(Pub. L. 89–10, title IV, § 4121, formerly title II, § 2441, as added Pub. L. 107–110, title II, § 201, Jan. 8, 2002, 115 Stat. 1686; renumbered title IV, § 4161, renumbered § 4121, Pub. L. 114–95, title II, § 2001(a)(4)(A), (B), (D), title IV, § 4001(a)(5)(D), Dec. 10, 2015, 129 Stat. 1913, 1966.)

Editorial Notes

CODIFICATION

Section was classified to section 6777 of this title prior to renumbering by Pub. L. 114–95.

PRIOR PROVISIONS

Prior sections 7131 to 7140 were repealed by Pub. L. 114–95, § 5, title IV, § 4001(a)(5)(B), Dec. 10, 2015, 129 Stat. 1806, 1966, effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs.

Section 7131, Pub. L. 89–10, title IV, § 4121, as added Pub. L. 107–110, title IV, § 401, Jan. 8, 2002, 115 Stat. 1751, related to Federal activities.

A prior section 7131, Pub. L. 89–10, title IV, § 4121, as added Pub. L. 103–382, title I, § 101, Oct. 20, 1994, 108 Stat. 3686, related to Federal activities, prior to the general amendment of this subchapter by Pub. L. 107–110.

Section 7132, Pub. L. 89–10, title IV, § 4122, as added Pub. L. 107–110, title IV, § 401, Jan. 8, 2002, 115 Stat. 1752, related to impact evaluation.

A prior section 7132, Pub. L. 89–10, title IV, § 4122, as added Pub. L. 103–382, title I, § 101, Oct. 20, 1994, 108 Stat. 3687, related to grants to institutions of higher education, prior to repeal by Pub. L. 105–244, § 3, title IX, § 981, Oct. 7, 1998, 112 Stat. 1585, 1837, effective Oct. 1, 1998, except as otherwise provided in Pub. L. 105–244.

Section 7133, Pub. L. 89–10, title IV, § 4123, as added Pub. L. 107–110, title IV, § 401, Jan. 8, 2002, 115 Stat. 1752, related to hate crime prevention.

A prior section 7133, Pub. L. 89–10, title IV, § 4123, as added Pub. L. 103–382, title I, § 101, Oct. 20, 1994, 108 Stat. 3687, related to hate crime prevention, prior to the general amendment of this subchapter by Pub. L. 107–110.

Section 7134, Pub. L. 89–10, title IV, § 4124, as added Pub. L. 107–110, title IV, § 401, Jan. 8, 2002, 115 Stat. 1754, related to the Safe and Drug-Free Schools and Communities Advisory Committee.

Section 7135, Pub. L. 89–10, title IV, § 4125, as added Pub. L. 107–110, title IV, § 401, Jan. 8, 2002, 115 Stat. 1755, related to the National Coordinator Program.

Section 7136, Pub. L. 89–10, title IV, § 4126, as added Pub. L. 107–110, title IV, § 401, Jan. 8, 2002, 115 Stat. 1756, related to community service grant programs.

Section 7137, Pub. L. 89–10, title IV, § 4127, as added Pub. L. 107–110, title IV, § 401, Jan. 8, 2002, 115 Stat. 1756, related to the School Security Technology and Resource Center.

Section 7138, Pub. L. 89–10, title IV, § 4128, as added Pub. L. 107–110, title IV, § 401, Jan. 8, 2002, 115 Stat. 1756, related to the National Center for School and Youth Safety.

Section 7139, Pub. L. 89–10, title IV, § 4129, as added Pub. L. 107–110, title IV, § 401, Jan. 8, 2002, 115 Stat. 1757, authorized grants to reduce alcohol abuse.

Section 7140, Pub. L. 89–10, title IV, § 4130, as added Pub. L. 107–110, title IV, § 401, Jan. 8, 2002, 115 Stat. 1758, related to mentoring programs.

Prior sections 7141 to 7144 were omitted in the general amendment of this subchapter by Pub. L. 107–110.

Section 7141, Pub. L. 89–10, title IV, § 4131, as added Pub. L. 103–382, title I, § 101, Oct. 20, 1994, 108 Stat. 3689, defined terms.

Section 7142, Pub. L. 89–10, title IV, § 4132, as added Pub. L. 103–382, title I, § 101, Oct. 20, 1994, 108 Stat. 3689, related to materials.

Section 7143, Pub. L. 89–10, title IV, § 4133, as added Pub. L. 103–382, title I, § 101, Oct. 20, 1994, 108 Stat. 3690, set forth prohibited uses of funds.

Section 7144, Pub. L. 89–10, title IV, § 4134, as added Pub. L. 105–277, div. D, title I, § 122, Oct. 21, 1998, 112 Stat. 2681–756, related to quality rating of drug, alcohol, and tobacco prevention programs implemented in public elementary schools and secondary schools.

