

## EFFECTIVE DATE

Section effective Oct. 1, 2009, see section 6101(a) of Pub. L. 111-13, set out as an Effective Date of 2009 Amendment note under section 4950 of this title.

**§ 12528. Federal, State, and local contributions****(a) Corporation share****(1) In general**

The Corporation share of the cost of carrying out a program for which a grant is made from an allotment under this part—

(A) for new grants may not exceed 80 percent of the total cost of the program for the first year of the grant period, 65 percent for the second year, and 50 percent for each remaining year; and

(B) for continuing grants, may not exceed 50 percent of the total cost of the program.

**(2) Noncorporation contribution**

In providing for the remaining share of the cost of carrying out such a program, each recipient of such a grant under this part—

(A) shall provide for such share through a payment in cash or in kind, fairly evaluated, including facilities, equipment, or services;

(B) except as provided in subparagraph (C), may provide for such share through Federal, State, or local sources, including private funds or donated services; and

(C) may not provide for such share through Federal funds made available under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) [20 U.S.C. 6301 et seq.] or the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).

**(b) Waiver**

The Chief Executive Officer may waive the requirements of subsection (a) in whole or in part with respect to any such program for any fiscal year, on a determination that such a waiver would be equitable due to a lack of resources at the local level.

(Pub. L. 101-610, title I, §116, as added Pub. L. 111-13, title I, §1201, Apr. 21, 2009, 123 Stat. 1473.)

## REFERENCES IN TEXT

The Elementary and Secondary Education Act of 1965, referred to in subsec. (a)(2)(C), is Pub. L. 89-10, Apr. 11, 1965, 79 Stat. 27. Title I of the Act is classified generally to subchapter I (§6301 et seq.) of chapter 70 of Title 20, Education. For complete classification of this Act to the Code, see Short Title note set out under section 6301 of Title 20 and Tables.

The Individuals with Disabilities Education Act, referred to in subsec. (a)(2)(C), 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 Title 20, Education. For complete classification of this Act to the Code, see section 1400 of Title 20 and Tables.

## PRIOR PROVISIONS

A prior section 12528, Pub. L. 101-610, title I, §115A, as added Pub. L. 103-82, title I, §103(a)(2), Sept. 21, 1993, 107 Stat. 831; amended Pub. L. 103-382, title III, §394(h)(3), Oct. 20, 1994, 108 Stat. 4028, related to participation of students and teachers from private schools, prior to the general amendment of this part by Pub. L. 111-13.

A prior section 116 of Pub. L. 101-610 was classified to section 12529 of this title prior to the general amendment of this part by Pub. L. 111-13.

Another prior section 116 of Pub. L. 101-610 was classified to section 12526 of this title prior to repeal by Pub. L. 103-82.

## EFFECTIVE DATE

Section effective Oct. 1, 2009, see section 6101(a) of Pub. L. 111-13, set out as an Effective Date of 2009 Amendment note under section 4950 of this title.

**§ 12529. Limitations on uses of funds**

Not more than 6 percent of the amount of assistance received by a State, territory, or Indian tribe that is the original recipient of an allotment under this part for a fiscal year may be used to pay, in accordance with such standards as the Corporation may issue, for administrative costs, incurred by that recipient.

(Pub. L. 101-610, title I, §117, as added Pub. L. 111-13, title I, §1201, Apr. 21, 2009, 123 Stat. 1474.)

## PRIOR PROVISIONS

A prior section 12529, Pub. L. 101-610, title I, §116, as added Pub. L. 103-82, title I, §103(a)(2), Sept. 21, 1993, 107 Stat. 832, related to Federal, State, and local contributions, prior to the general amendment of this part by Pub. L. 111-13, effective Oct. 1, 2009.

A prior section 117 of Pub. L. 101-610 was classified to section 12541 of this title prior to the general amendment of this part by Pub. L. 111-13.

Another prior section 117 of Pub. L. 101-610 was classified to section 12527 of this title prior to repeal by Pub. L. 103-82.

Prior sections 12530, 12531, 12541 to 12547, and 12551, comprising former subpart B of this part relating to community-based service programs for school-age youth and former subpart C of this part relating to establishment of a service-learning clearinghouse, were omitted in the general amendment of this part by Pub. L. 111-13.

Section 12530, Pub. L. 101-610, title I, §116A, as added Pub. L. 103-82, title I, §103(a)(2), Sept. 21, 1993, 107 Stat. 832, set forth limitations on uses of funds.

Section 12531, Pub. L. 101-610, title I, §116B, as added Pub. L. 103-82, title I, §103(a)(2), Sept. 21, 1993, 107 Stat. 833, defined terms used in former subpart A.

