

title IV, § 434, Jan. 23, 2004, 118 Stat. 141; Pub. L. 108-335, title III, § 340(a), Oct. 18, 2004, 118 Stat. 1348; Pub. L. 108-447, div. J, title I, § 103(a)(2), Dec. 8, 2004, 118 Stat. 3341.)

#### REFERENCES IN TEXT

The District of Columbia Business Corporation Act, referred to in subsec. (a)(2), is act June 8, 1954, ch. 269, 68 Stat. 179, as amended, which is not classified to the Code.

Sections 1132f-3 and 1132f-9 of this title, referred to in subsecs. (a)(3)(A) and (b)(5), were repealed by subsec. (d) of this section.

The District of Columbia School Reform Act of 1995, referred to in subsec. (e)(2)(A), is Pub. L. 104-134, title I, § 101(b) [title II], Apr. 26, 1996, 110 Stat. 1321-77, 1321-107, as amended, which amended former sections 6322, 6364, and 6365 of this title and enacted provisions set out as a note under former section 6322 of this title. For complete classification of this Act to the Code, see Tables.

#### CODIFICATION

Section was formerly classified to section 1132f-10 of this title.

Section enacted as part of the Student Loan Marketing Association Reorganization Act of 1996, and not as part of the Higher Education Act of 1965 which comprises this chapter.

Section is comprised of section 101(e) [title VI, § 603] of div. A of Pub. L. 104-208. Subsec. (d) of section 603 of title VI of section 101(e) of Pub. L. 104-208, repealed sections 1132f to 1132f-9 of this title.

#### AMENDMENTS

2004—Subsec. (e)(3)(C)(iv). Pub. L. 108-199 inserted “for a fiscal year” after “this subparagraph” and “for the fiscal year” before period at end.

Subsec. (e)(3)(E)(i)(IV). Pub. L. 108-335, § 340, as amended by Pub. L. 108-447, which directed the amendment of subsec. (e)(3)(E) by adding subcl. (IV) at the end, was executed by adding subcl. (IV) at the end of cl. (i), to reflect the probable intent of Congress.

2003—Subsec. (e)(3)(B)(ii), (C)(iii). Pub. L. 108-7, § 143(c)(1), substituted “Subject to subparagraph (F), the Mayor” for “The Mayor”.

Subsec. (e)(3)(F). Pub. L. 108-7, § 143(c)(2), added subpar. (F).

2001—Subsec. (e)(2)(B). Pub. L. 107-96, par. (2), which directed amendment of section 161 of Pub. L. 106-522, by inserting “revolving” after “enhancement” in second sentence of par. (2)(B), was executed by revising the amendment by Pub. L. 106-522, § 161(1), which had amended the second sentence of subsec. (e)(2)(B) of this section, to reflect the probable intent of Congress. See 2000 Amendment note below.

Subsec. (e)(3). Pub. L. 107-96, pars. (1), (3), amended Pub. L. 106-522, § 161(2). See 2000 Amendment note below.

Pub. L. 107-96, par. (2), which directed amendment of section 161 of Pub. L. 106-522, by inserting “revolving” after “enhancement” in heading of par. (3) and in par. (3)(A), was executed by revising the amendment by Pub. L. 106-522, § 161(2), which had added subsec. (e)(3) to this section, to reflect the probable intent of Congress. See 2000 Amendment note below.

Subsec. (e)(3)(C)(iv). Pub. L. 107-96, proviso, which directed amendment of the cap on administrative costs as amended by Pub. L. 106-522, § 161, by substituting “5 percent” for “10 percent”, could not be executed because the words “10 percent” did not appear in this section after the amendment of Pub. L. 106-522, § 161(2), by Pub. L. 107-96, par. (3). See 2000 Amendment note below.

2000—Subsec. (e)(2)(B). Pub. L. 106-553, § 1(a)(1) [§ 161(1)], which directed amendment identical to amendment by Pub. L. 106-522, § 161(1), below, was repealed by Pub. L. 106-554, § 1(a)(4) [div. A, § 406(a)]. See Effective Date and Construction of 2000 Amendment note below.

Pub. L. 106-522, § 161(1), as amended by Pub. L. 107-96, par. (2), amended second sentence generally. Prior to amendment, second sentence read as follows: “Of such amounts and proceeds, \$5,000,000 shall be set aside for use as a credit enhancement fund for public charter schools in the District of Columbia, with the administration of the fund (including the making of loans) to be carried out by the Mayor through a committee consisting of three individuals appointed by the Mayor of the District of Columbia and two individuals appointed by the Public Charter School Board established under section 2214 of the District of Columbia School Reform Act of 1995.”

Subsec. (e)(3). Pub. L. 106-553, § 1(a)(1) [§ 161(2)], which directed amendment identical to amendment by Pub. L. 106-522, § 161(2), below, was repealed by Pub. L. 106-554, § 1(a)(4) [div. A, § 406(a)]. See Effective Date and Construction of 2000 Amendment note below.

