

projects by working in partnership with other institutions, community-based organizations, or combinations of such institutions and organizations, that are not receiving assistance under this division and are serving low-income students and first generation college students, in order to—

(1) disseminate and replicate best practices of programs or projects assisted under this division; and

(2) provide technical assistance regarding programs and projects assisted under this division.

**(d) Results**

In order to improve overall program or project effectiveness, the results of evaluations and grants described in this section shall be disseminated by the Secretary to similar programs or projects assisted under this subpart, as well as other individuals concerned with postsecondary access for and retention of low-income individuals and first-generation college students.

(Pub. L. 89-329, title IV, § 402H, as added Pub. L. 102-325, title IV, § 402(a)(4), July 23, 1992, 106 Stat. 491; amended Pub. L. 105-244, title IV, § 402(g), Oct. 7, 1998, 112 Stat. 1655; Pub. L. 110-315, title IV, § 403(h), Aug. 14, 2008, 122 Stat. 3204.)

AMENDMENTS

2008—Pub. L. 110-315, § 403(h)(1), substituted “Reports, evaluations, and grants for project improvement and dissemination” for “Evaluations and grants for project improvement and dissemination partnership projects” in section catchline.

Subsec. (a). Pub. L. 110-315, § 403(h)(3), added subsec. (a). Former subsec. (a) redesignated (b).

Subsec. (b). Pub. L. 110-315, § 403(h)(2), (4), redesignated subsec. (a) as (b), added pars. (1) to (4), and struck out former pars. (1) and (2) which read as follows:

“(1) IN GENERAL.—For the purpose of improving the effectiveness of the programs and projects assisted under this division, the Secretary may make grants to or enter into contracts with institutions of higher education and other public and private institutions and organizations to evaluate the effectiveness of the programs and projects assisted under this division.

“(2) PRACTICES.—The evaluations described in paragraph (1) shall identify institutional, community, and program or project practices that are particularly effective in enhancing the access of low-income individuals and first-generation college students to postsecondary education, the preparation of the individuals and students for postsecondary education, and the success of the individuals and students in postsecondary education. Such evaluations shall also investigate the effectiveness of alternative and innovative methods within Federal TRIO programs of increasing access to, and retention of, students in postsecondary education.”

Former subsec. (b) redesignated (c).

Subsecs. (c), (d). Pub. L. 110-315, § 403(h)(2), redesignated subsecs. (b) and (c) as (c) and (d), respectively.

1998—Pub. L. 105-244 amended section generally, revising and restating former subsecs. (a) to (c) relating to evaluation for project improvement.

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.

Division 2—Gaining Early Awareness and Readiness for Undergraduate Programs

CODIFICATION

Chapter 2 of subpart 2 of part A of title IV of the Higher Education Act of 1965, comprising this division,

was originally added to Pub. L. 89-329, title IV, by Pub. L. 102-325, title IV, § 402(a)(4), July 23, 1992, 106 Stat. 492, and amended by Pub. L. 103-208, Dec. 20, 1993, 107 Stat. 2457; Pub. L. 103-382, Oct. 20, 1994, 108 Stat. 3518; Pub. L. 104-193, Aug. 22, 1996, 110 Stat. 2105. Chapter 2 is shown herein, however, as having been added by Pub. L. 105-244, title IV, § 403, Oct. 7, 1998, 112 Stat. 1656, without reference to those intervening amendments because of the extensive revision of chapter 2 by Pub. L. 105-244.

**§ 1070a-21. Early intervention and college awareness program authorized**

**(a) Program authorized**

The Secretary is authorized, in accordance with the requirements of this division, to establish a program that encourages eligible entities to provide support, and maintain a commitment, to eligible low-income students, including students with disabilities, to assist the students in obtaining a secondary school diploma (or its recognized equivalent) and to prepare for and succeed in postsecondary education, by providing—

(1) financial assistance, academic support, additional counseling, mentoring, outreach, and supportive services to secondary school students, including students with disabilities, to reduce—

(A) the risk of such students dropping out of school; or

(B) the need for remedial education for such students at the postsecondary level; and

(2) information to students and their families about the advantages of obtaining a postsecondary education and, college financing options for the students and their families.

**(b) Awards**

**(1) In general**

From funds appropriated under section 1070a-28 of this title for each fiscal year, the Secretary shall make awards to eligible entities described in paragraphs (1) and (2) of subsection (c) of this section to enable the entities to carry out the program authorized under subsection (a) of this section.

**(2) Award period**

The Secretary may award a grant under this division to an eligible entity described in paragraphs (1) and (2) of subsection (c) for—

(A) six years; or

(B) in the case of an eligible entity that applies for a grant under this division for seven years to enable the eligible entity to provide services to a student through the student's first year of attendance at an institution of higher education, seven years.

**(3) Priority**

In making awards to eligible entities described in subsection (c)(1), the Secretary shall—

(A) give priority to eligible entities that—

(i) on the day before August 14, 2008, carried out successful educational opportunity programs under this division (as this division was in effect on such day); and

(ii) have a prior, demonstrated commitment to early intervention leading to col-

lege access through collaboration and replication of successful strategies; and

(B) ensure that students served under this division on the day before August 14, 2008, continue to receive assistance through the completion of secondary school.

