

108<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 444

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## AN ACT

To amend the Workforce Investment Act of 1998 to establish a Personal Reemployment Accounts grant program to assist Americans in returning to work; to reauthorize title II of the Higher Education Act of 1965; to amend title VII of the Higher Education Act of 1965 to ensure graduate opportunities in postsecondary education; and for other purposes.

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

3 **SECTION 1. TABLE OF CONTENTS.**

4 The table of contents for this Act is as follows:

Sec. 1. Table of contents.

TITLE I—WORKER REEMPLOYMENT ACCOUNTS ACT OF 2004

Sec. 101. Short title.

Sec. 102. Grants to support personal reemployment accounts.

TITLE II—TEACHER TRAINING ENHANCEMENT ACT

Sec. 201. Short title.

Sec. 202. Teacher quality enhancement grants.

Sec. 203. Preparing tomorrow’s teachers to use technology.

Sec. 204. Centers of Excellence.

Sec. 205. Transition.

TITLE III—PRIORITIES FOR GRADUATE STUDIES ACT OF 2004

Sec. 301. Short title; references.

Sec. 302. Javits Fellowship Program.

Sec. 303. Graduate assistance in areas of national need.

Sec. 304. Thurgood Marshall Legal Educational Opportunity Program.

Sec. 305. Fund for the improvement of postsecondary education.

Sec. 306. Urban community service.

Sec. 307. Demonstration projects to ensure students with disabilities receive a  
 quality higher education.

5 **TITLE I—WORKER REEMPLOY-**  
 6 **MENT ACCOUNTS ACT OF 2004**

7 **SEC. 101. SHORT TITLE.**

8 This title may be cited as the “Worker Reemployment  
 9 Accounts Act of 2004”.

10 **SEC. 102. GRANTS TO SUPPORT PERSONAL REEMPLOY-**  
 11 **MENT ACCOUNTS.**

12 Section 171 of the Workforce Investment Act of 1998  
 13 is amended by adding at the end the following:

14 “(e) PERSONAL REEMPLOYMENT ACCOUNTS.—

1           “(1) DEFINITION.—In this subsection, the term  
2           ‘State’ means each of the several States of the  
3           United States, the District of Columbia, the Com-  
4           monwealth of Puerto Rico, and the United States  
5           Virgin Islands.

6           “(2) DEMONSTRATION PROJECT.—In addition  
7           to the demonstration projects under subsection (b),  
8           the Secretary may establish and implement a na-  
9           tional demonstration project designed to analyze and  
10          provide data on workforce training programs that  
11          accelerate the reemployment of unemployed individ-  
12          uals, promote the retention in employment of such  
13          individuals, and provide such individuals with en-  
14          hanced flexibility, choice, and control in obtaining  
15          intensive reemployment, training, and supportive  
16          services.

17          “(3) GRANTS.—

18                 “(A) IN GENERAL.—In carrying out the  
19                 demonstration project, the Secretary shall make  
20                 grants, on a competitive basis, to eligible enti-  
21                 ties to provide personal reemployment accounts  
22                 to eligible individuals. In awarding grants under  
23                 this subsection the Secretary shall take into  
24                 consideration awarding grants to eligible enti-

1 ties from diverse geographic areas, including  
2 rural areas.

3 “(B) DURATION.—The Secretary shall  
4 make the grants for periods of not less than 2  
5 years and may renew the grant for each of the  
6 succeeding 3 years.

7 “(4) ELIGIBLE ENTITY.—In this subsection, the  
8 term ‘eligible entity’ means—

9 “(A) a State; or

10 “(B) a local board or consortium of local  
11 boards.

12 “(5) USE OF FUNDS.—

13 “(A) IN GENERAL.—An eligible entity that  
14 receives a grant under this subsection shall use  
15 the grant funds to provide, through a local area  
16 or areas, eligible individuals with personal re-  
17 employment accounts. An eligible individual  
18 may receive only 1 personal reemployment ac-  
19 count.

20 “(B) GEOGRAPHIC AREA AND AMOUNT.—

21 “(i) IN GENERAL.—The eligible entity  
22 shall establish the amount of a personal re-  
23 employment account for each eligible indi-  
24 vidual participating, which shall be uni-  
25 form throughout the area represented by

1 the eligible entity, and shall not exceed  
2 \$3,000.

3 “(ii) OPTION FOR STATES.—If the eli-  
4 gible entity is a State, the eligible entity  
5 may choose to use the grant statewide, if  
6 practicable, or only in specified local areas  
7 within a State.

8 “(C) ELIGIBLE INDIVIDUALS.—

9 “(i) IN GENERAL.—Each eligible enti-  
10 ty shall establish eligibility criteria for indi-  
11 viduals for personal reemployment ac-  
12 counts in accordance with this subpara-  
13 graph.

14 “(ii) ELIGIBILITY CRITERIA REQUIRE-  
15 MENTS.—

16 “(I) IN GENERAL.—Subject to  
17 subclause (II), an individual shall be  
18 eligible to receive a personal reemploy-  
19 ment account under a grant awarded  
20 under this subsection if, beginning  
21 after the date of enactment of this  
22 subsection, the individual—

23 “(aa) is identified by the  
24 State pursuant to section  
25 303(j)(1) of the Social Security

1 Act (42 U.S.C. 503(j)(1)) as like-  
2 ly to exhaust regular unemploy-  
3 ment compensation and in need  
4 of job search assistance to make  
5 a successful transition to new  
6 employment, or the individual's  
7 unemployment can be attributed  
8 in substantial part to unfair com-  
9 petition from Federal Prison In-  
10 dustries, Incorporated;

11 “(bb) is receiving regular  
12 unemployment compensation  
13 under any Federal or State un-  
14 employment compensation pro-  
15 gram administered by the State;  
16 and

17 “(cc) is eligible for not less  
18 than 20 weeks of regular unem-  
19 ployment compensation described  
20 in item (bb).

21 “(II) ADDITIONAL ELIGIBILITY  
22 AND PRIORITY CRITERIA.—An eligible  
23 entity may establish criteria that are  
24 in addition to the criteria described in  
25 subclause (I) for the eligibility of indi-

1           viduals to receive a personal reemploy-  
2           ment account under this subsection.  
3           An eligible entity may also establish  
4           criteria for priority in the provision of  
5           a personal reemployment account to  
6           such eligible individuals under a grant  
7           awarded under this subsection.

8           “(iii) TRANSITION RULE.—

9                   “(I) PREVIOUSLY IDENTIFIED AS  
10                   LIKELY TO EXHAUST UNEMPLOYMENT  
11                   COMPENSATION.—

12                           “(aa) IN GENERAL.—At the  
13                           option of the eligible entity, and  
14                           subject to item (bb), an indi-  
15                           vidual may be eligible to receive a  
16                           personal reemployment account  
17                           under this subsection if the  
18                           individual—

19                                   “(AA) during the 13-  
20                                   week period ending the week  
21                                   prior to the date of the en-  
22                                   actment of the subsection,  
23                                   was identified by the State  
24                                   pursuant to section  
25                                   303(j)(1) of the Social Secu-

1                    rity Act (42 U.S.C.  
2                    503(j)(1)) as likely to ex-  
3                    haust regular unemployment  
4                    compensation and in need of  
5                    job search assistance to  
6                    make a successful transition  
7                    to new employment; and

8                    “(BB) otherwise meets  
9                    the requirements of clause  
10                    (ii)(I)(bb) and (cc).

11                    “(bb) ADDITIONAL ELIGI-  
12                    BILITY AND PRIORITY CRI-  
13                    TERIA.—An eligible entity may  
14                    establish criteria that is in addi-  
15                    tion to the criteria described in  
16                    item (aa) for the eligibility of in-  
17                    dividuals to receive a personal re-  
18                    employment account under this  
19                    subsection. An eligible entity may  
20                    also establish criteria for priority  
21                    in the provision of such accounts  
22                    to such eligible individuals under  
23                    this subsection.

24                    “(II) PREVIOUSLY EXHAUSTED  
25                    UNEMPLOYMENT COMPENSATION.—At

1 the option of the eligible entity, an in-  
2 dividual may be eligible to receive a  
3 personal reemployment account under  
4 a grant awarded under this subsection  
5 if the individual—

6 “(aa) during the 26-week  
7 period ending the week prior to  
8 the date of the enactment of this  
9 subsection, exhausted all rights  
10 to any unemployment compensa-  
11 tion; and

12 “(bb)(AA) is enrolled in  
13 training and needs additional  
14 support to complete such train-  
15 ing, with a priority of service to  
16 be provided to such individuals  
17 who are training for shortage oc-  
18 cupations or high-growth indus-  
19 tries; or

20 “(BB) is separated from  
21 employment in an industry or oc-  
22 cupation that has experienced de-  
23 clining employment, or no longer  
24 provides any employment, in the  
25 local labor market during the 2-

1 year period ending on the date of  
2 the determination of eligibility of  
3 the individual under this sub-  
4 paragraph.

5 “(iv) NO INDIVIDUAL ENTITLE-  
6 MENT.—Nothing in this subsection shall be  
7 construed to entitle any individual to re-  
8 ceive a personal reemployment account.

9 “(D) LIMITATIONS.—

10 “(i) INFORMATION AND ATTESTA-  
11 TION.—Prior to the establishment of a per-  
12 sonal reemployment account for an eligible  
13 individual, the eligible entity receiving a  
14 grant, through the one-stop delivery sys-  
15 tem in the participating local area or  
16 areas, shall ensure that the individual—

17 “(I) is informed of the require-  
18 ments applicable to the personal reem-  
19 ployment account, including the allow-  
20 able uses of funds from the account,  
21 the limitations on access to services  
22 described in paragraph (7)(A)(iii) and  
23 a description of such services, and the  
24 conditions for receiving a reemploy-  
25 ment bonus;

1           “(II) has the option to develop a  
2           personal reemployment plan which will  
3           identify the employment goals and ap-  
4           propriate combination of services se-  
5           lected by the individual to achieve the  
6           employment goals; and

7           “(III) signs an attestation that  
8           the individual has been given the op-  
9           tion to develop a personal reemploy-  
10          ment plan in accordance with sub-  
11          clause (II), will comply with the re-  
12          quirements under this subsection re-  
13          lating to the personal reemployment  
14          accounts, and will reimburse the ac-  
15          count or, if the account has been ter-  
16          minated, the grant awarded under  
17          this subsection, for any amounts ex-  
18          pended from the account that are not  
19          allowable.

20          “(ii) PERIODIC INTERVIEWS.—If a re-  
21          cipient exhausts his or her rights to any  
22          unemployment compensation, and the re-  
23          cipient has a remaining balance in his or  
24          her personal reemployment account, the  
25          one-stop delivery system shall conduct peri-

1           odic interviews with the recipient to assist  
2           the recipient in meeting his or her indi-  
3           vidual employment goals.

4           “(iii) USE OF PERSONAL REEMPLOY-  
5           MENT ACCOUNTS.—The eligible entity re-  
6           ceiving a grant shall ensure that eligible  
7           individuals receiving a personal reemploy-  
8           ment account use the account in accord-  
9           ance with paragraph (7).

