

(1) Classified school employee

The term “classified school employee” means an employee of a State or of any political subdivision of a State, or an employee of a nonprofit entity, who works in any grade from prekindergarten through high school in any of the following occupational specialties:

- (A) Paraprofessional, including paraeducator services.
- (B) Clerical and administrative services.
- (C) Transportation services.
- (D) Food and nutrition services.
- (E) Custodial and maintenance services.
- (F) Security services.
- (G) Health and student services.
- (H) Technical services.
- (I) Skilled trades.

(2) Other definitions

The terms used in this subpart have the meanings given the terms in section 7801 of this title.

(Pub. L. 116–13, §3, Apr. 12, 2019, 133 Stat. 847.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Recognizing Achievement in Classified School Employees Act, and not as part of the Elementary and Secondary Education Act of 1965 which comprises this chapter.

§ 6683. Recognition program established**(a) In general**

The Secretary of Education shall establish a national recognition program to be known as the “Recognizing Inspiring School Employees Award Program” or the “award program”. The purpose of the award program shall be to recognize and promote the commitment and excellence exhibited by classified school employees who provide exemplary service to students in prekindergarten through high school.

(b) Award**(1) In general**

Prior to May 31 of each year (beginning with the second calendar year that begins after April 12, 2019), the Secretary shall select a classified school employee to receive the Recognizing Inspiring School Employees Award for the year.

(2) Non-monetary value

The award and recognition provided under this subpart shall have no monetary value.

(c) Selection process**(1) Nomination process****(A) In general**

Not later than November 1 of each year (beginning with the first calendar year that begins after April 12, 2019), the Secretary shall solicit nominations of classified school employees from the occupational specialties described in section 6682(1) of this title from the Governor of each State.

(B) Nomination submissions

In order for individuals in a State to be eligible to receive recognition under this sec-

tion, the Governor of the State shall consider nominations submitted by the following:

- (i) Local educational agencies.
- (ii) School administrators.
- (iii) Professional associations.
- (iv) Labor organizations.
- (v) Educational service agencies.
- (vi) Nonprofit entities.
- (vii) Parents and students.
- (viii) Any other group determined appropriate by the Secretary.

(2) Demonstration

Each Governor of a State who desires individuals in the State to receive recognition under this section shall submit the nominations described in paragraph (1) to the Secretary in such manner as may be required by the Secretary. Each such nomination shall contain, at a minimum, demonstrations of excellence in the following areas:

- (A) Work performance.
- (B) School and community involvement.
- (C) Leadership and commitment.
- (D) Local support.
- (E) Enhancement of classified school employees’ image in the community and schools.

(3) Selection

The Secretary shall develop uniform national guidelines for evaluating nominations submitted under paragraph (2) in order to select the most deserving nominees based on the demonstrations made in the areas described in such paragraph.

(Pub. L. 116–13, §4, Apr. 12, 2019, 133 Stat. 848.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Recognizing Achievement in Classified School Employees Act, and not as part of the Elementary and Secondary Education Act of 1965 which comprises this chapter.

PART C—GENERAL PROVISIONS

§ 6691. Supplement, not supplant

Funds made available under this subchapter shall be used to supplement, and not supplant, non-Federal funds that would otherwise be used for activities authorized under this subchapter.

(Pub. L. 89–10, title II, §2301, as added Pub. L. 114–95, title II, §2002, Dec. 10, 2015, 129 Stat. 1953.)

Editorial Notes

PRIOR PROVISIONS

A prior section 6691, Pub. L. 89–10, title II, §2321, as added Pub. L. 107–110, title II, §201, Jan. 8, 2002, 115 Stat. 1660, authorized appropriations for subpart 1 of part C of former subchapter II of this chapter, prior to repeal by Pub. L. 114–95, §5, title II, §2002, Dec. 10, 2015, 129 Stat. 1806, 1913, effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs.

A prior section 2301 of Pub. L. 89–10 was classified to section 6671 of this title, prior to repeal by Pub. L. 112–239.

Another prior section 2301 of Pub. L. 89–10 was classified to section 6671 of this title, prior to the general amendment of this subchapter by Pub. L. 107–110.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section 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 an Effective Date of 2015 Amendment note under section 6301 of this title.

§ 6692. Rules of construction

(a) Prohibition against Federal mandates, direction, or control

Nothing in this subchapter shall be construed to authorize the Secretary or any other officer or employee of the Federal Government to mandate, direct, or control a State, local educational agency, or school's—

- (1) instructional content or materials, curriculum, program of instruction, academic standards, or academic assessments;
- (2) teacher, principal, or other school leader evaluation system;
- (3) specific definition of teacher, principal, or other school leader effectiveness; or
- (4) teacher, principal, or other school leader professional standards, certification, or licensing.

(b) School or district employees

Nothing in this subchapter shall be construed to alter or otherwise affect the rights, remedies, and procedures afforded school or school district employees under Federal, State, or local laws (including applicable regulations or court orders) or under the terms of collective bargaining agreements, memoranda of understanding, or other agreements between such employees and their employers.

(Pub. L. 89-10, title II, §2302, as added Pub. L. 114-95, title II, §2002, Dec. 10, 2015, 129 Stat. 1953.)

