

(F) Staffing of the Center

In hiring employees of the National Center, the National Center shall consider the expertise and experience of prospective employees in providing training and technical assistance to practitioners.

(b) Coordinating center**(1) Definition of eligible entity**

In this subsection, the term “eligible entity” means an entity, or a partnership of entities, that has demonstrated expertise in the fields of—

- (A) higher education;
- (B) the education of students with intellectual disabilities;
- (C) the development of comprehensive transition and postsecondary programs for students with intellectual disabilities; and
- (D) evaluation and technical assistance.

(2) In general

From amounts appropriated under section 1140r of this title, the Secretary shall enter into a cooperative agreement, on a competitive basis, with an eligible entity for the purpose of establishing a coordinating center for institutions of higher education that offer inclusive comprehensive transition and postsecondary programs for students with intellectual disabilities, including institutions participating in grants authorized under subpart 2, to provide—

- (A) recommendations related to the development of standards for such programs;
- (B) technical assistance for such programs; and
- (C) evaluations for such programs.

(3) Administration

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

(4) Duration

The Secretary shall enter into a cooperative agreement under this subsection for a period of five years.

(5) Requirements of cooperative agreement

The eligible entity entering into a cooperative agreement under this subsection shall establish and maintain a coordinating center that shall—

- (A) serve as the technical assistance entity for all comprehensive transition and postsecondary programs for students with intellectual disabilities;
- (B) provide technical assistance regarding the development, evaluation, and continuous improvement of such programs;
- (C) develop an evaluation protocol for such programs that includes qualitative and quantitative methodologies for measuring student outcomes and program strengths in the areas of academic enrichment, socialization, independent living, and competitive or supported employment;
- (D) assist recipients of grants under subpart 2 in efforts to award a meaningful credential to students with intellectual disabilities

upon the completion of such programs, which credential shall take into consideration unique State factors;

(E) develop recommendations for the necessary components of such programs, such as—

- (i) academic, vocational, social, and independent living skills;
- (ii) evaluation of student progress;
- (iii) program administration and evaluation;
- (iv) student eligibility; and
- (v) issues regarding the equivalency of a student's participation in such programs to semester, trimester, quarter, credit, or clock hours at an institution of higher education, as the case may be;

(F) analyze possible funding streams for such programs and provide recommendations regarding the funding streams;

(G) develop model memoranda of agreement for use between or among institutions of higher education and State and local agencies providing funding for such programs;

(H) develop mechanisms for regular communication, outreach and dissemination of information about comprehensive transition and postsecondary programs for students with intellectual disabilities under subpart 2 between or among such programs and to families and prospective students;

(I) host a meeting of all recipients of grants under subpart 2 not less often than once each year; and

(J) convene a workgroup to develop and recommend model criteria, standards, and components of such programs as described in subparagraph (E), that are appropriate for the development of accreditation standards, which workgroup shall include—

- (i) an expert in higher education;
- (ii) an expert in special education;
- (iii) a disability organization that represents students with intellectual disabilities;
- (iv) a representative from the National Advisory Committee on Institutional Quality and Integrity; and
- (v) a representative of a regional or national accreditation agency or association.

(6) Report

Not later than five years after the date of the establishment of the coordinating center under this subsection, the coordinating center shall report to the Secretary, the authorizing committees, and the National Advisory Committee on Institutional Quality and Integrity on the recommendations of the workgroup described in paragraph (5)(J).

(Pub. L. 89-329, title VII, §777, as added Pub. L. 110-315, title VII, §709(2), Aug. 14, 2008, 122 Stat. 3373.)

PRIOR PROVISIONS

A prior section 777 of Pub. L. 89-329 was classified to section 1132h-6 of this title, prior to repeal by Pub. L. 102-325.

§ 1140r. Authorization of appropriations

There are authorized to be appropriated to carry out this subpart such sums as may be nec-

essary for fiscal year 2009 and each of the five succeeding fiscal years.

