

TWO SUMMARIES OF INTERNATIONAL EDUCATION PROVISIONS IN PL 110-315

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Overview of Title VI :

Title VI programs were reauthorized in tact at "such sums as may be necessary" for 6 years. The Title VI amendments include the reinstatement of undergraduate eligibility for FLAS fellowships, the use of up to 10% of the undergraduate international studies and foreign language (UISFL) grants for education programs abroad, and two new financial assistance initiatives in the IIPP. A new Science and Technology Advanced Foreign Language Education Grants program is also authorized. No advisory board or complaint process was included. Moderate progress was made on other amendments adopted in response to the complaints against Title VI. Instead of the Assistant Secretary, the conferees agreed to create a Deputy Assistant Secretary for International and Foreign Language Education appointed by and reporting to the Assistant Secretary for Postsecondary Education.

General Summary:

Summary of International and Foreign Language Education Provisions in the Reauthorization of HEA Conference Bill, H.R. 4137

Title VI, International Education

Programmatic Amendments to Existing Law

! Renews all Title VI programs intact for 6 years at "such sums as may be necessary."

! Authorizes two new activities for which grant funds may be used under the **National Resource Center** program--

--instructors of the less commonly taught languages

--projects that promote an understanding of science, technology, engineering and mathematics fields to achieve foreign language proficiency.

! Authorizes the Department of Education to make additional grants **to National Resource Centers** for--

! partnerships or programs of linkage or outreach with departments or agencies of Federal and State governments, including Federal or State scholarship programs for students in related areas.

! linkage or outreach between or among postsecondary programs or departments in foreign language, area studies or other international fields; and state or local educational agencies.

! Reinstates eligibility of undergraduates for **FLAS** fellowships.

! Allows up to 10% of grant funds under the **Sec. 604 Undergraduate Foreign Language and International Studies** program to be used for educational programs abroad that are closely linked to the project's goals and promote foreign language fluency and knowledge of world regions.

! Adds provisions to the **Research and Studies** program that the Secretary may, directly or through grants or contracts, conduct the systematic collection, analysis and dissemination of data and make the information collected publicly available and easy to understand.

! Fine tunes the **Technological Innovation and Cooperation for Foreign Information Access**, including authorizing the development of standards for electronic access; allowing partnerships between institutions of higher education, libraries and nonprofit educational organizations; and allowing linkages between TICFIA grant recipients and institutions of higher education, non-profit educational organizations, and libraries overseas

! Amends the **CIBER** program to—

! include a Purpose statement about coordinating the programs of the Federal government in the areas of research, education, and training in international business and trade competitiveness.

! include Title III or Title V institutions among the institutions of higher education with which CIBERs may engage in outreach activities or consortia under permissible activities; and

! add another permissible activity as follows: “programs encouraging the advancement and understanding of technology-related disciplines, including manufacturing software systems and technology management.”

! Makes several improvements to the **Institute for International Public Policy (IIPP)**—

! Modifies/updates the statement of eligibility for consortium membership.

! Allows for an advanced degree in international relations;

! Adds a new section to provide low-income students with summer stipends of not more than \$3,000 per summer, and Ralph Bunche scholarships of not more than \$5,000 per academic year.

New Programs and Authorities

! Authorizes a new program under Title VI for **Science and Technology Advanced Foreign Language Education Grants** with an authorization of “such sums.”

! Allows the Department of Education discretionary funding (up to 1% of Title VI appropriations) for evaluation, national outreach, and information dissemination.

! Adds a special rule allowing the Secretary to waive or reduce the non-Federal share required under Title VI programs for Title III-A&B or Title V institutions who demonstrate a need for such a waiver or reduction.

Amendments Related to Complaint Issue

No advisory board or complaint process is included in the bill. However, several new provisions were added in response to complaints against Title VI, as follows:

! **Consultation.** Prior to requesting applications under Title VI, the Secretary must consult with and receive recommendations about national need for expertise in foreign languages and world regions from the head officials of a wide range of federal agencies. The Secretary may take into account the recommendations, and must provide information collected when requesting applications under Title VI, and provide to the applicants a list of the areas of national need.

! **Survey.** The Secretary must assist grantees in developing a survey to administer to students who have completed programs under this title to determine postgraduation employment, education or training. All grantees, where applicable, must administer this survey once every 2 years, and report the results to the Secretary.

