before “a”.

Page 561, line 4, strike “class schedule” and insert “program requirements, as necessary”.

Page 563, after line 3, insert the following new paragraph (and redesignate the succeeding paragraphs accordingly):

“(3) the provision of accommodations for students with disabilities on college entrance and graduate admissions tests, including—

“(A) the frequency of, and approval rate for, accommodations requests;

“(B) documentation requirements for accommodations requests and criteria used to determine if an accommodation is appropriate; and

“(C) challenges facing students in accessing reasonable accommodations on such tests;”.

Page 565, line 10, strike “COMPETITIVE”; and on line 12, strike “on a competitive basis”.

Page 565, line 14, strike “year,” and insert “year (A)”; and on line 19, insert before the period the following: “; (B) are public institutions of higher education that have a net tuition that is in the lowest quartile of comparable institutions; or (C) are public institutions of higher education that have a tuition increase of less than \$500 for a full-time undergraduate student”.

Page 565, line 18, on page 567, line 8, and on page 568, line 2 and line 13, strike “higher” and insert “postsecondary”.

Page 566, beginning on line 18, strike paragraphs (2) and (3) through page 568, line 6, and insert the following:

“(2) 4-YEAR INSTITUTIONS.—An institution of higher education that provides a program of instruction for which it awards a bachelor’s degree complies with the requirements of this paragraph if—

“(A) for a public institution of higher education, such institution’s tuition is in the lowest quartile of comparable institutions; or

“(B) for any institution of higher education, such institution guarantees that for any academic year (or the equivalent) beginning on or after July 1, 2008, and for each of the 4 succeeding continuous academic years, the net tuition charged to an undergraduate student will not exceed—

“(i) for a public institution of higher education, \$500 per year for a full-time undergraduate student; or

“(ii) for any other institution of higher education—

“(I) the amount that the student was charged for an academic year at the time he or she first enrolled in the institution of higher education, plus

“(II) the product of the percentage increase in the higher education price index for the prior academic year, or the most recent prior academic

year for which data is available, multiplied by the amount determined under subclause (I).

“(3) LESS-THAN 4-YEAR INSTITUTIONS.—An institution of higher education that does not provide a program of instruction for which it awards a bachelor’s degree complies with the requirements of this paragraph if—

“(A) for a public institution of higher education, such institution’s tuition is in the lowest quartile of comparable institutions; or

“(B) for any institution of higher education, such institution guarantees that for any academic year (or the equivalent) beginning on or after July 1, 2008, and for each of the 1.5 succeeding continuous academic years, the net tuition charged to an undergraduate student will not exceed—

“(i) for a public institution of higher education, \$500 per year for a full-time undergraduate student; or

“(ii) for any other institution of higher education—

“(I) the amount that the student was charged for an academic year at the time he or she first enrolled in the institution of higher education, plus

“(II) the product of the percentage increase in the higher education price index for the prior academic year, or the most recent prior academic year for which data is available, multiplied by the amount determined under subclause (I).

Page 568, line 14, after “year,” insert “and, with respect to any public institution of higher education, has a tuition that is not in the lowest quartile of comparable institutions”.

Page 569, beginning on line 20, strike paragraph (2) and insert the following:

“(2) POSTSECONDARY EDUCATION PRICE INDEX.—The term ‘postsecondary education price index’ means the postsecondary education price index developed pursuant to section 133(i).

Page 604, line 22, strike “contract with” and insert “award a grant to”.

Page 623, line 23, strike “and”; page 624, line 5, strike the period and insert “; and”; and after line 5, insert the following subparagraph:

“(E) acquisition and installation of access control, video surveillance, intrusion detection, and perimeter security technologies and systems.

Page 626, line 2, insert “natural or man-made” after “event of a”.

Page 632, line 22, strike “EDUCATION” and insert “EDUCATIONAL”; and line 23, strike “education” and insert “educational”.

Page 633, line 1, strike “all of the schools of which meet” and insert “that is designated with”.

Page 633, line 13, strike “or less than part-time”.

Page 633, line 22, insert before the period “or the recognized equivalent of such a diploma”.

Page 638, after line 8, insert the following new subsection:

“(d) PREFERENCE IN SELECTION.—In determining which applications to approve for a grant under this section, the Secretary shall give priority to applications from partnerships that include one or more regional employers that are located in a rural area.

Page 646, line 19, page 647, line 7 and line 18, page 648, line 17, page 651, line 17 and line 21, page 652, line 11 and line 23, and page 653, line 22, strike “Commerce” and insert “Education”.

Page 658, line 19, after “Secretary” insert “, in consultation with the Administrator of the Environmental Protection Agency,”.

Page 664, line 4, after “Education” insert “, in consultation with the Administrator of the Environmental Protection Agency,”.

Page 667, line 18, strike “and” after the semicolon; line 20, strike the period and insert “; and”; and after line 20, insert the following:

“(F) the Office of Science and Technology Policy.

Page 675, line 7, strike “an institution” and insert “one or more institutions”.

Page 675, after line 23, insert the following new paragraph:

“(3) EXISTING PARTNERSHIPS.—Nothing in this subsection shall be construed to prohibit a partnership that is in existence on the date of enactment of this section from applying for a grant under this section.

Page 689, line 22, strike “10 years” and insert “20 years”.

Page 695, line 10, strike “Such” and insert “The initial”.

Page 695, line 11, after “Education” insert “from a list of recommendations received from the House of Representatives and the Senate”.

Page 696, line 3, strike “may use Trust funds” and insert “shall use Trust funds to support research that is in the public interest but that is unlikely to be undertaken entirely with private funds”.

Page 696, line 4, strike “basic” and insert “precompetitive”.

Page 696, beginning on line 5, strike “demonstrations of innovative learning and assessment systems” and insert “demonstrations, and assessments of prototypes of innovative digital learning and information technologies”.

Page 696, line 8, before “testing” insert “pilot”, and line 9, strike “systems; and” and insert “prototype systems;”.

Page 696, line 11, strike “effective approaches to learning.” and insert “effective, innovative digital approaches to learning supported by this Act; and”.

Page 696, after line 11, insert the following:

(D) to support innovative digital media education programs for parents, teachers, and children to help children in the United States learn digital safety and build technology literacy.

Page 696, line 20, strike “(with or without private partners)” and insert “with or without for-profit partners, and to for-profit organizations”, and

Page 700, after line 13, insert the following new sections:

SEC. 814. STUDY ON REGIONAL SENSITIVITY IN THE NEEDS ANALYSIS FORMULA.

(a) STUDY.—The Comptroller General shall conduct a study to review the methodology that is used to determine the expected family contribution under part F of title IV of the Higher Education Act of 1965.

(b) STUDY COMPONENTS.—The study conducted under subsection (a) shall identify and evaluate the need analysis formula under part F of title IV of the Higher Education Act of 1965 and examine the need for regional sensitivity in need analysis. The study shall include—

(1) the factors that are used to determine a student's expected family contribution under part F of title IV of the Higher Education Act;

(2) the varying allowances that are made in calculating the expected family contribution;

(3) the effects of the income protection allowance on all aid recipients; and

(4) options for modifying the income protection allowance to reflect the significant differences in the cost of living in various parts of the United States.

(c) REPORT.—Not later than one year after the date of enactment of this Act, Comptroller General shall report to the authorizing committees (as such term is defined in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003)) on the results of the study conducted under this section.

SEC. 815. DYSLEXIA STUDY.

(a) INDEPENDENT EVALUATION.—The Secretary of Education shall enter into an agreement with the Center for Education of the National Academy of Sciences for a scientifically based study of the quality of teacher education programs, to determine if teachers are adequately prepared to meet the needs of students with reading and language processing challenges, including dyslexia. Such study shall—

(1) establish the prevalence of dyslexia and other processing difficulties in the general population by conducting a review of existing research and available relevant data; and

(2) conduct a survey of institutions of higher education to provide data on the extent to which teacher education programs are based on the essential components of reading instruction and scientifically valid research.

