

Another prior section 1070e, Pub. L. 89-329, title IV, § 420, formerly § 419, as added Pub. L. 92-318, title X, §1001(a), June 23, 1972, 86 Stat. 375; amended Pub. L. 96-374, title XIII, §1391(a)(1), Oct. 3, 1980, 94 Stat. 1503; renumbered Pub. L. 98-558, title VIII, §801(b)(1), Oct. 30, 1984, 98 Stat. 2902, related to payments to institutions of higher education, prior to the general amendment of this part by Pub. L. 99-498.

A prior section 1070e-1, Pub. L. 89-329, title IV, §420A, as added Pub. L. 99-498, title IV, §401(a), Oct. 17, 1986, 100 Stat. 1348; amended Pub. L. 100-50, §8, June 3, 1987, 101 Stat. 341; Pub. L. 102-54, §13(g)(2), June 13, 1991, 105 Stat. 275; Pub. L. 102-83, §5(c)(2), Aug. 6, 1991, 105 Stat. 406, related to veterans education outreach program, prior to repeal by Pub. L. 102-325, title IV, §408, July 23, 1992, 106 Stat. 510.

Another prior section 1070e-1, Pub. L. 89-329, title IV, §420A, formerly §420, as added Pub. L. 92-318, title X, §1001(a), June 23, 1972, 86 Stat. 378; amended Pub. L. 93-380, title VIII, §834(a), Aug. 21, 1974, 88 Stat. 604; Pub. L. 94-482, title I, §126(a)-(c), Oct. 12, 1976, 90 Stat. 2098; Pub. L. 95-336, §6(a), Aug. 4, 1978, 92 Stat. 453; Pub. L. 96-49, §5(a)(7), Aug. 13, 1979, 93 Stat. 352; Pub. L. 96-374, title IV, §407, Oct. 3, 1980, 94 Stat. 1412; Pub. L. 97-300, title I, §183, Oct. 13, 1982, 96 Stat. 1357; renumbered §420A, Pub. L. 98-558, title VIII, §801(b)(2), Oct. 30, 1984, 98 Stat. 2902, related to veterans' cost-of-instruction payments to institutions of higher education, prior to the general amendment of this part by Pub. L. 99-498.

#### AMENDMENTS

2008—Subsec. (b)(2)(B). Pub. L. 110-315, §410(a), designated existing provisions as cl. (i), inserted heading, substituted “Except as provided in clause (ii), a grant” for “A grant”, and added cl. (ii).

Subsec. (b)(4). Pub. L. 110-315, §410(b), inserted “, except that for any fiscal year for which the amount appropriated to carry out this section is equal to or greater than \$20,000,000, this sentence shall be applied by substituting ‘\$250,000’ for ‘\$350,000’” before period at end.

Subsec. (b)(7). Pub. L. 110-315, §410(c), amended par. (7) generally. Prior to amendment, text read as follows: “For the purpose of this section, the term ‘low-income student’ means a student who is eligible to receive a Federal Pell Grant for the fiscal year for which the determination is made.”

Subsec. (b)(8). Pub. L. 110-315, §410(d), added par. (8).

Subsec. (e)(1)(A). Pub. L. 110-315, §410(e)(1), substituted “annually” for “18 months, and 36 months, after receiving the first grant payment under this section”.

Subsec. (e)(2). Pub. L. 110-315, §410(e)(2), substituted “continuation awards” for “the third annual grant payment” and “the reports” for “the 18-month report”.

Subsec. (g). Pub. L. 110-315, §410(f), substituted “such sums as may be necessary for fiscal year 2009 and each of the five succeeding fiscal years” for “\$45,000,000 for fiscal year 1999 and such sums as may be necessary for each of the 4 succeeding fiscal years”.

