

111TH CONGRESS  
1ST SESSION

# H. R. 4196

To create jobs through the hiring of new faculty and counselors at community colleges.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 3, 2009

Mr. LARSON of Connecticut (for himself and Mr. HINOJOSA) introduced the following bill; which was referred to the Committee on Education and Labor

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## A BILL

To create jobs through the hiring of new faculty and counselors at community colleges.

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 “Community College  
5 Emergency Stabilization Fund Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Since October 2007, the national unemploy-  
9 ment rate has increased from 4.8 percent to 10.2  
10 percent.

1           (2) There are nearly 1,200 community colleges  
2           in the United States, educating over 11,700,000 stu-  
3           dents.

4           (3) Community colleges provide access to af-  
5           fordable, quality education, and training opportuni-  
6           ties.

7           (4) Over the past year enrollment has increased  
8           at unprecedented levels at community colleges across  
9           the country.

10          (5) Over the past year community colleges have  
11          either had to forestall hiring new staff or reduce  
12          staff because of budget shortfalls despite increased  
13          demand.

14          (6) Due to increased enrollment and insufficient  
15          staffing, many individuals are not able to access the  
16          training they need to re-enter the workforce.

17 **SEC. 3. EMERGENCY FUNDING FOR COMMUNITY COL-**  
18 **LEGES.**

19          (a) IN GENERAL.—From the amounts appropriated  
20          under section 7 to carry out this section for a fiscal year,  
21          the Secretary of Education shall provide temporary emer-  
22          gency funding to States for such fiscal year in accordance  
23          with the formula described in subsection (b) to assist com-  
24          munity colleges in maintaining, or hiring additional, fac-  
25          ulty and staff.

1 (b) FORMULA.—Of the amount appropriated under  
2 section 7—

3 (1)  $66\frac{2}{3}$  percent shall be allotted on the basis  
4 of the relative increase in unemployed individuals in  
5 each State compared to the total increase in unem-  
6 ployed individuals in all States; and

7 (2)  $33\frac{1}{3}$  percent shall be allotted on the basis  
8 of the relative excess number of unemployed individ-  
9 uals in each State, compared to the total excess  
10 number of unemployed individuals in all States.

11 (c) MAINTENANCE OF EFFORT.—

12 (1) IN GENERAL.—Each State shall maintain  
13 State support for community colleges in the State at  
14 least at the level of such support for the fiscal year  
15 immediately preceding the first fiscal year the State  
16 received funds under this section.

17 (2) WAIVER.—The Secretary may waive the re-  
18 quirements of this paragraph (1), if the Secretary  
19 determines that a waiver would be equitable due to  
20 exceptional or uncontrollable circumstances, such as  
21 a natural disaster or an unforeseen and precipitous  
22 decline in the financial resources of the State.

23 (d) SUPPLEMENT, NOT SUPPLANT.—Funds made  
24 available under this section shall be used to supplement,  
25 and not supplant, other Federal and State funds that

1 would otherwise be expended for assisting community col-  
2 leges in maintaining, or hiring additional, faculty and  
3 staff.

4 (e) GRANTS TO COMMUNITY COLLEGES.—

5 (1) IN GENERAL.—Not later than 120 days  
6 after receiving funds under this section, each State  
7 shall use such funds to award grants, on a competi-  
8 tive basis, to community colleges located in the State  
9 to assist such colleges in maintaining current staff,  
10 or hiring additional, faculty and staff.

11 (2) GRANT AMOUNT.—In determining the  
12 amount of a grant to award to a community college  
13 under this section, a State shall take into account—

14 (A) the total number of students enrolled  
15 at the college;

16 (B) the increase in the number of students  
17 enrolled at the college relative to the preceding  
18 academic year; and

19 (C) the most recent monthly unemploy-  
20 ment rate of the local area, as determined by  
21 the Secretary (in consultation with the Sec-  
22 retary of Labor), in which the college is located.

23 (3) APPLICATION.—A community college desir-  
24 ing to receive a grant under this section shall submit  
25 an application to the State at such time, in such

1 manner, and containing such information as the  
2 State may require, which shall include, at a min-  
3 imum, information with respect to—

4 (A) the total number of students enrolled  
5 at the college; and

6 (B) the increase in the number of students  
7 enrolled at the college relative to the preceding  
8 academic year.

9 (f) REPORTS BY STATES.—Each State shall, not later  
10 than 12 months after the date of the enactment of this  
11 Act, and annually thereafter for each fiscal year in which  
12 the State expends funds received under this section, sub-  
13 mit to the Secretary a report that includes—

14 (1) a list of the community colleges that have  
15 received assistance from the funds;

16 (2) the number of students served at such com-  
17 munity colleges as a result of such assistance;

18 (3) the number of faculty and staff maintained  
19 or hired at such community colleges as a result of  
20 such assistance; and

21 (4) the amount of State support for community  
22 colleges in the State for the—

23 (A) fiscal year immediately preceding the  
24 first fiscal year the State received funds under  
25 this section; and

1 (B) most recent fiscal year in which the  
2 State expended funds received under this sec-  
3 tion.

4 (g) REPORT BY THE SECRETARY.—The Secretary  
5 shall submit to the authorizing committees an annual re-  
6 port that includes the information described in subsection  
7 (f).

8 **SEC. 4. GRANTS TO CAREER AND TECHNICAL COLLEGES.**

9 (a) IN GENERAL.—From the amounts appropriated  
10 under section 7 to carry out this section, the Secretary  
11 shall award grants, on a competitive basis, to career and  
12 technical colleges located in any State to assist such col-  
13 leges in maintaining, or hiring additional, faculty and  
14 staff.

