

**(c) Areas of national need**

Areas of national need shall include, at a minimum, the following:

(1) Institutional restructuring to improve learning and promote productivity, efficiency, quality improvement, and cost reduction.

(2) Improvements in academic instruction and student learning, including efforts designed to assess the learning gains made by postsecondary students.

(3) Articulation between two- and four-year institutions of higher education, including developing innovative methods for ensuring the successful transfer of students from two- to four-year institutions of higher education.

(4) Development, evaluation, and dissemination of model courses, including model courses that—

(A) provide students with a broad and integrated knowledge base;

(B) include, at a minimum, broad survey courses in English literature, American and world history, American political institutions, economics, philosophy, college-level mathematics, and the natural sciences; and

(C) include study of a foreign language that leads to reading and writing competency in the foreign language.

(5) International cooperation and student exchanges among postsecondary educational institutions.

(6) Support of centers to incorporate education in quality and safety into the preparation of medical and nursing students, through grants to medical schools, nursing schools, and osteopathic schools. Such grants shall be used to assist in providing courses of instruction that specifically equip students to—

(A) understand the causes of, and remedies for, medical error, medically induced patient injuries and complications, and other defects in medical care;

(B) engage effectively in personal and systemic efforts to continually reduce medical harm; and

(C) improve patient care and outcomes, as recommended by the Institute of Medicine of the National Academies.

(Pub. L. 89-329, title VII, §744, as added Pub. L. 105-244, title VII, §701, Oct. 7, 1998, 112 Stat. 1798; amended Pub. L. 110-315, title VII, §707(f), (h)(3), Aug. 14, 2008, 122 Stat. 3359, 3361; Pub. L. 111-39, title VII, §701(3), July 1, 2009, 123 Stat. 1954.)

**PRIOR PROVISIONS**

Provisions similar to this section were contained in section 1135a-11 of this title, prior to repeal by Pub. L. 105-244.

A prior section 1138c, Pub. L. 89-329, title XI, §1144, as added Pub. L. 102-325, title XI, §1101, July 23, 1992, 106 Stat. 789; amended Pub. L. 103-382, title III, §391(e)(10), Oct. 20, 1994, 108 Stat. 4023, related to applications for grants, prior to repeal by Pub. L. 105-244, §3, title VII, §702, Oct. 7, 1998, 112 Stat. 1585, 1803, effective Oct. 1, 1998.

A prior section 744 of Pub. L. 89-329 was classified to section 1132c-3 of this title, prior to the general amendment of this subchapter by Pub. L. 96-374.

**AMENDMENTS**

2009—Subsec. (c)(6)(C). Pub. L. 111-39 inserted “of the National Academies” after “Institute of Medicine”.

2008—Subsec. (a). Pub. L. 110-315, §707(h)(3), substituted “Secretary” for “Director” wherever appearing.

Subsec. (c). Pub. L. 110-315, §707(f), amended subsec. (c) generally. Prior to amendment, text read as follows: “Areas of national need shall initially include, but shall not be limited to, the following:

“(1) Institutional restructuring to improve learning and promote productivity, efficiency, quality improvement, and cost and price control.

“(2) Articulation between 2- and 4-year institutions of higher education, including developing innovative methods for ensuring the successful transfer of students from 2- to 4-year institutions of higher education.

“(3) Evaluation and dissemination of model programs.

“(4) International cooperation and student exchange among postsecondary educational institutions.”

**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.

**§ 1138d. Authorization of appropriations**

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

(Pub. L. 89-329, title VII, §745, as added Pub. L. 105-244, title VII, §701, Oct. 7, 1998, 112 Stat. 1798; amended Pub. L. 110-315, title VII, §707(g), Aug. 14, 2008, 122 Stat. 3360.)

**PRIOR PROVISIONS**

A prior section 1138d, Pub. L. 89-329, title XI, §1145, as added Pub. L. 102-325, title XI, §1101, July 23, 1992, 106 Stat. 791, related to technical assistance and coordination contract, prior to repeal by Pub. L. 105-244, §3, title VII, §702, Oct. 7, 1998, 112 Stat. 1585, 1803, effective Oct. 1, 1998.

