

PART E—MINORITY SCIENCE AND ENGINEERING IMPROVEMENT PROGRAM

SUBPART 1—MINORITY SCIENCE AND ENGINEERING IMPROVEMENT PROGRAM

SEC. 350. [20 U.S.C. 1067] FINDINGS.

Congress makes the following findings:

(1) It is incumbent on the Federal Government to support the technological and economic competitiveness of the United States by improving and expanding the scientific and technological capacity of the United States. More and better prepared scientists, engineers, and technical experts are needed to improve and expand such capacity.

(2) As the Nation's population becomes more diverse, it is important that the educational and training needs of all Americans are met. Underrepresentation of minorities in science and technological fields diminishes our Nation's competitiveness by impairing the quantity of well prepared scientists, engineers, and technical experts in these fields.

(3) Despite significant limitations in resources, minority institutions provide an important educational opportunity for minority students, particularly in science and engineering fields. Aid to minority institutions is a good way to address the underrepresentation of minorities in science and technological fields.

(4) There is a strong Federal interest in improving science and engineering programs at minority institutions as such programs lag behind in program offerings and in student enrollment compared to such programs at other institutions of higher education.

SEC. 351. [20 U.S.C. 1067a] PURPOSE; AUTHORITY.

(a) It is the purpose of this subpart to continue the authority of the Department to operate the Minority Institutions Science Improvement Program created under section 3(a)(1) of the National Science Foundation Act of 1950 and transferred to the Department by section 304(a)(1) of the Department of Education Organization Act of 1979.

(b) The Secretary shall, in accordance with the provisions of this subpart, carry out a program of making grants to institutions of higher education that are designed to effect long-range improvement in science and engineering education at predominantly minority institutions and to increase the participation of underrepresented ethnic minorities, particularly minority women, in scientific and technological careers.

SEC. 352. [20 U.S.C. 1067b] GRANT RECIPIENT SELECTION.

(a) ESTABLISHMENT OF CRITERIA.—Grants under this subpart shall be awarded on the basis of criteria established by the Secretary by regulations.

(b) PRIORITIES TO BE GIVEN IN CRITERIA.—In establishing criteria under subsection (a), the Secretary shall give priority to applicants which have not previously received funding from the Minority Institutions Science Improvement Program and to previous grantees with a proven record of success, as well as to applications that contribute to achieving balance among projects with respect to geographic region, academic discipline, and project type.

(c) REQUIRED CRITERIA.—In establishing criteria under subsection (a), the Secretary may consider the following selection criteria in making grants:

- (1) plan of operation;
- (2) quality of key personnel;
- (3) budget and cost effectiveness;
- (4) evaluation plan;
- (5) adequacy of resources;
- (6) identification of need for the project;
- (7) potential institutional impact of the project;
- (8) institutional commitment to the project;
- (9) expected outcomes; and
- (10) scientific and educational value of the proposed project.

SEC. 353. [20 U.S.C. 1067c] USE OF FUNDS.

(a) TYPES OF GRANTS.—Funds appropriated to carry out this subpart may be made available as—

- (1) institutional grants (as defined in section 365(6));
- (2) cooperative grants (as defined in section 365(7));
- (3) design projects (as defined in section 365(8)); or
- (4) special projects (as defined in section 365(9)).

(b) AUTHORIZED USES FOR EACH TYPE OF GRANT.—(1) The authorized uses of funds made available as institutional grants include (but are not limited to)—

- (A) faculty development programs; or
- (B) development of curriculum materials.

(2) The authorized uses of funds made available as cooperative grants include (but are not limited to)—

- (A) assisting institutions in sharing facilities and personnel;
- (B) disseminating information about established programs in science and engineering;
- (C) supporting cooperative efforts to strengthen the institutions' science and engineering programs; or
- (D) carrying out a combination of any of the activities in subparagraphs (A) through (C).

(3) The authorized uses of funds made available as design projects include (but are not limited to)—

- (A) developing planning, management, and evaluation systems; or
- (B) developing plans for initiating scientific research and for improving institutions' capabilities for such activities.

Funds used for design project grants may not be used to pay more than 50 percent of the salaries during any academic year of faculty members involved in the project.

(4) The authorized uses of funds made available as special projects include (but are not limited to)—

- (A) advanced science seminars;
- (B) science faculty workshops and conferences;
- (C) faculty training to develop specific science research or education skills;
- (D) research in science education;
- (E) programs for visiting scientists;
- (F) preparation of films or audio-visual materials in science;
- (G) development of learning experiences in science beyond those normally available to minority undergraduate students;
- (H) development of pre-college enrichment activities in science; or
- (I) any other activities designed to address specific barriers to the entry of minorities into science.

SEC. 1024. [20 U.S.C. 1135b-3] MULTIAGENCY STUDY OF MINORITY SCIENCE PROGRAMS.

The Secretary, in cooperation with the heads of other departments and agencies that operate programs similar in purposes to the Minority Science Improvement Program which seek to increase minority participation and representation in scientific fields, shall submit a report to the President and Congress summarizing and evaluating such programs by January 1, 1996.

SUBPART 2—ADMINISTRATIVE AND GENERAL PROVISIONS

SEC. 361. [20 U.S.C. 1067g] ELIGIBILITY FOR GRANTS.