10           “(6) APPLICATION FOR GRANTS.—To be eligible  
11           to receive a grant under this subsection, an eligible  
12           entity shall submit an application to the Secretary at  
13           such time, in such manner, and containing such in-  
14           formation as the Secretary may require, including—

15           “(A) if the eligible entity is a State—

16           “(i) assurance that the application  
17           was developed in conjunction with the local  
18           board or boards and chief elected officials  
19           where the personal reemployment accounts  
20           shall be made available; and

21           “(ii) a description of the methods and  
22           procedures for providing funds to local  
23           areas where the personal reemployment ac-  
24           counts shall be made available; and

1           “(B) a description of the criteria and  
2 methods to be used for determining eligibility  
3 for the personal reemployment account, includ-  
4 ing whether the eligible entity intends to include  
5 the optional categories described in paragraph  
6 (5)(C)(iii), and the additional criteria and pri-  
7 ority for service that the eligible entity intends  
8 to apply, if any, pursuant to paragraph  
9 (5)(C)(ii)(II);

10           “(C) a description of the methods or proce-  
11 dures to be used to provide eligible individuals  
12 information relating to services and providers;

13           “(D) a description of safeguards to ensure  
14 that funds from the personal reemployment ac-  
15 counts are used for purposes authorized under  
16 this subsection and to ensure the quality and  
17 integrity of services and providers, consistent  
18 with the purpose of providing eligible individ-  
19 uals with enhanced flexibility, choice, and con-  
20 trol in obtaining intensive reemployment, train-  
21 ing, and supportive services;

22           “(E) a description of how the eligible enti-  
23 ty will coordinate the activities carried out  
24 under this subsection with the employment and  
25 training activities carried out under section 134

1 and other activities carried out by local boards  
2 through the one-stop delivery system in the  
3 State or local area; and

4 “(F) an assurance that the eligible entity  
5 will comply with any evaluation and reporting  
6 requirements the Secretary may require.

7 “(7) USE OF PERSONAL REEMPLOYMENT AC-  
8 COUNTS.—

9 “(A) ALLOWABLE ACTIVITIES.—

10 “(i) IN GENERAL.—Subject to the re-  
11 quirements contained in clauses (ii) and  
12 (iii), a recipient of a personal reemploy-  
13 ment account may use amounts in a per-  
14 sonal reemployment account to purchase 1  
15 or more of the following:

16 “(I) Intensive services, including  
17 those type of services specified in sec-  
18 tion 134(d)(3)(C).

19 “(II) Training services, including  
20 those types of services specified in sec-  
21 tion 134(d)(4)(D).

22 “(III) Supportive services, except  
23 for needs related payments.

24 “(ii) DELIVERY OF SERVICES.—The  
25 following requirements relating to delivery

1 of services shall apply to the grants under  
2 this subsection:

3 “(I) Recipients may use funds  
4 from the personal reemployment ac-  
5 count to purchase the services de-  
6 scribed in clause (i) through the one-  
7 stop delivery system on a fee-for-serv-  
8 ice basis, or through other providers,  
9 consistent with the safeguards de-  
10 scribed in paragraph (6)(D).

11 “(II) The eligible entity, through  
12 the one-stop delivery system in the  
13 participating local area, may pay costs  
14 for such services directly on behalf of  
15 the recipient, through a voucher sys-  
16 tem, or by reimbursement to the re-  
17 cipient upon receipt of appropriate  
18 cost documentation.

19 “(III) Each eligible entity,  
20 through the one-stop delivery system  
21 in the participating local area, shall  
22 make available to recipients informa-  
23 tion on training providers specified in  
24 section 134(d)(4)(F)(ii), information  
25 available to the one-stop delivery sys-

1           tem on providers of the intensive and  
2           supportive services described in clause  
3           (i), and information relating to occu-  
4           pations in demand in the local area.

5           “(iii) LIMITATIONS.—The following  
6           limitations shall apply with respect to per-  
7           sonal reemployment accounts under this  
8           subsection:

9                   “(I) Amounts in a personal reem-  
10                  ployment account may be used for up  
11                  to 1 year from the date of the estab-  
12                  lishment of the account.

13                  “(II) Each recipient shall submit  
14                  cost documentation as required by the  
15                  one-stop delivery system.

16                  “(III) For the 1-year period fol-  
17                  lowing the establishment of the ac-  
18                  count, recipients may not receive in-  
19                  tensive, supportive, or training serv-  
20                  ices funded under this title except on  
21                  a fee-for-services basis as specified in  
22                  clause (ii)(I).

23                  “(IV) Amounts in a personal re-  
24                  employment account shall be non-  
25                  transferable.

1 “(B) REEMPLOYMENT BONUS.—

2 “(i) IN GENERAL.—Subject to clause

3 (ii)—

4 “(I) if a recipient determined eli-  
5 gible under paragraph (5)(C)(ii) ob-  
6 tains full-time employment before the  
7 13th week of unemployment for which  
8 unemployment compensation is paid,  
9 the balance of his or her personal re-  
10 employment account shall be provided  
11 directly to the recipient in cash; and

12 “(II) if a recipient determined eli-  
13 gible under paragraph (5)(C)(iii) ob-  
14 tains full-time employment before the  
15 end of the 13th week after the date  
16 on which the account is established,  
17 the balance of his or her personal re-  
18 employment account shall be provided  
19 directly to the recipient in cash.

20 “(ii) LIMITATIONS.—The following  
21 limitations shall apply with respect to a re-  
22 cipient described in clause (i):

23 “(I) 60 percent of the remaining  
24 personal reemployment account

1 balance shall be paid to the recipient  
2 at the time of employment.

3 “(II) 40 percent of the remaining  
4 personal reemployment account shall  
5 be paid to the recipient after 26 weeks  
6 of employment retention.

7 “(iii) EXCEPTION REGARDING SUBSE-  
8 QUENT EMPLOYMENT.—If a recipient de-  
9 scribed in clause (i) subsequently becomes  
10 unemployed due to a lack of work after re-  
11 ceiving the portion of the reemployment  
12 bonus specified under clause (ii)(I), the in-  
13 dividual may use the amount remaining in  
14 the personal reemployment account for the  
15 purposes described in subparagraph (A)  
16 but may not be eligible for additional cash  
17 payments under this subparagraph.

18 “(8) PROGRAM INFORMATION AND EVALUA-  
19 TION.—

20 “(A) INFORMATION.—The Secretary may  
21 require from eligible entities the collection and  
22 reporting on such financial, performance, and  
23 other program-related information as the Sec-  
24 retary determines is appropriate to carry out

1 this subsection, including the evaluation de-  
2 scribed in subparagraph (B).

3 “(B) EVALUATION.—

4 “(i) IN GENERAL.—The Secretary,  
5 pursuant to the authority provided under  
6 section 172, shall, directly or through  
7 grants, contracts, or cooperative agreement  
8 with appropriate entities, conduct an eval-  
9 uation of the activities carried out under  
10 any grants awarded under this subsection.

11 “(ii) REPORT.—The report to Con-  
12 gress under section 172(e) relating to the  
13 results of the evaluations required under  
14 section 172 shall include the recommenda-  
15 tion of the Secretary with respect to the  
16 use of personal reemployment account as a  
17 mechanism to assist individuals in obtain-  
18 ing and retaining employment.”.

19 **TITLE II—TEACHER TRAINING**  
20 **ENHANCEMENT ACT**

21 **SEC. 201. SHORT TITLE.**

22 This title may be cited as “Teacher Training En-  
23 hancement Act”.

1 **SEC. 202. TEACHER QUALITY ENHANCEMENT GRANTS.**

2 Part A of title II of the Higher Education Act of  
3 1965 (20 U.S.C. 1021 et seq.) is amended to read as fol-  
4 lows:

5 **“PART A—TEACHER QUALITY ENHANCEMENT**  
6 **GRANTS FOR STATES AND PARTNERSHIPS**

7 **“SEC. 201. PURPOSES; DEFINITIONS.**

8 “(a) PURPOSES.—The purposes of this part are to—

9 “(1) improve student academic achievement;

10 “(2) improve the quality of the current and fu-  
11 ture teaching force by improving the preparation of  
12 prospective teachers and enhancing professional de-  
13 velopment activities;

14 “(3) hold institutions of higher education ac-  
15 countable for preparing highly qualified teachers;  
16 and

17 “(4) recruit qualified individuals, including mi-  
18 norities and individuals from other occupations, into  
19 the teaching force.

20 “(b) DEFINITIONS.—In this part:

21 “(1) ARTS AND SCIENCES.—The term ‘arts and  
22 sciences’ means—

23 “(A) when referring to an organizational  
24 unit of an institution of higher education, any  
25 academic unit that offers 1 or more academic  
26 majors in disciplines or content areas cor-

1           responding to the academic subject matter  
2           areas in which teachers provide instruction; and

3           “(B) when referring to a specific academic  
4           subject matter area, the disciplines or content  
5           areas in which academic majors are offered by  
6           the arts and science organizational unit.

7           “(2) EXEMPLARY TEACHER.—The term ‘exem-  
8           plary teacher’ has the meaning given such term in  
9           section 9101 of the Elementary and Secondary Edu-  
10          cation Act of 1965 (20 U.S.C. 7801).

11          “(3) HIGHLY QUALIFIED.—The term ‘highly  
12          qualified’ has the meaning given such term in sec-  
13          tion 9101 of the Elementary and Secondary Edu-  
14          cation Act of 1965 (20 U.S.C. 7801).

15          “(4) HIGH-NEED LOCAL EDUCATIONAL AGEN-  
16          CY.—The term ‘high-need local educational agency’  
17          means a local educational agency—

18                 “(A)(i)(I) that serves not fewer than  
19                 10,000 children from families with incomes  
20                 below the poverty line; or

21                 “(II) for which not less than 25 percent of  
22                 the children served by the agency are from fam-  
23                 ilies with incomes below the poverty line;

24                 “(ii) that is among those serving the high-  
25                 est number or percentage of children from fam-

1            ilies with incomes below the poverty line in the  
2            State, but this clause applies only in a State  
3            that has no local educational agency meeting  
4            the requirements of clause (i); or

5            “(iii) with a total of less than 600 students  
6            in average daily attendance at the schools that  
7            are served by the agency and all of whose  
8            schools are designated with a school locale code  
9            of 7, as determined by the Secretary; and

10           “(B)(i) for which there is a high percent-  
11           age of teachers not teaching in the academic  
12           subjects or grade levels that the teachers were  
13           trained to teach; or

14           “(ii) for which there is a high percentage  
15           of teachers with emergency, provisional, or tem-  
16           porary certification or licensing.

17           “(5) POVERTY LINE.—The term ‘poverty line’  
18           means the poverty line (as defined by the Office of  
19           Management and Budget, and revised annually in  
20           accordance with section 673(2) of the Community  
21           Services Block Grant Act (42 U.S.C. 9902(2))) ap-  
22           plicable to a family of the size involved.

23           “(6) PROFESSIONAL DEVELOPMENT.—The  
24           term ‘professional development’ has the meaning  
25           given such term in section 9101 of the Elementary

1 and Secondary Education Act of 1965 (20 U.S.C.  
2 7801).

3 “(7) SCIENTIFICALLY BASED READING RE-  
4 SEARCH.—The term ‘scientifically based reading re-  
5 search’ has the meaning given such term in section  
6 1208 of the Elementary and Secondary Education  
7 Act of 1965 (20 U.S.C. 6368).

