



PUBLIC LAW 110-315—AUG. 14, 2008

HIGHER EDUCATION OPPORTUNITY ACT

**PART B—UNITED STATES INSTITUTE OF
PEACE ACT**

SEC. 921. UNITED STATES INSTITUTE OF PEACE ACT.

(a) **POWERS AND DUTIES.**—Section 1705(b)(3) of the United States Institute of Peace Act (22 U.S.C. 4604(b)(3)) is amended by striking “the Arms Control and Disarmament Agency,”.

(b) **BOARD OF DIRECTORS.**—

(1) **AMENDMENTS.**—Section 1706 of the United States Institute of Peace Act (22 U.S.C. 4605) is amended—

(A) by striking “(b)(5)” each place the term appears and inserting “(b)(4)”; and

(B) in subsection (e), by adding at the end the following:

“(5) The term of a member of the Board shall not commence until the member is confirmed by the Senate and sworn in as a member of the Board.”.

(2) **EFFECTIVE DATE.**—The amendments made by paragraph (1) shall take effect as if enacted on June 1, 2007, and shall apply to any member of the Board of Directors of the Institute of Peace confirmed by the Senate and sworn in as a member of the Board of Directors on or after such date.

(c) **FUNDING.**—Section 1710 of the United States Institute of Peace Act (22 U.S.C. 4609) is amended—

(1) in subsection (a)(1), by striking “to be appropriated” and all that follows through the period at the end and inserting “to be appropriated such sums as may be necessary for fiscal years 2009 through 2014.”; and

(2) by adding at the end the following:

“(d) **EXTENSION.**—Any authorization of appropriations made for the purposes of carrying out this title shall be extended in the same manner as applicable programs are extended under section 422 of the General Education Provisions Act.”.

PART C—THE HIGHER EDUCATION AMENDMENTS OF 1998; THE HIGHER EDUCATION AMENDMENTS OF 1992

SEC. 931. REPEALS.

The following provisions of title VIII of the Higher Education Amendments of 1998 (Public Law 105-244) are repealed:

- (1) Part A.
- (2) Part C (20 U.S.C. 1070 note).
- (3) Part F (20 U.S.C. 1862 note).
- (4) Part J.
- (5) Section 861.
- (6) Section 863.

SEC. 932. GRANTS TO STATES FOR WORKPLACE AND COMMUNITY TRANSITION TRAINING FOR INCARCERATED INDIVIDUALS.

Section 821 of the Higher Education Amendments of 1998 (20 U.S.C. 1151) is amended to read as follows:

“SEC. 821. GRANTS TO STATES FOR WORKPLACE AND COMMUNITY TRANSITION TRAINING FOR INCARCERATED INDIVIDUALS.

“(a) **DEFINITION.**—In this section, the term ‘incarcerated individual’ means a male or female offender who is—

Effective date.

20 USC 1001
note, 1015 note,
1018 note, 1099b
note.
42 USC 1862
note.
112 Stat. 1825.
112 Stat. 1826.

“(1) 35 years of age or younger; and

“(2) incarcerated in a State prison, including a prerelease facility.

“(b) GRANT PROGRAM.—The Secretary of Education (in this section referred to as the ‘Secretary’)—

“(1) shall establish a program in accordance with this section to provide grants to the State correctional education agencies in the States to assist and encourage incarcerated individuals who have obtained a secondary school diploma or its recognized equivalent to acquire educational and job skills through—

“(A) coursework to prepare such individuals to pursue a postsecondary education certificate, an associate’s degree, or bachelor’s degree while in prison;

“(B) the pursuit of a postsecondary education certificate, an associate’s degree, or bachelor’s degree while in prison; and

“(C) employment counseling and other related services, which start during incarceration and end not later than two years after release from incarceration; and

“(2) may establish such performance objectives and reporting requirements for State correctional education agencies receiving grants under this section as the Secretary determines are necessary to assess the effectiveness of the program under this section.

“(c) APPLICATION.—To be eligible for a grant under this section, a State correctional education agency shall submit to the Secretary a proposal for an incarcerated individual program that—

“(1) identifies the scope of the problem, including the number of incarcerated individuals in need of postsecondary education and career and technical training;

“(2) lists the accredited public or private educational institution or institutions that will provide postsecondary educational services;

“(3) lists the cooperating agencies, public and private, or businesses that will provide related services, such as counseling in the areas of career development, substance abuse, health, and parenting skills;

“(4) describes specific performance objectives and evaluation methods (in addition to, and consistent with, any objectives established by the Secretary under subsection (b)(2)) that the State correctional education agency will use in carrying out its proposal, including—