(b) COMPONENTS.—The study conducted under subsection (a) shall be designed to provide statistically reliable information on—

(1) the number, type of courses, and credit hours required to meet the requirements of the reading degree programs; and

(2) the extent to which the content of the reading degree programs are based on—

(A) the essentials of reading instruction and scientifically valid research, including phonemic awareness, phonics, fluency, vocabulary, and comprehension; and

(B) early intervention strategies based on scientific evidence concerning challenges to the development of language processing capacity, specifically dyslexia, and the extent to which such strategies are effective in preventing reading failure before it occurs.

(c) SCOPE.—The National Academy of Sciences shall select for participation in the evaluation under subsection (a) a diverse group of institutions of higher education with respect to size, mission, and geographic distribution.

(d) INTERIM AND FINAL REPORTS.—The National Academy of Sciences shall submit to the Secretary of Education, the Committee on Health, Education, Labor and Pensions of the Senate, and the Committee on Education and Labor of the House of Representatives—

(1) an interim report regarding the study under subsection (a) not later than 9 months after the award of the contract to the Center for Education, as specified in this Act; and

(2) a final report summarizing the findings, conclusions, and recommendations of such study not later than 18 months after the award of such contract.

(e) **TASK FORCE.**—

(1) **ESTABLISHMENT.**—Upon completion of the final report under subsection (d)(2), the Secretary of Education shall assemble a task force to make policy recommendations regarding the findings of the report to the Secretary.

(2) **MEMBERSHIP.**—The membership of the task force under this subsection shall include chief State school officers, State reading consultants, a panel of master teachers, national reading experts, and researchers with expertise in the relevant fields.

(3) **PUBLIC HEARINGS.**—The task force under this subsection shall hold public hearings to provide an opportunity for public comment on the results of the findings of the task force.

SEC. 816. STUDY AND REPORT ON BORROWER REPAYMENT PLANS.

(a) **STUDY.**—The Secretary of Education shall conduct a study—

(1) on the impact of the standard 10-year student loan repayment term on the ability of undergraduate borrowers in low-income areas, including Puerto Rico, to repay their loans made under title IV, part B, of the Higher Education Act of 1965; and

(2) to examine the extent to which longer payment terms would assist borrowers in such low-income areas in reducing their monthly loan payments.

(b) **REPORT.**—Not later than 1 year after the date of enactment of this title, the Secretary shall submit a report to Congress on the results of the study required by this section.

SEC. 817. NURSING SCHOOL CAPACITY.

(a) **FINDINGS.**—The Congress finds as follows:

(1) Researchers in the field of public health have identified the need for a national study to identify constraints encountered by schools of nursing in graduating the number of nurses sufficient to meet the health care needs of the United States.

(2) The shortage of qualified registered nurses has adversely affected the health care system of the United States.

(3) Individual States have had varying degrees of success with programs designed to increase the recruitment and retention of nurses.

(4) Schools of nursing have been unable to provide a sufficient number of qualified graduates to meet the workforce needs.

(5) Many nurses are approaching the age of retirement, and the problem worsens each year.

(6) In 2004, an estimated 125,000 applications from qualified applicants were rejected by schools of nursing, due to a shortage of faculty and a lack of capacity for additional students.

(b) **STUDY WITH RESPECT TO CONSTRAINTS WITH RESPECT TO SCHOOLS OF NURSING.**—

(1) IN GENERAL.—The Secretary shall request the Institute of Medicine of the National Academy of Sciences to enter into an agreement under which the Institute conducts a study for the purpose of—

(A) identifying constraints encountered by schools of nursing in admitting and graduating the number of registered nurses necessary to ensure patient safety and meet the need for quality assurance in the provision of health care; and

(B) developing recommendations to alleviate the constraints on a short-term and long-term basis.

(2) CERTAIN COMPONENTS.—The Secretary shall ensure that the agreement under paragraph (1) provides that the study under such subsection will include information on the following:

(A) The trends in applications for attendance at schools of nursing that are relevant to the purpose described in such subsection, including trends regarding applicants who are accepted for enrollment and applicants who are not accepted, particularly qualified applicants who are not accepted.

(B) The number and demographic characteristics of entry-level and graduate students currently enrolled in schools of nursing, the retention rates at the schools, and the number of recent graduates from the schools, as compared to previous years and to the projected need for registered nurses based on two-year, five-year, and ten-year projections.

(C) The number and demographic characteristics of nurses who pursue graduate education in nursing and non-nursing programs but do not pursue faculty positions in schools of nursing, the reasons therefor, including any regulatory barriers to choosing to pursue such positions, and the effect of such decisions on the ability of the schools to obtain adequate numbers of faculty members.

(D) The extent to which entry-level graduates of the schools are satisfied with their educational preparation, including their participation in nurse externships, internships, and residency programs, and to which they are able to effectively transition into the nursing workforce.

(E) The satisfaction of nurse managers and administrators with respect to the preparation and performance levels of entry-level graduates from the schools after one year, three years, and five years of practice, respectively.

(F) The extent to which the current salary, benefit structures, and characteristics of the workplace, including the number of nurses who are presently serving in faculty positions, influence the career path of nurses who have pursued graduate education.

(G) The extent to which the use of innovative technologies for didactic and clinical nursing education might provide for an increase in the ability of schools of nursing to train qualified nurses.

(3) RECOMMENDATIONS.—Recommendations under paragraph (2)(B) may include recommendations for legislative or adminis-

trative changes at the Federal or State level, and measures that can be taken in the private sector—

(A) to facilitate the recruitment of students into the nursing profession;

(B) to facilitate the retention of nurses in the workplace; and

(C) to improve the resources and ability of the education and health care systems to prepare a sufficient number of qualified registered nurses.

(4) METHODOLOGY OF STUDY.—

(A) SCOPE.—The Secretary shall ensure that the agreement under paragraph (1) provides that the study under such subsection will consider the perspectives of nurses and physicians in each of the various types of inpatient, outpatient, and residential facilities in the health care delivery system; faculty and administrators of schools of nursing; providers of health plans or health insurance; and consumers.

(B) CONSULTATION WITH RELEVANT ORGANIZATION.—The Secretary shall ensure that the agreement under paragraph (1) provides that relevant agencies and organizations with expertise on the nursing shortage will be consulted with respect to the study under such subsection, including but not limited to the following:

(i) The Agency for Healthcare Research and Quality.

(ii) The American Academy of Nursing.

(iii) The American Association of Colleges of Nursing.

(iv) The American Nurses Association.

(v) The American Organization of Nurse Executives.

(vi) The National Institute of Nursing Research.

(vii) The National League for Nursing.

(viii) The National Organization for Associate Degree Nursing.

(ix) The National Student Nurses Association.

(5) REPORT.—The Secretary shall ensure that the agreement under paragraph (1) provides that not later than 18 months after the date of the enactment of this section, a report providing the findings and recommendations made in the study under such subsection will be submitted to the Secretary, the Committee on Energy and Commerce of the House of Representatives, and the Committee on Health, Education, Labor, and Pensions of the Senate.

(6) OTHER ORGANIZATION.—If the Institute declines to conduct the study under paragraph (1), the Secretary may enter into an agreement with another appropriate private entity to conduct the study.

(c) DEFINITIONS.—For purposes of this section:

(1) The term “Institute” means the Institute of Medicine of the National Academy of Sciences.

(2)(A) The term “school of nursing” means a collegiate, associate degree, or diploma school of nursing in a State.

(B) The terms “collegiate school of nursing”, “associate degree school of nursing”, and “diploma school of nursing” have

the meanings given to such terms in section 801 of the Public Health Service Act.

(3) The term “Secretary” means the Secretary of Education.

