

AMENDMENT TO H.R. 4137
OFFERED BY MR. GEORGE MILLER OF
CALIFORNIA

Manager's amendment

Page 12, beginning on line 9, strike subsection (b) and insert the following:

1 (b) INTERNATIONAL MEDICAL SCHOOLS.—Section
2 102(a)(2)(A) (20 U.S.C. 1002(a)(2)(A)) is amended—

3 (1) in the first sentence, by inserting “nursing
4 school,” after “graduate medical school,”;

5 (2) in clause (i)—

6 (A) by striking “or” at the end of sub-
7 clause (I); and

8 (B) by striking subclause (II) and insert-
9 ing the following new subclauses:

10 “(II) the institution has or had a
11 clinical training program that was ap-
12 proved by a State as of January 1,
13 1992, and continues to operate a clin-
14 ical training program in at least one
15 State, which is approved by that
16 State; or

17 “(III) that institution—

1 “(aa) has a clinical training
2 program that was approved by a
3 State before January 1, 2008;

4 “(bb) certifies only unsub-
5 sidized Stafford or PLUS loans
6 to graduate and professional stu-
7 dents attending the institution;

8 “(cc) agrees to reimburse
9 the Secretary for the cost of any
10 loan defaults for students in-
11 cluded in the institution’s cohort
12 default rate during the previous
13 fiscal year; or”;

14 (3) by striking the period at the end of clause
15 (ii) and inserting “; or”;

16 (4) by adding at the end the following new
17 clause:

18 “(iii) in the case of a nursing school
19 located outside of the United States, if the
20 institution—

21 “(I) has agreements with hos-
22 pitals and eligible nursing schools lo-
23 cated in the United States;

1 “(II) has students complete their
2 clinical training at such hospitals and
3 eligible nursing schools;

4 “(III) certifies only unsubsidized
5 Stafford and PLUS loans for students
6 attending the institution; and

7 “(IV) agrees to reimburse the
8 Secretary for the cost of any loan de-
9 faults to the extent that the institu-
10 tion’s cohort default rate exceeds 5
11 percent.”.

Page 27, line 4, strike “Section 114” and insert the following:

12 (a) AMENDMENT.—Section 114

Page 31, beginning on line 20, strike paragraph (3) (and redesignate the succeeding paragraph accordingly).

Page 33, after line 18, insert the following new subsection:

13 (b) EFFECTIVE DATE.—The amendment made by
14 subsection (a) shall be effective January 1, 2009.

Page 37, strike lines 10 through 17 and insert the following:

1 “(a) MAINTENANCE OF EFFORT REQUIRED.—A
2 State shall provide for public institutions of higher edu-
3 cation in such State for any academic year beginning on
4 or after July 1, 2008, an amount which is—

5 “(1) equal to or greater than the average
6 amount provided by such State to such institutions
7 of higher education during the 5 most recent pre-
8 ceding academic years for which satisfactory data
9 are available, or

10 “(2) equal to or greater than the amount pro-
11 vided by such State to such institutions of higher
12 education during the preceding academic year.”.

Page 37, line 22, strike “and unforeseen”, and on
line 23, strike “State educational agency” and insert
“State or State educational agency, as appropriate”.

Page 43, beginning on line 9, strike “in paper form
and through the website of the Department”.

Page 48, line 5, strike “college information website”
and insert “College Navigator”.

Page 62, line 8, strike the close quotation marks
and following period and after such line insert the fol-
lowing:

13 “(g) EFFECTIVE DATE.—This section is effective on
14 and after July 1, 2008.”.

Page 65, line 19, before “that participates” insert “under part B of title IV”.

Page 66, beginning on line 1, strike subsection (b) (and redesignate the succeeding subsection accordingly).

Page 78, line 24, insert a period after “loans”.

Page 82, line 18, strike “or”, and after such line insert the following new subparagraph (and redesignate the succeeding subparagraph accordingly):

1 “(B) an officer, employee or agent of a
2 covered institution who is not employed in the
3 financial aid office but who has responsibility
4 with respect to educational loans as a result of
5 a position held at the covered institution, from
6 paid or unpaid service on a board of directors
7 of a lender, guarantor, or servicer of edu-
8 cational loans, provided that the covered insti-
9 tution has a written conflict of interest policy
10 that clearly sets forth that such an officer, em-
11 ployee, or agent must be recused from partici-
12 pating in any decision of the board with respect
13 to any transaction regarding educational loans;
14 or

Page 82, line 22, strike “trustees” and insert “serv-
ing as a trustee”.

Page 84, on line 10, strike “or”; on line 16, strike the period and insert “; or”; and after line 16, insert the following new subparagraph:

1 “(C) staffing services on a short-term, non-re-
2 curring basis to assist the institution with financial
3 aid-related functions during emergencies, including
4 State- or Federally-declared natural disasters, Fed-
5 erally-declared national disasters, and other localized
6 disasters and emergencies identified by the Sec-
7 retary.”.