8 “(8) SCIENTIFICALLY BASED RESEARCH.—The  
9 term ‘scientifically based research’ has the meaning  
10 given such term in section 9101 of the Elementary  
11 and Secondary Education Act of 1965 (20 U.S.C.  
12 7801).

13 “(9) TEACHING SKILLS.—The term ‘teaching  
14 skills’ means skills that—

15 “(A) are based on scientifically based re-  
16 search;

17 “(B) enable teachers to effectively convey  
18 and explain subject matter content;

19 “(C) lead to increased student academic  
20 achievement; and

21 “(D) use strategies that—

22 “(i) are specific to subject matter;

23 “(ii) include ongoing assessment of  
24 student learning;

1 “(iii) focus on identification and tai-  
2 loring of academic instruction to students’s  
3 specific learning needs; and

4 “(iv) focus on classroom management.

5 **“SEC. 202. STATE GRANTS.**

6 “(a) IN GENERAL.—From amounts made available  
7 under section 210(1) for a fiscal year, the Secretary is  
8 authorized to award grants under this section, on a com-  
9 petitive basis, to eligible States to enable the eligible  
10 States to carry out the activities described in subsection  
11 (d).

12 “(b) ELIGIBLE STATE.—

13 “(1) DEFINITION.—In this part, the term ‘eligi-  
14 ble State’ means—

15 “(A) the Governor of a State; or

16 “(B) in the case of a State for which the  
17 constitution or law of such State designates an-  
18 other individual, entity, or agency in the State  
19 to be responsible for teacher certification and  
20 preparation activity, such individual, entity, or  
21 agency.

22 “(2) CONSULTATION.—The Governor or the in-  
23 dividual, entity, or agency designated under para-  
24 graph (1)(B) shall consult with the Governor, State  
25 board of education, State educational agency, or

1 State agency for higher education, as appropriate,  
2 with respect to the activities assisted under this sec-  
3 tion.

4 “(3) CONSTRUCTION.—Nothing in this sub-  
5 section shall be construed to negate or supersede the  
6 legal authority under State law of any State agency,  
7 State entity, or State public official over programs  
8 that are under the jurisdiction of the agency, entity,  
9 or official.

10 “(c) APPLICATION.—To be eligible to receive a grant  
11 under this section, an eligible State shall submit an appli-  
12 cation to the Secretary that—

13 “(1) meets the requirement of this section;

14 “(2) demonstrates that the State is in full com-  
15 pliance with sections 207 and 208;

16 “(3) includes a description of how the eligible  
17 State intends to use funds provided under this sec-  
18 tion;

19 “(4) includes measurable objectives for the use  
20 of the funds provided under the grant;

21 “(5) demonstrates the State has submitted and  
22 is actively implementing a plan that meets the re-  
23 quirements of sections 1111(h)(1)(C)(viii) and 1119  
24 of the Elementary and Secondary Education Act of  
25 1965 (20 U.S.C. 6311(h)(1)(C)(viii) and 6319); and

1           “(6) contains such other information and assur-  
2           ances as the Secretary may require.

3           “(d) USES OF FUNDS.—An eligible State that re-  
4           ceives a grant under this section shall use the grant funds  
5           to reform teacher preparation requirements, to coordinate  
6           with State activities under section 2113(c) of the Elemen-  
7           tary and Secondary Education Act of 1965 (20 U.S.C.  
8           6613(c)), and to ensure that current and future teachers  
9           are highly qualified, by carrying out one or more of the  
10          following activities:

11           “(1) REFORMS.—Ensuring that all teacher  
12          preparation programs in the State are preparing  
13          teachers who are highly qualified, are able to under-  
14          stand scientifically based research and its applica-  
15          bility, and are able to use advanced technology effec-  
16          tively in the classroom, including use for instruc-  
17          tional techniques to improve student academic  
18          achievement, by assisting such programs—

19                   “(A) to retrain faculty; and

20                   “(B) to design (or redesign) teacher prepa-  
21          ration programs so they—

22                           “(i) are based on rigorous academic  
23                           content, scientifically based research (in-  
24                           cluding scientifically based reading re-

1 search), and challenging State student aca-  
2 demic content standards; and

3 “(ii) promote strong teaching skills.

4 “(2) CERTIFICATION OR LICENSURE REQUIRE-  
5 MENTS.—Reforming teacher certification (including  
6 recertification) or licensing requirements to ensure  
7 that—

8 “(A) teachers have the subject matter  
9 knowledge and teaching skills in the academic  
10 subjects that the teachers teach that are nec-  
11 essary to help students meet challenging State  
12 student academic achievement standards; and

13 “(B) such requirements are aligned with  
14 challenging State academic content standards.

15 “(3) ALTERNATIVES TO TRADITIONAL TEACHER  
16 PREPARATION AND STATE CERTIFICATION.—Pro-  
17 viding prospective teachers with alternative routes to  
18 State certification and traditional preparation to be-  
19 come highly qualified teachers through—

20 “(A) innovative approaches that reduce un-  
21 necessary barriers to State certification while  
22 producing highly qualified teachers;

23 “(B) programs that provide support to  
24 teachers during their initial years in the profes-  
25 sion; and

1           “(C) alternative routes to State certifi-  
2           cation of teachers for qualified individuals, in-  
3           cluding mid-career professionals from other oc-  
4           cupations, former military personnel, and recent  
5           college graduates with records of academic dis-  
6           tinction.

7           “(4) INNOVATIVE PROGRAMS.—Planning and  
8           implementing innovative programs to enhance the  
9           ability of institutions of higher education to prepare  
10          highly qualified teachers, such as charter colleges of  
11          education or university and local educational agency  
12          partnership schools, that—

13                 “(A) permit flexibility in meeting State re-  
14                 quirements as long as graduates, during their  
15                 initial years in the profession, increase student  
16                 academic achievement;

17                 “(B) provide long-term data gathered from  
18                 teachers’ performance over multiple years in the  
19                 classroom on the ability to increase student aca-  
20                 demic achievement;

21                 “(C) ensure high-quality preparation of  
22                 teachers from underrepresented groups; and

23                 “(D) create performance measures that  
24                 can be used to document the effectiveness of in-

1           novative methods for preparing highly qualified  
2           teachers.

3           “(5) MERIT PAY.—Developing, or assisting  
4           local educational agencies in developing—

5                   “(A) merit-based performance systems that  
6                   reward teachers who increase student academic  
7                   achievement; and

8                   “(B) strategies that provide differential  
9                   and bonus pay in high-need local educational  
10                  agencies to retain—

11                           “(i) principals;

12                           “(ii) highly qualified teachers who  
13                           teach in high-need academic subjects, such  
14                           as reading, mathematics, and science;

15                           “(iii) highly qualified teachers who  
16                           teach in schools identified for school im-  
17                           provement under section 1116(b) of the  
18                           Elementary and Secondary Education Act  
19                           of 1965 (20 U.S.C. 6316(b));

20                           “(iv) special education teachers;

21                           “(v) teachers specializing in teaching  
22                           limited English proficient children; and

23                           “(vi) highly qualified teachers in  
24                           urban and rural schools or districts.

1           “(6) TEACHER ADVANCEMENT.—Developing, or  
2           assisting local educational agencies in developing,  
3           teacher advancement and retention initiatives that  
4           promote professional growth and emphasize multiple  
5           career paths (such as paths to becoming a highly  
6           qualified mentor teacher or exemplary teacher) and  
7           pay differentiation.

8           “(7) TEACHER REMOVAL.—Developing and im-  
9           plementing effective mechanisms to ensure that local  
10          educational agencies and schools are able to remove  
11          expeditiously incompetent or unqualified teachers  
12          consistent with procedures to ensure due process for  
13          the teachers.

14          “(8) TECHNICAL ASSISTANCE.—Providing tech-  
15          nical assistance to low-performing teacher prepara-  
16          tion programs within institutions of higher education  
17          identified under section 208(a).

18          “(9) TEACHER EFFECTIVENESS.—Developing—

19                 “(A) systems to measure the effectiveness  
20                 of teacher preparation programs and profes-  
21                 sional development programs; and

22                 “(B) strategies to document gains in stu-  
23                 dent academic achievement or increases in  
24                 teacher mastery of the academic subjects the  
25                 teachers teach as a result of such programs.

1           “(10) TEACHER RECRUITMENT AND RETEN-  
2           TION.—Undertaking activities that—

3                   “(A) develop and implement effective  
4                   mechanisms to ensure that local educational  
5                   agencies and schools are able effectively to re-  
6                   cruit and retain highly qualified teachers; or

7                   “(B) are described in section 204(d).

8           “(11) PRESCHOOL TEACHERS.—Developing  
9           strategies—

10                   “(A) to improve the qualifications of pre-  
11                   school teachers, which may include State certifi-  
12                   cation for such teachers; and

13                   “(B) to improve and expand preschool  
14                   teacher preparation programs.

15           “(e) EVALUATION.—

16                   “(1) EVALUATION SYSTEM.—An eligible State  
17                   that receives a grant under this section shall develop  
18                   and utilize a system to evaluate annually the effec-  
19                   tiveness of teacher preparation programs and profes-  
20                   sional development activities within the State in pro-  
21                   ducing gains in—

22                   “(A) the teacher’s annual contribution to  
23                   improving student academic achievement, as  
24                   measured by State academic assessments re-  
25                   quired under section 1111(b)(3) of the Elemen-

1           tary and Secondary Education Act of 1965 (20  
2           U.S.C. 6311(b)(3)); and

3           “(B) teacher mastery of the academic sub-  
4           jects they teach, as measured by pre- and post-  
5           participation tests of teacher knowledge, as ap-  
6           propriate.

7           “(2) USE OF EVALUATION SYSTEM.—Such eval-  
8           uation system shall be used by the State to  
9           evaluate—

10           “(A) activities carried out using funds pro-  
11           vided under this section; and

12           “(B) the quality of its teacher education  
13           programs.

14           “(3) PUBLIC REPORTING.—The State shall  
15           make the information described in paragraph (1)  
16           widely available through public means, such as post-  
17           ing on the Internet, distribution to the media, and  
18           distribution through public agencies.

19   **“SEC. 203. PARTNERSHIP GRANTS.**

20           “(a) GRANTS.—From amounts made available under  
21           section 210(2) for a fiscal year, the Secretary is author-  
22           ized to award grants under this section, on a competitive  
23           basis, to eligible partnerships to enable the eligible part-  
24           nerships to carry out the activities described in subsections  
25           (d) and (e).

1 “(b) DEFINITIONS.—

2 “(1) ELIGIBLE PARTNERSHIPS.—In this part,  
3 the term ‘eligible partnership’ means an entity  
4 that—

5 “(A) shall include—

6 “(i) a partner institution;

7 “(ii) a school of arts and sciences;

8 “(iii) a high-need local educational  
9 agency; and

10 “(iv) a public or private educational  
11 organization; and

12 “(B) may include a Governor, State edu-  
13 cational agency, the State board of education,  
14 the State agency for higher education, an insti-  
15 tution of higher education not described in sub-  
16 paragraph (A), a public charter school, a public  
17 or private elementary school or secondary  
18 school, a public or private educational organiza-  
19 tion, a business, a science-, mathematics-, or  
20 technology-oriented entity, a faith-based or  
21 community organization, a prekindergarten pro-  
22 gram, a teacher organization, an education  
23 service agency, a consortia of local educational  
24 agencies, or a nonprofit telecommunications en-  
25 tity.

