

**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.)

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## 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.)

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## 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.