

111TH CONGRESS
1ST SESSION

H. R. 4196

To create jobs through the hiring of new faculty and counselors at community colleges.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 3, 2009

Mr. LARSON of Connecticut (for himself and Mr. HINOJOSA) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To create jobs through the hiring of new faculty and counselors at community colleges.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Community College
5 Emergency Stabilization Fund Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Since October 2007, the national unemploy-
9 ment rate has increased from 4.8 percent to 10.2
10 percent.

1 (2) There are nearly 1,200 community colleges
2 in the United States, educating over 11,700,000 stu-
3 dents.

4 (3) Community colleges provide access to af-
5 fordable, quality education, and training opportuni-
6 ties.

7 (4) Over the past year enrollment has increased
8 at unprecedented levels at community colleges across
9 the country.

10 (5) Over the past year community colleges have
11 either had to forestall hiring new staff or reduce
12 staff because of budget shortfalls despite increased
13 demand.

14 (6) Due to increased enrollment and insufficient
15 staffing, many individuals are not able to access the
16 training they need to re-enter the workforce.

17 **SEC. 3. EMERGENCY FUNDING FOR COMMUNITY COL-**
18 **LEGES.**

19 (a) IN GENERAL.—From the amounts appropriated
20 under section 7 to carry out this section for a fiscal year,
21 the Secretary of Education shall provide temporary emer-
22 gency funding to States for such fiscal year in accordance
23 with the formula described in subsection (b) to assist com-
24 munity colleges in maintaining, or hiring additional, fac-
25 ulty and staff.

1 (b) FORMULA.—Of the amount appropriated under
2 section 7—

3 (1) $66\frac{2}{3}$ percent shall be allotted on the basis
4 of the relative increase in unemployed individuals in
5 each State compared to the total increase in unem-
6 ployed individuals in all States; and

7 (2) $33\frac{1}{3}$ percent shall be allotted on the basis
8 of the relative excess number of unemployed individ-
9 uals in each State, compared to the total excess
10 number of unemployed individuals in all States.

11 (c) MAINTENANCE OF EFFORT.—

12 (1) IN GENERAL.—Each State shall maintain
13 State support for community colleges in the State at
14 least at the level of such support for the fiscal year
15 immediately preceding the first fiscal year the State
16 received funds under this section.

17 (2) WAIVER.—The Secretary may waive the re-
18 quirements of this paragraph (1), if the Secretary
19 determines that a waiver would be equitable due to
20 exceptional or uncontrollable circumstances, such as
21 a natural disaster or an unforeseen and precipitous
22 decline in the financial resources of the State.

23 (d) SUPPLEMENT, NOT SUPPLANT.—Funds made
24 available under this section shall be used to supplement,
25 and not supplant, other Federal and State funds that

1 would otherwise be expended for assisting community col-
2 leges in maintaining, or hiring additional, faculty and
3 staff.

4 (e) GRANTS TO COMMUNITY COLLEGES.—

5 (1) IN GENERAL.—Not later than 120 days
6 after receiving funds under this section, each State
7 shall use such funds to award grants, on a competi-
8 tive basis, to community colleges located in the State
9 to assist such colleges in maintaining current staff,
10 or hiring additional, faculty and staff.

11 (2) GRANT AMOUNT.—In determining the
12 amount of a grant to award to a community college
13 under this section, a State shall take into account—

14 (A) the total number of students enrolled
15 at the college;

16 (B) the increase in the number of students
17 enrolled at the college relative to the preceding
18 academic year; and

19 (C) the most recent monthly unemploy-
20 ment rate of the local area, as determined by
21 the Secretary (in consultation with the Sec-
22 retary of Labor), in which the college is located.

23 (3) APPLICATION.—A community college desir-
24 ing to receive a grant under this section shall submit
25 an application to the State at such time, in such

1 manner, and containing such information as the
2 State may require, which shall include, at a min-
3 imum, information with respect to—

4 (A) the total number of students enrolled
5 at the college; and

6 (B) the increase in the number of students
7 enrolled at the college relative to the preceding
8 academic year.

9 (f) REPORTS BY STATES.—Each State shall, not later
10 than 12 months after the date of the enactment of this
11 Act, and annually thereafter for each fiscal year in which
12 the State expends funds received under this section, sub-
13 mit to the Secretary a report that includes—

14 (1) a list of the community colleges that have
15 received assistance from the funds;

16 (2) the number of students served at such com-
17 munity colleges as a result of such assistance;

18 (3) the number of faculty and staff maintained
19 or hired at such community colleges as a result of
20 such assistance; and

21 (4) the amount of State support for community
22 colleges in the State for the—

23 (A) fiscal year immediately preceding the
24 first fiscal year the State received funds under
25 this section; and

1 (B) most recent fiscal year in which the
2 State expended funds received under this sec-
3 tion.

4 (g) REPORT BY THE SECRETARY.—The Secretary
5 shall submit to the authorizing committees an annual re-
6 port that includes the information described in subsection
7 (f).

8 **SEC. 4. GRANTS TO CAREER AND TECHNICAL COLLEGES.**

9 (a) IN GENERAL.—From the amounts appropriated
10 under section 7 to carry out this section, the Secretary
11 shall award grants, on a competitive basis, to career and
12 technical colleges located in any State to assist such col-
13 leges in maintaining, or hiring additional, faculty and
14 staff.