Pub. L. 106-522, § 161(2), as amended by Pub. L. 107-96, pars. (1) to (3), added par. (3).

1999—Subsec. (e)(2)(B). Pub. L. 106-113 inserted “and public charter” after “public” and inserted at end “Of such amounts and proceeds, \$5,000,000 shall be set aside for use as a credit enhancement fund for public charter schools in the District of Columbia, with the administration of the fund (including the making of loans) to be carried out by the Mayor through a committee consisting of three individuals appointed by the Mayor of the District of Columbia and two individuals appointed by the Public Charter School Board established under section 2214 of the District of Columbia School Reform Act of 1995.”

#### EFFECTIVE DATE OF 2004 AMENDMENT

Pub. L. 108-447, div. J, title I, § 103(b), Dec. 8, 2004, 118 Stat. 3343, provided that: “The amendments made by this section [amending this section] shall take effect as if included in the enactment of the District of Columbia Appropriations Act, 2005 [Pub. L. 108-335].”

#### EFFECTIVE DATE OF 2001 AMENDMENT

Pub. L. 107-96, Dec. 21, 2001, 115 Stat. 936, provided that the amendments made by that act to section 161 of Pub. L. 106-522 are effective as if included in Pub. L. 106-522.

#### EFFECTIVE DATE AND CONSTRUCTION OF 2000 AMENDMENT

Pub. L. 106-554, § 1(a)(4) [div. A, § 406], Dec. 21, 2000, 114 Stat. 2763, 2763A-189, provided that:

“(a) The provisions of H.R. 5547 (as enacted into law by H.R. 4942 of the 106th Congress) [H.R. 5547 as enacted by section 1(a)(1) of Pub. L. 106-553, amending this section and enacting provisions set out as a note under section 6301 of Title 31, Money and Finance] are repealed and shall be deemed for all purposes (including section 1(b) of H.R. 4942 [Pub. L. 106-553, 1 U.S.C. 112 note]) to have never been enacted.

“(b) The repeal made by this section shall take effect as if included in H.R. 4942 of the 106th Congress [Pub. L. 106-553] on the date of its enactment [Dec. 21, 2000].”

### SUBCHAPTER IX—ADDITIONAL PROGRAMS

#### PART A—PROJECT GRAD

### § 1161a. Project GRAD

#### (a) Purposes

The purposes of this section are—

(1) to provide support and assistance to programs implementing integrated education reform services in order to improve secondary school graduation, postsecondary program attendance, and postsecondary completion rates for low-income students; and

(2) to promote the establishment of new programs to implement such integrated education reform services.

**(b) Definitions**

In this section:

**(1) Low-income student**

The term “low-income student” means a student who is determined by a local educational agency to be from a low-income family using the measures described in section 6313(a)(5) of this title.

**(2) Feeder pattern**

The term “feeder pattern” means a secondary school and the elementary schools and middle schools that channel students into that secondary school.

**(c) Contract authorized**

From the amount appropriated to carry out this section, the Secretary is authorized to award a five-year contract to Project GRAD USA (referred to in this section as the “contractor”), a nonprofit education organization that has as its primary purpose the improvement of secondary school graduation and postsecondary attendance and completion rates for low-income students. Such contract shall be used to carry out the requirements of subsection (d) and to implement and sustain integrated education reform services through subcontractor activities described in subsection (e)(3) at existing Project GRAD program sites and to promote the expansion to new sites.

**(d) Requirements of contract**

The Secretary shall enter into an agreement with the contractor that requires that the contractor shall—

(1) enter into subcontracts with nonprofit educational organizations that serve a substantial number or percentage of low-income students (referred to in this subsection as “subcontractors”), under which the subcontractors agree to implement the Project GRAD programs described in subsection (e) and provide matching funds for such programs;

(2) directly carry out—

(A) activities to implement and sustain the literacy, mathematics, classroom management, social service, and postsecondary access programs further described in subsection (e)(3);

(B) activities to build the organizational and management capacity of the subcontractors to effectively implement and sustain the programs;

(C) activities for the purpose of improving and expanding the programs, including activities—

(i) to further articulate a program for one or more grade levels and across grade levels;

(ii) to tailor a program for a particular target audience; and

(iii) to provide tighter integration across programs;

(D) activities for the purpose of implementing new Project GRAD program sites;

(E) activities for the purpose of promoting greater public awareness of integrated education reform services to improve secondary school graduation and postsecondary attendance rates for low-income students; and

(F) other activities directly related to improving secondary school graduation and postsecondary attendance and completion rates for low-income students; and

(3) use contract funds available under this section to pay—

(A) the amount determined under subsection (f); and

(B) costs associated with carrying out the activities and providing the services, as provided in paragraph (2) of this subsection.

**(e) Supported programs****(1) Designation**

The subcontractor programs referred to in this subsection shall be known as Project GRAD programs.