(Pub. L. 89-329, title VII, § 778, as added Pub. L. 110-315, title VII, § 709(2), Aug. 14, 2008, 122 Stat. 3377.)

PART E—COLLEGE ACCESS CHALLENGE GRANT PROGRAM

§ 1141. College access challenge grant program

(a) Authorization and appropriation

There are authorized to be appropriated, and there are appropriated, to carry out this section \$150,000,000 for each of the fiscal years 2010 through 2014. The authority to award grants under this section shall expire at the end of fiscal year 2014. In addition to the amount authorized and appropriated under the preceding sentence, 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.

(b) Program authorized

(1) Grants authorized

From amounts appropriated under subsection (a), the Secretary shall, subject to the availability of appropriations, award grants, from allotments under subsection (c), to States (and to philanthropic organization,¹ as appropriate under paragraph (3)) having applications approved under subsection (d), to enable the State (or philanthropic organization) to pay the Federal share of the costs of carrying out the activities and services described in subsection (f).

(2) Federal share; non-Federal share

(A) Federal share

The amount of the Federal share under this section for a fiscal year shall be equal to $\frac{2}{3}$ of the costs of the activities and services described in subsection (f) that are carried out under the grant.

(B) Non-Federal share

The amount of the non-Federal share under this section shall be equal to $\frac{1}{3}$ of the costs of the activities and services described in subsection (f). The non-Federal share may be in cash or in-kind, and may be provided from State resources, contributions from private organizations, or both.

(3) Reduction for failure to pay non-Federal share

If a State fails to provide the full non-Federal share required under this subsection, the Secretary shall reduce the amount of the grant payment under this section proportionately, and may award the proportionate reduction amount of the grant directly to a philanthropic organization, as defined in subsection (i), to carry out this section.

(4) Temporary ineligibility for subsequent payments

(A) In general

The Secretary shall determine a grantee to be temporarily ineligible to receive a

grant payment under this section for a fiscal year if—

(i) the grantee fails to submit an annual report pursuant to subsection (h) for the preceding fiscal year; or

(ii) the Secretary determines, based on information in such annual report, that the grantee is not effectively meeting the conditions described under subsection (g) and the goals of the application under subsection (d).

(B) Reinstatement

If the Secretary determines that a grantee is ineligible under subparagraph (A), the Secretary may enter into an agreement with the grantee setting forth the terms and conditions under which the grantee may regain eligibility to receive payments under this section.

(c) Determination of allotment

(1) Amount of allotment

Subject to paragraph (2), in making grant payments to grantees under this section, the allotment to each grantee for a fiscal year shall be equal to the sum of—

(A) the amount that bears the same relation to 50 percent of the amount appropriated under subsection (a) for such fiscal year as the number of residents in the State aged 5 through 17 who are living below the poverty line applicable to the resident's family size (as determined under section 9902(2) of title 42) bears to the total number of such residents in all States; and

(B) the amount that bears the same relation to 50 percent of the amount appropriated under subsection (a) for such fiscal year as the number of residents in the State aged 15 through 44 who are living below the poverty line applicable to the individual's family size (as determined under section 9902(2) of title 42) bears to the total number of such residents in all States.

(2) Minimum amount

The allotment for each State under this section for a fiscal year shall not be an amount that is less than 1.0 percent of the total amount appropriated under subsection (a) for such fiscal year.

(d) Submission and contents of application

(1) In general

For each fiscal year for which a grantee desires a grant payment under subsection (b), the State agency with jurisdiction over higher education, or another agency designated by the Governor or chief executive of the State to administer the program under this section, or a philanthropic organization, in accordance with subsection (b)(3), shall submit an application to the Secretary at such time, in such manner, and containing the information described in paragraph (2).

(2) Application

An application submitted under paragraph (1) shall include the following:

(A) A description of the grantee's capacity to administer the grant under this section

¹ So in original. Probably should be "organizations,".