! **Applications, Grant Conditions and Selection Criteria.** New application requirements, grant conditions, and selection criteria are added to Title VI programs as follows:

NRCs/FLAS: The applicants for the NRC and FLAS programs must submit an application providing information and assurances the Secretary may require. The application must include an explanation of how the activities funded by the grant **will reflect diverse perspectives and a wide range of views and generate debate on world regions and international affairs.** Each application must also include **a description of how the applicant will encourage government service in areas of national need, as identified by the Secretary, as well as in needs in the education, business and nonprofit sectors.**

The **Selection Criteria for the NRCs and FLAS** applicants is also amended to require the Secretary to take into account the degree to which activities of centers, programs, and fellowships at institutions of higher education address national needs, and generate information for and disseminate information to the public. The Secretary must also consider an applicant's record **of placing students into postgraduate employment, education or training in areas of national need and an applicant's stated efforts to increase the number of such students that go into such placements.**

LRCs: Conditions for Grants is amended by adding a requirement that grants must "reflect the purposes of this part."

UISFL: The application will require an explanation of how the activities funded by the grant **will reflect diverse perspectives and a wide range of views and generate debate on world regions and international affairs, where applicable;** and a description of how the applicant will

encourage service in areas of national need as identified by the Secretary. **Grant Conditions** is amended by adding a requirement that grants must “reflect the purposes of this part.”

Research and Studies (IRS): An new authorized activity is added to allow “evaluation of the extent to which programs assisted under this title reflect diverse perspectives and a wide range of views and generate debate on world regions and international affairs, as described in the grantee’s application.

AORC: A new subsection entitled **Application** is inserted, requiring each center desiring a grant to submit an application to the Secretary with information and assurances as the Secretary may require.

CIBER: **Grant Conditions** under the CIBER program is amended to include among the grant conditions that **diverse perspectives will be made available to students in programs under this section.**

BIE: **Applications** under the BIE program is amended requiring each application to **include an assurance that, where applicable, the activities funded by the grant will reflect diverse perspectives and a wide range of views on world regions and international affairs.**

IIPP: The **Application** section is amended to require that the application for the IIPP grant include **a description of how the activities funded by the grant will reflect diverse perspectives and a wide range of views and generate debate on world regions and international affairs, where applicable.**

! A **Rule of Construction** is added, stating “**Nothing in this title shall be construed to authorize the Secretary to mandate, direct, or control an institution of higher education’s specific instructional content, curriculum, or program of instruction.**”

! A new **Assessment** section is added, stating “**The Secretary is authorized to assess and ensure compliance with the conditions and terms of grants provided under this title.**”

! A new biennial **Report** from the Secretary of Education is required: “**The Secretary shall, in consultation and collaboration with the Secretary of State, the Secretary of Defense, and the heads of other relevant Federal agencies, submit a report once every two years that identifies areas of national need in foreign language, area, and international studies as such studies relate to government, education, business, and nonprofit needs, and a plan to address those needs. The report shall be provided to the authorizing committees and made available to the public.**”

! A new **Reporting Requirement** is added for certain institutions of higher education with a Title VI center or program. Any such institution that receives **a gift exceeding \$250,000 in aggregate from any foreign government or from a foreign private sector corporation or foundation** during any fiscal year, and which the aggregate contribution or a significant part of the aggregate contribution is used by

the Title VI center or grant, must report the gift to the Secretary according to the provisions of HEA-Sec 117.

Title I, General Provisions

! Adds a broad definition of “Critical Foreign Language” that would be applied to any HEA program using this term, may be updated from time to time, and allows the Secretary to set priorities according to the purposes of each program in which the term is used.

Title II, Teacher Quality Enhancement

! Includes foreign languages under the Teacher Quality Partnership Grants accountability and evaluation provisions. Adds a new **Adjunct Teacher Corps** program that would create opportunities for individuals with expertise in critical foreign languages to become content specialists in secondary schools.

Title IV, Student Assistance

! Creates under the Federal Family Education Loan Program a new **Loan Forgiveness for Service in Areas of National Need** provision that includes **foreign language specialists**.
! Amends the **Federal Direct Student Loans** program to include **foreign language faculty** among the public service jobs for which loan cancellation is possible.

Title VII, Sec 607, FIPSE

! Amends **Areas of National Need** to include the development, evaluation and dissemination of model programs, including model core curricula that include (among others) **study of a foreign language that leads to reading and writing competency in the foreign language**.

