shall provide matching funds toward the cost of the model comprehensive transition and postsecondary program for students with intellectual disabilities carried out under the grant. Such matching funds may be provided in cash or in-kind, and shall be in an amount of not less than 25 percent of the amount of such costs.

“(f) REPORT.—Not later than five years after the date of the first grant awarded under this section, the Secretary shall prepare and disseminate a report to the authorizing committees and to the public that—

“(1) reviews the activities of the model comprehensive transition and postsecondary programs for students with intellectual disabilities funded under this section; and

“(2) provides guidance and recommendations on how effective model programs can be replicated.

“SEC. 768. RULE OF CONSTRUCTION.

“Nothing in this subpart shall be construed to reduce or expand—

“(1) the obligation of a State or local educational agency to provide a free appropriate public education, as defined in section 602 of the Individuals with Disabilities Education Act; or


“SEC. 769. AUTHORIZATION OF APPROPRIATIONS AND RESERVATION.

“(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subpart such sums as may be necessary for fiscal year 2009 and each of the five succeeding fiscal years.

“(b) RESERVATION OF FUNDS.—For any fiscal year for which appropriations are made for this subpart, the Secretary shall reserve funds to enter into a cooperative agreement to establish the coordinating center under section 777(b), in an amount that is—

“(1) not less than $240,000 for any year in which the amount appropriated to carry out this subpart is $8,000,000 or less; or

“(2) equal to 3 percent of the amount appropriated to carry out this subpart for any year in which such amount appropriated is greater than $8,000,000.

“Subpart 3—Commission on Accessible Materials; Programs to Support Improved Access to Materials

“SEC. 771. DEFINITION OF STUDENT WITH A PRINT DISABILITY.

“In this subpart, the term ‘student with a print disability’ means a student with a disability who experiences barriers to accessing instructional material in nonspecialized formats, including an individual described in section 121(d)(2) of title 17, United States Code.
SEC. 772. ESTABLISHMENT OF ADVISORY COMMISSION ON ACCESSIBLE INSTRUCTIONAL MATERIALS IN POSTSECONDARY EDUCATION FOR STUDENTS WITH DISABILITIES.

(a) Establishment.—

(1) In general.—The Secretary shall establish a commission to be known as the Advisory Commission on Accessible Instructional Materials in Postsecondary Education for Students with Disabilities (in this section referred to as the ‘Commission’).

(2) Membership.—

(A) Total number of members.—The Commission shall include not more than 19 members, who shall be appointed by the Secretary in accordance with subparagraphs (B) and (C).

(B) Members of the Commission.—The Commission members shall include one representative from each of the following categories:

(i) The Office of Postsecondary Education of the Department.
(ii) The Office of Special Education and Rehabilitative Services of the Department.
(iii) The Office for Civil Rights of the Department.
(v) The Association on Higher Education and Disability.
(viii) The National Council on Disability.
(ix) Recording for the Blind and Dyslexic.
(x) National organizations representing individuals with visual impairments.
(xi) National organizations representing individuals with learning disabilities.

(C) Additional members of the Commission.—The Commission members shall include two representatives from each of the following categories:

(i) Staff from institutions of higher education with demonstrated experience teaching or supporting students with print disabilities, including representatives from both two-year and four-year institutions of higher education of different sizes.
(ii) Producers of accessible materials, publishing software, and supporting technologies in specialized formats, such as Braille, audio or synthesized speech, and digital media.
(iii) Individuals with visual impairments, including not less than one currently enrolled postsecondary student.
(iv) Individuals with dyslexia or other learning disabilities related to reading, including not less than one currently enrolled postsecondary student.

(D) Timing.—The Secretary shall appoint the members of the Commission not later than 60 days after the Commission is established under paragraph (1).
“(3) CHAIRPERSON AND VICE CHAIRPERSON.—The Commission shall select a chairperson and vice chairperson from among the members of the Commission.

“(4) MEETINGS.—

“(A) IN GENERAL.—The Commission shall meet at the call of the Chairperson.

“(B) FIRST MEETING.—Not later than 60 days after the appointment of the members of the Commission under paragraph (2)(D), the Commission shall hold the Commission’s first meeting.