#### Statutory Notes and Related Subsidiaries

##### 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.

#### SUBPART 8—[REPEALED]

##### Editorial Notes

##### CODIFICATION

Subpart 8 of part A of title IV of the Higher Education Act of 1965, which comprised this subpart, was originally added to Pub. L. 89-329, title IV, by Pub. L. 99-498, title IV, §401(a), Oct. 17, 1986, 100 Stat. 1352, and amended by Pub. L. 100-50, June 3, 1987, 101 Stat. 335;

Pub. L. 102-325, July 23, 1992, 106 Stat. 448. Subpart 8, which related to learning anytime anywhere partnerships, was set out as having been added by Pub. L. 105-244, title IV, §411, Oct. 7, 1998, 112 Stat. 1671, without reference to those intervening amendments because of the extensive revision of subpart 8 by Pub. L. 105-244.

#### **§§ 1070f to 1070f-6. Repealed. Pub. L. 110-315, title IV, § 411, Aug. 14, 2008, 122 Stat. 3226**

Section 1070f, Pub. L. 89-329, title IV, §420D, as added Pub. L. 105-244, title IV, §411, Oct. 7, 1998, 112 Stat. 1671, set out congressional findings.

A prior section 1070f, Pub. L. 89-329, title IV, §420B, as added Pub. L. 99-498, title IV, §401(a), Oct. 17, 1986, 100 Stat. 1352; amended Pub. L. 100-50, §9, June 3, 1987, 101 Stat. 341; Pub. L. 102-325, title IV, §409, July 23, 1992, 106 Stat. 510, related to special child care services for disadvantaged college students, prior to the general amendment of this subpart by Pub. L. 105-244.

Section 1070f-1, Pub. L. 89-329, title IV, §420E, as added Pub. L. 105-244, title IV, §411, Oct. 7, 1998, 112 Stat. 1672, related to the purpose of this subpart and the program authorized.

Section 1070f-2, Pub. L. 89-329, title IV, §420F, as added Pub. L. 105-244, title IV, §411, Oct. 7, 1998, 112 Stat. 1672, related to grant application.

Section 1070f-3, Pub. L. 89-329, title IV, §420G, as added Pub. L. 105-244, title IV, §411, Oct. 7, 1998, 112 Stat. 1672, set out authorized activities for funding.

Section 1070f-4, Pub. L. 89-329, title IV, §420H, as added Pub. L. 105-244, title IV, §411, Oct. 7, 1998, 112 Stat. 1673, provided for a matching requirement limiting Federal funds to not more than 50 percent of the cost of a project.

Section 1070f-5, Pub. L. 89-329, title IV, §420I, as added Pub. L. 105-244, title IV, §411, Oct. 7, 1998, 112 Stat. 1673, required that the Secretary use a peer review process to review applications and make recommendations for funding.

Section 1070f-6, Pub. L. 89-329, title IV, §420J, as added Pub. L. 105-244, title IV, §411, Oct. 7, 1998, 112 Stat. 1673, authorized appropriations for fiscal year 1999 and each of the 4 succeeding fiscal years.

#### SUBPART 9—TEACH GRANTS

#### **§ 1070g. Definitions**

For the purposes of this subpart:

##### **(1) Eligible institution**

The term “eligible institution” means an institution of higher education, as defined in section 1002 of this title, that the Secretary determines—

(A) provides high quality teacher preparation and professional development services, including extensive clinical experience as a part of pre-service preparation;

(B) is financially responsible;

(C) provides pedagogical course work, or assistance in the provision of such coursework, including the monitoring of student performance, and formal instruction related to the theory and practices of teaching; and

(D) provides supervision and support services to teachers, or assistance in the provision of such services, including mentoring focused on developing effective teaching skills and strategies.

##### **(2) Post-baccalaureate**

The term “post-baccalaureate” means a program of instruction for individuals who have completed a baccalaureate degree, that does not lead to a graduate degree, and that con-

sists of courses required by a State in order for a teacher candidate to receive a professional certification or licensing credential that is required for employment as a teacher in an elementary school or secondary school in that State, except that such term shall not include any program of instruction offered by an eligible institution that offers a baccalaureate degree in education.

