

authorized activities described in subsection (d), the State shall consider only those expenditures from non-Federal sources that exceed the State's total expenditures for need-based grants, scholarships, and work-study assistance for fiscal year 1999 (including any such assistance provided under this subpart).

(j) Continuation and transition

For the two-year period that begins on August 14, 2008, the Secretary shall continue to award grants under section 1070c-3a of this title as such section existed on the day before August 14, 2008, to States that choose to apply for grants under such predecessor section.

(k) Reports

Not later than three years after August 14, 2008, and annually thereafter, the Secretary shall submit a report describing the activities and the impact of the partnerships under this section to the authorizing committees.

(Pub. L. 89-329, title IV, § 415E, as added Pub. L. 105-244, title IV, § 407(c)(2), Oct. 7, 1998, 112 Stat. 1666; amended Pub. L. 106-554, § 1(a)(1) [title III, § 316(2), (3)], Dec. 21, 2000, 114 Stat. 2763, 2763A-47; Pub. L. 110-315, title IV, § 407(c), Aug. 14, 2008, 122 Stat. 3216; Pub. L. 111-39, title IV, § 401(a)(6), July 1, 2009, 123 Stat. 1938; Pub. L. 116-260, div. FF, title VII, § 704(3), (5), Dec. 27, 2020, 134 Stat. 3200.)

Editorial Notes

REFERENCES IN TEXT

Section 1087ss of this title, referred to in subsec. (c)(1)(B)(vii), was generally amended by Pub. L. 116-260, div. FF, title VII, § 702(h), Dec. 27, 2020, 134 Stat. 3152, and, as so amended, no longer contains a subsec. (c).

PRIOR PROVISIONS

A prior section 415E of Pub. L. 89-329 was renumbered section 415F and is classified to section 1070c-4 of this title.

Another prior section 415E of Pub. L. 89-329 was classified to section 1070c-4 of this title prior to repeal by Pub. L. 96-374.

AMENDMENTS

2020—Subsec. (c)(1)(B)(vii). Pub. L. 116-260, § 704(5), substituted “automatic zero student aid index” for “automatic zero expected family contribution”.

Subsec. (d)(3)(A)(i). Pub. L. 116-260, § 704(3), substituted “a student aid index” for “an expected family contribution”.

2009—Subsec. (b)(1)(B). Pub. L. 111-39 substituted “Except as provided in clause (ii), if a” for “If a” in cl. (i), added cl. (ii), and redesignated former cl. (ii) as (iii).

2008—Pub. L. 110-315 amended section generally. Prior to amendment, section consisted of subsecs. (a) to (g) relating to a special leveraging educational assistance partnership program.

2000—Subsec. (c). Pub. L. 106-554, § 1(a)(1) [title III, § 316(2)], which directed amendment of section 415 of the Higher Education Act of 1965 in section 415E by adding subsec. (c) and striking out former subsec. (c), was executed to this section, which is section 415E of the Higher Education Act of 1965, to reflect the probable intent of Congress. Prior to amendment, subsec. (c) listed the activities for which States receiving a grant under this section were authorized to use the grant funds.

Subsecs. (f), (g). Pub. L. 106-554, § 1(a)(1) [title III, § 316(3)], which directed amendment of section 415 of the Higher Education Act of 1965 in section 415E by adding subsecs. (f) and (g), was executed by adding subsecs. (f)

and (g) to this section, which is section 415E of the Higher Education Act of 1965, to reflect the probable intent of Congress.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2020 AMENDMENT

Amendment by Pub. L. 116-260 effective July 1, 2024, except as otherwise expressly provided, and applicable with respect to award year 2024-2025 and each subsequent award year, as determined under this chapter, see section 701(b) of Pub. L. 116-260, set out as a note under section 1001 of this title.

EFFECTIVE DATE OF 2009 AMENDMENT

Amendment by Pub. L. 111-39 effective as if enacted on the date of enactment of Pub. L. 110-315 (Aug. 14, 2008), see section 3 of Pub. L. 111-39, set out as a note under section 1001 of this title.

EFFECTIVE DATE

Section effective Oct. 1, 1998, except as otherwise provided in Pub. L. 105-244, see section 3 of Pub. L. 105-244, set out as an Effective Date of 1998 Amendment note under section 1001 of this title.