“(5) QUORUM.—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

“(b) DUTIES OF THE COMMISSION.—

“(1) STUDY.—

“(A) IN GENERAL.—The Commission shall conduct a comprehensive study to—

“(i) assess the barriers and systemic issues that may affect, and technical solutions available that may improve, the timely delivery and quality of accessible instructional materials for postsecondary students with print disabilities, as well as the effective use of such materials by faculty and staff; and

“(ii) make recommendations related to the development of a comprehensive approach to improve the opportunities for postsecondary students with print disabilities to access instructional materials in specialized formats in a timeframe comparable to the availability of instructional materials for postsecondary non-disabled students.

“(B) EXISTING INFORMATION.—To the extent practicable, in carrying out the study under this paragraph, the Commission shall identify and use existing research, recommendations, and information.

“(C) RECOMMENDATIONS.—

“(i) IN GENERAL.—The Commission shall develop recommendations—

“(I) to inform Federal regulations and legislation;

“(II) to support the model demonstration programs authorized under section 773;

“(III) to identify best practices in systems for collecting, maintaining, processing, and disseminating materials in specialized formats to students with print disabilities at costs comparable to instructional materials for postsecondary non-disabled students;

“(IV) to improve the effective use of such materials by faculty and staff, while complying with applicable copyright law; and

“(V) to modify the definitions of instructional materials, authorized entities, and eligible students, as such terms are used in applicable Federal law, for the purpose of improving services to students with disabilities.
“(ii) CONSIDERATIONS.—In developing the recommendations under subparagraph (C), the Commission shall consider—

“(I) how students with print disabilities may obtain instructional materials in accessible formats—

“(aa) within a timeframe comparable to the availability of instructional materials for nondisabled students; and

“(bb) to the maximum extent practicable, at costs comparable to the costs of such materials for nondisabled students;

“(II) the feasibility and technical parameters of establishing standardized electronic file formats, such as the National Instructional Materials Accessibility Standard as defined in section 674(e)(3) of the Individuals with Disabilities Education Act, to be provided by publishers of instructional materials to producers of materials in specialized formats, institutions of higher education, and eligible students;

“(III) the feasibility of establishing a national clearinghouse, repository, or file-sharing network for electronic files in specialized formats and files used in producing instructional materials in specialized formats, and a list of possible entities qualified to administer such clearinghouse, repository, or network;

“(IV) the feasibility of establishing market-based solutions involving collaborations among publishers of instructional materials, producers of materials in specialized formats, and institutions of higher education;

“(V) solutions utilizing universal design; and

“(VI) solutions for low-incidence, high-cost requests for instructional materials in specialized formats.

“(2) REPORT.—Not later than one year after the Commission’s first meeting, the Commission shall submit a report to the Secretary and the authorizing committees detailing the findings and recommendations of the study conducted under paragraph (1).

“(3) DISSEMINATION OF INFORMATION.—In carrying out the study under paragraph (1), the Commission shall disseminate information concerning the issues that are the subject of the study through—

“(A) the National Technical Assistance Center established under subpart 4; and

“(B) other means, as determined by the Commission.

“(c) TERMINATION OF THE COMMISSION.—The Commission shall terminate on the date that is 90 days after the date on which the Commission submits the report under subsection (b)(2) to the Secretary and the authorizing committees.
SEC. 773. MODEL DEMONSTRATION PROGRAMS TO SUPPORT IMPROVED ACCESS TO POSTSECONDARY INSTRUCTIONAL MATERIALS FOR STUDENTS WITH PRINT DISABILITIES.

“(a) Purpose.—It is the purpose of this section to support model demonstration programs for the purpose of encouraging the development of systems to improve the quality of postsecondary instructional materials in specialized formats and such materials’ timely delivery to postsecondary students with print disabilities, including systems to improve efficiency and reduce duplicative efforts across multiple institutions of higher education.