SEC. 818. STUDY OF THE IMPACT OF STUDENT LOAN DEBT ON PUBLIC SERVICE.

(a) **STUDY.**—The Secretary of Education, in consultation with the Office of Management and Budget, is authorized to coordinate with an organization with expertise in the field of public service, such as the National Academy of Public Administrators or the American Society for Public Administration, to coordinate with interested parties to conduct a study of how student loan debt levels impact the decisions of graduates of postsecondary and graduate education programs to enter into public service careers. Such study shall include—

(1) an assessment of the challenges to recruiting and retaining well-qualified public servants, including the impact of student loan debt;

(2) an evaluation of existing Federal programs to recruit and retain well-qualified public servants;

(3) an evaluation of whether additional Federal programs could increase the number of graduates of postsecondary and graduate education programs who enter careers in public service; and

(4) recommendations related to any potential pilot programs, including an academy for public service, that could be used to encourage new graduates of postsecondary and graduate education programs to enter public service careers.

(b) **REPORT.**—Not later than one year after the date of the enactment of this Act, the Secretary of Education, in consultation with the Office of Management and Budget, shall submit to Congress a report related to the findings of the study conducted under subsection (a).

Page 701, line 20, strike “(I)”; on page 702, line 2, strike “or” and insert “and”; and strike lines 3 and 4.

Page 702, strike lines 13 through 19 and insert the following: “by the State that has adopted and implemented the standards and assessments selected under subparagraph (A)(i); and”.

Page 703, beginning on line 19, strike subparagraph (A) through page 704, line 3, and insert the following:

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

Page 704, beginning on line 9, strike “Rochester Institute of Technology” and insert “institution of higher education”.

Page 706, strike lines 14 through 17 and insert the following:

(4) in paragraph (3)(B), by striking “of the institution of higher education” and all that follows through “section 203” and inserting “of NTID programs and activities”.

Page 708, line 16, strike “NTID or the University and” and insert “the University or the NTID,”; and on line 17, after “United States” insert “, and are not enrolled in a degree program at the University or the NTID”.

Page 709, line 16, before the period insert the following: “, or a country that was a developing country for any academic year during the student’s period of uninterrupted enrollment in a degree program at the University or NTID, except that such a surcharge shall not be adjusted retroactively”.

Page 710, line 20, strike “\$4,825” and insert “\$5,345”.

Page 710, lines 20 and 22, strike “1999” and insert “2005”.

Page 730, line 16, strike “or Federal”.

Page 730, beginning on line 23, strike “, and to the Federal Bureau of Prisons,”.

Page 731, line 14, and page 734, beginning on lines 4 and 18, strike “and the Federal Bureau of Prisons”.

Page 731, beginning on line 19, and page 732, line 14, strike “or the Federal Bureau of Prisons”.

Page 733, lines 13 and 16, strike “and Federal”.

Page 733, beginning on line 22, strike “and Federal Bureau of Prisons entity”.

Page 735, line 4, strike “, the Federal Bureau of Prisons,”.

Page 735, beginning on line 17, strike subsections (g) and (h) through page 736, line 13, and insert the following (and redesignate the succeeding subsection accordingly):

“(g) ALLOCATION OF FUNDS.—From the funds appropriated pursuant to subsection (h) for each fiscal year, the Secretary shall allot to each State an amount that bears the same ratio to such funds as the total number of incarcerated individuals in such State bears to the total number of such incarcerated individuals in all States.

Page 748, line 25, after “including” insert “off-campus housing safety,”.

Page 749, line 16, after “information” insert “(including ways to increase off-campus housing safety)”.

Page 751, after line 4, insert the following new subsection:

(e) SENSE OF THE HOUSE OF REPRESENTATIVES.—It is the sense of the House of Representatives that in order to increase awareness of the importance of student safety in off-campus housing that is located in the areas surrounding colleges and universities, the following should be encouraged:

(1) The creation of chapters at colleges and universities that aim to raise awareness of the issue of off-campus student safety.

(2) Public awareness on the benefits of security measures that may increase the safety of students living in off-campus housing.

(3) Collaborative partnerships between Federal agencies, local law enforcement agencies, non-profit organizations, colleges and universities, and communities to disseminate information and best practices related to off-campus housing safety for students.

Page 751, beginning on line 5, strike section 953 and insert the following:

SEC. 953. PRIVATE LOAN FORGIVENESS.

Notwithstanding any other provision of law—

(1) a public or private institution of higher education may provide an officer or employee of any branch of the United States Government, of any independent agency of the United States, or of the District of Columbia who is a current or former student of such institution, financial assistance for the purpose of repaying a student loan or providing forbearance of student loan repayment: Provided, that such repaying or providing forbearance is provided to any such officer or employee in accordance with a written, published policy of the institution

relating to repaying or providing forbearance, respectively, for students or former students who perform public service; and

(2) an officer or employee of any branch of the United States Government, of any independent agency of the United States, or of the District of Columbia may receive repayment or forbearance permitted under paragraph (1).

Page 765, line 23, page 770, line 9, and page 784, line 17, strike “part B of”.

Page 766, line 12, and page 770, line 23, after “credit plan,” insert “a reverse mortgage transaction,”.

Page 768, beginning on line 7, strike clause (i) and insert the following:

“(i) standard material, activities, or programs on issues related to a loan, default aversion, default prevention, or financial literacy, such as a brochure, a workshop, or training;

Page 768, line 19, strike “or”; on page 769, line 2, strike “and”; and after line 2 insert the following new clauses:

“(iv) the provision of financial literacy counseling or services to students or parents, including counseling or services provided in coordination with a covered educational institution, to the extent that such counseling or services—

“(I) are not undertaken to secure applications for private educational loans or to secure private educational loan volume;

“(II) are not undertaken to secure applications or loan volume for any loan made, insured, or guaranteed under part B of title IV of the Higher Education Act of 1965; and

“(III) do not promote the products or services of any private educational lender;

“(v) philanthropic contributions to a covered institution from a private educational lender that are unrelated to educational loans, to the extent that such contributions are disclosed pursuant to paragraphs (1) and (2) of section 153(a) of the Higher Education Act of 1965, if applicable; or

“(vi) State education grants, scholarships, or financial aid funds administered by or on behalf of a State; and

Page 770, line 24, strike “mortgage transaction,” and insert “mortgage transaction (as those terms are defined in section 103 of the Truth in Lending Act).”.

Page 774, strike lines 13 and 14 and insert the following:

(ii) by inserting “128(e)(8), or” after “125,”; and

Page 778, line 20, after the period insert the following: “The form of such written acknowledgment shall be subject to the regulations of the Board.”.

Page 781, beginning on line 19, strike paragraph (4) and insert the following:

“(4) INSTITUTIONAL CERTIFICATION REQUIRED.—Before a creditor may issue any funds with respect to an extension of credit described in paragraph (1), the creditor shall obtain from the

relevant institution of higher education such institution's certification of—

“(A) the enrollment status of the borrower;

“(B) the borrower's cost of attendance at the institution as determined by the institution under part F of title IV of the Higher Education Act of 1965; and

“(C) the difference between the borrower's cost of attendance and the borrower's estimated financial assistance received under title IV of the Higher Education Act of 1965 and other assistance known to the institution.

Page 784, before line 1, insert the following new paragraph (and redesignate the succeeding paragraph accordingly):

“(9) PROVISION OF INFORMATION.—On or before the date a creditor issues any funds with respect to an extension of credit described in paragraph (1), the creditor shall notify the relevant institution of higher education, in writing, of the amount of the extension of credit and the student on whose behalf credit is extended. The form of such written notification shall be subject to the regulations of the Board.

Page 785, line 10, strike “mortgage transaction,” and insert “mortgage transaction (as those terms are defined in section 103 this Act),”.

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MCKEON OF CALIFORNIA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of title VIII, add the following new section:

SEC. 814. FEDERAL REGULATION OF HIGHER EDUCATION REPORT.