§ 1070c-4. “Community service” defined

For the purpose of this subpart, the term “community service” means services, including direct service, planning, and applied research which are identified by an institution of higher education, through formal or informal consultation with local nonprofit, governmental, and community-based organizations, and which—

(1) are designed to improve the quality of life for community residents, particularly low-income individuals, or to solve particular problems related to the needs of such residents, including but not limited to, such fields as health care, child care, education, literacy training, welfare, social services, public safety, crime prevention and control, transportation, recreation, housing and neighborhood improvement, rural development, and community improvement; and

(2) provide participating students with work-learning opportunities related to their educational or vocational programs or goals.

(Pub. L. 89-329, title IV, § 415F, formerly § 415E, as added Pub. L. 99-498, title IV, § 401(a), Oct. 17, 1986, 100 Stat. 1336; amended Pub. L. 100-50, § 5, June 3, 1987, 101 Stat. 340; renumbered § 415F, Pub. L. 105-244, title IV, § 407(c)(1), Oct. 7, 1998, 112 Stat. 1666.)

Editorial Notes

PRIOR PROVISIONS

A prior section 1070c-4, Pub. L. 89-329, title IV, § 415E, as added Pub. L. 94-482, title I, § 123(c)(3), Oct. 12, 1976, 90 Stat. 2094; amended Pub. L. 95-43, § 1(a)(7), June 15, 1977, 91 Stat. 213, related to a program of bonus allotments, prior to repeal by Pub. L. 96-374, title IV, § 404(d), Oct. 3, 1980, 94 Stat. 1407, eff. Oct. 1, 1980.

AMENDMENTS

1987—Par. (1). Pub. L. 100-50 substituted “literacy” for “literary”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1987 AMENDMENT

Amendment by Pub. L. 100-50 effective as if enacted as part of the Higher Education Amendments of 1986,

Pub. L. 99-498, see section 27 of Pub. L. 100-50, set out as a note under section 1001 of this title.

§§ 1070d to 1070d-1d. Repealed. Pub. L. 102-325, title IV, § 402(a)(1), July 23, 1992, 106 Stat. 482

Section 1070d, Pub. L. 89-329, title IV, § 417A, as added Pub. L. 99-498, title IV, § 401(a), Oct. 17, 1986, 100 Stat. 1336, related to program authority and authorization of appropriations.

A prior section 1070d, Pub. L. 89-329, title IV, § 417A, as added Pub. L. 96-374, title IV, § 405, Oct. 3, 1980, 94 Stat. 1407, authorized a program of grants and contracts to assist students from disadvantaged backgrounds, prior to the general revision of this part by Pub. L. 99-498.

Another prior section 1070d, Pub. L. 89-329, title IV, § 417A, as added Pub. L. 92-318, title I, § 131(b)(1), June 23, 1972, 86 Stat. 258; amended Pub. L. 94-482, title I, § 124(a), Oct. 12, 1976, 90 Stat. 2094; Pub. L. 96-49, § 5(a)(5), Aug. 13, 1979, 93 Stat. 352; Pub. L. 96-374, title XIII, § 1391(a)(1), Oct. 3, 1980, 94 Stat. 1503, authorized the Secretary of Education to carry out special programs for students from disadvantaged backgrounds and authorized appropriations for such programs, prior to the general revision of this subpart by Pub. L. 96-374.

Section 1070d-1, Pub. L. 89-329, title IV, § 417B, as added Pub. L. 99-498, title IV, § 401(a), Oct. 17, 1986, 100 Stat. 1337, authorized a talent search program.

A prior section 1070d-1, Pub. L. 89-329, title IV, § 417B, as added Pub. L. 96-374, title IV, § 405, Oct. 3, 1980, 94 Stat. 1408, authorized a talent search program, prior to the general revision of this part by Pub. L. 99-498.

Another prior section 1070d-1, Pub. L. 89-329, title IV, § 417B, as added Pub. L. 92-318, title I, § 131(b)(1), June 23, 1972, 86 Stat. 258; amended Pub. L. 93-380, title VIII, § 833(a), Aug. 21, 1974, 88 Stat. 603; Pub. L. 94-482, title I, § 124(b), (c), Oct. 12, 1976, 90 Stat. 2094, 2095; Pub. L. 95-566, § 4, Nov. 1, 1978, 92 Stat. 2403; Pub. L. 96-374, title XIII, § 1391(a)(1), Oct. 3, 1980, 94 Stat. 1503, specified the authorized activities of the Secretary of Education in carrying out special programs for students from disadvantaged backgrounds, prior to the general revision of this subpart by Pub. L. 96-374.

