

87TH CONGRESS
1ST SESSION

H. R. 5743

IN THE HOUSE OF REPRESENTATIVES

MARCH 21, 1961

Mr. FOGARTY introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

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.

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

3 TITLE I—TRAINING OF TEACHERS OF

4 THE DEAF

5 SEC. 101. In order to encourage and facilitate the train-
6 ing of teachers of the deaf, the Commissioner of Education
7 (hereinafter in this title referred to as the "Commissioner")

1 shall, with the advice and assistance of the Advisory Com-
2 mittee on the Training of Teachers of the Deaf (established
3 by section 105 and hereinafter in this title referred to as the
4 "Advisory Committee"), establish and conduct a program of
5 grants-in-aid to accredited public and nonprofit institutions
6 of higher education which are approved training centers
7 for teachers of the deaf or are affiliated with approved public
8 or other nonprofit institutions which are approved for the
9 training of teachers of the deaf to assist such institutions in
10 providing courses of training and study for teachers of the
11 deaf and in improving such courses. Such grants-in-aid shall
12 be used by such institutions to assist in covering the cost of
13 such courses of training and study and for establishing and
14 maintaining scholarships for qualified persons who desire to
15 enroll in such courses of training and study, the stipends of
16 any such scholarships to be determined by the Commis-
17 sioner. The Commissioner shall submit all applications for
18 grants-in-aid under this title to the Advisory Committee for
19 its review and recommendations, and the Commissioner shall
20 not approve any such application before he has received and
21 studied the recommendations of the Advisory Committee
22 with respect to such application, unless the Advisory Com-
23 mittee shall have failed to submit its recommendations to him
24 after having had adequate time to do so.

25 SEC. 102. Payments of grants-in-aid pursuant to this

1 title shall be made by the Commissioner from time to time
2 and on such conditions as he may determine, including the
3 making of such reports as the Commissioner may determine
4 to be necessary to carry out the provisions of this title. Such
5 payments may be made either in advance or by way of reim-
6 bursement.

7 SEC. 103. For the purposes of this title:

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

13 (b) The term "accredited", as applied to an institution
14 of higher education, means an institution of higher education
15 accredited by a nationally recognized body or bodies ap-
16 proved for such purpose by the Commissioner; and

17 (c) The term "approved", as applied to training centers
18 for teachers of the deaf, means centers approved by a nation-
19 ally recognized body or bodies approved for the purpose by
20 the Commissioner, except that a training center for teachers
21 of the deaf which is not, at the time of its application for a
22 grant under this title, approved by such a recognized body or
23 bodies may be deemed approved for purposes of this title if
24 the Commissioner finds, after consultation with the appro-
25 priate approved body or bodies, that there is reasonable as-

1 surance that the center will, with the aid of such grant,
2 meet the approval standards of such body or bodies.

3 SEC. 104. The Commissioner is authorized to delegate
4 any of its functions under this title, except the making of
5 regulations, to any officer or employee of the Office of
6 Education.

7 SEC. 105. (a) There is hereby established in the Office
8 of Education an Advisory Committee on the Training of
9 Teachers of the Deaf. The Advisory Committee shall con-
10 sist of the Commissioner, who shall be Chairman, and twelve
11 persons appointed, without regard to the civil service laws,
12 by the Commissioner with the approval of the Secretary
13 of Health, Education, and Welfare. The twelve appointed
14 members shall be selected so as to secure on the Committee
15 a balanced representation from among individuals identified
16 with institutions approved for the training of teachers of the
17 deaf, individuals identified with institutions of higher edu-
18 cation which are affiliated with institutions approved for the
19 training of teachers of the deaf, individuals who have re-
20 sponsibilities in the teaching of the deaf, and individuals
21 identified with the general public who have demonstrated an
22 interest in the education of the deaf.

23 (b) The appointed members of the Advisory Committee
24 shall hold office for a term of four years, except that (1)
25 any member appointed to fill a vacancy occurring prior to

1 the expiration of the term for which his predecessor was
2 appointed shall be appointed for the remainder of such term,
3 and (2) the terms of the members first taking office after
4 the date of enactment of this title shall expire, as designated
5 by the Commissioner at the time of appointment, three at
6 the end of four years after such date, three at the end of
7 three years after such date, three at the end of two years
8 after such date, and three at the end of one year after such
9 date. None of the appointed members shall be eligible for
10 reappointment until a year has elapsed since the end of his
11 preceding term.

