

89-329, title I, Nov. 8, 1965, 79 Stat. 1219, and amended by Pub. L. 90-575, Oct. 16, 1968, 82 Stat. 1014; Pub. L. 91-230, Apr. 13, 1970, 84 Stat. 121; Pub. L. 92-318, June 23, 1972, 86 Stat. 235; Pub. L. 93-29, May 3, 1973, 87 Stat. 30; Pub. L. 93-380, Aug. 21, 1974, 88 Stat. 484; Pub. L. 93-644, Jan. 4, 1975, 88 Stat. 2291; Pub. L. 94-135, Nov. 28, 1975, 89 Stat. 713; Pub. L. 94-482, Oct. 12, 1976, 90 Stat. 2081; Pub. L. 95-43, June 15, 1977, 91 Stat. 213; Pub. L. 96-49, Aug. 13, 1979, 93 Stat. 351; Pub. L. 96-96, Oct. 31, 1979, 93 Stat. 729; Pub. L. 96-374, Oct. 3, 1980, 94 Stat. 1367; Pub. L. 97-300, Oct. 13, 1982, 96 Stat. 1322; Pub. L. 98-524, Oct. 19, 1984, 98 Stat. 2435; Pub. L. 99-386, Aug. 22, 1986, 100 Stat. 821; Pub. L. 99-498, Oct. 17, 1986, 100 Stat. 1268; Pub. L. 100-418, Aug. 23, 1988, 102 Stat. 1107; Pub. L. 101-305, May 30, 1990, 104 Stat. 253; Pub. L. 101-610, Nov. 16, 1990, 104 Stat. 3127; Pub. L. 102-54, June 13, 1991, 105 Stat. 267; Pub. L. 102-325, July 23, 1992, 106 Stat. 448; Pub. L. 103-208, Dec. 20, 1993, 107 Stat. 2457. Such title is shown herein, however, as having been added by Pub. L. 105-244, title I, §101(a), Oct. 7, 1998, 112 Stat. 1585, without reference to such intervening amendments because of the extensive revision of the title's provisions by Pub. L. 105-244.

PART A—DEFINITIONS

§ 1001. General definition of institution of higher education

(a) Institution of higher education

For purposes of this chapter, other than subchapter IV, the term “institution of higher education” means an educational institution in any State that—

(1) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate;

(2) is legally authorized within such State to provide a program of education beyond secondary education;

(3) provides an educational program for which the institution awards a bachelor's degree or provides not less than a 2-year program that is acceptable for full credit toward such a degree;

(4) is a public or other nonprofit institution; and

(5) is accredited by a nationally recognized accrediting agency or association, or if not so accredited, is an institution that has been granted preaccreditation status by such an agency or association that has been recognized by the Secretary for the granting of preaccreditation status, and the Secretary has determined that there is satisfactory assurance that the institution will meet the accreditation standards of such an agency or association within a reasonable time.

(b) Additional institutions included

For purposes of this chapter, other than subchapter IV, the term “institution of higher education” also includes—

(1) any school that provides not less than a 1-year program of training to prepare students for gainful employment in a recognized occupation and that meets the provision of paragraphs (1), (2), (4), and (5) of subsection (a) of this section; and

(2) a public or nonprofit private educational institution in any State that, in lieu of the requirement in subsection (a)(1) of this section, admits as regular students persons who are be-

yond the age of compulsory school attendance in the State in which the institution is located.

(c) List of accrediting agencies

For purposes of this section and section 1002 of this title, the Secretary shall publish a list of nationally recognized accrediting agencies or associations that the Secretary determines, pursuant to subpart 2 of part G of subchapter IV of this chapter, to be reliable authority as to the quality of the education or training offered.

(Pub. L. 89-329, title I, §101, as added Pub. L. 105-244, title I, §101(a), Oct. 7, 1998, 112 Stat. 1585.)

REFERENCES IN TEXT

This chapter, referred to in subsecs. (a) and (b), 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 below and Tables.

Subchapter IV, referred to in subsecs. (a) and (b), was in the original “title IV”, meaning title IV of Pub. L. 89-329, as amended, which is classified generally to subchapter IV of this chapter and part C of subchapter I of chapter 34 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note below and Tables.

PRIOR PROVISIONS

Provisions similar to this section were contained in section 1141(a) of this title prior to repeal by Pub. L. 105-244.

A prior section 1001, Pub. L. 89-329, title I, §101, as added Pub. L. 102-325, title I, §101, July 23, 1992, 106 Stat. 459, related to purposes of school, college, and university partnership grant program, prior to the general amendment of this subchapter by Pub. L. 105-244.

Another prior section 1001, Pub. L. 89-329, title I, §101, as added Pub. L. 99-498, title I, §101, Oct. 17, 1986, 100 Stat. 1278, related to Congressional findings, prior to the general amendment of this subchapter by Pub. L. 102-325.

Another prior section 1001, Pub. L. 89-329, title I, §101, as added Pub. L. 96-374, title I, §101(a), Oct. 3, 1980, 94 Stat. 1373, stated Congressional findings with respect to continuing postsecondary education program and planning, prior to the general amendment of this subchapter by Pub. L. 99-498.

Another prior section 1001, Pub. L. 89-329, title I, §101, Nov. 8, 1965, 79 Stat. 1219; Pub. L. 90-575, title II, §201, Oct. 16, 1968, 82 Stat. 1035; Pub. L. 92-318, title I, §101(a), June 23, 1972, 86 Stat. 236; Pub. L. 94-482, title I, §101(a), Oct. 12, 1976, 90 Stat. 2083; Pub. L. 96-49, §2, Aug. 13, 1979, 93 Stat. 351, authorized appropriations for the community service, continuing education, and lifelong learning program grant programs through fiscal year 1980, prior to the general amendment of this subchapter by Pub. L. 96-374.