1           “(2) PARTNER INSTITUTION.—In this section,  
2           the term ‘partner institution’ means an institution of  
3           higher education, the teacher training program of  
4           which demonstrates that—

5                   “(A) graduates from the teacher training  
6                   program exhibit strong performance on State-  
7                   determined qualifying assessments for new  
8                   teachers through—

9                           “(i) demonstrating that the graduates  
10                           of the program who intend to enter the  
11                           field of teaching have passed all of the ap-  
12                           plicable State qualification assessments for  
13                           new teachers, which shall include an as-  
14                           sessment of each prospective teacher’s sub-  
15                           ject matter knowledge in the content area  
16                           or areas in which the teacher intends to  
17                           teach; or

18                           “(ii) being ranked among the highest-  
19                           performing teacher preparation programs  
20                           in the State as determined by the State—

21                                   “(I) using criteria consistent with  
22                                   the requirements for the State report  
23                                   card under section 207(a); and

1                   “(II) using the State report card  
2                   on teacher preparation required under  
3                   section 207(a); or

4                   “(B) the teacher training program requires  
5                   all the students of the program to participate in  
6                   intensive clinical experience, to meet high aca-  
7                   demic standards, and—

8                   “(i) in the case of secondary school  
9                   candidates, to successfully complete an  
10                  academic major in the subject area in  
11                  which the candidate intends to teach or to  
12                  demonstrate competence through a high  
13                  level of performance in relevant content  
14                  areas; and

15                  “(ii) in the case of elementary school  
16                  candidates, to successfully complete an  
17                  academic major in the arts and sciences or  
18                  to demonstrate competence through a high  
19                  level of performance in core academic sub-  
20                  ject areas.

21                  “(c) APPLICATION.—Each eligible partnership desir-  
22                  ing a grant under this section shall submit an application  
23                  to the Secretary at such time, in such manner, and accom-  
24                  panied by such information as the Secretary may require.  
25                  Each such application shall—

1           “(1) contain a needs assessment of all the part-  
2           ners with respect to teaching and learning and a de-  
3           scription of how the partnership will coordinate with  
4           other teacher training or professional development  
5           programs, and how the activities of the partnership  
6           will be consistent with State, local, and other edu-  
7           cation reform activities that promote student aca-  
8           demic achievement;

9           “(2) contain a resource assessment that de-  
10          scribes the resources available to the partnership,  
11          the intended use of the grant funds, including a de-  
12          scription of how the grant funds will be used in ac-  
13          cordance with subsection (f), and the commitment of  
14          the resources of the partnership to the activities as-  
15          sisted under this part, including financial support,  
16          faculty participation, time commitments, and con-  
17          tinuation of the activities when the grant ends;

18          “(3) contain a description of—

19                 “(A) how the partnership will meet the  
20                 purposes of this part;

21                 “(B) how the partnership will carry out  
22                 the activities required under subsection (d) and  
23                 any permissible activities under subsection (e);

24                 “(C) the partnership’s evaluation plan pur-  
25                 suant to section 206(b);

1           “(D) how faculty of the teacher prepara-  
2           tion program at the partner institution will  
3           serve, over the term of the grant, with highly  
4           qualified teachers in the classrooms of the high-  
5           need local educational agency included in the  
6           partnership;

7           “(E) how the partnership will ensure that  
8           teachers, principals, and superintendents in pri-  
9           vate elementary and secondary schools located  
10          in the geographic areas served by an eligible  
11          partnership under this section will participate  
12          equitably in accordance with section 9501 of  
13          the Elementary and Secondary Education Act  
14          of 1965 (20 U.S.C. 7881);

15          “(F) how the partnership will design and  
16          implement a clinical program component that  
17          includes close supervision of student teachers by  
18          faculty of the teacher preparation program at  
19          the partner institution and mentor teachers;

20          “(G) how the partnership will design and  
21          implement an induction program to support all  
22          new teachers through the first 3 years of teach-  
23          ing that includes mentors who are trained and  
24          compensated by the partnership for their work  
25          with new teachers; and

1           “(H) how the partnership will collect, ana-  
2           lyze, and use data on the retention of all teach-  
3           ers in schools located in the geographic areas  
4           served by the partnership to evaluate the effec-  
5           tiveness of its teacher support system; and

6           “(4) contain a certification from the high-need  
7           local educational agency included in the partnership  
8           that it has reviewed the application and determined  
9           that the grant proposed will comply with subsection  
10          (f).

11          “(d) REQUIRED USES OF FUNDS.—An eligible part-  
12          nership that receives a grant under this section shall use  
13          the grant funds to reform teacher preparation require-  
14          ments, to coordinate with State activities under section  
15          2113(c) of the Elementary and Secondary Education Act  
16          of 1965 (20 U.S.C. 6613(c)), and to ensure that current  
17          and future teachers are highly qualified, by carrying out  
18          one or more of the following activities:

19                 “(1) REFORMS.—Implementing reforms within  
20                 teacher preparation programs to ensure that such  
21                 programs are preparing teachers who are highly  
22                 qualified, are able to understand scientifically based  
23                 research and its applicability, and are able to use  
24                 advanced technology effectively in the classroom, in-

1 including use for instructional techniques to improve  
2 student academic achievement, by—

3 “(A) retraining faculty; and

4 “(B) designing (or redesigning) teacher  
5 preparation programs so they—

6 “(i) are based on rigorous academic  
7 content, scientifically based research (in-  
8 cluding scientifically based reading re-  
9 search), and challenging State student aca-  
10 demic content standards; and

11 “(ii) promote strong teaching skills.

12 “(2) CLINICAL EXPERIENCE AND INTER-  
13 ACTION.—Providing sustained and high-quality  
14 preservice and in-service clinical experience, includ-  
15 ing the mentoring of prospective teachers by exem-  
16 plary teachers, substantially increasing interaction  
17 between faculty at institutions of higher education  
18 and new and experienced teachers, principals, and  
19 other administrators at elementary schools or sec-  
20 ondary schools, and providing support for teachers,  
21 including preparation time and release time, for such  
22 interaction.

23 “(3) PROFESSIONAL DEVELOPMENT.—Creating  
24 opportunities for enhanced and ongoing professional  
25 development that improves the academic content

1 knowledge of teachers in the subject areas in which  
2 the teachers are certified to teach or in which the  
3 teachers are working toward certification to teach,  
4 and that promotes strong teaching skills.

5 “(4) TEACHER PREPARATION.—Developing, or  
6 assisting local educational agencies in developing,  
7 professional development activities that—

8 “(A) provide training in how to teach and  
9 address the needs of students with different  
10 learning styles, particularly students with dis-  
11 abilities, limited English proficient students,  
12 and students with special learning needs; and

13 “(B) provide training in methods of—

14 “(i) improving student behavior in the  
15 classroom; and

16 “(ii) identifying early and appropriate  
17 interventions to help students described in  
18 subparagraph (A) learn.

19 “(e) ALLOWABLE USES OF FUNDS.—An eligible  
20 partnership that receives a grant under this section may  
21 use such funds to carry out the following activities:

22 “(1) ALTERNATIVES TO TRADITIONAL TEACHER  
23 PREPARATION AND STATE CERTIFICATION.—Pro-  
24 viding prospective teachers with alternative routes to

1 State certification and traditional preparation to be-  
2 come highly qualified teachers through—

3 “(A) innovative approaches that reduce un-  
4 necessary barriers to teacher preparation while  
5 producing highly qualified teachers;

6 “(B) programs that provide support during  
7 a teacher’s initial years in the profession; and

8 “(C) alternative routes to State certifi-  
9 cation of teachers for qualified individuals, in-  
10 cluding mid-career professionals from other oc-  
11 cupations, former military personnel, and recent  
12 college graduates with records of academic dis-  
13 tinction.

14 “(2) DISSEMINATION AND COORDINATION.—

15 Broadly disseminating information on effective prac-  
16 tices used by the partnership, and coordinating with  
17 the activities of the Governor, State board of edu-  
18 cation, State higher education agency, and State  
19 educational agency, as appropriate.

20 “(3) MANAGERIAL AND LEADERSHIP SKILLS.—

21 Developing and implementing professional develop-  
22 ment programs for principals and superintendents  
23 that enable them to be effective school leaders and  
24 prepare all students to meet challenging State aca-

1       demic content and student academic achievement  
2       standards.

3               “(4) TEACHER RECRUITMENT.—Activities—

4                       “(A) to encourage students to become  
5                       highly qualified teachers, such as extra-  
6                       curricular enrichment activities; and

7                       “(B) activities described in section 204(d).

8               “(5) CLINICAL EXPERIENCE IN SCIENCE, MATH-  
9       EMATICS, AND TECHNOLOGY.—Creating opportuni-  
10      ties for clinical experience and training, by participa-  
11      tion in the business, research, and work environ-  
12      ments with professionals, in areas relating to  
13      science, mathematics, and technology for teachers  
14      and prospective teachers, including opportunities for  
15      use of laboratory equipment, in order for the teacher  
16      to return to the classroom for at least 2 years and  
17      provide instruction that will raise student academic  
18      achievement.

19               “(6) COORDINATION WITH COMMUNITY COL-  
20      LEGES.—Coordinating with community colleges to  
21      implement teacher preparation programs, including  
22      through distance learning, for the purposes of allow-  
23      ing prospective teachers—

24                       “(A) to attain a bachelor’s degree and  
25                       State certification or licensure; and

1           “(B) to become highly qualified teachers.

2           “(7) TEACHER MENTORING.—Establishing or  
3 implementing a teacher mentoring program that—

4           “(A) includes minimum qualifications for  
5 mentors;

6           “(B) provides training and stipends for  
7 mentors;

8           “(C) provides mentoring programs for  
9 teachers in their first 3 years of teaching;

10          “(D) provides regular and ongoing oppor-  
11 tunities for mentors and mentees to observe  
12 each other’s teaching methods in classroom set-  
13 tings during the school day;

14          “(E) establishes an evaluation and ac-  
15 countability plan for activities conducted under  
16 this paragraph that includes rigorous objectives  
17 to measure the impact of such activities; and

18          “(F) provides for a report to the Secretary  
19 on an annual basis regarding the partnership’s  
20 progress in meeting the objectives described in  
21 subparagraph (E).

22          “(8) COMPUTER SOFTWARE FOR MULTI-  
23 LINGUAL EDUCATION.—Training teachers to use  
24 computer software for multilingual education to ad-

1 dress the needs of limited English proficient stu-  
2 dents.

3 “(f) SPECIAL RULE.—At least 50 percent of the  
4 funds made available to an eligible partnership under this  
5 section shall be used directly to benefit the high-need local  
6 educational agency included in the partnership. Any entity  
7 described in subsection (b)(1)(A) may be the fiscal agent  
8 under this section.

9 “(g) CONSTRUCTION.—Nothing in this section shall  
10 be construed to prohibit an eligible partnership from using  
11 grant funds to coordinate with the activities of more than  
12 one Governor, State board of education, State educational  
13 agency, local educational agency, or State agency for high-  
14 er education.