Page 103, after line 4, insert the following new section:

8 **“SEC. 200A. RULE OF CONSTRUCTION.**

9 “Nothing in this title shall be construed to alter or
10 otherwise affect the rights, remedies, and procedures af-
11 forded to the employees of local educational agencies
12 under Federal, State, or local laws (including applicable
13 regulations or court orders) or under the terms of collec-
14 tive bargaining agreements, memoranda of understanding,
15 or other agreements between such employees and their em-
16 ployers, including, but not limited to, the right of employ-
17 ees of local educational agencies to engage in collective
18 bargaining with their employers.

Page 104, line 9, insert before the semicolon the following: “or a teacher professional development program within such partner institution”.

Page 105, after line 12, insert the following new clause:

1 “(xiii) A program focused on alter-
2 native routes to State certification of
3 teachers.

Page 110, line 5, insert “section 614(d)(1)(B) of” after “defined in”.

Page 110, after line 6, insert the following new subparagraph (and redesignate the succeeding subparagraphs accordingly):

4 “(F) how the partnership will prepare gen-
5 eral education and special education teachers to
6 teach students with limited English proficiency;

Page 116, line 3, insert “section 614(d)(1)(B) of” after “defined in”.

Page 120, beginning on line 11, strike “designated by the Secretary”.

Page 126, after line 24, insert the following new clause:

1 “(viii) Admission goals and priorities
2 which may include consideration of appli-
3 cants who reflect the communities in which
4 they will teach as well as consideration of
5 individuals from underrepresented popu-
6 lations in the teaching profession.

Page 139, line 20, insert “section 614(d)(1)(B) of”
after “defined in”.

Page 139, line 21, insert before the period the fol-
lowing: “, and to effectively teach students with limited
English proficiency”.

Page 145, line 3, insert “section 614(d)(1)(B) of”
after “defined in”.

Page 145, after line 11, insert the following new
subparagraph:

7 “(L) A description of the activities that
8 prepare general education and special education
9 teachers to effectively teach students with lim-
10 ited English proficiency.

Page 154, strike lines 14 and 15 and insert the fol-
lowing: “this part \$300,000,000 for fiscal year 2009 and
such sums as may be necessary for each of the 2 suc-
ceeding fiscal years”.

Page 157, line 12, strike “transform” and insert “transforms”.

Page 181, beginning on line 14, strike “(including a program authorized under section 619 or part C of the Individuals with Disabilities Education Act)”.

Page 181, line 25, strike “or”; on page 182, line 2, strike the period and insert “; or”; and on page 182, after line 2, insert the following:

1 “(4) a program authorized under section 619 or
2 part C of the Individuals with Disabilities Education
3 Act.

Page 192, beginning on line 10, strike “related to the skills teachers need to be highly qualified” and insert “to improve teaching skills, including skills related to working with diverse populations”.

Page 192, strike line 18 and insert “for general and special education teachers in working with diverse populations, utilizing the principles of universal design for learning, assessments in the”.

Page 193, line 12, strike “and”, and after such line insert the following new subclause (and redesignate the succeeding subclause accordingly):

1 (I) individuals or organizations
2 with expertise in working with diverse
3 populations, including students with
4 disabilities and limited English pro-
5 ficient students; and

Page 224, line 20, insert “(a) Amounts.—” before
“Section 331(b)”, and after line 24 insert the following
new subsection:

6 (b) TECHNICAL ASSISTANCE.—Section 331 (20
7 U.S.C. 1065) is further amended by adding at the end
8 the following new subsection:

9 “(1) TECHNICAL ASSISTANCE.—The Secretary, di-
10 rectly or by grant or contract, may provide technical as-
11 sistance to eligible institutions to prepare the institutions
12 to qualify, apply for, and maintain a grant, under this sec-
13 tion.”.

Page 224, after line 24, insert the following new sec-
tion (and redesignate succeeding sections accordingly):

14 **SEC. 308. LIMITATIONS ON FEDERAL INSURANCE FOR**
15 **BONDS ISSUED BY THE DESIGNATED BOND-**
16 **ING AUTHORITY.**

17 Section 344(a) (20 U.S.C. 1066c(a)) is amended—

18 (1) by striking “\$375,000,000” and inserting
19 “\$1,100,000,000”;

- 1 (2) by striking “\$250,000,000” and inserting
2 “\$733,333,333”; and
3 (3) by striking “\$125,000,000” and inserting
4 “\$366,666,666”.

Page 229, strike lines 5 and 6 and insert the following:

- 5 (2) in paragraph (4)—
6 (A) by inserting “to include public institutions of higher education” after “organizations,”;
7 (B) by striking “or” at the end of subparagraph (D);
8 (C) by striking the period at the end of subparagraph (E) and inserting “; or”;
9 (D) by adding at the end the following new
10 subparagraph:
11 “(F) institutions of higher education which
12 have State-approved centers for research in
13 science, engineering, and mathematics; or”;
14 “(F) institutions of higher education which
15 have State-approved centers for research in
16 science, engineering, and mathematics; or”;
17 “(F) institutions of higher education which
18 have State-approved centers for research in
19 science, engineering, and mathematics; or”;

Page 237, line 10, strike subsection (a) and redesignate the succeeding subsections accordingly.

