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*Higher Education Act Reauthorization: A Comparison of  
Current Law and Major Proposals*

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May 2, 2006

**Abstract.** During the first and second sessions of the 109th Congress, the Congress has actively considered HEA reauthorization. H.R. 609, an HEA reauthorization bill, was passed in the House on March 30, 2006. This report provides a side-by-side comparison of current law with HEA reauthorization proposals that are in the Housepassed version of H.R. 609. The side-by-side comparison in this report will be updated to include a column on Senate provisions should a reauthorization measure gain passage in the Senate this session.

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## Higher Education Act Reauthorization: A Comparison of Current Law and Major Proposals

**May 2, 2006**

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# Higher Education Act Reauthorization: A Comparison of Current Law and Major Proposals

## Summary

The Higher Education Act of 1965 (HEA) includes the federal government's major student aid programs, as well as other significant programs such as those providing aid to special groups of higher education institutions and support services to enable economically disadvantaged students to complete secondary school and enter and complete college. The HEA student aid programs supported some 63% of all federal, state, and institutional aid awarded to postsecondary students in 2003-2004 (excluding all tax benefits).

The HEA was last comprehensively reauthorized by the Higher Education Amendments of 1998 (P.L. 105-244). P.L. 109-212, signed into law April 1, 2006, temporarily extended the programs and activities of the HEA through June 30, 2006.

During the first and second sessions of the 109<sup>th</sup> Congress, the Congress has actively considered HEA reauthorization. H.R. 609, an HEA reauthorization bill, was passed in the House on March 30, 2006. This report provides a side-by-side comparison of current law with HEA reauthorization proposals that are in the House-passed version of H.R. 609. The side-by-side comparison in this report will be updated to include a column on Senate provisions should a reauthorization measure gain passage in the Senate this session.

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# Higher Education Act Reauthorization: A Comparison of Current Law and Major Proposals

## Introduction

The Higher Education Act (HEA) legislation, whose programs are administered by the U.S. Department of Education (ED), includes the federal government's major student aid programs, as well as other significant programs such as those providing aid to special groups of higher education institutions and support services to enable economically disadvantaged students to complete secondary school and enter and complete college. Although important support from outside of the HEA flows to postsecondary institutions through multiple federal agencies for activities such as research and development, the federal presence in postsecondary education is shaped to a significant degree by the HEA. The HEA student aid programs supported some 63% of all federal, state, and institutional aid awarded to postsecondary students in 2003-2004 (excluding all tax benefits).<sup>1</sup>

The HEA was last comprehensively reauthorized by the Higher Education Amendments of 1998 (P.L. 105-244). The Higher Education Extension Act of 2006 (P.L. 109-212), signed into law on April 1, 2006, temporarily extended the programs and activities of the HEA through June 30, 2006.

During the first session of the 109<sup>th</sup> Congress, the Congress actively considered HEA reauthorization. HEA reauthorization activities ultimately became heavily intertwined with the budget reconciliation process. The Concurrent Resolution on the FY2006 Budget (H.Con.Res. 95, H.Rept. 109-62) included reconciliation instructions that directed authorizing committees to report legislation to reduce mandatory spending for the period FY2006-FY2010. Under the reconciliation instructions, the House Committee on Education and the Workforce was responsible for a reduction of \$12.7 billion overall for FY2006-FY2010, and the Senate Committee on Health, Education, Labor, and Pensions was responsible for a reduction of \$13.7 billion for FY2006-FY2010. Two HEA programs, the Federal Family Education Loan (FFEL) program and the William D. Ford Direct Loan (DL) program, are two of the major mandatory programs under each committee's jurisdiction. Each committee looked to reduce mandatory spending on these federal student loan programs.

During the first session of the 109<sup>th</sup> Congress, the House Committee on Education and the Workforce reported an HEA reauthorization bill and the Senate

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<sup>1</sup> The College Board, *Trends in Student Aid 2005*.

Health, Education, Labor, and Pensions Committee ordered reported an HEA reauthorization bill. A large number of reconciliation provisions were included as a part of each of these HEA reauthorization bills (H.R. 609 and S. 1614). Each committee then approved reconciliation recommendations (drawn from many of the reconciliation provisions included in H.R. 609 and S. 1614) that were sent on to the respective budget committees and included in omnibus reconciliation bills that were adopted in each chamber. The President signed the Deficit Reduction Act (DRA) of 2005 (P.L. 109-171) into law on February 8, 2006. It reduces mandatory spending by an estimated \$38.8 billion over a five-year period. Student loan provisions generate an estimated \$11.9 billion in mandatory savings over that period.<sup>2</sup> Additionally, the DRA includes provisions that increase direct spending. Among these provisions, the principal increases stem from the introduction of Academic Competitiveness and Science and Mathematics Access to Retain Talent grant programs which would provide grants that would supplement Pell grants, a reduction of student borrower fees, increased student loan limits, and various changes to need analysis. The DRA also includes provisions that extend the program authorities of the FFEL and DL programs through FY2012 and FY2011, respectively.

In general, the DRA provisions that were taken from H.R. 609 and S. 1614 dealt with mandatory spending. HEA reauthorization provisions without direct mandatory spending implications introduced in these reauthorization bills are once again receiving active consideration. An amended version of H.R. 609 was passed by the House on March 30, 2006. It is expected that an amended version of S. 1614 may soon be introduced as well.

This report provides a side-by-side comparison of HEA reauthorization proposals which are in the House-passed version of H.R. 609 to current law. The side-by-side comparison is generally organized in a manner that corresponds with the organization of H.R. 609. The side-by-side comparison in this report will be updated to include a column on Senate provisions should a reauthorization measure gain passage in the Senate this session.

It is important to note that the side-by-side comparison, which is presented in this report (below), aims to provide a summary of the larger issues addressed in H.R. 609 as they relate to current law. In the interest of concision, we have not attempted to capture all changes proposed in the bill. Also please note that H.R. 609 includes provisions that extend the program authorities of programs discussed, in almost all instances, through FY2012. For the most part, only those provisions that extend program authorities for a different time period are discussed in the side by side comparison.

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<sup>2</sup> Congressional Budget Office, *Cost Estimate, S. 1932, The Deficit Reduction Act of 2005, Conference Agreement as Amended and Passed by the Senate on Dec. 21, 2005*. Some of the student aid provisions in the act reduce direct spending while others increase costs; \$11.9 billion reflects the projected net savings after new costs are accounted for.

**Table 1. Comparison of Current Law with H.R. 609, as Passed by the House**

Current law	H.R. 609 (passed by the House)
<b>H.R. 609, Title I — General Provisions</b>	
The HEA contains two definitions of an institution of higher education (IHE) — one for non-Title IV purposes (Section 101) and one for Title IV purposes (Section 102). (Title IV authorizes student aid programs.)	Changes to only one definition of an IHE for both Title IV and non-Title IV purposes. The single definition retains many of the provisions in current law Sections 101 and 102.
<p>Selected provisions from the Section 101 definition of an IHE:</p> <ul style="list-style-type: none"> <li>• Admits as regular students only individuals who have a certificate of graduation from a secondary school or its recognized equivalent; persons above the age of compulsory attendance may also be admitted as regular students.</li> <li>• An IHE must provide a program for which the institution awards a bachelor's degree or provide not less than a two-year program of study that is acceptable for full credit toward a bachelor's degree.</li> <li>• Institutions are also considered IHEs if they provide not less than a one-year program of training to prepare students for gainful employment in a recognized occupation.</li> </ul>	<p>Includes the following changes in the single definition of an IHE:</p> <ul style="list-style-type: none"> <li>• Expands criteria of students who may be admitted as regular students to include home schooled students and students dually enrolled in an IHE and a secondary school.</li> <li>• Expands degrees awarded criteria to include graduate or first professional degrees. Also includes a degree that is acceptable for admission to a graduate or professional degree program if approved by the Secretary.</li> <li>• Permits institutions to award a certificate for an eligible program that prepares students for gainful employment in a recognized occupation and be considered IHEs. Certificate programs are not required to be at least one-year programs.</li> </ul>
Proprietary (for profit) institutions are required to earn 10% of their revenue from non-Title IV sources of revenue as a condition of institutional eligibility. This is commonly referred to as the 90/10 rule.	Repeals the 90/10 rule as a condition of institutional eligibility for proprietary institutions and moves it to the Program Participation Agreement (PPA) where it applies to all IHEs. (See detailed discussion of 90/10 rule under Title IV, Part G.)
Proprietary (for profit) institutions are only considered IHEs for Title IV purposes if they have been in existence for at least two years.	Considers proprietary institutions IHEs only if they have been in existence for at least two years.
No similar provision.	For programs providing grants to institutions for use by the institution (as opposed to students), proprietary institutions are considered IHEs for the purposes of competitive grant programs only.