SUBPART 3—GUN POSSESSION

Editorial Notes

CODIFICATION

Subpart 3 of part A of title IV of the Elementary and Secondary Education Act, comprising this subpart, was redesignated subpart 4 of part F of title VIII of the Act by Pub. L. 114–95, title IV, § 4001(a)(2)(A)–(C), title VIII, § 8001(a), (b)(1), Dec. 10, 2015, 129 Stat. 1966, 2088, 2089, and transferred to subpart 4 (§ 7961) of part F of subchapter VIII of this chapter.

§ 7151. Transferred

Editorial Notes

CODIFICATION

Section 7151, Pub. L. 89–10, title IV, § 4141, as added Pub. L. 107–110, title IV, § 401, Jan. 8, 2002, 115 Stat. 1762, which related to gun-free requirements, was renumbered section 8561 of Pub. L. 89–10 by Pub. L. 114–95, title IV, § 4001(a)(2)(D), title VIII, § 8001(a)(8), Dec. 10, 2015, 129 Stat. 1966, 2088, 2089, and transferred to section 7961 of this title.

SUBPART 4—GENERAL PROVISIONS

§§ 7161 to 7164. Repealed. Pub. L. 114–95, title IV, § 4001(a)(5)(B), Dec. 10, 2015, 129 Stat. 1966

Section 7161, Pub. L. 89–10, title IV, § 4151, as added Pub. L. 107–110, title IV, § 401, Jan. 8, 2002, 115 Stat. 1763, defined terms.

Section 7162, Pub. L. 89–10, title IV, § 4152, as added Pub. L. 107–110, title IV, § 401, Jan. 8, 2002, 115 Stat. 1764, related to message and materials.

Section 7163, Pub. L. 89–10, title IV, § 4153, as added Pub. L. 107–110, title IV, § 401, Jan. 8, 2002, 115 Stat. 1765, related to parental consent.

Section 7164, Pub. L. 89–10, title IV, § 4154, as added Pub. L. 107–110, title IV, § 401, Jan. 8, 2002, 115 Stat. 1765, related to prohibited uses of funds.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal 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.

§ 7165. Transferred

Editorial Notes

CODIFICATION

Section, Pub. L. 89–10, title IV, § 4155, as added Pub. L. 107–110, title IV, § 401, Jan. 8, 2002, 115 Stat. 1765, which related to transfer of school disciplinary records, was renumbered section 8537 of Pub. L. 89–10 by Pub. L. 114–95, title IV, § 4001(a)(3), title VIII, § 8001(a)(6), Dec. 10, 2015, 129 Stat. 1966, 2088, 2089, and transferred to section 7917 of this title.

PART B—21ST CENTURY COMMUNITY LEARNING CENTERS

§ 7171. Purpose; definitions

(a) Purpose

The purpose of this part is to provide opportunities for communities to establish or expand activities in community learning centers that—

(1) provide opportunities for academic enrichment, including providing tutorial services to help students, particularly students who attend low-performing schools, to meet the challenging State academic standards;

(2) offer students a broad array of additional services, programs, and activities, such as youth development activities, service learning, nutrition and health education, drug and violence prevention programs, counseling programs, arts, music, physical fitness and wellness programs, technology education programs, financial literacy programs, environmental literacy programs, mathematics, science, career and technical programs, internship or apprenticeship programs, and other ties to an in-demand industry sector or occupation for high school students that are designed to reinforce and complement the regular academic program of participating students; and

(3) offer families of students served by community learning centers opportunities for active and meaningful engagement in their children's education, including opportunities for literacy and related educational development.

(b) Definitions

In this part:

(1) Community learning center

The term ''community learning center'' means an entity that—

(A) assists students to meet the challenging State academic standards by providing the students with academic enrichment activities and a broad array of other activities (such as programs and activities described in subsection (a)(2)) during nonschool hours or periods when school is not in session (such as before and after school or during summer recess) that—

(i) reinforce and complement the regular academic programs of the schools attended by the students served; and

(ii) are targeted to the students' academic needs and aligned with the instruction students receive during the school day; and

(B) offers families of students served by such center opportunities for active and meaningful engagement in their children's education, including opportunities for literacy and related educational development.

(2) Covered program

The term ''covered program'' means a program for which—

(A) the Secretary made a grant under this part (as this part was in effect on the day before the effective date of this part under the Every Student Succeeds Act); and

(B) the grant period had not ended on that effective date.

(3) Eligible entity

The term ''eligible entity'' means a local educational agency, community-based organization, Indian tribe or tribal organization (as such terms are defined in section 5304 of title 25), another public or private entity, or a consortium of 2 or more such agencies, organizations, or entities.

(4) External organization

The term ''external organization'' means—

(A) a nonprofit organization with a record of success in running or working with before and after school (or summer recess) programs and activities; or

(B) in the case of a community where there is no such organization, a nonprofit organization in the community that enters into a written agreement or partnership with an organization described in subparagraph (A) to receive mentoring and guidance in running or working with before and after school (or summer recess) programs and activities.