15 “(h) SUPPLEMENT, NOT SUPPLANT.—Funds made  
16 available under this section shall be used to supplement,  
17 and not supplant, other Federal, State, and local funds  
18 that would otherwise be expended to carry out the pur-  
19 poses of this section.

20 **“SEC. 204. TEACHER RECRUITMENT GRANTS.**

21 “(a) PROGRAM AUTHORIZED.—From amounts made  
22 available under section 210(3) for a fiscal year, the Sec-  
23 retary is authorized to award grants, on a competitive  
24 basis, to eligible applicants to enable the eligible applicants  
25 to carry out activities described in subsection (d).

1       “(b) ELIGIBLE APPLICANT DEFINED.—In this part,  
2 the term ‘eligible applicant’ means—

3           “(1) an eligible State described in section  
4 202(b); or

5           “(2) an eligible partnership described in section  
6 203(b).

7       “(c) APPLICATION.—Any eligible applicant desiring  
8 to receive a grant under this section shall submit an appli-  
9 cation to the Secretary at such time, in such form, and  
10 containing such information as the Secretary may require,  
11 including—

12           “(1) a description of the assessment that the el-  
13 igible applicant, and the other entities with whom  
14 the eligible applicant will carry out the grant activi-  
15 ties, have undertaken to determine the most critical  
16 needs of the participating high-need local edu-  
17 cational agencies;

18           “(2) a description of the activities the eligible  
19 applicant will carry out with the grant, including the  
20 extent to which the applicant will use funds to re-  
21 cruit minority students to become highly qualified  
22 teachers; and

23           “(3) a description of the eligible applicant’s  
24 plan for continuing the activities carried out with  
25 the grant, once Federal funding ceases.

1       “(d) USES OF FUNDS.—Each eligible applicant re-  
2 ceiving a grant under this section shall use the grant  
3 funds—

4           “(1)(A) to award scholarships to help students,  
5 such as individuals who have been accepted for their  
6 first year, or who are enrolled in their first or second  
7 year, of a program of undergraduate education at an  
8 institution of higher education, pay the costs of tui-  
9 tion, room, board, and other expenses of completing  
10 a teacher preparation program;

11           “(B) to provide support services, if needed to  
12 enable scholarship recipients—

13               “(i) to complete postsecondary education  
14 programs; or

15               “(ii) to transition from a career outside of  
16 the field of education into a teaching career;  
17 and

18           “(C) for followup services provided to former  
19 scholarship recipients during the recipients first 3  
20 years of teaching; or

21           “(2) to develop and implement effective mecha-  
22 nisms to ensure that high-need local educational  
23 agencies and schools are able effectively to recruit  
24 highly qualified teachers.

1       “(e) ADDITIONAL DISCRETIONARY USES OF  
2 FUNDS.—In addition to the uses described in subsection  
3 (d), each eligible applicant receiving a grant under this  
4 section may use the grant funds—

5               “(1) to develop and implement effective mecha-  
6 nisms to recruit into the teaching profession employ-  
7 ees from—

8                       “(A) high-demand industries, including  
9 technology industries; and

10                      “(B) the fields of science, mathematics,  
11 and engineering; and

12               “(2) to conduct outreach and coordinate with  
13 inner city and rural secondary schools to encourage  
14 students to pursue teaching as a career.

15       “(f) SERVICE REQUIREMENTS.—

16               “(1) IN GENERAL.—The Secretary shall estab-  
17 lish such requirements as the Secretary determines  
18 necessary to ensure that recipients of scholarships  
19 under this section who complete teacher education  
20 programs—

21                      “(A) subsequently teach in a high-need  
22 local educational agency for a period of time  
23 equivalent to—

24                               “(i) one year; increased by

1                   “(ii) the period for which the recipient  
2                   received scholarship assistance; or

3                   “(B) repay the amount of the scholarship.

4                   “(2) USE OF REPAYMENTS.—The Secretary  
5                   shall use any such repayments to carry out addi-  
6                   tional activities under this section.

7                   “(g) PRIORITY.—The Secretary shall give priority  
8                   under this section to eligible applicants who provide an  
9                   assurance that they will recruit a high percentage of mi-  
10                  nority students to become highly qualified teachers.

11   **“SEC. 205. ADMINISTRATIVE PROVISIONS.**

12                  “(a) DURATION; ONE-TIME AWARDS; PAYMENTS.—

13                   “(1) DURATION.—

14                   “(A) ELIGIBLE STATES AND ELIGIBLE AP-  
15                   PLICANTS.—Grants awarded to eligible States  
16                   and eligible applicants under this part shall be  
17                   awarded for a period not to exceed 3 years.

18                   “(B) ELIGIBLE PARTNERSHIPS.—Grants  
19                   awarded to eligible partnerships under this part  
20                   shall be awarded for a period of 5 years.

21                  “(2) ONE-TIME AWARD.—An eligible partner-  
22                  ship may receive a grant under each of sections 203  
23                  and 204, as amended by the Teacher Training En-  
24                  hancement Act, only once.

1           “(3) PAYMENTS.—The Secretary shall make  
2           annual payments of grant funds awarded under this  
3           part.

4           “(b) PEER REVIEW.—

5           “(1) PANEL.—The Secretary shall provide the  
6           applications submitted under this part to a peer re-  
7           view panel for evaluation. With respect to each ap-  
8           plication, the peer review panel shall initially rec-  
9           ommend the application for funding or for dis-  
10          approval.

11          “(2) PRIORITY.—In recommending applications  
12          to the Secretary for funding under this part, the  
13          panel shall—

14                 “(A) with respect to grants under section  
15                 202, give priority to eligible States that—

16                         “(i) have initiatives to reform State  
17                         teacher certification requirements that are  
18                         based on rigorous academic content, sci-  
19                         entifically based research, including sci-  
20                         entifically based reading research, and  
21                         challenging State student academic content  
22                         standards;

23                         “(ii) have innovative reforms to hold  
24                         institutions of higher education with teach-  
25                         er preparation programs accountable for

1 preparing teachers who are highly qualified  
2 and have strong teaching skills; or

3 “(iii) have innovative efforts aimed at  
4 reducing the shortage of highly qualified  
5 teachers in high poverty urban and rural  
6 areas; and

7 “(B) with respect to grants under section  
8 203—

9 “(i) give priority to applications from  
10 broad-based eligible partnerships that in-  
11 volve businesses and community organiza-  
12 tions; and

13 “(ii) take into consideration—

14 “(I) providing an equitable geo-  
15 graphic distribution of the grants  
16 throughout the United States; and

17 “(II) the potential of the pro-  
18 posed activities for creating improve-  
19 ment and positive change.

20 “(3) SECRETARIAL SELECTION.—The Secretary  
21 shall determine, based on the peer review process,  
22 which application shall receive funding and the  
23 amounts of the grants. In determining grant  
24 amounts, the Secretary shall take into account the  
25 total amount of funds available for all grants under

1 this part and the types of activities proposed to be  
2 carried out.

3 “(c) MATCHING REQUIREMENTS.—

4 “(1) STATE GRANTS.—Each eligible State re-  
5 ceiving a grant under section 202 or 204 shall pro-  
6 vide, from non-Federal sources, an amount equal to  
7 50 percent of the amount of the grant (in cash or  
8 in kind) to carry out the activities supported by the  
9 grant.

10 “(2) PARTNERSHIP GRANTS.—Each eligible  
11 partnership receiving a grant under section 203 or  
12 204 shall provide, from non-Federal sources (in cash  
13 or in kind), an amount equal to 25 percent of the  
14 grant for the first year of the grant, 35 percent of  
15 the grant for the second year of the grant, and 50  
16 percent of the grant for each succeeding year of the  
17 grant.

18 “(d) LIMITATION ON ADMINISTRATIVE EXPENSES.—  
19 An eligible State or eligible partnership that receives a  
20 grant under this part may not use more than 2 percent  
21 of the grant funds for purposes of administering the grant.

22 **“SEC. 206. ACCOUNTABILITY AND EVALUATION.**

23 “(a) STATE GRANT ACCOUNTABILITY REPORT.—An  
24 eligible State that receives a grant under section 202 shall  
25 submit an annual accountability report to the Secretary,

1 the Committee on Health, Education, Labor, and Pen-  
2 sions of the Senate, and the Committee on Education and  
3 the Workforce of the House of Representatives. Such re-  
4 port shall include a description of the degree to which the  
5 eligible State, in using funds provided under such section,  
6 has made substantial progress in meeting the following  
7 goals:

8           “(1) PERCENTAGE OF HIGHLY QUALIFIED  
9           TEACHERS.—Increasing the percentage of highly  
10           qualified teachers in the State as required by section  
11           1119 of the Elementary and Secondary Education  
12           Act of 1965 (20 U.S.C. 6319).

13           “(2) STUDENT ACADEMIC ACHIEVEMENT.—In-  
14           creasing student academic achievement for all stu-  
15           dents as defined by the eligible State.

16           “(3) RAISING STANDARDS.—Raising the State  
17           academic standards required to enter the teaching  
18           profession as a highly qualified teacher.

19           “(4) INITIAL CERTIFICATION OR LICENSURE.—  
20           Increasing success in the pass rate for initial State  
21           teacher certification or licensure, or increasing the  
22           numbers of qualified individuals being certified or li-  
23           censed as teachers through alternative programs.

1           “(5) DECREASING TEACHER SHORTAGES.—De-  
2           creasing shortages of highly qualified teachers in  
3           poor urban and rural areas.

4           “(6) INCREASING OPPORTUNITIES FOR PROFES-  
5           SIONAL DEVELOPMENT.—Increasing opportunities  
6           for enhanced and ongoing professional development  
7           that—

8                   “(A) improves the academic content knowl-  
9                   edge of teachers in the subject areas in which  
10                  the teachers are certified or licensed to teach or  
11                  in which the teachers are working toward cer-  
12                  tification or licensure to teach; and

13                   “(B) promotes strong teaching skills.

14           “(7) TECHNOLOGY INTEGRATION.—Increasing  
15           the number of teachers prepared effectively to inte-  
16           grate technology into curricula and instruction and  
17           who use technology to collect, manage, and analyze  
18           data to improve teaching, learning, and decision-  
19           making for the purpose of increasing student aca-  
20           demic achievement.

21           “(b) ELIGIBLE PARTNERSHIP EVALUATION.—Each  
22           eligible partnership applying for a grant under section 203  
23           shall establish, and include in the application submitted  
24           under section 203(c), an evaluation plan that includes

1 strong performance objectives. The plan shall include ob-  
2 jectives and measures for—

3           “(1) increased student achievement for all stu-  
4 dents, as measured by the partnership;

5           “(2) increased teacher retention in the first 3  
6 years of a teacher’s career;

7           “(3) increased success in the pass rate for ini-  
8 tial State certification or licensure of teachers;

9           “(4) increased percentage of highly qualified  
10 teachers; and

11           “(5) increasing the number of teachers trained  
12 effectively to integrate technology into curricula and  
13 instruction and who use technology to collect, man-  
14 age, and analyze data to improve teaching, learning,  
15 and decisionmaking for the purpose of improving  
16 student academic achievement.

