

HR 4137

Higher Education Opportunity Act

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Chamber: House

Policy Area: Education

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Sponsor

Name: Rep. Miller, George [D-CA-7]

Party: Democratic • **State:** CA • **Chamber:** House

Cosponsors (29 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Hinojosa, Ruben [D-TX-15]	D · TX		Nov 9, 2007
Rep. Courtney, Joe [D-CT-2]	D · CT		Dec 4, 2007
Rep. Davis, Danny K. [D-IL-7]	D · IL		Dec 4, 2007
Rep. Davis, Susan A. [D-CA-53]	D · CA		Dec 4, 2007
Rep. Hare, Phil [D-IL-17]	D · IL		Dec 4, 2007
Rep. Hirono, Mazie K. [D-HI-2]	D · HI		Dec 4, 2007
Rep. McCarthy, Carolyn [D-NY-4]	D · NY		Dec 4, 2007
Rep. Payne, Donald M. [D-NJ-10]	D · NJ		Dec 4, 2007
Rep. Sarbanes, John P. [D-MD-3]	D · MD		Dec 4, 2007
Rep. Scott, Robert C. "Bobby" [D-VA-3]	D · VA		Dec 4, 2007
Rep. Shea-Porter, Carol [D-NH-1]	D · NH		Dec 4, 2007
Rep. Tierney, John F. [D-MA-6]	D · MA		Dec 4, 2007
Rep. Wu, David [D-OR-1]	D · OR		Dec 4, 2007
Rep. Yarmuth, John A. [D-KY-3]	D · KY		Dec 4, 2007
Rep. Altmire, Jason [D-PA-4]	D · PA		Dec 13, 2007
Rep. Bishop, Timothy H. [D-NY-1]	D · NY		Dec 13, 2007
Rep. Clarke, Yvette D. [D-NY-11]	D · NY		Dec 13, 2007
Rep. Cohen, Steve [D-TN-9]	D · TN		Dec 13, 2007
Rep. Engel, Eliot L. [D-NY-17]	D · NY		Dec 13, 2007
Rep. Grijalva, Raúl M. [D-AZ-7]	D · AZ		Dec 13, 2007
Rep. Honda, Michael M. [D-CA-15]	D · CA		Dec 13, 2007
Rep. Kildee, Dale E. [D-MI-5]	D · MI		Dec 13, 2007
Rep. McCollum, Betty [D-MN-4]	D · MN		Dec 13, 2007
Rep. Van Hollen, Chris [D-MD-8]	D · MD		Dec 13, 2007
Rep. Woolsey, Lynn C. [D-CA-6]	D · CA		Dec 13, 2007
Rep. Crowley, Joseph [D-NY-7]	D · NY		Dec 18, 2007
Rep. Loebsack, David [D-IA-2]	D · IA		Dec 18, 2007
Rep. Napolitano, Grace F. [D-CA-38]	D · CA		Dec 18, 2007
Rep. Sherman, Brad [D-CA-27]	D · CA		Dec 18, 2007

Committee Activity

Committee	Chamber	Activity	Date
Education and Workforce Committee	House	Reported By	Dec 19, 2007
Financial Services Committee	House	Discharged From	Dec 19, 2007
Health, Education, Labor, and Pensions Committee	Senate	Discharged From	Jul 29, 2008
Judiciary Committee	House	Discharged From	Dec 19, 2007
Science, Space, and Technology Committee	House	Discharged From	Dec 19, 2007

Subjects & Policy Tags

Policy Area:

Education

Related Bills

Bill	Relationship	Last Action
110 HRES 1389	Related bill	Jul 31, 2008: Motion to reconsider laid on the table Agreed to without objection.
110 HRES 956	Procedurally related	Feb 7, 2008: Motion to reconsider laid on the table Agreed to without objection.
110 HR 4152	Related bill	Feb 5, 2008: Referred to the Subcommittee on Higher Education, Lifelong Learning, and Competitiveness.
110 S 1642	Related bill	Nov 15, 2007: By Senator Kennedy from Committee on Health, Education, Labor, and Pensions filed written report. Report No. 110-231.
110 HR 3966	Related bill	Nov 14, 2007: Referred to the Subcommittee on Early Childhood, Elementary, and Secondary Education.
110 HR 3168	Related bill	Sep 19, 2007: Referred to the Subcommittee on Healthy Families and Communities.

(This measure has not been amended since the Conference Report was filed in the House on July 30, 2008. The summary of that version is repeated here.)

Higher Education Opportunity Act - Amends the Higher Education Act of 1965 (HEA) to revise and reauthorize HEA programs.

Title I: General Provisions - (Sec. 101) Revises the general definition of an institution of higher education (IHE) to include schools that: (1) admit students whose secondary education was conducted in a home school setting; (2) award degrees (not necessarily bachelor's degrees) that are acceptable for admission to a graduate or professional degree program; and (3) enroll students who will be dually or concurrently enrolled in a secondary school.

(Sec. 102) Revises the definition of an IHE for purposes of title IV student assistance programs.

Requires graduate medical schools located outside the country, that qualified to participate in the Federal Family Education Loan (FFEL) program owing to their having a state-approved clinical training program as of January 1, 1992, to have continuously operated a clinical training program in at least one state that is approved by such state.

Allows foreign nursing schools to participate in the FFEL program if : (1) they have agreements with hospitals or nursing schools located in this country that require students to complete their training at such hospitals and schools, and such schools to provide graduates with their degrees; (2) they certify only subsidized Stafford loans and unsubsidized Stafford loans and PLUS loans under the FFEL program; (3) they agree to reimburse the Secretary of Education (Secretary) for the cost of any student loan defaults included in their cohort default rates; and (4) at least 75% of their students or graduates who take the National Council Licensure Examination for Registered Nurses pass such exam.

Directs the advisory panel of medical experts to report to the Secretary and Congress, within one year of this Act's enactment, its recommendations for alternate eligibility requirements allowing foreign graduate medical schools with a clinical training program approved by a state before 2008 to participate in the FFEL program. Authorizes the Secretary to issue regulations establishing such alternate eligibility criteria.

Raises from 60% to 75% the pass rate required of foreign graduate medical schools on examinations administered by the Educational Commission for Foreign Medical Graduates if such schools are to participate in the FFEL program.

Includes as proprietary IHEs any schools offering baccalaureate degrees in liberal arts and schools that enroll students who will be dually or concurrently enrolled in a secondary school.

Includes as postsecondary vocational institutions any schools that enroll students who will be dually or concurrently enrolled in a secondary school.

(Sec. 103) Adds definitions of critical foreign language, distance education, diploma mill, early childhood education program, poverty line, universal design, and universal design for learning.

(Sec. 104) Elaborates on the current sense of Congress regarding the speech and association rights of students in higher education to specify that such students should not be intimidated, harassed, discouraged from speaking out, or discriminated against.

(Sec. 106) Reconstitutes the National Advisory Committee on Institutional Quality and Integrity in the Department of

Education (Department) to advise the Secretary on accreditation matters until October 2014.

(Sec. 107) Requires biennial IHE reviews of their alcohol and drug abuse prevention programs to include a determination as to: (1) the number of drug- and alcohol-related violations and fatalities occurring on the campus or as part of their activities that are reported to campus officials; and (2) the number and type of sanctions the IHEs impose on students or employees as a result of such violations or fatalities.

Repeals the National Recognition Awards for outstanding IHE alcohol and drug abuse prevention programs.

Reauthorizes appropriations for alcohol and drug abuse prevention grants for FY2009-FY2014.

(Sec. 108) Extends an authorization of appropriations to continue coverage of prior rights and obligations for servicing outstanding bonds from certain earlier programs under title VII of the HEA before it was amended by the Higher Education Amendments of 1992 and the Higher Education Amendments of 1998.

(Sec. 109) Directs the Secretary to place information on the Department's website to assist students, families, and employers in understanding what diploma mills are and how to identify and avoid them.

(Sec. 110) Directs the Secretary to display a link to the Department's student financial aid website in a prominent place on the homepage of the Department's website.

Requires the Secretary to provide access, via the Department's student financial aid website, to: (1) information concerning student financial aid options provided by other federal departments and agencies; (2) an Armed Forces information website, to be created by the Secretary, providing information about all federal and state student financial aid available to members and veterans of the Armed Forces and their families; and (3) a National Database on Financial Assistance for the Study of Science, Technology, Engineering, and Mathematics, which is also to be created by the Secretary.

