

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 3076
OFFERED BY MR. HOEKSTRA**

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE; REFERENCES.**

2 (a) **SHORT TITLE.**—This Act may be cited as the
3 “Graduate Opportunities in Higher Education Act of
4 2003”.

5 (b) **REFERENCES.**—Except as otherwise expressly
6 provided, whenever in this Act an amendment or repeal
7 is expressed in terms of an amendment to, or repeal of,
8 a section or other provision, the reference shall be consid-
9 ered to be made to a section or other provision of the
10 Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

11 **SEC. 2. JAVITS FELLOWSHIP PROGRAM.**

12 (a) **INTERRUPTIONS OF STUDY.**—Section 701(c) (20
13 U.S.C. 1134(c)) is amended by adding at the end the fol-
14 lowing new sentence: “In the case of other exceptional cir-
15 cumstances, such as active duty military service or per-
16 sonal or family member illness, the institution of higher
17 education may also permit the fellowship recipient to in-
18 terrupt periods of study for the duration of the tour of



1 duty (in the case of military service) or not more than
2 12 months (in any other case), but without payment of
3 the stipend.”.

4 (b) ALLOCATION OF FELLOWSHIPS.—Section
5 702(a)(1) (20 U.S.C. 1134a(a)(1)) is amended—

6 (1) in the first sentence, by inserting “from di-
7 verse geographic regions” after “higher education”;
8 and

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

14 (c) STIPENDS.—Section 703 (20 U.S.C. 1134b(a)) is
15 amended—

16 (1) in subsection (a)—

17 (A) by striking “1999–2000” and inserting
18 “2004–2005”;

19 (B) by striking “shall be set” and inserting
20 “may be set”; and

21 (C) by striking “Foundation graduate fel-
22 lowships” and inserting “Foundation Graduate
23 Research Fellowship Program”; and

24 (2) in subsection (b)(1), by amending subpara-
25 graph (A) to read as follows:



1 “(3) PRIORITY.—The Secretary shall establish
2 a priority for grants to institutions of higher edu-
3 cation in order to prepare individuals for the pro-
4 fessoriate who will train highly-qualified elementary
5 and secondary school teachers of math, science, and
6 special education, and teachers who provide instruc-
7 tion for limited English proficient individuals. Such
8 grants shall offer program assistance and graduate
9 fellowships for—

10 “(A) post-baccalaureate study related to
11 teacher preparation and pedagogy in math,
12 science, special education and English language
13 acquisition and academic proficiency for limited
14 English proficient individuals; and

15 “(B) support of dissertation research in
16 the fields of math, science, special education, or
17 second language pedagogy and second language
18 acquisition.”.

19 (b) DESIGNATION OF AREAS OF NATIONAL NEED.—
20 The last sentence of section 712(b) (20 U.S.C. 1135a(b))
21 is amended—

22 (1) by striking “and an assessment” and insert-
23 ing “an assessment”; and



1 (2) by inserting before the period at the end of
2 the following: “and the priority described in section
3 711(a)(3)”.

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

6 (1) by striking “1999–2000” and inserting
7 “2004–2005”;

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

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

13 (d) ADDITIONAL ASSISTANCE.—Section 715(a)(1)
14 (20 U.S.C. 1135d(a)(1)) is amended—

15 (1) by striking “1999–2000” and inserting
16 “2004–2005”; and

17 (2) by striking “1998–1999” and inserting
18 “2003–2004”.

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



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

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

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

7 **SEC. 4. THURGOOD MARSHALL LEGAL EDUCATIONAL OP-**
8 **PORTUNITY PROGRAM.**

9 (a) CONTRACT AND GRANT PURPOSES.—Section
10 721(c) (20 U.S.C. 1136(c)) is amended—

11 (1) by amending paragraph (2) to read as fol-
12 lows:

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

18 (2) by striking “and” at the end of paragraph
19 (4);

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

22 (4) by adding at the end the following new
23 paragraph:

24 “(6) to award Thurgood Marshall Fellowships
25 to eligible law school students—



1 “(A) who participated in summer institutes
2 authorized by subsection (d) and who are en-
3 rolled in an accredited law school; or

4 “(B) who are eligible law school students
5 who have successfully completed a comparable
6 summer institute program certified by the
7 Council on Legal Educational Opportunity.”.

