

- (i) on less than a full-time basis;
- (ii) via evening, weekend, modular, or compressed courses; or
- (iii) via distance education methods; and

(C) who—

- (i) enrolled for the first time in an institution of higher education three or more years after completing high school; or
- (ii) works full-time.

**(k) 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, §803, as added Pub. L. 110-315, title VIII, §801, Aug. 14, 2008, 122 Stat. 3382; amended Pub. L. 113-128, title V, §512(n)(5), July 22, 2014, 128 Stat. 1710.)

REFERENCES IN TEXT

The Carl D. Perkins Career and Technical Education Act of 2006, referred to in subsec. (i)(1), is Pub. L. 88-210, Dec. 18, 1963, 77 Stat. 403, as amended generally by Pub. L. 109-270, §1(b), Aug. 12, 2006, 120 Stat. 683, which is classified generally to chapter 44 (§2301 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2301 of this title and Tables.

The Workforce Innovation and Opportunity Act, referred to in subsec. (i)(1), is Pub. L. 113-128, July 22, 2014, 128 Stat. 1425, which enacted chapter 32 (§3101 et seq.) of Title 29, Labor, repealed chapter 30 (§2801 et seq.) of Title 29 and chapter 73 (§9201 et seq.) of Title 20, Education, and made amendments to numerous other sections and notes in the Code. Titles I and II of the Act are classified generally to subchapters I (§3111 et seq.) and II (§3271 et seq.), respectively, of chapter 32 of Title 29. For complete classification of this Act to the Code, see Short Title note set out under section 3101 of Title 29 and Tables.

AMENDMENTS

2014—Subsec. (i)(1). Pub. L. 113-128, §512(n)(5)(A), substituted “for changes to this chapter and related Acts, such as the Carl D. Perkins Career and Technical Education Act of 2006 and the Workforce Innovation and Opportunity Act (including titles I and II), to help create and sustain business and industry workforce partnerships at institutions of higher education” for “for changes to this chapter and related Acts, such as the Carl D. Perkins Career and Technical Education Act of 2006 and the Workforce Investment Act of 1998 (including titles I and II), to help create and sustain business and industry workforce partnerships at institutions of higher education”.

Subsec. (j)(1)(A)(ii). Pub. L. 113-128, §512(n)(5)(B)(i), substituted “local board (as such term is defined in section 3 of the Workforce Innovation and Opportunity Act)” for “local board (as such term is defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801))”.

Subsec. (j)(1)(B). Pub. L. 113-128, §512(n)(5)(B)(ii), substituted “a State board (as such term is defined in section 3 of the Workforce Innovation and Opportunity Act)” for “a State board (as such term is defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801))”.

EFFECTIVE DATE OF 2014 AMENDMENT

Amendment by Pub. L. 113-128 effective on the first day of the first full program year after July 22, 2014 (July 1, 2015), see section 506 of Pub. L. 113-128, set out as an Effective Date note under section 3101 of Title 29, Labor.

PART D—CAPACITY FOR NURSING STUDENTS AND FACULTY

**§ 1161d. Capacity for nursing students and faculty**

**(a) Authorization**

From the amounts appropriated under subsection (f), the Secretary shall award grants to institutions of higher education that offer—

(1) an accredited registered nursing program at the baccalaureate or associate degree level to enable such program to expand the faculty and facilities of such program to accommodate additional students in such program; or

(2) an accredited graduate-level nursing program to accommodate advanced practice degrees for registered nurses or to accommodate students enrolled in such program to become teachers of nursing students.