(a) ANALYSIS OF FEDERAL REGULATIONS ON INSTITUTIONS OF HIGHER EDUCATION.—The Secretary of Education shall contract with the National Research Council of the National Academies to conduct a study to ascertain the amount and scope of all Federal regulations and reporting requirements with which institutions of higher education must comply. The study shall include information describing—

(1) by agency, the number of Federal regulations and reporting requirements affecting institutions of higher education;

(2) by agency, the estimated time required and costs to institutions of higher education (disaggregated by types of institutions) to comply with the regulations and reporting requirements as required in (a)(1); and

(3) by agency, recommendations for consolidating, streamlining, and eliminating redundant and burdensome Federal regulations and reporting requirements affecting institutions of higher education.

(b) SUBMISSION OF REPORT.—The Secretary shall submit the report required by subsection (a) to the authorizing committees (as such term is defined in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003)) not later than 18 months after the date of enactment of this Act.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KILDEE OF MICHIGAN, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 206, line 18, strike “ALLOTMENT OF REMAINING FUNDS” and insert “ALLOCATION OF FUNDS”.

Page 206, line 20, strike “subsection” and insert “subsections”, and after line 20 insert the following new subsection (and redesignate the succeeding subsection accordingly):

“(e) CONSTRUCTION GRANTS.—

“(1) IN GENERAL.—Of the amount appropriated to carry out this section for any fiscal year, beginning with fiscal year 2009, the Secretary may reserve 30 percent of such amount 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.

“(2) PREFERENCE.—In providing grants under paragraph (1) for any fiscal year, the Secretary shall give preference to eligible institutions that have not received an award under this section for a previous fiscal year.

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PETRI OF WISCONSIN, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 451, line 24, strike “and”; on page 452, line 5, strike the period and insert “; and”; and after such line insert the following new paragraph:

“(8) the feasibility of a specific alternative market-based mechanism that will—

“(A) determine lender returns;

“(B) result in reduced Federal costs on a program-wide basis, on loans made, insured, or guaranteed under part B of this title, excluding from consideration the Federal PLUS loans described in section 428B that are the subject of the competitive loan auction pilot program under this section;

“(C) include not more than—

“(i) 10 percent of the annual loan volume under this part B of this title during the first year of the alternative pilot program; and

“(ii) 20 percent of the annual loan volume under this part B of this title during the subsequent years of the alternative pilot program;

“(D) permit participation in any alternative auction-based pilot program on a voluntary basis for eligible institutions and eligible lenders participating under part B of this title prior to July 1, 2007; and

“(E) provide for all savings to the United States Treasury generated by such alternative pilot program to be distributed to institutions participating under this section on a basis proportionate to loan volume under such part for supplemental, need-based financial aid, except than an institution that is operating as an eligible lender under section 435(d)(2) shall not be eligible for any such distribution.

Page 452, line 14, strike the close quotation marks and following period, and after line 14 insert the following new subsection:

“(e) INDEPENDENT EVALUATION.—The Government Accountability Office shall conduct an independent evaluation of any auction or auctions conducted under this section no later than September 1, 2013.”.

5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PETRI OF WISCONSIN, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 359, beginning on line 13, strike subparagraphs (C), (D), and (E) and insert the following (and redesignate the succeeding paragraphs accordingly):

“(C) with respect to each of the guaranty agencies operating under a guaranty agreement under section 428(c)—

“(i) un-reconciled balances in held loans by year of origination;

“(ii) status and number of defaulted loans by length of default in 30-day increments; and

“(iii) status and number of delinquent loans by length of delinquency in 30-day increments;

Page 359, line 23, insert before the period the following: “carrying out activities under this part”.

Page 359, beginning on line 24, strike subsection (c) through page 360, line 12.

Page 360, after line 12, insert the following new subsection:

(d) AUDIT OF FEDERAL FAMILY EDUCATION LOAN PROGRAM PORTFOLIO AND GUARANTY AGENCIES.—The Secretary of Education shall have a financial and compliance audit of all guaranty agencies participating in the loan programs under part B of title IV of the Higher Education Act of 1965 (including each guaranty agencies’ contract for the servicing, collecting, and related activities of such loans), conducted annually by a qualified independent organization from a list of qualified organizations promulgated by the Secretary in accordance with the standards established by the Comptroller General. The standards shall measure the guaranty agency’s compliance with the due diligence standards and shall include a defined statistical sampling technique designed to measure the performance rating of the guaranty agency for the purpose of this subsection. The Secretary shall submit the audit to Congress within 60 days of its completion and shall at the same time make the results of the audit publicly available.

6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CASTLE OF DELAWARE, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

In section 133(d) of the Higher Education Act of 1965, as amended by section 109 of the bill:

(1) insert “(1)” after “TASK FORCES.—”;

(2) redesignate paragraphs (1), (2), (3), and (4) as subparagraphs (A), (B), (C), and (E);

(3) strike “and” at the end of subparagraph (C) as so redesignated;

(4) insert after such subparagraph (C) the following new subparagraph:

“(D) develop annual benchmarks for the institution to reduce costs in areas identified under subparagraph (C); and”.

(5) add at the end the following new paragraph:

“(2) An institution of higher education that does not meet the benchmarks established under paragraph (1)(D) shall provide to the Secretary a detailed explanation of the reasons why the institution did not meet such benchmarks.”.

7. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DAVIS OF ILLINOIS, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of the bill, add the following (and make such technical and conforming changes as may be appropriate):

TITLE XI—RELATED AMENDMENTS

SEC. 1101 TREATMENT IN BANKRUPTCY.

Section 523(a)(8) of title 11, the United States Code, is amended—

(1) in subparagraph (A)(i) by striking “or made” and all that follows through “institution”, and inserting “or made under any program funded in whole or in part by a governmental unit, or made under any program in which a substantial portion of the funds for making such overpayment or loan is provided by a nonprofit institution or an institution of higher education as defined in section 102 of the Higher Education Act and in which no part is funded by a governmental unit”; and

(2) in subparagraph (B) by inserting before the semicolon at the end the following:

“unless the period beginning on the date when such loan first became due and ending on the date of the filing of the petition, excluding any time during such period when the repayment obligation was deferred while the borrower was attending an eligible educational institution as defined in section 221(d)(2) of the Internal Revenue Code of 1986, is longer than 5 years”.

8. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DAVIS OF CALIFORNIA, OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

After section 453 of the bill, insert the following new section (and redesignate the succeeding section accordingly):

SEC. 454. NO ACCRUAL OF INTEREST FOR ACTIVE DUTY SERVICE MEMBERS.

(a) AMENDMENT.—Section 455 (20 U.S.C. 1087e) is further amended by adding at the end the following:

“(o) NO ACCRUAL OF INTEREST FOR ACTIVE DUTY SERVICE MEMBERS.—

“(1) IN GENERAL.—Notwithstanding any other provision of this part, and except as provided in paragraph (3), interest shall not accrue for an eligible borrower on a loan made under this part that is disbursed on or after October 1, 2008.

“(2) CONSOLIDATION LOANS.—In the case of any consolidation loan made under this part that is disbursed on or after October

1, 2008, interest shall not accrue pursuant to this subsection only on such portion of such loan as was used to repay a loan made under this part that was disbursed on or after October 1, 2008.

“(3) ELIGIBLE BORROWER.—In this subsection, the term ‘eligible borrower’ means an individual who—

“(A)(i) is serving on active duty during a war or other military operation or national emergency; or

“(ii) is performing qualifying National Guard duty during a war or other military operation or national emergency; and

“(B) is serving in an area of hostilities in which service qualifies for special pay under section 310 of title 37, United States Code.

“(4) LIMITATION.—An individual who qualifies as an eligible borrower under this subsection may receive the benefit of this subsection for not more than 60 months.”.

