TITLE 20 - EDUCATION
CHAPTER 28 - HIGHER EDUCATION RESOURCES AND STUDENT ASSISTANCE
SUBCHAPTER VII - GRADUATE AND POSTSECONDARY IMPROVEMENT PROGRAMS
Part A - Graduate Education Programs
subpart 2 - graduate assistance in areas of national need

§ 1135c. Awards to graduate students

(a) Commitments to graduate students
(1) In general
An academic department, program or unit of an institution of higher education shall make commitments to graduate students who are eligible students under section 1091 of this title (including students pursuing a doctoral degree after having completed a master’s degree program at an institution of higher education) at any point in their graduate study to provide stipends for the length of time necessary for a student to complete the course of graduate study, but in no case longer than 5 years.
(2) Special rule
No such commitments shall be made to students under this subpart unless the academic department, program or unit has determined adequate funds are available to fulfill the commitment from funds received or anticipated under this subpart, or from institutional funds.

(b) Amount of stipends
The Secretary shall make payments to institutions of higher education for the purpose of paying stipends to individuals who are awarded fellowships under this subpart. The stipends the Secretary establishes shall reflect the purpose of the program under this subpart to encourage highly talented students to undertake graduate study as described in this subpart. In the case of an individual who receives such individual’s first stipend under this subpart in academic year 2009–2010 or any succeeding academic year, such stipend shall be set at a level of support equal to that provided by the National Science Foundation Graduate Research Fellowship Program for such academic year, except such amount shall be adjusted as necessary so as not to exceed the fellow’s demonstrated level of need as determined under part E of subchapter IV of this chapter.

(c) Treatment of institutional payments
An institution of higher education that makes institutional payments for tuition and fees on behalf of individuals supported by fellowships under this subpart in amounts that exceed the institutional payments made by the Secretary pursuant to section 1135d (a) of this title may count such excess toward the amounts the institution is required to provide pursuant to section 1135b (b)(2) of this title.

(d) Academic progress required
Notwithstanding the provisions of subsection (a) of this section, no student shall receive an award—
(1) except during periods in which such student is maintaining satisfactory progress in, and devoting essentially full time to, study or research in the field in which such fellowship was awarded; or
(2) if the student is engaging in gainful employment other than part-time employment involved in teaching, research, or similar activities determined by the institution to be in support of the student’s progress towards a degree.

Prior Provisions

Provisions similar to this section were contained in section 1134p of this title, prior to repeal by Pub. L. 105–244.


A prior section 714 of Pub. L. 89–329 was classified to section 1132b–3 of this title, prior to the general amendment of this subsection by Pub. L. 105–244.


Amendments


Subsec. (c). Pub. L. 110–315, § 703(c)(4), made technical amendment to references in original act which appear in text as references to sections 1135d (a) and 1135b (b)(2) of this title.