**(b) Determination of number of students and application**

Each institution of higher education that offers a program described in subsection (a) that desires to receive a grant under this section shall—

(1) determine, for the four academic years preceding the academic year for which the determination is made, the average number of matriculated nursing program students, in each of the institution’s accredited associate, baccalaureate, or advanced nursing degree programs at such institution for such academic years;

(2) submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require, including the average number in each of the institution’s accredited nursing programs determined under paragraph (1); and

(3) with respect to the partnerships described in subsection (c)(2)(B), provide assurances that—

(A) the individuals enrolled in the program will—

- (i) be registered nurses in pursuit of a master’s or doctoral degree in nursing; and
- (ii) have a contractual obligation with the hospital or health facility that is in partnership with the institution of higher education;

(B) the hospital or health facility of employment will be the clinical site for the accredited school of nursing program, if the program requires a clinical site;

(C) individuals enrolled in the program will—

- (i) maintain their employment on at least a part-time basis with the hospital or health facility that allowed them to participate in the program; and
- (ii) receive an income from the hospital or health facility, as at least a part-time employee, and release times or flexible schedules, to accommodate their program requirements, as necessary; and

(D) upon completion of the program, recipients of scholarships described in subsection (c)(2)(B)(ii)(III) will be required to teach for two years in an accredited school

of nursing for each year of support the individual received under this section.

**(c) Grant amount; award basis**

**(1) Grant amount**

For each academic year after academic year 2009-2010, the Secretary is authorized to provide to each institution of higher education awarded a grant under this section an amount that is equal to \$3,000 multiplied by the number by which—

(A) the number of matriculated nursing program students at such institution for such academic year, exceeds

(B) the average number determined with respect to such institution under subsection (b)(1).

**(2) Distribution of grants among different degree programs**

**(A) In general**

Subject to subparagraph (D), from the funds available to award grants under this section for each fiscal year, the Secretary shall—

(i) use 20 percent of such funds to award grants under this section to institutions of higher education for the purpose of accommodating advanced practice degrees or students in accredited graduate-level nursing programs;

(ii) use 40 percent of such funds to award grants under this section to institutions of higher education for the purpose of expanding accredited registered nurse programs at the baccalaureate degree level; and

(iii) use 40 percent of such funds to award grants under this section to institutions of higher education for the purpose of expanding accredited registered nurse programs at the associate degree level.

**(B) Optional uses of funds**

Grants awarded under this section may be used to support partnerships with hospitals or health facilities to—

(i) improve the alignment between nursing education and the emerging challenges of health care delivery by—

(I) the purchase of distance learning technologies and expanding methods of delivery of instruction to include alternatives to onsite learning; and

(II) the collection, analysis, and dissemination of data on educational outcomes and best practices identified through the activities described in this section; and

(ii) ensure that students can earn a salary while obtaining an advanced degree in nursing with the goal of becoming nurse faculty by—

(I) funding release time for qualified nurses enrolled in the graduate nursing program;

(II) providing for faculty salaries; or

(III) providing scholarships to qualified nurses in pursuit of an advanced degree with the goal of becoming faculty members in an accredited nursing program.

**(C) Considerations in making awards**

In awarding grants under this section, the Secretary shall consider the following:

**(i) Geographic distribution**

Providing an equitable geographic distribution of such grants.

**(ii) Urban and rural areas**

Distributing such grants to urban and rural areas.

**(iii) Range and type of institution**

Ensuring that the activities to be assisted are developed for a range of types and sizes of institutions of higher education, including institutions providing alternative methods of delivery of instruction in addition to on-site learning.

**(D) Distribution of excess funds**

If, for a fiscal year, funds described in clause (i), (ii), or (iii) of subparagraph (A) remain available after the Secretary awards grants under this section to all applicants for the particular category of accredited nursing programs described in such clause, the Secretary shall use equal amounts of the remaining funds to award grants under this section to applicants that applied under the other categories of nursing programs.

**(E) Limitation**

Of the amount appropriated to carry out this section, the Secretary may award not more than ten percent of such amount for the optional purposes under subparagraph (B).

**(d) Definitions**

For purposes of this section:

**(1) Health facility**

The term “health facility” means an Indian health service center, a Native Hawaiian health center, a hospital, a federally qualified health center, a rural health clinic, a nursing home, a home health agency, a hospice program, a public health clinic, a State or local department of public health, a skilled nursing facility, or an ambulatory surgical center.

**(2) Public Health Service Act**

The terms “accredited” and “school of nursing” have the meanings given those terms in section 801 of the Public Health Service Act (42 U.S.C. 296).

