

award under this subchapter until 2 years have elapsed since the expiration of the institution's most recent 5-year grant award under this subchapter, except that for the purpose of this subsection a grant under section 1103c(a) of this title shall not be considered a grant under this subchapter."

#### § 1101d. Special rule

No Hispanic-serving institution that is eligible for and receives funds under this subchapter may receive funds under part A or B of subchapter III during the period for which funds under this subchapter are awarded.

(Pub. L. 89-329, title V, §505, as added Pub. L. 105-244, title V, §501, Oct. 7, 1998, 112 Stat. 1770.)

#### PRIOR PROVISIONS

A prior section 505 of Pub. L. 89-329 was classified to section 1102d of this title prior to the general amendment of this subchapter by Pub. L. 105-244.

Another prior section 505 of Pub. L. 89-329 was classified to section 1091d of this title prior to repeal by Pub. L. 94-482.

#### PART B—PROMOTING POSTBACCALAUREATE OPPORTUNITIES FOR HISPANIC AMERICANS

#### PRIOR PROVISIONS

A prior part B consisting of sections 1103 to 1103g was redesignated part C by Pub. L. 110-315, title V, §502(a)(1), Aug. 14, 2008, 122 Stat. 3331.

Another prior part B consisted of sections 1103 to 1103g and related to National Teacher Academies prior to the general amendment of this subchapter by Pub. L. 105-244.

#### § 1102. Purposes

The purposes of this part are—

(1) to expand postbaccalaureate educational opportunities for, and improve the academic attainment of, Hispanic students; and

(2) to expand the postbaccalaureate academic offerings and enhance the program quality in the institutions of higher education that are educating the majority of Hispanic college students and helping large numbers of Hispanic and low-income students complete postsecondary degrees.

(Pub. L. 89-329, title V, §511, as added Pub. L. 110-315, title V, §502(a)(3), Aug. 14, 2008, 122 Stat. 3331.)

#### PRIOR PROVISIONS

A prior section 1102, Pub. L. 89-329, title V, §501, as added Pub. L. 102-325, title V, §501(a), July 23, 1992, 106 Stat. 655, related to authority and allocation of funds and defined terms, prior to the general amendment of this subchapter by Pub. L. 105-244.

Another prior section 1102, Pub. L. 89-329, title V, §512, Nov. 8, 1965, 79 Stat. 1255; Pub. L. 90-35, §3(a)(3), (4), June 29, 1967, 81 Stat. 85; Pub. L. 92-318, title I, §142, June 23, 1972, 86 Stat. 286; Pub. L. 94-482, title I, §151(a)(5)(B), Oct. 12, 1976, 90 Stat. 2152; Pub. L. 96-88, title III, §301(b)(2), title V, §508(l)(3), Oct. 17, 1979, 93 Stat. 677, 694; Pub. L. 96-374, title XIII, §1391(a)(1), Oct. 3, 1980, 94 Stat. 1503, related to establishment and administration of program, prior to repeal by Pub. L. 97-35, title V, §587(a)(2), Aug. 13, 1981, 95 Stat. 480, eff. Oct. 1, 1982.

A prior section 511 of Pub. L. 89-329 was renumbered section 521, and is classified to section 1103 of this title.

Another prior section 511 of Pub. L. 89-329 was classified to section 1103 of this title, prior to the general amendment of this subchapter by Pub. L. 105-244.

Another prior section 511 of Pub. L. 89-329 was classified to section 1103 of this title, prior to the general amendment of this subchapter by Pub. L. 102-325.

Another prior section 511 of Pub. L. 89-329 was classified to section 1101 of this title, prior to repeal by Pub. L. 97-35.

#### § 1102a. Program authority and eligibility

##### (a) Program authorized

Subject to the availability of funds appropriated to carry out this part, the Secretary shall award grants, on a competitive basis, to eligible institutions to enable the eligible institutions to carry out the authorized activities described in section 1102b of this title.

##### (b) Eligibility

For the purposes of this part, an "eligible institution" means an institution of higher education that—

(1) is a Hispanic-serving institution (as defined in section 1101a of this title); and

(2) offers a postbaccalaureate certificate or postbaccalaureate degree granting program.

(Pub. L. 89-329, title V, §512, as added Pub. L. 110-315, title V, §502(a)(3), Aug. 14, 2008, 122 Stat. 3332.)

#### PRIOR PROVISIONS

A prior section 1102a, Pub. L. 89-329, title V, §502, as added Pub. L. 102-325, title V, §501(a), July 23, 1992, 106 Stat. 656, related to State applications for allotments, prior to the general amendment of this subchapter by Pub. L. 105-244.

A prior section 512 of Pub. L. 89-329 was renumbered section 522, and is classified to section 1103a of this title.

Another prior section 512 of Pub. L. 89-329 was classified to section 1103a of this title, prior to the general amendment of this subchapter by Pub. L. 105-244.

Another prior section 512 of Pub. L. 89-329 was classified to section 1103a of this title, prior to the general amendment of this subchapter by Pub. L. 102-325.

Another prior section 512 of Pub. L. 89-329 was classified to section 1102 of this title, prior to repeal by Pub. L. 97-35.

#### § 1102b. Authorized activities

Grants awarded under this part shall be used for one or more of the following activities:

(1) Purchase, rental, or lease of scientific or laboratory equipment for educational purposes, including instructional and research purposes.

(2) Construction, maintenance, renovation, and improvement of classrooms, libraries, laboratories, and other instructional facilities, including purchase or rental of telecommunications technology equipment or services.

(3) Purchase of library books, periodicals, technical and other scientific journals, microfilm, microfiche, and other educational materials, including telecommunications program materials.

(4) Support for low-income postbaccalaureate students including outreach, academic support services, mentoring, scholarships, fellowships, and other financial assistance to permit the enrollment of such students in postbaccalaureate certificate and postbaccalaureate degree granting programs.

(5) Support of faculty exchanges, faculty development, faculty research, curriculum development, and academic instruction.