

has served for 6 consecutive years shall thereafter be ineligible for appointment to the Board during a 2-year period following the expiration of such sixth year.

(b) Membership

The Secretary shall designate one of the members of the Board as Chairperson of the Board. A majority of the members of the Board shall be public interest representatives, including students, and a minority shall be educational representatives. All members selected shall be individuals able to contribute an important perspective on priorities for improvement in postsecondary education and strategies of educational and institutional change.

(c) Duties

The Board shall—

(1) advise the Secretary on priorities for the improvement of postsecondary education and make such recommendations as the Board may deem appropriate for the improvement of postsecondary education and for the evaluation, dissemination, and adaptation of demonstrated improvements in postsecondary educational practice;

(2) advise the Secretary on the operation of the Fund for the Improvement of Postsecondary Education, including advice on planning documents, guidelines, and procedures for grant competitions prepared by the Fund; and

(3) meet at the call of the Chairperson, except that the Board shall meet whenever one-third or more of the members request in writing that a meeting be held.

(d) Information and assistance

The Secretary shall make available to the Board such information and assistance as may be necessary to enable the Board to carry out its functions.

(Pub. L. 89-329, title VII, §742, as added Pub. L. 105-244, title VII, §701, Oct. 7, 1998, 112 Stat. 1797; amended Pub. L. 110-315, title VII, §707(h)(1), Aug. 14, 2008, 122 Stat. 3360.)

Editorial Notes

PRIOR PROVISIONS

Provisions similar to this section were contained in section 1135a of this title, prior to repeal by Pub. L. 105-244.

A prior section 1138a, Pub. L. 89-329, title XI, §1142, as added Pub. L. 102-325, title XI, §1101, July 23, 1992, 106 Stat. 789; amended Pub. L. 103-208, §2(j)(47), Dec. 20, 1993, 107 Stat. 2485, authorized grants for student literacy corps and student mentoring corps programs, prior to repeal by Pub. L. 105-244, §3, title VII, §702, Oct. 7, 1998, 112 Stat. 1585, 1803, effective Oct. 1, 1998.

Another prior section 1138a, Pub. L. 89-329, title XI, §1122, as added Pub. L. 99-498, title XI, §1101, Oct. 17, 1986, 100 Stat. 1571, authorized appropriations to carry out parts A and B of subchapter XI of this chapter, prior to the general amendment of such subchapter by Pub. L. 102-325.

A prior section 742 of Pub. L. 89-329 was classified to section 1132e-1 of this title, prior to the general amendment of this subchapter by Pub. L. 99-498.

Another prior section 742 of Pub. L. 89-329 was classified to section 1132c-1 of this title, prior to the general amendment of this subchapter by Pub. L. 96-374.

AMENDMENTS

2008—Subsec. (b). Pub. L. 110-315, §707(h)(1)(A), struck out par. (1) designation before “The Secretary shall

designate” and struck out par. (2). Prior to amendment, text of par. (2) read as follows: “The Secretary shall appoint the Director of the Fund for the Improvement of Postsecondary Education (hereafter in this part referred to as the ‘Director’).”

Subsec. (c)(1), (2). Pub. L. 110-315, §707(h)(1)(B), struck out “and the Director” after “Secretary”.

Subsec. (d). Pub. L. 110-315, §707(h)(1)(C), substituted “Secretary” for “Director”.

§ 1138b. Administrative provisions

The Secretary may appoint, for terms not to exceed 3 years, without regard to the provisions of title 5 governing appointments in the competitive service, not more than 7 technical employees to administer this part who may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

(Pub. L. 89-329, title VII, §743, as added Pub. L. 105-244, title VII, §701, Oct. 7, 1998, 112 Stat. 1797; amended Pub. L. 110-315, title VII, §707(h)(2), Aug. 14, 2008, 122 Stat. 3360.)

Editorial Notes

PRIOR PROVISIONS

Provisions similar to this section were contained in section 1135a-1 of this title, prior to repeal by Pub. L. 105-244.

A prior section 1138b, Pub. L. 89-329, title XI, §1143, as added Pub. L. 102-325, title XI, §1101, July 23, 1992, 106 Stat. 789, related to use of funds, prior to repeal by Pub. L. 105-244, §3, title VII, §702, Oct. 7, 1998, 112 Stat. 1585, 1803, effective Oct. 1, 1998.

Another prior section 1138b, Pub. L. 89-329, title XI, §1123, as added Pub. L. 99-498, title XI, §1101, Oct. 17, 1986, 100 Stat. 1571, defined terms, prior to the general amendment of subchapter XI of this chapter by Pub. L. 102-325.

A prior section 743 of Pub. L. 89-329 was classified to section 1132c-2 of this title, prior to the general amendment of this subchapter by Pub. L. 96-374.

AMENDMENTS

2008—Pub. L. 110-315 struck out subsec. (a) designation and heading before “The Secretary may appoint,” and struck out subsec. (b). Prior to amendment, text of subsec. (b) read as follows: “The Director shall establish procedures for reviewing and evaluating grants and contracts made or entered into under this part. Procedures for reviewing grant applications or contracts for financial assistance under this section may not be subject to any review outside of officials responsible for the administration of the Fund for the Improvement of Postsecondary Education.”

§ 1138c. Special projects

(a) Grant authority

The Secretary is authorized to make grants to institutions of higher education, or consortia thereof, and such other public agencies and nonprofit organizations as the Secretary deems necessary for innovative projects concerning one or more areas of particular national need identified by the Secretary.

(b) Application

No grant shall be made under this part unless an application is made at such time, in such manner, and contains or is accompanied by such information as the Secretary may require.

(c) Areas of national need

Areas of national need shall include, at a minimum, the following:

(1) Institutional restructuring to improve learning and promote productivity, efficiency, quality improvement, and cost reduction.