(b) CONSOLIDATION LOANS.—Section 428C(b)(5) (20 U.S.C. 1078–3(b)(5)) is amended by inserting after the first sentence the following: “In addition, in the event that a borrower chooses to obtain a consolidation loan for the purposes of using the no accrual of interest for active duty service members program offered under section 455(o), the Secretary shall offer a Federal Direct Consolidation loan to any such borrower who applies for participation in such program.”.

9. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SESTAK OF PENNSYLVANIA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 335, after line 14, insert the following new paragraph:

“(14) PHYSICAL THERAPISTS.—Individuals who are physical therapists and who are providing physical therapy services to children, adolescents, or veterans.

Page 338, after line 21, insert the following new paragraph (and redesignate the succeeding paragraphs accordingly):

“(5) PHYSICAL THERAPIST.—The term ‘physical therapist’ means an individual who—

“(A) has received, at a minimum, a graduate degree in physical therapy from an institution of higher education accredited by an agency or association recognized by the Secretary pursuant to section 496(a) of this Act; and

“(B) provides physical therapy services under 1861(p) of the Social Security Act (42 U.S.C. 1395x(p)), or meets or exceeds the qualifications for a qualified physical therapist as determined by State law.

10. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SESTAK OF PENNSYLVANIA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 418, strike lines 19 through 21 and insert the following:

“(C) management systems regarding course equivalency, transfer of credit, and articulation; and

Page 419, beginning on line 22, strike “and” and insert a comma; and on line 23, before the semicolon insert “, and management systems”.

11. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE YARMUTH OF KENTUCKY, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 200, line 15, strike the close quotation mark and the following period, and after such line insert the following:

“Subpart 6—Preparing General Education Teachers to More Effectively Educate Students With Disabilities

“SEC. 291. TEACH TO REACH GRANTS.

“(a) AUTHORIZATION OF PROGRAM.—

“(1) IN GENERAL.—The Secretary is authorized to award grants, on a competitive basis, to eligible partnerships to improve the preparation of general education teacher candidates to ensure that such teacher candidates possess the knowledge and skills necessary to effectively instruct students with disabilities in their classrooms.

“(2) DURATION OF GRANTS.—A grant under this section shall be awarded for a period of five years.

“(3) NON-FEDERAL SHARE.—An eligible partnership that receives a grant under this section shall provide not less than 25 percent of the cost of the activities carried out with such grant from non-Federal sources, which may be provided in cash or in kind.

“(b) DEFINITION OF ELIGIBLE PARTNERSHIP.—In this section, the term ‘eligible partnership’ is a partnership that—

“(1) shall include—

“(A) one or more departments or programs at an institution of higher education—

“(i) that prepare elementary or secondary general education teachers;

“(ii) that have a program of study that leads to an undergraduate degree, a master’s degree, or completion of a post-baccalaureate program required for teacher certification; and

“(iii) the graduates of which are highly qualified, as defined in section 9101 of the Elementary and Secondary Education Act of 1965;

“(B) a department or program of special education at an institution of higher education; and

“(C) a high-need local educational agency; and

“(2) may include a department or program of mathematics, earth or physical science, foreign language, or other departments at the institution that have a role in preparing teachers.

“(c) REQUIRED ACTIVITIES.—An eligible partnership that receives a grant under this section shall use the grant funds to—

“(1) develop or strengthen an undergraduate, post-baccalaureate, or master’s teacher preparation program by inte-

grating special education strategies into the general education curriculum and academic content;

“(2) provide teacher candidates participating in the program under paragraph (1) with skills related to—

“(A) response to intervention, positive behavioral supports, differentiated instruction, and data driven instruction;

“(B) developing and administering alternate assessments of students with disabilities;

“(C) determining and utilizing accommodations for instruction and assessments;

“(D) collaborating with special educators, related services providers, and parents, including participation in Individualized Education Program development and implementation; and

“(E) utilizing technology and assistive technology for students with disabilities; and

“(3) provide extensive clinical experience for such participants, with mentoring and induction support throughout the program that continues during the first year of full-time teaching.

“(d) APPLICATION.—An eligible partnership seeking 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. Such application shall include—

“(1) A self-assessment by the eligible partnership of the existing teacher preparation program at the institution of higher education and needs related to preparing general education teacher candidates to instruct students with disabilities.

“(2) An assessment of the existing personnel needs for general education teachers who instruct students with disabilities, performed by the local educational agency in which most graduates of the teacher preparation program are likely to teach after completion of the program under subsection (c)(1).

“(e) PEER REVIEW.—The Secretary shall convene a peer review committee to review applications for grants under this section and to make recommendations to the Secretary regarding the selection of grantees. Members of the peer review committee shall be recognized experts in the fields of special education, teacher preparation, and general education, and shall not be in a position to benefit financially from any grants awarded under this section.

“(f) EVALUATIONS.—

“(1) BY THE PARTNERSHIP.—An eligible partnership receiving a grant under this section shall conduct an evaluation at the end of the grant period to determine the effectiveness of the general education teachers who completed a program under subsection (c)(1) at instruction of students with disabilities in general education classrooms, and the systemic impact of the activities carried out by such grant on how each institution of higher education that is a member of the partnership prepares teachers for instruction in elementary and secondary schools. Each eligible partnership performing an evaluation under this paragraph shall report the findings of such evaluation to the Secretary.

“(2) REPORT BY THE SECRETARY.—Not later than 180 days after the last day of the grant period under this section, the Secretary shall make available to Congress and the public the findings of the evaluations submitted under paragraph (1), and information on best practices related to effective instruction of students with disabilities in general education classrooms.”.

12. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HASTINGS OF FLORIDA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 679, line 13, strike the close quotation marks and following period and after such line insert the following new part:

“PART R—PATH TO SUCCESS PROGRAM

“SEC. 887. PATH TO SUCCESS.

“(a) PURPOSE.—The purpose of this part is to encourage community supported programs that—

“(1) leverage and enhance community support for at-risk young adults by facilitating the transition of such young adults who are eligible individuals into productive learning environments where such young adults can obtain the life, social, academic, and vocational skills and credentials necessary to strengthen the Nation’s workforce;

“(2) provide counseling, as appropriate, for eligible individuals participating in the programs to allow such individuals to build a relationship with one or more guidance counselors during the period that the individuals are enrolled in the programs, including providing referrals and connections to community resources that help eligible individuals transition back into the community with the necessary life, social, academic, and vocational skills after being in detention, or incarcerated, particularly resources related to health, housing, job training, and work-place readiness;

“(3) provide training and education for eligible individuals participating in the programs, to allow such individuals to assist community officials and law enforcement agencies with the deterrence and prevention of gang and youth violence by participating in seminars, training, and workshops throughout the community; and

“(4) provide each eligible youth participating in the programs with individual attention based on a curriculum that matches the interests and abilities of the individual to the resources of the program.

“(b) REENTRY EDUCATION PROGRAM.—

“(1) GRANT PROGRAM ESTABLISHED.—The Secretary is authorized to award grants to community colleges to enter into and maintain partnerships with juvenile detention centers and secure juvenile justice residential facilities to provide assistance, services, and education to eligible individuals who reenter the community and pursue, in accordance with the requirements of this part, at least one of the following:

“(A) A certificate of graduation from a school providing secondary education, a general equivalency diploma

(GED), or another recognized equivalent of such a certificate or diploma.

“(B) A certificate of completion for a specialized area of study, such as vocational training and other alternative post-secondary educational programs.

“(C) An associate’s degree.

“(2) GRANT PERIOD.—A grant awarded under this part shall be for one 2-year period, and may be renewed for an additional period as the Secretary determines to be appropriate.

“(3) APPLICATION.—A community college desiring 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 shall require, which shall include—

“(A) an assessment of the existing community resources available to serve at-risk youth;

“(B) a detailed description of the program and activities the community college will carry out with such grant; and

“(C) a proposed budget describing how the community college will use the funds made available by such grant.

