

L. 114-95, set out as a note under section 6301 of this title.

§ 7425. Authorized services and activities

(a) General requirements

Each local educational agency that receives a grant under this subpart shall use the grant funds, in a manner consistent with the purpose specified in section 7421 of this title, for services and activities that—

- (1) are designed to carry out the comprehensive program of the local educational agency for Indian students, and described in the application of the local educational agency submitted to the Secretary under section 7424(a) of this title solely for the services and activities described in such application;
- (2) are designed to be responsive to the language and cultural needs of the Indian students; and
- (3) supplement and enrich the regular school program of such agency.

(b) Particular activities

The services and activities referred to in subsection (a) may include—

- (1) activities that support Native American language programs and Native American language restoration programs, which may be taught by traditional leaders;
- (2) culturally related activities that support the program described in the application submitted by the local educational agency;
- (3) early childhood and family programs that emphasize school readiness;
- (4) enrichment programs that focus on problem solving and cognitive skills development and directly support the attainment of challenging State academic standards;
- (5) integrated educational services in combination with other programs that meet the needs of Indian children and their families, including programs that promote parental involvement in school activities and increase student achievement;
- (6) career preparation activities to enable Indian students to participate in programs such as the programs supported by the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.), including programs for mentoring and apprenticeship;
- (7) activities to educate individuals so as to prevent violence, suicide, and substance abuse;
- (8) the acquisition of equipment, but only if the acquisition of the equipment is essential to achieve the purpose described in section 7421 of this title;
- (9) activities that promote the incorporation of culturally responsive teaching and learning strategies into the educational program of the local educational agency;
- (10) family literacy services;
- (11) activities that recognize and support the unique cultural and educational needs of Indian children, and incorporate appropriately qualified tribal elders and seniors;
- (12) dropout prevention strategies for Indian students; and
- (13) strategies to meet the educational needs of at-risk Indian students in correctional facilities, including such strategies that support

Indian students who are transitioning from such facilities to schools served by local educational agencies.

(c) Schoolwide programs

Notwithstanding any other provision of law, a local educational agency may use funds made available to such agency under this subpart to support a schoolwide program under section 6314 of this title if—

- (1) the committee established pursuant to section 7424(c)(4) of this title approves the use of the funds for the schoolwide program;
- (2) the schoolwide program is consistent with the purpose described in section 7421 of this title; and
- (3) the local educational agency identifies in its application how the use of such funds in a schoolwide program will produce benefits to Indian students that would not be achieved if the funds were not used in a schoolwide program.

(d) Limitation on administrative costs

Not more than 5 percent of the funds provided to a grantee under this subpart for any fiscal year may be used for administrative purposes.

(e) Limitation on the use of funds

Funds provided to a grantee under this subpart may not be used for long-distance travel expenses for training activities that are available locally or regionally.

(Pub. L. 89-10, title VI, §6115, formerly title VII, §7115, as added Pub. L. 107-110, title VII, §701, Jan. 8, 2002, 115 Stat. 1912; amended Pub. L. 109-270, §2(f)(4), Aug. 12, 2006, 120 Stat. 747, renumbered title VI, §6115, and amended Pub. L. 114-95, title VI, §§6001(a), (b)(1), (5), 6002(g), Dec. 10, 2015, 129 Stat. 2046, 2052; Pub. L. 115-224, title III, §302(2), July 31, 2018, 132 Stat. 1623.)

Editorial Notes

REFERENCES IN TEXT

The Carl D. Perkins Career and Technical Education Act of 2006, referred to in subsec. (b)(6), is Pub. L. 88-210, Dec. 18, 1963, 77 Stat. 403, as amended generally by Pub. L. 109-270, §1(b), Aug. 12, 2006, 120 Stat. 683, which is classified generally to chapter 44 (§2301 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2301 of this title and Tables.

PRIOR PROVISIONS

A prior section 7425, Pub. L. 89-10, title VII, §7115, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3722, related to systemwide improvement grants, prior to the general amendment of former subchapter VII of this chapter by Pub. L. 107-110.

AMENDMENTS

2018—Subsec. (b)(6). Pub. L. 115-224 substituted “mentoring” for “tech-prep education, mentoring.”

2015—Subsec. (a). Pub. L. 114-95, §6001(b)(5)(A)(i), made technical amendment to reference in original act which appears in text of introductory provisions as reference to section 7421 of this title.

Subsec. (a)(1). Pub. L. 114-95, §6002(g)(1)(A), inserted “solely for the services and activities described in such application” before semicolon.