EFFECTIVE DATE OF 1998 AMENDMENT

Pub. L. 105-244, §3, Oct. 7, 1998, 112 Stat. 1585, provided that: “Except as otherwise provided in this Act [see Tables for classification] or the amendments made by this Act, the amendments made by this Act shall take effect on October 1, 1998.”

EFFECTIVE DATE OF 1992 AMENDMENT

Pub. L. 102-325, §2, July 23, 1992, 106 Stat. 458, provided that: “Except as otherwise provided in this Act (20 U.S.C. 1001 et seq.) [see Tables for classification], the amendments made by this Act shall take effect on October 1, 1992.”

EFFECTIVE DATE OF 1987 AMENDMENT

Pub. L. 100-50, §27, June 3, 1987, 101 Stat. 363, provided that: “The amendments made by this Act [see Short

Title of 1987 Amendment note below] shall take effect as if enacted as part of the Higher Education Amendments of 1986 [Pub. L. 99-498, see Short Title of 1986 Amendments note below].”

EFFECTIVE DATE OF 1986 AMENDMENT

Pub. L. 99-498, §2, Oct. 17, 1986, 100 Stat. 1277, provided that: “Except as otherwise provided in this Act, the amendments made by this Act [see Tables for classification] shall take effect on the date of enactment of this Act [Oct. 17, 1986].”

EFFECTIVE DATE OF 1980 AMENDMENT

Pub. L. 96-374, title XIII, §1393, Oct. 3, 1980, 94 Stat. 1504, provided that:

“(a) Except as provided in subsection (b), this Act and the amendments made by this Act [see Tables for classification] shall take effect on October 1, 1980.

“(b)(1) The amendment made by section 301 of this Act to title III of the Act [enacting subchapter III of this chapter] shall take effect October 1, 1981.

“(2) The amendment made by section 404(c)(4) of this Act to section 415C(b)(4) of the Act [amending section 1070c-2 of this title] shall be effective October 1, 1979.

“(3) The amendment made by section 405 to subpart 4 of part A of title IV of the Act [amending subpart 4 of part A of subchapter IV of this chapter generally] shall take effect October 1, 1981.

“(4) The amendments made by part B of title IV of this Act [enacting sections 1077a, 1078-2, 1083a, and 1087-1a of this title and amending sections 1074, 1075, 1077, 1078, 1078-1, 1080, 1082, 1085, 1087-1, and 1087-2 of this title] shall take effect, except as otherwise provided therein, on January 1, 1981, and to the extent such amendments make changes in such part B which affect student loans, such changes shall apply to outstanding loans as well as to loans made after the amendments take effect, except that the amendments made by section 415(b) [amending sections 1077(a)(2)(B) and 1078(b)(1)(E) of this title] shall apply with respect to any loan to cover the cost of instruction for any period of instruction beginning on or after January 1, 1981, to any student borrower who has no outstanding balance of principal or interest on any loan made, insured, or guaranteed under part B of title IV of the Higher Education Act of 1965 [part B of subchapter IV of this chapter] on the date on which the borrower enters into the note or other written evidence of the loan.

“(5) The amendments made by part D of title IV of this Act [enacting sections 1087cc-1, 1087hh, and 1087ii of this title and amending sections 1087aa to 1087gg of this title] shall apply to loans made under part E of the Act [part D of subchapter IV of this chapter] on or after October 1, 1980.

“(6) The amendment made by section 701 of this Act adding section 731 of the Act [former section 1132d of this title] shall apply to loans made under section 731 on or after October 1, 1980.”

EFFECTIVE DATE OF 1976 AMENDMENT

Pub. L. 94-482, title V, §532, Oct. 12, 1976, 90 Stat. 2241, provided that: “The provisions of this Act [see Tables for classification] and the amendments made by this Act shall take effect 30 days after the date of the enactment of this Act [Oct. 12, 1976] except—

“(1) as specifically otherwise provided; and

“(2) that each amendment made by this Act (not subject to clause (1) of this section) providing for authorization of appropriations shall take effect July 1, 1976.”

SHORT TITLE OF 2006 AMENDMENT

Pub. L. 109-292, §1, Sept. 30, 2006, 120 Stat. 1340, provided that: “This Act [amending sections 1085, 1087h, 1101a, and 1101c of this title, enacting provisions set out as notes under this section and section 1085 of this title, and amending provisions set out as a note under this section] may be cited as the ‘Third Higher Education Extension Act of 2006’.”

Pub. L. 109-238, §1, June 30, 2006, 120 Stat. 507, provided that: “This Act [enacting and amending provisions set out as notes under this section] may be cited as the ‘Second Higher Education Extension Act of 2006’.”

Pub. L. 109-212, §1, Apr. 1, 2006, 120 Stat. 321, provided that: “This Act [enacting and amending provisions set out as notes under this section] may be cited as the ‘Higher Education Extension Act of 2006’.”

Pub. L. 109-171, title VIII, §8001(a), Feb. 8, 2006, 120 Stat. 155, provided that: “This subtitle [subtitle A (§§8001-8024) of title VIII of Pub. L. 109-171, enacting sections 1070a-1 and 1092e of this title, amending sections 1002, 1071, 1074, 1075, 1077a, 1078 to 1078-3, 1078-6 to 1078-10, 1082, 1085, 1087, 1087-1, 1087e, 1087h, 1087j, 1087dd, 1087ll, 1087oo to 1087ss, 1087vv, 1088, 1091, 1091b, and 1095a of this title, enacting provisions set out as notes under sections 1002, 1075, 1078, 1087-1, 1087oo to 1087qq, and 1087ss of this title, and amending provisions set out as a note under section 1078-10 of this title] may be cited as the ‘Higher Education Reconciliation Act of 2005’.”