A prior section 745 of Pub. L. 89-329 was classified to section 1132c-4 of this title, prior to the general amendment of this subchapter by Pub. L. 96-374.

A prior section 1138e, Pub. L. 89-329, title XI, §1146, as added Pub. L. 102-325, title XI, §1101, July 23, 1992, 106 Stat. 791, defined terms “institution of higher education” and “public community agency”, prior to repeal by Pub. L. 105-244, §3, title VII, §702, Oct. 7, 1998, 112 Stat. 1585, 1803, effective Oct. 1, 1998.

**AMENDMENTS**

2008—Pub. L. 110-315 substituted “such sums as may be necessary for fiscal year 2009 and each of the five succeeding fiscal years” for “\$30,000,000 for fiscal year 1999 and such sums as may be necessary for each of the 4 succeeding fiscal years”.

**PART C—URBAN COMMUNITY SERVICE****§§ 1139 to 1139h. Repealed. Pub. L. 110-315, title VII, § 708, Aug. 14, 2008, 122 Stat. 3361**

Section 1139, Pub. L. 89-329, title VII, §751, as added Pub. L. 105-244, title VII, §701, Oct. 7, 1998, 112 Stat. 1798, set out Congressional findings.

A prior section 1139, Pub. L. 89-329, title XI, §1151, as added Pub. L. 102-325, title XI, §1101, July 23, 1992, 106 Stat. 792, authorized appropriations for the innovative projects for community service program, student literacy corps program, and student mentoring corps program, prior to repeal by Pub. L. 105-244, §3, title VII, §702, Oct. 7, 1998, 112 Stat. 1585, 1803, effective Oct. 1, 1998.

Another prior section 1139, Pub. L. 89-329, title XI, §1131, as added Pub. L. 99-498, title XI, §1101, Oct. 17, 1986, 100 Stat. 1572, stated purpose of providing assistance to establish Robert F. Wagner, Sr., Institute of Urban Public Policy, prior to the general amendment of subchapter XI of this chapter by Pub. L. 102-325.

Section 1139a, Pub. L. 89-329, title VII, §752, as added Pub. L. 105-244, title VII, §701, Oct. 7, 1998, 112 Stat. 1798, related to the purpose of this part and program authorization.

A prior section 1139a, Pub. L. 89-329, title XI, §1132, as added Pub. L. 99-498, title XI, §1101, Oct. 17, 1986, 100 Stat. 1572, related to application for and use of funds, prior to the general amendment of subchapter XI of this chapter by Pub. L. 102-325.

Section 1139b, Pub. L. 89-329, title VII, §753, as added Pub. L. 105-244, title VII, §701, Oct. 7, 1998, 112 Stat. 1799, related to application for urban community service grants.

A prior section 1139b, Pub. L. 89-329, title XI, §1133, as added Pub. L. 99-498, title XI, §1101, Oct. 17, 1986, 100 Stat. 1573, authorized appropriations, prior to the general amendment of subchapter XI of this chapter by Pub. L. 102-325.

Section 1139c, Pub. L. 89-329, title VII, §754, as added Pub. L. 105-244, title VII, §701, Oct. 7, 1998, 112 Stat. 1799, set out allowable activities.

Section 1139d, Pub. L. 89-329, title VII, §755, as added Pub. L. 105-244, title VII, §701, Oct. 7, 1998, 112 Stat. 1800, related to peer review.

Section 1139e, Pub. L. 89-329, title VII, §756, as added Pub. L. 105-244, title VII, §701, Oct. 7, 1998, 112 Stat. 1800, related to disbursement of funds.

Section 1139f, Pub. L. 89-329, title VII, §757, as added Pub. L. 105-244, title VII, §701, Oct. 7, 1998, 112 Stat. 1800, related to designation of "Urban Grant Institutions".

