

(4) Amount of fellowship awards

Fellowship awards under this section shall consist of a stipend in an amount equal to the level of support provided to fellows under the National Science Foundation Graduate Research Fellowship Program, except that such stipend shall be adjusted as necessary so as not to exceed the fellow's tuition and fees or demonstrated need (as determined by the institution of higher education where the graduate student is enrolled), whichever is greater.

(5) Academic progress required

An individual student shall not be eligible to receive a fellowship award—

(A) except during periods in which such student is enrolled, and such student is maintaining satisfactory academic progress in, and devoting essentially full time to, study or research in the pursuit of the degree for which the fellowship support was awarded; and

(B) if the student is engaged in gainful employment, other than part-time employment in teaching, research, or similar activity determined by the eligible institution to be consistent with and supportive of the student's progress toward the appropriate degree.

(e) Rule of construction

Nothing in this section shall be construed to require an eligible institution that receives a grant under this section—

(1) to grant a preference to or to differentially treat any applicant for a faculty position as a result of the institution's participation in the program under this section; or

(2) to hire a Patsy T. Mink Fellow who completes this program and seeks employment at such institution.

(f) Authorization of appropriations

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

(Pub. L. 89-329, title VIII, §807, as added Pub. L. 110-315, title VIII, §801, Aug. 14, 2008, 122 Stat. 3392.)

PART H—IMPROVING COLLEGE ENROLLMENT BY
SECONDARY SCHOOLS

§ 1161h. Improving college enrollment by secondary schools**(a) In general**

From the amounts appropriated under subsection (c), the Secretary shall award a grant to one nonprofit organization described in subsection (b) to enable the nonprofit organization—

(1) to make publicly available the year-to-year postsecondary education enrollment rate trends of secondary school students, disaggregated by secondary school, in compliance with section 1232g of this title (commonly known as the “Family Educational Rights and Privacy Act of 1974”);

(2) to identify not less than 50 urban local educational agencies and five States with sig-

nificant rural populations, each serving a significant population of low-income students, and to carry out a comprehensive assessment in the agencies and States of the factors known to contribute to improved postsecondary education enrollment rates, which factors shall include—

(A) the local educational agency's and State's leadership strategies and capacities;

(B) the secondary school curriculum and class offerings of the local educational agency and State;

(C) the professional development used by the local educational agency and the State to assist teachers, guidance counselors, and administrators in supporting the transition of secondary students to postsecondary education;

(D) secondary school student attendance and other factors demonstrated to be associated with enrollment into postsecondary education;

(E) the use of data systems by the local educational agency and the State to measure postsecondary education enrollment rates and the incentives in place to motivate the efforts of faculty and students to improve student and schoolwide outcomes; and

(F) strategies to mobilize student leaders to build a college-bound culture; and

(3) to provide comprehensive services to improve the schoolwide postsecondary education enrollment rates of each of not less than ten local educational agencies and States, with the federally funded portion of each project declining by not less than 20 percent each year beginning in the second year of the comprehensive services, that—

(A) participated in the needs assessment described in paragraph (2); and

(B) demonstrated a willingness and commitment to improving the postsecondary education enrollment rates of the local educational agency or State, respectively.

(b) Grant recipient criteria

The recipient of the grant awarded under subsection (a) shall be a nonprofit organization with demonstrated expertise—

(1) in increasing schoolwide postsecondary enrollment rates in low-income communities nationwide by providing curriculum, training, and technical assistance to secondary school staff and student peer influencers; and

(2) in a postsecondary education transition data management system.

(c) Authorization of appropriations

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

(Pub. L. 89-329, title VIII, §808, as added Pub. L. 110-315, title VIII, §801, Aug. 14, 2008, 122 Stat. 3396; amended Pub. L. 111-39, title VIII, §801(3), July 1, 2009, 123 Stat. 1955.)

Editorial Notes

AMENDMENTS

2009—Subsec. (a)(1). Pub. L. 111-39 substituted “sec- tion 1232g of this title (commonly known as the ‘Fam-

ily Educational Rights and Privacy Act of 1974)’’ for ‘‘the Family Education Rights and Privacy Act of 1974’’.

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.