SHORT TITLE OF 2005 AMENDMENTS

Pub. L. 109-150, §1, Dec. 30, 2005, 119 Stat. 2884, provided that: “This Act [amending section 1087-1 of this title, enacting provisions set out as a note under section 1087-1 of this title, and amending provisions set out as notes under this section and section 1078-10 of this title] may be cited as the ‘Second Higher Education Extension Act of 2005’.”

Pub. L. 109-67, §1, Sept. 21, 2005, 119 Stat. 2001, provided that: “This Act [amending section 1091b of this title] may be cited as the ‘Student Grant Hurricane and Disaster Relief Act’.”

Pub. L. 109-66, §1, Sept. 21, 2005, 119 Stat. 1999, provided that: “This Act [amending section 1091b of this title] may be cited as the ‘Pell Grant Hurricane and Disaster Relief Act’.”

SHORT TITLE OF 2004 AMENDMENT

Pub. L. 108-409, §1, Oct. 30, 2004, 118 Stat. 2299, provided that: “This Act [amending sections 1078-10, 1087-1, and 1087j of this title and enacting provisions set out as notes under section 1078-10 of this title] may be cited as the ‘Taxpayer-Teacher Protection Act of 2004’.”

SHORT TITLE OF 2000 AMENDMENTS

Pub. L. 106-420, §1, Nov. 1, 2000, 114 Stat. 1867, provided that: “This Act [enacting section 1092d of this title, amending section 522 of Title 11, Bankruptcy, and enacting provisions set out as notes under section 1092d of this title and section 994 of Title 28, Judiciary and Judicial Procedure] may be cited as the ‘College Scholarship Fraud Prevention Act of 2000’.”

Pub. L. 106-386, div. B, title VI, §1601(a), Oct. 28, 2000, 114 Stat. 1537, provided that: “This section [amending sections 1092 and 1232g of this title and section 14071 of Title 42, The Public Health and Welfare, and enacting provisions set out as notes under section 1092 of this title and section 14071 of Title 42] may be cited as the ‘Campus Sex Crimes Prevention Act’.”

SHORT TITLE OF 1998 AMENDMENT

Pub. L. 105-244, §1(a), Oct. 7, 1998, 112 Stat. 1581, provided that: “This Act [see Tables for classification] may be cited as the ‘Higher Education Amendments of 1998’.”

SHORT TITLE OF 1997 AMENDMENT

Pub. L. 105-78, title VI, §609(a), Nov. 13, 1997, 111 Stat. 1522, provided in part that: “This section [amending sections 1078-3, 1087h, 1087oo to 1087qq, and 1087vv of this title and enacting provisions set out as notes under sections 1078-3 and 1087h of this title] may be cited as the ‘Emergency Student Loan Consolidation Act of 1997’.”

SHORT TITLE OF 1996 AMENDMENT

Pub. L. 104-208, div. A, title I, §101(e) [title VI, §601], Sept. 30, 1996, 110 Stat. 3009-233, 3009-275, provided that:

“This title [enacting sections 1087-3, 1087-4, and 1132f-10 of this title, amending sections 1078-3, 1085, and 1087-2 of this title, repealing sections 1087-2, 1087-3, and 1132f to 1132f-9 of this title, and enacting provisions set out as notes under sections 1078-3 and 1087-2 of this title] may be cited as the ‘Student Loan Marketing Association Reorganization Act of 1996’.”

SHORT TITLE OF 1994 AMENDMENT

Pub. L. 103-382, title III, §360B(a), Oct. 20, 1994, 108 Stat. 3969, provided that: “This section [amending section 1092 of this title and enacting provisions set out as a note under section 1092 of this title] may be cited as the ‘Equity in Athletics Disclosure Act’.”

SHORT TITLE OF 1993 AMENDMENTS

Pub. L. 103-208, §1(a), Dec. 20, 1993, 107 Stat. 2457, provided that: “This Act [see Tables for classification] may be cited as the ‘Higher Education Technical Amendments of 1993’.”

Pub. L. 103-66, title IV, §4011(a), Aug. 10, 1993, 107 Stat. 341, provided that: “This subtitle [subtitle A (§§4011-4047) of title IV of Pub. L. 103-66, amending sections 1072, 1078, 1078-3, 1078-8, 1085, 1087-2, and 1087a to 1087h of this title, repealing section 1078-1 of this title, omitting sections 1087i and 1087j of this title, and enacting provisions set out as notes under sections 1078, 1078-3, and 1078-8 of this title] may be cited as the ‘Student Loan Reform Act of 1993’.”

SHORT TITLE OF 1992 AMENDMENT

Pub. L. 102-325, §1(a), July 23, 1992, 106 Stat. 448, provided that: “This Act [see Tables for classification] may be cited as the ‘Higher Education Amendments of 1992’.”

SHORT TITLE OF 1991 AMENDMENT

Pub. L. 102-26, §1(a), Apr. 9, 1991, 105 Stat. 123, provided that: “This Act [enacting section 1211b of this title, amending sections 1078, 1078-1, 1085, 1087ss, 1088, 1091, 1091a, 1092, 1094, and 1141 of this title, enacting provisions set out as notes under sections 1070, 1078-1, 1088, and 1091a of this title, amending provisions set out as a note under section 1092 of this title, and repealing provisions set out as a note under section 1088 of this title] may be cited as the ‘Higher Education Technical Amendments of 1991’.”

SHORT TITLE OF 1990 AMENDMENTS

Pub. L. 101-542, §1, Nov. 8, 1990, 104 Stat. 2381, provided that: “This Act [amending sections 1085, 1092, 1094, and 1232g of this title and enacting provisions set out as notes under this section and section 1092 of this title] may be cited as the ‘Student Right-To-Know and Campus Security Act’.”

Pub. L. 101-542, title I, §101, Nov. 8, 1990, 104 Stat. 2381, provided that: “This title [amending section 1092 of this title and enacting provisions set out as notes under section 1092 of this title] may be cited as the ‘Student Right-To-Know Act’.”