Page 237, line 25, strike “is authorized” and insert “shall”, and on page 238, line 2, strike “to”.

Page 242, lines 11 and 13, strike “one academic year” and insert “two academic years”.

Page 261, beginning on line 13, strike subparagraph (C) and insert the following:

- 1 (C) in subsection (c)—
- 2 (i) in the matter preceding paragraph
- 3 (1), by striking “grade 12 who is eligible”
- 4 and inserting “grade 12, and may consider
- 5 a student in the first year of attendance at
- 6 an institution, who is”;
- 7 (ii) in paragraph (1), by inserting “el-
- 8 ible” before “to be counted”;
- 9 (iii) in paragraph (2), by inserting
- 10 “eligible” before “for free”, and by strik-
- 11 ing “or”;
- 12 (iv) in paragraph (3), by inserting “el-
- 13 ible” before “for assistance”, and by
- 14 striking the period and inserting a semi-
- 15 colon; and
- 16 (v) by adding at the end the following
- 17 new paragraphs:
- 18 “(4) in foster care; or
- 19 “(5) a homeless or unaccompanied youth as de-
- 20 fined in section 725 of the McKinney-Vento Home-
- 21 less Assistance Act.”.

Page 270, line 12, insert “and” after “State”, and on line 14, strike “State, and” and insert “State, or”.

Page 276, line 3, insert “(as defined in section 102)” after “higher education”.

Page 316, strike lines 11 through 18 and insert the following:

1 “(A) Notwithstanding any other provision
2 of law or regulation, if requested by an institu-
3 tion of higher education or a third party
4 servicer (as defined in 481(c)) working on be-
5 half of such institution to prevent student loan
6 defaults for borrowers who currently attend or
7 previously attended such institution, a lender,
8 secondary market, holder, or guaranty agency
9 shall provide, free of charge and in a timely and
10 effective manner, any student loan information
11 pertaining to loans made under this title to
12 such borrowers maintained by that entity, pro-
13 vided that the information requested is for a
14 borrower who currently attends or had pre-
15 viously attended such institution.”.

Page 317, line 16, strike “and” and after such line insert the following new clause (and redesignate the succeeding clause accordingly):

1 “(iii) shall not share the information
2 with, or transfer the information to, enti-
3 ties other than the borrower or the institu-
4 tion of higher education referenced in sub-
5 paragraph (A); and

Page 330, after line 23, insert the following new sections (and redesignate the succeeding sections accordingly):

6 **SEC. 425. LOAN REPAYMENT FOR CIVIL LEGAL ASSISTANCE**
7 **ATTORNEYS.**

8 Part B of title IV (20 U.S.C. 1071 et seq.) is amend-
9 ed by inserting after section 428K the following new sec-
10 tion:

11 **“SEC. 428L. LOAN REPAYMENT FOR CIVIL LEGAL ASSIST-**
12 **ANCE ATTORNEYS.**

13 “(a) PURPOSE.—The purpose of this section is to en-
14 courage qualified individuals to enter and continue em-
15 ployment as civil legal assistance attorneys.

16 “(b) DEFINITIONS.—In this section:

17 “(1) CIVIL LEGAL ASSISTANCE ATTORNEY.—
18 The term ‘civil legal assistance attorney’ means an
19 attorney who—

20 “(A) is a full-time employee of a nonprofit
21 organization that provides legal assistance with

1 respect to civil matters to low-income individ-
2 uals without a fee;

3 “(B) as such employee, provides civil legal
4 assistance as described in subparagraph (A) on
5 a full-time basis; and

6 “(C) is continually licensed to practice law.

7 “(2) STUDENT LOAN.—The term ‘student loan’
8 means—

9 “(A) subject to subparagraph (B), a loan
10 made, insured, or guaranteed under part B, D,
11 or E of this title; and

12 “(B) a loan made under section 428C or
13 455(g), to the extent that such loan was used
14 to repay—

15 “(i) a Federal Direct Stafford Loan, a
16 Federal Direct Unsubsidized Stafford
17 Loan, or a Federal Direct PLUS Loan;

18 “(ii) a loan made under section 428,
19 428B, or 428H; or

20 “(iii) a loan made under part E.

21 “(c) PROGRAM AUTHORIZED.—The Secretary shall
22 carry out a program of assuming the obligation to repay
23 a student loan, by direct payments on behalf of a borrower
24 to the holder of such loan, in accordance with subsection
25 (d), for any borrower who—

1 “(1) is employed as a civil legal assistance at-
2 torney; and

3 “(2) is not in default on a loan for which the
4 borrower seeks repayment.