**(e) Prohibition**

**(1) In general**

Funds provided under this section may not be used for the construction of new facilities.

**(2) Rule of construction**

Nothing in paragraph (1) shall be construed to prohibit funds provided under this section from being used for the repair or renovation of facilities.

**(f) 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, §804, as added Pub. L. 110-315, title VIII, §801, Aug. 14, 2008, 122 Stat. 3385; amended Pub. L. 111-39, title VIII, §801(2), July 1, 2009, 123 Stat. 1955.)

#### AMENDMENTS

2009—Subsec. (d). Pub. L. 111-39 substituted “Definitions” for “Definition” in heading, added par. (2), and struck out former par. (2). Prior to amendment, text read as follows: “The terms ‘accredited school of nursing’ and ‘accredited nursing program’ have the meaning given those terms in section 296 of title 42.”

#### 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.

#### PART E—AMERICAN HISTORY FOR FREEDOM

### § 1161e. American history for freedom

#### (a) Grants authorized

From the amounts appropriated under subsection (f), the Secretary is authorized to award three-year grants, on a competitive basis, to eligible institutions to establish or strengthen postsecondary academic programs or centers that promote and impart knowledge of—

- (1) traditional American history;
- (2) the history and nature of, and threats to, free institutions; or
- (3) the history and achievements of Western civilization.

#### (b) Definitions

In this section:

##### (1) Eligible institution

The term “eligible institution” means an institution of higher education as defined in section 1001 of this title.

##### (2) Free institution

The term “free institution” means an institution that emerged out of Western civilization, such as democracy, constitutional government, individual rights, market economics, religious freedom and religious tolerance, and freedom of thought and inquiry.

##### (3) Traditional American history

The term “traditional American history” means—

- (A) the significant constitutional, political, intellectual, economic, and foreign policy trends and issues that have shaped the course of American history; and
- (B) the key episodes, turning points, and leading figures involved in the constitutional, political, intellectual, diplomatic, and economic history of the United States.

#### (c) Application

##### (1) In general

Each eligible institution 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 reasonably require.

##### (2) Contents

Each application submitted under paragraph (1) shall include a description of—

(A) how funds made available under this section will be used for the activities set forth under subsection (e), including how such activities will increase knowledge with respect to traditional American history, free institutions, or Western civilization;

(B) how the eligible institution will ensure that information about the activities funded under this section is widely disseminated pursuant to subsection (e)(1)(B);

(C) any activities to be undertaken pursuant to subsection (e)(2)(A), including identification of entities intended to participate;

(D) how funds made available under this section shall be used to supplement and not supplant non-Federal funds available for the activities described in subsection (e); and

(E) such fiscal controls and accounting procedures as may be necessary to ensure proper disbursement of and accounting for funding made available to the eligible institution under this section.

#### (d) Award basis

In awarding grants under this section, the Secretary shall take into consideration the capability of the eligible institution to—

- (1) increase access to quality programming that expands knowledge of traditional American history, free institutions, or Western civilization;
- (2) involve personnel with strong expertise in traditional American history, free institutions, or Western civilization; and
- (3) sustain the activities funded under this section after the grant has expired.

#### (e) Use of funds

##### (1) Required use of funds

Funds provided under this section shall be used to—

(A) establish or strengthen academic programs or centers focused on traditional American history, free institutions, or Western civilization, which may include—

- (i) design and implementation of programs of study, courses, lecture series, seminars, and symposia;
- (ii) development, publication, and dissemination of instructional materials;
- (iii) research;
- (iv) support for faculty teaching in undergraduate and, if applicable, graduate programs;
- (v) support for graduate and postgraduate fellowships, if applicable; or
- (vi) teacher preparation initiatives that stress content mastery regarding traditional American history, free institutions, or Western civilization; and

(B) conduct outreach activities to ensure that information about the activities funded under this section is widely disseminated—

- (i) to undergraduate students (including students enrolled in teacher education programs, if applicable);
- (ii) to graduate students (including students enrolled in teacher education programs, if applicable);
- (iii) to faculty;
- (iv) to local educational agencies; and