Pub. L. 114-95, §6001(b)(5)(A)(ii), made technical amendment to reference in original act which appears in text as reference to section 7424(a) of this title.

Subsec. (a)(2). Pub. L. 114-95, §6002(g)(1)(B), substituted “to be responsive to” for “with special regard for”.

Subsec. (b). Pub. L. 114-95, §6002(g)(2), added subsec. (b) and struck out former subsec. (b) which related to particular authorized services and activities of local educational agencies receiving grant funds.

Subsec. (c)(1). Pub. L. 114-95, §6001(b)(5)(B)(i), made technical amendment to reference in original act which appears in text as reference to section 7424(c)(4) of this title.

Subsec. (c)(2). Pub. L. 114-95, §6001(b)(5)(B)(ii), made technical amendment to reference in original act which appears in text as reference to section 7421 of this title.

Subsec. (c)(3). Pub. L. 114-95, §6002(g)(3), added par. (3).

Subsec. (e). Pub. L. 114-95, §6002(g)(4), added subsec. (e).

2006—Subsec. (b)(5). Pub. L. 109-270 substituted “Carl D. Perkins Career and Technical Education Act of 2006” for “Carl D. Perkins Vocational and Technical Education Act of 1998”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-224 effective July 1, 2019, see section 4 of Pub. L. 115-224, set out as a note under section 2301 of this title.

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.

§ 7426. Integration of services authorized

(a) Plan

An entity receiving funds under this subpart may submit a plan to the Secretary for the integration of education and related services provided to Indian students.

(b) Consolidation of programs

Upon the receipt of an acceptable plan under subsection (a), the Secretary, in cooperation with each Federal agency providing grants for the provision of education and related services to the entity, shall authorize the entity to consolidate, in accordance with such plan, the federally funded education and related services programs of the entity and the Federal programs, or portions of the programs, serving Indian students in a manner that integrates the program services involved into a single, coordinated, comprehensive program and reduces administrative costs by consolidating administrative functions.

(c) Programs affected

The funds that may be consolidated in a demonstration project under any such plan referred to in subsection (a) shall include funds for any Federal program exclusively serving Indian children, or the funds reserved under any Federal program to exclusively serve Indian children, under which the entity is eligible for receipt of funds under a statutory or administrative formula for the purposes of providing education and related services that would be used to serve Indian students.

(d) Plan requirements

For a plan to be acceptable pursuant to subsection (b), the plan shall—

(1) identify the programs or funding sources to be consolidated;

(2) be consistent with the objectives of this section concerning authorizing the services to be integrated in a demonstration project;

(3) describe a comprehensive strategy that identifies the full range of potential educational opportunities and related services to be provided to assist Indian students to achieve the objectives set forth in this subpart;

(4) describe the way in which services are to be integrated and delivered and the results expected from the plan;

(5) identify the projected expenditures under the plan in a single budget;

(6) identify the State, tribal, or local agency or agencies to be involved in the delivery of the services integrated under the plan;

(7) identify any statutory provisions, regulations, policies, or procedures that the entity believes need to be waived in order to implement the plan;

(8) set forth measures for academic content and student academic achievement goals designed to be met within a specific period of time; and

(9) be approved by a committee formed in accordance with section 7424(c)(4) of this title, if such a committee exists.

(e) Plan review

Upon receipt of the plan from an eligible entity, the Secretary shall consult with the Secretary of each Federal department providing funds to be used to implement the plan, and with the entity submitting the plan. The parties so consulting shall identify any waivers of statutory requirements or of Federal departmental regulations, policies, or procedures necessary to enable the entity to implement the plan. Notwithstanding any other provision of law, the Secretary of the affected department shall have the authority to waive any regulation, policy, or procedure promulgated by that department that has been so identified by the entity or department, unless the Secretary of the affected department determines that such a waiver is inconsistent with the objectives of this subpart or those provisions of the statute from which the program involved derives authority that are specifically applicable to Indian students.

(f) Plan approval

Within 90 days after the receipt of an entity's plan by the Secretary, the Secretary shall inform the entity, in writing, of the Secretary's approval or disapproval of the plan. If the plan is disapproved, the entity shall be informed, in writing, of the reasons for the disapproval and shall be given an opportunity to amend the plan or to petition the Secretary to reconsider such disapproval.

(g) Responsibilities of Department of Education

Not later than 180 days after December 10, 2015, the Secretary of Education, the Secretary of the Interior, the Secretary of Health and Human Services, and the head of any other Federal department or agency identified by the Secretary of Education, shall enter into an interdepartmental memorandum of agreement pro-