17           “(c) REVOCATION OF GRANT.—

18           “(1) REPORT.—Each eligible State or eligible  
19 partnership receiving a grant under section 202 or  
20 203 shall report annually on the progress of the eli-  
21 gible State or eligible partnership toward meeting  
22 the purposes of this part and the goals, objectives,  
23 and measures described in subsections (a) and (b).

24           “(2) REVOCATION.—

1           “(A) ELIGIBLE STATES AND ELIGIBLE AP-  
2           PLICANTS.—If the Secretary determines that an  
3           eligible State or eligible applicant is not making  
4           substantial progress in meeting the purposes,  
5           goals, objectives, and measures, as appropriate,  
6           by the end of the second year of a grant under  
7           this part, then the grant payment shall not be  
8           made for the third year of the grant.

9           “(B) ELIGIBLE PARTNERSHIPS.—If the  
10          Secretary determines that an eligible partner-  
11          ship is not making substantial progress in  
12          meeting the purposes, goals, objectives, and  
13          measures, as appropriate, by the end of the  
14          third year of a grant under this part, then the  
15          grant payments shall not be made for any suc-  
16          ceeding year of the grant.

17          “(d) EVALUATION AND DISSEMINATION.—The Sec-  
18          retary shall evaluate the activities funded under this part  
19          and report annually the Secretary’s findings regarding the  
20          activities to the Committee on Health, Education, Labor,  
21          and Pensions of the Senate and the Committee on Edu-  
22          cation and the Workforce of the House of Representatives.  
23          The Secretary shall broadly disseminate successful prac-  
24          tices developed by eligible States and eligible partnerships

1 under this part, and shall broadly disseminate information  
2 regarding such practices that were found to be ineffective.

3 **“SEC. 207. ACCOUNTABILITY FOR PROGRAMS THAT PRE-**  
4 **PARE TEACHERS.**

5 “(a) STATE REPORT CARD ON THE QUALITY OF  
6 TEACHER PREPARATION.—Each State that receives funds  
7 under this Act shall provide to the Secretary annually, in  
8 a uniform and comprehensible manner that conforms with  
9 the definitions and methods established by the Secretary,  
10 a State report card on the quality of teacher preparation  
11 in the State, both for traditional certification or licensure  
12 programs and for alternative certification or licensure pro-  
13 grams, which shall include at least the following:

14 “(1) A description of the teacher certification  
15 and licensure assessments, and any other certifi-  
16 cation and licensure requirements, used by the  
17 State.

18 “(2) The standards and criteria that prospec-  
19 tive teachers must meet in order to attain initial  
20 teacher certification or licensure and to be certified  
21 or licensed to teach particular subjects or in par-  
22 ticular grades within the State.

23 “(3) A description of the extent to which the  
24 assessments and requirements described in para-

1 graph (1) are aligned with the State’s standards and  
2 assessments for students.

3 “(4) The percentage of students who have com-  
4 pleted at least 50 percent of the requirements for a  
5 teacher preparation program at an institution of  
6 higher education or alternative certification program  
7 and who have taken and passed each of the assess-  
8 ments used by the State for teacher certification and  
9 licensure, and the passing score on each assessment  
10 that determines whether a candidate has passed that  
11 assessment.

12 “(5) For students who have completed at least  
13 50 percent of the requirements for a teacher prepa-  
14 ration program at an institution of higher education  
15 or alternative certification program, and who have  
16 taken and passed each of the assessments used by  
17 the State for teacher certification and licensure,  
18 each such institution’s and each such program’s av-  
19 erage raw score, ranked by teacher preparation pro-  
20 gram, which shall be made available widely and pub-  
21 licly.

22 “(6) A description of each State’s alternative  
23 routes to teacher certification, if any, and the num-  
24 ber and percentage of teachers certified through

1 each alternative certification route who pass State  
2 teacher certification or licensure assessments.

3 “(7) For each State, a description of proposed  
4 criteria for assessing the performance of teacher  
5 preparation programs in the State, including indica-  
6 tors of teacher candidate skills and academic content  
7 knowledge and evidence of gains in student academic  
8 achievement.

9 “(8) For each teacher preparation program in  
10 the State, the number of students in the program,  
11 the average number of hours of supervised practice  
12 teaching required for those in the program, and the  
13 number of full-time equivalent faculty and students  
14 in supervised practice teaching.

15 “(b) REPORT OF THE SECRETARY ON THE QUALITY  
16 OF TEACHER PREPARATION.—

17 “(1) REPORT CARD.—The Secretary shall pro-  
18 vide to Congress, and publish and make widely avail-  
19 able, a report card on teacher qualifications and  
20 preparation in the United States, including all the  
21 information reported in paragraphs (1) through (8)  
22 of subsection (a). Such report shall identify States  
23 for which eligible States and eligible partnerships re-  
24 ceived a grant under this part. Such report shall be  
25 so provided, published and made available annually.

1           “(2) REPORT TO CONGRESS.—The Secretary  
2 shall report to Congress—

3           “(A) a comparison of States’ efforts to im-  
4 prove teaching quality; and

5           “(B) regarding the national mean and me-  
6 dian scores on any standardized test that is  
7 used in more than 1 State for teacher certifi-  
8 cation or licensure.

9           “(3) SPECIAL RULE.—In the case of programs  
10 with fewer than 10 students who have completed at  
11 least 50 percent of the requirements for a teacher  
12 preparation program taking any single initial teacher  
13 certification or licensure assessment during an aca-  
14 demic year, the Secretary shall collect and publish  
15 information with respect to an average pass rate on  
16 State certification or licensure assessments taken  
17 over a 3-year period.

18           “(c) COORDINATION.—The Secretary, to the extent  
19 practicable, shall coordinate the information collected and  
20 published under this part among States for individuals  
21 who took State teacher certification or licensure assess-  
22 ments in a State other than the State in which the indi-  
23 vidual received the individual’s most recent degree.

24           “(d) INSTITUTION AND PROGRAM REPORT CARDS ON  
25 QUALITY OF TEACHER PREPARATION.—

1           “(1) REPORT CARD.—Each institution of higher  
2 education or alternative certification program that  
3 conducts a teacher preparation program that enrolls  
4 students receiving Federal assistance under this Act  
5 shall report annually to the State and the general  
6 public, in a uniform and comprehensible manner  
7 that conforms with the definitions and methods es-  
8 tablished by the Secretary, both for traditional cer-  
9 tification or licensure programs and for alternative  
10 certification or licensure programs, the following in-  
11 formation:

12                   “(A) PASS RATE.—(i) For the most recent  
13 year for which the information is available, the  
14 pass rate of each student who has completed at  
15 least 50 percent of the requirements for the  
16 teacher preparation program on the teacher cer-  
17 tification or licensure assessments of the State  
18 in which the institution is located, but only for  
19 those students who took those assessments  
20 within 3 years of receiving a degree from the  
21 institution or completing the program.

22                   “(ii) A comparison of the institution or  
23 program’s pass rate for students who have com-  
24 pleted at least 50 percent of the requirements  
25 for the teacher preparation program with the

1 average pass rate for institutions and programs  
2 in the State.

3 “(iii) A comparison of the institution or  
4 program’s average raw score for students who  
5 have completed at least 50 percent of the re-  
6 quirements for the teacher preparation program  
7 with the average raw scores for institutions and  
8 programs in the State.

9 “(iv) In the case of programs with fewer  
10 than 10 students who have completed at least  
11 50 percent of the requirements for a teacher  
12 preparation program taking any single initial  
13 teacher certification or licensure assessment  
14 during an academic year, the institution shall  
15 collect and publish information with respect to  
16 an average pass rate on State certification or li-  
17 censure assessments taken over a 3-year period.

18 “(B) PROGRAM INFORMATION.—The num-  
19 ber of students in the program, the average  
20 number of hours of supervised practice teaching  
21 required for those in the program, and the  
22 number of full-time equivalent faculty and stu-  
23 dents in supervised practice teaching.

24 “(C) STATEMENT.—In States that require  
25 approval or accreditation of teacher education

1 programs, a statement of whether the institu-  
2 tion's program is so approved or accredited,  
3 and by whom.

4 “(D) DESIGNATION AS LOW-PER-  
5 FORMING.—Whether the program has been des-  
6 igned as low-performing by the State under  
7 section 208(a).

8 “(2) REQUIREMENT.—The information de-  
9 scribed in paragraph (1) shall be reported through  
10 publications such as school catalogs and promotional  
11 materials sent to potential applicants, secondary  
12 school guidance counselors, and prospective employ-  
13 ers of the institution's program graduates, including  
14 materials sent by electronic means.

15 “(3) FINES.—In addition to the actions author-  
16 ized in section 487(c), the Secretary may impose a  
17 fine not to exceed \$25,000 on an institution of high-  
18 er education for failure to provide the information  
19 described in this subsection in a timely or accurate  
20 manner.

21 “(e) DATA QUALITY.—Either—

22 “(1) the Governor of the State; or

23 “(2) in the case of a State for which the con-  
24 stitution or law of such State designates another in-  
25 dividual, entity, or agency in the State to be respon-

1       sible for teacher certification and preparation activ-  
2       ity, such individual, entity, or agency;  
3 shall attest annually, in writing, as to the reliability, valid-  
4 ity, integrity, and accuracy of the data submitted pursuant  
5 to this section.

6 **“SEC. 208. STATE FUNCTIONS.**

7       “(a) STATE ASSESSMENT.—In order to receive funds  
8 under this Act, a State shall have in place a procedure  
9 to identify and assist, through the provision of technical  
10 assistance, low-performing programs of teacher prepara-  
11 tion within institutions of higher education. Such State  
12 shall provide the Secretary an annual list of such low-per-  
13 forming institutions that includes an identification of  
14 those institutions at risk of being placed on such list. Such  
15 levels of performance shall be determined solely by the  
16 State and may include criteria based upon information col-  
17 lected pursuant to this part. Such assessment shall be de-  
18 scribed in the report under section 207(a).

19       “(b) TERMINATION OF ELIGIBILITY.—Any institu-  
20 tion of higher education that offers a program of teacher  
21 preparation in which the State has withdrawn the State’s  
22 approval or terminated the State’s financial support due  
23 to the low performance of the institution’s teacher prepa-  
24 ration program based upon the State assessment described  
25 in subsection (a)—

1           “(1) shall be ineligible for any funding for pro-  
2           fessional development activities awarded by the De-  
3           partment of Education; and

4           “(2) shall not be permitted to accept or enroll  
5           any student who receives aid under title IV of this  
6           Act in the institution’s teacher preparation program.

7   **“SEC. 209. GENERAL PROVISIONS.**

8           “(a) METHODS.—In complying with sections 207 and  
9           208, the Secretary shall ensure that States and institu-  
10          tions of higher education use fair and equitable methods  
11          in reporting and that the reporting methods do not allow  
12          identification of individuals.

13          “(b) SPECIAL RULE.—For each State in which there  
14          are no State certification or licensure assessments, or for  
15          States that do not set minimum performance levels on  
16          those assessments—

17                 “(1) the Secretary shall, to the extent prac-  
18                 ticable, collect data comparable to the data required  
19                 under this part from States, local educational agen-  
20                 cies, institutions of higher education, or other enti-  
21                 ties that administer such assessments to teachers or  
22                 prospective teachers; and

23                 “(2) notwithstanding any other provision of this  
24                 part, the Secretary shall use such data to carry out

1 requirements of this part related to assessments or  
2 pass rates.