Current law	H.R. 609 (passed by the House)
Postsecondary vocational institutions are only considered IHEs for Title IV purposes if they have been in existence for at least two years.	Considers postsecondary vocational institutions IHEs only if they have been in existence for at least two years.
An institution is not Title IV eligible if the institution, its owner, or its chief executive officer has been convicted of, pled nolo contendere or guilty to a crime involving the acquisition, use, or expenditure of Title IV funds or been judicially determined to have committed fraud involving Title IV funds.	Expands criteria to include federal, state, or local government funds rather than Title IV funds only.
IHEs that enroll 50% or more of their students in correspondence courses, excluding courses offered by telecommunications, lose their Title IV eligibility.	The Secretary of Education (Secretary) may waive this requirement for good cause for an IHE that provides a two-year or four-year program of instruction for which it awards an associate's or bachelor's degree, respectively.
IHEs meeting the definition in section 521(4)(C) of the Carl D. Perkins Vocational and Applied Technology Education Act are excluded from the 50% rules governing the percentage of courses that may be offered through correspondence or the percentage of students that may be enrolled in courses offered through correspondence.	Updates reference to Section 3(3)(C) of the Carl D. Perkins Vocational and Technical Education Act of 1998.
The Secretary may waive the requirement that an institution have 25% or less of its student enrollment in incarceration for nonprofit IHEs that offer a two-year or four-year program of instruction for which a bachelor's degree, associate's degree, or postsecondary diploma is awarded.	<p>Extends availability of waiver to proprietary institutions.</p> <p>Changes "postsecondary diploma" to "postsecondary certificate."</p>
The Secretary may waive the requirement that prohibits IHEs in which more than 50% of the students do not have a secondary school diploma or its equivalent and the IHE does not provide a two-year or four-year program of instruction for which it awards an associate's or bachelor's degree from being considered IHEs for Title IV purposes for nonprofit institutions that exceed the limitation because they serve such students through federal, state, or local contracts.	<p>Changes the requirement to apply to IHEs in which more than 50% of the students were not homeschooled or do not have a secondary school diploma or its equivalent.</p> <p>Extends availability of waiver to proprietary institutions.</p>
Institutions outside the US are only eligible to participate in Part B of Title IV (the FFEL student loan program) if they are found to be comparable to an IHE as defined in Section 101 based on criteria established by the Secretary and are approved for participation based on criteria established by the Secretary.	Adds an additional requirement that an institution outside the US must be legally authorized by the education ministry or comparable agency of the country in which the institution is located.

Current law	H.R. 609 (passed by the House)
<p>An advisory panel comprised of medical experts is charged with determining whether an institution outside of the US is eligible to participate in Part B of Title IV.</p>	<p>Specifies that the advisory panel only qualifies foreign graduate medical institutions for the purposes of Part B of Title IV.</p>
<p>No similar provision.</p> <p style="text-align: center;"><a href="http://wikileaks.org/wiki/CRS-RL33415">http://wikileaks.org/wiki/CRS-RL33415</a></p>	<p>Includes additional restrictions for proprietary institutions under the single definition of an institution of higher education:</p> <ul style="list-style-type: none"> <li>• May not use HEA funds (except those received by the institution from Title IV aid awarded to students) for construction, maintenance, renovation, repair, or improvement of facilities; establishing, improving, or increasing an endowment fund; or establishing or improving an institutional development office.</li> <li>• Are not eligible to participate in Title III or Title V (institutional aid) programs.</li> <li>• Are not automatically eligible to participate in programs outside the HEA that reference the Section 101 definition of an IHE, unless the program legislation is changed to specifically include proprietary institutions.</li> <li>• Are not automatically eligible to participate in programs outside the HEA that reference institutional eligibility to participate in Title III or Title V of the HEA, unless the program legislation is changed to specifically include proprietary institutions.</li> </ul>
<p>A sense of Congress addresses the protection of student speech and association rights.</p>	<p>Expands on the current sense of Congress in several ways, including new provisions specifying that students should not be treated adversely due to their “political, ideological, or religious beliefs.” Also requires that any official sanctions imposed on students must be done so “objectively, fairly, and without regard to the student’s personal political, ideological, or religious beliefs.”</p>

Current law	H.R. 609 (passed by the House)
No similar provision.	Requires that no HEA funds be used for publicity or propaganda purposes not authorized by Congress prior to the date of enactment of this act. If authorized by law prior to this date, funds may not be used to produce a prepackaged news story intended for broadcast or distribution unless the story includes clear notification of the source of funding.
No similar provision.	Requires the College Opportunities Online (COOL) website operated by the Department of Education (ED) to be redesigned based on input from experts knowledgeable about data that are relevant to current and prospective students. Requires the redesigned website to include all data currently reported by IHEs to ED, to the extent practical, ensure data across institutions are comparable through the use of common definitions, and include a new sorting feature to enable users to customize their comparisons of institutions.
IHEs must report data on tuition and fees, cost of attendance, and financial assistance. The Secretary is required to make these data publicly available.	Adds data reporting requirements, including instructional expenditures, completion and graduation rates, and faculty information. The Commissioner of Education Statistics is required to make these data publicly available.
No similar provision.	Creates a college affordability index for each IHE based on the percentage increase in tuition and fees over a three-year period compared with the percentage increase in the Consumer Price Index-All Urban Consumers (CPI-U) over the same time period. IHEs whose index exceeds 2.0 will be subject to reporting requirements. Each IHE having an index in the top 5% of all indexes exceeding 2.0 will be required to develop quality-efficiency task forces. IHEs failing to reduce their affordability index below 2.0 for two consecutive years will be placed on affordability alert status. The Secretary will make information in reports submitted by IHEs available to the public through COOL.
No similar provision.	Requires GAO to conduct a study of the policies and procedures implemented by institutions that increase the affordability of postsecondary education.
The Secretary is required to survey student aid recipients at least once every three years.	Changes the requirement to at least once every four years.
No similar provision.	Prohibits the development of a national student information database.