Title IX, Amendments to Other Laws

! Amends the Department of Education Organization Act creating the position of **Deputy Assistant Secretary for International and Foreign Language Education** appointed by and reporting to the Assistant Secretary for Postsecondary Education.

Section by Section Summary

Section by Section Summary of HEA Conference Bill, H.R. 4137 Relating to International and Foreign Language Education

TITLE VI, INTERNATIONAL EDUCATION PROGRAMS¹

Part A—International and Foreign Language Studies

Sec. 601 Findings and Purposes

! **Part A Findings and Purposes** is updated by deleting reference to “post-Cold War” in the Findings and incorporating “linkages with overseas institutions” in the Purposes.

! **Findings and Purposes** is renamed, **Findings and Purposes; Consultation; Survey**

! Two new subsections are added as follows:

(c) **Consultation.** Prior to requesting applications under Title VI, the Secretary must consult with and receive recommendations about national need for expertise in foreign languages and world regions from the head officials of a wide range of federal agencies. The Secretary may take into account the recommendations, but must provide information collected when requesting applications under Title VI and provide to the applicants a list of the areas of national need.

(d) **Survey.** The Secretary must assist grantees in developing a survey to administer to students who have completed programs under this title to determine postgraduation employment, education or training. All grantees, where applicable, must administer this survey once every 2 years, and report the results to the Secretary.

Sec. 602 Graduate and Undergraduate Language and Area Centers and Programs

! **Sec 602(a)(2) Authorized Activities** is amended to allow National Resource Center grant funds to be used for,

- supporting instructors of the less commonly taught languages; and
- projects that support students in the science, technology, engineering, and mathematics fields to achieve foreign language proficiency.

! **Sec 602(a)(4) Outreach Grants and Summer Institutes** is amended by

--adding “Partnerships or” to the beginning of the sentence, “Programs of linkage or outreach with departments or agencies of Federal and States governments,” and adding at the end of such sentence the following: “including Federal or State scholarship programs for students in related areas;”

¹ Omitted from this summary on Title VI are a number of technical and conforming amendments.

--adding a new paragraph authorizing programs of linkage or outreach between or among postsecondary programs or departments in foreign language, area studies or other international fields; and state or local educational agencies.

! Sec 602(b) the Foreign Language and Area Studies Fellowships program is amended to reinstate eligibility for undergraduate fellowships, which was inadvertently deleted in the 1992 reauthorization. Undergraduate FLAS recipients must be engaged in the intermediate or advanced study of a less commonly taught language. The undergraduate may use the fellowship in the U.S. or abroad in programs that are closely linked to the overall goals of the student's course of study and have the purpose of promoting foreign language fluency and knowledge of foreign cultures.

! Section 602 is further amended by the addition of a new subsection, **(e) Application**. The applicants for the NRC and FLAS programs must submit an application providing information and assurances the Secretary may require. The application must include an explanation of how the activities funded by the grant **will reflect diverse perspectives and a wide range of views and generate debate on world regions and international affairs**. Each application must also include **a description of how the applicant will encourage government service in areas of national need, as identified by the Secretary, as well as in needs in the education, business and nonprofit sectors.**"

Sec. 603 Language Resource Centers.

! Paragraph (c) Conditions for Grants is amended by adding a requirement that grants must "reflect the purposes of this part."

Sec. 604 Undergraduate International Studies and Foreign Language Programs

! Sec 604(a)(2) Use of Funds is amended to

--change the phrase "preservice and inservice teacher training" to "pre-service teacher training and in-service teacher professional development."

--allow up to 10% of grant funds to be used for educational programs abroad that are closely linked to the program's overall goals and promote foreign language fluency and knowledge of world regions.

! Sec 604(a)(4)(B) Special Rule is amended to require that eligible institutions must "demonstrate a need for a waiver or reduction" of the non-Federal share.

! Sec. 604(a)(6) Grant Conditions is amended by adding a requirement that grants must "reflect the purposes of this part."