5 “(d) TERMS OF AGREEMENT.—

6 “(1) IN GENERAL.—To be eligible to receive re-
7 payment benefits under subsection (c), a borrower
8 shall enter into a written agreement with the Sec-
9 retary that specifies that—

10 “(A) the borrower will remain employed as
11 a civil legal assistance attorney for a required
12 period of service of not less than 3 years, unless
13 involuntarily separated from that employment;

14 “(B) if the borrower is involuntarily sepa-
15 rated from employment on account of mis-
16 conduct, or voluntarily separates from employ-
17 ment, before the end of the period specified in
18 the agreement, the borrower will repay the Sec-
19 retary the amount of any benefits received by
20 such employee under this agreement;

21 “(C) if the borrower is required to repay
22 an amount to the Secretary under subpara-
23 graph (B) and fails to repay such amount, a
24 sum equal to that amount shall be recoverable
25 by the Federal Government from the employee

1 by such methods as are provided by law for the
2 recovery of amounts owed to the Federal Gov-
3 ernment;

4 “(D) the Secretary may waive, in whole or
5 in part, a right of recovery under this sub-
6 section if it is shown that recovery would be
7 against equity and good conscience or against
8 the public interest; and

9 “(E) the Secretary shall make student loan
10 payments under this section for the period of
11 the agreement, subject to the availability of ap-
12 propriations.

13 “(2) REPAYMENTS.—

14 “(A) IN GENERAL.—Any amount repaid
15 by, or recovered from, an individual under this
16 subsection shall be credited to the appropriation
17 account from which the amount involved was
18 originally paid.

19 “(B) MERGER.—Any amount credited
20 under subparagraph (A) shall be merged with
21 other sums in such account and shall be avail-
22 able for the same purposes and period, and sub-
23 ject to the same limitations, if any, as the sums
24 with which the amount was merged.

25 “(3) LIMITATIONS.—

1 “(A) STUDENT LOAN PAYMENT
2 AMOUNT.—Student loan repayments made by
3 the Secretary under this section shall be made
4 subject to such terms, limitations, or conditions
5 as may be mutually agreed upon by the bor-
6 rower and the Secretary in an agreement under
7 paragraph (1), except that the amount paid by
8 the Secretary under this section shall not ex-
9 ceed—

10 “(i) \$6,000 for any borrower in any
11 calendar year; or

12 “(ii) an aggregate total of \$40,000 in
13 the case of any borrower.

14 “(B) BEGINNING OF PAYMENTS.—Nothing
15 in this section shall authorize the Secretary to
16 pay any amount to reimburse a borrower for
17 any repayments made by such borrower prior to
18 the date on which the Secretary entered into an
19 agreement with the borrower under this sub-
20 section.

21 “(e) ADDITIONAL AGREEMENTS.—

22 “(1) IN GENERAL.—On completion of the re-
23 quired period of service under an agreement under
24 subsection (d), the borrower and the Secretary may,

1 subject to paragraph (2), enter into an additional
2 agreement in accordance with subsection (d).

3 “(2) TERM.—An agreement entered into under
4 paragraph (1) may require the borrower to remain
5 employed as a civil legal assistance attorney for less
6 than 3 years.

7 “(f) AWARD BASIS; PRIORITY.—

8 “(1) AWARD BASIS.—Subject to paragraph (2),
9 the Secretary shall provide repayment benefits under
10 this section on a first-come, first-served basis, and
11 subject to the availability of appropriations.

12 “(2) PRIORITY.—The Secretary shall give pri-
13 ority in providing repayment benefits under this sec-
14 tion in any fiscal year to a borrower who—

15 “(A) has practiced law for 5 years or less
16 and, for at least 90 percent of the time in such
17 practice, has served as a civil legal assistance
18 attorney;

19 “(B) received repayment benefits under
20 this section during the preceding fiscal year;
21 and

22 “(C) has completed less than 3 years of
23 the first required period of service specified for
24 the borrower in an agreement entered into
25 under subsection (d).

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

4 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
5 are authorized to be appropriated to carry out this section
6 \$10,000,000 for fiscal year 2009 and such sums as may
7 be necessary for each of the 4 succeeding fiscal years.”.

8 **SEC. 426. DELINQUENCY PREVENTION, DEFAULT AVER-**
9 **SION, AND CONSUMER EDUCATION INFORMA-**
10 **TION PROGRAMS.**

11 Part B of title IV is further amended by inserting
12 after section 433 (20 U.S.C. 1083) the following new sec-
13 tion:

14 **“SEC. 433A. DELINQUENCY PREVENTION, DEFAULT AVER-**
15 **SION, AND CONSUMER EDUCATION INFORMA-**
16 **TION PROGRAMS.**

17 “(a) GUARANTY AGENCY DUTY.—Each guaranty
18 agency, with respect to loans insured by the agency, shall
19 develop specific programs designed to prevent delin-
20 quencies and avert defaults.