“(b) Definition of Eligible Partnership.—In this section, the term ‘eligible partnership’ means a partnership that—

“(1) shall include—

“(A) an institution of higher education with demonstrated expertise in meeting the needs of students with print disabilities, including the retention of such students in, and such students’ completion of, postsecondary education; and

“(B) a public or private entity, other than an institution of higher education, with—

“(i) demonstrated expertise in developing accessible instructional materials in specialized formats for postsecondary students with print disabilities; and

“(ii) the technical development expertise necessary for the efficient dissemination of such materials, including procedures to protect against copyright infringement with respect to the creation, use, and distribution of instructional materials in specialized formats; and

“(2) may include representatives of the publishing industry.

“(c) Program Authorized.—From amounts appropriated under section 775, the Secretary shall award grants or contracts, on a competitive basis, to not less than one eligible partnership to enable the eligible partnership to support the activities described in subsection (f) and, as applicable, subsection (g).

“(d) Application.—An eligible partnership that desires a grant or contract under this section shall submit an application at such time, in such manner, and in such format as the Secretary may prescribe. The application shall include information on how the eligible partnership will implement activities under subsection (f) and, as applicable, subsection (g).

“(e) Priority.—In awarding grants or contracts under this section, the Secretary shall give priority to any applications that include the development and implementation of the procedures and approaches described in paragraphs (2) and (3) of subsection (g).

“(f) Required Activities.—An eligible partnership that receives a grant or contract under this section shall use the grant or contract funds to carry out the following:

“(1) Supporting the development and implementation of the following:

“(A) Processes and systems to help identify, and verify eligibility of, postsecondary students with print disabilities in need of instructional materials in specialized formats.

“(B) Procedures and systems to facilitate and simplify request methods for accessible instructional materials in specialized formats from eligible students described in
paragraph (A), which may include a single point-of-entry system.

“(C) Procedures and systems to coordinate among institutions of higher education, publishers of instructional materials, and entities that produce materials in specialized formats, to efficiently facilitate—

“(i) requests for such materials;
“(ii) the responses to such requests; and
“(iii) the delivery of such materials.

“(D) Delivery systems that will ensure the timely provision of instructional materials in specialized formats to eligible students, which may include electronic file distribution.

“(E) Systems to reduce duplicative conversions and improve sharing of the same instructional materials in specialized formats for multiple eligible students at multiple institutions of higher education.

“(F) Procedures to protect against copyright infringement with respect to the development, use, and distribution of instructional materials in specialized formats while maintaining accessibility for eligible students, which may include digital technologies such as watermarking, fingerprinting, and other emerging approaches.

“(G) Awareness, outreach, and training activities for faculty, staff, and students related to the acquisition and dissemination of instructional materials in specialized formats and instructional materials utilizing universal design.

“(2) Providing recommendations on how effective procedures and systems described in paragraph (1) may be disseminated and implemented on a national basis.

“(g) AUTHORIZED APPROACHES.—An eligible partnership that receives a grant or contract under this section may use the grant or contract funds to support the development and implementation of the following:

“(1) Approaches for the provision of instructional materials in specialized formats limited to instructional materials used in smaller categories of postsecondary courses, such as introductory, first-, and second-year courses.

“(2) Approaches supporting a unified search for instructional materials in specialized formats across multiple databases or lists of available materials.

“(3) Market-based approaches for making instructional materials in specialized formats directly available to eligible students at prices comparable to standard instructional materials.

“(h) REPORT.—Not later than three years after the date of the first grant or contract awarded under this section, the Secretary shall submit to the authorizing committees a report that includes—

“(1) the number of grants and contracts and the amount of funds distributed under this section;

“(2) a summary of the purposes for which the grants and contracts were provided and an evaluation of the progress made under such grants and contracts;

“(3) a summary of the activities implemented under subsection (f) and, as applicable, subsection (g), including data on the number of postsecondary students with print disabilities
served and the number of instructional material requests executed and delivered in specialized formats; and
“(4) an evaluation of the effectiveness of programs funded under this section.
“(i) Model Expansion.—The Secretary may, on the basis of the reports under subsection (h) and section 772(b)(2) and any evaluations of the projects funded under this section, expand the program under this section to additional grant or contract recipients that use other programmatic approaches and serve different geographic regions, if the Secretary finds that the models used under this section—
“(1) are effective in improving the timely delivery and quality of materials in specialized formats; and
“(2) provide adequate protections against copyright infringement.