Prohibits charging user fees for use of the Department's financial aid websites.

(Sec. 111) Directs the Secretary to place on the College Navigator website each year lists of the: (1) 5% of IHEs that have the highest tuition and fees for the most recent year; (2) 5% of IHEs that have the highest net price (price minus student aid) for the most recent year; (3) 5% of IHEs that have the largest percentage increase in tuition and fees over the most recent three years; (4) 5% of IHEs that have the largest percentage increase in net price over the most recent three years; (5) 10% of IHEs that have the lowest tuition and fees for the most recent year; and (6) 10% of IHEs that have the lowest net price for the most recent year.

Requires IHEs on the lists for the largest percentage increases in tuition and fees or net price over the most recent three years to issue reports to the Secretary explaining such increases, the steps they will take toward reducing costs, and the extent to which their state governments are responsible for such cost increases. Requires the Secretary to summarize such reports in a report to be provided to Congress and placed on the College Navigator website.

Requires the Secretary to report annually on the College Navigator website comparisons for each state of percentage changes over the most recent five years in: (1) state spending per full-time student in public IHEs; (2) the tuition and fees such students have been charged over the most recent five years; and (3) the total amount of state need- and merit-based aid provided to such students.

Requires the Secretary to develop, and IHEs to make available on their websites, a net price calculator that allows

current and prospective students, families, and other consumers to estimate a IHE's net price for individual students.

Requires the Secretary to post on the College Navigator website: (1) additional basic information about each IHE's students, teachers, assistance, costs, safety, services, and credit transfer policies; and (2) a link to the section of the Bureau of Labor Statistics website that provides regional data on starting salaries in all major occupations.

Directs the Commissioner of Education Statistics to continue to update and improve the Integrated Postsecondary Education Data System, including the reporting of information by institutions and the timeliness of the data collected.

Requires the Secretary to develop, and make available on the College Navigator website, a multi-year tuition calculator to help current and prospective students, their families, and other consumers estimate the amount of tuition an individual may pay to attend an IHE in future years and compare such estimate with those for other schools.

Directs the Secretary to conduct a survey of title IV student aid recipients on a state-by-state basis at least once every four years.

(Sec. 112) Requires publishers informing teachers or those selecting course materials at IHEs about available textbooks or supplements to include written information concerning: (1) the price the publisher would charge for such items to the bookstore associated with such institution and, if available, the price the publisher charges the public; (2) the copyright dates of the three previous editions of such textbooks; (3) substantial revisions to such items; and (4) whether such items are available in other formats, including paperback and unbound, and the price the publisher would charge the bookstore and, if available, the price the publisher charges the public, for items in those formats.

Requires a publisher that sells a textbook and any accompanying supplement as a single bundled item also to sell them as separately priced and unbundled items.

Directs IHEs to include on their Internet course schedules the International Standard Book Number (ISBN) and retail price for each required or recommended textbook or supplement for listed courses. Requires an institution to: (1) use the author, title, publisher, and copyright date if the ISBN is unavailable; and (2) indicate that the required information has yet to be determined if its disclosure for a course is impractical.

Requires IHEs to provide college bookstores, upon request, with: (1) their course schedules for the subsequent academic period; (2) the information this Act requires to be placed on Internet course schedules regarding each textbook or supplement required or recommended for each course; and (3) the number of students enrolled, and the maximum enrollment, in each course.

Encourages IHEs to inform students of ways to save money on course materials.

Directs the Comptroller General to report to Congress on the implementation of these requirements by IHEs, college bookstores, and publishers.

(Sec. 113) Prohibits the creation or maintenance of a federal database of personally identifiable student information. States that such prohibition does not apply to certain data systems in use before this Act's enactment, or state databases that track individuals over time.

(Sec. 114) Prohibits a state from charging more than the instate tuition for attending a public IHE in that state to: (1) 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; or (2) such members' dependents.

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 instate tuition if they remain continuously enrolled at such IHE in the state.

(Sec. 115) Establishes a State Higher Education Information System Pilot program under which the Secretary shall award competitive grants to up to five states, consortia of states, or consortia of IHEs to: (1) design, test, and implement state-level postsecondary student data systems that provide the maximum benefits to states, IHEs, and state policymakers; and (2) examine the costs and burdens involved in implementing such systems.

(Sec. 116) Requires states to maintain or increase their funding of non-capital and indirect research and development costs at public IHEs and their funding of financial aid at private IHEs or become ineligible for this Act's new grants to expand college access and increase college persistence under the College Access Challenge Grant program. Allows the Secretary to waive such requirement for states facing exceptional circumstances.

(Sec. 117) Revises requirements for: (1) the performance-based organization for delivery of federal student financial assistance; and (2) procurement flexibility.

(Sec 119) Prohibits IHEs from using federal HEA funds to lobby for federal contracts, grants, loans, cooperative agreements, or earmarks.

(Sec. 120) Creates a new part E (Lender and Institution Requirements Related to Educational Loans) under title I of the HEA.

Directs the Secretary, within 18 months of this Act's enactment, to determine the minimum information that lenders, IHEs, and IHE affiliates participating in preferred lender arrangements must provide regarding FFELs offered to students and their families. Includes within such minimum information certain information required under the Truth in Lending Act. Requires the Secretary to develop a model disclosure form that preferred lenders, IHEs, and IHE affiliates may use.

Requires IHEs and their affiliates that participate in preferred lender arrangements to include on their websites and financial aid informational materials: (1) the minimum FFEL information required by the Secretary; (2) the maximum amount of student aid available under title IV of the HEA; (3) a statement that the IHE is required to process FFEL documents received from any eligible lender the student selects; and (4) with respect to private education loans, certain information required under the Truth in Lending Act.

Requires lenders in preferred lender arrangements annually to provide participating IHEs, IHE affiliates, and the Secretary with the minimum FFEL information required by the Secretary for each type of FFEL such lender plans to offer for the next award year.

Requires IHEs and their affiliates in preferred lender arrangements to: (1) prohibit providers of private education loans from implying that a loan is being made by the school or its affiliate; (2) ensure that the name of private lenders is on all materials relating to such loans; (3) issue annual reports to the Secretary and the public that include the minimum information required regarding FFELs and private loans issued under such arrangements, as well as an explanation of the rationale for entering into such arrangements; and (4) comply with the code of conduct schools participating in title IV loan programs are required to develop (see Sec. 493).

Requires lenders of FFELs that are in preferred lender arrangements to certify annually their compliance with this Act's requirements.

Directs IHEs and their affiliates that provide information about private education loans to: (1) provide prospective borrowers with certain information required under the Truth in Lending Act; (2) inform them that they may qualify for assistance under title IV of the HEA that has more favorable terms than private loans; and (3) ensure that title IV loan and private loan information is kept distinct.

Requires lenders to provide their borrowers of: (1) FFEL or Direct Loans (DLs) with specified written information concerning loan costs, terms, and repayment before or when they disburse such loans; and (2) private education loans with disclosures required under the Truth in Lending Act.

Requires FFEL lenders to report annually to the Secretary on certain reimbursements provided to agents of IHEs and their affiliates who are involved in financial aid. Requires the Secretary to summarize such reports in an annual report to Congress.

Directs the Secretary to provide IHEs participating in the DL program with completed model disclosure forms that contain the same information for DLs that is required to be disclosed for FFELs. Requires IHEs to provide students and prospective students with the information on such forms or on comparable forms they have designed.

Title II: Teacher Quality Enhancement - (Sec. 201) Revises and reauthorizes part A (Teacher Quality Enhancement Grants for States and Partnerships) of title II of the HEA.

Eliminates the State grant and Teacher Recruitment grant programs.

Turns the Partnership grant program into the revised Teacher Quality Partnership grant program.

Authorizes the Secretary to award competitive five-year grants to partnerships of high-need local educational agencies (LEAs), high-need schools, IHEs, and, as applicable, high-need early childhood education programs for use in carrying out a pre-baccalaureate teacher preparation program, a teaching residency program, or a combination of such programs. Authorizes the partnerships to use grant funds to implement a leadership development program, which may be carried out in partnership with a rural LEA.