“(4) PRIORITY.—In awarding grants under this part, the Secretary of Education shall give priority to community colleges that accept the highest number of eligible individuals from high-risk areas, and among such community colleges, shall give priority to community colleges that the Secretary determines will best carry out the purposes of this part, based on the applications submitted in accordance with paragraph (3).

“(c) ALLOWABLE USES OF FUNDS.—A community college awarded a grant under this part may use such grant to—

“(1) pay for tuition and transportation costs of eligible individuals;

“(2) establish and carry out an education program that includes classes for eligible individuals that—

“(A) provide marketable life and social skills to such individuals;

“(B) meet the education program requirements under subsection (d);

“(C) promote the civic engagement of such individuals; and

“(D) facilitate a smooth reentry of such individuals into the community;

“(3) create and carry out a mentoring program—

“(A) that is specifically designed to help eligible individuals with the potential challenges of the transitional period from detention to release;

“(B) is created in consultation with guidance counselors, academic advisors, law enforcement officials, and other community resources; and

“(C) that is administered by a program coordinator, selected and employed by the community college, who shall oversee each individual’s development and shall serve as the immediate supervisor and reporting officer to whom the academic advisors, guidance counselors, and volunteers shall report regarding the progress of each such individual;

“(4) facilitate employment opportunities for eligible individuals by entering into partnerships with public and private enti-

ties to provide opportunities for internships, apprenticeships, and permanent employment, as possible, for such individuals; and

“(5) provide training for eligible individuals participating in the programs, to allow such individuals to assist community officials and law enforcement agencies with the deterrence and prevention of gang and youth violence by participating in seminars and workshop series throughout the community.

“(d) EDUCATION PROGRAM REQUIREMENTS.—An education program established and carried out under subsection (c) shall—

“(1) include classes that are required for completion of a certificate, diploma, or degree described in subparagraphs (A) through (C) of subsection (b)(1);

“(2) provide a variety of academic programs, with various completion requirements, to accommodate the distinctive academic backgrounds, learning curves, and concentration interests of the eligible individuals who participate in the program;

“(3) offer flexible academic programs that are designed to improve the academic development and achievement of eligible individuals, and to avoid high attrition rates for such individuals; and

“(4) provide for a uniquely designed education plan for each eligible individual participating in the program, which shall require such individual to receive, at a minimum, a certificate or diploma described in subparagraph (A) of subsection (b)(1) to successfully complete such program.

“(e) REPORTS.—Each community college awarded a grant under this part shall submit to the Secretary of Education a report—

“(1) documenting the results of the program carried out with such grant; and

“(2) evaluating the effectiveness of activities carried out through such program.

“(f) DEFINITIONS.—In this part:

“(1) COMMUNITY COLLEGE.—The term ‘community college’ means a public or nonprofit institution of higher education (as such term is defined in section 101 or 102(a)(2)(B)), that—

“(A) provides an educational program of not less than two years; and

“(B) that is accredited by a regional accrediting agency or association.

“(2) ELIGIBLE INDIVIDUAL.—The term ‘eligible individual’ means an individual who—

“(A) is 16 to 25 years of age;

“(B) has been convicted of a gang-related offense, and has served a period of detention in a juvenile detention center for such offense; and

“(C) is detained in, or has been released from, such center.

“(3) GANG-RELATED OFFENSE.—The term ‘gang-related offense’ means conduct constituting any Federal or State crime, punishable by imprisonment in any of the following categories:

“(A) A crime of violence.

“(B) A crime involving obstruction of justice, tampering with or retaliating against a witness, victim, or informant, or burglary.

“(C) A crime involving the manufacturing, importing, distributing, possessing with intent to distribute, or otherwise dealing in a controlled substance or listed chemical (as those terms are defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

“(4) GUIDANCE COUNSELOR.—The term ‘guidance counselor’ means an individual who works with at-risk youth on a one-on-one basis, to establishing a supportive relationship with such at-risk youth and to provide such at-risk youth with academic assistance and exposure to new experiences that enhance their ability to become responsible citizens.

“(5) HIGH-RISK AREA.—The term ‘high-risk area’ means a specified area within a State where there is a disproportionately high number of gang-related activities reported to State and local law enforcement authorities.”.

13. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WELCH OF VERMONT, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 63, after line 17, insert the following new section (and redesignate the succeeding sections accordingly):

SEC. 112. ENDOWMENT REPORTING.

Part C of title I (20 U.S.C. 1015) is further amended by adding after section 135 (as added by section 111 of this Act) the following new section:

“SEC. 136. ENDOWMENT REPORTING.

“Each institution of higher education shall annually submit to the Secretary, in a form prescribed by the Secretary, a report on the expenditures made by such institution from any endowment funds of the institution for the purpose of reducing the costs of the programs of instruction offered by such institution, including the specific amounts expended for grants and other aid to reduce the amounts charged for tuition, fees, textbooks, meals, room and board.”.

14. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LANTOS OF CALIFORNIA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 490, after line 13, insert the following new subsection:

(g) ADDITIONAL TECHNICAL AMENDMENTS.—

(1) Section 711(a)(1) (20 U.S.C. 1135(a)) is amended by inserting “(including a masters degree)” after “leading to a graduate degree”.

(2) Section 712(a)(1) (20 U.S.C. 1135a(a)(1)) is amended by inserting “(including a masters degree)” after “leading to a graduate degree”.

(3) Section 713 (b)(5)(C) (20 U.S.C. 1135b(b)(5)(C)) is amended by inserting “at the institution” before the semicolon at the end.

15. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE EDWARDS OF TEXAS, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 63, after line 17, insert the following new section (and redesignate the succeeding sections accordingly):

SEC. 112. IN-STATE TUITION RATES FOR MEMBERS OF THE ARMED FORCES ON ACTIVE DUTY AND DEPENDENTS.

Part C of title I (20 U.S.C. 1015) is further amended by adding after section 135 (as added by section 111 of this Act) the following new section:

“SEC. 136. IN-STATE TUITION RATES FOR MEMBERS OF THE ARMED FORCES ON ACTIVE DUTY AND DEPENDENTS.

“(a) REQUIREMENT.—A member of the armed forces on active duty for a period of more than 30 days whose domicile or permanent duty station is in a State, and the dependents of such a member, may not be charged tuition for attendance at a public institution of higher education in that State at a rate that is greater than the rate charged for residents of that State.

“(b) CONTINUATION.—If a member of the armed forces, or a dependent of a member, pays tuition at a public institution of higher education in a State at a rate determined by reason of subsection (a), the provisions of subsection (a) shall continue to apply to such member or dependent while continuously enrolled at that institution, notwithstanding a subsequent change in the permanent duty station of the member to a location outside the State.

“(c) EFFECTIVE DATE.—This section shall take effect at each public institution of higher education in a State at the beginning of the first period of enrollment at that institution that begins more than 90 days after the date of enactment of the Military Child College Affordability Act.

“(d) DEFINITIONS.—For purposes of this section:

“(1) STATE.—The term ‘State’ has the meaning given that term in section 103 of this Act.

“(2) MILITARY DEFINITIONS.—The terms ‘armed forces’ and ‘active duty for a period of more than 30 days’ have the meanings given those terms in section 101 of title 10, United States Code.”.

16. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE EDDIE BERNICE JOHNSON OF TEXAS, OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 249, after line 5, insert the following new subsection (and redesignate the succeeding subsections accordingly):

(f) CALCULATION OF FEDERAL PELL GRANT ELIGIBILITY.—

(1) AMENDMENT.—Section 401(f) of the Higher Education Act of 1965 (20 U.S.C. 1070a(f)) is amended by adding at the end the following new paragraph:

“(4)(A) Notwithstanding paragraph (1) or any other provision of this section, the expected family contribution of each student described in subparagraph (B) shall be deemed to be zero for the period during which each such student is eligible to receive a Federal Pell Grant under subsection (c).

