

language and area center” and a period for the semicolon at end.

1998—Subsec. (a)(8). Pub. L. 105-244, §102(b)(8), substituted “section 1001” for “section 1141(a)” in two places and “of section 1001” for “of 1141(a)”.

Subsec. (a)(9). Pub. L. 105-244, §604(a), added par. (9).

Statutory Notes and Related Subsidiaries

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 OF 1998 AMENDMENT

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

EFFECTIVE DATE

Part effective Oct. 1, 1992, see section 2 of Pub. L. 102-325, set out as an Effective Date of 1992 Amendment note under section 1001 of this title.

§ 1132-1. Special rule

The Secretary may waive or reduce the non-Federal share required under this subchapter for institutions that—

- (1) are eligible to receive assistance under part A or B of subchapter III or under subchapter V; and
- (2) have submitted a grant application under this section that demonstrates a need for a waiver or reduction, as determined by the Secretary.

(Pub. L. 89-329, title VI, §632, as added Pub. L. 110-315, title VI, §622, Aug. 14, 2008, 122 Stat. 3343.)

Editorial Notes

PRIOR PROVISIONS

A prior section 1132-1, Pub. L. 89-329, title VI, §632, as added Pub. L. 102-325, title VI, §601, July 23, 1992, 106 Stat. 737, related to preservation of pre-1992 programs, prior to repeal by Pub. L. 105-244, §3, title VI, §604(b), Oct. 7, 1998, 112 Stat. 1585, 1786, effective Oct. 1, 1998.

§ 1132-2. Rule of construction

Nothing in this subchapter shall be construed to authorize the Secretary to mandate, direct, or control an institution of higher education's specific instructional content, curriculum, or program of instruction.

(Pub. L. 89-329, title VI, §633, as added Pub. L. 110-315, title VI, §622, Aug. 14, 2008, 122 Stat. 3343.)

§ 1132-3. Assessment

The Secretary is authorized to assess and ensure compliance with all the conditions and terms of grants provided under this subchapter.

(Pub. L. 89-329, title VI, §634, as added Pub. L. 110-315, title VI, §622, Aug. 14, 2008, 122 Stat. 3343.)

§ 1132-4. Evaluation, outreach, and information

The Secretary may use not more than one percent of the funds made available under this sub-

chapter to carry out program evaluation, national outreach, and information dissemination activities relating to the programs authorized under this subchapter.

(Pub. L. 89-329, title VI, §635, as added Pub. L. 110-315, title VI, §622, Aug. 14, 2008, 122 Stat. 3343.)

§ 1132-5. Report

The Secretary shall, in consultation and collaboration with the Secretary of State, the Secretary of Defense, and the heads of other relevant Federal agencies, submit a report once every two years that identifies areas of national need in foreign language, area, and international studies as such studies relate to government, education, business, and nonprofit needs, and a plan to address those needs. The report shall be provided to the authorizing committees and made available to the public.

(Pub. L. 89-329, title VI, §636, as added Pub. L. 110-315, title VI, §622, Aug. 14, 2008, 122 Stat. 3343.)

§ 1132-6. Science and technology advanced foreign language education grant program

(a) Purpose

It is the purpose of this section to support programs in institutions of higher education that—

- (1) encourage students to develop—
 - (A) an understanding of science and technology; and
 - (B) foreign language proficiency;

- (2) foster future international scientific collaboration;

- (3) provide for professional development opportunities for elementary school and secondary school teachers of critical foreign languages to increase the number of highly qualified teachers in critical foreign languages; and

- (4) increase the number of United States students who achieve the highest level of proficiency in foreign languages critical to the security and competitiveness of the Nation.

(b) Development

The Secretary shall develop a program for the awarding of grants to institutions of higher education that develop innovative programs for the teaching of foreign languages, which may include the preparation of teachers to teach foreign languages.

(c) Regulations and requirements

The Secretary shall promulgate regulations for the awarding of grants under subsection (b). Such regulations may require institutions of higher education to use grant funds for, among other things—

- (1) the development of an on-campus cultural awareness program by which students attend classes taught in a foreign language and study the science and technology developments and practices in a non-English speaking country;

- (2) immersion programs where students take science or technology related course work in a non-English speaking country;

- (3) other programs, such as summer workshops, that emphasize the intense study of a foreign language and science technology;

(4) if applicable, recruiting highly qualified teachers in critical foreign languages, and providing professional development activities for such teachers at the elementary school and secondary school levels; and

(5) providing innovative opportunities for students that will allow for critical language learning, such as immersion environments, intensive study opportunities, internships, and distance learning.

(d) Grant distribution

In distributing grants to institutions of higher education under this section, the Secretary shall give priority to—

(1) institutions that have programs focusing on curricula that combine the study of foreign languages and the study of science and technology and produce graduates who have both skills; and

(2) institutions teaching critical foreign languages.

(e) Report on best practices

Not later than one year after August 14, 2008, the Secretary shall—

(1) conduct a study to identify the best practices to strengthen the role of institutions of higher education that receive funding under subchapter III or subchapter V in increasing the critical foreign language education efforts in the United States; and

(2) submit a report on the results of such study to the authorizing committees.

(f) Appropriations authorized

There are authorized to be appropriated to carry out this section, such sums as may be necessary for fiscal year 2009 and for each subsequent fiscal year.

(Pub. L. 89-329, title VI, § 637, as added Pub. L. 110-315, title VI, § 622, Aug. 14, 2008, 122 Stat. 3343.)