Requires the pre-baccalaureate teacher preparation program to include: (1) educational reforms; (2) clinical experience and interaction; (3) induction programs for new teachers that provide them with mentoring and support for at least their first two years of teaching; (4) literacy training; and (5) teacher recruitment mechanisms.

Requires the teaching residency program to prepare teachers for success in the high-need schools in the partnership by engaging residents in rigorous graduate-level coursework to earn a master's degree while they undertake a guided teaching apprenticeship alongside a trained and experienced mentor teacher who may be relieved of teaching duties. Requires teacher residents to be: (1) recent graduates of a four-year IHE; or (2) mid-career professionals from outside the field of education who possess strong content knowledge or a record of professional accomplishment. Provides residents with a living stipend or salary during the one-year residency program in exchange for at least three years of service as highly qualified teachers in a high-need field in a high-need school served by the high-need LEA immediately following their successful completion of the residency program.

Requires the leadership development program to include: (1) preparing students for careers as school leaders; (2) a preservice clinical education program; (3) an induction program for new school leaders; and (4) school leader recruitment mechanisms. Includes in such program, in addition to students, any mid-career professionals from outside the field of education who possess strong content knowledge or a record of professional accomplishment, and current teachers who

aspire to be school leaders or school leaders who aspire to be superintendents.

Allows partnership grantees to use grants for the pre-baccalaureate teacher preparation and teaching residency programs to improve the quality of such programs by partnering with entities that develop digital educational content.

Requires partnership grantees to provide an amount equal to the amount of the grant from nonfederal sources for program activities, unless the Secretary grants them a hardship waiver.

Adds programs that offer alternative routes to state certification and licensure to the teacher preparation programs that are the subject of annual reports which IHEs must provide to their states and the public, and states must provide to the Secretary and the public, concerning certain measures of program effectiveness, such as student success on certification or licensure assessments. Requires IHEs to include in such reports information concerning their goals for increasing the number of prospective teachers trained in teacher shortage areas. Prohibits the Secretary from using such information to create a national list or ranking of states, institutions, or schools.

Requires IHEs that provide teacher training and enroll students who receive HEA assistance to set annual quantifiable goals for increasing the number of prospective teachers trained in teacher shortage areas designated by the Secretary or by the State, including mathematics, science, special education, and instruction of limited English proficient (LEP) students.

Authorizes appropriations for the Teacher Quality Partnership grant program for FY2009-FY2011.

Replaces the Preparing Tomorrow's Teachers to Use Technology program of part B of title II with the Enhancing Teacher Education program.

Authorizes appropriations for such program for FY2009-FY2014.

Establishes a Preparing Teachers for Digital Age Learners program authorizing the Secretary to award to consortia of IHEs, states or LEAs, and entities able to assist in the technology-related reform of teacher preparation programs: (1) partnership grants for developing long-term partnerships among consortium members that are focused on effective teaching with modern digital tools and content that connect preservice teacher preparation with high-need schools; or (2) transformative grants for transforming the way departments, schools, and colleges of education teach classroom technology integration to teacher candidates.

Limits the federal share of any project's cost to 75%.

Establishes an Honorable Augustus F. Hawkins Centers of Excellence program authorizing the Secretary to award grants to certain minority-serving IHEs, or partnerships between such IHEs and other IHEs, to establish centers of excellence for teacher education.

Requires the use of such grants to ensure that current and future teachers are highly qualified by: (1) reforming teacher preparation programs so that teachers are able to understand scientifically-based research and use advanced technology effectively in the classroom; (2) providing preservice clinical experience and mentoring to prospective teachers, and increased interaction between IHE faculty and new and experienced elementary and secondary school teachers and administrators; (3) implementing initiatives to promote the retention of highly qualified teachers and principals; (4) awarding need-based scholarships for students in teacher preparation programs; (5) disseminating information on effective teacher preparation practices; and (6) conducting certain other activities authorized under title II.

Establishes a Teach to Reach grant program authorizing the Secretary to award competitive grants to partnerships between IHEs and high-need LEAs to more effectively prepare general education teacher candidates to instruct disabled students in their classrooms. Requires such preparation to include extensive clinical experience, with mentoring and induction support throughout participants' first year of full-time teaching. Requires grantees to evaluate their programs and the Secretary to use such evaluations to report to Congress and the public on best practices for instructing disabled students in general education classrooms.

Establishes an Adjunct Teachers Corps program authorizing the Secretary to award competitive grants to LEAs or partnerships of LEAs and public or private educational organizations or businesses to recruit and train individuals outside of the elementary and secondary education system who have expertise in mathematics, science, or critical foreign languages to serve as adjunct content specialists in such subjects at secondary schools.

Directs the Secretary to make grants to IHEs to provide graduate fellowships to students who are pursuing studies that lead to doctorates in studies that equip them to teach others to become highly qualified elementary and secondary school mathematics and science teachers, special education teachers, and teachers who provide instruction for LEP students. Requires fellowship recipients to teach, for a period of time equal to the term of their grant, at IHEs that have teacher preparation programs.

Title III: Institutional Aid - Revises and reauthorizes title III (Institutional Aid programs) of the HEA.

(Sec. 301) Expands the authorized uses of institutional aid to include remedial education, English language instruction, and educational or counseling services to improve the financial and economic literacy of students or their families.

(Sec. 303) Establishes a formula grant program, including a minimum grant amount, for tribally controlled colleges and universities (replacing the current competitive grant program). Authorizes the use of grant funds for: (1) acquiring adjacent property on which to construct instructional facilities; (2) instruction in tribal governance or tribal public policy; and (3) developing and improving facilities for Internet and other distance education technologies.

Authorizes the Secretary to reserve 30% of the appropriations for such colleges and universities to award one-year grants for their construction, maintenance, and renovation needs.

(Sec. 305) Establishes a new program awarding formula grants to Predominantly Black Institutions to: (1) enhance their capacity to serve more low- and middle-income Black American students; (2) expand higher education opportunities for students eligible for student assistance under title IV of the HEA by encouraging such students to prepare for college and persist in secondary and postsecondary education; and (3) strengthen their financial ability to serve the academic needs of such students.

Defines Predominantly Black Institutions as accredited institutions serving at least 1,000 undergraduate students at least: (1) 50% of whom are pursuing a bachelor's or associate's degree; (2) 40% of whom are Black Americans; and (3) 50% of whom are low-income or first-generation college students. Requires the spending per full-time undergraduate student of such institutions to be low in comparison with that of institutions offering similar instruction.

Allows grant recipients to use up to 20% of their grant on an endowment fund, provided they raise nonfederal matching funds at least equal to the amount of the grant used for such endowment. Allots funding among institutions on the basis of their share of Pell Grant recipients, graduates, and graduates pursuing a higher degree.

Establishes a minimum allotment for each institution which is to be ratably reduced if appropriations are insufficient to pay it.

(Sec. 306) Establishes a new competitive grant program for Native American-serving, non-tribal institutions to enhance their capacity to serve Native Americans and low-income individuals. Requires the undergraduate student enrollment of Native Americans at such institutions to be at least 10% of the total undergraduate enrollment.

Sets the minimum grant at \$200,000.

(Sec. 307) Establishes a new competitive grant program for Asian American and Pacific Islander-serving institutions to enhance their capacity to serve Asian American and Pacific Islander students and low-income individuals.

Defines Asian American and Native American Pacific Islander-serving institutions as accredited institutions with: (1) a significant enrollment of financially needy students; and (2) an enrollment of undergraduate students that are at least 10% Asian American and Native American Pacific Islander students. Requires the spending per full-time undergraduate student of such institutions to be low in comparison with that of institutions offering similar instruction.

Gives grant priority to institutions with an enrollment of Asian American and Native American Pacific Islander students at least 10% of which are low-income individuals.

(Sec. 308) Revises the grant program for historically Black colleges and universities to direct the Commissioner of the Bureau of Labor Statistics and the Secretary to consult with the Commissioner for Education Statistics in determining professional and academic areas in which blacks are underrepresented.

Authorizes the use of grant funds for: (1) the acquisition of real property for campus facilities; (2) education or financial services information designed to improve the financial literacy and economic literacy of students or their families; and (3) services necessary for the implementation of approved projects or activities.