*SEC. 774. RULE OF CONSTRUCTION.*

“Nothing in this subpart shall be construed to limit or preempt any State law requiring the production or distribution of postsecondary instructional materials in accessible formats to students with disabilities.

*SEC. 775. AUTHORIZATION OF APPROPRIATIONS.*

“(a) In General.—There are authorized to be appropriated to carry out this subpart such sums as may be necessary for fiscal year 2009 and each of the five succeeding fiscal years.
“(b) Priority.—For the first fiscal year for which funds are made available under this section, the Secretary shall give priority to allocating funding for the purposes of section 772.

*Subpart 4—National Technical Assistance Center; Coordinating Center*

*SEC. 776. PURPOSE.*

“It is the purpose of this subpart to provide technical assistance and information on best and promising practices to students with disabilities, the families of students with disabilities, and entities awarded grants, contracts, or cooperative agreements under subpart 1, 2, or 3 to improve the postsecondary recruitment, transition, retention, and completion rates of students with disabilities.

*SEC. 777. NATIONAL TECHNICAL ASSISTANCE CENTER; COORDINATING CENTER.*

“(a) National Center.—
“(1) In General.—From amounts appropriated under section 778, the Secretary shall award a grant to, or enter into a contract or cooperative agreement with, an eligible entity to provide for the establishment and support of a National Center for Information and Technical Support for Postsecondary Students with Disabilities (in this subsection referred to as the ‘National Center’). The National Center shall carry out the duties set forth in paragraph (4).
“(2) Administration.—The program under this section shall be administered by the office in the Department that administers other postsecondary education programs.
“(3) Eligible Entity.—In this subpart, the term ‘eligible entity’ means an institution of higher education, a nonprofit
organization, or partnership of two or more such institutions or organizations, with demonstrated expertise in—

“(A) supporting students with disabilities in postsecondary education;

“(B) technical knowledge necessary for the dissemination of information in accessible formats;

“(C) working with diverse types of institutions of higher education, including community colleges; and

“(D) the subjects supported by the grants, contracts, or cooperative agreements authorized in subparts 1, 2, and 3.

“(4) DUTIES.—The duties of the National Center shall include the following:

“(A) ASSISTANCE TO STUDENTS AND FAMILIES.—The National Center shall provide information and technical assistance to students with disabilities and the families of students with disabilities to support students across the broad spectrum of disabilities, including—

“(i) information to assist individuals with disabilities who are prospective students of an institution of higher education in planning for postsecondary education while the students are in secondary school;

“(ii) information and technical assistance provided to individualized education program teams (as defined in section 614(d)(1) of the Individuals with Disabilities Education Act) for secondary school students with disabilities, and to early outreach and student services programs, including programs authorized under subparts 2, 4, and 5 of part A of title IV, to support students across a broad spectrum of disabilities with the successful transition to postsecondary education;

“(iii) research-based supports, services, and accommodations which are available in postsecondary settings, including services provided by other agencies such as vocational rehabilitation;

“(iv) information on student mentoring and networking opportunities for students with disabilities; and

“(v) effective recruitment and transition programs at postsecondary educational institutions.

“(B) ASSISTANCE TO INSTITUTIONS OF HIGHER EDUCATION.—The National Center shall provide information and technical assistance to faculty, staff, and administrators of institutions of higher education to improve the services provided to, the accommodations for, the retention rates of, and the completion rates of, students with disabilities in higher education settings, which may include—

“(i) collection and dissemination of best and promising practices and materials for accommodating and supporting students with disabilities, including practices and materials supported by the grants, contracts, or cooperative agreements authorized under subparts 1, 2, and 3;

“(ii) development and provision of training modules for higher education faculty on exemplary practices for accommodating and supporting postsecondary students with disabilities across a range of academic
fields, which may include universal design for learning and practices supported by the grants, contracts, or cooperative agreements authorized under subparts 1, 2, and 3; and

“(iii) development of technology-based tutorials for higher education faculty and staff, including new faculty and graduate students, on best and promising practices related to support and retention of students with disabilities in postsecondary education.