§ 1132-7. Reporting by institutions

(a) Applicability

The data requirement in subsection (b) shall apply to an institution of higher education that receives funds for a center or program under this subchapter if—

(1) the amount of the contribution (including cash and the fair market value of any property) received from any foreign government or from a foreign private sector corporation or foundation during any fiscal year exceeds \$250,000 in the aggregate; and

(2) the aggregate contribution, or a significant part of the aggregate contribution, is to be used by a center or program receiving funds under this subchapter.

(b) Data required

The Secretary shall require an institution of higher education referred to in subsection (a) to report information listed in subsection (a) to the Secretary consistent with the requirements of section 1011f of this title.

(Pub. L. 89-329, title VI, § 638, as added Pub. L. 110-315, title VI, § 622, Aug. 14, 2008, 122 Stat. 3345.)

SUBCHAPTER VII—GRADUATE AND POST-SECONDARY IMPROVEMENT PROGRAMS

Editorial Notes

CODIFICATION

Title VII of the Higher Education Act of 1965, comprising this subchapter, was originally enacted by Pub. L. 89-329, title VII, Nov. 8, 1965, 79 Stat. 1266; amended Pub. L. 92-318, June 23, 1972, 86 Stat. 235; Pub. L. 94-482, Oct. 12, 1976, 90 Stat. 2081; Pub. L. 95-43, June 15, 1977, 91 Stat. 213; Pub. L. 96-49, Aug. 13, 1979, 93 Stat. 351; Pub. L. 96-374, Oct. 3, 1980, 94 Stat. 1367; Pub. L. 99-498, Oct. 17, 1986, 100 Stat. 1268; Pub. L. 100-50, June 3, 1987, 101 Stat. 335; Pub. L. 100-203, Dec. 22, 1987, 101 Stat. 1330; Pub. L. 100-369, July 18, 1988, 102 Stat. 835; Pub. L. 102-325, July 23, 1992, 106 Stat. 448; Pub. L. 103-208, Dec. 20, 1993, 107 Stat. 2457; Pub. L. 103-382, Oct. 20, 1994, 108 Stat. 3518; Pub. L. 104-208, Sept. 30, 1996, 110 Stat. 3009. Title VII is shown herein, however, as having been added by Pub. L. 105-244, title VII, § 701, Oct. 7, 1998, 112 Stat. 1786, without reference to those intervening amendments because of the extensive revision of title VII by Pub. L. 105-244.

PRIOR PROVISIONS

A prior section 1132a, Pub. L. 89-329, title VII, § 701, as added Pub. L. 99-498, title VII, § 701, Oct. 17, 1986, 100 Stat. 1520; amended Pub. L. 100-50, § 19(1), June 3, 1987, 101 Stat. 360; Pub. L. 102-325, title VII, § 701, July 23, 1992, 106 Stat. 737, authorized programs of assistance for construction, reconstruction, and renovation of academic facilities, prior to the general amendment of this subchapter by Pub. L. 105-244.

Another prior section 1132a, Pub. L. 89-329, title VII, § 701, as added Pub. L. 96-374, title VII, § 701, Oct. 3, 1980, 94 Stat. 1472, related to purpose of programs of financial assistance to institutions of higher education and to higher education building agencies, prior to the general amendment of this subchapter by Pub. L. 99-498.

Another prior section 1132a, Pub. L. 89-329, title VII, § 701, as added Pub. L. 92-318, title I, § 161(a), June 23, 1972, 86 Stat. 288; amended Pub. L. 94-482, title I, §§ 161(a), 162(a)(3), (b), Oct. 12, 1976, 90 Stat. 2156, 2157; Pub. L. 96-49, § 8(a), Aug. 13, 1979, 93 Stat. 353, authorized appropriations for a program of grants for the construction, reconstruction, and renovation of undergraduate facilities, prior to the general amendment of this subchapter by Pub. L. 96-374.

A prior section 1132a-1, Pub. L. 89-329, title VII, § 702, as added Pub. L. 99-498, title VII, § 701, Oct. 17, 1986, 100 Stat. 1521; amended Pub. L. 100-50, § 19(2), June 3, 1987, 101 Stat. 360; Pub. L. 102-325, title VII, § 702, July 23, 1992, 106 Stat. 738, related to prior rights and obligations prior to the general amendment of this subchapter by Pub. L. 105-244. For similar provisions, see section 1011j of this title.

Another prior section 1132a-1, Pub. L. 89-329, title VII, § 702, as added Pub. L. 96-374, title VII, § 701, Oct. 3, 1980, 94 Stat. 1472, authorized appropriations for fiscal years 1981 to 1985 to carry out programs for construction, reconstruction, and renovation of academic facilities, prior to the general amendment of this subchapter by Pub. L. 99-498.

Prior sections 1132a-1 to 1132a-7 were omitted in the general amendment of this subchapter by Pub. L. 96-374.

Section 1132a-1, Pub. L. 89-329, title VII, § 702, as added Pub. L. 92-318, title I, § 161(a), June 23, 1972, 86 Stat. 288; amended Pub. L. 94-482, title I, § 162(a)(3), Oct. 12, 1976, 90 Stat. 2156, provided for allotments of funds to public community colleges and technical institutes.

Section 1132a-2, Pub. L. 89-329, title VII, § 703, as added Pub. L. 92-318, title I, § 161(a), June 23, 1972, 86 Stat. 290; amended Pub. L. 94-482, title I, § 162(a)(3), Oct. 12, 1976, 90 Stat. 2156, related to allotments to institutions of higher education other than public community colleges and public technical institutes.

Section 1132a-3, Pub. L. 89-329, title VII, § 704, as added Pub. L. 92-318, title I, § 161(a), June 23, 1972, 86