Pub. L. 101-542, title II, §201, Nov. 8, 1990, 104 Stat. 2384, provided that: “This title [amending sections 1092, 1094, and 1232g of this title and enacting provisions set out as notes under section 1092 of this title] may be cited as the ‘Crime Awareness and Campus Security Act of 1990’.”

Pub. L. 101-508, title III, §3001, Nov. 5, 1990, 104 Stat. 1388-25, provided that: “This subtitle [subtitle A (§§3001-3008) of title III of Pub. L. 101-508, amending sections 1078, 1078-1, 1078-7, 1085, 1088, and 1091 of this title and sections 362, 541, and 1328 of Title 11, Bankruptcy, enacting provisions set out as notes under sections 1078-7, 1085, and 1088 of this title and sections 362 and 1328 of Title 11, and amending provisions set out as a note under section 1078-1 of this title] may be cited as the ‘Student Loan Default Prevention Initiative Act of 1990’.”

SHORT TITLE OF 1989 AMENDMENT

Pub. L. 101-239, title II, §2001, Dec. 19, 1989, 103 Stat. 2111, provided that: “This subtitle [subtitle A

(§§2001-2009) of title II of Pub. L. 101-239, enacting section 1078-7 of this title, amending sections 1077, 1078, 1078-1, 1078-6, 1082, 1085, 1087dd, 1087tt, 1088, 1092b, and 1094 of this title, and enacting provisions set out as notes under sections 1077, 1078, 1078-1, and 1078-6 of this title] may be cited as the ‘Student Loan Reconciliation Amendments of 1989’.”

SHORT TITLE OF 1987 AMENDMENT

Pub. L. 100-50, §1(a), June 3, 1987, 101 Stat. 335, provided that: “This Act [enacting sections 1059a, 1087tt, 1087uu, 1087uu-1, and 1145d-1 of this title, amending sections 1057, 1058, 1062, 1063a to 1063c, 1065, 1066, 1067, 1069a, 1070a to 1070a-4, 1070a-6, 1070b-3, 1070c-4, 1070d-1b, 1070d-2, 1070e-1, 1070f, 1075, 1077, 1077a, 1078 to 1078-3, 1078-5, 1078-6, 1080a, 1081 to 1083, 1085, 1087-1, 1087-2, 1087d, 1087bb, 1087cc, 1087cc-1, 1087dd, 1087ee, 1087oo to 1087ss, 1087vv, 1088, 1089 to 1091, 1092 to 1092b, 1095, 1096, 1098, 1109 to 1109d, 1111, 1111b, 1111f, 1111g, 1122, 1132a, 1132a-1, 1132d, 1132d-2, 1132g-3, 1132i-1, 1134h to 1134j, 1141, 1145e, 1221e, and 1221e-1 of this title, section 4604 of Title 22, Foreign Relations and Intercourse, and sections 2752, 2753, and 2756 of Title 42, The Public Health and Welfare, enacting provisions set out as notes under section 2752 of Title 42, and amending provisions set out as notes under sections 1011, 1071, 1087dd, 1087kk, 1091, 1121, 1145d, 1221-1, and 1221e-1 of this title and section 2753 of Title 42] may be cited as the ‘Higher Education Technical Amendments Act of 1987’.”

SHORT TITLE OF 1986 AMENDMENTS

Pub. L. 99-498, §1, Oct. 17, 1986, 100 Stat. 1268, provided that: “This Act [see Tables for classification] may be cited as the ‘Higher Education Amendments of 1986’.”

Pub. L. 99-320, §1, May 23, 1986, 100 Stat. 491, provided: “That this Act [amending sections 1078 and 1080a of this title and a provision set out as a note under section 1072 of this title] may be cited as the ‘Student Financial Assistance Technical Corrections Act of 1986’.”

Pub. L. 99-272, title XVI, §16001(a), Apr. 7, 1986, 100 Stat. 339, provided that: “This title [enacting sections 1078-3, 1080a, and 1091a of this title, amending sections 1072, 1074, 1075, 1077, 1078, 1080, 1082, 1083a, 1085, 1087-1, 1087-2, 1087cc, 1087cc-1, 1087dd, 1087gg, 1089, 1091, and 1094 of this title, enacting provisions set out as notes under sections 1072, 1078, and 1078-3 of this title, and amending provisions set out as a note under section 1078 of this title] may be cited as the ‘Student Financial Assistance Amendments of 1985’.”

SHORT TITLE OF 1983 AMENDMENTS

Pub. L. 98-95, §1, Sept. 26, 1983, 97 Stat. 708, provided: “That this Act [enacting section 1065a of this title, amending section 1069c of this title, enacting provisions set out as a note under section 1132a-1 of this title, and amending provisions set out as notes under sections 123 and 1069c of this title] may be cited as the ‘Challenge Grant Amendments of 1983’.”

Pub. L. 98-79, §1, Aug. 15, 1983, 97 Stat. 476, provided: “That this Act [amending sections 1071, 1077, 1077a, 1078, 1078-2, 1083a, 1087-1, 1087-2, 1087cc-1, and 1098 of this title, repealing section 1087-1a of this title, enacting provisions set out as notes under sections 1077, 1077a, 1078, and 1087-1 of this title, and amending provisions set out as notes under sections 1070a, 1078, and 1089 of this title] may be cited as the ‘Student Loan Consolidation and Technical Amendments Act of 1983’.”