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Current law	H.R. 609 (passed by the House)
<b>H.R. 609, Title II — Teacher Preparation</b>	
States and partnerships may receive a Title II, Part A grant only once.	Eliminates the limitation on the number of times states may receive grants.
Terms pertaining to teacher quality are defined without reference to teacher provisions in the Elementary and Secondary Education Act of 1965 (ESEA).	Defines new terms adopted from the ESEA including highly qualified, exemplary teacher, professional development, scientifically based reading research, and scientifically based research. Also, defines the new term — teaching skills. Inserts the term “highly qualified” in all current provisions that refer to teacher quality and competency.
State grantees can choose among several uses of funds including reform of teacher preparation programs, reform of certification or licensure requirements, alternative routes to certification, and teacher recruitment.	Retains the current allowable activities and adds language that these activities be coordinated with those provided under ESEA Title II, Section 2113(c). Adds a new allowable activity involving “innovative programs” that support charter colleges of education and partnerships between universities and local educational agencies.
Partnership grantees must include a high-need LEA defined as one that serves a school located in an area that has either (1) a high percentage of students from families below the poverty line, (2) a high percentage of out-of-field teachers, or (3) a high teacher turnover rate.	Retains the out-of-field and turnover portions of the definition and amends the first component of the definition by including rural LEAs and specifying minimum enrollment counts or percentages of low-income students.
Any entity in a partnership is prohibited from retaining more than 50% of the partnership grant.	Amends this provision to require that the high-need LEA benefit directly from at least 50% of the funding.
Partnerships are required to undertake one of three activities — accountability for teacher preparation programs, preservice clinical experience activities, and professional development.	Adds a fourth allowable activity — training teachers to serve students with different learning styles and to improve student behavior — and requires partnerships to engage in at least one of the four activities.
State grantees are required to report annually on progress made toward program goals.	Expands and specifies the data to be included in these reports and ties these requirements to the highly qualified teacher provisions in the ESEA.
No similar provision.	Adds three new programs: Centers of Excellence to implement reforms, provide pre-service experience, and develop retention initiatives; a Teacher Incentive Fund to develop, implement, or expand teacher compensation systems that reward teachers based on student achievement; and a National Teacher Corps Program to increase the number of highly-qualified teachers in high-need LEAs.

Current law	H.R. 609 (passed by the House)
<b>H.R. 609, Title III — Institutional Aid (General)</b>	
<p>Title III is intended to provide support for less-advantaged institutions serving students from low-income or racial minority backgrounds. Eligible IHEs must award bachelor's degrees or be a junior or community college.</p>	<p>Eligible IHEs must provide a program that is not less than a two-year education program and is acceptable for full credit towards a bachelor's degree.</p>
<b>H.R. 609, Title III — American Indian Tribally Controlled Colleges and Universities</b>	
<p>Tribal College or University (TCU) has the same meaning as tribally controlled college or university in Section 2 of the Tribally Controlled College or University Assistance Act of 1978 (TCCUAA) and includes institutions listed in the Equity in Educational Land-Grant Status Act of 1994 (EELGSA).</p>	<p>TCU would be defined as any of 34 delineated institutions that qualify for funding under the TCCUAA or the EELGSA and any other institution that meets the definition of a tribally controlled college or university in Section 2 of the TCCUAA and meets all of the other requirements of HEA Title III, Section 316.</p>
<p>The Secretary shall ensure maximum and equitable distribution of funds among all eligible institutions.</p>	<p>Would establish a new allocation formula. The formula would allocate funds to each participating institution as follows: 50% of allocation would be based on the number of Pell Grant recipients and the remaining 50% based on the number of degrees/certificates awarded. The minimum grant would be \$500,000 per institution.</p>
<p>Grants may be used to assist tribally controlled colleges and universities to plan, develop, undertake, and carry out activities to improve or expand their capacity to serve their target student populations. Authorized activities include, among other things, renovating instructional facilities, providing academic tutoring, counseling and student support services, and purchasing educational materials.</p>	<p>Expands the list of identified activities for which grant funds are authorized to be used to include acquiring real property adjacent to the campus of the institution on which to construct instructional facilities, and developing or improving facilities for Internet use or other distance learning academic capabilities.</p>
<b>H.R. 609, Title III — Alaska Native and Native Hawaiian-Serving Institutions</b>	
<p>Grants may be used to assist Alaska Native and Native Hawaiian-serving institutions to plan, develop, undertake, and carry out activities to improve or expand their capacity to serve their target student populations. Examples of authorized activities include renovating instructional facilities and providing academic tutoring.</p>	<p>The authorized activities for Alaska Native and Native Hawaiian-serving institutions would be expanded to include the use of funds to establish or increase the institution's endowment. Not more than 20% of the grant could be used for this purpose and the institution would be required to match federal funds with non-federal funds.</p>

Current law	H.R. 609 (passed by the House)
<b>H.R. 609, Title III — Historically Black Colleges and Universities (HBCUs)</b>	
Minimum grant is \$500,000 per institution.	If the funds appropriated are sufficient to provide each HBCU with the amount they received in the preceding fiscal year, then the excess should first be allotted to increase the minimum grant to \$750,000 per institution.
No similar provision.	An institution can use up to 2% of the grant funds for technical assistance services. Technical assistance services may include enrollment management, financial management, and strategic planning. Use of funds for such purposes must be annually reported to the Secretary.
Grants may be used to assist historically black colleges and universities to plan, develop, undertake, and carry out activities to improve or expand their capacity to serve their target student populations. Authorized activities include, among other things, construction, renovating instructional facilities, providing academic tutoring, counseling and student support services, and purchasing educational materials.	Expands the list of activities for which grant funds are authorized to be used to include acquiring real property adjacent to the campus of the institution on which to construct instructional facilities, and developing or improving facilities for Internet use or other distance learning academic capabilities.
<b>H.R. 609, Title III — Historically Black Colleges and Universities, Professional or Graduate Institutions</b>	
There are 18 existing eligible grantees.	The list of eligible graduate and professional schools/programs (Part B, Section 326) would be expanded to include Alabama State University; Coppin State; Delaware State University; Prairie View A&M; Langston University; West Virginia State University; and Fayetteville State University.
<b>H.R. 609, Title IV: Part A, Grants to Students — Pell Grants</b>	
Existing program authority expired in FY2004. The most recent authorized maximum Pell Grant award is \$5,800 for academic year 2003-2004.	Extends program authority for Pell Grant awards until FY2013. Authorized maximum Pell Grant award is \$6,000 from academic year 2007-2008 through academic year 2013-2014.
The Secretary may make Pell Grant payments directly to an eligible student, in advance of the academic year, if the institution elects not to participate in disbursement system.	Deletes this provision.

Current law	H.R. 609 (passed by the House)
<p>If the maximum appropriated Pell Grant award is greater than \$2,700, tuition sensitivity is invoked. As implemented by ED, tuition sensitivity reduces the Pell Grant for a small number of the neediest students attending institutions with very low tuition charges.</p>	<p>Eliminates tuition sensitivity.</p>
<p>Students are allowed to take remedial and non-credit courses that the institution determines are necessary without restrictions.</p>	<p>Limits the receipt of a Pell Grant award for remedial and non-credit courses to not more than one academic year.</p>
<p>Students who are enrolled in elementary or secondary school are not eligible for Title IV student aid.</p>	<p>Allows students who are enrolled full-time, in a gifted student program that leads to fully transferable college academic credit, and who reside on a residential college campus, and are eligible for a Pell Grant, except for the fact that he/she is in secondary school, to receive a Pell Grant for up to two years.</p>
<p>No similar provision.</p>	<p>Authorizes year-round Pell grants for students who enroll for 12 months rather than nine in a four-year or two-year institution. A four-year institution must have at least a 30% graduation rate in the preceding four years reported in the Integrated Postsecondary Education Data System (IPEDS). A two-year institution must have a graduation rate reported in IPEDS at least once in the last three years that is above average for the applicable year for the institution's type and control.</p>
<p>No similar provision.</p>	<p>The Secretary must conduct an evaluation of the year-round Pell Grant program and report to Congress no later than October 1, 2011.</p>
<p>No similar provision.</p>	<p>Makes individuals confined to civil commitment centers for sexual offenders ineligible for Pell Grants.</p>
<p>No similar provision.</p>	<p>Pell Grant receipt would be limited to 18 semesters or 27 quarters. Limit would be determined without regard for attendance status (full-time or part-time) and would include time prior to the enactment of the College Access and Opportunity Act (H.R. 609).</p>
<p>Academic Competitiveness Grants provide grants in the amount of \$750 (first-year students) and \$1,300 (second-year students), for Pell eligible students who completed a rigorous secondary school program. The rigorous program is one that is designated as such by a state or local education agency and recognized by the Secretary. Students must be enrolled full-time, in their first or second academic year.</p>	<p>Establishes an additional supplemental grant program for Pell eligible students — the Pell Grant Plus: Achievement Grants for State Scholars Program. Similar to the Academic Competitiveness Grants, but would provide \$1,000 grants for Pell eligible students who completed a rigorous high school curriculum established by state in consultation with Center for State Scholars. Students must be enrolled full-time, in their first academic year, not previously enrolled.</p>

