

(Pub. L. 89-10, title I, §1431, as added Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1591; amended Pub. L. 114-95, title I, §1401(14), Dec. 10, 2015, 129 Stat. 1905.)

#### Editorial Notes

##### PRIOR PROVISIONS

A prior section 6471, Pub. L. 89-10, title I, §1431, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3600, related to program evaluations, prior to the general amendment of this subchapter by Pub. L. 107-110.

A prior section 1431 of Pub. L. 89-10 was classified to section 2831 of this title, prior to the general amendment of Pub. L. 89-10 by Pub. L. 103-382.

##### AMENDMENTS

2015—Subsec. (a). Pub. L. 114-95, §1401(14)(A), (B), inserted “while protecting individual student privacy,” after “age” in introductory provisions and substituted “high school” for “secondary school” wherever appearing.

Subsec. (a)(1). Pub. L. 114-95, §1401(14)(C), inserted “and to graduate from high school in the number of years established by the State under either the four-year adjusted cohort graduation rate or the extended-year adjusted cohort graduation rate, if applicable” after “educational achievement”.

Subsec. (a)(3). Pub. L. 114-95, §1401(14)(D), inserted “or school operated or funded by the Bureau of Indian Education” after “local educational agency”.

#### 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.

#### § 6472. Definitions

In this part:

##### (1) Adult correctional institution

The term “adult correctional institution” means a facility in which persons (including persons under 21 years of age) are confined as a result of a conviction for a criminal offense.

##### (2) At-risk

The term “at-risk”, when used with respect to a child, youth, or student, means a school aged individual who is at-risk of academic failure, dependency adjudication, or delinquency adjudication, has a drug or alcohol problem, is pregnant or is a parent, has come into contact with the juvenile justice system or child welfare system in the past, is at least 1 year behind the expected grade level for the age of the individual, is an English learner, is a gang member, has dropped out of school in the past, or has a high absenteeism rate at school.

##### (3) Community day program

The term “community day program” means a regular program of instruction provided by a State agency at a community day school operated specifically for neglected or delinquent children and youth.

##### (4) Institution for neglected or delinquent children and youth

The term “institution for neglected or delinquent children and youth” means—

(A) a public or private residential facility, other than a foster home, that is operated for the care of children who have been committed to the institution or voluntarily placed in the institution under applicable State law, due to abandonment, neglect, or death of their parents or guardians; or

(B) a public or private residential facility for the care of children who have been adjudicated to be delinquent or in need of supervision.

(Pub. L. 89-10, title I, §1432, as added Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1591; amended Pub. L. 114-95, title I, §1401(15), Dec. 10, 2015, 129 Stat. 1905.)

#### Editorial Notes

##### PRIOR PROVISIONS

A prior section 6472, Pub. L. 89-10, title I, §1432, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3601, defined terms for this part, prior to the general amendment of this subchapter by Pub. L. 107-110.

A prior section 1432 of Pub. L. 89-10 was classified to section 2832 of this title, prior to the general amendment of Pub. L. 89-10 by Pub. L. 103-382.

##### AMENDMENTS

2015—Par. (2). Pub. L. 114-95 inserted “dependency adjudication, or delinquency adjudication,” after “failure,” inserted “or child welfare system” after “juvenile justice system”, and substituted “is an English learner” for “has limited English proficiency”.

#### 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.

#### PART E—FLEXIBILITY FOR EQUITABLE PER-PUPIL FUNDING

#### Editorial Notes

##### PRIOR PROVISIONS

A prior part E, consisting of sections 6491 to 6494, related to national assessment of subchapter I, prior to repeal by Pub. L. 114-95, title I, §1501(a)(1), Dec. 10, 2015, 129 Stat. 1905.

#### § 6491. Flexibility for equitable per-pupil funding

##### (a) Purpose

The purpose of the program under this section is to provide local educational agencies with flexibility to consolidate eligible Federal funds and State and local education funding in order to create a single school funding system based on weighted per-pupil allocations for low-income and otherwise disadvantaged students.

##### (b) Authority

###### (1) In general

The Secretary is authorized to enter into local flexibility demonstration agreements—

(A) for not more than 3 years with local educational agencies that are selected under subsection (c) and submit proposed agreements that meet the requirements of subsection (d); and