21 “(b) TRAINING FOR STUDENTS AND FAMILIES.—
22 Each guaranty agency, after consulting with institutions
23 of higher education (including institutions of higher edu-
24 cation participating in the William Ford Direct Loan Pro-
25 gram), shall develop and make available high quality edu-

1 cational programs and materials to provide training for
2 students and families in budgeting and financial manage-
3 ment, including debt management and other aspects of fi-
4 nancial literacy, such as the cost of using high interest
5 loans to pay for postsecondary education. Such programs
6 and materials shall address budgeting and financial man-
7 agement relating to student loans, and shall be made
8 available to students and families, in a form and language
9 that is understandable, before, during, and after the stu-
10 dents' enrollment.

11 “(c) RULE OF CONSTRUCTION.—Nothing in this sec-
12 tion shall be construed to prohibit a guaranty agency from
13 using existing activities, programs, and materials in meet-
14 ing the requirements of this section.”.

Page 333, line 16, insert before the period the fol-
lowing: “and activities in preparation for and during
emergencies and natural disasters”.

Page 355, beginning on line 24, strike “Not later
than” through “2007, the” on page 356, line 1, and in-
sert “The”.

Page 377, line 22, strike “subsection (a)” and insert
“subsections (a), (c), and (d)” and on line 23, strike
“subparts 1 and” and insert “section 401 and subpart”.

page 378, line 16, strike “for” and insert “to support”.

Page 379, line 16, strike “and”, on line 18, strike the period and insert “; and”, and after line 18 insert the following flush sentence:

1 “Notwithstanding rules applicable to grant or work assist-
2 ance awards made under section 401 of part A, subpart
3 3 of part A, and part C of this title, including with respect
4 to eligible programs, instructional time, credit status, and
5 enrollment status as described in section 481, the Sec-
6 retary shall promulgate regulations allowing programs en-
7 rolling students with intellectual disabilities otherwise de-
8 termined to be eligible under this subsection to receive
9 such awards.”.

Page 384, line 5, strike the period and insert “; and” and after such line insert the following:

10 (3) by adding at the end the following new sub-
11 paragraph:

12 “(J) A statement of current campus poli-
13 cies regarding immediate emergency response
14 and evacuation procedures, including the use of
15 electronic and cellular communication (if appro-
16 priate), which shall include procedures—

1 “(i) to notify the campus community
2 in not more than 30 minutes in the event
3 of a significant emergency or dangerous
4 situation, involving an immediate threat to
5 the health or safety of students or staff,
6 occurring on the campus, in or on noncam-
7 pus buildings or property, and on public
8 property;

9 “(ii) to publicize emergency response
10 and evacuation procedures on an annual
11 basis in a manner designed to reach stu-
12 dents and staff; and

13 “(iii) to test emergency response and
14 evacuation procedures on an annual
15 basis.”.

16 (b) **ADDITIONAL AMENDMENT.**—Section 485(f) is
17 further amended—

18 (1) by redesignating paragraph (15) as para-
19 graph (18); and

20 (2) by inserting after paragraph (14) the fol-
21 lowing:

22 “(15) **COMPLIANCE REPORT.**—The Secretary
23 shall annually report to the authorizing committees
24 regarding compliance with this subsection by institu-
25 tions of higher education, including an up-to-date re-

1 port on the Secretary's monitoring of such compli-
2 ance.

3 “(16) BEST PRACTICES.—The Secretary may
4 seek the advice and counsel of the Attorney General
5 concerning the development, and dissemination to
6 institutions of higher education, of best practices in-
7 formation about campus safety and emergencies.

8 “(17) RETALIATION PROHIBITED.—No partici-
9 pating institution or officer, employee, or agent of
10 the institution shall intimidate, threaten, coerce, or
11 otherwise discriminate against any individual for the
12 purpose of interfering with the implementation of
13 any provision of this subsection, or any rights or
14 privileges accorded under this subsection, or because
15 the individual has complained, testified, assisted, or
16 otherwise participated in any aspect of an investiga-
17 tion, proceeding, or hearing.”.

Page 384, lines 6 and 7, strike “DISCLOSURE OF
TRANSFER OF CREDIT POLICIES; FIRE SAFETY” and in-
sert “ADDITIONAL REQUIREMENTS”; and on page 390,
line 8, strike the close quotations mark and following pe-
riod and after such line insert the following new sub-
section:

18 “(j) MISSING PERSON PROCEDURES.—

1 “(1) FORM AND PROTOCOLS.—Each institution
2 of higher education participating in any program
3 under this title shall—

4 “(A) include on its form for registration or
5 enrollment of students an item in which the
6 student can elect to identify an individual to be
7 notified and police to be notified by the univer-
8 sity within 24 hr of when a student is reported
9 missing to the university, and

10 “(B) establish protocols for missing stu-
11 dents that—

12 “(i) any missing person report relat-
13 ing to any student be referred to the insti-
14 tution’s police or campus security depart-
15 ment; and

16 “(ii) if, on investigation of the report,
17 such department determines that the miss-
18 ing person has been missing for more than
19 24 hours—

20 “(I) such department shall refer
21 to item on the registration document
22 required under subparagraph (A) and
23 contact the individual named by the
24 student in such item; and

1 “(II) if the student is under 18
2 years of age, the institution of higher
3 education shall automatically contact
4 the parents of such student.