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Current law	H.R. 609 (passed by the House)
<b>H.R. 609, Title IV: Part A, Grants to Students — Academic Competitiveness Grants</b>	
States that the “rigorous secondary school program” is established by the state or local education agency and recognized by the Secretary of Education.	Clarifies that the rigorous program must be beyond the basic graduation requirements and must be recognized as such by the designated state official, or with respect to any private school or home school, the designated school official for such school.
<b>H.R. 609, Title IV: Part A, Grants to Students — TRIO and GEARUP</b>	
Trio grants are awarded for a four-year period; except for Staff Development Grants which are two years in duration. The minimum award amount for Student Support Services and Staff Development Grants is \$170,000; the minimum for Talent Search and Educational Opportunity Center Grants is \$180,000; and the minimum for Upward Bound and McNair Grants is \$190,000. Grant cycles for the various Trio programs begin in different fiscal years and only one grant may be given to a single IHE.	Extends the grant period of the major Trio programs to five years, increases the minimum award for all but Staff Development Grants to \$200,000, synchronizes the grant cycles, allows for multiple grants to multi-campus IHEs, and allows multiple grants to the same campus that serve different populations. Also, adds foster care youth to the list of students eligible for participation in the Trio programs.
Priority points are given to applicants with prior experience.	Charges the Government Accountability Office (GAO) with conducting a study of the impact of prior experience consideration on the distribution of grants and the continuity of programs. Specifies program outcomes which the Secretary should consider when assessing an applicant’s performance.
Only one of the five Trio programs that provide direct services to students contains a statutory requirement to provide a specific service. Upward Bound grantees must provide instruction in specified core academic subject-matter.	Adds to each Trio program’s list of permissible services a provision for support services that improve participants’ financial literacy.
Upward Bound grantees are allowed to provide stipends to participating students in a monthly amount not to exceed \$60 during the months of June, July, and August and \$40 during the remaining months.	Increases the maximum stipend to \$100 for June, July, and August and \$60 during the remaining months.
Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP) grants are awarded to states and partnerships for a period of five years.	Ensures that prior grantees receive consideration for an additional grant, extends grants to a period of six years, and allows service provision to continue through the first year of college.

Current law	H.R. 609 (passed by the House)
<b>H.R. 609, Title IV: Part A, Grants to Students — Federal Supplemental Educational Opportunity Grants</b>	
FSEOG aid must be awarded first to students with exceptional financial need, with priority going to students who receive Pell Grants.	Pell Grant recipients have priority for FSEOG aid; and IHEs may award only 10% of FSEOG aid to students who did not receive a Pell Grant in a prior year.
The Secretary may allocate up to 10% of the amount appropriated to carry out this part (HEA Title IV, Part A) that exceeds \$700 million to IHEs at which 50% or more of Pell Grant recipients either graduate or transfer to four-year institutions.	The Secretary may allocate up to 10% of the amount appropriated to carry out this part (HEA Title IV, Part A) that exceeds \$700 million to IHEs at which at least 10% of students receive Pell Grants, and which have graduation rates for Pell Grant recipients which exceed the median rate for the particular class of institution.
The allowance for books and supplies used in calculating “fair share” allocations is \$450.	Increases the allowance for books and supplies to \$600.
<b>H.R. 609, Title IV: Part A, Grants to Students — Leveraging Educational Assistance Partnership (LEAP) Program</b>	
The Leveraging Educational Assistance Partnership (LEAP) Program/Special Leveraging Educational Assistance Partnership (SLEAP) Program provides formula grants to states to assist them in providing need-based grants and community service work-study assistance to eligible postsecondary students.	Extends the authorization through FY2012.
<b>H.R. 609, Title IV, Part A, Grants to Students — HEP/CAMP Program</b>	
Provides educational assistance and services to persons who themselves, or their parents, have spent a minimum of 75 days during the previous 24 months in migrant or seasonal farmwork.	Makes the spouses of such workers eligible for the program and adds child care, transportation, financial counseling, mentoring, and follow-up to the list of allowable activities.

Current law	H.R. 609 (passed by the House)
<b>H.R. 609, Title IV: Part A, Grants to Students — Robert C. Byrd Honors Scholarship Program</b>	
<p>Merit-based scholarships are awarded to high school students who demonstrate academic achievement and show promise of continued achievement.</p> <p style="text-align: center;"><a href="http://wikileaks.org/wiki/CRS-RL33415">http://wikileaks.org/wiki/CRS-RL33415</a></p>	<p>Replaces the current program with five new grant programs to improve and promote math, science, and foreign language education.</p> <ul style="list-style-type: none"> <li>● The Robert C. Byrd Math and Science Honors Scholarship Program awards funds to eligible full-time college students pursuing a major in studies leading to a baccalaureate, masters, or doctoral degree in physical, life, or computer sciences, mathematics, or engineering.</li> <li>● The Mathematics and Science Incentive Program provides eligible math and science teachers relief from interest payments on student loans in return for working in high-need schools.</li> <li>● Mathematics and Science Education Coordinating Council Grants awards funds to states to assist in coordinating math and science related activities supported by the ESEA Title II, Part B, Mathematics and Science Partnerships Program and the HEA Title II, Teacher Quality Enhancement Program.</li> <li>● The Adjunct Teacher Corps awards grants to LEAs or other educational organizations (private or public) to recruit adjunct math, science and foreign language teachers.</li> <li>● The Foreign Language Partnership Program awards grants to IHEs in partnership with one or more LEAs to recruit foreign language teachers and provide them with professional development in critical languages.</li> </ul>
<b>H.R. 609, Title IV: Part A, Grants to Students — Child Care Access Means Parents in Schools</b>	
<p>The Secretary is authorized to provide grants to assist IHEs in providing campus-based child care services to low-income students.</p>	<p>Program authorization is extended through FY2012.</p>

Current law	H.R. 609 (passed by the House)
<b>H.R. 609, Title IV: Part A, Grants to Students — Learning Anytime Anywhere Partnership</b>	
The Secretary is authorized to make grants to partnerships to enhance the delivery and quality of career-oriented lifelong learning through technology.	This program is repealed.
<b>H.R. 609, Title IV: Parts B &amp; D — Federal Family Education Loan Program &amp; William D. Ford Direct Loan Program</b>	
<p>The Secretary is authorized to, subject to appropriations, carry out a demonstration program of repaying Federal Family Education Loan (FFEL) program and William D. Ford Direct Loan (DL) program loans for child care providers working in low income communities.</p> <p><small><a href="http://wikileaks.org/wiki/CRS-RL33415">http://wikileaks.org/wiki/CRS-RL33415</a></small></p>	Replaces the demonstration program, authorizing new loan forgiveness of up to \$5,000, for FFEL and DL borrowers, subject to appropriations, for service in areas of national need. Individuals meeting all requirements and working in one of the following occupations would be eligible: early childhood educators, nurses, specified foreign language specialists, librarians, highly-qualified teachers (bilingual or serving low income communities), first responders, child welfare workers, speech-language pathologists, public service employees, doctors in high-need medical specialties, and child or adolescent mental health professionals. In addition, the Secretary would be granted the authority to designate additional groups for this loan forgiveness.
No similar provision.	Authorizes new mandatory loan forgiveness for FFEL and DL loans on which amounts were owed on September 11, 2001; would be implemented for eligible public servants, victims, and survivors of victims of the September 11, 2001 attacks.
No similar provision.	Specifies that FFEL and DL consolidation loans, to the extent used to pay off outstanding principal balance on loans made under Title IV, will be counted against applicable aggregate loan limits for subsidized and unsubsidized Stafford loans and Perkins loans.
Under a statutory restriction often referred to as the “single holder rule,” borrowers whose loans are held by one FFEL holder must first attempt to consolidate their loans with that holder. Only under limited circumstances may they pursue a consolidation loan with another lender.	Eliminates the single holder rule effective July 1, 2006.
No similar provision.	Requires the provision of specified disclosure information by FFEL lenders to educate consolidation borrowers about the costs of a consolidation loan and its effect on benefits.

