

§ 7119. Activities to support the effective use of technology

(a) Uses of funds

Subject to section 7116(f) of this title, each local educational agency, or consortium of such agencies, that receives an allocation under section 7115(a)¹ of this title shall use a portion of such funds to improve the use of technology to improve the academic achievement, academic growth, and digital literacy of all students, including by meeting the needs of such agency or consortium that are identified in the needs assessment conducted under section 7116(d) of this title (if applicable), which may include—

(1) providing educators, school leaders, and administrators with the professional learning tools, devices, content, and resources to—

(A) personalize learning to improve student academic achievement;

(B) discover, adapt, and share relevant high-quality educational resources;

(C) use technology effectively in the classroom, including by administering computer-based assessments and blended learning strategies; and

(D) implement and support school- and district-wide approaches for using technology to inform instruction, support teacher collaboration, and personalize learning;

(2) building technological capacity and infrastructure, which may include—

(A) procuring content and ensuring content quality; and

(B) purchasing devices, equipment, and software applications in order to address readiness shortfalls;

(3) developing or using effective or innovative strategies for the delivery of specialized or rigorous academic courses and curricula through the use of technology, including digital learning technologies and assistive technology;

(4) carrying out blended learning projects, which shall include—

(A) planning activities, which may include development of new instructional models (including blended learning technology software and platforms), the purchase of digital instructional resources, initial professional development activities, and one-time information technology purchases, except that such expenditures may not include expenditures related to significant construction or renovation of facilities; or

(B) ongoing professional development for teachers, principals, other school leaders, or other personnel involved in the project that is designed to support the implementation and academic success of the project;

(5) providing professional development in the use of technology (which may be provided through partnerships with outside organizations) to enable teachers and instructional leaders to increase student achievement in the areas of science, technology, engineering, and mathematics, including computer science; and

(6) providing students in rural, remote, and underserved areas with the resources to take

advantage of high-quality digital learning experiences, digital resources, and access to online courses taught by effective educators.

(b) Special rule

A local educational agency, or consortium of such agencies, shall not use more than 15 percent of funds for purchasing technology infrastructure as described in subsection (a)(2)(B), which shall include technology infrastructure purchased for the activities under subsection (a)(4)(A).

(Pub. L. 89–10, title IV, § 4109, as added Pub. L. 114–95, title IV, § 4101, Dec. 10, 2015, 129 Stat. 1981.)

Editorial Notes

REFERENCES IN TEXT

Section 7115(a) of this title, referred to in subsec. (a), was in the original “section 4015(a)”, and was translated as meaning section 4105(a) of the Elementary and Secondary Education Act of 1965, Pub. L. 89–10, to reflect the probable intent of Congress, because that Act does not contain a section 4015 and section 4105(a) refers to allocations.

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.

§ 7120. Supplement, not supplant

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

(Pub. L. 89–10, title IV, § 4110, as added Pub. L. 114–95, title IV, § 4101, Dec. 10, 2015, 129 Stat. 1982.)

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.

§ 7121. Rule of construction

Nothing in this subpart may be construed to—

(1) authorize activities or programming that encourages teenage sexual activity; or

(2) prohibit effective activities or programming that meet the requirements of section 7906 of this title.

(Pub. L. 89–10, title IV, § 4111, as added Pub. L. 114–95, title IV, § 4101, Dec. 10, 2015, 129 Stat. 1982.)

Editorial Notes

PRIOR PROVISIONS

A prior section 4111 of Pub. L. 89–10 was classified to section 7111 of this title, prior to the general amendment of this subpart by Pub. L. 114–95.

A prior section 4011 [4111] of Pub. L. 89–10 was classified to section 7111 of this title, prior to the general amendment of this subchapter by Pub. L. 107–110.

¹ See References in Text note below.

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.

§ 7122. Authorization of appropriations**(a) In general**

There are authorized to be appropriated to carry out this subpart \$1,650,000,000 for fiscal year 2017 and \$1,600,000,000 for each of fiscal years 2018 through 2020.

(b) Forward funding

Section 1223 of this title shall apply to this subpart.

(Pub. L. 89-10, title IV, §4112, as added Pub. L. 114-95, title IV, §4101, Dec. 10, 2015, 129 Stat. 1982.)

Editorial Notes

PRIOR PROVISIONS

A prior section 4112 of Pub. L. 89-10 was classified to section 7112 of this title, prior to the general amendment of this subpart by Pub. L. 114-95.

Another prior section 4112 of Pub. L. 89-10 was classified to section 7112 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.

SUBPART 2—INTERNET SAFETY

Editorial Notes

CODIFICATION

Pub. L. 114-95, title II, §2001(a)(4)(A)-(C), title IV, §4001(a)(5)(C), Dec. 10, 2015, 129 Stat. 1913, 1966, redesignated subpart 4 (§6777) of part D of subchapter II of this chapter as subpart 2 of part A of this subchapter.

PRIOR PROVISIONS

A prior subpart 2, consisting of sections 7131 to 7140 of this title, related to national programs, prior to repeal by Pub. L. 114-95, title IV, §4001(a)(5)(B), Dec. 10, 2015, 129 Stat. 1966.

§ 7131. Internet safety**(a) In general**

No funds made available under this part to a local educational agency for an elementary school or secondary school that does not receive services at discount rates under section 254(h)(5) of title 47 may be used to purchase computers used to access the Internet, or to pay for direct costs associated with accessing the Internet, for such school unless the school, school board, local educational agency, or other authority with responsibility for administration of such school both—

(1)(A) has in place a policy of Internet safety for minors that includes the operation of a

technology protection measure with respect to any of its computers with Internet access that protects against access through such computers to visual depictions that are—

- (i) obscene;
- (ii) child pornography; or
- (iii) harmful to minors; and

(B) is enforcing the operation of such technology protection measure during any use of such computers by minors; and

(2)(A) has in place a policy of Internet safety that includes the operation of a technology protection measure with respect to any of its computers with Internet access that protects against access through such computers to visual depictions that are—

- (i) obscene; or
- (ii) child pornography; and

(B) is enforcing the operation of such technology protection measure during any use of such computers.

(b) Timing and applicability of implementation**(1) In general**

The local educational agency with responsibility for a school covered by subsection (a) shall certify the compliance of such school with the requirements of subsection (a) as part of the application process for the next program funding year under this chapter following December 21, 2000, and for each subsequent program funding year thereafter.

(2) Process**(A) Schools with Internet safety policies and technology protection measures in place**

A local educational agency with responsibility for a school covered by subsection (a) that has in place an Internet safety policy meeting the requirements of subsection (a) shall certify its compliance with subsection (a) during each annual program application cycle under this chapter.

(B) Schools without Internet safety policies and technology protection measures in place**(i) Certification**

A local educational agency with responsibility for a school covered by subsection (a) that does not have in place an Internet safety policy meeting the requirements of subsection (a)—

(I) for the first program year after December 21, 2000, in which the local educational agency is applying for funds for such school under this chapter, shall certify that it is undertaking such actions, including any necessary procurement procedures, to put in place an Internet safety policy that meets such requirements; and

(II) for the second program year after December 21, 2000, in which the local educational agency is applying for funds for such school under this chapter, shall certify that such school is in compliance with such requirements.

(ii) Ineligibility

Any school covered by subsection (a) for which the local educational agency con-