“(B) Subparagraph (A) shall apply to any student at an institution of higher education—

“(i) whose parent or guardian was a member of the Armed Forces of the United States who died as a result of performing military service in Iraq or Afghanistan after September 11, 2001; and

“(ii) who was 18 years or less, or was enrolled as a full-time or part-time student at an institution of higher education, as of the time of the parent or guardian’s death.”.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to Federal Pell Grants awarded for academic year 2009–2010, and each succeeding academic year.

17. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE STUPAK OF MICHIGAN, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 335, after line 14, insert the following:

“(14) SUPERINTENDENTS, PRINCIPALS, AND OTHER ADMINISTRATORS.—Individuals who are school superintendents, principals, or other administrators for 5 consecutive complete school years in a school district of a local educational agency in which 30 percent or more of the schools are schools that qualify under section 465(a)(2)(A) for loan cancellation for Perkins loan recipients who teach in such a school.

18. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DOGGETT OF TEXAS, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 367, after line 19, insert the following new section:

SEC. 474. USE OF MOST RECENT TAX INFORMATION IN NEED ANALYSIS.

Section 480(a)(1) of the Higher Education Act of 1965 (20 U.S.C. 1087vv(a)(1)), as amended by section 473 of this Act, is further amended by adding at the end the following new sentence: “Notwithstanding the preceding sentence, the Secretary shall, by regulation, provide for the use of the second preceding tax year when and to the extent necessary to carry out the simplification of applications used for the estimation and determination of financial aid eligibility through the sharing of data with the Internal Revenue Service with the consent of the taxpayer.”.

Page 395, line 17, strike “; **REPORT**”; on line 18, strike “(a) SENSE OF CONGRESS.—”; and on page 396, beginning on line 18, strike subsection (b).

19. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BAIRD OF WASHINGTON, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of title VIII of the bill, add the following new section:

SEC. 814. STUDY OF AID TO LESS-THAN-HALF-TIME STUDENTS.

(a) STUDY REQUIRED.—The Secretary shall conduct a study on making and expanding the student aid available under title IV of the Higher Education Act of 1965 to less-than-half-time students. The Secretary shall submit a report on the results of such study, including the Secretary’s recommendations, to the authorizing committees not later than one year after the date of enactment of this Act.

(b) **SUBJECTS FOR STUDY.**—The study required by this section shall, at a minimum, examine the following:

(1) The existing sources of Federal aid for less-than-half-time students seeking a college degree or certificate.

(2) The demand for Federal aid for less-than-half-time students and whether the demand is satisfied by existing sources of Federal aid, taking into consideration not only the number of less-than-half-time students currently seeking a college degree or certificate, but also any increase in the number of less-than-half-time students that may result from an expansion of Federal aid for less-than-half-time students seeking a college degree or certificate.

(3) The potential costs to the Federal Government and the potential benefits that could be received by students resulting from expanding Federal aid for less-than-half-time students seeking a college degree or certificate.

(4) The barriers to expanding Federal aid for less-than-half-time students, including identifying—

(A) statutory and regulatory barriers, such as student eligibility, institutional eligibility, need analysis, program integrity, and award amounts; and

(B) other factors that may limit participation in an expanded Federal aid program for less-than-half-time students.

(c) **RECOMMENDATIONS TO BE PROVIDED.**—The Secretary's recommendations under this section shall include recommendations for designing a demonstration student loan program tailored to less-than-half-time students. The recommendations shall include any required statutory or regulatory modifications, as well as proposed accountability mechanisms to protect students, institutions, and the Federal investment in higher education.

(d) **DEFINITIONS.**—As used in this section:

(1) the term "Secretary" means the Secretary of Education;

(2) the term "authorizing committees" has the meaning provided in section 103 of the Higher Education Act of 1965, as amended by this Act;

(3) the term "less-than-half-time student" means a student who is carrying less than one-half the normal full-time work load for the course of study that the student is pursuing, as determined by the institution such student is attending.

20. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE INSLEE OF WASHINGTON, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 365, after line 11, insert the following:

SEC. 466. SENSE OF CONGRESS REGARDING PERKINS LOANS.

It is the sense of Congress that—

(1) the Federal Perkins Loan Program, which provides low-interest loans to help needy students finance the costs of post-secondary education, is an important part of Federal student aid, and should remain a campus-based aid program at colleges and universities; and

(2) in order to strengthen the Federal Perkins Loan Program, the Federal Government should support increased funds

to the Program and restore the capital contribution funds for the Program, to provide more low-income students with affordable borrowing options.

Page 512, strike lines 4 through 7 and insert the following:

“(e) PROHIBITION.—No funds made available under this part may be used to provide financial assistance—

“(1) to students who do not meet the requirements of section 484(a)(5); or

“(2) to any institution of higher education after the date of enactment of this subsection unless the institution demonstrates to the Secretary that the institution meets or exceeds the most current version of ASHRAE/IES Standard 90.1 (as such term is used in section 342(a)(6) of the Energy Policy and Conservation Act (42 U.S.C. 6313(a)(6)) for any new facilities construction or major renovation of that institution after that date, except that this paragraph shall not apply with respect to barns or greenhouses or similar structures owned by the institution.”.

Page 658, line 22, after “energy management,” insert “greenhouse gas emissions reductions,”.

Page 661, line 15, after “energy management,” insert “greenhouse gas emissions reductions,”.

21. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CROWLEY OF NEW YORK, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 346, after line 20, insert the following new section (and redesignate the succeeding sections accordingly):

SEC. 427. LOAN FORGIVENESS FOR VOLUNTEER MENTORING.

Part B of title IV is further amended by inserting after section 428L (as added by the preceding section) the following new section:

“SEC. 428M. LOAN FORGIVENESS FOR VOLUNTEER MENTORING.

“(a) PROGRAM AUTHORIZED.—

“(1) LOAN FORGIVENESS AUTHORIZED.—The Secretary shall forgive, in accordance with this section, the student loan obligation of a borrower in the amount specified in subsection (c) who—

“(A) commits to volunteering as a mentor for a period of at least one school year as described in subsection (b);

“(B) attends a recognized community college; and

“(C) is not in default on a loan for which the borrower seeks forgiveness.

“(2) METHOD OF LOAN FORGIVENESS.—To provide loan forgiveness under paragraph (1), the Secretary is authorized to carry out a program—

“(A) through the holder of the loan, to assume the obligation to repay a qualified loan amount for a loan made, insured, or guaranteed under this part (other than an excepted PLUS loan (as such term is defined in section 493C(a))); and

“(B) to cancel a qualified loan amount for a loan made under part D of this title (other than such an excepted PLUS loan).

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

“(b) VOLUNTEER MENTORING.—For purposes of this section, an individual shall be treated as participating in a volunteer mentoring program if they commit to mentoring an at-risk child for a period of not less than one school year.

“(c) QUALIFIED LOAN AMOUNT.—At the end of each school, academic, or calendar year of volunteering as a mentor on or after the date of enactment of the College Opportunity and Affordability Act of 2007 as described in subsection (b), not to exceed 5 years, the Secretary shall forgive \$10 of the student loan obligation of a borrower that is outstanding after the completion of each such school, academic, or calendar year of employment, for every hour of mentoring committed, not to exceed \$10,000 in the aggregate for any borrower.

“(d) PRIORITY.— The Secretary shall grant loan forgiveness under this section on a first-come, first-served basis, and subject to the availability of appropriations.”.

22. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE COOPER OF TENNESSEE, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 244, line 7, strike “\$300,000,000” and insert “\$500,000,000”; and on line 11, strike “\$100,000,000” and insert “\$125,000,000”.

23. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE RYAN OF OHIO, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of title VIII of the bill, add the following new section:

SEC. 814. ESTABLISHMENT OF PILOT PROGRAM FOR COURSE MATERIAL RENTAL.