“(A) specific and quantified student outcome measures that are referenced to outcomes for non-program participants with similar demographic characteristics; and

“(B) measures, consistent with the data elements and definitions described in subsection (d)(1)(A), of—

“(i) program completion, including an explicit definition of what constitutes a program completion within the proposal;

“(ii) knowledge and skill attainment, including specification of instruments that will measure knowledge and skill attainment;

“(iii) attainment of employment both prior to and subsequent to release;

“(iv) success in employment indicated by job retention and advancement; and

“(v) recidivism, including such subindicators as time before subsequent offense and severity of offense;

“(5) describes how the proposed program is to be integrated with existing State correctional education programs (such as adult education, graduate education degree programs, and career and technical training) and State industry programs;

“(6) describes how the proposed program will—

“(A) deliver services under this section; and

“(B) utilize technology to deliver such services; and

“(7) describes how incarcerated individuals will be selected so that only those eligible under subsection (e) will be enrolled in postsecondary programs.

Deadline.
Reports.

“(d) PROGRAM REQUIREMENTS.—Each State correctional education agency receiving a grant under this section shall—

“(1) annually report to the Secretary regarding—

“(A) the results of the evaluations conducted using data elements and definitions provided by the Secretary for the use of State correctional education programs;

“(B) any objectives or requirements established by the Secretary pursuant to subsection (b)(2);

“(C) the additional performance objectives and evaluation methods contained in the proposal described in subsection (c)(4) as necessary to document the attainment of project performance objectives;

“(D) how the funds provided under this section are being allocated among postsecondary preparatory education, postsecondary academic programs, and career and technical education programs; and

“(E) the service delivery methods being used for each course offering; and

“(2) provide for each student eligible under subsection (e) not more than—

“(A) \$3,000 annually for tuition, books, and essential materials; and

“(B) \$300 annually for related services such as career development, substance abuse counseling, parenting skills training, and health education.

“(e) STUDENT ELIGIBILITY.—An incarcerated individual who has obtained a secondary school diploma or its recognized equivalent shall be eligible for participation in a program receiving a grant under this section if such individual—

“(1) is eligible to be released within seven years (including an incarcerated individual who is eligible for parole within such time);

“(2) is 35 years of age or younger; and

“(3) has not been convicted of—

“(A) a ‘criminal offense against a victim who is a minor’ or a ‘sexually violent offense’, as such terms are defined in the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act (42 U.S.C. 14071 et seq.); or

“(B) murder, as described in section 1111 of title 18, United States Code.

“(f) LENGTH OF PARTICIPATION.—A State correctional education agency receiving a grant under this section shall provide educational

and related services to each participating incarcerated individual for a period not to exceed seven years, not more than two years of which may be devoted to study in a graduate education degree program or to coursework to prepare such individuals to take college level courses. Educational and related services shall start during the period of incarceration in prison or prerelease, and the related services may continue for not more than two years after release from confinement.

“(g) EDUCATION DELIVERY SYSTEMS.—State correctional education agencies and cooperating institutions shall, to the extent practicable, use high-tech applications in developing programs to meet the requirements and goals of this section.

“(h) ALLOCATION OF FUNDS.—From the funds appropriated pursuant to subsection (i) for each fiscal year, the Secretary shall allot to each State an amount that bears the same relationship to such funds as the total number of students eligible under subsection (e) in such State bears to the total number of such students in all States.

“(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal years 2009 through 2014.”

SEC. 933. UNDERGROUND RAILROAD EDUCATIONAL AND CULTURAL PROGRAM.

Section 841 of the Higher Education Amendments of 1998 (20 U.S.C. 1153) is amended—

(1) in subsection (a), by inserting “, including the lessons to be drawn from such history” after “Railroad”;

(2) in subsection (b)—

(A) by striking paragraphs (1) and (2) and inserting the following:

“(1) to establish a facility to—

“(A) house, display, interpret, and communicate information regarding the artifacts and other materials related to the history of the Underground Railroad, including the lessons to be drawn from such history;

“(B) maintain such artifacts and materials; and

“(C) make the efforts described in subparagraph (A) available, including through electronic means, to elementary and secondary schools, institutions of higher education, and the general public;

“(2) to demonstrate substantial public and private support for the operation of the facility through the implementation of a public-private partnership between one or more State or local public entities and one or more private entities, which public-private partnership shall provide matching funds from non-federal sources for the support of the facility in an amount equal to or greater than four times the amount of the grant awarded under this section;”;

(B) in paragraph (4)—

(i) by inserting “and maintain” after “establish”;

and
(ii) by inserting “including the lessons to be drawn from the history of the Underground Railroad,” after “States,”; and

(C) in paragraph (5)—