! Sec 604(a)(7) Application is amended to add 3 additional requirements to the information that must be included in the application, as follows:

"(E) a description of how the applicant will **provide information to students regarding federally funded scholarship programs** in related areas;

(F) an explanation of how the activities funded by the grant **will reflect diverse perspectives and a wide range of views and generate debate on world regions and international affairs, where applicable;**

(G) a description of how the applicant will **encourage service in areas of national need** as identified by the Secretary;"

! Sec 604(c), Funding Support, is amended to

--increase the ceiling on funding for the section from 10% to 20% of the total amount appropriated for Part A; and

--to allow that a grantee may use not more than 10% of the grant for education programs abroad.

Sec. 605 Research; Studies; Annual Report

! Sec 605(a) Authorized Activities is amended to add three additional activities, as follows:

“(10) evaluation of the **extent to which programs assisted under this title reflect diverse perspectives and a wide range of views and generate debate on world regions and international affairs, as described in the grantee’s application;**

(11) the systematic collection, analysis, and dissemination of data that contribute to achieving the purposes of this part; and

(12) support for programs or activities to make data collected, analyzed, or disseminated under this section publicly available and easy to understand.”

Sec. 606 Technological Innovation and Cooperation for Foreign Information Access

! Sec 606(a) Authority is amended to—

--delete the word “new” before “electronic technologies”

--clarify that materials are to be collected from foreign sources.

-- allow partnerships between institutions of higher education, libraries and nonprofit educational organizations.

! Sec 606(b) Authorized Activities is amended to—

--clarify that acquisition of printed materials from foreign sources is allowed for carrying out the purposes of the section.

--authorize the development of standards for electronic access.

--allow funding the establishment of linkages between the grantee and institutions of higher education, non-profit educational organizations, and libraries overseas to facilitate carrying out the activities under the section.

--carry out other activities that the Secretary determines are consistent with the purpose of the grants awarded under this section.

Section 607, Selection of Certain Grant Recipients.

! **Section 607(a) Competitive Grants** is amended to conform the legislative language to language used under Section 602.

! **Section 607(b) Selection Criteria** for grants under the NRC/FLAS programs is amended to require the Secretary to take into account the degree to which activities of centers, programs, and fellowships at institutions of higher education address national needs, and generate information for and disseminate information to the public. The Secretary must also consider an applicant's record of **placing students into postgraduate employment, education or training in areas of national need and an applicant's stated efforts to increase the number of such students that go into such placements.**

Section 609 American Overseas Research Centers

! **Section 609** is amended to add a new subsection entitled **Application**, requiring each center desiring a grant to submit an application to the Secretary with information and assurances as the Secretary may require.

Sec. 610 Authorization of Appropriations for International and Foreign Language Studies

! **Sec. 610** is amended to provide that for Part A programs "such sums as may be necessary" may be provided for fiscal year 2009 and each of the 5 succeeding fiscal years.

Conforming Amendments

Sections 603, 604, and 612 are amended to replace the word "combinations" with "consortia" and "combination" with "consortium."

Part B--Business and International Education Programs

Sec. 612(a) (CIBER) Program Authorized is amended by adding a Purpose statement as follows: "The purpose of this section is to coordinate the programs of the Federal Government in the areas of research, education, and training in international business and trade competitiveness."

Sec 612(c)(2) (CIBER) Permissible Activities is amended to

--include Title III or Title V institutions among the institutions of higher education with which CIBERs may engage in outreach activities or consortia.

--add another permissible activity as follows: "programs encouraging the advancement and understanding of technology-related disciplines, including manufacturing software systems and technology management."

Sec. 612(f)(3) Grant Conditions under the CIBER program is amended to add that the Secretary shall include among the grant conditions that **diverse perspectives will be made available to students in programs under this section.**

Sec. 613(c) (BIE) Applications under the BIE program is amended to add that each application shall include an assurance that, where applicable, the activities funded by the grant will reflect diverse perspectives and a wide range of views on world regions and international affairs.

Sec. 614 Authorization of Appropriations

! **Sec. 614 Authorization of Appropriations** for the CIBER and BIE programs is amended to provide “such sums as may be necessary” for fiscal year 2009 and each of the 5 succeeding fiscal years.

Part C—Institute for International Public Policy

Sec. 621 Minority Foreign Service Professional Development Program

! **Sec 621(a) Establishment** clause is amended by striking the sentence “The Institute shall conduct a program to significantly increase the numbers of African Americans and other underrepresented minorities in the international service, including private international voluntary organizations and the foreign service of the United States,” and inserting the following: “The Institute shall conduct a program to enhance the international competitiveness of the United States by increasing the participation of underrepresented populations in the international service, including private international voluntary organizations and the foreign service of the United States.”