**(2) Feeder patterns**

Each subcontractor shall implement a Project GRAD program and shall, with the agreement of the contractor—

(A) identify or establish not less than one feeder pattern of public schools; and

(B) provide the integrated educational reform services described in paragraph (3) at each identified feeder pattern.

**(3) Integrated education reform services**

The services provided through a Project GRAD program may include—

(A) research-based programs in reading, mathematics, and classroom management;

(B) campus-based social services programs, including a systematic approach to increase family and community involvement in the schools served by the Project GRAD program;

(C) a postsecondary access program that includes—

(i) providing postsecondary scholarships for students who meet established criteria;

(ii) proven approaches for increasing student and family postsecondary awareness; and

(iii) assistance for students in applying for higher education financial aid; and

(D) such other services identified by the contractor as necessary to increase secondary school graduation and postsecondary attendance and completion rates.

**(f) Use of funds**

Of the funds made available to carry out this section, not more than five percent of such funds, or \$4,000,000, whichever is less, shall be used by the contractor to pay for administration of the contract.

**(g) Contribution and matching requirement****(1) In general**

The contractor shall provide to each subcontractor an average of \$200 for each student served by the subcontractor in the Project GRAD program, adjusted to take into consideration—

(A) the resources or funds available in the area where the subcontractor will implement the Project GRAD program; and

(B) the need for the Project GRAD program in such area to improve student out-

comes, including reading and mathematics achievement, secondary school graduation, and postsecondary attendance and completion rates.

**(2) Matching requirement**

Each subcontractor shall provide funds for the Project GRAD program in an amount that is equal to the amount received by the subcontractor from the contractor. Such matching funds may be provided in cash or in kind, fairly evaluated.

**(3) Waiver authority**

The contractor may waive, in whole or in part, the requirement of paragraph (2) for a subcontractor, if the subcontractor—

(A) demonstrates that the subcontractor would not otherwise be able to participate in the program; and

(B) enters into an agreement with the contractor with respect to the amount to which the waiver will apply.

**(h) Evaluation**

**(1) Evaluation by the Secretary**

The Secretary shall select an independent entity to evaluate, every three years, the performance of students who participate in a Project GRAD program under this section. The evaluation shall—

(A) be conducted using a rigorous research design for determining the effectiveness of the Project GRAD programs funded under this section; and

(B) compare reading and mathematics achievement, secondary school graduation, and postsecondary attendance and completion rates of students who participate in a Project GRAD program funded under this section with those indicators for students of similar backgrounds who do not participate in such program.

**(2) Evaluation by contractor and subcontractors**

The contractor shall require each subcontractor to prepare an in-depth report of the results and the use of funds of each Project GRAD program funded under this section that includes—

(A) data on the reading and mathematics achievement of students involved in the Project GRAD program;

(B) data on secondary school graduation and postsecondary attendance and completion rates; and

(C) such financial reporting as required by the Secretary to review the effectiveness and efficiency of the program.

**(3) Availability of evaluations**

Copies of any evaluation or report prepared under this subsection shall be made available to—

(A) the Secretary; and

(B) the authorizing committees.

**(i) 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, §801, as added Pub. L. 110-315, title VIII, §801, Aug. 14, 2008, 122 Stat. 3378.)

PART B—MATHEMATICS AND SCIENCE SCHOLARS PROGRAM

**§ 1161b. Mathematics and science scholars program**

**(a) Program authorized**

From the amounts appropriated under subsection (f), the Secretary is authorized to award grants to States, on a competitive basis, to enable the States to encourage students to pursue a rigorous course of study, beginning in secondary school and continuing through the students' postsecondary education, in science, technology, engineering, mathematics, or a health-related field.

**(b) Applications**

**(1) In general**

A State that desires 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. A State may submit an application to receive a grant under subsection (c) or (d), or both.

**(2) Contents of application**

Each application shall include a description of—

(A) the program or programs for which the State is applying;

(B) if applicable, the priority set by the Governor pursuant to subsection (c)(4) or (d)(3); and

(C) how the State will meet the requirements of subsection (e).

**(c) Mathematics and science scholars program**

**(1) Grant for scholarships**

The Secretary shall award grants under this subsection to provide scholarship support to eligible students.

**(2) Eligible students**

A student is eligible for a scholarship under this subsection if the student—

(A) meets the requirements of section 1091(a) of this title;

(B) is a full-time student in the student's first year of undergraduate study; and

(C) has completed a rigorous secondary school curriculum in mathematics and science.

**(3) Rigorous curriculum**

Each participating State shall determine the requirements for a rigorous secondary school curriculum in mathematics and science described in paragraph (2)(C).

**(4) Priority for scholarships**

The Governor of a State may set a priority for awarding scholarships under this subsection for particular eligible students, such as students attending schools in high-need local educational agencies (as defined in section 1021 of this title), students who are from groups underrepresented in the fields of math-