

**TITLE 20 - EDUCATION****CHAPTER 28 - HIGHER EDUCATION RESOURCES AND STUDENT ASSISTANCE****SUBCHAPTER III - INSTITUTIONAL AID****Part B - Strengthening Historically Black Colleges and Universities****§ 1062. Grants to institutions****(a) General authorization; uses of funds**

From amounts available under section 1068h (a)(2) of this title in any fiscal year the Secretary shall make grants (under section 1063 of this title) to institutions which have applications approved by the Secretary (under section 1063a of this title) for any of the following uses:

- (1) Purchase, rental, or lease of scientific or laboratory equipment for educational purposes, including instructional and research purposes.
- (2) Construction, maintenance, renovation, and improvement in classroom, library, laboratory, and other instructional facilities, including purchase or rental of telecommunications technology equipment or services.
- (3) Support of faculty exchanges, and faculty development and faculty fellowships to assist in attaining advanced degrees in their field of instruction.
- (4) Academic instruction in disciplines in which Black Americans are underrepresented.
- (5) Purchase of library books, periodicals, microfilm, and other educational materials, including telecommunications program materials.
- (6) Tutoring, counseling, and student service programs designed to improve academic success.
- (7) Funds and administrative management, and acquisition of equipment for use in strengthening funds management.
- (8) Joint use of facilities, such as laboratories and libraries.
- (9) Establishing or improving a development office to strengthen or improve contributions from alumni and the private sector.
- (10) Establishing or enhancing a program of teacher education designed to qualify students to teach in a public elementary or secondary school in the State that shall include, as part of such program, preparation for teacher certification.
- (11) Establishing community outreach programs which will encourage elementary and secondary students to develop the academic skills and the interest to pursue postsecondary education.
- (12) Acquisition of real property in connection with the construction, renovation, or addition to or improvement of campus facilities.
- (13) Education or financial information designed to improve the financial literacy and economic literacy of students or the students' families, especially with regard to student indebtedness and student assistance programs under subchapter IV of this chapter and part C of subchapter I of chapter 34 of title 42.
- (14) Services necessary for the implementation of projects or activities that are described in the grant application and that are approved, in advance, by the Secretary, except that not more than two percent of the grant amount may be used for this purpose.
- (15) Other activities proposed in the application submitted pursuant to section 1063a of this title that—
  - (A) contribute to carrying out the purposes of this part; and
  - (B) are approved by the Secretary as part of the review and acceptance of such application.

**(b) Endowment fund****(1) In general**

*NB: This unofficial compilation of the U.S. Code is current as of Jan. 8, 2008 (see <http://www.law.cornell.edu/uscode/uscpri.html>).*

An institution may use not more than 20 percent of the grant funds provided under this part to establish or increase an endowment fund at the institution.

**(2) Matching requirement**

In order to be eligible to use grant funds in accordance with paragraph (1), the eligible institution shall provide matching funds from non-Federal sources, in an amount equal to or greater than the Federal funds used in accordance with paragraph (1), for the establishment or increase of the endowment fund.

**(3) Comparability**

The provisions of part C of this subchapter regarding the establishment or increase of an endowment fund, that the Secretary determines are not inconsistent with this subsection, shall apply to funds used under paragraph (1).

**(c) Limitations**

**(1)** No grant may be made under this chapter for any educational program, activity, or service related to sectarian instruction or religious worship, or provided by a school or department of divinity. For the purpose of this subsection, the term “school or department of divinity” means an institution whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation, or to prepare them to teach theological subjects.

**(2)** Not more than 50 percent of the allotment of any institution may be available for the purpose of constructing or maintaining a classroom, library, laboratory, or other instructional facility.

(Pub. L. 89–329, title III, § 323, as added Pub. L. 99–498, title III, § 301(a), Oct. 17, 1986, 100 Stat. 1295; amended Pub. L. 100–50, § 2(a)(7), June 3, 1987, 101 Stat. 335; Pub. L. 100–369, § 10(b), July 18, 1988, 102 Stat. 838; Pub. L. 102–325, title III, § 303(a), (b), July 23, 1992, 106 Stat. 474, 475; Pub. L. 103–208, § 2(a)(8), Dec. 20, 1993, 107 Stat. 2457; Pub. L. 105–244, title III, § 304(a), Oct. 7, 1998, 112 Stat. 1642; Pub. L. 110–315, title III, § 309, Aug. 14, 2008, 122 Stat. 3177.)