! **Sec 621(b) Definition of Eligible Recipient** is modified to include a tribally controlled college or university or Alaska Native or Native Hawaiian-serving institution eligible for assistance under HEA-Title III-A&B, or Title V.

! **Sec. 621(c) Application** is amended to require that the application for the IIPP grant must include a description of how the activities funded by the grant will reflect diverse perspectives and a wide range of views and generate debate on world regions and international affairs, where applicable.

Sec. 622 Institutional Development

! **Sec. 622(a) In General** is amended to broaden the authority from strengthening just “international affairs programs” to “international affairs, international business, and foreign language study programs, including the teaching of foreign languages, at such colleges,

universities, and institutions, respectively, which may include collaboration with institutions of higher education that receive funding under this title.”

Sec. 624 Masters Degree in International Relations

! **Sec. 624's** title is changed to “**Advanced Degree in International Relations**”. The section is further amended to change “masters degree in international relations” to “an advanced degree in international relations, international affairs, international economics, or other academic areas related to the Institute fellow’s career objectives.” The advanced degree program will be designed by the consortia, consistent with the fellow’s career objectives.

Sec. 625 Internships

! **Sec 625(a) In General** is amended by deleting reference to the “United States Information Agency” and substituting “the Department of State” in reference to locations for work placements.

! **Sec 625(b) Postbaccalaureate Internships** is amended to delete the required assistance from the Interagency Committee on Minority Careers in International Affairs for the internship program.

! **Sec 625(c) Membership of the Interagency Committee on Minority Careers in International Affairs** is amended by deleting “the Associate Director for Educational and Cultural Affairs of the U.S. Information Agency, or the Associate Director’s designee.”

New Sec. 626 Financial Assistance

! A new Sec. 626 Financial Assistance is added to provide to low-income students summer stipends of not more than \$3,000 per summer, and Ralph Bunche scholarships of not more than \$5,000 per academic year.

Sec. 627 [currently 626] Report

! **The reporting requirement** to the Secretary is changed from annual to once every two years.

Sec. 628 [currently Sec. 627] Gift and Donations

! The reporting requirement on gifts and donations is amended to conform to its redesignation as Sec 628.

Sec. 629 [currently 628] Authorization

! The IIPP authorization level is set at “such sums as may be necessary” for fiscal year 2009 and each of the succeeding 5 fiscal years.

Part D—General Provisions

Sec. 631 Definitions

Sec. 631(a)(7) Definitions is amended to delete the definition of “critical languages” since a definition common to the whole Act is inserted in Title I (see below). The term “comprehensive language and area center” is changed to “comprehensive foreign language and area or international studies center.” Likewise, the term “undergraduate language and area center” is changed to “undergraduate foreign language and area or international studies center.” The definition of these terms is not changed. Definitions are added for “historically Black college and university” and “tribally controlled college or university.” Other conforming amendments to the definitions also are made.

The following new sections are added:

Sec. 632 Special Rule.

“The Secretary may waive or reduce the non-Federal share required under this title for institutions that—

- (1) are eligible to receive assistance under part A or B of title III or under title V; and
- (2) have submitted a grant application under this section that demonstrates a need for a waiver or reduction, as determined by the Secretary.”

Sec. 633 Rule of Construction

“Nothing in this title shall be construed to authorize the Secretary to mandate, direct, or control an institution of higher education’s specific instructional content, curriculum, or program of instruction.”

Sec. 634. Assessment

“The Secretary is authorized to assess and ensure compliance with the conditions and terms of grants provided under this title.”

Sec. 635 Evaluation, Outreach, and Information

“The Secretary may use not more than one percent of the funds made available under this title to carry out program evaluation, national outreach, and information dissemination activities relating to the programs authorized under this title.”

Sec. 636 Report

“The Secretary shall, in consultation and collaboration with the Secretary of State, the Secretary of Defense, and the heads of other relevant Federal agencies, submit a report once every two years that identifies areas of national need in foreign language, area, and international studies as such studies relate to government, education, business, and nonprofit needs, and a plan to address those needs. The report shall be provided to the authorizing committees and made available to the public.”

