

Public Law 87-276

AN ACT

September 22, 1961
[S. 336]

To make available to children who are handicapped by deafness the specially trained teachers of the deaf needed to develop their abilities and to make available to individuals suffering speech and hearing impairments the specially trained speech pathologists and audiologists needed to help them overcome their handicaps.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to encourage and facilitate the training of more teachers of the deaf, the Commissioner of Education (hereinafter in this Act referred to as the "Commissioner") shall, with the advice and assistance of the Advisory Committee on the Training of Teachers of the Deaf (established by section 5 and hereinafter in this Act referred to as the "Advisory Committee"), establish and conduct a program of grants-in-aid to accredited public and nonprofit institutions of higher education which are approved training centers for teachers of the deaf or are affiliated with approved public or other nonprofit institutions which are approved for the training of teachers of the deaf to assist such institutions in providing courses of training and study for teachers of the deaf and in improving such courses. Such grants-in-aid shall be used by such institutions to assist in covering the cost of such courses of training and study and for establishing and maintaining scholarships for qualified persons who desire to enroll in such courses of training and study, the stipends of any such scholarships to be determined by the Commissioner. The Commissioner shall submit all applications for grants-in-aid under this Act to the Advisory Committee for its review and recommendations, and the Commissioner shall not approve any such application before he has received and studied the recommendations of the Advisory Committee with respect to such application, unless the Advisory Committee shall have failed to submit its recommendations to him after having had adequate time to do so.

Teachers of the deaf, training.

Sec. 2. Payments of grants-in-aid pursuant to this Act shall be made by the Commissioner from time to time and on such conditions as he may determine, including the making of such reports as the Commissioner may determine to be necessary to carry out the provisions of this Act. Such payments may be made either in advance or by way of reimbursement.

Sec. 3. For the purposes of this Act—

Definitions.

(a) The term "nonprofit", as applied to an institution, means an institution owned and operated by one or more corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual;

(b) The term "accredited", as applied to an institution of higher education, means an institution of higher education accredited by a nationally recognized body or bodies approved for such purpose by the Commissioner; and

(c) The term "approved", as applied to training centers for teachers of the deaf, means centers approved by a nationally recognized body or bodies approved for the purpose by the Commissioner, except that a training center for teachers of the deaf which is not, at the time of its application for a grant under this Act, approved by such a recognized body or bodies may be deemed approved for purposes of this Act if the Commissioner finds, after consultation with the appropriate approved body or bodies, that there is reasonable assurance that the center will, with the aid of such grant, meet the approval standards of such body or bodies.

SEC. 4. The Commissioner is authorized to delegate any of his functions under this Act, except the making of regulations, to any officer or employee of the Office of Education.

Advisory Committee on the Training of Teachers of the Deaf. Establishment.

SEC. 5. (a) There is hereby established in the Office of Education an Advisory Committee on the Training of Teachers of the Deaf. The Advisory Committee shall consist of the Commissioner, who shall be Chairman, and twelve persons appointed, without regard to the civil service laws, by the Commissioner with the approval of the Secretary of Health, Education, and Welfare. The twelve appointed members shall be selected so as to secure on the Committee a balanced representation from among individuals identified with institutions approved for the training of teachers of the deaf, individuals identified with institutions of higher education which are affiliated with institutions approved for the training of teachers of the deaf, individuals who have responsibilities in the teaching of the deaf, and individuals identified with the general public who have demonstrated an interest in the education of the deaf.

Report to Congress.

(b) The Advisory Committee shall periodically review the operations of the grants-in-aid program established pursuant to this Act with a view to determining the extent to which such program is succeeding in carrying out the purposes for which it was established. On the basis of such reviews the Advisory Committee shall submit to the Commissioner such recommendations with respect to the operation and administration of the program as it may deem advisable, together with any recommendations for legislation which it may deem necessary or desirable to carry out the purposes for which this Act was enacted. Such recommendations, together with the Commissioner's comments thereon, shall be referred to the Secretary of Health, Education, and Welfare for transmittal by him to the Congress.

(c) The Advisory Committee is authorized to review all applications for grants-in-aid under this Act and recommend to the Commissioner the approval of such applications as, in the opinion of the Advisory Committee, contribute to the carrying out of the purposes of this Act, and the disapproval of such applications as, in the opinion of the Advisory Committee, do not contribute to the carrying out of such purposes.

(d) The Commissioner may utilize the services of any member or members of the Advisory Committee in connection with matters relating to the provisions of this Act, for such periods, in addition to conference periods, as he may determine.

Compensation.

(e) Members of the Advisory Committee shall, while serving on business of the Advisory Committee or at the request of the Commissioner under subsection (d) of this section, receive compensation at rates fixed by the Secretary of Health, Education, and Welfare, not to exceed \$75 per day, and shall also be entitled to receive an allowance for actual and necessary travel and subsistence expenses while so serving away from their places of residence, except that any member may waive his right to receive such compensation or allowance, or both. The provisions of section 1003 of the National Defense Education Act of 1958 shall apply to members of the Advisory Committee.

Conflict-of-interest exemption. Appropriation.

72 Stat. 1603.
20 USC 583.

SEC. 6. (a) For the purpose of carrying out the provisions of this Act there are authorized to be appropriated \$1,500,000 for the fiscal year ending June 30, 1962, and \$1,500,000 for the fiscal year ending June 30, 1963. Any grant for training or scholarships made from an appropriation under this Act for any fiscal year may include such amounts for providing such training or scholarships during succeeding years as the Commissioner may determine.

Termination date.

(b) The provisions of this Act shall terminate on June 30, 1963.

Approved September 22, 1961.