3 “(c) LIMITATIONS.—

4 “(1) FEDERAL CONTROL PROHIBITED.—Noth-  
5 ing in this part shall be construed to permit, allow,  
6 encourage, or authorize any Federal control over any  
7 aspect of any private, religious, or home school,  
8 whether or not a home school is treated as a private  
9 school or home school under State law. This section  
10 shall not be construed to prohibit private, religious,  
11 or home schools from participation in programs or  
12 services under this part.

13 “(2) NO CHANGE IN STATE CONTROL ENCOUR-  
14 AGED OR REQUIRED.—Nothing in this part shall be  
15 construed to encourage or require any change in a  
16 State’s treatment of any private, religious, or home  
17 school, whether or not a home school is treated as  
18 a private school or home school under State law.

19 “(3) NATIONAL SYSTEM OF TEACHER CERTIFI-  
20 CATION PROHIBITED.—Nothing in this part shall be  
21 construed to permit, allow, encourage, or authorize  
22 the Secretary to establish or support any national  
23 system of teacher certification.

1 **“SEC. 210. AUTHORIZATION OF APPROPRIATIONS.**

2 “There are authorized to be appropriated to carry out  
3 this part \$300,000,000 for fiscal year 2004 and such sums  
4 as may be necessary for each of the 4 succeeding fiscal  
5 years, of which—

6 “(1) 45 percent shall be available for each fiscal  
7 year to award grants under section 202;

8 “(2) 45 percent shall be available for each fiscal  
9 year to award grants under section 203; and

10 “(3) 10 percent shall be available for each fiscal  
11 year to award grants under section 204.”.

12 **SEC. 203. PREPARING TOMORROW’S TEACHERS TO USE**  
13 **TECHNOLOGY.**

14 (a) **ELIGIBILITY.**—Section 222(a)(3)(D) of the High-  
15 er Education Act of 1965 (20 U.S.C. 1042(a)(3)(D)) is  
16 amended by inserting “nonprofit telecommunications enti-  
17 ty,” after “community-based organization,”.

18 (b) **PERMISSIBLE USES OF FUNDS.**—Section  
19 223(b)(1)(E) of the Higher Education Act of 1965 (20  
20 U.S.C. 1043(b)(1)(E)) is amended to read as follows:

21 “(E) To use technology to collect, manage,  
22 and analyze data to improve teaching, learning,  
23 and decisionmaking for the purpose of increas-  
24 ing student academic achievement.”.

25 (c) **AUTHORIZATION OF APPROPRIATIONS.**—Section  
26 224 of the Higher Education Act of 1965 (20 U.S.C.

1 1044) is amended by striking “each of fiscal years 2002  
2 and 2003.” and inserting “fiscal year 2004 and each of  
3 the 4 succeeding fiscal years.”.

4 **SEC. 204. CENTERS OF EXCELLENCE.**

5 Title II of the Higher Education Act of 1965 (20  
6 U.S.C. 1021 et seq.) is amended by adding at the end  
7 the following:

8 **“PART C—CENTERS OF EXCELLENCE**

9 **“SEC. 231. PURPOSES; DEFINITIONS.**

10 “(a) PURPOSES.—The purposes of this part are—

11 “(1) to help recruit and prepare teachers, in-  
12 cluding minority teachers, to meet the national de-  
13 mand for a highly qualified teacher in every class-  
14 room; and

15 “(2) to increase opportunities for Americans of  
16 all educational, ethnic, class, and geographic  
17 backgrounds to become highly qualified teachers.

18 “(b) DEFINITIONS.—As used in this part:

19 “(1) ELIGIBLE INSTITUTION.—The term ‘eligi-  
20 ble institution’ means—

21 “(A) an institution of higher education  
22 that has a teacher preparation program that  
23 meets the requirements of section 203(b)(2)  
24 and that is—

1 “(i) a part B institution (as defined in  
2 section 322);

3 “(ii) a Hispanic-serving institution (as  
4 defined in section 502);

5 “(iii) a Tribal College or University  
6 (as defined in section 316);

7 “(iv) an Alaska Native-serving institu-  
8 tion (as defined in section 317(b)); or

9 “(v) a Native Hawaiian-serving insti-  
10 tution (as defined in section 317(b));

11 “(B) a consortium of institutions described  
12 in subparagraph (A); or

13 “(C) an institution described in subpara-  
14 graph (A), or a consortium described in sub-  
15 paragraph (B), in partnership with any other  
16 institution of higher education, but only if the  
17 center of excellence established under section  
18 232 is located at an institution described in  
19 subparagraph (A).

20 “(2) HIGHLY QUALIFIED.—The term ‘highly  
21 qualified’ has the meaning given such term in sec-  
22 tion 9101 of the Elementary and Secondary Edu-  
23 cation Act of 1965 (20 U.S.C. 7801).

24 “(3) SCIENTIFICALLY BASED READING RE-  
25 SEARCH.—The term ‘scientifically based reading re-

1 search' has the meaning given such term in section  
2 1208 of the Elementary and Secondary Education  
3 Act of 1965 (20 U.S.C. 6368).

4 “(4) SCIENTIFICALLY BASED RESEARCH.—The  
5 term ‘scientifically based research’ has the meaning  
6 given such term in section 9101 of the Elementary  
7 and Secondary Education Act of 1965 (20 U.S.C.  
8 7801).

9 **“SEC. 232. CENTERS OF EXCELLENCE.**

10 “(a) PROGRAM AUTHORIZED.—From the amounts  
11 appropriated to carry out this part, the Secretary is au-  
12 thorized to award competitive grants to eligible institu-  
13 tions to establish centers of excellence.

14 “(b) USE OF FUNDS.—Grants provided by the Sec-  
15 retary under this part shall be used to ensure that current  
16 and future teachers are highly qualified, by carrying out  
17 one or more of the following activities:

18 “(1) Implementing reforms within teacher prep-  
19 aration programs to ensure that such programs are  
20 preparing teachers who are highly qualified, are able  
21 to understand scientifically based research, and are  
22 able to use advanced technology effectively in the  
23 classroom, including use for instructional techniques  
24 to improve student academic achievement, by—

25 “(A) retraining faculty; and

1           “(B) designing (or redesigning) teacher  
2           preparation programs that—

3                   “(i) prepare teachers to close student  
4                   achievement gaps, are based on rigorous  
5                   academic content, scientifically based re-  
6                   search (including scientifically based read-  
7                   ing research), and challenging State stu-  
8                   dent academic content standards; and

9                   “(ii) promote strong teaching skills.

10           “(2) Providing sustained and high-quality  
11           preservice clinical experience, including the men-  
12           toring of prospective teachers by exemplary teachers,  
13           substantially increasing interaction between faculty  
14           at institutions of higher education and new and ex-  
15           perienced teachers, principals, and other administra-  
16           tors at elementary schools or secondary schools, and  
17           providing support, including preparation time, for  
18           such interaction.

19           “(3) Developing and implementing initiatives to  
20           promote retention of highly qualified teachers and  
21           principals, including minority teachers and prin-  
22           cipals, including programs that provide—

23                   “(A) teacher or principal mentoring from  
24                   exemplary teachers or principals; or

1           “(B) induction and support for teachers  
2           and principals during their first 3 years of em-  
3           ployment as teachers or principals, respectively.

4           “(4) Awarding scholarships based on financial  
5           need to help students pay the costs of tuition, room,  
6           board, and other expenses of completing a teacher  
7           preparation program.

8           “(5) Disseminating information on effective  
9           practices for teacher preparation and successful  
10          teacher certification and licensure assessment prepa-  
11          ration strategies.

12          “(6) Activities authorized under sections 202,  
13          203, and 204.

14          “(c) APPLICATION.—Any eligible institution desiring  
15          a grant under this section shall submit an application to  
16          the Secretary at such a time, in such a manner, and ac-  
17          companied by such information the Secretary may require.

18          “(d) MINIMUM GRANT AMOUNT.—The minimum  
19          amount of each grant under this part shall be \$500,000.

20          “(e) LIMITATION ON ADMINISTRATIVE EXPENSES.—  
21          An eligible institution that receives a grant under this part  
22          may not use more than 2 percent of the grant funds for  
23          purposes of administering the grant.

1       “(f) REGULATIONS.—The Secretary shall prescribe  
2 such regulations as may be necessary to carry out this  
3 part.

4 **“SEC. 233. AUTHORIZATION OF APPROPRIATIONS.**

5       “There are authorized to be appropriated to carry out  
6 this part \$10,000,000 for fiscal year 2004 and such sums  
7 as may be necessary for each of the 4 succeeding fiscal  
8 years.”.

9 **SEC. 205. TRANSITION.**

10       The Secretary of Education shall take such actions  
11 as the Secretary determines to be appropriate to provide  
12 for the orderly implementation of this title.

13       **TITLE III—PRIORITIES FOR**  
14 **GRADUATE STUDIES ACT OF 2004**

15 **SEC. 301. SHORT TITLE; REFERENCES.**

16       (a) SHORT TITLE.—This title may be cited as the  
17 “Priorities for Graduate Studies Act of 2004”.

18       (b) REFERENCES.—Except as otherwise expressly  
19 provided, whenever in this title an amendment or repeal  
20 is expressed in terms of an amendment to, or repeal of,  
21 a section or other provision, the reference shall be consid-  
22 ered to be made to a section or other provision of the  
23 Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

1 **SEC. 302. JAVITS FELLOWSHIP PROGRAM.**

2 (a) **INTERRUPTIONS OF STUDY.**—Section 701(c) (20  
3 U.S.C. 1134(c)) is amended by adding at the end the fol-  
4 lowing new sentence: “In the case of other exceptional cir-  
5 cumstances, such as active duty military service or per-  
6 sonal or family member illness, the institution of higher  
7 education may also permit the fellowship recipient to in-  
8 terrupt periods of study for the duration of the tour of  
9 duty (in the case of military service) or not more than  
10 12 months (in any other case), but without payment of  
11 the stipend.”.

12 (b) **ALLOCATION OF FELLOWSHIPS.**—Section  
13 702(a)(1) (20 U.S.C. 1134a(a)(1)) is amended—

14 (1) in the first sentence, by inserting “from di-  
15 verse geographic regions” after “higher education”;  
16 and

17 (2) by adding at the end the following new sen-  
18 tence: “The Secretary shall also assure that at least  
19 one representative appointed to the Board represents  
20 an institution that is eligible for a grant under title  
21 III or V of this Act.”.

22 (c) **STIPENDS.**—Section 703 (20 U.S.C. 1134b(a)) is  
23 amended—

24 (1) in subsection (a)—

25 (A) by striking “1999–2000” and inserting  
26 “2004–2005”;

1 (B) by striking “shall be set” and inserting  
2 “may be set”; and

3 (C) by striking “Foundation graduate fel-  
4 lowships” and inserting “Foundation Graduate  
5 Research Fellowship Program”; and

6 (2) in subsection (b), by amending paragraph  
7 (1)(A) to read as follows:

8 “(1) IN GENERAL.—(A) The Secretary shall (in  
9 addition to stipends paid to individuals under this  
10 subpart) pay to the institution of higher education,  
11 for each individual awarded a fellowship under this  
12 subpart at such institution, an institutional allow-  
13 ance. Except as provided in subparagraph (B), such  
14 allowance shall be, for 2004–2005 and succeeding  
15 academic years, the same amount as the institu-  
16 tional payment made for 2003–2004 adjusted for  
17 2004–2005 and annually thereafter in accordance  
18 with inflation as determined by the Department of  
19 Labor’s Consumer Price Index for the previous cal-  
20 endar year.”.

