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 Representatives of the United States of America in Congress assembled,

TITLE I—TRAINING OF TEACHERS OF THE DEAF

Sec. 101. In order to encourage and facilitate the training of teachers of the deaf, the Commissioner of Education (hereinafter in this title referred to as the “Commissioner”)

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shall, with the advice and assistance of the Advisory Committee on the Training of Teachers of the Deaf (established by section 105 and hereinafter in this title 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 title 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.

Sec. 102. Payments of grants-in-aid pursuant to this
title 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 title. Such
payments may be made either in advance or by way of reim-
bursement.

SEC. 103. For the purposes of this title:
(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 ap-
proved 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 nation-
ally 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 title, approved by such a recognized body or
bodies may be deemed approved for purposes of this title if
the Commissioner finds, after consultation with the appro-
priate approved body or bodies, that there is reasonable as-
surance that the center will, with the aid of such grant,
meet the approval standards of such body or bodies.

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

Sec. 105. (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 con-
sist 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 edu-
cation which are affiliated with institutions approved for the
training of teachers of the deaf, individuals who have re-
sponsibilities in the teaching of the deaf, and individuals
identified with the general public who have demonstrated an
interest in the education of the deaf.

(b) The appointed members of the Advisory Committee
shall hold office for a term of four years, except that (1)
any member appointed to fill a vacancy occurring prior to
the expiration of the term for which his predecessor was
appointed shall be appointed for the remainder of such term,
and (2) the terms of the members first taking office after
the date of enactment of this title shall expire, as designated
by the Commissioner at the time of appointment, three at
the end of four years after such date, three at the end of
three years after such date, three at the end of two years
after such date, and three at the end of one year after such
date. None of the appointed members shall be eligible for
reappointment until a year has elapsed since the end of his
preceding term.

(c) The Advisory Committee shall periodically review
the operations of the grants-in-aid program established pur-
suant to this title with a view to determining the extent to
which such program is succeeding in carrying out the pur-
poses for which it was established. On the basis of such
reviews the Advisory Committee shall submit to the Com-
missioner such recommendations with respect to the opera-
tion 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 title was enacted. Such recom-
mendations, together with the Commissioner's comments
thereon, shall be referred to the Secretary of Health, Educa-
tion, and Welfare for transmittal by him to the Congress.
(d) The Advisory Committee is authorized to review all applications for grants-in-aid under this title 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 title, and the disapproval of such applications as, in the opinion of the Advisory Committee, do not contribute to the carrying out of such purposes.

(e) 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 title, for such periods, in addition to conference periods, as he may determine.

(f) Members of the Advisory Committee shall, while serving on business of the Advisory Committee or at the request of the Commissioner under subsection (e) of this section, receive compensation at rates fixed by the Secretary of Health, Education, and Welfare, not to exceed $50 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.

Sec. 106. (a) For the purpose of carrying out the provisions of this title there are authorized to be appropriated
such amounts as may be necessary for the fiscal year begin-
ing July 1, 1961, and for the nine succeeding fiscal years,
but aggregate payments, from sums so appropriated, with
respect to costs incurred during the fiscal year beginning
July 1, 1961, or the next fiscal year by recipients of grants-
in-aid under this title may not exceed $1,500,000. Any
grant for training or scholarships made from an appropria-
tion under this title for any fiscal year may include such
amounts for providing such training or scholarships during
succeeding years as the Commissioner may determine.