5 “(2) WAIVER.—The item required by paragraph
6 (1)(A) shall explicitly and prominently state that by
7 identifying an individual to contact in the case of
8 disappearance, the student waives any right to sue
9 based on Federal or State privacy law in the event
10 that a missing persons notification is made to the in-
11 dividual named by such student in such item.

12 “(3) ADDITIONAL REMEDIES PERMITTED.—
13 Nothing in this subsection shall be construed to pre-
14 vent or discourage an institution of higher education
15 from taking additional measures with respect to
16 missing students beyond those required by this sub-
17 section.”.

Page 390, line 17, insert “public” before “institu-
tions”.

Page 394, beginning on line 7, strike “In the case”
through “the institution will” on line 10, and insert “A
covered institution that has entered into a preferred lend-
er arrangement will”.

Page 399, line 5, insert “, upon request,” after “institution will”.

Page 399, line 24, strike “The institution will,” and insert “A proprietary institution of higher education (as defined in section 102(b)) will,”.

Page 400, line 10, strike “an institution” and insert “a proprietary institution of higher education”.

Page 401, after line 9, insert the following new clause:

1 “(iii) funds paid by a student, or on
2 behalf of a student by a party other than
3 the institution, for an education or training
4 program that is not eligible for funds
5 under this title, provided that the program
6 is approved or licensed by the appropriate
7 State agency and is accredited by an ac-
8 crediting agency recognized by the Sec-
9 retary;

Page 405, after line 18, insert the following new subsection:

10 (d) COMPUTER DISPOSAL.—Section 487(a) is further
11 amended by adding at the end the following new para-
12 graph:

1 “(28)(A) The institution of higher education
2 will establish a policy on the disposal or disposition
3 (including selling, donating, returning upon lease
4 end, or destroying by recycling), of all technology as-
5 sets which may have personal and sensitive data of
6 students. Such policy may include a forensic scrub
7 that ensures total destruction of data on the tech-
8 nology assets and include a designated for disposal
9 or disposition, transfer ownership and liability from
10 that institution to State and federally approved recy-
11 clers or de-manufacturers of such equipment.

12 “(B) For purposes of this paragraph, the term
13 ‘technology assets’ means a computer central proc-
14 essing unit, monitor, printer, router, server, periph-
15 eral devices (such as switches, hubs, and systems),
16 firewalls, telephones, or other simple network devices
17 or single piece of information technology equip-
18 ment.”.

Page 407, beginning on line 6, strike paragraph (1)
and insert the following:

19 (1) by amending paragraph (1) to read as fol-
20 lows:

21 “(1) IN GENERAL.—The Secretary shall con-
22 tinue the voluntary participation of any experimental
23 sites in existence as of July 1, 2007, unless the Sec-

1 retary determines that such site’s participation has
2 not been successful in carrying out the purposes of
3 this section. Any activities approved by the Secretary
4 prior to such date that have not been successful in
5 carrying out the purposes of this section shall be dis-
6 continued not later than June 30, 2009.”.

Page 413, strike lines 15 through 17 and insert the following:

- 7 (1) in subsection (a)—
8 (A) in paragraph (4)—
9 (i) by striking “(4) such agency” and
10 insert “(4)(A) such agency”;
11 (ii) by insert “and” after the semi-
12 colon at the end; and
13 (iii) by adding at the end the fol-
14 lowing new subparagraph:

Page 413, line 18, strike “(4)” and insert “(B)”.

Page 413, line 24, strike “(A)” and insert “(i)”.

Page 414, lines 1 and 2, strike “section 496(a)(5)”
and insert “paragraph (5)”.

Page 414, line 8, strike “(B)” and insert “(ii)”.

Page 415, beginning on line 19, strike “or place-
ment on probation of an institution,”.

Page 416, beginning on line 16, strike “or placement on probation of an institution,”.

Page 417, beginning on line 6, strike paragraph (2) and insert the following:

1 (2) in subsection (c)—

2 (A) in paragraph (1), by inserting “, including those regarding distance education”
3 after “their responsibilities”;

4 (B) by redesignating paragraphs (2)
5 through (6) as paragraphs (4) through (8); and

6 (C) by inserting after paragraph (1) (as
7 amended by subparagraph (A)) the following:

8 “(2) monitors the growth of programs at insti-
9 tutions that are experiencing significant enrollment
10 growth;

11 “(3) requires an institution to submit a teach-
12 out plan for approval to the accrediting agency upon
13 the occurrence of any of the following events:

14 “(A) The Department notifies the accred-
15 iting agency of an action against the institution
16 pursuant to section 487(d).