Eligibility to receive grants under this part is limited to—

- (1) public and private nonprofit institutions of higher education that—

- (A) award baccalaureate degrees; and
- (B) are minority institutions;

¹ Section 1024 was transferred by section 301(a)(5) of the Higher Education Amendments of 1998, but was not redesignated by section 301(a)(7) of that Act. Section 1024 may have been intended to have been repealed by section 702 of that Act.

- (2) public or private nonprofit institutions of higher education that—
 - (A) award associate degrees; and
 - (B) are minority institutions that—
 - (i) have a curriculum that includes science or engineering subjects; and
 - (ii) enter into a partnership with public or private nonprofit institutions of higher education that award baccalaureate degrees in science and engineering;
- (3) ² nonprofit science-oriented organizations, professional scientific societies, and institutions of higher education that award baccalaureate degrees, that—
 - (A) provide a needed service to a group of minority institutions; or
 - (B) provide in-service training for project directors, scientists, and engineers from minority institutions; or
- (4) consortia of organizations, that provide needed services to one or more minority institutions, the membership of which may include—
 - (A) institutions of higher education which have a curriculum in science or engineering;
 - (B) institutions of higher education that have a graduate or professional program in science or engineering;
 - (C) research laboratories of, or under contract with, the Department of Energy;
 - (D) private organizations that have science or engineering facilities; or
 - (E) quasi-governmental entities that have a significant scientific or engineering mission.

SEC. 362. [20 U.S.C. 1067h] GRANT APPLICATION.

(a) SUBMISSION AND CONTENTS OF APPLICATIONS.—An eligible applicant (as determined under section 361) that desires to receive a grant under this part shall submit to the Secretary an application therefore at such time or times, in such manner, and containing such information as the Secretary may prescribe by regulation. Such application shall set forth—

- (1) a program of activities for carrying out one or more of the purposes described in section 351(b) in such detail as will enable the Secretary to determine the degree to which such program will accomplish such purpose or purposes; and
- (2) such other policies, procedures, and assurances as the Secretary may require by regulation.

(b) APPROVAL BASED ON LIKELIHOOD OF PROGRESS.—The Secretary shall approve an application only if the Secretary determines that the application sets forth a program of activities which are likely to make substantial progress toward achieving the purposes of this part.

SEC. 363. [20 U.S.C. 1067i] CROSS PROGRAM AND CROSS AGENCY CO-OPERATION.

The Minority Science and Engineering Improvement Programs shall cooperate and consult with other programs within the Department and within Federal, State, and private agencies which carry out programs to improve the quality of science, mathematics, and engineering education.

SEC. 364. [20 U.S.C. 1067j] ADMINISTRATIVE PROVISIONS.

(a) TECHNICAL STAFF.—The Secretary shall appoint, without regard to the provisions of title 5 of the United States Code governing appointments in the competitive service, not less than 2 technical employees with appropriate scientific and educational back-ground to administer the programs under this part who may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

(b) PROCEDURES FOR GRANT REVIEW.—The Secretary shall establish procedures for reviewing and evaluating grants and contracts made or entered into under such programs. Procedures for reviewing grant applications, based on the peer review system, or contracts for financial assistance under this title may not be subject to any review outside of officials responsible for the administration of the Minority Science and Engineering Improvement Programs.

² This paragraph does not reflect amendments made by section 301(b) or 301(c)(9) of the Higher Education Amendments of 1998 (P.L. 105–244) as those amendments were superseded by the amendment made by section 307(b) of that Act.

SEC. 365. [20 U.S.C. 1067k] DEFINITIONS.

For the purpose of this part—

(1) The term “accredited” means currently certified by a nationally recognized accrediting agency or making satisfactory progress toward achieving accreditation.

(2) The term “minority” means American Indian, Alaskan Native, Black (not of Hispanic origin), Hispanic (including persons of Mexican, Puerto Rican, Cuban, and Central or South American origin), Pacific Islander or other ethnic group under-represented in science and engineering.

(3) The term “minority institution” means an institution of higher education whose enrollment of a single minority or a combination of minorities (as defined in paragraph (2)) exceeds 50 percent of the total enrollment. The Secretary shall verify this information from the data on enrollments in the higher education general information surveys (HEGIS) furnished by the institution to the Office for Civil Rights, Department of Education.

(4) The term “science” means, for the purpose of this program, the biological, engineering, mathematical, physical, behavioral, and social sciences, and history and philosophy of science; also included are interdisciplinary fields which are comprised of overlapping areas among two or more sciences.

(5) The term “underrepresented in science and engineering” means a minority group whose number of scientists and engineers per 10,000 population of that group is substantially below the comparable figure for scientists and engineers who are white and not of Hispanic origin.

(6) The term “institutional grant” means a grant that supports the implementation of a comprehensive science improvement plan, which may include any combination of activities for improving the preparation of minority students for careers in science.

(7) The term “cooperative grant” means a grant that assists groups of nonprofit accredited colleges and universities to work together to conduct a science improvement program.

(8) The term “design projects” means projects that assist minority institutions that do not have their own appropriate resources or personnel to plan and develop long-range science improvement programs.

(9) The term “special projects” means—

(A) a special project grant to a minority institution which support activities that—
(i) improve the quality of training in science and engineering at minority institutions; or

(ii) enhance the minority institutions’ general scientific research capabilities; or

(B) a special project grant to any eligible applicant which supports activities that—

(i) provide a needed service to a group of eligible minority institutions; or

(ii) provide in-service training for project directors, scientists, and engineers from eligible minority institutions.