21 (d) AUTHORIZATION OF APPROPRIATIONS.—Section  
22 705 (20 U.S.C. 1134d) is amended by striking “fiscal year  
23 1999 and such sums as may be necessary for each of the  
24 4 succeeding fiscal years” and inserting “fiscal year 2004

1 and such sums as may be necessary for each of the 5 suc-  
2 ceeding fiscal years”.

3 **SEC. 303. GRADUATE ASSISTANCE IN AREAS OF NATIONAL**  
4 **NEED.**

5 (a) DESIGNATION OF AREAS OF NATIONAL NEED;  
6 PRIORITY.—Section 712 (20 U.S.C. 1135a) is amended—

7 (1) in the last sentence of subsection (b)—

8 (A) by striking “and an assessment” and  
9 inserting “an assessment”; and

10 (B) by inserting before the period at the  
11 end the following: “, and the priority described  
12 in subsection (c) of this section”; and

13 (2) by adding at the end the following new sub-  
14 section:

15 “(c) PRIORITY.—The Secretary shall establish a pri-  
16 ority for grants in order to prepare individuals for the pro-  
17 fessoriate who will train highly-qualified elementary and  
18 secondary school teachers of math, science, and special  
19 education, and teachers who provide instruction for lim-  
20 ited English proficient individuals. Such grants shall offer  
21 program assistance and graduate fellowships for—

22 “(1) post-baccalaureate study related to teacher  
23 preparation and pedagogy in math and science for  
24 students who have completed a master’s degree or

1 are pursuing a doctorate of philosophy in math and  
2 science;

3 “(2) post-baccalaureate study related to teacher  
4 preparation and pedagogy in special education and  
5 English language acquisition and academic pro-  
6 ficiency for limited English proficient individuals;  
7 and

8 “(3) support of dissertation research in the  
9 fields of math, science, special education, or second  
10 language pedagogy and second language acqui-  
11 sition.”.

12 (b) COLLABORATION REQUIRED FOR CERTAIN AP-  
13 PPLICATIONS.—Section 713(b) (20 U.S.C. 1135b) is  
14 amended—

15 (1) by striking “and” at the end of paragraph  
16 (9);

17 (2) by redesignating paragraph (10) as para-  
18 graph (11); and

19 (3) by inserting after paragraph (9) the fol-  
20 lowing new paragraph:

21 “(10) in the case of an application for a grant  
22 by a department, program, or unit in education or  
23 teacher preparation, contain assurances that such  
24 department, program, or unit collaborates with de-  
25 partments, programs, or units in all content areas to

1       assure a successful combination of training in both  
2       teaching and such content; and”.

3       (c) STIPENDS.—Section 714(b) (20 U.S.C. 1135c(b))  
4 is amended—

5           (1) by striking “1999–2000” and inserting  
6       “2004–2005”;

7           (2) by striking “shall be set” and inserting  
8       “may be set”; and

9           (3) by striking “Foundation graduate fellow-  
10       ships” and inserting “Foundation Graduate Re-  
11       search Fellowship Program”.

12       (d) ADDITIONAL ASSISTANCE.—Section 715(a)(1)  
13 (20 U.S.C. 1135d(a)(1)) is amended—

14           (1) by striking “1999–2000” and inserting  
15       “2004–2005”; and

16           (2) by striking “1998–1999” and inserting  
17       “2003–2004”.

18       (e) AUTHORIZATION OF APPROPRIATIONS.—Section  
19 716 (20 U.S.C. 1135e) is amended by striking “fiscal year  
20 1999 and such sums as may be necessary for each of the  
21 4 succeeding fiscal years” and inserting “fiscal year 2004  
22 and such sums as may be necessary for each of the 5 suc-  
23 ceeding fiscal years”.

24       (f) TECHNICAL AMENDMENTS.—Section 714(c) (20  
25 U.S.C. 1135c(c)) is amended—

1 (1) by striking “section 716(a)” and inserting  
2 “section 715(a)”; and

3 (2) by striking “section 714(b)(2)” and insert-  
4 ing “section 713(b)(2)”.

5 **SEC. 304. THURGOOD MARSHALL LEGAL EDUCATIONAL OP-**  
6 **PORTUNITY PROGRAM.**

7 (a) CONTRACT AND GRANT PURPOSES.—Section  
8 721(e) (20 U.S.C. 1136(e)) is amended—

9 (1) by amending paragraph (2) to read as fol-  
10 lows:

11 “(2) to prepare such students for study at ac-  
12 credited law schools and assist them with the devel-  
13 opment of analytical skills and study methods to en-  
14 hance their success and promote completion of law  
15 school;”;

16 (2) by striking “and” at the end of paragraph  
17 (4);

18 (3) by striking the period at the end of para-  
19 graph (5) and inserting “; and”; and

20 (4) by adding at the end the following new  
21 paragraph:

22 “(6) to award Thurgood Marshall Fellowships  
23 to eligible law school students—



1 for all, especially for the non-traditional student pop-  
2 ulations;”;

3 (2) in paragraph (2), by inserting before the  
4 semicolon at the end the following: “for postsec-  
5 ondary students, especially those that provide aca-  
6 demic credit for programs”;

7 (3) by amending paragraph (3) to read as fol-  
8 lows:

9 “(3) the establishment of institutions and pro-  
10 grams based on the technology of communications,  
11 including delivery by distance education;” and

12 (4) by amending paragraph (6) to read as fol-  
13 lows:

14 “(6) the introduction of institutional reforms  
15 designed to expand individual opportunities for en-  
16 tering and reentering postsecondary institutions and  
17 pursuing programs of postsecondary study tailored  
18 to individual needs;”.

19 (b) AREAS OF NATIONAL NEED.—Section 744(c) (20  
20 U.S.C. 1138c(c)) is amended by striking paragraph (4)  
21 and inserting the following:

22 “(4) International cooperation, partnerships, or  
23 student exchange among postsecondary educational  
24 institutions in the United States and abroad.

1           “(5) Establishment of academic programs in-  
2           cluding graduate and undergraduate courses, semi-  
3           nars and lectures, support of research, and develop-  
4           ment of teaching materials for the purpose of sup-  
5           porting faculty and academic programs that teach  
6           traditional American history (including significant  
7           constitutional, political, intellectual, economic, diplo-  
8           matic, and foreign policy trends, issues, and docu-  
9           ments; the history, nature, and development of  
10          democratic institutions of which American democ-  
11          racy is a part; and significant events and individuals  
12          in the history of the United States).

13           “(6) Support for planning, applied research,  
14          training, resource exchanges or technology transfers,  
15          the delivery of services, or other activities the pur-  
16          pose of which is to design and implement programs  
17          to enable institutions of higher education to work  
18          with private and civic organizations to assist commu-  
19          nities to meet and address their pressing and severe  
20          problems, including economic development, commu-  
21          nity infrastructure and housing, crime prevention,  
22          education, healthcare, self sufficiency, and workforce  
23          preparation.”.

24          (c) AUTHORIZATION OF APPROPRIATIONS.—Section  
25 745 (20 U.S.C. 1138d) is amended by striking

1 “\$30,000,000 for fiscal year 1999 and such sums as may  
2 be necessary for each of the 4 succeeding fiscal years” and  
3 inserting “\$40,000,000 for fiscal year 2004 and such  
4 sums as may be necessary for each of the 5 succeeding  
5 fiscal years” .

6 **SEC. 306. URBAN COMMUNITY SERVICE.**

7 Part C of title VII (20 U.S.C. 1139 et seq.) is re-  
8 pealed.

9 **SEC. 307. DEMONSTRATION PROJECTS TO ENSURE STU-**  
10 **DENTS WITH DISABILITIES RECEIVE A QUAL-**  
11 **ITY HIGHER EDUCATION.**

12 (a) SERVING ALL STUDENTS WITH DISABILITIES.—  
13 Section 762(a) (20 U.S.C. 1140a(a)) is amended by strik-  
14 ing “students with learning disabilities” and inserting  
15 “students with disabilities”.

16 (b) AUTHORIZED ACTIVITIES.—

17 (1) AMENDMENT.—Section 762(b)(2) is  
18 amended—

19 (A) in subparagraph (A), by inserting “in  
20 order to improve retention and completion”  
21 after “disabilities”;

22 (B) by redesignating subparagraphs (B)  
23 and (C) as subparagraphs (C) and (E), respec-  
24 tively;

1           (C) by inserting after subparagraph (A)  
2 the following new subparagraph:

3           “(B) EFFECTIVE TRANSITION PRAC-  
4 TICES.—The development of innovative, effec-  
5 tive, and efficient teaching methods and strate-  
6 gies to ensure the smooth transition of students  
7 with disabilities from high school to postsec-  
8 ondary education.”; and

9           (D) by inserting after subparagraph (C)  
10 (as redesignated by subparagraph (B) of this  
11 paragraph) the following new subparagraph:

12           “(D) DISTANCE LEARNING.—The develop-  
13 ment of innovative, effective, and efficient  
14 teaching methods and strategies to provide fac-  
15 ulty and administrators with the ability to pro-  
16 vide accessible distance education programs or  
17 classes that would enhance access of students  
18 with disabilities to higher education, including  
19 the use of electronic communication for instruc-  
20 tion and advisement.”.

21           (2) CONFORMING AMENDMENT.—Section  
22 762(b)(3) is amended by striking “subparagraphs  
23 (A) through (C)” and inserting “subparagraphs (A)  
24 through (E)”.

1           (c) APPLICATIONS.—Section 763 (20 U.S.C. 1140b)  
2 is amended—

3           (1) by amending paragraph (1) to read as fol-  
4 lows:

5           “(1) a description of how such institution plans  
6 to address the activities allowed under this part;”;

7           (2) by striking “and” at the end of paragraph  
8 (2);

9           (3) by striking the period at the end of para-  
10 graph (3) and inserting “; and”; and

11           (4) by adding at the end the following new  
12 paragraph:

13           “(4) a description of the extent to which an in-  
14 stitution will work to replicate the best practices of  
15 institutions of higher education with demonstrated  
16 success in serving students with disabilities.”.

17           (d) AUTHORIZATION OF APPROPRIATIONS.—Section  
18 765 (20 U.S.C. 1140d) is amended by striking “fiscal year  
19 1999 and such sums as may be necessary for each of the  
20 4 succeeding fiscal years” and inserting “fiscal year 2004

- 1 and such sums as may be necessary for each of the 5 suc-
- 2 ceeding fiscal years”.

Passed the House of Representatives June 3, 2004.

Attest:

*Clerk.*



108<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 444

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## AN ACT

To amend the Workforce Investment Act of 1998 to establish a Personal Reemployment Accounts grant program to assist Americans in returning to work; to reauthorize title II of the Higher Education Act of 1965; to amend title VII of the Higher Education Act of 1965 to ensure graduate opportunities in postsecondary education; and for other purposes.