**(3) Teacher candidate**

The term “teacher candidate” means a student or teacher described in subparagraph (A) or (B) of section 1070g-2(a)(2) of this title.

(Pub. L. 89-329, title IV, § 420L, as added Pub. L. 110-84, title I, § 104, Sept. 27, 2007, 121 Stat. 786; amended Pub. L. 110-153, § 3(1), Dec. 21, 2007, 121 Stat. 1824.)

**Editorial Notes**

AMENDMENTS

2007—Par. (1)(B). Pub. L. 110-153 substituted “responsible” for “sound”.

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE

Subpart effective Oct. 1, 2007, see section 1(c) of Pub. L. 110-84, set out as an Effective Date of 2007 Amendment note under section 1070a of this title.

**§ 1070g-1. Program established**

**(a) Program authority**

**(1) Payments required**

The Secretary shall pay to each eligible institution such sums as may be necessary to pay to each teacher candidate who files an application and agreement in accordance with section 1070g-2 of this title, and who qualifies under paragraph (2) of section 1070g-2(a) of this title, a TEACH Grant in the amount of \$4,000 for each year during which that teacher candidate is in attendance at the institution.

**(2) References**

Grants made under paragraph (1) shall be known as “Teacher Education Assistance for College and Higher Education Grants” or “TEACH Grants”.

**(b) Payment methodology**

**(1) Prepayment**

Not less than 85 percent of any funds provided to an eligible institution under subsection (a) shall be advanced to the eligible institution prior to the start of each payment period and shall be based upon an amount requested by the institution as needed to pay teacher candidates until such time as the Secretary determines and publishes in the Federal Register with an opportunity for comment, an alternative payment system that provides payments to institutions in an accurate and timely manner, except that this sentence shall not be construed to limit the authority of the Secretary to place an institution on a reimbursement system of payment.

**(2) Direct payment**

Nothing in this section shall be interpreted to prohibit the Secretary from paying directly

to teacher candidates, in advance of the beginning of the academic term, an amount for which teacher candidates are eligible, in cases where the eligible institution elects not to participate in the disbursement system required by paragraph (1).

**(3) Distribution of grants to teacher candidates**

Payments under this subpart shall be made, in accordance with regulations promulgated by the Secretary for such purpose, in such manner as will best accomplish the purposes of this subpart. Any disbursement allowed to be made by crediting the teacher candidate’s account shall be limited to tuition and fees and, in the case of institutionally-owned housing, room and board. The teacher candidate may elect to have the institution provide other such goods and services by crediting the teacher candidate’s account.

**(c) Reductions in amount**

**(1) Part-time students**

In any case where a teacher candidate attends an eligible institution on less than a full-time basis (including a teacher candidate who attends an eligible institution on less than a half-time basis) during any year, the amount of a grant under this subpart for which that teacher candidate is eligible shall be reduced in proportion to the degree to which that teacher candidate is not attending on a full-time basis, in accordance with a schedule of reductions established by the Secretary for the purposes of this subpart, computed in accordance with this subpart. Such schedule of reductions shall be established by regulation and published in the Federal Register in accordance with section 1089 of this title.

**(2) No exceeding cost**

The amount of a grant awarded under this subpart, in combination with Federal assistance and other assistance the student may receive, shall not exceed the cost of attendance (as defined in section 1087ll of this title) at the eligible institution at which that teacher candidate is in attendance.

**(d) Period of eligibility for grants**

**(1) Undergraduate and post-baccalaureate students**

The period during which an undergraduate or post-baccalaureate student may receive grants under this subpart shall be the period required for the completion of the first undergraduate baccalaureate or post-baccalaureate course of study being pursued by the teacher candidate at the eligible institution at which the teacher candidate is in attendance, except that—

(A) any period during which the teacher candidate is enrolled in a noncredit or remedial course of study as described in paragraph (3) shall not be counted for the purpose of this paragraph; and

(B) the total amount that a teacher candidate may receive under this subpart for undergraduate or post-baccalaureate study shall not exceed \$16,000.