17 “(B) The accrediting agency acts to with-
18 draw, terminate, or suspend the accreditation of
19 an institution.
20

1 “(C) The institution notifies the accred-
2 iting agency that the institution intends to
3 cease operations.”;

Page 439, line 4, strike “(c)(1)(D)” and insert
“(c)(2)(E)”.

Page 439, strike lines 8 and 9 and insert the fol-
lowing:

4 (3) in subsection (c)(2)—
5 (A) by striking “and” at the end of sub-
6 paragraph (E); and
7 (B) by inserting the following new sub-
8 paragraph after subparagraph (E) (and redesign-
9 nating the succeeding subparagraph):

Page 439, line 10, redesignate subparagraph (A) as
subparagraph (F), and on line 17, strike “industry;”;
and insert “industry; and”; and”.

Page 441, line 9, strike “organizations and the” and
insert “organizations, the international commercial serv-
ice, and the”; and on line 21, insert “minority” before
“students”.

Page 460, strike lines 5 through 10 and insert the
following:

1 (1) by amending subsection (b) to read as fol-
2 lows:

3 “(b) DESIGNATION OF AREAS OF NATIONAL
4 NEED.—After consultation with appropriate Federal and
5 nonprofit agencies and organizations, including the Na-
6 tional Science Foundation, the Department of Defense,
7 the Department of Homeland Security, the National Acad-
8 emy of Sciences, and the Bureau of Labor Statistics, the
9 Secretary shall designate areas of national need. In mak-
10 ing such designations, the Secretary shall take into consid-
11 eration—

12 “(1) the extent to which the interest in the area
13 is compelling;

14 “(2) the extent to which other Federal pro-
15 grams support postbaccalaureate study in the area
16 concerned;

17 “(3) an assessment of how the program may
18 achieve the most significant impact with available re-
19 sources;

20 “(4) an assessment of current and future pro-
21 fessional workforce needs of the United States; and

22 “(5) the priority described in subsection (c).”.

Page 463, after line 2, insert the following new sub-
sections (and redesignate the succeeding subsections ac-
cordingly):

1 (a) PROGRAM AUTHORITY.—Section 721(a) (20 USC
2 1136(a)) is amended—

3 (1) by inserting “middle and high school” after
4 “disadvantaged”;

5 (2) by striking the period at the end of the sen-
6 tence and inserting “and admission to law practice”.

7 (b) ELIGIBILITY.—Section 721(b) (20 USC 1136(b))
8 is amended by inserting “middle and high school or” be-
9 fore “college student”.

Page 463, after line 4, insert the following new paragraph (and redesignate the succeeding paragraphs accordingly):

10 (1) by inserting “middle and high school stu-
11 dents” after “identify” in paragraph (1);

Page 498, line 11, strike “There is established” and insert “The Secretary shall establish”.

Page 498, beginning on line 17, strike “be composed of at least one, but not more than two, representatives” and insert “include one representative”.

Page 498, after line 24, insert the following new clause (and redesignate the succeeding clauses accordingly):

1 “(iii) Department of Education Of-
2 fice for Civil Rights.

Page 500, strike lines 16 through 22 and insert the following:

3 “(iii) Developers of accessibility and
4 publishing software and supporting tech-
5 nologies.

Page 501, line 8, strike “print disabilities” and insert “learning disabilities related to reading”.

Page 501, after line 10, insert the following:

6 “(C) The Commission shall include at least
7 two, but not more than three, representatives as
8 appointed by the Secretary, of national mem-
9 bership organizations representing individuals
10 with print disabilities, including each of the fol-
11 lowing:

12 “(i) Individuals with visual impair-
13 ments.

14 “(ii) Individuals with learning disabil-
15 ities related to reading.

Page 501, line 25, after the period insert “Meetings shall be publicly announced in advance and open to the public.”.

Page 502, line 17, strike “such study” and insert “the development of a comprehensive approach that will ensure that post-secondary students with print disabilities can access instructional materials in specialized formats in a timeframe comparable to the availability of standard instructional materials for students without disabilities”.

Page 503, line 3, insert “and the Technical Assistance and Development Centers” after “Advisory Council”, and on lines 4 through 6, strike everything after “Access Centers” and insert a semicolon.

Page 505, after line 6, insert the following new clause (and redesignate the succeeding clauses accordingly):

- 1 “(iv) the feasibility of including the
- 2 national activities described in clause (iii)
- 3 in the duties of the center described in sec-
- 4 tion 766;

Page 506, line 8, insert before the period the following: “, in order to implement the development of a comprehensive approach that will ensure that post-secondary students with print disabilities can access instructional materials in specialized formats in a timeframe comparable to the availability of standard instructional materials for students without disabilities.”.

