

(II) enhance awareness and understanding of such fields among students with disabilities and other students;

(III) provide educational opportunities in such fields for students with disabilities and other students;

(IV) teach practical skills related to such fields to students with disabilities and other students; and

(V) offer work-based opportunities in such fields to students with disabilities and other students.

**(ii) Development**

The training and support described in subclauses (I) through (V) of clause (i) may include offering students—

(I) credit-bearing postsecondary-level coursework; and

(II) career and educational counseling.

**(F) Professional development and training sessions**

The conduct of professional development and training sessions for postsecondary faculty, staff, and administrators from other institutions of higher education to enable such individuals to meet the educational needs of students with disabilities.

**(G) Accessibility of education**

Making postsecondary education more accessible to students with disabilities through curriculum development, consistent with the principles of universal design for learning.

**(3) Mandatory evaluation and dissemination**

An institution of higher education awarded a grant, contract, or cooperative agreement under this subpart shall evaluate and disseminate to other institutions of higher education, the information obtained through the activities described in subparagraphs (A) through (G) of paragraph (2).

**(c) Considerations in making awards**

In awarding grants, contracts, or cooperative agreements under this subpart, the Secretary shall consider the following:

**(1) Geographic distribution**

Providing an equitable geographic distribution of such awards.

**(2) Rural and urban areas**

Distributing such awards to urban and rural areas.

**(3) Range and type of institution**

Ensuring that the activities to be assisted are developed for a range of types and sizes of institutions of higher education.

**(4) Prior experience or exceptional programs**

Distributing the awards to institutions of higher education with demonstrated prior experience in, or exceptional programs for, meeting the postsecondary educational needs of students with disabilities.

**(d) Reports**

**(1) Initial report**

Not later than one year after August 14, 2008, the Secretary shall prepare and submit to the

authorizing committees, and make available to the public, a report on all demonstration projects awarded grants under this part for any of fiscal years 1999 through 2008, including a review of the activities and program performance of such demonstration projects based on existing information as of the date of the report.

**(2) Subsequent report**

Not later than three years after the date of the first award of a grant under this subpart after August 14, 2008, the Secretary shall prepare and submit to the authorizing committees, and make available to the public, a report that—

(A) reviews the activities and program performance of the demonstration projects authorized under this subpart; and

(B) provides guidance and recommendations on how effective projects can be replicated.

(Pub. L. 89-329, title VII, §762, as added Pub. L. 110-315, title VII, §709(2), Aug. 14, 2008, 122 Stat. 3362.)

**Editorial Notes**

**PRIOR PROVISIONS**

A prior section 1140b, Pub. L. 89-329, title VII, §763, as added Pub. L. 105-244, title VII, §701, Oct. 7, 1998, 112 Stat. 1802, related to applications, prior to repeal by Pub. L. 110-315, title VII, §709(2), Aug. 14, 2008, 122 Stat. 3361.

A prior section 762 of Pub. L. 89-329 was classified to section 1140a of this title, prior to repeal by Pub. L. 110-315.

Another prior section 762 of Pub. L. 89-329 was classified to section 1132g-1 of this title, prior to repeal by Pub. L. 102-325.

Another prior section 762 of Pub. L. 89-329 was classified to section 1132d-1 of this title, prior to the general amendment of this subchapter by Pub. L. 96-374.

**§ 1140c. Applications**

Each institution of higher education desiring to receive a grant, contract, or cooperative agreement under this subpart shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require. Each application shall include—

(1) a description of the activities authorized under this subpart that the institution proposes to carry out, and how such institution plans to conduct such activities in order to further the purpose of this subpart;

(2) a description of how the institution consulted with a broad range of people within the institution to develop activities for which assistance is sought;

(3) a description of how the institution will coordinate and collaborate with the office that provides services to students with disabilities within the institution; and

(4) a description of the extent to which the institution will work to replicate the research-based and best practices of institutions of higher education with demonstrated effectiveness in serving students with disabilities.

(Pub. L. 89-329, title VII, §763, as added Pub. L. 110-315, title VII, §709(2), Aug. 14, 2008, 122 Stat. 3364.)

**Editorial Notes**

## PRIOR PROVISIONS

A prior section 1140c, Pub. L. 89-329, title VII, §764, as added Pub. L. 105-244, title VII, §701, Oct. 7, 1998, 112 Stat. 1803, established a rule of construction, prior to repeal by Pub. L. 110-315, title VII, §709(2), Aug. 14, 2008, 122 Stat. 3361.

