

Public Law 108–98
108th Congress

An Act

Oct. 10, 2003
[S. 570]

To amend the Higher Education Act of 1965 with respect to the qualifications of foreign schools.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FOREIGN SCHOOL ELIGIBILITY.

(a) IN GENERAL.—Section 102(a)(2)(A) of the Higher Education Act of 1965 (20 U.S.C. 1002(a)(2)(A)) is amended to read as follows:

Regulations.

“(A) IN GENERAL.—For the purpose of qualifying as an institution under paragraph (1)(C), the Secretary shall establish criteria by regulation for the approval of institutions outside the United States and for the determination that such institutions are comparable to an institution of higher education as defined in section 101 (except that a graduate medical school, or a veterinary school, located outside the United States shall not be required to meet the requirements of section 101(a)(4)). Such criteria shall include a requirement that a student attending such school outside the United States is ineligible for loans made, insured, or guaranteed under part B of title IV unless—

“(i) in the case of a graduate medical school located outside the United States—

“(I)(aa) at least 60 percent of those enrolled in, and at least 60 percent of the graduates of, the graduate medical school outside the United States were not persons described in section 484(a)(5) in the year preceding the year for which a student is seeking a loan under part B of title IV; and

“(bb) at least 60 percent of the individuals who were students or graduates of the graduate medical school outside the United States or Canada (both nationals of the United States and others) taking the examinations administered by the Educational Commission for Foreign Medical Graduates received a passing score in the year preceding the year for which a student is seeking a loan under part B of title IV; or

“(II) the institution has a clinical training program that was approved by a State as of January 1, 1992; or

“(ii) in the case of a veterinary school located outside the United States that does not meet the requirements of section 101(a)(4), the institution’s students

complete their clinical training at an approved veterinary school located in the United States.”.

(b) EFFECTIVE DATE.—This Act and the amendments made by this Act shall be effective as if enacted on October 1, 1998. 20 USC 1002 note.

Approved October 10, 2003.

LEGISLATIVE HISTORY—S. 570:

CONGRESSIONAL RECORD, Vol. 149 (2003):
July 16, considered and passed Senate.
Sept. 30, considered and passed House.