(2) Improvements in academic instruction and student learning, including efforts designed to assess the learning gains made by postsecondary students.

(3) Articulation between two- and four-year institutions of higher education, including developing innovative methods for ensuring the successful transfer of students from two- to four-year institutions of higher education.

(4) Development, evaluation, and dissemination of model courses, including model courses that—

(A) provide students with a broad and integrated knowledge base;

(B) include, at a minimum, broad survey courses in English literature, American and world history, American political institutions, economics, philosophy, college-level mathematics, and the natural sciences; and

(C) include study of a foreign language that leads to reading and writing competency in the foreign language.

(5) International cooperation and student exchanges among postsecondary educational institutions.

(6) Support of centers to incorporate education in quality and safety into the preparation of medical and nursing students, through grants to medical schools, nursing schools, and osteopathic schools. Such grants shall be used to assist in providing courses of instruction that specifically equip students to—

(A) understand the causes of, and remedies for, medical error, medically induced patient injuries and complications, and other defects in medical care;

(B) engage effectively in personal and systemic efforts to continually reduce medical harm; and

(C) improve patient care and outcomes, as recommended by the Institute of Medicine of the National Academies.

(Pub. L. 89-329, title VII, §744, as added Pub. L. 105-244, title VII, §701, Oct. 7, 1998, 112 Stat. 1798; amended Pub. L. 110-315, title VII, §707(f), (h)(3), Aug. 14, 2008, 122 Stat. 3359, 3361; Pub. L. 111-39, title VII, §701(3), July 1, 2009, 123 Stat. 1954.)

Editorial Notes

PRIOR PROVISIONS

Provisions similar to this section were contained in section 1135a-11 of this title, prior to repeal by Pub. L. 105-244.

A prior section 1138c, Pub. L. 89-329, title XI, §1144, as added Pub. L. 102-325, title XI, §1101, July 23, 1992, 106 Stat. 789; amended Pub. L. 103-382, title III, §391(e)(10), Oct. 20, 1994, 108 Stat. 4023, related to applications for grants, prior to repeal by Pub. L. 105-244, §3, title VII, §702, Oct. 7, 1998, 112 Stat. 1585, 1803, effective Oct. 1, 1998.

A prior section 744 of Pub. L. 89-329 was classified to section 1132c-3 of this title, prior to the general amendment of this subchapter by Pub. L. 96-374.

AMENDMENTS

2009—Subsec. (c)(6)(C). Pub. L. 111-39 inserted “of the National Academies” after “Institute of Medicine”.

2008—Subsec. (a). Pub. L. 110-315, §707(h)(3), substituted “Secretary” for “Director” wherever appearing.

Subsec. (c). Pub. L. 110-315, §707(f), amended subsec. (c) generally. Prior to amendment, text read as follows: “Areas of national need shall initially include, but shall not be limited to, the following:

“(1) Institutional restructuring to improve learning and promote productivity, efficiency, quality improvement, and cost and price control.

“(2) Articulation between 2- and 4-year institutions of higher education, including developing innovative methods for ensuring the successful transfer of students from 2- to 4-year institutions of higher education.

“(3) Evaluation and dissemination of model programs.

“(4) International cooperation and student exchange among postsecondary educational institutions.”

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.

§ 1138d. Authorization of appropriations

There are authorized to be appropriated to carry out this part such sums as may be necessary for fiscal year 2009 and each of the five succeeding fiscal years.

(Pub. L. 89-329, title VII, §745, as added Pub. L. 105-244, title VII, §701, Oct. 7, 1998, 112 Stat. 1798; amended Pub. L. 110-315, title VII, §707(g), Aug. 14, 2008, 122 Stat. 3360.)

Editorial Notes

PRIOR PROVISIONS

A prior section 1138d, Pub. L. 89-329, title XI, §1145, as added Pub. L. 102-325, title XI, §1101, July 23, 1992, 106 Stat. 791, related to technical assistance and coordination contract, prior to repeal by Pub. L. 105-244, §3, title VII, §702, Oct. 7, 1998, 112 Stat. 1585, 1803, effective Oct. 1, 1998.

A prior section 745 of Pub. L. 89-329 was classified to section 1132c-4 of this title, prior to the general amendment of this subchapter by Pub. L. 96-374.

A prior section 1138e, Pub. L. 89-329, title XI, §1146, as added Pub. L. 102-325, title XI, §1101, July 23, 1992, 106 Stat. 791, defined terms “institution of higher education” and “public community agency”, prior to repeal by Pub. L. 105-244, §3, title VII, §702, Oct. 7, 1998, 112 Stat. 1585, 1803, effective Oct. 1, 1998.

AMENDMENTS

2008—Pub. L. 110-315 substituted “such sums as may be necessary for fiscal year 2009 and each of the five succeeding fiscal years” for “\$30,000,000 for fiscal year 1999 and such sums as may be necessary for each of the 4 succeeding fiscal years”.

PART C—URBAN COMMUNITY SERVICE

§§ 1139 to 1139h. Repealed. Pub. L. 110-315, title VII, § 708, Aug. 14, 2008, 122 Stat. 3361

Section 1139, Pub. L. 89-329, title VII, §751, as added Pub. L. 105-244, title VII, §701, Oct. 7, 1998, 112 Stat. 1798, set out Congressional findings.

A prior section 1139, Pub. L. 89-329, title XI, §1151, as added Pub. L. 102-325, title XI, §1101, July 23, 1992, 106 Stat. 792, authorized appropriations for the innovative projects for community service program, student literacy corps program, and student mentoring corps program, prior to repeal by Pub. L. 105-244, §3, title VII, §702, Oct. 7, 1998, 112 Stat. 1585, 1803, effective Oct. 1, 1998.