Conditions the eligibility of historically Black colleges and universities for grants on their furnishing the Secretary with annual data indicating that in the previous academic year they enrolled Pell grant recipients, graduated students, and, where appropriate, had graduates who, within five years of graduation, went on to graduate or professional school in disciplines in which Blacks are underrepresented.

Authorizes the use of grant funds by historically Black graduate and professional institutions for: (1) the acquisition of real property adjacent to the campus for campus facilities; (2) education or financial services information designed to improve the financial literacy and economic literacy of students or their families; (3) services necessary for the implementation of approved projects or activities, and (4) tutoring, counseling, and student service programs designed to improve academic success.

Adds to the list of eligible graduate and professional institutions. Increases the amount of appropriations reserved for grants to institutions on such list before such additions.

(Sec. 313) Increases the maximum and minimum Endowment Challenge grant available to certain minority-serving institutions.

(Sec. 314) Alters responsibilities of designated bonding authorities under the historically Black colleges and universities capital financing program.

Increases the principal amount of outstanding bonds for loans to historically Black colleges and universities which may be federally insured under such program.

Requires the Secretary to: (1) ensure that the selection process for the designated bonding authority is competitive and transparent; and (2) review the performance of the designated bonding authority after the third year of the insurance agreement to determine if such selection process should be revamped.

Requires the Secretary to report to Congress on the Department's progress in implementing the recommendations made by the Government Accountability Office (GAO) in October 2006 for improving the Historically Black College and Universities Capital Financing program.

Alters the size and composition of the HBCU Capital Financing Advisory Board. Requires the Board to advise the Secretary and Congress on construction financing issues facing historically Black colleges and universities and the feasibility of reducing their borrowing costs under the capital financing program.

(Sec. 315) Establishes a new YES Partnerships grant program for partnerships of IHEs, high-need LEAs, and community organizations to encourage underrepresented minority or low-income students in kindergarten through grade 12 to pursue careers in science, technology, engineering, and mathematics (STEM) through outreach and hands-on, experiential-based learning projects.

Allows the Secretary to contract with a advertising firm to implement a campaign encouraging: (1) young Americans to enter STEM fields, particularly Latin-Americans, African-Americans, and women underrepresented in such fields; and (2) professionals in those fields to teach such subjects to elementary and secondary school students.

(Sec. 316) Moves the Strengthening Historically Black Colleges and Universities and Other Minority-Serving Institutions program, created under the College Cost Reduction and Access Act, from title IV to title III of the HEA.

(Sec. 317) Allows the Secretary to provide technical assistance to institutions desiring a grant under title III.

(Sec. 318) Directs the Secretary to waive, for FY2009-FY2011, the application of specified title III requirements for IHEs affected by a Gulf of Mexico hurricane disaster that were receiving title III assistance at the time of such disaster. Allows the Secretary to waive such requirements for FY2012 and FY2013.

(Sec. 319) Authorizes title III appropriations for FY2009-FY2014.

Title IV: Student Assistance - Revises and reauthorizes title IV Student Assistance programs.

Part A: Grants to Students in Attendance at Institutions of Higher Education - (Sec. 401) Sets the authorized maximum Pell Grant award at \$6,000 for academic year 2009-2010, \$6,400 for academic year 2010-2011, \$6,800 for academic year 2011-2012, \$7,200 for academic year 2012-2013, \$7,600 for academic year 2013-2014, and \$8,000 for academic year 2014-2015.

Sets the minimum Pell Grant (currently \$400) at 10% of the appropriated maximum grant level for that academic year; but allows the award of a grant equal to 10% of such level if students are eligible for a grant between 5% and 10% of such level.

Allows the awarding of an additional Pell Grant during a single award year to certain students who attend school year-round to accelerate their progress toward a degree or certificate.

Prohibits from receiving a Pell Grant any persons subject to involuntary civil commitment after incarceration for a forcible or non-forcible sexual offense.

Limits the period during which a student may receive Pell Grants to 18 semesters or the equivalent. Provides that, for students who are not enrolled full-time, only the fraction of time enrolled shall count toward such limits.

Eliminates the expected family contribution used in determining Pell Grant eligibility in the case of a student applicant whose parent or guardian was killed while performing military service in Iraq or Afghanistan after September 11, 2001.

(Sec. 402) Makes July 1, 2009, the effective date for amendments to the Academic Competitiveness grant program made by the Ensuring Continued Access to Student Loans Act of 2008. Requires that, on or after such date, first or second year students desiring such grants must have completed rigorous secondary school college preparatory curricula either recognized as such by appropriate officials, consistent with state law, or by the Secretary in regulations which were in effect on May 6, 2008.

(Sec. 403) Reauthorizes appropriations for TRIO programs (of grants and contracts designed to identify qualified individuals from disadvantaged backgrounds and help prepare them for a program of postsecondary education) for FY2009-FY2014.

Makes community-based organizations with experience in serving disadvantaged youth eligible for TRIO grants and contracts. Eliminates the requirement that there be exceptional circumstances before secondary schools are eligible recipients of such grants and contracts.

Extends the duration of TRIO grants to five years. Sets the minimum grant at \$200,000, except for staff training and development programs.

Prohibits the Secretary from providing assistance to an otherwise eligible program that has fraudulently used TRIO funds.

Requires TRIO grant applicants to ensure that homeless and foster care youth, including youth who leave foster care after reaching age 13, receive program services. Makes such youth eligible to participate in TRIO programs.

Directs the Secretary to issue guidance regarding the rights and responsibilities of TRIO applicants during the application and evaluation process.

Establishes an appeals process for TRIO applicants.

Directs the Secretary to establish outcome criteria for such programs.

Prohibits veterans of the Armed Forces Reserves from being deemed ineligible to participate in TRIO because of age if they served on active duty for a period of more than 30 days or in support of a contingency operation on or after September 11, 2001.

Revises required activities and permissible activities under TRIO programs. Authorizes and, for many TRIO programs, requires the use of funds for services designed to improve the financial and economic literacy of students.

Permits TRIO programs that are designed specially for students who are: (1) LEP; (2) from groups that are traditionally underrepresented in postsecondary education; (3) disabled; (4) homeless; (5) in foster care or aging out of foster care; or (6) other disconnected students.

Prohibits the denial of TRIO Upward Bound program participation to students who enter the program after the ninth grade.

Requires the Secretary to discontinue the absolute priority for Upward Bound program participant selection and evaluation published by the Department in the Federal Register on September 22, 2006.

Includes Alaska Natives, Native Hawaiians and Native Pacific Islanders in the Postbaccalaureate Achievement program designed to provide disadvantaged college students with effective preparation for doctoral study.

(Sec. 404) Reauthorizes appropriations for Gaining Early Awareness and Readiness for Undergraduate Programs (GEARUP) for FY2009-FY2014.

Includes Disabled students in the GEARUP program.

Allows the Secretary to award six-year GEARUP grants or seven-year grants to grantees that provide services to students through their first year in college.

Requires grantees to provide: (1) students with the option of receiving services through their first year at an IHE, if the provision of such services was described in their grant application; and (2) services to students who have received services under a previous GEARUP grant, but have not yet completed the 12th grade.

Allows GEARUP applicants or grantees to request reduced matching requirements. Allows grantees to count toward the matching requirement amounts contributed to, and administrative costs for, GEARUP student scholarships.

Revises required activities and permissible activities under GEARUP.

Includes among permissible GEARUP activities: (1) support for dual or concurrent enrollment programs between secondary school and IHE partners; (2) provision of intensive extended school day, school year, or summer programs; (3) special programs or tutoring in science, technology, engineering, or mathematics; (4) promotion of the importance of a college education; and (5) enabling eligible students to enroll in Advanced Placement, International Baccalaureate, or college entrance examination preparation courses. Lists permissible GEARUP activities by state grantees.

Requires eligible entities, if they do not use a cohort approach in providing GEARUP services, to treat certain types of low-income, homeless, or disconnected students as priority students for participation in GEARUP.

Requires a certain portion of state GEARUP funds to be used for scholarships. Alters the formula for determining the minimum GEARUP scholarship.

(Sec. 405) Repeals the Academic Achievement Incentive Scholarships program.