Current law	H.R. 609 (passed by the House)
FFEL program Guaranty agencies are required to enter into reporting agreements with credit agencies, but not with all of the major credit agencies.	Includes a new requirement that FFEL guaranty agencies provide each of the major credit agencies with borrower information.
If a FFEL or DL student borrower becomes permanently and totally disabled (as determined in accordance with regulations of the Secretary), the Secretary shall discharge the borrower’s debt and repay the loan on the borrower’s behalf.	Specifies that for the purposes of making determinations of permanent and total disability, borrowers who have been certified as permanently and totally disabled by the Department of Veterans Affairs or the Social Security Administration will not be required to present further documentation for the purposes of Title IV.
A DL program borrower’s income contingent repayment is based on the adjusted gross income of the borrower or, if the borrower is married and files a joint income tax return with their spouse, on the adjusted gross income of the borrower and their spouse.	Specifies that for all married borrowers, borrower’s income contingent repayment is based on the adjusted gross income of the borrower and their spouse.
<b>H.R. 609, Title IV: Part C — Federal Work-Study Programs</b>	
For employment in on-campus child care to be considered community service, the child care services must be “open and accessible to the community.”	Strikes the requirement that on-campus child care must be “open and accessible to the community” for it to be considered community service employment.
The Secretary may allocate up to 10% of Federal Work-Study (FWS) funding that exceeds \$700 million to IHEs at which 50% or more of Pell Grant recipients either graduate or transfer to four-year institutions.	Beginning with FY2008, the Secretary may allocate up to 10% of the amount appropriated for FWS that exceeds \$700 million to IHEs at which at least 10% of students receive Pell Grants; and which have graduation rates for Pell Grant recipients which exceed the median rate for the particular class of institution.
The allowance for books and supplies used in calculating “fair share” allocations is \$450.	Increases the allowance for books and supplies to \$600.
IHEs may use not more than 10% or \$50,000 of their FWS allotments for job location and development programs.	IHEs may use not more than 15% or \$75,000 of their FWS allotments for job location and development programs, except that not less than one-third of such amount shall be allocated for the location and development of community service jobs.
Work-Colleges Program requires all resident students who reside on campus to participate in a comprehensive work-learning program.	Requires all resident students, including at least one-half of all students who are enrolled on a full-time basis, to participate in a comprehensive work-learning-service program for at least 5 hours each week, or at least 80 hours during each period of enrollment.

Current law	H.R. 609 (passed by the House)
No comparable provision.	An institution with a plan approved by the Secretary may transfer a portion of its FWS allocation under a program to award work assistance to students with mental retardation who are enrolled and maintaining satisfactory progress in a comprehensive postsecondary program for students with mental retardation at that institution.
<b>H.R. 609, Title IV: Part E — Federal Perkins Loan Program</b>	
Authorization of appropriations: \$250 million for FY1999 and such sums as may be necessary for each of the four succeeding fiscal years; plus such sums as may be necessary for FY2003 and each of the five succeeding years to enable students who received loans for academic years ending prior to October 1, 2003 to continue or complete courses of study.	Authorization of appropriations: \$250 million for FY2007 and such sums as may be necessary for each of the five succeeding fiscal years; plus such sums as may be necessary for FY2013 and each of the five succeeding years to enable students who received loans for academic years ending prior to October 1, 2013 to continue or complete courses of study.
Federal Perkins Loan federal capital contributions (FCCs) funds are allocated to IHEs in two stages; and only IHEs with a default penalty of “1” may receive funds. First, IHEs receive a “base guarantee” allotment; next, remaining funds are allotted to IHEs on the basis of their proportionate amount — or “fair share” — of aggregate student financial need.	Beginning in FY2008, allocations for base guarantees are reduced by 20 percentage points every two years, until being completely phased out by FY2016. Funding according to “fair share” procedures would be concomitantly increased. Only IHEs with a default penalty of “1” may receive funds.
The allowance for books and supplies used in calculating “fair share” allocations is \$450.	Increases the allowance for books and supplies to \$600.
Annual Perkins Loan limits are \$4,000 for undergraduate students, and \$6,000 for graduate and professional students.	Increases annual Perkins Loan limits to \$5,500 for undergraduate students and \$8,000 for graduate and professional students.
Aggregate Perkins Loan limits are \$20,000 for undergraduate students with two or more years of study; \$40,000 for graduate and professional students; and \$8,000 for other students.	Increases aggregate Perkins Loan limits to \$27,500 for undergraduate students with two or more years of study; \$60,000 for graduate and professional students; and \$11,000 for other students.
Perkins Loan forbearance must be requested in writing.	Strikes requirement to request forbearance in writing.
No compromise repayment of a defaulted loan may be made unless the borrower pays in a lump sum payment: 90% of the loan, interest due, and collection fees.	No compromise repayment may be made unless agreed to by the Secretary.
Perkins Loans may be rehabilitated after making 12 on-time payments.	Perkins Loans may be rehabilitated after making nine on-time payments

Current law	H.R. 609 (passed by the House)
Perkins Loan borrowers may have up to 50% of their loan cancelled for service in the armed forces in an area of hostilities at the rate of 12½% per each of four years of service.	Perkins Loan cancellation for service in the armed forces in an area of hostilities made similar to cancellation for most other types of service: up to 100% cancelled at the rate of 15% for each of 1 <sup>st</sup> and 2 <sup>nd</sup> years, 20% for each of 3 <sup>rd</sup> and 4 <sup>th</sup> years, and 30% for 5 <sup>th</sup> year of service.
IHEs must begin returning Perkins Loan FCCs to the Secretary when authorization for the program expires.	Extends period at which IHEs must begin distribution of assets to between September 30, 2012, and March 31, 2013.
<b>H.R. 609, Title IV: Part F — Need Analysis</b>	
No similar provision.	Applicants can complete Free Application for Federal Student Aid (FAFSA) four years prior to enrolling in postsecondary education to obtain a non-binding expected family contribution (EFC).
No similar provision.	Two years after early estimates have been implemented, the Secretary shall evaluate the difference between the initial non-binding estimates and the final financial aid award. The Secretary shall report the findings to the authorizing committees.
No similar provision.	The Secretary shall develop a simplified paper application known as “EZ-FAFSA” for individuals eligible for auto-zero EFC. The form shall only contain elements necessary to determine if applicant is eligible for auto-zero. The Secretary shall include state-specific data on the EZ-FAFSA, if the state allows residents to use EZ-FAFSA to apply for state aid.
No similar provision.	The Secretary shall develop a simplified electronic form for auto-zero applicants. The Secretary shall include state-specific data on the simplified electronic version if the state allows residents to use simplified version to apply for state aid.
No similar provision.	The Secretary shall encourage applicants to utilize electronic FAFSA. The Secretary shall also develop a form that contains “skip logic” to simplify application process.
No similar provision.	The Secretary shall maintain a version of the long, paper FAFSA on the Internet in a printable format.