PART I—EARLY CHILDHOOD EDUCATION PROFESSIONAL DEVELOPMENT AND CAREER TASK FORCE

§ 1161i. Purpose

The purposes of this part are—

(1) to improve the quality of the early childhood education workforce by creating a statewide early childhood education professional development and career task force for early childhood education program staff, directors, administrators, and faculty; and

(2) to create—

(A) a coherent system of core competencies, pathways to qualifications, credentials, degrees, quality assurances, access, and outreach, for early childhood education program staff, directors, administrators, and faculty that is linked to compensation commensurate with experience and qualifications;

(B) articulation agreements that enable early childhood education professionals to transition easily among degrees; and

(C) compensation initiatives for individuals working in an early childhood education program that reflect the individuals’ credentials, degrees, and experience.

(Pub. L. 89-329, title VIII, §811, as added Pub. L. 110-315, title VIII, §801, Aug. 14, 2008, 122 Stat. 3397.)

§ 1161i-1. Definition of early childhood education program

In this part, the term ‘‘early childhood education program’’ means—

(1) a Head Start program or an Early Head Start program carried out under the Head Start Act (42 U.S.C. 9831 et seq.), including a migrant or seasonal Head Start program or an Indian Head Start program;

(2) a State licensed or regulated child care program; or

(3) a State prekindergarten program or a program authorized under section 619 [20 U.S.C. 1419] or part C [20 U.S.C. 1431 et seq.] of the Individuals with Disabilities Education Act, that serves children from birth through age six and that addresses the children’s cognitive (including language, early literacy, and pre-numeracy), social, emotional, and physical development.

(Pub. L. 89-329, title VIII, §812, as added Pub. L. 110-315, title VIII, §801, Aug. 14, 2008, 122 Stat. 3398.)

Editorial Notes

REFERENCES IN TEXT

The Head Start Act, referred to in par. (1), is subchapter B (§635 et seq.) of chapter 8 of subtitle A of

title VI of Pub. L. 97-35, Aug. 13, 1981, 95 Stat. 499, which is classified generally to subchapter II (§9831 et seq.) of chapter 105 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 9801 of Title 42 and Tables.

The Individuals with Disabilities Education Act, referred to in par. (3), is title VI of Pub. L. 91-230, Apr. 13, 1970, 84 Stat. 175. Part C of the Act is classified generally to subchapter III (§1431 et seq.) of chapter 33 of this title. For complete classification of this Act to the Code, see section 1400 of this title and Tables.

§ 1161i-2. Grants authorized

(a) In general

From the amounts appropriated under section 1161i-7 of this title, the Secretary is authorized to award grants to States in accordance with the provisions of this part to enable such States—

(1) to establish a State Task Force described in section 1161i-3 of this title; and

(2) to support activities of the State Task Force described in section 1161i-4 of this title.

(b) Competitive basis

Grants under this part shall be awarded on a competitive basis.

(c) Equitable geographic distribution

In awarding grants under this part, the Secretary shall take into consideration providing an equitable geographic distribution of such grants.

(d) Duration

Grants under this part shall be awarded for a period of five years.

(Pub. L. 89-329, title VIII, §813, as added Pub. L. 110-315, title VIII, §801, Aug. 14, 2008, 122 Stat. 3398.)

§ 1161i-3. State Task Force establishment

(a) State Task Force established

The Governor of a State receiving a grant under this part shall establish, or designate an existing entity to serve as, the State Early Childhood Education Professional Development and Career Task Force (hereafter in this part referred to as the ‘‘State Task Force’’).

(b) Membership

The State Task Force shall include a representative of a State agency, an institution of higher education (including an associate or a baccalaureate degree granting institution of higher education), an early childhood education program, a nonprofit early childhood organization, a statewide early childhood workforce scholarship or supplemental initiative, the State Head Start collaboration director, and any other entity or individual the Governor determines appropriate.

(Pub. L. 89-329, title VIII, §814, as added Pub. L. 110-315, title VIII, §801, Aug. 14, 2008, 122 Stat. 3398.)

§ 1161i-4. State Task Force activities

(a) Activities

The State Task Force shall—

(1) coordinate and communicate regularly with the State Advisory Council on Early Care