(b) The provisions of this title shall terminate on June

TITLE II—TRAINING OF SPEECH PATHOLOGISTS
AND AUDIOLOGISTS

Sec. 201. In order to encourage and facilitate the train-
ing of speech pathologists and audiologists, the Director of
the Office of Vocational Rehabilitation (hereinafter in this
title referred to as the "Director") shall, with the advice
and assistance of the Advisory Committee on Speech Pathol-
ogy and Audiology Training (established by section 205
and hereinafter in this title 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 engaged in the training of speech
pathologists and audiologists to assist such institutions in
providing such training and in improving courses for such training. Such grants-in-aid shall be made only to institutions of higher education which offer programs of such nature and content as to enable students who have successfully completed such programs to qualify for an advanced certificate in speech pathology or audiology from a nationally recognized body or bodies approved for the purpose by the Director. Such grants-in-aid shall be used by such institutions to assist in covering the cost of courses of graduate training and study leading to the master’s or doctor’s degree and for establishing and maintaining graduate fellowships with such stipends as may be determined by the Director. The Director shall submit all applications for grants-in-aid under this title to the Advisory Committee for its review and recommendations, and the Director 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.

SEC. 202. Payments of grants-in-aid pursuant to this title may be made by the Director from time to time, in advance or by way of reimbursement, on such conditions as the Director may determine, including the making of
such reports as the Director may determine to be necessary
to carry out the provisions of this title.

Sec. 203. For the purposes of this title:
(a) The term "nonprofit", as applied to an institution
of higher education, 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 educa-
tion accredited by a nationally recognized body or bodies
approved for the purpose by the Director.

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

Sec. 205. (a) There is hereby established in the Office
of Vocational Rehabilitation an Advisory Committee on
Speech Pathology and Audiology Training. The Advisory
Committee shall consist of the Director who shall be Chair-
man and twelve persons, appointed without regard to the
civil service laws, by the Director with the approval of the
Secretary of Health, Education, and Welfare. The twelve
appointed members shall be selected so as to secure on the Advisory Committee a balanced representation from among individuals who devote a major part of their efforts to departments of speech pathology and audiology in institutions of higher education and who reflect varied specialties represented in such departments, individuals from the ranks of professional people actively engaged in the diagnosis, training, or rehabilitation of individuals suffering serious speech or hearing impairments, and individuals from the general public who have demonstrated an interest in the problem of speech and hearing disabilities.

(b) The appointed members of the Advisory Committee shall hold office for a term of four years, except that (1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (2) the terms of the members first taking office after the date of enactment of this title shall expire, as designated by the Director at the time of appointment, three at the end of four years after such date, three at the end of three years after such date, three at the end of two years after such date, and three at the end of one year after such date. None of the appointed members shall be eligible for
reappointment until a year has elapsed since the end of his
preceding term.

(c) The Advisory Committee shall periodically review
the operations of the grants-in-aid program established pur-
suant to this title 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
Director 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 title was enacted. Such recommendations, to-
gether with the Director's comments thereon, shall be re-
ferred to the Secretary of Health, Education, and Welfare
for transmittal by him to the Congress.

(d) The Advisory Committee is authorized to review all
applications for grants-in-aid under this title and recom-
mend to the Director the approval of such applications as,
in the opinion of the Advisory Committee, contribute to the
carrying out of the purposes of this title, and the disapproval
of such applications as, in the opinion of the Advisory Com-
mittee, do not contribute to the carrying out of such purposes.
(e) The Director may utilize the services of any member or members of the Advisory Committee in connection with matters relating to the provisions of this title, for such periods, in addition to conference periods, as he may determine.

(f) Members of the Advisory Committee shall, while serving on business of the Advisory Committee or at the request of the Director under subsection (e) of this section, receive compensation at rates fixed by the Secretary of Health, Education, and Welfare, not to exceed $50 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.

Sec. 206. (a) For the purpose of carrying out the provisions of this title, there are authorized to be appropriated such amounts as may be necessary for the fiscal year beginning July 1, 1961, and for the nine succeeding fiscal years, but aggregate payments, from sums so appropriated, with respect to costs incurred during the fiscal year beginning July 1, 1961, or the next fiscal year by recipients of grants-in-aid under this title may not exceed $2,000,000. Any grant for training or fellowships made from an appropriation under this title for any fiscal year may include such amounts
for providing such training or fellowships during succeeding years as the Commissioner may determine.

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