“(C) INFORMATION COLLECTION AND DISSEMINATION.—The National Center shall be responsible for building, maintaining, and updating a database of disability support services information with respect to institutions of higher education, or for expanding and updating an existing database of disabilities support services information with respect to institutions of higher education. Such database shall be available to the general public through a website built to high technical standards of accessibility practicable for the broad spectrum of individuals with disabilities. Such database and website shall include available information on—

“(i) disability documentation requirements;
“(ii) support services available;
“(iii) links to financial aid;
“(iv) accommodations policies;
“(v) accessible instructional materials;
“(vi) other topics relevant to students with disabilities; and
“(vii) the information in the report described in subparagraph (E).

“(D) DISABILITY SUPPORT SERVICES.—The National Center shall work with organizations and individuals with proven expertise related to disability support services for postsecondary students with disabilities to evaluate, improve, and disseminate information related to the delivery of high quality disability support services at institutions of higher education.

“(E) REVIEW AND REPORT.—Not later than three years after the establishment of the National Center, and every two years thereafter, the National Center shall prepare and disseminate a report to the Secretary and the authorizing committees analyzing the condition of postsecondary success for students with disabilities. Such report shall include—

“(i) a review of the activities and the effectiveness of the programs authorized under this part;
“(ii) annual enrollment and graduation rates of students with disabilities in institutions of higher education from publicly reported data;
“(iii) recommendations for effective postsecondary supports and services for students with disabilities, and how such supports and services may be widely implemented at institutions of higher education;
“(iv) recommendations on reducing barriers to full participation for students with disabilities in higher education; and
“(v) a description of strategies with a demonstrated record of effectiveness in improving the success of such students in postsecondary education.
“(F) STAFFING OF THE CENTER.—In hiring employees of the National Center, the National Center shall consider the expertise and experience of prospective employees in providing training and technical assistance to practitioners.
“(b) COORDINATING CENTER.—
“(1) DEFINITION OF ELIGIBLE ENTITY.—In this subsection, the term 'eligible entity' means an entity, or a partnership of entities, that has demonstrated expertise in the fields of—
“(A) higher education;
“(B) the education of students with intellectual disabilities;
“(C) the development of comprehensive transition and postsecondary programs for students with intellectual disabilities; and
“(D) evaluation and technical assistance.
“(2) IN GENERAL.—From amounts appropriated under section 778, the Secretary shall enter into a cooperative agreement, on a competitive basis, with an eligible entity for the purpose of establishing a coordinating center for institutions of higher education that offer inclusive comprehensive transition and postsecondary programs for students with intellectual disabilities, including institutions participating in grants authorized under subpart 2, to provide—
“(A) recommendations related to the development of standards for such programs;
“(B) technical assistance for such programs; and
“(C) evaluations for such programs.
“(3) ADMINISTRATION.—The program under this subsection shall be administered by the office in the Department that administers other postsecondary education programs.
“(4) DURATION.—The Secretary shall enter into a cooperative agreement under this subsection for a period of five years.
“(5) REQUIREMENTS OF COOPERATIVE AGREEMENT.—The eligible entity entering into a cooperative agreement under this subsection shall establish and maintain a coordinating center that shall—
“(A) serve as the technical assistance entity for all comprehensive transition and postsecondary programs for students with intellectual disabilities;
“(B) provide technical assistance regarding the development, evaluation, and continuous improvement of such programs;
“(C) develop an evaluation protocol for such programs that includes qualitative and quantitative methodologies for measuring student outcomes and program strengths in the areas of academic enrichment, socialization, independent living, and competitive or supported employment;
“(D) assist recipients of grants under subpart 2 in efforts to award a meaningful credential to students with intellectual disabilities upon the completion of such programs, which credential shall take into consideration unique State factors;
“(E) develop recommendations for the necessary components of such programs, such as—
“(i) academic, vocational, social, and independent living skills;
“(ii) evaluation of student progress;
“(iii) program administration and evaluation;
“(iv) student eligibility; and
“(v) issues regarding the equivalency of a student’s participation in such programs to semester, trimester, quarter, credit, or clock hours at an institution of higher education, as the case may be;
“(F) analyze possible funding streams for such programs and provide recommendations regarding the funding streams;
“(G) develop model memoranda of agreement for use between or among institutions of higher education and State and local agencies providing funding for such programs;
“(H) develop mechanisms for regular communication, outreach and dissemination of information about comprehensive transition and postsecondary programs for students with intellectual disabilities under subpart 2 between or among such programs and to families and prospective students;
“(I) host a meeting of all recipients of grants under subpart 2 not less often than once each year; and
“(J) convene a workgroup to develop and recommend model criteria, standards, and components of such programs as described in subparagraph (E), that are appropriate for the development of accreditation standards, which workgroup shall include—
“(i) an expert in higher education;
“(ii) an expert in special education;
“(iii) a disability organization that represents students with intellectual disabilities;
“(iv) a representative from the National Advisory Committee on Institutional Quality and Integrity; and
“(v) a representative of a regional or national accreditation agency or association.