SHORT TITLE OF 1982 AMENDMENT

Pub. L. 97-301, §1, Oct. 13, 1982, 96 Stat. 1400, which provided: “That this Act [amending sections 1070a, 1083a, 1087-2, and 1087cc-1 of this title and enacting provisions set out as notes under sections 1070a, 1070b-3, 1078, 1087bb, 1089, and 1221e-1 of this title and section 2752 of Title 42, The Public Health and Welfare] may be cited as the ‘Student Financial Assistance Technical Amendments Act of 1982’.”, was repealed by Pub. L. 99-498, title IV, §408(b), Oct. 17, 1986, 100 Stat. 1495, eff. with respect to any academic year beginning on or after July 1, 1988.

SHORT TITLE OF 1981 AMENDMENT

Pub. L. 97-35, title V, subtitle B, §531, Aug. 13, 1981, 95 Stat. 450, provided that: "This subtitle [amending sections 1075, 1077, 1077a, 1078, 1078-1, 1078-2, 1087-1, 1087-2, 1087dd, 1089, 1096, and 1232 of this title, repealing section 1087-3a of this title, and enacting provisions set out as notes under section 1078 of this title] may be cited as the 'Postsecondary Student Assistance Amendments of 1981'."

SHORT TITLE OF 1980 AMENDMENT

Pub. L. 96-374, §1, Oct. 3, 1980, 94 Stat. 1367, provided: "That this Act [enacting sections 239a, 1001 to 1005, 1011 to 1015, 1016 to 1019, 1021, 1022, 1029, 1031 to 1034, 1041, 1042, 1047 to 1047j, 1051, 1057 to 1069c, 1070d-1a to 1070d-2, 1077a, 1078-2, 1083a, 1087-1a, 1087cc-1, 1087hh, 1087ii, 1088 to 1098, 1119b to 1119b-5, 1119c to 1119c-2, 1121 to 1127, 1130 to 1132, 1132a to 1132a-1, 1132b to 1132c, 1132d to 1132d-4, 1132e, 1132e-1, 1134d to 1134p, 1135 to 1135a-3, 1136 to 1136d, 1143, 1144a, 1145, 1146, 1221e-1b, 1221e-4, and 3063 to 3065 of this title, section 640c-2 of Title 25, Indians, and sections 2753 and 2756b of Title 42, The Public Health and Welfare, amending sections 1070 to 1070c-3, 1070d, 1070d-1, 1070e to 1077, 1078, 1078-1, 1079, 1080 to 1083, 1085 to 1087-1, 1087-2, 1087aa to 1087cc, 1087dd to 1087gg, 1101 to 1104, 1119 to 1119a-1, 1133 to 1134c, 1135c-1, 1141, 1142, 1221e, 1226a, 1226c, and 1232 of this title, section 326a of Title 7, Agriculture, section 640c-1 of Title 25, sections 714 and 792 of Title 29, Labor, and sections 2751, 2752, and 2756 of Title 42, repealing sections 511 to 513, 1070c-4, 1070d-3, 1087-4, 1134q to 1134s, 1142a, 1142b, 1145, 1145a, 1145c, 1172 to 1174, 1176, 1177, and 1221d of this title and section 2754 of Title 42, enacting provisions set out as notes under sections 236, 1001, 1119b, and 1221-1 of this title and section 301 of Title 7, and amending provisions set out as notes under section 236 of this title and section 301 of Title 7] may be cited as the 'Education Amendments of 1980'."

SHORT TITLE OF 1979 AMENDMENT

Pub. L. 96-49, §1, Aug. 13, 1979, 93 Stat. 351, provided: "That this Act [enacting section 1087gg of this title, amending this section and sections 513, 1021, 1042, 1051, 1070a, 1070b, 1070c, 1070d, 1070d-2, 1070e-1, 1078, 1087-1, 1087aa, 1088, 1101, 1119, 1121, 1132a, 1132b, 1132c, 1132c-4, 1134, 1134e, 1134i, 1134n, 1134r-1, 1135, 1135a, 1136b, 1142b, 1221d, and 1221e of this title, enacting provisions set out as notes under sections 1070a, 1087-1, 1087gg, and 1088 of this title, and amending provisions set out as a note under section 1070a of this title] may be cited as the 'Higher Education Technical Amendments of 1979'."

SHORT TITLE OF 1978 AMENDMENTS

Pub. L. 95-566, §1, Nov. 1, 1978, 92 Stat. 2402, provided: "That this Act [enacting section 1087-3a of this title, amending sections 1070a, 1070c-2, 1070d-1, 1075, 1077, 1078, 1088 and 1088f of this title, and enacting provisions set out as a note under this section] may be cited as the 'Middle Income Student Assistance Act'."

Pub. L. 95-336, §1, Aug. 4, 1978, 92 Stat. 451, provided: "That this Act [amending section 1070e-1 of this title, sections 1001, 1002, and 1007 of Title 21, Food and Drugs, and former section 246 of Title 38, Veterans' Benefits, and enacting provisions set out as a note under section 1070e-1 of this title] may be cited as the 'Alcohol and Drug Abuse Education Amendments of 1978'."

SHORT TITLE OF 1976 AMENDMENTS

Pub. L. 94-482, §1, Oct. 12, 1976, 90 Stat. 2081, provided: "That this Act [see Tables for classification] may be cited as the 'Education Amendments of 1976'."

Pub. L. 94-328, §1, June 30, 1976, 90 Stat. 727, provided: "That this joint resolution [amending sections 1070a, 1074, 1078 and 1078a of this title and enacting provisions set out as notes under section 1226a of this title and section 2756 of Title 42, The Public Health and Welfare] may be cited as the 'Emergency Technical Provisions Act of 1976'."