Section 1070d-1a, Pub. L. 89-329, title IV, § 417C, as added Pub. L. 99-498, title IV, § 401(a), Oct. 17, 1986, 100 Stat. 1338, authorized an upward bound program.

A prior section 1070d-1a, Pub. L. 89-329, title IV, § 417C, as added Pub. L. 96-374, title IV, § 405, Oct. 3, 1980, 94 Stat. 1409, authorized an upward bound program, prior to the general revision of this part by Pub. L. 99-498.

Section 1070d-1b, Pub. L. 89-329, title IV, § 417D, as added Pub. L. 99-498, title IV, § 401(a), Oct. 17, 1986, 100 Stat. 1339; amended Pub. L. 100-50, § 6, June 3, 1987, 101 Stat. 340; Pub. L. 100-418, title VI, § 6271, Aug. 23, 1988, 102 Stat. 1523, related to student support services program.

A prior section 1070d-1b, Pub. L. 89-329, title IV, § 417D, as added Pub. L. 96-374, title IV, § 405, Oct. 3, 1980, 94 Stat. 1410, authorized a special services for disadvantaged students program, prior to the general revision of this part by Pub. L. 99-498.

Section 1070d-1c, Pub. L. 89-329, title IV, § 417E, as added Pub. L. 99-498, title IV, § 401(a), Oct. 17, 1986, 100 Stat. 1340, authorized an educational opportunity centers program.

A prior section 1070d-1c, Pub. L. 89-329, title IV, § 417E, as added Pub. L. 96-374, title IV, § 405, Oct. 3, 1980, 94 Stat. 1410, authorized an educational opportunity centers program, prior to the general revision of this part by Pub. L. 99-498.

Section 1070d-1d, Pub. L. 89-329, title IV, § 417F, as added Pub. L. 99-498, title IV, § 401(a), Oct. 17, 1986, 100 Stat. 1341, related to staff development activities.

A prior section 1070d-1d, Pub. L. 89-329, title IV, § 417F, as added Pub. L. 96-374, title IV, § 405, Oct. 3, 1980, 94 Stat. 1411, authorized grants for staff training, prior to the general revision of this part by Pub. L. 99-498.

SUBPART 5—SPECIAL PROGRAMS FOR STUDENTS WHOSE FAMILIES ARE ENGAGED IN MIGRANT AND SEASONAL FARMWORK

§ 1070d-2. Maintenance and expansion of existing programs

(a) Program authority

The Secretary shall maintain and expand existing secondary and postsecondary high school equivalency program and college assistance migrant program projects located at institutions of higher education or at private nonprofit organizations working in cooperation with institutions of higher education.

(b) Services provided by high school equivalency program

The services authorized by this subpart for the high school equivalency program include—

(1) recruitment services to reach persons—

(A)(i) who are 16 years of age and over; or

(ii) who are beyond the age of compulsory school attendance in the State in which such persons reside and are not enrolled in school;

(B)(i) who themselves, or whose immediate family, have spent a minimum of 75 days during the past 24 months in migrant and seasonal farmwork; or

(ii) who are eligible to participate, or have participated within the preceding 2 years, in programs under part C of title I of the Elementary and Secondary Education Act of 1965 [20 U.S.C. 6391 et seq.] or section 3222 of title 29; and

(C) who lack a high school diploma or its equivalent;

(2) educational services which provide instruction designed to help students obtain a general education diploma which meets the guidelines established by the State in which the project is located for high school equivalency;

(3) supportive services which include the following:

(A) personal, vocational, and academic counseling;

(B) placement services designed to place students in a university, college, or junior college program (including preparation for college entrance examinations), or in military service or career positions; and

(C) health services;

(4) information concerning, and assistance in obtaining, available student financial aid;

(5) stipends for high school equivalency program participants;

(6) housing for those enrolled in residential programs;

(7) exposure to cultural events, academic programs, and other educational and cultural activities usually not available to migrant youth;

(8) other essential supportive services (such as transportation and child care), as needed to ensure the success of eligible students; and

(9) other activities to improve persistence and retention in postsecondary education.

(c) Services provided by college assistance migrant program

(1) Services authorized by this subpart for the college assistance migrant program include—