

110TH CONGRESS
1ST SESSION

H. R. 3091

To establish the Patsy T. Mink Graduate Fellow program.

IN THE HOUSE OF REPRESENTATIVES

JULY 18, 2007

Ms. WOOLSEY introduced the following bill; which was referred to the
Committee on Education and Labor

A BILL

To establish the Patsy T. Mink Graduate Fellow program.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Patsy T. Mink Fellow-
5 ship Act of 2007”.

6 **SEC. 2. PATSY MINK.**

7 Title VII of the Higher Education Act of 1965 (20
8 U.S.C. 1133 et seq.) is amended by adding at the end
9 the following new part:

10 **“PART E—PATSY T. MINK FELLOWSHIP**

11 **“SEC. 771. FINDINGS; PURPOSE; DESIGNATION.**

12 “(a) FINDINGS.—The Congress finds the following

1 “(1) While minority college enrollment con-
2 tinues to grow, rising to 28 percent in 1999–2000,
3 the employment of women and minorities as faculty
4 in higher education continues to lag behind, espe-
5 cially among American Indian and Alaskan Natives,
6 and women of color in the professoriate.

7 “(2) In the fall of 1999, total employment of
8 faculty in all sectors in instruction and research was
9 1,027,830, only 14 percent of whom were minorities,
10 including 5 percent African American; 5 percent
11 Asia/Pacific Islanders; 3 percent Hispanic American;
12 and 0.5 percent American Indian/Alaskan Native;
13 with one-half of all collegiate faculty being white
14 males and 35 percent white females.

15 “(3) In the fall of 1999, African American fac-
16 ulty totaled 53,401, Hispanic American faculty to-
17 taled 30,961, Asian/Pacific Islander faculty totaled
18 48,892, and American Indian/Alaskan Native faculty
19 were just 4,429 of the 1,027,830 faculty employed
20 in all degree-granting institutions of higher edu-
21 cation.

22 “(4) In the Fall of 1999, women made up over
23 one-third of full-time instructional faculty, ranging
24 from 49 percent of faculty at public two-year institu-
25 tions to less than 30 percent of faculty at research

1 universities; with men outnumbering women in all
2 faculty rank categories except the two less-senior po-
3 sitions of Instructor and Lecturer.

4 “(5) The maldistribution and absence of minor-
5 ity faculty frequently places minority students in in-
6 stitutional and educational environments in which
7 they encounter no teachers, counselors, or advisors,
8 mentor and professional or personal role models to
9 ensure student progress and academic success.

10 “(6) The presence of minority and women fac-
11 ulty at all levels in the higher education professo-
12 riate will help facilitate student access, increase stu-
13 dent retention and persistence, and strengthen the
14 academic environment for all students.

15 “(b) PURPOSE.—It is the purpose of this part to pro-
16 vide a program of fellowship awards to assist highly quali-
17 fied minorities and women to acquire the terminal masters
18 degree or the doctorate degree in academic areas in which
19 such individuals are underrepresented for the purpose of
20 entering the higher education professoriate.

21 “(c) ELIGIBLE INSTITUTIONS.—For purposes of this
22 part, the term ‘eligible institution’ means an institution
23 of higher education, or a consortium of such institutions,
24 that offers a program of post-baccalaureate study leading
25 to a graduate degree.

1 “(d) DESIGNATION.—Each recipient of a fellowship
2 award from an institution receiving a grant under this
3 subpart shall be known as a ‘Patsy T. Mink Graduate Fel-
4 low’.

5 **“SEC. 772. PROGRAM AUTHORIZED.**

6 “(a) GRANTS BY SECRETARY.—

7 “(1) IN GENERAL.—The Secretary shall make
8 grants to eligible institutions of higher education to
9 enable such institutions to make fellowship awards
10 to qualified students in accordance with the provi-
11 sions of this part.

12 “(2) PRIORITY CONSIDERATION.—In making
13 grant awards under this part, the Secretary shall
14 consider the applicant institution’s prior experience
15 in producing doctorates and terminal masters degree
16 holders who are minorities and females, and shall
17 give priority consideration in making grants under
18 this part to those institutions with a demonstrated
19 record of producing minorities and women who have
20 earned such degrees.