Sec. 637. Science and Technology Advanced Foreign Language Education Grant Program

(a) **PURPOSE.**—It is the purpose of this section to support programs in institutions of higher education that—

- (1) encourage students to develop—
 - (A) an understanding of science and technology; and
 - (B) foreign language proficiency;
- (2) foster future international scientific collaboration;
- (3) provide for professional development opportunities for elementary school and secondary school teachers of critical foreign languages to increase the number of highly qualified teachers in critical foreign languages; and
- (4) increase the number of United States students who achieve the highest level of proficiency in foreign languages critical to the security and competitiveness of the Nation.

(b) **DEVELOPMENT.**—The Secretary shall develop a program for the awarding of grants to institutions of higher education that develop innovative programs for the teaching of foreign languages, which may include the preparation of teachers to teach foreign languages.

(c) **REGULATIONS AND REQUIREMENTS.**—The Secretary shall promulgate regulations for the awarding of grants under subsection (b). Such regulations may require institutions of higher education to use grant funds for, among other things—

- (1) the development of an on-campus cultural awareness program by which students attend classes taught in a foreign language and study the science and technology developments and practices in a non-English speaking country;
- (2) immersion programs where students take science or technology related course work in a non-English speaking country;
- (3) other programs, such as summer workshops, that emphasize the intense study of a foreign language and science technology;
- (4) if applicable, recruiting highly qualified teachers in critical foreign languages, and providing professional development activities for such teachers at the elementary school and secondary school levels; and
- (5) providing innovative opportunities for students that will allow for critical language learning, such as immersion environments, intensive study opportunities, internships, and distance learning.

(d) **GRANT DISTRIBUTION.**—In distributing grants to institutions of higher education under this section, the Secretary shall give priority to—

(1) institutions that have programs focusing on curricula that combine the study of foreign languages and the study of science and technology and produce graduates who have both skills; and

(2) institutions teaching critical foreign languages.

(e) **REPORT ON BEST PRACTICES.**—Not later than one year after the date of enactment of this section, the Secretary shall—

(1) conduct a study to identify the best practices to strengthen the role of institutions of higher education that receive funding under title III or title V in increasing the critical foreign language education efforts in the United States; and

(2) submit a report on the results of such study to the authorizing committees.

(f) **APPROPRIATIONS AUTHORIZED.**—There are authorized to be appropriated to carry out this section, such sums as may be necessary for fiscal year 2009 and for each subsequent fiscal year.

Sec. 638. Reporting by Institutions

(a) **APPLICABILITY.**—The data requirement in subsection (b) shall apply to an institution of higher education that receives funds for a center or program under this title if—

(1) the amount of the contribution (including cash and the fair market value of any property) received from any foreign government or from a foreign private sector corporation or foundation during any fiscal year exceeds \$250,000 in the aggregate; and

(2) the aggregate contribution, or a significant part of the aggregate contribution, is to be used by a center or program receiving funds under this title.

(b) **DATA REQUIRED.**—The Secretary shall require an institution of higher education referred to in subsection (a) to report information listed in subsection (a) to the Secretary consistent with the requirements of section 117.’’ [*Section 117 of current law is copied below*]

TITLE I, GENERAL PROVISIONS

Sec 103 Additional Definitions

The bill amends Title I to provide for a definition of Critical Foreign Language for programs in HEA, as follows:

(18) CRITICAL FOREIGN LANGUAGE.—Except as otherwise provided, the term ‘critical foreign language’ means each of the languages contained in the list of critical languages designated by the Secretary in the Federal Register on August 2, 1985 (50 Fed. Reg. 31412; promulgated under the authority of section 212(d) of the Education for Economic Security Act (repealed by section 2303 of the Augustus F. Hawkins-Robert T. Stafford Elementary and Secondary School Improvement Amendments of 1988)), as updated by the Secretary from time

to time and published in the Federal Register, except that in the implementation of this definition with respect to a specific title, the Secretary may set priorities according to the purposes of such title and the national security, economic competitiveness, and educational needs of the United States.

TITLE II, TEACHER QUALITY ENHANCEMENT

Part A, Teacher Quality Partnership Grants

Sec 204 Accountability and Evaluation

The performance objectives of these grants must include objectives and measures for increasing the percentage of highly qualified teachers hired by high-need local educational agencies who teach high-need academic subject areas (such as reading, mathematics, science, and **foreign language, including less commonly taught languages and critical foreign languages**).