Editorial Notes

PRIOR PROVISIONS

A prior section 2302 of Pub. L. 89-10 was classified to section 6672 of this title, prior to repeal by Pub. L. 112-239.

Another prior section 2302 of Pub. L. 89-10 was classified to section 6672 of this title, prior to the general amendment of this subchapter by Pub. L. 107-110.

Prior sections 6701, 6702, 6711 to 6716, 6721, and 6722 were repealed by Pub. L. 114-95, §5, title II, §2002, Dec. 10, 2015, 129 Stat. 1806, 1913, effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs.

Section 6701, Pub. L. 89-10, title II, §2331, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1660, set forth purposes of subpart 2 of part C of former subchapter II of this chapter.

Another prior section 6701, Pub. L. 89-10, title II, §2401, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3635; amended Pub. L. 105-277, div. A, §101(f) [title VIII, §101(b)(3)], Oct. 21, 1998, 112 Stat. 2681-337, 2681-407, related to reporting and accountability, prior to the general amendment of this subchapter by Pub. L. 107-110.

Section 6702, Pub. L. 89-10, title II, §2332, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1660, related to the National Writing Project.

Another prior section 6702, Pub. L. 89-10, title II, §2402, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3635; amended Pub. L. 105-277, div. A, §101(f) [title VIII, §101(b)(4)], Oct. 21, 1998, 112 Stat. 2681-337, 2681-407, defined terms used in this subchapter, prior to

the general amendment of this subchapter by Pub. L. 107-110.

Section 6711, Pub. L. 89-10, title II, §2341, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1662, provided that subpart 3 of part C of former subchapter II of this chapter could be cited as the "Education for Democracy Act".

Section 6712, Pub. L. 89-10, title II, §2342, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1662, set forth purpose of subpart 3 of part C of former subchapter II of this chapter.

Section 6713, Pub. L. 89-10, title II, §2343, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1662, related to authority to award grants or enter into contracts.

Section 6714, Pub. L. 89-10, title II, §2344, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1663, related to We the People program.

Section 6715, Pub. L. 89-10, title II, §2345, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1664, related to cooperative civic education and economic education exchange programs.

Section 6716, Pub. L. 89-10, title II, §2346, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1666, authorized appropriations to carry out subpart 3 of part C of former subchapter II of this chapter.

Section 6721, Pub. L. 89-10, title II, §2351, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1666, related to establishment of the Teaching American History Grant Program.

Section 6722, Pub. L. 89-10, title II, §2352, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1667, authorized appropriations to carry out subpart 4 of part C of former subchapter II of this chapter.

A prior section 6731, Pub. L. 89-10, title II, §2361, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1667, which set out short title of the Paul D. Coverdell Teacher Protection Act of 2001, was renumbered section 8551 of title VIII of Pub. L. 89-10 by Pub. L. 114-95, title II, §2001(a)(3)(A), (B), (D), title VIII, §8001(a)(7), Dec. 10, 2015, 129 Stat. 1913, 2088, 2089, and transferred to section 7941 of this title.

A prior section 6732, Pub. L. 89-10, title II, §2362, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1667, which related to purpose, was renumbered section 8552 of title VIII of Pub. L. 89-10 by Pub. L. 114-95, title II, §2001(a)(3)(A), (B), (D), title VIII, §8001(a)(7), Dec. 10, 2015, 129 Stat. 1913, 2088, 2089, and transferred to section 7942 of this title.

A prior section 6733, Pub. L. 89-10, title II, §2363, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1667, which related to definitions, was renumbered section 8553 of title VIII of Pub. L. 89-10 by Pub. L. 114-95, title II, §2001(a)(3)(A), (B), (D), title VIII, §8001(a)(7), Dec. 10, 2015, 129 Stat. 1913, 2088, 2089, and transferred to section 7943 of this title.

A prior section 6734, Pub. L. 89-10, title II, §2364, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1668, which related to applicability, was renumbered section 8554 of title VIII of Pub. L. 89-10 by Pub. L. 114-95, title II, §2001(a)(3)(A), (B), (D), title VIII, §8001(a)(7), Dec. 10, 2015, 129 Stat. 1913, 2088, 2089, and transferred to section 7944 of this title.

A prior section 6735, Pub. L. 89-10, title II, §2365, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1668, which related to preemption and election of State nonapplicability, was renumbered section 8555 of title VIII of Pub. L. 89-10 by Pub. L. 114-95, title II, §2001(a)(3)(A), (B), (D), title VIII, §8001(a)(7), Dec. 10, 2015, 129 Stat. 1913, 2088, 2089, and transferred to section 7945 of this title.

A prior section 6736, Pub. L. 89-10, title II, §2366, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1668, which related to limitation on liability for teachers, was renumbered section 8556 of title VIII of Pub. L. 89-10 by Pub. L. 114-95, title II, §2001(a)(3)(A), (B), (D), title VIII, §8001(a)(7), Dec. 10, 2015, 129 Stat. 1913, 2088, 2089, and transferred to section 7946 of this title.

A prior section 6737, Pub. L. 89-10, title II, §2367, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115