

- (iv) counseling services; and
- (v) job placement services.

(b) Conduct of projects

A project supported under this section may be conducted directly by the State agency, or through a contract or other arrangement with one or more local educational agencies, other public agencies, or private nonprofit organizations.

(c) Rule of construction

Nothing in this section shall be construed to prohibit a school that receives funds under subsection (a) from serving neglected and delinquent children and youth simultaneously with students with similar educational needs, in the same educational settings where appropriate.

(Pub. L. 89-10, title I, §1418, as added Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1586; amended Pub. L. 114-95, title I, §1401(6), Dec. 10, 2015, 129 Stat. 1903.)

Editorial Notes

PRIOR PROVISIONS

A prior section 6438, Pub. L. 89-10, title I, §1418, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3597, related to transition services, prior to the general amendment of this subchapter by Pub. L. 107-110.

AMENDMENTS

2015—Subsec. (a)(1). Pub. L. 114-95, §1401(6)(A), added par. (1) and struck out former par. (1) which read as follows: “projects that facilitate the transition of children and youth from State-operated institutions to schools served by local educational agencies; or”.

Subsec. (a)(2). Pub. L. 114-95, §1401(6)(B), substituted “regular high school diploma” for “secondary school diploma” in introductory provisions and substituted “career” for “vocational” wherever appearing.

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.

§ 6439. Technical assistance

The Secretary may reserve not more than 2.5 percent of the amount made available to carry out this subpart for a fiscal year to provide technical assistance to and support the capacity building of State agency programs assisted under this subpart.

(Pub. L. 89-10, title I, §1419, as added Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1587; amended Pub. L. 114-95, title I, §1401(7), Dec. 10, 2015, 129 Stat. 1903.)

Editorial Notes

AMENDMENTS

2015—Pub. L. 114-95, in section catchline, substituted “Technical assistance” for “Evaluation; technical assistance; annual model program” and, in text, substituted “for a fiscal year” for “for a fiscal year—”, struck out par. (2) designation before “to provide”, and struck out par. (1) which read as follows: “to develop a uniform model to evaluate the effectiveness of programs assisted under this subpart; and”.

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.

SUBPART 2—LOCAL AGENCY PROGRAMS

§ 6451. Purpose

The purpose of this subpart is to support the operation of local educational agency programs that involve collaboration with locally operated correctional facilities—

(1) to carry out high quality education programs to prepare children and youth for secondary school completion, training, employment, or further education;

(2) to provide activities to facilitate the transition of such children and youth from the correctional program to further education or employment; and

(3) to operate programs in local schools, including schools operated or funded by the Bureau of Indian Education, for children and youth returning from correctional facilities, and programs which may serve at-risk children and youth.

(Pub. L. 89-10, title I, §1421, as added Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1587; amended Pub. L. 114-95, title I, §1401(8), Dec. 10, 2015, 129 Stat. 1903.)

Editorial Notes

PRIOR PROVISIONS

A prior section 6451, Pub. L. 89-10, title I, §1421, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3597, related to purpose of subpart, prior to the general amendment of this subchapter by Pub. L. 107-110.

AMENDMENTS

2015—Par. (3). Pub. L. 114-95 inserted “, including schools operated or funded by the Bureau of Indian Education,” after “local schools”.

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.

§ 6452. Programs operated by local educational agencies

(a) Local subgrants

With funds made available under section 6422(b) of this title, the State educational agency shall award subgrants to local educational agencies with high numbers or percentages of children and youth residing in locally operated (including county operated) correctional facilities for children and youth (including facilities involved in community day programs).

(b) Special rule

A local educational agency that serves a school operated by a correctional facility is not

required to operate a program of support for children and youth returning from such school to a school that is not operated by a correctional agency but served by such local educational agency, if more than 30 percent of the children and youth attending the school operated by the correctional facility will reside outside the boundaries served by the local educational agency after leaving such facility.

(c) Notification

A State educational agency shall notify local educational agencies within the State of the eligibility of such agencies to receive a subgrant under this subpart.

(d) Transitional and academic services

Transitional and supportive programs operated in local educational agencies under this subpart shall be designed primarily to meet the transitional and academic needs of students returning to local educational agencies or alternative education programs from correctional facilities. Services to students at-risk of dropping out of school shall not have a negative impact on meeting such transitional and academic needs of the students returning from correctional facilities.

(Pub. L. 89-10, title I, §1422, as added Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1587; amended Pub. L. 114-95, title I, §1401(9), Dec. 10, 2015, 129 Stat. 1903.)

Editorial Notes

PRIOR PROVISIONS

A prior section 6452, Pub. L. 89-10, title I, §1422, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3598, related to programs operated by local educational agencies, prior to the general amendment of this subchapter by Pub. L. 107-110.

AMENDMENTS

2015—Subsec. (d). Pub. L. 114-95 substituted “impact on meeting such transitional” for “impact on meeting the transitional”.

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.

§ 6453. Local educational agency applications

Each local educational agency desiring assistance under this subpart shall submit an application to the State educational agency that contains such information as the State educational agency may require. Each such application shall include—

- (1) a description of the program to be assisted;
- (2) a description of formal agreements, regarding the program to be assisted, between—
 - (A) the local educational agency; and
 - (B) correctional facilities and alternative school programs serving children and youth involved with the juvenile justice system, including such facilities operated by the Secretary of the Interior and Indian tribes;

(3) as appropriate, a description of how participating schools will coordinate with facilities working with delinquent children and youth to ensure that such children and youth are participating in an education program comparable to one operating in the local school such youth would attend;

(4) a description of the program operated by participating schools to facilitate the successful transition of children and youth returning from correctional facilities and, as appropriate, the types of services that such schools will provide such children and youth and other at-risk children and youth;

(5) a description of the characteristics (including learning difficulties, substance abuse problems, and other special needs) of the children and youth who will be returning from correctional facilities and, as appropriate, other at-risk children and youth expected to be served by the program, and a description of how the school will coordinate existing educational programs to meet the unique educational needs of such children and youth;

(6) as appropriate, a description of how schools will coordinate with existing social, health, and other services to meet the needs of students returning from correctional facilities, at-risk children or youth, and other participating children or youth, including prenatal health care and nutrition services related to the health of the parent and the child or youth, parenting and child development classes, child care, targeted reentry and outreach programs, referrals to community resources, and scheduling flexibility;

(7) as appropriate, a description of any partnerships with institutions of higher education or local businesses to facilitate postsecondary and workforce success for children and youth returning from correctional facilities, such as through participation in credit-bearing coursework while in secondary school, enrollment in postsecondary education, participation in career and technical education programming, and mentoring services for participating students;

(8) as appropriate, a description of how the program will involve parents and family members in efforts to improve the educational achievement of their children, assist in drop-out prevention activities, and prevent the involvement of their children in delinquent activities;

(9) a description of how the program under this subpart will be coordinated with other Federal, State, and local programs, such as programs under title I of the Workforce Innovation and Opportunity Act [29 U.S.C. 3111 et seq.] and career and technical education programs serving at-risk children and youth;

(10) a description of how the program will be coordinated with programs operated under the Juvenile Justice and Delinquency Prevention Act of 1974 [34 U.S.C. 11101 et seq.] and other comparable programs, if applicable;

(11) as appropriate, a description of how schools will work with probation officers to assist in meeting the needs of children and youth returning from correctional facilities;

(12) a description of the efforts participating schools will make to ensure correctional fa-