(Sec. 406) Reauthorizes appropriations for federal Supplemental Educational Opportunity Grants (SEOG) for FY2009-FY2014. Increases the allowance for books and supplies in determining cost of attendance under SEOG.

(Sec. 407) Reauthorizes appropriations for the Leveraging Educational Assistance Partnership (LEAP) Program for FY2009-FY2014. Increases the maximum LEAP grant from \$5,000 to the lesser of \$12,500 or the student's cost of attendance each academic year.

Replaces the Special Leveraging Educational Assistance Partnership (SLEAP) program with the Grants for Access and Persistence program. Requires state grantees to be in partnership with: (1) at least one public and one private IHE in the state, if applicable; (2) early information and intervention, mentoring, or outreach programs in the state; and (3) at least one philanthropic organization or business in the state. Requires such partnerships to: (1) coordinate the provision of financial assistance to low-income students; (2) provide need-based grants for access and persistence to eligible low-

income students; (3) provide early notification to low-income students of their eligibility for financial aid; and (4) encourage such students' participation in early information and intervention, mentoring, or outreach programs.

Sets the federal share of funds for the Grants for Access and Persistence program at: (1) 57%, if the state partnership includes IHEs whose combined enrollment is less than half of the student enrollment in the state; and (2) 66.66%, if more than half of the students in the state are enrolled in a participating IHE.

(Sec. 408) Reauthorizes appropriations for special programs for students whose families are engaged in migrant and seasonal farmwork (the High School Equivalency program and the College Assistance Migrant Program, HEP/CAMP) for FY2009-FY2014.

Revises eligibility requirements for both programs to make it the students or their immediate family (currently, the students or their parents) which must engage in the requisite period of migrant and seasonal farmwork.

Includes preparation for college entrance examinations and activities to improve persistence and retention in postsecondary education among the services provided under the HEP program.

Adds economic or personal finance education, internships, and certain follow-up services to authorized CAMP activities.

Increases the minimum allocation for each project under both programs.

Requires that when fiscal year HEP/CAMP appropriations equal or exceed \$40 million at least 45% of those appropriations be devoted to the HEP and at least 45% be devoted to the CAMP.

(Sec. 409) Reauthorizes appropriations for FY2009-FY2014 for the Robert C. Byrd Honors Scholarship Program. Makes home-schooled children eligible under the program.

(Sec. 410) Reauthorizes appropriations for the Child Care Access Means Parents in School program for FY2009-FY2014.

Increases the minimum grant available to IHEs and decreases the amount of Pell Grant funds they must award each fiscal year to be eligible for such grants, if fiscal year appropriations equal or exceed \$20 million. Alters the definition of low-income students to include those who would be eligible for Pell grants but for their enrollment in graduate level studies or their temporary status in this country. Requires program participants to report annually to the Secretary regarding their activities.

Requires the Secretary to publicize the availability of grants under such program.

(Sec. 411) Repeals the Learning Anytime Anywhere Partnerships program.

(Sec. 412) Requires TEACH grant applicants to be provided with a disclosure form regarding the service obligation attending such grants. Directs the Secretary to identify extenuating circumstances that would excuse grant recipients from service obligations.

Directs the Secretary to submit biennial reports to Congress regarding the TEACH grant program.

Part B: Federal Family Education Loan Program - (Sec. 421) Extends federal insurance and interest subsidies on FFELs through FY2014, and through FY2018 for new FFELs provided to existing borrowers.

(Sec. 422) Excludes students' receipt of veterans' educational benefits, including benefits received under the Montgomery GI Bill, in determining their need for FFEL interest subsidies.

Requires lenders that provide student borrowers of unsubsidized FFELs with a loan deferment to inform such borrowers regarding the effect such deferment will have on the total cost of the loan.

Adds to the business inducements FFEL guaranty agencies are prohibited from offering IHEs and lenders to include stock or other securities, prizes, travel, entertainment expenses, and tuition payment or reimbursement. Prohibits guaranty agencies from performing or paying another person to perform any function the IHE is required to perform under the FFEL or DL programs.

Requires FFEL lenders granting forbearance to borrowers to provide them with information concerning its effect on the total cost of their loan and to keep them updated, at least once every 180 days, concerning the loan's accrual of interest and their option to discontinue forbearance at any time.

Requires guaranty agencies that receive default claims from FFEL lenders to provide defaulting borrowers with information regarding options for removing their loans from default.

(Sec. 423) Directs the Secretary to submit annually to Congress an evaluation of the effect voluntary flexibility agreements with guaranty agencies (providing such agencies with statutory or regulatory waivers) have on the FFEL program.

(Sec. 424) Authorizes lenders to provide PLUS FFELs to parents who, between January 1, 2007, and December 31, 2009, are no more than 180 days delinquent on their home mortgages or medical bills, if they do not otherwise have adverse credit histories as determined pursuant to certain regulations in effect before enactment of the Ensuring Continued Access to Student Loans Act of 2008.

Allows the deferral of PLUS FFEL principal repayment by graduate or professional students and parents who are students until six months after the date they cease to carry at least one-half the normal full-time academic workload.

(Sec. 425) Directs lenders to inform borrowers seeking to consolidate loans: (1) of repayment terms, including the ability to prepay or change repayment plans; (2) whether FFEL or DL repayment-related benefits will be lost; (3) that certain Federal Perkins Loan (PL) interest-free periods and deferment and cancellation options will be lost; (4) that other lenders may offer different terms; and (5) that applying for such loans does not oblige borrowers to take them.

Requires the Secretary of Education to offer direct consolidation loans to eligible military personnel who want to avoid the accrual of interest on existing loans. (See section 451, below, which makes no-accrual DLs available to certain military personnel).

Extends the authority for federal consolidation loans through FY2014.

(Sec. 426) Requires guaranty agencies and other holders of FFEL loans under default reduction programs to request consumer reporting agencies to remove borrowers' records of default upon the sale of such loans. Limits the loan rehabilitation benefits available to borrowers under such programs to one time per loan. Requires default reduction programs to make financial and economic education materials available to borrowers who rehabilitate loans.

(Sec. 427) Raises, from 10% to 15%, the cohort default rate which IHE's must fall below to be exempt from FFEL multiple disbursement and first year student endorsement requirements.

(Sec. 428) Clarifies that the \$2,000 increase (to \$6,000) in the maximum annual unsubsidized Stafford FFEL, provided under the Ensuring Continued Access to Student Loans Act of 2008, applies only to undergraduates.

(Sec. 429) Includes teachers employed by educational service agencies in the FFEL forgiveness program for teachers.

(Sec. 430) Turns the Loan Forgiveness for Child Care Providers program into the Loan Forgiveness for Service in Areas of National Need program providing loan forgiveness under the FFEL and DL programs to certain full-time early childhood educators, nurses, foreign language specialists, librarians, highly qualified teachers, child welfare workers, speech-language pathologists and audiologists, school counselors, public sector employees, nutrition professionals, medical specialists, mental health professionals, dentists, individuals employed in engineering, technology, applied sciences, or mathematics, physical therapists, school superintendents, principals, or other administrators, and occupational therapists.

Authorizes appropriations for such program for FY2009-FY2014.

(Sec. 431) Directs the Secretary to assume the obligation to repay student loans under the FFEL, DL, and PL programs on behalf of civil legal assistance attorneys for the duration of agreements between the Secretary and such attorneys requiring their continued employment in such capacity for at least three years. Excludes Parent PLUS loans from such program. Authorizes the Secretary to enter into additional agreements with civil legal assistance attorneys who have completed their service obligation.

Authorizes appropriations for such program for FY2009-FY2014.

(Sec. 432) Requires reports to credit bureaus (now to be referred to as credit reporting agencies) and IHEs to include information regarding the repayment status of educational loans.

(Sec. 433) Requires the Secretary, before agreeing to any proposed claims settlement under title IV exceeding \$1 million, to ask the Attorney General to review its terms.

Allows IHEs to use a master promissory note for FFELs and DLs.

(Sec. 434) Requires lenders, prior to or when disbursing FFELs, other than consolidated loans, to provide specified additional information to borrowers concerning repayment options, the consequences of choosing such options, and options for obtaining forbearance or forgiveness of such loans.

Directs FFEL lenders, at or before commencement of loan repayment, to provide specified additional information to borrowers concerning: (1) loan repayment options and benefits; (2) their right to change repayment plans during the repayment period; (3) options for avoiding or being removed from default; and (4) other known sources of loan repayment advice and assistance.