(a) PILOT GRANT PROGRAM.—From the amounts appropriated pursuant to subsection (e), the Secretary shall make grants on a competitive basis to not more than 10 institutions of higher education to support pilot programs that expand the services of bookstores to provide the option for students to rent course materials in order to achieve savings for students.

(b) APPLICATION.—An institution of higher education that desires to obtain a grant under this section shall submit an application to the Secretary at such time, in such form, and containing or accompanied by such information, agreements, and assurances as the Secretary may reasonably require.

(c) USE OF FUNDS.—The funds made available by a grant under this section may be used for—

(1) purchase of course materials that the entity will make available by rent to students;

(2) any equipment or software necessary for the conduct of a rental program;

(3) hiring staff needed for the conduct of a rental program, with priority given to hiring enrolled undergraduate students; and

(4) building or acquiring extra storage space dedicated to course materials for rent.

(d) EVALUATION AND REPORT.—

(1) EVALUATIONS BY RECIPIENTS.—After a period of time to be determined by the Secretary, each institution of higher education that receives a grant under this section shall submit a report to the Secretary on the effectiveness of their rental programs in reducing textbook costs for students.

(2) REPORT TO CONGRESS.—Not later than September 30, 2010, the Secretary shall submit a report to Congress on the effectiveness of the textbook rental pilot programs under this section, and identify the best practices developed in such pilot programs. Such report shall contain an estimate by the Secretary of the savings achieved by students who participate in such pilot programs.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$50,000,000 for fiscal year 2009 and 2010.

24. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE VAN HOLLEN OF MARYLAND, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of section of section 271 of the Higher Education Act of 1965, as added by section 201 of the bill, add the following new subsection:

“(f) AUTHORIZATION OF APPROPRIATIONS.—Of the sums authorized to be appropriated by section 240, the amount authorized to be appropriated to carry out this section shall not exceed—

“(1) \$20,000,000 for fiscal year 2009;

“(2) \$25,000,000 for fiscal year 2010; and

“(3) such sums as may be necessary for each of the 3 succeeding fiscal years”.

25. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GILLIBRAND OF NEW YORK, OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 406, line 17, strike “and” and after such line insert the following new paragraph (and redesignate the succeeding paragraph accordingly):

(2) in subparagraph (C), by striking clauses (i) and (ii) and inserting the following:

“(i) the law enforcement authority of campus security personnel;

“(ii) the working relationship of campus security personnel with State and local law enforcement agencies, including whether or not the institution has a written agreement, such as a memorandum of understanding, with such agencies;

“(iii) the institution’s plan, which shall address coordination with State and local law enforcement agencies, for the investigation of—

“(I) any felony described in subparagraph (F) of this paragraph occurring in the areas described in subparagraphs (A) through (D) of paragraph (12) of this subsection; and

“(II) a report of a missing student; and
 “(iv) policies which encourage accurate and prompt reporting of all crimes to the campus police and the appropriate police agencies;”.

26. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PATRICK MURPHY OF PENNSYLVANIA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

In section 490, after subsection (d), insert the following new subsection (and redesignate the succeeding subsection accordingly):

(e) COMMITMENT TO AND NOTICE OF TUITION LEVELS.—

(1) AMENDMENT.—Section 487(a) is further amended by adding at the end the following new paragraph:

“(29)(A) The institution will provide to each admitted student considering an undergraduate or graduate program—

“(i) a multi-year tuition and fee schedule; or

“(ii) a single-year tuition and fee schedule, and non-binding, multi-year estimate of net costs after all financial aid is awarded, assuming constant family and student income, assets, and relevant circumstances.

“(B) Multi-year schedules and estimates required by subparagraph (A)—

“(i) may include a percentage or dollar increase or decrease of any size the institution deems appropriate from one year to the next; and

“(ii) shall indicate, on a year-by-year basis, costs for the normal duration of the relevant student’s undergraduate or graduate program.

“(C) Institutions that elect a single-year tuition and fee schedule under subparagraph (A)(ii) shall include with each multi-year estimate the average deviation, in percentage terms, between previous year estimates and actual net costs for students at their institution.

“(D) The Secretary shall waive the requirements of subparagraph (A), and of the commitment made thereunder, if the institution demonstrates to the Secretary that the requirements of subparagraph (A) are not practicable because of the occurrence of one or more events causing the institution severe economic distress, dramatic reduction of State or Federal aid, or any other circumstance the Secretary deems valid.”.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall be effective on July 1, 2009.

27. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SHULER OF NORTH CAROLINA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

After section 111 of the bill, insert the following new section (and redesignate the succeeding sections accordingly):

SEC. 112. STATE HIGHER EDUCATION INFORMATION SYSTEM PILOT PROGRAM.

Part C of title I (20 U.S.C. 1015) is further amended by adding after section 135 (as added by section 111 of this Act) the following new section:

“SEC. 136. STATE HIGHER EDUCATION INFORMATION SYSTEM PILOT PROGRAM.

“(a) **PURPOSE.**—It is the purpose of this section to carry out a pilot program to assist not more than 5 States to develop State-level postsecondary student data systems to—

“(1) improve the capacity of States and institutions of higher education to generate more comprehensive and comparable data, in order to develop better-informed educational policy at the State level and to evaluate the effectiveness of institutional performance while protecting the confidentiality of students’ personally identifiable information; and

“(2) identify how to best minimize the data-reporting burden placed on institutions of higher education, particularly smaller institutions, and to maximize and improve the information institutions receive from the data systems, in order to assist institutions in improving educational practice and postsecondary outcomes.

“(b) **DEFINITION OF ELIGIBLE ENTITY.**—In this section, the term ‘eligible entity’ means—

“(1) a State higher education system; or

“(2) a consortium of State higher education systems, or a consortium of individual institutions of higher education, that is broadly representative of institutions in different sectors and geographic locations.

“(c) **COMPETITIVE GRANTS.**—

“(1) **GRANTS AUTHORIZED.**—The Secretary shall award grants, on a competitive basis, to not more than 5 eligible entities to enable the eligible entities to—

“(A) design, test, and implement postsecondary student data systems that provide the maximum benefits to States, institutions of higher education, and State policymakers; and

“(B) examine the costs and burdens involved in implementing a State-level postsecondary student data system.

“(2) **DURATION.**—A grant awarded under this section shall be for a period of not more than 3 years.

“(d) **APPLICATION REQUIREMENTS.**—An eligible entity 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 determines is necessary, including a description of—

“(1) how the eligible entity will ensure that student privacy is protected and that individually identifiable information about students, the students’ achievements, and the students’ families remains confidential in accordance with the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. 1232g); and

“(2) how the activities funded by the grant will be supported after the 3-year grant period.

“(e) USE OF FUNDS.—A grant awarded under this section shall be used to—

“(1) design, develop, and implement the components of a comprehensive postsecondary student data system with the capacity to transmit student information within States;

“(2) improve the capacity of institutions of higher education to analyze and use student data;

“(3) select and define common data elements, data quality, and other elements that will enable the data system to—

“(A) serve the needs of institutions of higher education for institutional research and improvement;

“(B) provide students and the students’ families with useful information for decision-making about postsecondary education;

“(C) provide State policymakers with improved information to monitor and guide efforts to improve student outcomes and success in higher education;

“(4) estimate costs and burdens at the institutional level for reporting to the postsecondary student data system; and

“(5) test the feasibility of protocols and standards for maintaining data privacy and data access.

“(f) EVALUATION; REPORTS.—Not later than 6 months after the end of the projects funded by grants awarded under this section, the Secretary shall—

“(1) conduct a comprehensive evaluation of the pilot program authorized by this section; and

“(2) report the Secretary’s findings, as well as recommendations regarding the implementation of State-level postsecondary student data systems to the authorizing committees.

“(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal year 2009 and each of the 4 succeeding fiscal years.”.