Another prior section 12531, Pub. L. 101-610, title I, §118, Nov. 16, 1990, 104 Stat. 3139; Pub. L. 102-10, §4(6), Mar. 12, 1991, 105 Stat. 30, related to higher education innovative projects for community service, prior to repeal by Pub. L. 103-82, §103(b).

Section 12541, Pub. L. 101-610, title I, §117, as added Pub. L. 103-82, title I, §103(a)(2), Sept. 21, 1993, 107 Stat. 833, defined terms used in former subpart B.

Another prior section 12541, Pub. L. 101-610, title I, §121, Nov. 16, 1990, 104 Stat. 3140, as amended, which prescribed general authority of Commission to make grants and transfer funds for youth corps programs, was renumbered section 199A of Pub. L. 101-610 by Pub. L. 103-82, §101(a), and transferred to section 12655 of this title.

Section 12542, Pub. L. 101-610, title I, §117A, as added Pub. L. 103-82, title I, §103(a)(2), Sept. 21, 1993, 107 Stat. 833, gave the Corporation grantmaking authority.

Another prior section 12542, Pub. L. 101-610, title I, §122, Nov. 16, 1990, 104 Stat. 3140, as amended, which related to allocation of funds by Commission for conservation and youth corps programs, was renumbered section 199B of Pub. L. 101-610 by Pub. L. 103-82, §101(a), and transferred to section 12655a of this title.

Section 12543, Pub. L. 101-610, title I, §117B, as added Pub. L. 103-82, title I, §103(a)(2), Sept. 21, 1993, 107 Stat. 834, set forth an application process for State grant eligibility.

Another prior section 12543, Pub. L. 101-610, title I, §123, Nov. 16, 1990, 104 Stat. 3141, as amended, which related to applications for assistance by States, Indian tribes and other local applicants, was renumbered section 199C of Pub. L. 101-610 by Pub. L. 103-82, §101(a), and transferred to section 12655b of this title.

Section 12544, Pub. L. 101-610, title I, §117C, as added Pub. L. 103-82, title I, §103(a)(2), Sept. 21, 1993, 107 Stat.

834, set forth an application process for local grant eligibility.

Another prior section 12544, Pub. L. 101-610, title I, § 124, Nov. 16, 1990, 104 Stat. 3143, as amended, which prescribed appropriate focus for conservation and youth service corps programs, was renumbered section 199D of Pub. L. 101-610 by Pub. L. 103-82, § 101(a), and transferred to section 12655c of this title.

Section 12545, Pub. L. 101-610, title I, § 117D, as added Pub. L. 103-82, title I, § 103(a)(2), Sept. 21, 1993, 107 Stat. 835, set forth application consideration criteria.

Another prior section 12545, Pub. L. 101-610, title I, § 125, Nov. 16, 1990, 104 Stat. 3144, which related to administration of related programs, was renumbered section 199E of Pub. L. 101-610 by Pub. L. 103-82, § 101(a), and transferred to section 12655d of this title.

Section 12546, Pub. L. 101-610, title I, § 117E, as added Pub. L. 103-82, title I, § 103(a)(2), Sept. 21, 1993, 107 Stat. 836, related to Federal, State, and local contributions.

Another prior section 12546, Pub. L. 101-610, title I, § 126, Nov. 16, 1990, 104 Stat. 3144, which related to program activities on public or Indian lands, was renumbered section 199F of Pub. L. 101-610 by Pub. L. 103-82, § 101(a), and transferred to section 12655e of this title.

Section 12547, Pub. L. 101-610, title I, § 117F, as added Pub. L. 103-82, title I, § 103(a)(2), Sept. 21, 1993, 107 Stat. 836, placed limitations on uses of funds.

Another prior section 12547, Pub. L. 101-610, title I, § 127, Nov. 16, 1990, 104 Stat. 3145, which related to training and education services, was renumbered section 199G of Pub. L. 101-610 by Pub. L. 103-82, § 101(a), and transferred to section 12655f of this title.

A prior section 12548, Pub. L. 101-610, title I, § 128, Nov. 16, 1990, 104 Stat. 3146, as amended, which related to amount of award and matching requirement, was renumbered section 199H of Pub. L. 101-610 by Pub. L. 103-82, title I, § 101(a), Sept. 21, 1993, 107 Stat. 788, and transferred to section 12655g of this title, prior to repeal by Pub. L. 103-82, § 101(e)(8)(A).