Requires FFEL lenders to provide borrowers with specified loan information: (1) for each payment installment period; (2) when they indicate that they are having difficulty making payments; and (3) when they are 60 days delinquent in making payments.

(Sec. 435) Requires FFEL guaranty agencies to provide training for students and families in budgeting and financial management.

(Sec. 436) Raises from 25% to 30%, beginning in FY2012, the cohort default rate at which IHEs become ineligible for title

IV student loan programs if they meet or exceed such rate for each of the three most recent fiscal years. Sets forth an appeals process allowing IHEs that meet or exceed such rate to obtain regulatory relief by demonstrating exceptional mitigating circumstances.

Requires an IHE whose cohort default rate meets or exceeds such threshold in any fiscal year to establish a default prevention task force to prepare a plan to remedy the situation and revise such plan if the school's failure continues for a second consecutive fiscal year.

Raises from .0375 to .0625 the FFEL and DL participation rate index figure excepting from title IV student loan ineligibility based on its high cohort default rate any IHE that equals or falls below the participation rate index for any of the three most recent fiscal years.

Includes as eligible FFEL lenders any credit unions or national or state chartered banks with assets of less than \$1 billion that have as their primary consumer credit function the making or holding of student FFELs.

Expands the activities disqualifying lenders from participation in the FFEL program, including: (1) offering specified inducements to IHEs; (2) performing certain uncompensated services for IHEs; and (3) entering into certain business arrangements with students or school financial aid employees.

Requires schools serving as FFEL lenders and lenders serving as school trustees to provide annual compliance audits to the Secretary.

Revises the calculation of IHEs' cohort default rates for FFELs.

Directs the Secretary to report cohort default data and life of cohort default rates for each category of IHE.

(Sec. 437) Requires the Secretary to discharge a borrower's liability under the FFEL and DL programs if a borrower, although not permanently and totally disabled, is unable to engage in any substantial gainful activity because of a medically determinable impairment which can be expected to result in death or last at least 60 continuous months. Allows the Secretary to develop anti-fraud safeguards.

Requires the Secretary to accept documentation that the Department of Veterans Affairs has determined that a student borrower is unemployable due to a service-connected condition as sufficient documentation for the discharge of such borrower's FFELs due to permanent and total disability.

Part C: Federal Work-Study Programs- (Sec. 441) Reauthorizes appropriations for Work-Study (WS) programs for FY2009-FY2014.

Includes emergency preparedness and response among the community services students may participate in under WS programs.

(Sec. 442) Increases the allowance for books and supplies in determining cost of attendance under the WS program.

(Sec. 443) Allows IHEs receiving WS program funds to include civic education and participation projects. Requires IHEs to give priority to employing students in educating and training the public about evacuation, emergency response, and injury prevention strategies relating to natural disasters, acts of terrorism, and other emergencies. Allows the federal share of WS student compensation for such projects to exceed 75%.

(Sec. 444) Allows IHEs in major disaster-affected areas to pay disaster-affected students amounts equal to or less than

the amounts such students would have been paid, for up to one academic year, had the students been able to complete their work obligation.

(Sec. 445) Increases the amount of its WS allocation which an IHE may use for job location and development.

(Sec. 446) Authorizes the Secretary to award grants to IHEs to supplement off-campus community service employment. Gives grant priority to IHEs that support postsecondary students who assist in early childhood education and disaster preparation and response activities.

Authorizes appropriations for such grant program for FY2009-FY2014.

(Sec. 447) Revises work college requirements by: (1) referring to work college programs as comprehensive work-learning-service programs; (2) limiting eligibility to four-year degree-granting IHEs; and (3) requiring resident students, including at least half of all resident students enrolled on a full-time basis, to participate in a comprehensive work-learning-service program for at least five hours each week, or not less than 80 hours during each period of enrollment, unless they are engaged in study abroad or externship programs approved by the school.

Part D: Federal Direct Student Loan - (Sec 451) Adds the income-based repayment plan adopted by the College Cost Reduction and Access Act to the list of repayment options available to DL borrowers.

Clarifies the definition of public service jobs for the purpose of DL cancellations for public service employees.

Requires the Secretary to ensure that monthly DL statements and other Department publications do not contain more than four digits of any individual's Social Security number.

Provides that no interest shall accrue on DLs disbursed after FY2007 to individuals who are serving on active duty or performing National Guard duty during a war or other military operation or national emergency and are serving in areas of hostilities in which service qualifies for special pay. Limits receipt of such benefit to 60 months.

Requires IHEs and contractors with which the Secretary has agreements under the DL program to comply with the loan disclosure requirements imposed on lenders under the FFEL program.

(Sec. 452) Extends funding through FY2014 for the costs of administering the FFEL and DL programs and paying FFEL account maintenance fees to guaranty agencies.

(Sec. 453) Clarifies that when the Secretary purchases an FFEL the guaranty agency that insured such loan ceases to have any rights or responsibilities with regard to such loan.

Directs the Secretary to submit quarterly reports and annual cost estimates to Congress on the FFEL purchase program authorized by the Ensuring Continued Access to Student Loans Act of 2008.

(Sec. 454) Includes teachers employed by educational service agencies in the DL cancellation program for teachers.

Part E: Federal Perkins Loans - (Sec. 461) Reauthorizes appropriations for Perkins Loans (PLs) for FY2009-FY2014.

(Sec. 462) Increases the allowance for books and supplies in determining cost of attendance under the program.

(Sec. 463) Allows IHEs to refer PLs to the Secretary for collection, but limits the Secretary's authority to require their assignment to the Secretary.

(Sec. 464) Increases: (1) the maximum PL amount a student may receive in an academic year to \$5,500 for undergraduate students and \$8,000 for graduate or professional students; and (2) aggregate limits on the unpaid principal amount of PLs made to a student to \$60,000 for graduate or professional students, \$27,500 for undergraduate students who have completed two years of undergraduate studies, and \$11,000 for other students.

Requires the Secretary to cancel a borrower's liability under the PL program if the borrower, although not permanently and totally disabled, is unable to engage in any substantial gainful activity because of a medically determinable impairment which can be expected to result in death or last at least 60 continuous months. Cancels the liability of borrowers determined by the Secretary of Veterans Affairs to be unemployable due to a service-connected disability. Allows the Secretary to develop anti-fraud safeguards regarding PL liability cancellation.

Requires documentation of PL forbearance agreements between IHEs and borrowers.

Allows defaulted PLs to be rehabilitated if the borrower makes nine (currently, 12) ontime, consecutive, monthly payments of amounts due.

(Sec. 465) Revises requirements for the cancellation of loans for certain public service to include service: (1) by full-time teachers employed by educational service agencies in locations that contain a high percentage of poor children; (2) in a prekindergarten or child care program; (3) as a full-time attorney employed in a defender organization; (4) as a full-time firefighter; (5) as a full-time faculty member at a tribal college or university; (6) as a librarian with a master's degree working in an elementary school eligible for assistance under title I of the Elementary and Secondary Education Act (ESEA-I eligible) or in a public library serving an area containing an ESEA-I eligible school; and (7) as a full-time speech language pathologist with a master's degree working exclusively with ESEA-I eligible schools.

Provides loan cancellation for such occupations and for service in the Armed Forces in an area of hostilities at the rate of 15% for the first or second year of service, 20% for the third or fourth year of service, and 30% for the fifth year of service (though loan cancellation for service in prekindergarten or child care programs is provided at the rate of 15% for each year of such service).

(Sec. 466) Expresses the sense of Congress that the PL program is an important part of federal student aid and should remain a campus-based aid program.

Part F: Need Analysis - (Sec. 471) Expands the definition of an allowance for room and board to include an allowance for expenses reasonably incurred for board, but not for room, for those students who receive a military housing allowance or live on base.

(Sec. 472) Includes an individual's nursing home or dependent care expenses or status as a dislocated worker within the special circumstances financial aid administrators may consider in analyzing an individual's need. Authorizes financial aid administrators to award unsubsidized FFELs or DLs to students whose parents have ended financial support and refuse to complete the Free Application for Federal Student Aid (FAFSA).