**References in Text**

This chapter, referred to in subsec. (c)(1), was in the original “this Act”, meaning Pub. L. 89–329, as amended, known as the Higher Education Act of 1965. For complete classification of this Act to the Code, see Short Title note set out under section 1001 of this title and Tables.

**Prior Provisions**

A prior section 1062, Pub. L. 89–329, title III, § 323, as added Pub. L. 96–374, title III, § 301, Oct. 3, 1980, 94 Stat. 1395, provided for duration of grants to institutions with special needs, prior to the general revision of this subchapter by Pub. L. 99–498.

Another prior section 1062, Pub. L. 89–329, title IV, § 402, Nov. 8, 1965, 79 Stat. 1232; Pub. L. 90–575, title I, § 102, Oct. 16, 1968, 82 Stat. 1017, related to determination of amount of grant and establishment of basic criteria or schedules, prior to the general revision of part A of subchapter IV of this chapter by Pub. L. 92–318, title I, § 131(b)(1), June 23, 1972, 86 Stat. 247.

**Amendments**

2008—Subsec. (a). Pub. L. 110–315, § 309(1), substituted “section 1068h (a)(2)” for “section 1069f (a)(2)” in introductory provisions.

Subsec. (a)(12) to (15). Pub. L. 110–315, § 309(2), (3), added pars. (12) to (14) and redesignated former par. (12) as (15).

1998—Subsecs. (b), (c). Pub. L. 105–244, § 304(a)(1), (2), added subsec. (b) and redesignated former subsec. (b) as (c).

Subsec. (c)(3). Pub. L. 105–244, § 304(a)(3), struck out par. (3) which read as follows: “The Secretary shall not award a grant under this part for telecommunications technology equipment, facilities or services, if such equipment, facilities or services are available pursuant to section 396 (k) of title 47.”

*NB: This unofficial compilation of the U.S. Code is current as of Jan. 8, 2008 (see <http://www.law.cornell.edu/uscode/uscsprint.html>).*

1993—Subsec. (b)(3). Pub. L. 103–208 realigned margin.

1992—Subsec. (a)(2). Pub. L. 102–325, § 303(a)(1), inserted “, including purchase or rental of telecommunications technology equipment or services” after “facilities”.

Subsec. (a)(5). Pub. L. 102–325, § 303(a)(2), inserted “, including telecommunications program materials” after “materials”.

Subsec. (a)(9) to (12). Pub. L. 102–325, § 303(a)(3), added pars. (9) to (12).

Subsec. (b)(3). Pub. L. 102–325, § 303(b), added par. (3).

1988—Subsec. (a)(3). Pub. L. 100–369, § 10(b)(1), inserted “, and faculty development” after “exchanges”.

Subsec. (a)(7), (8). Pub. L. 100–369, § 10(b)(2), added pars. (7) and (8).

1987—Subsec. (a). Pub. L. 100–50 substituted “section 1069f (a)(2) of this title” for “section 1069d (a)(2) of this title”.

### **Effective Date of 1998 Amendment**

Amendment by Pub. L. 105–244 effective Oct. 1, 1998, except as otherwise provided in Pub. L. 105–244, see section 3 of Pub. L. 105–244, set out as a note under section 1001 of this title.

### **Effective Date of 1993 Amendment**

Amendment by Pub. L. 103–208 effective as if included in the Higher Education Amendments of 1992, Pub. L. 102–325, except as otherwise provided, see section 5(a) of Pub. L. 103–208, set out as a note under section 1051 of this title.

### **Effective Date of 1992 Amendment**

Amendment by Pub. L. 102–325 effective Oct. 1, 1992, see section 2 of Pub. L. 102–325, set out as a note under section 1001 of this title.

### **Effective Date of 1987 Amendment**

Amendment by Pub. L. 100–50 effective as if enacted as part of the Higher Education Amendments of 1986, Pub. L. 99–498, see section 27 of Pub. L. 100–50, set out as a note under section 1001 of this title.