Part C, Enhancing Teacher Education **Subpart 4– Adjunct Teacher Corps**

Sec 255 Adjunct Teacher Corps

A new Adjunct Teacher Corps program is authorized with the purpose of creating opportunities for individuals with subject matter expertise in math, science, and **critical foreign languages** to become adjunct content specialists in secondary schools. An eligible entity is a local educational agency or an LEA in partnership with a public or private organization or business.

TITLE IV, STUDENT ASSISTANCE

Part B–Federal Family Education Loan Program

Sec 428K Loan Forgiveness for Service in Areas of National Need

The loan forgiveness section is amended to include a new provision for service in areas of national need, including foreign language specialists, as follows:

- (3) FOREIGN LANGUAGE SPECIALISTS.—The individual—
- (A) has obtained a baccalaureate or advanced degree in a critical foreign language;
- and
- (B) is employed full-time—
 - (i) in an elementary school or secondary school as a teacher of a critical foreign language;
 - (ii) in an agency of the United States Government in a position that regularly requires the use of such critical foreign language; or
 - (iii) in an institution of higher education as a faculty member or instructor teaching a critical foreign language.

Part D—Federal Direct Student Loans

The definition of Public Service Job for loan cancellation is amended to include foreign language faculty, as follows:

(ii) teaching as a full-time faculty member at a Tribal College or University as defined in section 316(b) and other faculty teaching in high-needs subject areas or areas of shortage (including nurse faculty, foreign language faculty, and part-time faculty at community colleges), as determined by the Secretary.

TITLE VII GRADUATE AND POSTSECONDARY IMPROVEMENT PROGRAMS

Sec 607, Fund for the Improvement of Postsecondary Education

Sec 744 Special Projects, (c) Areas of National Need is amended to read that Areas of National Need shall include—

(4) Development, evaluation and dissemination of model programs, including model core curricula that—

(C) include study of a foreign language that leads to reading and writing competency in the foreign language.

TITLE IX, AMENDMENTS TO OTHER LAWS Amendment to the Department of Education Organization Act

SEC. 935. ESTABLISHMENT OF A DEPUTY ASSISTANT SECRETARY FOR INTERNATIONAL AND FOREIGN LANGUAGE EDUCATION.

Section 205 of the Department of Education Organization Act (20 U.S.C. 3415) is amended to read as follows:

OFFICE OF POSTSECONDARY EDUCATION

“SEC. 205. (a) There shall be in the Department an Office of Postsecondary Education, to be administered by the Assistant Secretary for Postsecondary Education appointed under section 202(b). The Assistant Secretary shall administer such functions affecting postsecondary education, both public and private, as the Secretary shall delegate, and shall serve as the principal adviser to the Secretary on matters affecting postsecondary education.

(b) The Assistant Secretary for Postsecondary Education shall appoint a Deputy Assistant Secretary for International and Foreign Language Education to perform such functions affecting postsecondary, international, and foreign language education as the Secretary may prescribe. The Deputy Assistant Secretary for International and Foreign Language Education shall—

- (1) be an individual with extensive background and experience in international and foreign language education;
- (2) have responsibility for encouraging and promoting the study of foreign languages and the study of the cultures of other countries at the elementary, secondary, and postsecondary levels in the United States; and
- (3) coordinate with related international and foreign language education programs of other Federal agencies.”

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Higher Education Act, Title I—Sec. 117

SEC. 117. [20 U.S.C. 1011f] DISCLOSURES OF FOREIGN GIFTS.

(a) DISCLOSURE REPORT.—Whenever any institution is owned or controlled by a foreign source or receives a gift from or enters into a contract with a foreign source, the value of which is \$250,000 or more, considered alone or in combination with all other gifts from or contracts with that foreign source within a calendar year, the institution shall file a disclosure report with the Secretary on January 31 or July 31, whichever is sooner.

(b) CONTENTS OF REPORT.—Each report to the Secretary required by this section shall contain the following:

- (1) For gifts received from or contracts entered into with a foreign source other than a foreign government, the aggregate dollar amount of such gifts and contracts attributable to a particular country. The country to which a gift is attributable is the country of citizenship, or if unknown, the principal residence for a foreign source who is a natural person, and the country of incorporation, or if unknown, the principal place of business, for a foreign source which is a legal entity.
- (2) For gifts received from or contracts entered into with a foreign government, the aggregate amount of such gifts and contracts received from each foreign government.
- (3) In the case of an institution which is owned or controlled by a foreign source, the identity of the foreign source, the date on which the foreign source assumed ownership or control, and any changes in program or structure resulting from the change in ownership or control.