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Current law	H.R. 609 (passed by the House)
No similar provision.	The Secretary shall encourage states to utilize the simplified forms to award state aid. States that do not permit the use of the forms must inform the Secretary of the reason(s) for not allowing it. If a state fails to inform the Secretary, the Secretary can allow applicants from that state to complete the simplified application and not answer the state-specific questions.
No similar provision.	The Secretary shall determine, in cooperation with the states, IHEs and organizations involved in student financial assistance, the data elements that can be updated from previous year's application.
No similar provision.	Auto-zero eligible applicants shall not be required to provide any financial data in a re-application form, except those elements that are necessary to determine eligibility.
No similar provision.	Any entity who provides any value-added service such as completion or submission of the FAFSA shall provide a clear and conspicuous notice that the FAFSA is free; can be completed without professional assistance; and provide a link to the Department of Education's website.
No similar provision.	The Secretary shall utilize the savings realized from moving more students to utilizing the electronic application to improve access to technology for students who qualify for auto-zero EFC.
No similar provision.	The Secretary is to commission a non-partisan, comprehensive study on the prevention of fraud, waste, and abuse in Title IV student aid programs. A report shall be submitted to the Congress no later than December 31, 2007.
No similar provision.	The Secretary is to commission a non-partisan, comprehensive study on the extent to which the student application process complies with the Paperwork Reduction Act of 1995. A report shall be submitted to the Congress within one year following the enactment of the College Access and Opportunity Act of 2006.

Current law	H.R. 609 (passed by the House)
No similar provision.	Expands the definition of an independent student to include an individual who is an orphan, in foster care, or ward of the court, or was in foster care or a ward of the court until age 18. Also includes an individual who has been verified as both a homeless child or youth and an unaccompanied youth (defined by McKinney-Vento Homeless Assistance Act).
The financial aid administrator has discretion to adjust, on a case by case basis, the cost of attendance or the values of the items used to calculate the EFC to allow for treatment of an individual eligible applicant with special circumstances (e.g., recent unemployment of a family member, unusually high child care costs).	Expands list of special circumstances for use of professional judgment by a financial aid administrator to include a student’s status as a ward of the court at any time prior to turning 18 years of age, adoption after age 13, or a student’s status as a homeless or unaccompanied youth (as defined by McKinney-Vento Homeless Assistance Act).
Students from the Freely Associated States are eligible for a Pell Grant, FSEOG and Federal Work-Study until September 1, 2004.	Only students from the Republic of Palau would remain eligible. Also, would limit their eligibility to only Pell Grants. Extends authority until September 1, 2007.
<b>H.R. 609, Title IV: Part G — General Provisions Relating to Student Financial Assistance</b>	
No similar provision.	The Secretary shall make special efforts in conjunction with states’ efforts to notify students who qualify for free and reduced price lunch, food stamps, or other programs determined by the Secretary of their potential eligibility for Pell Grants.
IHEs must disseminate specific institutional and financial assistance information upon request to enrolled and prospective students.	Requires the information to be publicly available to enrolled and prospective students rather than being “available upon request.”
No similar provision.	Requires IHEs to make publicly available to enrolled and prospective students information on the institution’s educational mission and goals.
IHEs must report completion and graduation rates for certificate- or degree-seeking, full-time, undergraduate students.	Requires IHEs to make publicly available to enrolled and prospective students information on student outcomes for full-time undergraduate students including, but not limited to, completion and graduation rates for certificate- or degree-seeking, full-time, undergraduate students.
No similar provision.	Requires IHEs to make publicly available to enrolled and prospective students information about the process by which students can register complaints with organizations that accredit, approve, or license the institution and its programs.

Current law	H.R. 609 (passed by the House)
No similar provision.	Requires IHEs to make publicly available to enrolled and prospective students information about the penalties regarding suspension of eligibility for drug related offenses.
No similar provision.	Requires each IHE to publicly disclose its transfer of credit policy. The policy must specify that transfer of credit cannot be denied solely on the basis of the accreditation held by the institution at which the credits were earned if the institution’s accrediting agency was recognized by the Secretary.  (Note: In a subsequent section of Title IV, IHEs are permitted to deny the transfer of credit solely on the basis of the accreditation held by the sending institution if the institution’s transfer of credit policy specifically states that the institution does this.)
No similar provision.	Requires each eligible institution to provide a borrower of a loan under Part B, D, or E of Title IV with a note clearly describing the effects of loan consolidation.
IHEs are required to disclose their campus security policy and campus crime statistics.	Excludes foreign institutions of higher education from these requirements.
No similar provision.	Requires IHEs to prepare and distribute annual fire safety reports.
Proprietary institutions that meet the definition of an IHE, with the exception of meeting the 50% rules in Section 102, and that provide a two-year or four-year program of study leading to an associate’s or bachelor’s degree, respectively, are eligible to participate in the Distance Education Demonstration Program (DEDP). (Note: Other IHEs are not subject to this requirement.)	Applies the requirements for participant eligibility for the DEDP to all IHEs rather than proprietary institutions only.
In the third year of the DEDP, the Secretary may select up to 35 additional institutions, systems, or consortia to participate if the Secretary determines such expansion is warranted based on program evaluations.	Permits the Secretary in subsequent years to select not more than 100 additional institutions, systems, or consortia to participate in the DEDP.
No similar provision.	Up to five of the institutions, systems, or consortia participating in the DEDP may be accredited, degree-granting correspondence schools.

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Current law	H.R. 609 (passed by the House)
No similar provision.	Creates a college affordability demonstration program: (1) to increase innovation in the delivery of higher education and student financial aid that will result in cost savings for students and the institution; (2) to help determine the most effective way to deliver student financial aid and a quality postsecondary education; and (3) to determine the most effective ways to obtain and manage institutional resources.
The institution will not knowingly employ an individual who will be involved with the administration of Title IV programs or the receipt of Title IV funds who has been convicted of, or has pled nolo contendere or guilty, to a crime involving the acquisition, use, or expenditure of Title IV funds or been judicially determined to have committed fraud involving Title IV funds. The institution will not knowingly contract with a third-party server who has been terminated under Title IV for an action involving the acquisition, use, or expenditure of Title IV funds or been judicially determined to have committed fraud involving Title IV funds.	Expands criteria to include federal, state, and local funds rather than only Title IV funds.
No similar provision.	Permits an IHE to be considered in compliance with voter registration requirements if it sends out an electronic message focused on voter registration that contains a voter registration form or an Internet address where a form can be obtained.
The 90/10 rule only applies to proprietary institutions, and is a Title IV eligibility requirement for these institutions contained in Section 102. (See discussion of the 90/10 rule under Title I for additional information.)	Incorporates the 90/10 rule into the Program Participation Agreement (PPA) and applies it to all IHEs.
No similar provision.	IHEs must use the cash basis of accounting when determining compliance with the 90/10 rule.

Current law	H.R. 609 (passed by the House)
<p>No similar provision.</p> <p style="text-align: center;"><a href="http://wikileaks.org/wiki/CRS-RL33415">http://wikileaks.org/wiki/CRS-RL33415</a></p>	<p>Defines what may be considered non-Title IV revenue for the purposes of meeting the 90/10 rule:</p> <ul style="list-style-type: none"> <li>• Non-Title IV funds used by students to pay tuition, fees, and other institutional charges, provided the IHE can demonstrate that the funds were used for these purposes.</li> <li>• Funds used by the institution to meet Title IV program matching-fund requirements.</li> <li>• Funds from education savings plans authorized by the Internal Revenue Code of 1986.</li> <li>• Funds paid by the student or entity other than the IHE for a non-Title IV eligible education and training program that is approved or licensed by the state or an accrediting agency recognized by the Secretary.</li> <li>• Institutional loan repayments received during the fiscal year.</li> <li>• Academic achievement or need-based institutional scholarships in the form of monetary aid or tuition discounts disbursed during the fiscal year from an established restricted account whose funds represent designated funds from an outside source or from income earned on these funds.</li> </ul>
<p>No similar provision.</p>	<p>An IHE that violates the 90/10 rule for three consecutive years will lose its Title IV eligibility.</p>
<p>No similar provision.</p>	<p>IHEs failing to meet the 90/10 rule in any year may be placed on provisional certification and/or be subject to increased monitoring and reporting requirements.</p>
<p>No similar provision.</p>	<p>Requires the Secretary to publicly identify on COOL any IHE that fails to meet the 90/10 rule in any year.</p>