**(c) “Eligible entity” defined**

For the purposes of this division, the term “eligible entity” means—

- (1) a State; or
- (2) a partnership—
  - (A) consisting of—
    - (i) one or more local educational agencies; and
    - (ii) one or more degree granting institutions of higher education; and

(B) which may include not less than two other community organizations or entities, such as businesses, professional organizations, State agencies, institutions or agencies sponsoring programs authorized under subpart 4, or other public or private agencies or organizations.

(Pub. L. 89-329, title IV, § 404A, as added Pub. L. 105-244, title IV, § 403, Oct. 7, 1998, 112 Stat. 1656; amended Pub. L. 110-315, title IV, § 404(a), Aug. 14, 2008, 122 Stat. 3206.)

**PRIOR PROVISIONS**

A prior section 1070a-21, Pub. L. 89-329, title IV, § 404A, as added Pub. L. 102-325, title IV, § 402(a)(4), July 23, 1992, 106 Stat. 492; amended Pub. L. 103-208, § 2(b)(12), Dec. 20, 1993, 107 Stat. 2459, authorized establishment of early intervention program, prior to the general amendment of this division by Pub. L. 105-244.

**AMENDMENTS**

2008—Subsec. (a). Pub. L. 110-315, § 404(a)(1), added subsec. (a) and struck out former subsec. (a). Prior to amendment, text read as follows: “The Secretary is authorized, in accordance with the requirements of this division, to establish a program that—

“(1) encourages eligible entities to provide or maintain a guarantee to eligible low-income students who obtain a secondary school diploma (or its recognized equivalent), of the financial assistance necessary to permit the students to attend an institution of higher education; and

“(2) supports eligible entities in providing—

“(A) additional counseling, mentoring, academic support, outreach, and supportive services to elementary school, middle school, and secondary school students who are at risk of dropping out of school; and

“(B) information to students and their parents about the advantages of obtaining a postsecondary education and the college financing options for the students and their parents.”

Subsec. (b)(2), (3). Pub. L. 110-315, § 404(a)(2), added pars. (2) and (3) and struck out former par. (2) which related to priority in making awards to eligible entities.

Subsec. (c)(2). Pub. L. 110-315, § 404(a)(3), added par. (2) and struck out former par. (2). Prior to amendment, text read as follows: “a partnership consisting of—

“(A) one or more local educational agencies acting on behalf of—

“(i) one or more elementary schools or secondary schools; and

“(ii) the secondary schools that students from the schools described in clause (i) would normally attend;

“(B) one or more degree granting institutions of higher education; and

“(C) at least two community organizations or entities, such as businesses, professional associations,

community-based organizations, philanthropic organizations, State agencies, institutions or agencies sponsoring programs authorized under subpart 4 of this part, or other public or private agencies or organizations.”

**EFFECTIVE DATE**

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

**EVALUATION OF TUITION GUARANTY PROGRAMS**

Pub. L. 102-325, title XIV, § 1407, July 23, 1992, 106 Stat. 819, directed Secretary of Education to conduct study of effectiveness of programs for disadvantaged children that promise the child financial resources needed to pursue postsecondary education in exchange for child’s commitment to achieve satisfactory elementary and secondary education, and to submit reports regarding study by June 30, 1996, and by Jan. 1, 1997, to committees of Congress, prior to repeal by Pub. L. 105-332, § 6(b)(2), Oct. 31, 1998, 112 Stat. 3128.

**§ 1070a-22. Requirements**

**(a) Funding rules**

In awarding grants from the amount appropriated under section 1070a-28 of this title for a fiscal year, the Secretary shall make available—

(1) to eligible entities described in section 1070a-21(c)(1) of this title, not less than 33 percent of such amount;

(2) to eligible entities described in section 1070a-21(c)(2) of this title, not less than 33 percent of such amount; and

(3) to eligible entities described in paragraph (1) or (2) of section 1070a-21(c) of this title, the remainder of such amount taking into consideration the number, quality, and promise of the applications for the grants, and, to the extent practicable—

(A) the geographic distribution of such grant awards; and

(B) the distribution of such grant awards between urban and rural applicants.

**(b) Coordination**

Each eligible entity shall ensure that the activities assisted under this division are, to the extent practicable, coordinated with, and complement and enhance—

(1) services under this division provided by other eligible entities serving the same school district or State; and

(2) related services under other Federal or non-Federal programs.

**(c) Designation of fiscal agent**

An eligible entity described in section 1070a-21(c)(2) of this title shall designate an institution of higher education or a local educational agency as the fiscal agent for the eligible entity.

**(d) Cohort approach**

**(1) In general**

The Secretary shall require that eligible entities described in section 1070a-21(c)(2) of this title—

(A) provide services under this division to at least one grade level of students, beginning not later than 7th grade, in a participating school that has a 7th grade and in