8 (b) SERVICES PROVIDED.—Section 721(d)(1)(D) (20
9 U.S.C. 1136(d)(1)(D)) is amended by inserting “in ana-
10 lytical skills and study methods” after “courses”.

11 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
12 721(h) (20 U.S.C. 1136(h)) is amended by striking “1999
13 and each of the 4 succeeding fiscal years” and inserting
14 “2004 and each of the 5 succeeding fiscal years”.

15 (d) GENERAL PROVISIONS.—Subsection (e) of section
16 731 (20 U.S.C. 1137(e)) is repealed.

17 **SEC. 5. FUND FOR THE IMPROVEMENT OF POSTSEC-**
18 **ONDARY EDUCATION.**

19 (a) CONTRACT AND GRANT PURPOSES.—Section
20 741(a) (20 U.S.C. 1138(a)) is amended—

21 (1) by amending paragraph (1) to read as fol-
22 lows:

23 “(1) the encouragement of the reform and im-
24 provement of, and innovation in, postsecondary edu-
25 cation and the provision of educational opportunity



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;”;

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 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
14 745 (20 U.S.C. 1138d) is amended by striking
15 “\$30,000,000 for fiscal year 1999 and such sums as may
16 be necessary for each of the 4 succeeding fiscal years” and
17 inserting “\$40,000,000 for fiscal year 2004 and such
18 sums as may be necessary for each of the 5 succeeding
19 fiscal years” .

20 **SEC. 6. URBAN COMMUNITY SERVICE.**

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



1 **SEC. 7. DEMONSTRATION PROJECTS TO ENSURE STUDENTS**
2 **WITH DISABILITIES RECEIVE A QUALITY**
3 **HIGHER EDUCATION.**

4 (a) **SERVING ALL STUDENTS WITH DISABILITIES.**—
5 Section 762(a) (20 U.S.C. 1140a(a)) is amended by strik-
6 ing “students with learning disabilities” and inserting
7 “students with disabilities”.

8 (b) **AUTHORIZED ACTIVITIES.**—

9 (1) **AMENDMENT.**—Section 762(b)(2) is
10 amended—

11 (A) in subparagraph (A), by inserting “in
12 order to improve retention and completion”
13 after “disabilities”;

14 (B) by redesignating subparagraphs (B)
15 and (C) as subparagraphs (C) and (E), respec-
16 tively;

17 (C) by inserting after subparagraph (A)
18 the following new subparagraph:

19 “(B) **EFFECTIVE TRANSITION PRAC-**
20 **TICES.**—The development of innovative, effec-
21 tive, and efficient teaching methods and strate-
22 gies to ensure the smooth transition of students
23 with disabilities from high school to postsec-
24 ondary education.”; and



1 (D) by inserting after subparagraph (C)
2 (as redesignated by subparagraph (B) of this
3 paragraph) the following new subparagraph:

4 “(D) DISTANCE LEARNING.—The develop-
5 ment of innovative, effective, and efficient
6 teaching methods and strategies to provide fac-
7 ulty and administrators with the ability to pro-
8 vide accessible distance education programs or
9 classes that would enhance access of students
10 with disabilities to higher education, including
11 the use of electronic communication for instruc-
12 tion and advisement.”.

13 (2) CONFORMING AMENDMENT.—Section
14 762(b)(3) is amended by striking “subparagraphs
15 (A) through (C)” and inserting “subparagraphs (A)
16 through (E)”.

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

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

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

23 (2) by striking “and” at the end of paragraph
24 (2);



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

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

5 “(4) a description of the extent to which an in-
6 stitution will work to replicate the best practices of
7 institutions of higher education with demonstrated
8 success in serving students with disabilities.”.

9 (d) AUTHORIZATION OF APPROPRIATIONS.—Section
10 765 (20 U.S.C. 1140d) is amended by striking “fiscal year
11 1999 and such sums as may be necessary for each of the
12 4 succeeding fiscal years” and inserting “fiscal year 2004
13 and such sums as may be necessary for each of the 5 suc-
14 ceeding fiscal years”.