(5) Rigorous peer-review process

The term ''rigorous peer-review process'' means a process by which—

(A) employees of a State educational agency who are familiar with the programs and activities assisted under this part review all applications that the State receives for awards under this part for completeness and applicant eligibility;

(B) the State educational agency selects peer reviewers for such applications, who shall—

(i) be selected for their expertise in providing effective academic, enrichment, youth development, and related services to children; and

(ii) not include any applicant, or representative of an applicant, that has submitted an application under this part for the current application period; and

(C) the peer reviewers described in subparagraph (B) review and rate the applications to determine the extent to which the applications meet the requirements under sections 7174(b) and 7175 of this title.

(6) State

The term ''State'' means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

(Pub. L. 89–10, title IV, § 4201, as added Pub. L. 107–110, title IV, § 401, Jan. 8, 2002, 115 Stat. 1765; amended Pub. L. 114–95, title IV, § 4201(a), Dec. 10, 2015, 129 Stat. 1982.)

Editorial Notes

REFERENCES IN TEXT

This part (as this part was in effect on the day before the effective date of this part under the Every Student Succeeds Act), referred to in subsec. (b)(2)(A), means this part as in effect before it was amended generally by Pub. L. 114–95, title IV, § 4201(a), Dec. 10, 2015, 129 Stat. 1982. For effective date of Pub. L. 114–95, see section 5 of Pub. L. 114–95, set out as an Effective Date of 2015 Amendment note under section 6301 of this title.

AMENDMENTS

2015—Pub. L. 114–95 amended section generally. Prior to amendment, section related to purpose and definitions of this part.

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 pro-

grams and competitive programs, see section 5 of Pub. L. 114–95, set out as a note under section 6301 of this title.

§ 7172. Allotments to States

(a) Reservation

From the funds appropriated under section 7176 of this title for any fiscal year, the Secretary shall reserve—

(1) such amounts as may be necessary to make continuation awards to subgrant recipients under covered programs (under the terms of those grants);

(2) not more than 1 percent for national activities, which the Secretary may carry out directly or through grants and contracts, such as providing technical assistance to eligible entities carrying out programs under this part or conducting a national evaluation; and

(3) not more than 1 percent for payments to the outlying areas and the Bureau of Indian Education, to be allotted in accordance with their respective needs for assistance under this part, as determined by the Secretary, to enable the outlying areas and the Bureau to carry out the purpose of this part.

(b) State allotments

(1) Determination

From the funds appropriated under section 7176 of this title for any fiscal year and remaining after the Secretary makes reservations under subsection (a), the Secretary shall allot to each State for the fiscal year an amount that bears the same relationship to the remainder as the amount the State received under subpart 2 of part A of subchapter I for the preceding fiscal year bears to the amount all States received under that subpart for the preceding fiscal year, except that no State shall receive less than an amount equal to one-half of 1 percent of the total amount made available to all States under this subsection.

(2) Reallotment of unused funds

If a State does not receive an allotment under this part for a fiscal year, the Secretary shall reallot the amount of the State's allotment to the remaining States in accordance with this part.

(c) State use of funds

(1) In general

Each State that receives an allotment under this part shall reserve not less than 93 percent of the amount allotted to such State under subsection (b), for each fiscal year for awards to eligible entities under section 7174 of this title.

(2) State administration

A State educational agency may use not more than 2 percent of the amount made available to the State under subsection (b) for—

(A) the administrative costs of carrying out its responsibilities under this part;

(B) establishing and implementing a rigorous peer-review process for subgrant applications described in section 7174(b) of this title (including consultation with the Governor and other State agencies responsible for administering youth development programs and adult learning activities); and

(C) awarding of funds to eligible entities (in consultation with the Governor and other State agencies responsible for administering youth development programs and adult learning activities).

(3) State activities

A State educational agency may use not more than 5 percent of the amount made available to the State under subsection (b) for the following activities:

(A) Monitoring and evaluating programs and activities assisted under this part.

(B) Providing capacity building, training, and technical assistance under this part.

(C) Conducting a comprehensive evaluation (directly, or through a grant or contract) of the effectiveness of programs and activities assisted under this part.

(D) Providing training and technical assistance to eligible entities that are applicants for or recipients of awards under this part.

(E) Ensuring that any eligible entity that receives an award under this part from the State aligns the activities provided by the program with the challenging State academic standards.

(F) Ensuring that any such eligible entity identifies and partners with external organizations, if available, in the community.

(G) Working with teachers, principals, parents, the local workforce, the local community, and other stakeholders to review and improve State policies and practices to support the implementation of effective programs under this part.

(H) Coordinating funds received under this part with other Federal and State funds to implement high-quality programs.

(I) Providing a list of prescreened external organizations, as described under section 7173(a)(11) of this title.

(Pub. L. 89–10, title IV, § 4202, as added Pub. L. 107–110, title IV, § 401, Jan. 8, 2002, 115 Stat. 1766; amended Pub. L. 114–95, title IV, § 4201(a), Dec. 10, 2015, 129 Stat. 1984.)

Editorial Notes

AMENDMENTS

2015—Pub. L. 114–95 amended section generally. Prior to amendment, section related to allotments to States.

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.

§ 7173. State application

(a) In general

In order to receive an allotment under section 7172 of this title for any fiscal year, a State shall