21 “(b) DISTRIBUTION AND AMOUNTS OF GRANTS.—

22 “(1) EQUITABLE DISTRIBUTION.—In making
23 such grants the Secretary shall, to the maximum ex-
24 tent feasible, ensure an equitable geographic dis-
25 tribution of awards and an equitable distribution

1 among eligible public and private institutions of
2 higher education that apply for grants under this
3 part and that demonstrate the institution's ability to
4 achieve the purpose of this part.

5 “(2) SPECIAL RULE.—To the maximum extent
6 practical, the Secretary shall award at least 50 per-
7 cent of the amount appropriated pursuant under this
8 part to institutions of higher education eligible for
9 assistance under titles III and V, or to consortia
10 composed of otherwise eligible institutions of higher
11 education and such minority-serving institutions.

12 “(3) ALLOCATION.—In making such grants the
13 Secretary shall, consistent with paragraphs (1) and
14 (2), allocate appropriated funds to those institutions
15 whose applications indicate their ability to signifi-
16 cantly increase the numbers of minorities and
17 women entering the higher education professoriate
18 and that commit institutional resources to the at-
19 tainment of the purpose of this part. No grant made
20 under this part shall support fewer than fifteen de-
21 gree candidates consistent with section 774(b).

22 “(4) REALLOTMENT.—Whenever the Secretary
23 determines that an institution of higher education is
24 unable to utilize all of the amounts made available
25 to it under this part, the Secretary shall, on such

1 dates during the fiscal year as the Secretary may de-
2 termine, reallocate such unused amounts to institu-
3 tions which demonstrate that they can use any re-
4 allocated grant funds to make fellowship awards to
5 qualified individuals under this part.

6 **“SEC. 773. APPLICATIONS.**

7 “(a) APPLICATIONS REQUIRED.—Any eligible institu-
8 tion of higher education offering a program of post-bacca-
9 laurate study leading to a graduate degree that meets
10 the purpose of this part may apply for a grant. Each such
11 institution, or consortium of eligible institutions (including
12 those institutions specified in section 772(b)(2)), may
13 make an application to the Secretary at such time, in such
14 manner, and containing or accompanied by such informa-
15 tion as the Secretary may reasonably require.

16 “(b) SELECTION OF APPLICATIONS.—In selecting ap-
17 plications for the making grants to institutions of higher
18 education, the Secretary shall—

19 “(1) take into account the number and distribu-
20 tion of minority and female faculty nationally, as
21 well as the current and projected need for highly-
22 trained individuals in all areas of the higher edu-
23 cation professoriate;

24 “(2) take into account the number and distribu-
25 tion of minority and female faculty nationally, as

1 well as the present and projected need for highly
2 trained individuals in academic career fields in which
3 minorities and women are underrepresented in the
4 higher education professoriate; and

5 “(3) consider the need to prepare a larger num-
6 ber of minorities and women generally in academic
7 career fields of high national priority, especially in
8 areas in which such individuals are traditionally
9 underrepresented in college and university faculties.

10 **“SEC. 774. FELLOWSHIP TERMS AND CONDITIONS.**

11 “(a) SELECTION OF FELLOWS.—

12 “(1) ELIGIBLE APPLICANTS.—The Secretary
13 shall assure that, in awarding fellowships from funds
14 made available under this part, grantee institutions
15 make fellowship awards to individuals who plan to
16 pursue a career in instruction at any institution of
17 higher education that is eligible to participate in title
18 IV programs.

19 “(2) ACADEMIC PROGRESS.—Notwithstanding
20 paragraph (1), no otherwise eligible student selected
21 for support, shall receive a fellowship award—

22 “(A) during periods in which such student
23 is enrolled, unless such student is maintaining
24 satisfactory academic progress in, and devoting
25 essentially full-time to, study or research in the

1 pursuit of the degree for which the fellowship
2 support was awarded; or

3 “(B) if the student is engaged in gainful
4 employment other than part-time employment
5 involved in teaching, research, or similar activ-
6 ity determined by the institution to be con-
7 sistent with and supportive of the student’s
8 progress toward the appropriate degree.

9 “(b) SERVICE REQUIREMENT.—

10 “(1) TEACHING REQUIRED.—Each Patsy T.
11 Mink Graduate Fellow who earns the doctoral or
12 terminal masters degree with assistance provided
13 under this part shall teach at an eligible institution
14 for one year for each year of fellowship assistance
15 received under this part.

