

(Pub. L. 89–10, title V, § 5201, formerly title VI, § 6201, as added Pub. L. 107–110, title VI, § 601, Jan. 8, 2002, 115 Stat. 1891; renumbered title V, § 5201, Pub. L. 114–95, title V, § 5001(a)(2), Dec. 10, 2015, 129 Stat. 2039, 2040.)

Editorial Notes

PRIOR PROVISIONS

A prior section 5201 of Pub. L. 89–10 was renumbered section 4301 and was classified to section 7221 of this title, prior to repeal by Pub. L. 114–95.

Another prior section 5201 of Pub. L. 89–10 was classified to section 7231 of this title, prior to the general amendment of former subchapter V of this chapter by Pub. L. 107–110.

§ 7341a. Purpose

It is the purpose of this part to address the unique needs of rural school districts that frequently—

- (1) lack the personnel and resources needed to compete effectively for Federal competitive grants; and
- (2) receive formula grant allocations in amounts too small to be effective in meeting their intended purposes.

(Pub. L. 89–10, title V, § 5202, formerly title VI, § 6202, as added Pub. L. 107–110, title VI, § 601, Jan. 8, 2002, 115 Stat. 1891; renumbered title V, § 5202, Pub. L. 114–95, title V, § 5001(a)(2), Dec. 10, 2015, 129 Stat. 2039, 2040.)

Editorial Notes

PRIOR PROVISIONS

A prior section 5202 of Pub. L. 89–10 was renumbered section 4302 and was classified to section 7221a of this title, prior to repeal by Pub. L. 114–95.

Another prior section 5202 of Pub. L. 89–10 was classified to section 7232 of this title, prior to the general amendment of former subchapter V of this chapter by Pub. L. 107–110.

Statutory Notes and Related Subsidiaries

REVIEW RELATING TO RURAL LOCAL EDUCATIONAL AGENCIES

Pub. L. 114–95, title V, § 5005, Dec. 10, 2015, 129 Stat. 2045, provided that:

“(a) REVIEW AND REPORT.—Not later than 18 months after the date of enactment of this Act [Dec. 10, 2015], the Secretary of Education shall—

“(1) review the organization, structure, and process and procedures of the Department of Education for administering its programs and developing policy and regulations, in order to—

“(A) assess the methods and manner through which, and the extent to which, the Department of Education takes into account, considers input from, and addresses the unique needs and characteristics of rural schools and rural local educational agencies; and

“(B) determine actions that the Department of Education can take to meaningfully increase the consideration and participation of rural schools and rural local educational agencies in the development and execution of the processes, procedures, policies, and regulations of the Department of Education;

“(2) make public a preliminary report containing the information described in paragraph (1) and provide Congress and the public with 60 days to comment on the proposed actions described in paragraph (1)(B); and

“(3) issue a final report to the Committee on Health, Education, Labor, and Pensions of the Sen-

ate, and the Committee on Education and the Workforce of the House of Representatives, which shall describe the final actions developed pursuant to paragraph (1)(B) after taking into account the comments submitted under paragraph (2).

“(b) IMPLEMENTATION.—Not later than 2 years after the date of enactment of this Act [Dec. 10, 2015], the Secretary of Education shall—

“(1) carry out each action described in the report under subsection (a)(3); or

“(2) in a case in which an action is not carried out, provide a written explanation to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives of why the action was not carried out.”

SUBPART 1—SMALL, RURAL SCHOOL ACHIEVEMENT PROGRAM

§ 7345. Use of applicable funding

(a) Alternative uses

(1) In general

Notwithstanding any other provision of law, an eligible local educational agency may use the applicable funding that the agency is eligible to receive from the State educational agency for a fiscal year to carry out local activities authorized under any of the following provisions:

- (A) Part A of subchapter I.
- (B) Part A of subchapter II.
- (C) Subchapter III.
- (D) Part A or B of subchapter IV.

(2) Notification

An eligible local educational agency shall notify the State educational agency of the local educational agency’s intention to use the applicable funding in accordance with paragraph (1), by a date that is established by the State educational agency for the notification.

(b) Eligibility

(1) In general

A local educational agency shall be eligible to use the applicable funding in accordance with subsection (a) if—

(A)(i)(I) the total number of students in average daily attendance at all of the schools served by the local educational agency is fewer than 600; or

(II) each county in which a school served by the local educational agency is located has a total population density of fewer than 10 persons per square mile; and

(ii) all of the schools served by the local educational agency are designated with a locale code of 41, 42, or 43, as determined by the Secretary;

(B) the agency meets the criteria established in subparagraph (A)(i) and the Secretary, in accordance with paragraph (2), grants the local educational agency’s request to waive the criteria described in subparagraph (A)(ii); or

(C) the local educational agency is a member of an educational service agency that does not receive funds under this subpart and the local educational agency meets the requirements of this part.

(2) Certification

The Secretary shall determine whether to waive the criteria described in paragraph