

Subsec. (c)(20). Pub. L. 114-95, §1401(3)(B)(ix)–(xi), added par. (20).

### Statutory Notes and Related Subsidiaries

#### EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114-95 effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114-95, set out as a note under section 6301 of this title.

### § 6435. Use of funds

#### (a) Uses

##### (1) In general

A State agency shall use funds received under this subpart only for programs and projects that—

- (A) are consistent with the State plan under section 6434(a) of this title; and
- (B) concentrate on providing participants with the knowledge and skills needed to make a successful transition to secondary school completion, career and technical education, further education, or employment.

##### (2) Programs and projects

Such programs and projects—

(A) may include—

- (i) the acquisition of equipment;
- (ii) pay-for-success initiatives; or
- (iii) providing targeted services for youth who have come in contact with both the child welfare system and juvenile justice system;

(B) shall be designed to support educational services that—

- (i) except for institution-wide projects under section 6436 of this title, are provided to children and youth identified by the State agency as failing, or most at-risk of failing, to meet the challenging State academic standards;
- (ii) respond to the educational needs of such children and youth, including by supplementing and improving the quality of the educational services provided to such children and youth by the State agency; and
- (iii) afford such children and youth an opportunity to meet challenging State academic standards; and

(C) shall be carried out in a manner consistent with section 6321 of this title and part F (as applied to programs and projects under this part).

##### (b) Supplement, not supplant

A program under this subpart that supplements the number of hours of instruction students receive from State and local sources shall be considered to comply with the supplement, not supplant requirement of section 6321 of this title (as applied to this part) without regard to the subject areas in which instruction is given during those hours.

(Pub. L. 89-10, title I, §1415, as added Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1585; amended Pub. L. 114-95, title I, §1401(4), Dec. 10, 2015, 129 Stat. 1902.)

### Editorial Notes

#### PRIOR PROVISIONS

A prior section 6435, Pub. L. 89-10, title I, §1415, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3596, related to use of funds, prior to the general amendment of this subchapter by Pub. L. 107-110.

#### AMENDMENTS

2015—Subsec. (a)(1)(B). Pub. L. 114-95, §1401(4)(A)(i), substituted “career and technical education” for “vocational or technical training”.

Subsec. (a)(2)(A). Pub. L. 114-95, §1401(4)(A)(ii)(I), added subpar. (A) and struck out former subpar. (A) which read as follows: “may include the acquisition of equipment;”.

Subsec. (a)(2)(B)(i). Pub. L. 114-95, §1401(4)(A)(ii)(II)(aa), substituted “the challenging State academic standards” for “the State’s challenging academic content standards and student academic achievement standards”.

Subsec. (a)(2)(B)(ii). Pub. L. 114-95, §1401(4)(A)(ii)(II)(bb), substituted “respond to the educational needs of such children and youth, including by supplementing and improving the quality” for “supplement and improve the quality”.

Subsec. (a)(2)(B)(iii). Pub. L. 114-95, §1401(4)(A)(ii)(II)(cc), substituted “challenging State academic standards” for “challenging State academic achievement standards” and inserted “and” after semicolon at end.

Subsec. (a)(2)(C). Pub. L. 114-95, §1401(4)(A)(ii)(III), made technical amendment to reference in original act which appears in text as reference to section 6321 of this title and substituted “part F” for “part I” and period for “; and” at end.

Subsec. (a)(2)(D). Pub. L. 114-95, §1401(4)(A)(ii)(IV), struck out subpar. (D) which read as follows: “may include the costs of meeting the evaluation requirements of section 7941 of this title.”

Subsec. (b). Pub. L. 114-95, §1401(4)(B), made technical amendment to reference in original act which appears in text as reference to section 6321 of this title.

### Statutory Notes and Related Subsidiaries

#### EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114-95 effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114-95, set out as a note under section 6301 of this title.

### § 6436. Institution-wide projects

A State agency that provides free public education for children and youth in an institution for neglected or delinquent children and youth (other than an adult correctional institution) or attending a community-day program for such children and youth may use funds received under this subpart to serve all children in, and upgrade the entire educational effort of, that institution or program if the State agency has developed, and the State educational agency has approved, a comprehensive plan for that institution or program that—

(1) provides for a comprehensive assessment of the educational needs of all children and youth in the institution or program serving juveniles;

(2) provides for a comprehensive assessment of the educational needs of youth aged 20 and younger in adult facilities who are expected to complete incarceration within a 2-year period;

(3) describes the steps the State agency has taken, or will take, to provide all children and