16 “(2) INSTITUTIONAL OBLIGATION.—Each insti-
17 tution which receives an award from the Secretary
18 under this part, shall provide an assurance that it
19 has inquired of and determined the fellowship recipi-
20 ent’s decision to, within 3 years of receiving the doc-
21 torate or terminal masters degree, begin employment
22 at an eligible institution of higher education as re-
23 quired by this part.

24 “(3) AGREEMENT REQUIRED.—Prior to receiv-
25 ing the initial fellowship award, and upon the annual

1 renewal or the fellowship award, a fellow shall sign
2 an agreement with the Secretary memorializing this
3 commitment to enter the professoriate.

4 “(4) CONSEQUENCES OF FAILURE.—If a fellow-
5 ship recipient fails to honor the service requirement
6 of this subsection, the Secretary shall—

7 “(A) require the individual to repay all or
8 the applicable portion of the total fellowship
9 amount awarded to the individual by converting
10 the balance due to a loan at the interest rate
11 applicable to loans made under part B of title
12 IV; or

13 “(B) require the individual to pay an
14 amount determined by the Secretary to be ap-
15 propriate, except as provided in paragraph (5).

16 “(5) MODIFIED SERVICE REQUIREMENT.—The
17 Secretary may waive or modify the service require-
18 ment of this subsection based on regulations, pro-
19 mulgated pursuant to and consistent with criteria
20 which, determine that compliance with the service
21 obligation by the fellowship recipient would be in-
22 equitable and represent a substantial hardship. The
23 Secretary may waive the service requirement if—

24 “(A) compliance by the fellowship recipient
25 would be deemed impossible because the indi-

1 vidual is permanently and totally disabled at
2 the time of the waiver request; or

3 “(B) compliance by the fellowship recipient
4 is based on documentation presented to the
5 Secretary of substantial economic or personal
6 hardship, as determined in accordance with reg-
7 ulations prescribed by the Secretary.

8 “(c) AMOUNT OF FELLOWSHIP AWARDS.—

9 “(1) IN GENERAL.—From the grants made pur-
10 suant to this part, eligible institutions shall award
11 stipends to individuals who are awarded fellowships
12 under this part. Such stipends shall reflect the pur-
13 pose of the program authorized by this part to en-
14 courage highly qualified minorities and women to
15 pursue graduate study for the purpose of entering
16 the higher education professoriate.

17 “(2) AWARDS BASED ON NEED.—Stipends shall
18 be in an amount equal to the level of support pro-
19 vided by the National Science Foundation graduate
20 fellowships, except that such stipend shall be ad-
21 justed as necessary so as not to exceed the fellow’s
22 demonstrated need as determined by the institution
23 of higher education where the graduate student is
24 enrolled.

25 “(d) INSTITUTIONAL PAYMENTS.—

1 “(1) IN GENERAL.—The Secretary shall, in ad-
2 dition to the amounts made available to institutions
3 for stipends to individuals under this part, pay to
4 grantee institutions of higher education, for each in-
5 dividual awarded a fellowship under this part at
6 such institution, an institutional allowance. Except
7 as provided for in paragraph (3), such allowance
8 shall be, for academic year 2008–2009 and suc-
9 ceeding academic years, the same as the institutional
10 payment made for that year under the Graduate As-
11 sistance in Areas of National Need program in sub-
12 part 2 of part A, and shall be adjusted annually
13 thereafter in accordance with inflation as determined
14 by the Department of Labor’s Consumer Price Index
15 for the previous calendar year.

16 “(2) USE OF FUNDS.—Institutional payments
17 may be expended in the discretion of the institution,
18 except that such funds shall be used to provide aca-
19 demic support and career transition services for par-
20 ticipating fellows.

21 “(3) REDUCTION.—The institutional allowance
22 paid under paragraph (1) shall be reduced by the
23 amount the institution charges and collects from a
24 fellowship recipient for tuition and other expenses as
25 part of the institution’s instructional program.

1 “(4) USE FOR OVERHEAD PROHIBITED.—Funds
2 made available pursuant to this part may not be
3 used for general operational overhead of the aca-
4 demic department or institution receiving funds
5 under this part.

6 **“SEC. 775. AUTHORIZATION OF APPROPRIATIONS.**

7 “‘There are authorized to appropriated \$25,000,000
8 for fiscal year 2008 and such sums as may be necessary
9 for each of the 5 succeeding fiscal years.’”.

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