Section 1139g, Pub. L. 89-329, title VII, §758, as added Pub. L. 105-244, title VII, §701, Oct. 7, 1998, 112 Stat. 1801, set out definitions.

Section 1139h, Pub. L. 89-329, title VII, §759, as added Pub. L. 105-244, title VII, §701, Oct. 7, 1998, 112 Stat. 1801, authorized appropriations for fiscal year 1999 and each of the 4 succeeding fiscal years to carry out this part.

#### PART D—PROGRAMS TO PROVIDE STUDENTS WITH DISABILITIES WITH A QUALITY HIGHER EDUCATION

##### PRIOR PROVISIONS

A prior part D consisted of sections 1140 to 1140d and related to demonstration projects to ensure that students with disabilities receive a quality higher education, prior to repeal by Pub. L. 110-315, title VII, §709(2), Aug. 14, 2008, 122 Stat. 3361.

#### § 1140. Definitions

In this part:

##### (1) Comprehensive transition and postsecondary program for students with intellectual disabilities

The term "comprehensive transition and postsecondary program for students with intellectual disabilities" means a degree, certificate, or nondegree program that meets each of the following:

(A) Is offered by an institution of higher education.

(B) Is designed to support students with intellectual disabilities who are seeking to continue academic, career and technical, and independent living instruction at an institution of higher education in order to prepare for gainful employment.

(C) Includes an advising and curriculum structure.

(D) Requires students with intellectual disabilities to participate on not less than a half-time basis as determined by the institution, with such participation focusing on academic components, and occurring through 1 or more of the following activities:

(i) Regular enrollment in credit-bearing courses with nondisabled students offered by the institution.

(ii) Auditing or participating in courses with nondisabled students offered by the institution for which the student does not receive regular academic credit.

(iii) Enrollment in noncredit-bearing, nondegree courses with nondisabled students.

(iv) Participation in internships or work-based training in settings with nondisabled individuals.

(E) Requires students with intellectual disabilities to be socially and academically integrated with non-disabled students to the maximum extent possible.

#### (2) Student with an intellectual disability

The term "student with an intellectual disability" means a student—

(A) with a cognitive impairment, characterized by significant limitations in—

(i) intellectual and cognitive functioning; and

(ii) adaptive behavior as expressed in conceptual, social, and practical adaptive skills; and

(B) who is currently, or was formerly, eligible for a free appropriate public education under the Individuals with Disabilities Education Act [20 U.S.C. 1400 et seq.].

(Pub. L. 89-329, title VII, §760, as added Pub. L. 110-315, title VII, §709(2), Aug. 14, 2008, 122 Stat. 3361; amended Pub. L. 111-39, title VII, §701(4), July 1, 2009, 123 Stat. 1954; Pub. L. 111-256, §2(a), Oct. 5, 2010, 124 Stat. 2643.)

##### REFERENCES IN TEXT

The Individuals with Disabilities Education Act, referred to in par. (2)(B), is title VI of Pub. L. 91-230, Apr. 13, 1970, 84 Stat. 175, which is classified generally to chapter 33 (§1400 et seq.) of this title. For complete classification of this Act to the Code, see section 1400 of this title and Tables.

##### PRIOR PROVISIONS

A prior section 1140, Pub. L. 89-329, title VII, §761, as added Pub. L. 105-244, title VII, §701, Oct. 7, 1998, 112 Stat. 1801, stated the purpose of former part D, prior to repeal by Pub. L. 110-315, title VII, §709(2), Aug. 14, 2008, 122 Stat. 3361.

##### AMENDMENTS

2010—Par. (2)(A). Pub. L. 111-256 struck out "mental retardation or" before "a cognitive impairment".

2009—Par. (1). Pub. L. 111-39 added par. (1) and struck out former par. (1) which contained provisions substantially similar to new subpars. (A) to (D), defining "comprehensive transition and postsecondary program for students with intellectual disabilities".

##### 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,