12 (c) The Advisory Committee shall periodically review
13 the operations of the grants-in-aid program established pur-
14 suant to this title with a view to determining the extent to
15 which such program is succeeding in carrying out the pur-
16 poses for which it was established. On the basis of such
17 reviews the Advisory Committee shall submit to the Com-
18 missioner such recommendations with respect to the opera-
19 tion and administration of the program as it may deem
20 advisable, together with any recommendations for legislation
21 which it may deem necessary or desirable to carry out the
22 purposes for which this title was enacted. Such recom-
23 mendations, together with the Commissioner's comments
24 thereon, shall be referred to the Secretary of Health, Educa-
25 tion, and Welfare for transmittal by him to the Congress.

1 (d) The Advisory Committee is authorized to review
2 all applications for grants-in-aid under this title and recom-
3 mend to the Commissioner the approval of such applications
4 as, in the opinion of the Advisory Committee, contribute to
5 the carrying out of the purposes of this title, and the disap-
6 proval of such applications as, in the opinion of the Advisory
7 Committee, do not contribute to the carrying out of such
8 purposes.

9 (e) The Commissioner may utilize the services of any
10 member or members of the Advisory Committee in connec-
11 tion with matters relating to the provisions of this title, for
12 such periods, in addition to conference periods, as he may
13 determine.

14 (f) Members of the Advisory Committee shall, while
15 serving on business of the Advisory Committee or at the
16 request of the Commissioner under subsection (e) of this
17 section, receive compensation at rates fixed by the Secre-
18 tary of Health, Education, and Welfare, not to exceed \$50
19 per day, and shall also be entitled to receive an allowance
20 for actual and necessary travel and subsistence expenses
21 while so serving away from their places of residence, except
22 that any member may waive his right to receive such com-
23 pensation or allowance, or both.

24 SEC. 106. (a) For the purpose of carrying out the
25 provisions of this title there are authorized to be appropriated

1 such amounts as may be necessary for the fiscal year begin-
2 ning July 1, 1961, and for the nine succeeding fiscal years,
3 but aggregate payments, from sums so appropriated, with
4 respect to costs incurred during the fiscal year beginning
5 July 1, 1961, or the next fiscal year by recipients of grants-
6 in-aid under this title may not exceed \$1,500,000. Any
7 grant for training or scholarships made from an appropria-
8 tion under this title for any fiscal year may include such
9 amounts for providing such training or scholarships during
10 succeeding years as the Commissioner may determine.

11 (b) The provisions of this title shall terminate on June
12 30, 1971.

13 TITLE II—TRAINING OF SPEECH PATHOLOGISTS
14 AND AUDIOLOGISTS

15 SEC. 201. In order to encourage and facilitate the train-
16 ing of speech pathologists and audiologists, the Director of
17 the Office of Vocational Rehabilitation (hereinafter in this
18 title referred to as the "Director") shall, with the advice
19 and assistance of the Advisory Committee on Speech Pathol-
20 ogy and Audiology Training (established by section 205
21 and hereinafter in this title referred to as the "Advisory
22 Committee"), establish and conduct a program of grants-
23 in-aid to accredited public and nonprofit institutions of
24 higher education which are engaged in the training of speech
25 pathologists and audiologists to assist such institutions in

1 providing such training and in improving courses for such
2 training. Such grants-in-aid shall be made only to institu-
3 tions of higher education which offer programs of such
4 nature and content as to enable students who have success-
5 fully completed such programs to qualify for an advanced
6 certificate in speech pathology or audiology from a nation-
7 ally recognized body or bodies approved for the purpose
8 by the Director. Such grants-in-aid shall be used by such
9 institutions to assist in covering the cost of courses of gradu-
10 ate training and study leading to the master's or doctor's
11 degree and for establishing and maintaining graduate fellow-
12 ships with such stipends as may be determined by the Di-
13 rector. The Director shall submit all applications for
14 grants-in-aid under this title to the Advisory Committee
15 for its review and recommendations, and the Director shall
16 not approve any such application before he has received
17 and studied the recommendations of the Advisory Committee
18 with respect to such application, unless the Advisory Com-
19 mittee shall have failed to submit its recommendations to
20 him after having had adequate time to do so.

21 SEC. 202. Payments of grants-in-aid pursuant to this
22 title may be made by the Director from time to time, in
23 advance or by way of reimbursement, on such conditions
24 as the Director may determine, including the making of

1 such reports as the Director may determine to be necessary
2 to carry out the provisions of this title.