“(6) REPORT.—Not later than five years after the date of the establishment of the coordinating center under this subsection, the coordinating center shall report to the Secretary, the authorizing committees, and the National Advisory Committee on Institutional Quality and Integrity on the recommendations of the workgroup described in paragraph (5)(J).

“SEC. 778. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this subpart such sums as may be necessary for fiscal year 2009 and each of the five succeeding fiscal years.”.

SEC. 710. SUBGRANTS TO NONPROFIT ORGANIZATIONS.

Section 781 (as redesignated by section 709(1)) (20 U.S.C. 1141) is amended—

(1) in subsection (a), by striking the second sentence and inserting the following: “In addition to the amount authorized and appropriated under the preceding sentence, there are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal year 2009 and each of the five succeeding fiscal years.”;
(2) in subsection (b)(1), by inserting “subject to the availability of appropriations,” after “the Secretary shall”; and
(3) in subsection (e), by inserting after “of this Act)” the following: “or those nonprofit organizations that have agreements with the Secretary under section 435(j)”.

TITLE VIII—ADDITIONAL PROGRAMS

SEC. 801. ADDITIONAL PROGRAMS.

The Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) is further amended by adding at the end the following new title:

“TITLE VIII—ADDITIONAL PROGRAMS

“PART A—PROJECT GRAD

“SEC. 801. PROJECT GRAD.

“(a) PURPOSES.—The purposes of this section are—
“(1) to provide support and assistance to programs implementing integrated education reform services in order to improve secondary school graduation, postsecondary program attendance, and postsecondary completion rates for low-income students; and
“(2) to promote the establishment of new programs to implement such integrated education reform services.
“(b) DEFINITIONS.—In this section:
“(1) LOW-INCOME STUDENT.—The term ‘low-income student’ means a student who is determined by a local educational agency to be from a low-income family using the measures described in section 1113(a)(5) of the Elementary and Secondary Education Act of 1965.
“(2) FEEDER PATTERN.—The term ‘feeder pattern’ means a secondary school and the elementary schools and middle schools that channel students into that secondary school.
“(c) CONTRACT AUTHORIZED.—From the amount appropriated to carry out this section, the Secretary is authorized to award a five-year contract to Project GRAD USA (referred to in this section as the ‘contractor’), a nonprofit education organization that has as its primary purpose the improvement of secondary school graduation and postsecondary attendance and completion rates for low-income students. Such contract shall be used to carry out the requirements of subsection (d) and to implement and sustain integrated education reform services through subcontractor activities described in subsection (e)(3) at existing Project GRAD program sites and to promote the expansion to new sites.
“(d) REQUIREMENTS OF CONTRACT.—The Secretary shall enter into an agreement with the contractor that requires that the contractor shall—
“(1) enter into subcontracts with nonprofit educational organizations that serve a substantial number or percentage of low-income students (referred to in this subsection as ‘subcontractors’), under which the subcontractors agree to implement the Project GRAD programs described in subsection (e) and provide matching funds for such programs;
“(2) directly carry out—