A prior section 763 of Pub. L. 89-329 was classified to section 1140b of this title, prior to repeal by Pub. L. 110-315.

Another prior section 763 of Pub. L. 89-329 was classified to section 1132g-2 of this title, prior to repeal by Pub. L. 102-325.

Another prior section 763 of Pub. L. 89-329 was classified to section 1132d-2 of this title, prior to the general amendment of this subchapter by Pub. L. 96-374.

**§ 1140d. Rule of construction**

Nothing in this subpart shall be construed to impose any additional duty, obligation, or responsibility on an institution of higher education or on the institution's faculty, administrators, or staff than is required under section 794 of title 29 and the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

(Pub. L. 89-329, title VII, §764, as added Pub. L. 110-315, title VII, §709(2), Aug. 14, 2008, 122 Stat. 3365.)

**Editorial Notes**

## REFERENCES IN TEXT

The Americans with Disabilities Act of 1990, referred to in text, is Pub. L. 101-336, July 26, 1990, 104 Stat. 327, which is classified principally to chapter 126 (§12101 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 12101 of Title 42 and Tables.

## PRIOR PROVISIONS

A prior section 1140d, Pub. L. 89-329, title VII, §765, as added Pub. L. 105-244, title VII, §701, Oct. 7, 1998, 112 Stat. 1803, authorized appropriations, prior to repeal by Pub. L. 110-315, title VII, §709(2), Aug. 14, 2008, 122 Stat. 3361.

A prior section 764 of Pub. L. 89-329 was classified to section 1140c of this title, prior to repeal by Pub. L. 110-315.

Another prior section 764 of Pub. L. 89-329 was classified to section 1132g-3 of this title, prior to repeal by Pub. L. 102-325.

Another prior section 764 of Pub. L. 89-329 was classified to section 1132d-3 of this title, prior to the general amendment of this subchapter by Pub. L. 96-374.

**§ 1140e. Authorization of appropriations**

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

(Pub. L. 89-329, title VII, §765, as added Pub. L. 110-315, title VII, §709(2), Aug. 14, 2008, 122 Stat. 3365.)

**Editorial Notes**

## PRIOR PROVISIONS

A prior section 765 of Pub. L. 89-329 was classified to section 1140d of this title, prior to repeal by Pub. L. 110-315.

Another prior section 765 of Pub. L. 89-329 was classified to section 1132d-4 of this title, prior to the general amendment of this subchapter by Pub. L. 96-374.

## SUBPART 2—TRANSITION PROGRAMS FOR STUDENTS WITH INTELLECTUAL DISABILITIES INTO HIGHER EDUCATION

**§ 1140f. Purpose**

It is the purpose of this subpart to support model demonstration programs that promote the successful transition of students with intellectual disabilities into higher education.

(Pub. L. 89-329, title VII, §766, as added Pub. L. 110-315, title VII, §709(2), Aug. 14, 2008, 122 Stat. 3365.)

**Editorial Notes**

## PRIOR PROVISIONS

A prior section 766 of Pub. L. 89-329 was classified to section 1132d-5 of this title, prior to the general amendment of this subchapter by Pub. L. 96-374.

**§ 1140g. Model comprehensive transition and postsecondary programs for students with intellectual disabilities****(a) Grants authorized****(1) In general**

From amounts appropriated under section 1140i(a) of this title, the Secretary shall annually award grants, on a competitive basis, to institutions of higher education (or consortia of institutions of higher education), to enable the institutions or consortia to create or expand high quality, inclusive model comprehensive transition and postsecondary programs for students with intellectual disabilities.

**(2) Administration**

The program under this section shall be administered by the office in the Department that administers other postsecondary education programs.

**(3) Duration of grants**

A grant under this section shall be awarded for a period of 5 years.

**(b) Application**

An institution of higher education (or a consortium) desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

**(c) Award basis**

In awarding grants under this section, the Secretary shall—

(1) provide for an equitable geographic distribution of such grants;

(2) provide grant funds for model comprehensive transition and postsecondary programs for students with intellectual disabilities that will serve areas that are underserved by programs of this type; and

(3) give preference to applications submitted under subsection (b) that agree to incorporate into the model comprehensive transition and postsecondary program for students with intellectual disabilities carried out under the grant one or more of the following elements:

(A) The formation of a partnership with any relevant agency serving students with intellectual disabilities, such as a vocational rehabilitation agency.