SHORT TITLE OF 1972 AMENDMENT

Pub. L. 92-318, §1, June 23, 1972, 86 Stat. 235, provided: "That this Act [enacting chapter 36 (§1601 et seq.), chapter 37 (§1651 et seq.), chapter 38 (§1681 et seq.), and sections 241aa to 241ff, 887c, 887d, 900 to 900a-5, 1005a, 1021, 1031, 1042, 1070 to 1070e, 1070e-1, 1087-1, 1087-2, 1087aa to 1087ff, 1088d to 1088g, 1119a, 1132a to 1132e-1, 1134 to 1134s, 1135, 1135a, 1135b to 1135c, 1135c-1, 1142a, 1142b, 1144a, 1145a, 1211a, 1221a to 1221h, 1227 of this title, and section 326a of Title 7, Agriculture, and 2756a of Title 42, The Public Health and Welfare, amending this section and sections 240, 241c, 241e, 331a, 332, 421, 441, 511, 513, 822, 823, 842, 843, 863, 880b-3a, 1003, 1011, 1021, 1022 to 1024, 1027, 1031, 1033, 1041, 1051 to 1056, 1061, 1068, 1070, 1074, 1075, 1077, 1078, 1078a, 1080, 1083, 1084, 1087, 1087a, 1087c, 1088, 1088c, 1091, 1091a to 1091c, 1101, 1102, 1108 to 1111, 1115, 1116, 1118, 1119, 1119a, 1119b-2, 1121, 1129, 1133, 1133a, 1134j, 1136, 1136a, 1136b, 1141, 1176, 1231, 1231a, 1232a, 1232c, 1242, 1244, 1248, 1302, 1321 to 1323, 1341, 1352, 1371, 1391, and 1412 of this title, and sections 329, 331, 343, 349, 361, and 1626 of Title 7, sections 24, 84, 1464, and 1757 of Title 12, Banks and Banking, sections 203 and 213 of Title 29, Labor, and sections 2751, 2752, and 2754 of Title 42, repealing sections 1, 2, 426, 711 to 721, 731, 732, 746, 1021, 1031, 1032, 1060, 1118, 1119a, 1119b-2, and 1119c-4 of this title, and enacting provisions set out as notes under this section and sections 241a, 241e, 241aa, 331a, 425, 821, 887d, 1005a, 1009, 1070, 1070e, 1074, 1075, 1087-2, 1087aa, 1091a, 1132a, 1132c-3, 1135c, 1231, and 1232 of this title, sections 301 and 326a of Title 7, and section 3501 of Title 42] may be cited as the 'Education Amendments of 1972'."

SHORT TITLE OF 1968 AMENDMENT

Pub. L. 90-575, §1, Oct. 16, 1968, 82 Stat. 1014, provided: "That this Act [enacting sections 451 to 455, 746, 1056, 1060, 1087, 1087a to 1087c, 1088 to 1088c, 1089, 1119a-1, 1129a, 1133 to 1133b, 1134 to 1134f, 1135, 1135a, 1135b, 1135c, 1136 to 1136b, 1145, 1146 to 1150 of this title, amending this section and sections 403, 421 to 425, 425 note, 426, 441 to 445, 462 to 464, 481 to 484, 511, 513, 562, 581, 584, 588, 591, 711, 713 to 718, 731, 732, 743, 751, 758, 961, 1005, 1006, 1021 to 1024, 1031, 1033, 1041, 1051, 1061, 1062, 1065 to 1068, 1071 to 1075, 1077, 1078, 1080, 1083 to 1086, 1091c, 1101, 1104, 1108 to 1111, 1113, 1114, 1115, 1118, 1119a, 1119b-2, 1121, 1124, 1125, 1141, 1142, 1143, 1144 and 1176 of this title, section 1464 of Title 12, Banks and Banking, and sections 2741, 2751 to 2756, and 2809 of Title 42, The Public Health and Welfare, repealing sections 733, 981 to 996 of this title, and section 2757 of Title 42, and enacting provisions set out as notes under this section and sections 423 to 425, 445, 462 to 464, 588, 713, 716 to 718, 743, 751, 981, 1006, 1022, 1024, 1051, 1056, 1060, 1067, 1071, 1077, 1078, 1083, 1088b, and 1109 of this title, and sections 2751, 2753, 2754, and 2809 of Title 42] may be cited as the 'Higher Education Amendments of 1968'."

SHORT TITLE OF 1966 AMENDMENT

Pub. L. 89-752, §1, Nov. 3, 1966, 80 Stat. 1240, provided: "That this Act [enacting section 1086 of this title, amending sections 403, 421, 425, 441, 443, 711-715, 731, 743, 744, 751, 1022, 1051, 1072, 1121, and 1124 of this title, and enacting provisions set out as notes under sections 403, 443, 1022, 1071, and 1124 of this title] may be cited as the 'Higher Education Amendments of 1966'."

SHORT TITLE

Pub. L. 89-329, §1, Nov. 8, 1965, 79 Stat. 1219, provided: "That this Act [enacting this chapter and section 2757 of Title 42, The Public Health and Welfare, and amending sections 403, 424, 425, 441, 443, 591, 711, 713 to 717, 731, and 751 of this title, and sections 2751 to 2756, and 2761 of Title 42] may be cited as the 'Higher Education Act of 1965'."

Pub. L. 89-329, title V, §509, as added by Pub. L. 90-35, §8, provided that title V of Pub. L. 89-329 could be cited as the "Education Professions Development Act", prior to the general amendment of title V of Pub. L. 89-329 by Pub. L. 99-498, title V, §501(a), Oct. 17, 1986, 100 Stat. 1495.

For short title of section 1092(f) of this title as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, see section 1092(f)(15) of this title.

HIGHER EDUCATION EXTENSION

Pub. L. 109–81, Sept. 30, 2005, 119 Stat. 2048, as amended by Pub. L. 109–150, §2(a), Dec. 30, 2005, 119 Stat. 2884; Pub. L. 109–212, §2, Apr. 1, 2006, 120 Stat. 321; Pub. L. 109–238, §2, June 30, 2006, 120 Stat. 507; Pub. L. 109–292, §2, Sept. 30, 2006, 120 Stat. 1340, provided that:

“SECTION 1. SHORT TITLE.