Current law	H.R. 609 (passed by the House)
No similar provision.	Requires an IHE to disclose to the alleged victim of any crime of violence or non-forcible sex offense the final results of any institutional disciplinary proceedings conducted by the institution against a student who is the alleged perpetrator of the crime.
<b>H.R. 609, Title IV: Part H — Program Integrity</b>	
No similar provision.	Requires that a state agency that is approved by the Secretary as an accrediting agency does not directly or indirectly require institutions to obtain accreditation from the state agency and does not provide any exemptions, privileges, or benefits to IHEs as a result of their choice to obtain accreditation from the state agency.
Accrediting agencies are required to consistently apply and enforce standards to ensure courses and programs are of sufficient quality to achieve their stated objectives.	Requires accrediting agencies to consider the stated mission of the institution, including religious missions, when applying and enforcing standards.
No similar provision.	Requires an accrediting agency that already has or seeks to include the evaluation of distance education programs within its scope of recognition to demonstrate to the Secretary that its standards effectively address the quality of distance education programs in the same areas in which it evaluates classroom-based programs.
No similar provision.	Requires accrediting agencies to require that IHEs offering distance education programs establish that a student registered for a distance education course is the same student that participates in, completes, and receives credit for the course.
Accrediting agencies are required to assess various aspects of IHEs, such as student achievement, curricula, faculty, facilities, and fiscal and administrative capability.	Specifies additional outcome measures by which accrediting agencies must evaluate institutions, including student academic achievement, retention, program completion, and other student performance information provided by the institution, especially information used for internal program evaluation by the institution.
No similar provision.	Requires accrediting agencies to assess the institution’s governing board within the context of the institution’s mission if the institution uses accreditation for Title IV purposes.

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Current law	H.R. 609 (passed by the House)
<p>An institution may oppose actions taken by its accrediting agency that adversely affect the institution. More specifically, accrediting agencies are required to apply procedures throughout the accrediting process that comply with due process including:</p> <ul style="list-style-type: none"> <li>• adequate specification of requirements and deficiencies at the IHE or program being evaluated;</li> <li>• notice of an opportunity for a hearing by any such IHE;</li> <li>• right to appeal an adverse action against any such IHE; and</li> <li>• right to representation by counsel for any such IHE.</li> </ul>	<p>Modifies due process requirements for an institution opposing an adverse action taken by its accrediting agency. Accrediting agencies will be required to comply with due process including:</p> <ul style="list-style-type: none"> <li>• adequate specification of requirements and deficiencies at the IHE or program being evaluated;</li> <li>• opportunity for a written response by any such IHE that will be included in the evaluation and withdrawal proceedings;</li> <li>• upon written request by the IHE, an opportunity for the IHE to appeal any adverse action at a hearing prior to the action becoming final before an appeals panel that does not include members of the accrediting agency decision-making body that made the adverse decision and that is subject to a conflict of interest policy; and</li> <li>• right to representation by counsel for any such IHE.</li> </ul>
<p>An accrediting agency must make a summary of any review that results in final denial, termination, or suspension of accreditation and the comments of the affected institution available to the public, upon request, and to the Secretary and state licensing or authorizing agency.</p>	<p>Requires the summary of agency actions and the comments of the affected institutions to be made publicly available rather than available by request.</p> <p>Expands the categories of actions that must be summarized to include final withdrawal of accreditation and any other final adverse action.</p>
<p>No similar provision.</p>	<p>Requires onsite reviews conducted by accrediting agencies to evaluate the substance of the student outcome data reported by the institution.</p>

Current law	H.R. 609 (passed by the House)
No similar provision.	<p>Requires accrediting agencies to confirm that an institution has publicly disclosed its transfer of credit policy and that the policy specifically states whether the institution denies the transfer of credit solely on the basis of the accreditation of the institution at which the credit was earned.</p> <p>(Note: This provision seems to allow IHEs to deny the transfer of credit solely on the basis of the accreditation of the institution at which the credit was earned. A previously discussed Title IV provision would not permit IHEs to do this.)</p>
No similar provision.	Requires accrediting agencies to monitor enrollment in distance education programs to ensure IHEs experiencing substantial enrollment growth have adequate capacity to serve students effectively.
No similar provision.	Requires accrediting agencies to publicly disclose a list of individuals who have served on evaluation teams and their title and affiliation. The list does not need to specify which institutions each individual evaluated. Also requires accrediting agencies to publicly disclose their processes for selecting, preparing, and evaluating evaluation team members, as well as any information related to the responsibilities of evaluation team members.
No similar provision.	Requires accrediting agencies to review the record of complaints made by students to the organizations that accredit, approve, or license the institution and its programs.
No similar provision.	Requires the Secretary to submit an annual report to Congress on the status of any accrediting agency which has had its recognition limited, suspended, or terminated by the Secretary.

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Current law	H.R. 609 (passed by the House)
<p>The Secretary must conduct program reviews.</p>	<p>Adds that the Secretary must provide an IHE with an opportunity to review and respond to any program reviews or audit findings before a final program review or audit determination is reached. This response must be taken into consideration in any final program review or audit determination and a copy of the response must be included in the final program review or audit determination. The final determination must also include a written statement addressing the IHE’s response and state the basis for the final determination. The confidentiality of the program review report or audit finding must be maintained until a final program review or audit determination is issued. Requires the Secretary to promptly disclose review reports and audit findings to the institution under consideration. Requires that the authority to approve or issue any program review report or audit finding that contains a finding, determination, or proposed assessment that exceeds (or may exceed) \$500,000 in liabilities may not be delegated to an official beyond the Chief Operating Officer for Federal Student Aid.</p>
<p>No similar provision.</p>	<p>Requires the Secretary to commission a study on the prevention of fraud and abuse in federal student aid programs.</p>
<p><b>H.R. 609, Title V: Developing Institutions — Hispanic-Serving Institutions</b></p>	
<p>Hispanic-serving institutions (HSIs) must provide assurances that not less than 50% of the institution’s Hispanic students are low-income individuals.</p>	<p>The 50% low-income Hispanic student requirement would be removed from the eligibility requirements for HSIs.</p>
<p>No similar provision.</p>	<p>Would establish the Promoting Postbaccalaureate Opportunities for Hispanic Students program. The program would provide competitive grants for HSIs offering postbaccalaureate degrees and certificates. The program would be similar in nature to the existing program for HBCUs.</p>

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Current law	H.R. 609 (passed by the House)
<b>H.R. 609, Title VI: Title VI Amendments — International Education Programs</b>	
The International Education Programs support undergraduate and graduate foreign language and area studies (FLAS) primarily through Language and Area Centers and FLAS fellowships for graduate students.	Adds three new allowable activities to the Language and Area Centers: <ol style="list-style-type: none"> <li>1. faculty support for “less commonly taught languages,”</li> <li>2. dissemination of instructional materials to other IHEs as well as elementary and secondary schools, and</li> <li>3. student support for understanding science and technology in coordination with foreign language proficiency.</li> </ol>
The Secretary may award additional grants to Language and Area Centers for the purposes of “programs of linkage or outreach to 2- and four-year colleges and universities.”	Modifies outreach provisions to include “partnerships” as well as programs of linkage and outreach and adds “colleges of education and teacher professional development programs” as well as “local educational agencies and public and private elementary and secondary education schools.”
No provision.	Adds study abroad to the list of allowable activities under the Undergraduate International Studies and Foreign Language Programs and limits funding for this purpose to not more than 10% of a grantee’s award.
No provision.	Establishes an International Higher Education Advisory Board charged with providing “advice, counsel, and recommendations to the Secretary” that would result in, among other things, the “development of such programs ... that will reflect diverse perspectives and the full range of views on world regions, foreign language, and international affairs.”
<b>H.R. 609, Title VII: Part A — Graduate Assistance in Areas of National Need</b>	
No similar provision.	The Secretary shall establish a grant program to prepare individuals who will themselves prepare highly-qualified elementary and secondary math, science, special education and limited English proficient teachers. The grants shall support fellowships for post-baccalaureate study related to teacher preparation and pedagogy in the aforementioned disciplines, and dissertation research in these areas.