(c) **ADDITIONAL DISCLOSURES FOR RESTRICTED AND CONDITIONAL GIFTS.**—Notwithstanding the provisions of subsection (b), whenever any institution receives a restricted or conditional gift or contract from a foreign source, the institution shall disclose the following:

(1) For such gifts received from or contracts entered into with a foreign source other than a foreign government, the amount, the date, and a description of such conditions or restrictions. The report shall also disclose the country of citizenship, or if unknown, the principal residence for a foreign source which is a natural person, and the country of incorporation, or if unknown, the principal place of business for a foreign source which is a legal entity.

(2) For gifts received from or contracts entered into with a foreign government, the amount, the date, a description of such conditions or restrictions, and the name of the foreign government.

(d) **RELATION TO OTHER REPORTING REQUIREMENTS.**—

(1) **STATE REQUIREMENTS.**—If an institution described under subsection (a) is within a State which has enacted requirements for public disclosure of gifts from or contracts with a foreign source that are substantially similar to the requirements of this section, a copy of the disclosure report filed with the State may be filed with the Secretary in lieu of a report required under subsection (a). The State in which the institution is located shall provide to the Secretary such assurances as the Secretary may require to establish that the institution has met the requirements for public disclosure under State law if the State report is filed.

(2) **USE OF OTHER FEDERAL REPORTS.**—If an institution receives a gift from, or enters into a contract with, a foreign source, where any other department, agency, or bureau of the executive branch requires a report containing requirements substantially similar to those required under this section, a copy of the report may be filed with the Secretary in lieu of a report required under subsection (a).

(e) **PUBLIC INSPECTION.**—All disclosure reports required by this section shall be public records open to inspection and copying during business hours.

(f) **ENFORCEMENT.**—

(1) **COURT ORDERS.**—Whenever it appears that an institution has failed to comply with the requirements of this section, including any rule or regulation promulgated under this section,

a civil action may be brought by the Attorney General, at the request of the Secretary, in an appropriate district court of the United States, or the appropriate United States court of any territory or other place subject to the jurisdiction of the United States, to request such court to compel compliance with the requirements of this section.

(2) COSTS.—For knowing or willful failure to comply with the requirements of this section, including any rule or regulation promulgated thereunder, an institution shall pay to the Treasury of the United States the full costs to the United States of obtaining compliance, including all associated costs of investigation and enforcement.

(g) REGULATIONS.—The Secretary may promulgate regulations to carry out this section.

(h) DEFINITIONS.—For the purpose of this section—

(1) the term “contract” means any agreement for the acquisition by purchase, lease, or barter of property or services by the foreign source, for the direct benefit or use of either of the parties;

(2) the term “foreign source” means—

(A) a foreign government, including an agency of a foreign government;

(B) a legal entity, governmental or otherwise, created solely under the laws of a foreign state or states;

(C) an individual who is not a citizen or a national of the United States or a trust territory or protectorate thereof; and

(D) an agent, including a subsidiary or affiliate of a foreign legal entity, acting on behalf of a foreign source;

(3) the term “gift” means any gift of money or property;

(4) the term “institution” means any institution, public or private, or, if a multicampus institution, any single campus of such institution, in any State, that—

(A) is legally authorized within such State to provide a program of education beyond secondary school;

(B) provides a program for which the institution awards a bachelor’s degree (or provides not less than a 2-year program which is acceptable for full credit toward such a degree) or more advanced degrees; and

(C) is accredited by a nationally recognized accrediting agency or association and to which institution Federal financial assistance is extended (directly or indirectly through another entity or person), or which institution receives

support from the extension of Federal financial assistance to any of the institution's subunits; and
(5) the term "restricted or conditional gift or contract" means any endowment, gift, grant, contract, award, present, or property of any kind which includes provisions regarding—
(A) the employment, assignment, or termination of faculty;
(B) the establishment of departments, centers, research or lecture programs, or new faculty positions;
(C) the selection or admission of students; or
(D) the award of grants, loans, scholarships, fellowships, or other forms of financial aid restricted to students of a specified country, religion, sex, ethnic origin, or political opinion.

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