“This Act may be cited as the ‘Higher Education Extension Act of 2005’.

“SEC. 2. EXTENSION OF PROGRAMS.

“(a) EXTENSION OF DURATION.—The authorization of appropriations for, and the duration of, each program authorized under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) shall be extended through June 30, 2007.

“(b) PERFORMANCE OF REQUIRED AND AUTHORIZED FUNCTIONS.—If the Secretary of Education, a State, an institution of higher education, a guaranty agency, a lender, or another person or entity—

“(1) is required, in or for fiscal year 2004, to carry out certain acts or make certain determinations or payments under a program under the Higher Education Act of 1965, such acts, determinations, or payments shall be required to be carried out, made, or continued during the period of the extension under this section; or

“(2) is permitted or authorized, in or for fiscal year 2004, to carry out certain acts or make certain determinations or payments under a program under the Higher Education Act of 1965, such acts, determinations, or payments are permitted or authorized to be carried out, made, or continued during the period of the extension under this section.

“(c) EXTENSION AT CURRENT LEVELS.—The amount authorized to be appropriated for a program described in subsection (a) during the period of extension under this section shall be the amount authorized to be appropriated for such program for fiscal year 2004, or the amount appropriated for such program for such fiscal year, whichever is greater. Except as provided in any amendment to the Higher Education Act of 1965 enacted during fiscal year 2005 or 2006, the amount of any payment required or authorized under subsection (b) in or for the period of the extension under this section shall be determined in the same manner as the amount of the corresponding payment required or authorized in or for fiscal year 2004.

“(d) ADVISORY COMMITTEES AND OTHER ENTITIES CONTINUED.—Any advisory committee, interagency organization, or other entity that was, during fiscal year 2004, authorized or required to perform any function under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), or in relation to programs under that Act, shall continue to exist and is authorized or required, respectively, to perform such function for the period of the extension under this section.

“(e) ADDITIONAL EXTENSION NOT PERMITTED.—Section 422 of the General Education Provisions Act (20 U.S.C. 1226a) shall not apply to further extend the authorization of appropriations for any program described in subsection (a) on the basis of the extension of such program under this section.

“(f) EXCEPTION.—The programs described in subsection (a) for which the authorization of appropriations, or the duration of which, is extended by this section include provisions applicable to institutions in, and students in or from, the Freely Associated States, except that those provisions shall be applicable with respect to institutions in, and students in or from, the Federated States of Micronesia and the Republic of the Marshall Islands only to the extent specified in Public Law 108–188 [48 U.S.C. 1921 et seq.]”

[Pub. L. 109–292, §7, Sept. 30, 2006, 120 Stat. 1343, provided that: “Nothing in this Act [see Short Title of 2006

Amendment note above], or in the Higher Education Extension Act of 2005 [Pub. L. 109–81, set out above] as amended by this Act, shall be construed to limit or otherwise alter the authorizations of appropriations for, or the durations of, programs contained in the amendments made by the Higher Education Reconciliation Act of 2005 (P.L. 109–171) [see Short Title of 2006 Amendment note above] to the provisions of the Higher Education Act of 1965 [20 U.S.C. 1001 et seq.] and the Taxpayer-Teacher Protection Act of 2004 [see Short Title of 2004 Amendment note above].”]

[Pub. L. 109–238, §3, June 30, 2006, 120 Stat. 507, provided that: “Nothing in this Act [see Short Title of 2006 Amendment note above], or in the Higher Education Extension Act of 2005 [Pub. L. 109–81, set out above] as amended by this Act, shall be construed to limit or otherwise alter the authorizations of appropriations for, or the durations of, programs contained in the amendments made by the Higher Education Reconciliation Act of 2005 (Public Law 109–171) [see Short Title of 2006 Amendment note above] to the provisions of the Higher Education Act of 1965 [20 U.S.C. 1001 et seq.] and the Taxpayer-Teacher Protection Act of 2004 [see Short Title of 2004 Amendment note above].”]

[Pub. L. 109–212, §3, Apr. 1, 2006, 120 Stat. 321, provided that: “Nothing in this Act [see Short Title of 2006 Amendment note above], or in the Higher Education Extension Act of 2005 [Pub. L. 109–81, set out above] as amended by this Act, shall be construed to limit or otherwise alter the authorizations of appropriations for, or the durations of, programs contained in the amendments made by the Higher Education Reconciliation Act of 2005 (Public Law 109–171) [see Short Title of 2006 Amendment note above] to the provisions of the Higher Education Act of 1965 [20 U.S.C. 1001 et seq.] and the Taxpayer-Teacher Protection Act of 2004 [see Short Title of 2004 Amendment note above].”]

Similar provisions were contained in Pub. L. 108–366, Oct. 25, 2004, 118 Stat. 1741.

STUDY OF OPPORTUNITIES FOR PARTICIPATION IN ATHLETICS PROGRAMS

Pub. L. 105–244, title VIII, §805, Oct. 7, 1998, 112 Stat. 1807, required the Comptroller General to conduct a study of the opportunities for participation in intercollegiate athletics and to submit a report on the study to committees of Congress.

STYLISTIC CONSISTENCY

Pub. L. 103–208, §2(m), Dec. 20, 1993, 107 Stat. 2486, provided that: “The Act [Pub. L. 89–329, see Short Title note above] is amended so that the section designation and section heading of each section of the Act shall be in the form and typeface of the section designation and heading of this section [107 Stat. 2457].”