Page 506, line 21, strike “and”, on line 23, strike the period and insert “; and”, and after such line insert the following new subparagraph:

1 “(F) participants in the Model Demonstra-
2 tion Programs to Support Improved Access to
3 Postsecondary Instructional Materials for Stu-
4 dents with Print Disabilities, as decribed in sec-
5 tion 766B.

Page 510, line 4, insert “public or” before “private”.

Page 512, line 5, strike “and” and after such line insert the following new paragraph (and redesignate the succeeding paragraphs accordingly):

6 “(8) evaluation of the effectiveness of the
7 model; and

Page 514, line 23, strike “distributiou” and insert “distribution”.

Page 518, strike lines 4 through 8 and insert the following:

8 (1) serves students with intellectual disabilities,
9 as defined by paragraphs (1) through (4) of section
10 484(s);

Page 580, line 15, insert “or other organization or association that recognizes accrediting agencies” before “as a valid”.

Page 602, line 15, strike “during” and insert “on or after”.

Page 604, beginning on line 7, strike “(including” through “1974)” on line 9.

Page 656, beginning on line 18, strike “Secretary shall enter into a contract with the National Academy of Sciences to” and insert “Comptroller General shall”.

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

1 **SEC. 810. STUDY OF CORRECTIONAL POSTSECONDARY**

2 **EDUCATION.**

3 (a) **STUDY REQUIRED.**—The Secretary of Education
4 shall—

5 (1) conduct a longitudinal study to assess the
6 effects of correctional postsecondary education
7 that—

8 (A) employs rigorous empirical methods
9 that control for self-selection bias;

10 (B) measures a range of outcomes, includ-
11 ing those related to employment and earnings,
12 recidivism, engaged citizenship, impact on fami-

1 lies of the incarcerated, and impact on the cul-
2 ture of the correctional institution;

3 (C) examines different delivery systems of
4 postsecondary education, such as on-site and
5 distance learning; and

6 (D) includes a projected cost-benefit anal-
7 ysis of the Federal investment in terms of re-
8 duction of future offending, reduction of future
9 prison costs (construction and operational), in-
10 creased tax payments by formerly incarcerated
11 individuals, a reduction of welfare and other so-
12 cial service costs for successful formerly incar-
13 cerated individuals, and increased costs from
14 the employment of formerly incarcerated indi-
15 viduals; and

16 (2) make specific recommendations to the Con-
17 gress and the relevant State agencies responsible for
18 correctional education, such as the State super-
19 intendants of education and State secretaries of Cor-
20 rections, on best approaches to increase correctional
21 education and its effectiveness.

22 (b) SUBMISSION OF REPORTS.—Not later than 3
23 years after the date of enactment of this Act, the Sec-
24 retary shall submit an interim report on the progress of
25 the study required by subsection (a)(1) to the authorizing

1 committees (as defined in section 103 of the Higher Edu-
2 cation Act of 1965 (20 U.S.C. 1003). Not later than 7
3 years after the date of enactment of this Act, the Sec-
4 retary shall submit a final report, together with the rec-
5 ommendations required by subsection (a)(3), to the au-
6 thorizing committees.

7 **SEC. 811. NATIONAL UNDERGRADUATE FELLOWS PRO-**
8 **GRAM.**

9 (a) PROGRAM AUTHORIZED.—The Secretary is au-
10 thorized to provide grants, on a competitive basis, to insti-
11 tutions of higher education (as defined in section 102) to
12 support a National Undergraduate Fellows program.

13 (b) PURPOSE OF GRANTS.—Grants under this section
14 shall be provided to enable administrators (including stu-
15 dent affairs administrators)—

16 (1) to improve post-secondary degree comple-
17 tion rates of current underrepresented students
18 through mentoring, a leadership institute, an intern-
19 ship, and funding to attend regional and national
20 higher education administration conferences;

21 (2) to increase the retention and success rates
22 of not only current students, but future generations
23 of underrepresented college students, by encouraging
24 them to pursue a career in higher education or stu-
25 dent affairs; and

1 (3) to increase the quality and number of
2 underrepresented higher education and student af-
3 fairs administrators able to provide much needed
4 student support services to students.

5 (c) USES OF FUNDS.—Grantees under this section
6 may use the funds to provide—

7 (1) staffing support for the program, which
8 may include a higher education administrator as a
9 mentor;

10 (2) summer internship opportunities focusing
11 on higher education administration, at an institution
12 other than their own;

13 (3) a summer leadership institute participation
14 opportunity for self reflection, leadership skill build-
15 ing, graduate school preparation, and career develop-
16 ment; and

17 (4) as needed, support to attend regional and
18 national higher education conferences for additional
19 leadership and professional development.

20 (d) ON-GOING SUPPORT FOR THE FELLOWS PRO-
21 GRAM.—From the funds appropriated in section 800 of
22 the Higher Education Act of 1965, the Secretary shall
23 award a grant, on a competitive basis, to a national orga-
24 nization to enable such organization to support the estab-

1 lishment and ongoing work of the program under this sec-
2 tion.