15 (b) GRANT AMOUNT.—In determining the amount of  
16 a grant to award to a career and technical college under  
17 this section, the Secretary shall take into account—

18 (1) the total number of students enrolled at the  
19 college;

20 (2) the increase in the number of students en-  
21 rolled at the college relative to the preceding aca-  
22 demic year; and

23 (3) the most recent monthly unemployment rate  
24 of the local area, as determined by the Secretary (in

1 consultation with the Secretary of Labor), in which  
2 the college is located.

3 (c) APPLICATION.—A career and technical college de-  
4 siring to receive a grant under this section shall submit  
5 an application to the Secretary at such time, in such man-  
6 ner, and containing such information as the Secretary may  
7 require, which shall include, at a minimum, information  
8 with respect to—

9 (1) the total number of students enrolled at the  
10 college; and

11 (2) the increase in the number of students en-  
12 rolled at the college relative to the preceding aca-  
13 demic year.

14 **SEC. 5. USES OF FUNDS.**

15 Each community college and career and technical col-  
16 lege receiving a grant under this Act shall use the grant  
17 funds within 18 months of receipt of such funds to cover  
18 costs related to maintaining, or hiring additional, faculty  
19 and staff, including—

20 (1) faculty;

21 (2) counselors; and

22 (3) other staff to assist students in training to  
23 enter the workforce, as defined by the Secretary.

1 **SEC. 6. GAO REPORT.**

2 (a) EVALUATION.—The Comptroller General of the  
3 United States shall conduct an evaluation of the grant  
4 programs carried out under sections 3 and 4, which shall  
5 include an evaluation of—

6 (1) the criteria the State or the Secretary used  
7 in awarding grants to community colleges and career  
8 and technical colleges;

9 (2) the grant amounts awarded to community  
10 colleges and career and technical colleges;

11 (3) the number of students served at such col-  
12 leges as a result of such assistance;

13 (4) the number of faculty and staff maintained  
14 or hired at such colleges as a result of such assist-  
15 ance; and

16 (5) the amount of State support for community  
17 colleges in each State for the—

18 (A) fiscal year immediately preceding the  
19 first fiscal year the State received funds under  
20 this section; and

21 (B) most recent fiscal year in which the  
22 State expended funds received under this sec-  
23 tion.

24 (b) REPORT.—Not later than 12 months after the  
25 date of the enactment of this Act, the Comptroller General  
26 of the United States shall report the results of the evalua-



tion conducted under subsection (a) to the authorizing committees.

**SEC. 7. AUTHORIZATION OF APPROPRIATIONS; LIMITATION ON AUTHORITY.**

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$750,000,000 to carry out this Act, of which \$50,000,000 shall be made available to carry out section 4.

(b) LIMITATION ON AUTHORITY.—Any new spending authority or new authority to enter into contracts provided by this Act and under which the United States is obligated to make outlays shall be effective only to the extent, and in such amounts, as are provided in advance in appropriations Acts.

**SEC. 8. DEFINITIONS.**

In this Act:

(1) AUTHORIZING COMMITTEES.—The term “authorizing committees” has the meaning given such term in section 103(1) of the Higher Education Act of 1965 (20 U.S.C. 1003(1)).

(2) COMMUNITY COLLEGE.—The term “community college” means a public institution of higher education at which the highest degree that is predominantly awarded to students is an associate’s degree.

1           (3) INCREASED UNEMPLOYMENT.—The term  
2           “increase in unemployed individuals” means the in-  
3           crease in the number of unemployed individuals over  
4           the most recent 12-month period for which data are  
5           available.

6           (4) INSTITUTION OF HIGHER EDUCATION.—The  
7           term “institution of higher education” has the  
8           meaning given such term in section 102 of the High-  
9           er Education Act of 1965 (20 U.S.C. 1002).

10          (5) EXCESS UNEMPLOYMENT.—The term “ex-  
11          cess unemployment” means the number of unem-  
12          ployed individuals in excess of the national unem-  
13          ployment rate.

14          (6) FREELY ASSOCIATED STATES.—The term  
15          “Freely Associated States” means the Republic of  
16          the Marshall Islands, the Federated States of Micro-  
17          nesia, and the Republic of Palau.

18          (7) NATIONAL UNEMPLOYMENT RATE.—The  
19          term “national unemployment rate” means the most  
20          recent national unemployment rate published by the  
21          Bureau of Labor Statistics of the Department of  
22          Labor.

23          (8) STATE.—The term “State” includes, in ad-  
24          dition to the several States of the United States, the  
25          Commonwealth of Puerto Rico, the District of Co-

1 lumbia, Guam, American Samoa, the United States  
2 Virgin Islands, the Commonwealth of the Northern  
3 Mariana Islands, and the Freely Associated States.

4 (9) CAREER AND TECHNICAL COLLEGE.—

5 (A) DEFINITION.—The term “career and  
6 technical college”—

7 (i) has the meaning given the term  
8 “area career and technical school” in sec-  
9 tion 3(3) of the Carl D. Perkins Career  
10 and Technical Education Act of 2006 (20  
11 U.S.C. 2302(3)); and

12 (ii) means a private institution of  
13 higher education at which the highest de-  
14 gree that is predominantly awarded to stu-  
15 dents is an associate’s degree.

16 (B) LOCATION OF COLLEGES.—Such term  
17 shall only include career and technical colleges  
18 (as defined in subparagraph A) located in a  
19 State.

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