(Sec. 473) Allows the Secretary to use tax return data from the second preceding tax year for the purpose of designing a simplified needs application.

Prohibits, beginning in July 2010, veterans' education benefits from being included in the calculation of expected family contributions or as available financial assistance in title IV need analyses.

Excludes the value of on-base military housing or a military housing allowance from consideration as untaxed income or

benefits in the need analysis formula.

Includes as independent students individuals who were orphans, in foster care, or wards of the court at any time when they were at least 13 years old, or were emancipated minors or in legal guardianship immediately before attaining the age of majority.

Excludes earnings from IHE cooperative education work programs from need analyses.

Part G: General Provisions Relating To Student Assistance - (Sec. 481) Limits the Secretary's authority to waive the minimum weeks of instruction requirement for IHEs to IHEs that measure program length in credit or clock hours.

(Sec. 482) Directs the Secretary to provide to IHEs before each award year a compliance calendar listing all reports and disclosures required under HEA, including specified information.

(Sec. 483) Requires the Secretary to make the Free Application for Federal Student Aid (FAFSA): (1) consumer-friendly, with the goal of 50% fewer data elements; (2) available in both paper and (downloadable) electronic formats; (3) flexible enough to permit applicants to enter data years before enrolling and selectively update information; and (4) include data elements relevant to state student aid determinations.

Directs the Secretary to develop a simplified paper and (downloadable) electronic EZ FAFSA for applicants having no expected family contributions or for whom a simplified needs test applies.

Directs the Secretary to implement an early application demonstration program assessing the feasibility and benefits of allowing dependent students to complete a FAFSA or EZ FAFSA two years before their enrollment in an IHE.

Directs the Secretary to use any savings accrued by moving more applicants to electronic FAFSAs to increase access to such forms by students who meet simplified needs test or zero expected family contribution requirements.

Requires the Comptroller General to convene a study group, that includes the Secretary, to assess further FAFSA simplifications allowing students and families to supply substantially less income and asset information, such as by using tax return data to prepopulate the FAFSA.

(Sec. 484) Requires the Secretary to convene a group to develop recommendations for IHE financial aid offer forms that present in a consumer-friendly manner: (1) the student's cost of attendance; (2) the amount of financial aid that the student does not have to repay and the conditions on such aid; (3) the amount and terms of title IV loans; (4) the cost of attendance minus the financial aid offered; and (5) where to seek additional financial aid information.

(Sec. 485) Revises requirements for student eligibility for title IV assistance.

Requires the IHE to determine, for each student who is not a high school graduate, that the student has the ability to benefit from the education or training it offers, upon satisfactory completion of six credit hours or the equivalent coursework applicable to a degree or certificate it offers.

Allows the Secretary, in cooperation with the Secretary of the Treasury, to use applicants' tax return data to prepopulate FAFSAs and verify the information reported on such applications. Authorizes the Secretary to condition applicants' receipt of title IV assistance on their consenting to the release of such tax return data.

Makes students convicted of a drug offense eligible for assistance under the title IV or WS programs if they pass two unannounced drug tests conducted by a drug rehabilitation program.

Makes eligible for HEA student aid any intellectually disabled students who have been accepted for enrollment and are maintaining satisfactory progress in an IHE comprehensive transition and postsecondary education program for such students.

Requires the Secretary to analyze FAFSA data and report to Congress regarding the number, characteristics, and circumstances of students denied federal student aid based on drug convictions while receiving such aid.

(Sec. 486) Provides that a borrower may not raise a defense based on infancy against an IHE collecting an obligation under the PL program. Provides that, if a student is deceased, neither the student's estate nor family's estate is required to repay any title IV assistance or related costs.

(Sec. 487) Requires IHEs to readmit students who take a leave of absence to perform active military service at the same academic status they had attained prior to such service, provided their cumulative absence for such service does not exceed five years.

(Sec. 488) Adds to the institutional information IHEs must disclose to current and prospective students and, in certain cases, their employees or the public: (1) plans for improving their academic programs; (2) policies and sanctions rela

Actions Timeline

- **Aug 14, 2008:** Signed by President.
- **Aug 14, 2008:** Became Public Law No: 110-315.
- **Aug 6, 2008:** Presented to President.
- **Jul 31, 2008:** Mr. Miller, George brought up conference report H. Rept. 110-803 for consideration under the provisions of H. Res. 1389. (consideration: CR H7658-7673)
- **Jul 31, 2008:** DEBATE - The House proceeded with one hour of debate on the conference report to accompany H.R. 4137.
- **Jul 31, 2008:** Conference report agreed to in House: On agreeing to the conference report Agreed to by the Yeas and Nays: 380 - 49 (Roll no. 544).(consideration: CR H7673)
- **Jul 31, 2008:** Motions to reconsider laid on the table Agreed to without objection.
- **Jul 31, 2008:** On agreeing to the conference report Agreed to by the Yeas and Nays: 380 - 49 (Roll no. 544). (consideration: CR H7673)
- **Jul 31, 2008:** Conference report considered in Senate.
- **Jul 31, 2008:** Conference report agreed to in Senate: Senate agreed to conference report by Yea-Nay Vote. 83 - 8. Record Vote Number: 194.(consideration: CR S7878)
- **Jul 31, 2008:** Senate agreed to conference report by Yea-Nay Vote. 83 - 8. Record Vote Number: 194. (consideration: CR S7878)
- **Jul 31, 2008:** Message on Senate action sent to the House.
- **Jul 31, 2008:** Cleared for White House.
- **Jul 30, 2008:** Conference report filed: Conference report H. Rept. 110-803 filed.(text of conference report: CR H7353-7517)
- **Jul 30, 2008:** Conference report H. Rept. 110-803 filed. (text of conference report: CR H7353-7517)
- **Jul 29, 2008:** Senate Committee on Health, Education, Labor, and Pensions discharged by Unanimous Consent.
- **Jul 29, 2008:** Measure laid before Senate by unanimous consent. (consideration: CR S7591)
- **Jul 29, 2008:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.
- **Jul 29, 2008:** Passed Senate with an amendment by Unanimous Consent.
- **Jul 29, 2008:** Senate insists on its amendment, asks for a conference, appoints conferees Kennedy; Dodd; Harkin; Mikulski; Bingaman; Murray; Reed; Clinton; Obama; Sanders; Brown; Enzi; Gregg; Alexander; Burr; Isakson; Murkowski; Hatch; Roberts; Allard; Coburn. (consideration: CR S7591)
- **Jul 29, 2008:** Message on Senate action sent to the House.
- **Jul 29, 2008:** Mr. Miller, George asked unanimous consent that the House disagree to the Senate amendment, and agree to a conference. (consideration: CR H7269)
- **Jul 29, 2008:** On motion that the House disagree to the Senate amendment, and agree to a conference Agreed to without objection. (consideration: CR H7269)
- **Jul 29, 2008:** Conference committee actions: Conferees agreed to file conference report.(consideration: CR S7591)
- **Jul 29, 2008:** Conferees agreed to file conference report. (consideration: CR S7591)
- **Jul 29, 2008:** The Speaker appointed conferees - from the Committee on Education and Labor for consideration of the House bill and the Senate amendment, and modifications committed to conference: Miller, George, Hinojosa, Tierney, Wu, Bishop (NY), Altmire, Yarmuth, Courtney, Andrews, Scott (VA), Davis (CA), Davis (IL), Hirono, Keller, Petri, McMorris Rodgers, Foxx, Kuhl (NY), Walberg, Castle, Souder, Ehlers, Biggert, and McKeon.
- **Jul 29, 2008:** The Speaker appointed conferees - from the Committee on the Judiciary for consideration of secs. 951 and 952 of the House bill, and secs. 951 and 952 of the Senate amendment, and modifications committed to conference: Conyers, Waters, and Gohmert.
- **Jul 29, 2008:** The Speaker appointed conferees - from the Committee on Science and Technology for consideration of secs. 961 and 962 of the House bill, and sec. 804 of the Senate amendment, and modifications committed to conference: Gordon, Baird, and Neugebauer.
- **Feb 25, 2008:** Received in the Senate and Read twice and referred to the Committee on Health, Education, Labor, and Pensions.
- **Feb 7, 2008:** Rule H. Res. 956 passed House.
- **Feb 7, 2008:** Considered under the provisions of rule H. Res. 956. (consideration: CR H641-645)
- **Feb 7, 2008:** Rule provides for consideration of H.R. 4137 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will

be considered read. Specified amendments are in order. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in the bill.