TERMS DEFINED FOR PURPOSES OF TITLES XIII, XIV, AND XV OF PUB. L. 102–325

Pub. L. 102–325, §1(c), July 23, 1992, 106 Stat. 448, as amended by Pub. L. 105–244, title I, §102(a)(6)(A), Oct. 7, 1998, 112 Stat. 1618, provided that: “Unless otherwise provided therein, terms used in titles XIII, XIV, and XV [enacting sections 1145h and 4426 of this title, sections 3301 to 3371 of Title 25, Indians, and sections 2401 to 2405 of Title 29, Labor, amending sections 1221e–1, 1232g, 3412, 4412, 4414, 4416, 4417, 4418, 4421, 4422, 4423, 4424, 4425, 5381, and 5411 of this title, section 5315 of Title 5, Government Organization and Employees, sections 4604 and 4609 of Title 22, Foreign Relations and Intercourse, sections 640c–1, 1810, 1836, and 1852 of Title 25, and sections 295g–8 and 12576 of Title 42, The Public Health and Welfare, enacting provisions set out as notes under sections 1070, 1070a–11, 1070a–21, 1071, 1080, 1088, 1101, 1132a, 1134, 1221–1, 1221e, 1232g, 1452, and 9003 of this title, amending provisions set out as a note under section 1091a of this title, and repealing provisions set out as a note under section 362 of Title 11, Bankruptcy] shall have the same meaning given to such terms in section 101 of the Higher Education Act of 1965 [this section].”

GENERAL PROVISIONS OF 1972 AMENDMENT

Pub. L. 92-318, § 2, June 23, 1972, 86 Stat. 236, provided that:

“(a) As used in this Act [See Short Title of 1972 Amendment note above]—

“(1) the term ‘Secretary’ means the Secretary of Health, Education, and Welfare [now Secretary of Education]; and

“(2) the term ‘Commissioner’ means the Commissioner of Education [now Secretary of Education]; unless the context requires another meaning.

“(b) Unless otherwise specified, the redesignation of a section, subsection, or other designation by any amendment in this Act shall include the redesignation of any reference to such section, subsection, or other designation in any Act or regulation, however styled.

“(c)(1) Unless otherwise specified, each provision of this Act and each amendment made by this Act shall be effective after June 30, 1972, and with respect to appropriations for the fiscal year ending June 30, 1973, and succeeding fiscal years.

“(2) Unless otherwise specified, in any case where an amendment made by this Act is to become effective after a date set herein, it shall be effective with the beginning of the day which immediately follows the date after which such amendment is effective.

“(3) In any case where the effective date for an amendment made by this Act is expressly stated to be effective after June 30, 1971, such amendment shall be deemed to have been enacted on July 1, 1971.”

RULEMAKING REQUIREMENTS; PUBLICATION IN FEDERAL REGISTER

Pub. L. 90-575, title V, § 505, Oct. 16, 1968, 82 Stat. 1063, provided for publication of rules and regulations in Federal Register, prior to repeal by Pub. L. 91-230, title IV, § 401(e)(2), Apr. 13, 1970, 84 Stat. 173.

PRESIDENTIAL RECOMMENDATIONS BY DECEMBER 31, 1969, WITH RESPECT TO POST-SECONDARY EDUCATION FOR ALL

Pub. L. 90-575, title V, § 508, Oct. 16, 1968, 82 Stat. 1063, authorized the President, on or before Dec. 31, 1969, to submit to the Congress proposals relative to the feasibility of making available a post-secondary education to all young Americans who qualify and seek it.

§ 1002. Definition of institution of higher education for purposes of student assistance programs**(a) Definition of institution of higher education for purposes of student assistance programs****(1) Inclusion of additional institutions**

Subject to paragraphs (2) through (4) of this subsection, the term “institution of higher education” for purposes of subchapter IV of this chapter and part C of subchapter I of chapter 34 of title 42 includes, in addition to the institutions covered by the definition in section 1001 of this title—

(A) a proprietary institution of higher education (as defined in subsection (b) of this section);

(B) a postsecondary vocational institution (as defined in subsection (c) of this section); and

(C) only for the purposes of part B of subchapter IV of this chapter, an institution outside the United States that is comparable to an institution of higher education as defined in section 1001 of this title and that has been approved by the Secretary for the purpose of part B of subchapter IV of this chapter.

(2) Institutions outside the United States**(A) In general**

For the purpose of qualifying as an institution under paragraph (1)(C), the Secretary shall establish criteria by regulation for the approval of institutions outside the United States and for the determination that such institutions are comparable to an institution of higher education as defined in section 1001 of this title (except that a graduate medical school, or a veterinary school, located outside the United States shall not be required to meet the requirements of section 1001(a)(4) of this title). Such criteria shall include a requirement that a student attending such school outside the United States is ineligible for loans made, insured, or guaranteed under part B of subchapter IV of this chapter unless—

(i) in the case of a graduate medical school located outside the United States—

(I)(aa) at least 60 percent of those enrolled in, and at least 60 percent of the graduates of, the graduate medical school outside the United States were not persons described in section 1091(a)(5) of this title in the year preceding the year for which a student is seeking a loan under part B of subchapter IV of this chapter; and

(bb) at least 60 percent of the individuals who were students or graduates of the graduate medical school outside the United States or Canada (both nationals of the United States and others) taking the examinations administered by the Educational Commission for Foreign Medical Graduates received a passing score in the year preceding the year for which a student is seeking a loan under part B of subchapter IV of this chapter; or

(II) the institution has a clinical training program that was approved by a State as of January 1, 1992; or

(ii) in the case of a veterinary school located outside the United States that does not meet the requirements of section 1001(a)(4) of this title, the institution’s students complete their clinical training at an approved veterinary school located in the United States.

(B) Advisory panel**(i) In general**

For the purpose of qualifying as an institution under paragraph (1)(C) of this subsection, the Secretary shall establish an advisory panel of medical experts that shall—

(I) evaluate the standards of accreditation applied to applicant foreign medical schools; and

(II) determine the comparability of those standards to standards for accreditation applied to United States medical schools.

(ii) Special rule

If the accreditation standards described in clause (i) are determined not to be com-