3 SEC. 203. For the purposes of this title:

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

9 (b) The term "accredited", as applied to an institution
10 of higher education, means an institution of higher educa-
11 tion accredited by a nationally recognized body or bodies
12 approved for the purpose by the Director.

13 SEC. 204. The Director is authorized to delegate any
14 of his functions under this title except the making of regu-
15 lations, to any officer or employee of the Office of Vocational
16 Rehabilitation.

17 SEC. 205. (a) There is hereby established in the Office
18 of Vocational Rehabilitation an Advisory Committee on
19 Speech Pathology and Audiology Training. The Advisory
20 Committee shall consist of the Director who shall be Chair-
21 man and twelve persons, appointed without regard to the
22 civil service laws, by the Director with the approval of the
23 Secretary of Health, Education, and Welfare. The twelve

1 appointed members shall be selected so as to secure on the
2 Advisory Committee a balanced representation from among
3 individuals who devote a major part of their efforts to de-
4 partments of speech pathology and audiology in institutions
5 of higher education and who reflect varied specialties repre-
6 sented in such departments, individuals from the ranks of
7 professional people actively engaged in the diagnosis, train-
8 ing, or rehabilitation of individuals suffering serious speech
9 or hearing impairments, and individuals from the general
10 public who have demonstrated an interest in the problem
11 of speech and hearing disabilities.

12 (b) The appointed members of the Advisory Committee
13 shall hold office for a term of four years, except that (1)
14 any member appointed to fill a vacancy occurring prior to
15 the expiration of the term for which his predecessor was
16 appointed shall be appointed for the remainder of such
17 term, and (2) the terms of the members first taking office
18 after the date of enactment of this title shall expire, as
19 designated by the Director at the time of appointment, three
20 at the end of four years after such date, three at the end
21 of three years after such date, three at the end of two years
22 after such date, and three at the end of one year after such
23 date. None of the appointed members shall be eligible for

1 reappointment until a year has elapsed since the end of his
2 preceding term.

3 (c) The Advisory Committee shall periodically review
4 the operations of the grants-in-aid program established pur-
5 suant to this title with a view to determining the extent to
6 which such program is succeeding in carrying out the
7 purposes for which it was established. On the basis of
8 such reviews the Advisory Committee shall submit to the
9 Director such recommendations with respect to the operation
10 and administration of the program as it may deem advisable,
11 together with any recommendations for legislation which it
12 may deem necessary or desirable to carry out the purposes
13 for which this title was enacted. Such recommendations, to-
14 gether with the Director's comments thereon, shall be re-
15 ferred to the Secretary of Health, Education, and Welfare
16 for transmittal by him to the Congress.

17 (d) The Advisory Committee is authorized to review all
18 applications for grants-in-aid under this title and recom-
19 mend to the Director the approval of such applications as,
20 in the opinion of the Advisory Committee, contribute to the
21 carrying out of the purposes of this title, and the disapproval
22 of such applications as, in the opinion of the Advisory Com-
23 mittee, do not contribute to the carrying out of such purposes.

1 (e) The Director may utilize the services of any mem-
2 ber or members of the Advisory Committee in connection
3 with matters relating to the provisions of this title, for such
4 periods, in addition to conference periods, as he may deter-
5 mine.

6 (f) Members of the Advisory Committee shall, while
7 serving on business of the Advisory Committee or at the
8 request of the Director under subsection (e) of this section,
9 receive compensation at rates fixed by the Secretary of
10 Health, Education, and Welfare, not to exceed \$50 per
11 day, and shall also be entitled to receive an allowance
12 for actual and necessary travel and subsistence expenses
13 while so serving away from their places of residence, except
14 that any member may waive his right to receive such com-
15 pensation or allowance, or both.

16 SEC. 206. (a) For the purpose of carrying out the pro-
17 visions of this title, there are authorized to be appropriated
18 such amounts as may be necessary for the fiscal year begin-
19 ning July 1, 1961, and for the nine succeeding fiscal years,
20 but aggregate payments, from sums so appropriated, with
21 respect to costs incurred during the fiscal year beginning
22 July 1, 1961, or the next fiscal year by recipients of grants-
23 in-aid under this title may not exceed \$2,000,000. Any
24 grant for training or fellowships made from an appropriation
25 under this title for any fiscal year may include such amounts

1 for providing such training or fellowships during succeeding
2 years as the Commissioner may determine.

3 (b) The provisions of this title shall terminate on June
4 30, 1971.