15 (b) GRANT AMOUNT.—In determining the amount of
16 a grant to award to a career and technical college under
17 this section, the Secretary shall take into account—

18 (1) the total number of students enrolled at the
19 college;

20 (2) the increase in the number of students en-
21 rolled at the college relative to the preceding aca-
22 demic year; and

23 (3) the most recent monthly unemployment rate
24 of the local area, as determined by the Secretary (in

1 consultation with the Secretary of Labor), in which
2 the college is located.

3 (c) APPLICATION.—A career and technical college de-
4 siring to receive a grant under this section shall submit
5 an application to the Secretary at such time, in such man-
6 ner, and containing such information as the Secretary may
7 require, which shall include, at a minimum, information
8 with respect to—

9 (1) the total number of students enrolled at the
10 college; and

11 (2) the increase in the number of students en-
12 rolled at the college relative to the preceding aca-
13 demic year.

14 **SEC. 5. USES OF FUNDS.**

15 Each community college and career and technical col-
16 lege receiving a grant under this Act shall use the grant
17 funds within 18 months of receipt of such funds to cover
18 costs related to maintaining, or hiring additional, faculty
19 and staff, including—

20 (1) faculty;

21 (2) counselors; and

22 (3) other staff to assist students in training to
23 enter the workforce, as defined by the Secretary.

1 **SEC. 6. GAO REPORT.**

2 (a) EVALUATION.—The Comptroller General of the
3 United States shall conduct an evaluation of the grant
4 programs carried out under sections 3 and 4, which shall
5 include an evaluation of—

6 (1) the criteria the State or the Secretary used
7 in awarding grants to community colleges and career
8 and technical colleges;

9 (2) the grant amounts awarded to community
10 colleges and career and technical colleges;

11 (3) the number of students served at such col-
12 leges as a result of such assistance;

13 (4) the number of faculty and staff maintained
14 or hired at such colleges as a result of such assist-
15 ance; and

16 (5) the amount of State support for community
17 colleges in each State for the—

18 (A) fiscal year immediately preceding the
19 first fiscal year the State received funds under
20 this section; and

21 (B) most recent fiscal year in which the
22 State expended funds received under this sec-
23 tion.

24 (b) REPORT.—Not later than 12 months after the
25 date of the enactment of this Act, the Comptroller General
26 of the United States shall report the results of the evalua-

1 tion conducted under subsection (a) to the authorizing
2 committees.

3 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS; LIMITATION**
4 **ON AUTHORITY.**

5 (a) AUTHORIZATION OF APPROPRIATIONS.—There
6 are authorized to be appropriated \$750,000,000 to carry
7 out this Act, of which \$50,000,000 shall be made available
8 to carry out section 4.

9 (b) LIMITATION ON AUTHORITY.—Any new spending
10 authority or new authority to enter into contracts provided
11 by this Act and under which the United States is obligated
12 to make outlays shall be effective only to the extent, and
13 in such amounts, as are provided in advance in appropria-
14 tions Acts.

15 **SEC. 8. DEFINITIONS.**

16 In this Act:

17 (1) AUTHORIZING COMMITTEES.—The term
18 “authorizing committees” has the meaning given
19 such term in section 103(1) of the Higher Education
20 Act of 1965 (20 U.S.C. 1003(1)).

21 (2) COMMUNITY COLLEGE.—The term “commu-
22 nity college” means a public institution of higher
23 education at which the highest degree that is pre-
24 dominantly awarded to students is an associate’s de-
25 gree.

1 (3) INCREASED UNEMPLOYMENT.—The term
2 “increase in unemployed individuals” means the in-
3 crease in the number of unemployed individuals over
4 the most recent 12-month period for which data are
5 available.

6 (4) INSTITUTION OF HIGHER EDUCATION.—The
7 term “institution of higher education” has the
8 meaning given such term in section 102 of the High-
9 er Education Act of 1965 (20 U.S.C. 1002).

10 (5) EXCESS UNEMPLOYMENT.—The term “ex-
11 cess unemployment” means the number of unem-
12 ployed individuals in excess of the national unem-
13 ployment rate.

14 (6) FREELY ASSOCIATED STATES.—The term
15 “Freely Associated States” means the Republic of
16 the Marshall Islands, the Federated States of Micro-
17 nesia, and the Republic of Palau.

18 (7) NATIONAL UNEMPLOYMENT RATE.—The
19 term “national unemployment rate” means the most
20 recent national unemployment rate published by the
21 Bureau of Labor Statistics of the Department of
22 Labor.

23 (8) STATE.—The term “State” includes, in ad-
24 dition to the several States of the United States, the
25 Commonwealth of Puerto Rico, the District of Co-

1 lumbia, Guam, American Samoa, the United States
2 Virgin Islands, the Commonwealth of the Northern
3 Mariana Islands, and the Freely Associated States.

4 (9) CAREER AND TECHNICAL COLLEGE.—

5 (A) DEFINITION.—The term “career and
6 technical college”—

7 (i) has the meaning given the term
8 “area career and technical school” in sec-
9 tion 3(3) of the Carl D. Perkins Career
10 and Technical Education Act of 2006 (20
11 U.S.C. 2302(3)); and

12 (ii) means a private institution of
13 higher education at which the highest de-
14 gree that is predominantly awarded to stu-
15 dents is an associate’s degree.

16 (B) LOCATION OF COLLEGES.—Such term
17 shall only include career and technical colleges
18 (as defined in subparagraph A) located in a
19 State.

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