A prior section 12549, Pub. L. 101-610, title I, § 129, Nov. 16, 1990, 104 Stat. 3146, which related to preference for certain projects, was successively renumbered section 199I, then 199H, of Pub. L. 101-610 by Pub. L. 103-82, § 101(a), (e)(8)(B), and transferred to section 12655h of this title.

A prior section 12550, Pub. L. 101-610, title I, § 130, Nov. 16, 1990, 104 Stat. 3146, as amended, which related to age and citizenship criteria for enrollment, was successively renumbered section 199J, then 199I, of Pub. L. 101-610 by Pub. L. 103-82, § 101(a), (e)(8)(B), and transferred to section 12655i of this title.

Section 12551, Pub. L. 101-610, title I, § 118, as added Pub. L. 103-82, title I, § 103(a)(2), Sept. 21, 1993, 107 Stat. 836, required the Corporation to provide funds for a service-learning clearinghouse.

Another prior section 12551, Pub. L. 101-610, title I, § 131, Nov. 16, 1990, 104 Stat. 3147, which related to use of volunteers in assisting program projects, was successively renumbered section 199K, then 199J, of Pub. L. 101-610 by Pub. L. 103-82, § 101(a), (e)(8)(B), and transferred to section 12655j of this title.

A prior section 12552, Pub. L. 101-610, title I, § 132, Nov. 16, 1990, 104 Stat. 3147, which related to post-service benefits, was renumbered section 199L of Pub. L. 101-610 by Pub. L. 103-82, § 101(a), and transferred to section 12655k of this title, prior to repeal by Pub. L. 103-82, § 101(e)(8)(A).

A prior section 12553, Pub. L. 101-610, title I, § 133, Nov. 16, 1990, 104 Stat. 3147, as amended, which related to living allowance, was successively renumbered section 199M, then 199K, of Pub. L. 101-610 by Pub. L. 103-82, § 101(a), (e)(8)(B), and transferred to section 12655l of this title.

A prior section 12554, Pub. L. 101-610, title I, § 134, Nov. 16, 1990, 104 Stat. 3148, which related to joint programs, was successively renumbered section 199N, then 199L, of Pub. L. 101-610 by Pub. L. 103-82, § 101(a), (e)(8)(B), and transferred to section 12655m of this title.

A prior section 12555, Pub. L. 101-610, title I, § 135, Nov. 16, 1990, 104 Stat. 3149, which related to Federal

and State employee status, was successively renumbered section 199O, then 199M, of Pub. L. 101-610 by Pub. L. 103-82, § 101(a), (e)(8)(B), and transferred to section 12655n of this title.

A prior section 12556, Pub. L. 101-610, title I, § 136, Nov. 16, 1990, 104 Stat. 3150, directed Commission on National and Community Service to promulgate regulations implementing American Conservation Youth Corps program and established procedures for promulgation, prior to repeal by Pub. L. 102-10, § 5(7), Mar. 12, 1991, 105 Stat. 31.

#### EFFECTIVE DATE

Section effective Oct. 1, 2009, see section 6101(a) of Pub. L. 111-13, set out as an Effective Date of 2009 Amendment note under section 4950 of this title.

#### PART II—HIGHER EDUCATION INNOVATIVE PROGRAMS FOR COMMUNITY SERVICE

### § 12561. Higher education innovative programs for community service

#### (a) Purpose

It is the purpose of this part to expand participation in community service by supporting innovative community service programs through service-learning carried out through institutions of higher education, acting as civic institutions to meet the human, educational, environmental, or public safety needs of neighboring communities.

#### (b) General authority

The Corporation, in consultation with the Secretary of Education, is authorized to make grants to, and enter into contracts with, institutions of higher education (including a consortium of such institutions), and partnerships comprised of such institutions and of other public or private nonprofit organizations, to pay for the Federal share of the cost of—

(1) enabling such an institution or partnership to create or expand an organized community service program that—

(A) engenders a sense of social responsibility and commitment to the community in which the institution is located;

(B) provides projects for participants, who shall be students, faculty, administration, or staff of the institution, or residents of the community; and

(C) the institution or partnership may coordinate with service-learning curricula being offered in the academic curricula at the institution of higher education or at 1 or more members of the partnership;

(2) supporting student-initiated and student-designed community service projects through the program;

(3) strengthening the leadership and instructional capacity of institutions of higher education and their faculty, with respect to service-learning, by—

(A) including service-learning as a key component of the preservice teacher curricula of the institution to strengthen the instructional capacity of teachers to provide service-learning at the elementary and secondary levels;

(B) including service-learning as a component of other curricula or academic programs (other than education curricula or