- **Feb 7, 2008:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 956 and Rule XVIII.
- **Feb 7, 2008:** The Speaker designated the Honorable Ed Pastor to act as Chairman of the Committee.
- **Feb 7, 2008:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 4137.
- **Feb 7, 2008:** Mr. Hinojosa moved that the Committee rise.
- **Feb 7, 2008:** On motion that the Committee rise Agreed to by voice vote.
- **Feb 7, 2008:** Committee of the Whole House on the state of the Union rises leaving H.R. 4137 as unfinished business.
- **Feb 7, 2008:** ORDER OF PROCEDURE - Mr. Hinojosa asked unanimous consent that, during further consideration of H.R. 4137 pursuant to H. Res. 956, the Chair may reduce to two minutes the minimum time for electronic voting under clause 6 of rule 18 and clauses 8 and 9 of rule 20. Agreed to without objection.
- **Feb 7, 2008:** Considered as unfinished business. (consideration: CR H645-783)
- **Feb 7, 2008:** The House resolved into Committee of the Whole House on the state of the Union for further consideration.
- **Feb 7, 2008:** GENERAL DEBATE - The Committee of the Whole resumed general debate on H.R. 4137.
- **Feb 7, 2008:** DEBATE - Pursuant to the provisions of H. Res. 956, the Committee of the Whole proceeded with 20 minutes of debate on the George Miller (CA) amendment.
- **Feb 7, 2008:** DEBATE - Pursuant to the provisions of H. Res. 956, the Committee of the Whole proceeded with 10 minutes of debate on the McKeon amendment.
- **Feb 7, 2008:** DEBATE - Pursuant to the provisions of H. Res. 956, the Committee of the Whole proceeded with 10 minutes of debate on the Hinojosa en bloc amendments.
- **Feb 7, 2008:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Petri amendment, the Chair put the question on adoption of the amendment and by voice vote, announced the ayes had prevailed. Mr. McKeon demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Feb 7, 2008:** DEBATE - Pursuant to the provisions of H. Res. 956, the Committee of the Whole proceeded with 10 minutes of debate on the Petri amendment.
- **Feb 7, 2008:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Petri amendment, the Chair put the question on adoption of the amendment and by voice vote, announced the ayes had prevailed. Mr. Price(GA) demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Feb 7, 2008:** DEBATE - Pursuant to the provisions of H. Res. 956, the Committee of the Whole proceeded with 10 minutes of debate on the Castle amendment.
- **Feb 7, 2008:** DEBATE - Pursuant to the provisions of H. Res. 956, the Committee of the Whole proceeded with 10 minutes of debate on the Davis(IL) amendment.
- **Feb 7, 2008:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Davis(IL) amendment, the Chair put the question on adoption of the amendment and by voice vote, announced the ayes had prevailed. Mr. McKeon demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Feb 7, 2008:** DEBATE - Pursuant to the provisions of H. Res. 956, the Committee of the Whole proceeded with 10 minutes of debate on the Sestak amendment.
- **Feb 7, 2008:** DEBATE - Pursuant to the provisions of H. Res. 956, the Committee of the Whole proceeded with 10 minutes of debate on the Yarmuth amendment.
- **Feb 7, 2008:** DEBATE - Pursuant to the provisions of H. Res. 956, the Committee of the Whole proceeded with 10 minutes of debate on the Hastings (FL) amendment.
- **Feb 7, 2008:** DEBATE - Pursuant to the provisions of H. Res. 956, the Committee of the Whole proceeded with 10 minutes of debate on the Welch amendment.
- **Feb 7, 2008:** DEBATE - Pursuant to the provisions of H. Res. 956, the Committee of the Whole proceeded with 10 minutes of debate on the Eddie Bernice Johnson amendment.
- **Feb 7, 2008:** DEBATE - Pursuant to the provisions of H. Res. 956, the Committee of the Whole proceeded with 10 minutes of debate on the Stupak amendment.

- Feb 7, 2008:** DEBATE - Pursuant to the provisions of H. Res. 956, the Committee of the Whole proceeded with 10 minutes of debate on the Doggett amendment.
- **Feb 7, 2008:** DEBATE - Pursuant to the provisions of H. Res. 956, the Committee of the Whole proceeded with 10 minutes of debate on the Baird amendment.
 - **Feb 7, 2008:** DEBATE - Pursuant to the provisions of H. Res. 956, the Committee of the Whole proceeded with 10 minutes of debate on the Crowley amendment.
 - **Feb 7, 2008:** DEBATE - Pursuant to the provisions of H. Res. 956, the Committee of the Whole proceeded with 10 minutes of debate on the Cooper amendment.
 - **Feb 7, 2008:** DEBATE - Pursuant to the provisions of H. Res. 956, the Committee of the Whole proceeded with 10 minutes of debate on the Ryan (OH) amendment.
 - **Feb 7, 2008:** DEBATE - Pursuant to the provisions of H. Res. 956, the Committee of the Whole proceeded with 10 minutes of debate on the Van Hollen amendment.
 - **Feb 7, 2008:** DEBATE - Pursuant to the provisions of H. Res. 956, the Committee of the Whole proceeded with 10 minutes of debate on the Gillibrand amendment.
 - **Feb 7, 2008:** DEBATE - Pursuant to the provisions of H. Res. 956, the Committee of the Whole proceeded with 10 minutes of debate on the Patrick Murphy (PA) amendment.
 - **Feb 7, 2008:** DEBATE - Pursuant to the provisions of H. Res. 956, the Committee of the Whole proceeded with 10 minutes of debate on the Shuler amendment.
 - **Feb 7, 2008:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 4137.
 - **Feb 7, 2008:** The previous question was ordered pursuant to the rule. (consideration: CR H780)
 - **Feb 7, 2008:** The House adopted the amendment in the nature of a substitute as agreed to by the Committee of the Whole House on the state of the Union. (text: CR H658-636)
 - **Feb 7, 2008:** Mr. Ferguson moved to recommit with instructions to Education and Labor. (consideration: CR H780-782; text: CR H780)
 - **Feb 7, 2008:** DEBATE - The House proceeded with ten minutes of debate on the Ferguson motion to recommit with instructions. The instructions contained in the motion seek to require the bill to be reported back to the House with an amendment adding a new Title XII regarding Limitations on Expenditures.
 - **Feb 7, 2008:** The previous question on the motion to recommit with instructions was ordered without objection. (consideration: CR H781)
 - **Feb 7, 2008:** On motion to recommit with instructions Failed by recorded vote: 194 - 216 (Roll no. 39). (consideration: CR H781-782)
 - **Feb 7, 2008:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 354 - 58 (Roll no. 40).
 - **Feb 7, 2008:** Motion to reconsider laid on the table Agreed to without objection.
 - **Feb 7, 2008:** On passage Passed by the Yeas and Nays: 354 - 58 (Roll no. 40).
 - **Feb 7, 2008:** The Clerk was authorized to correct section numbers, punctuation, and cross references, and to make other necessary technical and conforming corrections in the engrossment of H.R. 4137.
 - **Feb 6, 2008:** Rules Committee Resolution H. Res. 956 Reported to House. Rule provides for consideration of H.R. 4137 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in the bill.
 - **Dec 19, 2007:** Reported (Amended) by the Committee on Education and Labor. H. Rept. 110-500, Part I.
 - **Dec 19, 2007:** Committee on Judiciary discharged.
 - **Dec 19, 2007:** Committee on Science and Technology discharged.
 - **Dec 19, 2007:** Committee on Financial Services discharged.
 - **Dec 19, 2007:** Placed on the Union Calendar, Calendar No. 305.
 - **Nov 15, 2007:** Committee Consideration and Mark-up Session Held.
 - **Nov 15, 2007:** Ordered to be Reported (Amended) by the Yeas and Nays: 45 - 0.
 - **Nov 14, 2007:** Committee Consideration and Mark-up Session Held.
 - **Nov 9, 2007:** Introduced in House
 - **Nov 9, 2007:** Referred to the Committee on Education and Labor, and in addition to the Committees on the Judiciary, Science and Technology, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.