Current law	H.R. 609 (passed by the House)
<b>H.R. 609, Title VII: Part A — Thurgood Marshall Legal Educational Opportunity Program</b>	
Grant funds are authorized to be used to prepare students for study at accredited law schools; to assist with the selection of a law school and to provide support for students who are in their first year of law school.	The grantee is authorized to utilize funds to award fellowships to eligible law school students who participated in an authorized summer institute and are enrolled in an accredited law school.
<b>H.R. 609, Title VII: Part A — Graduate and Postsecondary Improvement Programs</b>	
<p>The Secretary is authorized to award Jacob K. Javits Fellowship Program fellowships for graduate study in the arts, humanities, and social sciences.</p> <p><a href="http://www.fipse.org/wiki/CRS-RL33415">http://www.fipse.org/wiki/CRS-RL33415</a></p>	Changes include (1) providing that under exceptional circumstances, such as active duty military service, the fellowship recipient can interrupt periods of study; (2) providing that the Fellowship Board includes members from diverse geographic regions and at least one member from an institution eligible for a grant under HEA Title III or V; and (3) clarifying that the stipend shall be equal to the level of support provided by the National Science Foundation (NSF) Graduate Research Fellowship Program.
<p>Authorizes the Fund for the Improvement of Postsecondary Education (FIPSE) with which the Secretary is authorized to make grants and enter into awards for contracts.</p> <p><a href="http://www.fipse.org">http://www.fipse.org</a></p>	Adds authorized uses of funds, including (1) support and assist programs implementing integrated education reform in order to improve graduation, attendance, and completion rates for disadvantaged students; (2) assess the performance of teacher preparation programs within institutions of higher education in a state; (3) support efforts to establish pilot programs and initiatives to help college campuses reduce illegal downloading of copyrighted content; (4) support increased fire safety in student housing; and (5) establish and operate pregnant and parenting student services. Also adds a prohibition against the use of funds to aid students who do not meet the citizenship requirements of HEA section 484(a)(5).
<b>H.R. 609, Title VII: Part A — Urban Community Service</b>	
Program provides funds to IHEs in urban areas to enable them to work with organizations to devise and implement solutions to the problems in their communities.	Program is repealed.

Current law	H.R. 609 (passed by the House)
<b>H.R. 609, Title VII: Part A — Demonstration Projects to Ensure Students with Disabilities Receive a Quality Higher Education</b>	
<p>Program provides funds to support demonstration projects that provide technical assistance and professional development for faculty and administrators in IHEs to provide individuals with disabilities a quality postsecondary education.</p>	<p>Expands the list of authorized activities to include, for example: the development of innovative teaching methods and strategies to ensure the smooth transition of students with disabilities from high school to postsecondary education; and strategies to make distance education programs or classes more available to students with disabilities.</p>
<b>H.R. 609, Title IX: Part A — Education of the Deaf Act of 1986</b>	
<p>No similar provision.</p>	<p>Specifies that elementary and secondary programs operated in conjunction with this act by Gallaudet University shall be operated through the Laurent Clerc National Deaf Education Center.</p>
<p>No similar provision.</p>	<p>Requires that elementary and secondary programs operated at the Laurent Clerc National Deaf Education Center shall, not later than the beginning of the 2007-2008 school year, adopt and implement academic content and achievement standards and academic assessments as described in Paragraphs (1) and (3) of Section 1111(B) of the Elementary and Secondary Education Act of 1965; develop adequate yearly progress standards for such Center as described in Section 1111(b)(2)(C) of such act; and publicly report results of such assessments.</p>
<p>The Secretary is authorized to enter into or continue an agreement with an IHE for the operation of the National Technical Institute for the Deaf.</p>	<p>Specifies that the Rochester Institute of Technology is operating the National Technical Institute for the Deaf.</p>
<p>International students from developing countries are eligible for tuition reduction at Gallaudet University and the National Technical Institute for the Deaf, if their country has a per capita income of not more than \$4,000 in 1990 U.S. dollars.</p>	<p>Allows international students to be eligible for tuition reduction if their country has a per capita income of \$5,125 in 2002 U.S. dollars, adjusted to reflect inflation since 2002.</p>
<p>No similar provision.</p>	<p>Renames the act, the Education of the Deaf Act of 1986 shall now be referred to as the Gallaudet University and National Technical Institute for the Deaf Act.</p>

http://wikileaks.org/wiki/CRS-RL33415

Current law	H.R. 609 (passed by the House)
<b>H.R. 609, Title IX: Part B — Additional Education Laws</b>	
No similar provision.	Directs the Comptroller General to conduct a study of the FSEOG, FWS, and Federal Perkins Loan programs to examine the procedures for allocating funds to institutions and the awarding of aid to students.
<p>No provision.</p> <p style="text-align: center;"><a href="http://wikileaks.org/wiki/CRS-RL33415">http://wikileaks.org/wiki/CRS-RL33415</a></p>	<p>The Secretary shall commission or conduct several studies. Specifically, the Secretary shall conduct the following: a study of the best practices of states in assessing undergraduate postsecondary student learning, particularly with respect to public accountability systems; a national study on the decreasing number of under represented minority males, particularly African American males, entering and graduating from college; a study to evaluate the higher education-related indebtedness of medical school graduates; a study of older adult learners attending college and how institutions of higher education are addressing the needs specific to this group; an evaluation of the quality of distance education programs, compared to traditional campus-based programs; and a study to evaluate the decline and causes in the number of individuals who have been accepted into or currently participate in a graduate medical education program and/or fellowship to provide health care services that require more than five years of graduate medical training and has fewer U.S. medical school applicants than the total number of training and fellowship positions. The reports from each study shall be submitted to the Senate Health, Education, Labor and Pensions and House Education and the Workforce Committees.</p>
<b>H.R. 609, Title IX: Part B — Amendments to the 1998 HEA Amendments</b>	
The Secretary of Education is required to conduct a study of the policies and practices of accrediting agencies related to the treatment of the transfer of credits between IHEs. A final report was required to be submitted within one year of enactment of the 1998 HEA amendments.	Extends the reporting deadline to September 30, 2007. Adds a requirement that the final report include recommendations regarding the recognition of transfer of credit policies at IHEs.

Current law	H.R. 609 (passed by the House)
<p>The Secretary of Education is required to conduct a study of the effectiveness of cohort default rates as an indicator of administrative capability and program quality at IHEs at which less than 15% of students participate in Title IV student loan programs. A final report was due September 30, 1999.</p>	<p>Modifies the current study to require the Secretary of Education to study the effectiveness of cohort default rates as an indicator of administrative capability and program quality for IHEs, as opposed to only those IHEs at which less than 15% of students participate in Title IV student loan programs. Requires the study to specifically examine the effect of cohort default rates at IHEs at which less than 15% of students participate in Title IV student loan programs. Extends the reporting deadline to September 30, 2007.</p>
<p><b>H.R. 609, Title IX: Part B — Tribally Controlled College or University Assistance Act of 1978</b></p>	
<p>Program provides grants to tribally controlled colleges or universities to aid in the postsecondary education of Indian students.</p>	<p>Extends the authorization for this program to 2007 and the five succeeding years.</p>
<p><b>H.R. 609, Title IX: Part B — Navajo Community College Act</b></p>	
<p>Program provides grants to assist the Navajo Tribe of Indians in providing education to the members of the tribe and other qualified applicants through a community college.</p>	<p>Extends the authorization for this program to 2007 and the five succeeding years.</p>