

Editorial Notes**PRIOR PROVISIONS**

A prior section 7428, Pub. L. 89-10, title VII, § 7118, as added Pub. L. 103-382, title I, § 101, Oct. 20, 1994, 108 Stat. 3727, related to capacity building, prior to the general amendment of former subchapter VII of this chapter by Pub. L. 107-110.

AMENDMENTS

2015—Subsec. (a). Pub. L. 114-95, § 6001(b)(8), made technical amendment to reference in original act which appears in text as reference to section 7423 of this title.

Subsec. (c). Pub. L. 114-95, § 6002(j), added subsec. (c) and struck out former subsec. (c) which related to reduction of payment for failure to maintain fiscal effort with possibility of temporary waiver.

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.

§ 7429. State educational agency review

Before submitting an application to the Secretary under section 7424 of this title, a local educational agency shall submit the application to the State educational agency, which may comment on such application. If the State educational agency comments on the application, the agency shall comment on all applications submitted by local educational agencies in the State and shall provide those comments to the respective local educational agencies, with an opportunity to respond.

(Pub. L. 89-10, title VI, § 6119, formerly title VII, § 7119, as added Pub. L. 107-110, title VII, § 701, Jan. 8, 2002, 115 Stat. 1919; renumbered title VI, § 6119, and amended Pub. L. 114-95, title VI, § 6001(a), (b)(1), (9), Dec. 10, 2015, 129 Stat. 2046, 2047.)

Editorial Notes**PRIOR PROVISIONS**

A prior section 7429, Pub. L. 89-10, title VII, § 7119, as added Pub. L. 103-382, title I, § 101, Oct. 20, 1994, 108 Stat. 3727, authorized subgrants, prior to the general amendment of former subchapter VII of this chapter by Pub. L. 107-110.

Prior sections 7430 to 7434 were omitted in the general amendment of former subchapter VII of this chapter by Pub. L. 107-110.

Section 7430, Pub. L. 89-10, title VII, § 7120, as added Pub. L. 103-382, title I, § 101, Oct. 20, 1994, 108 Stat. 3727, related to priority on funding of programs for limited English proficient students.

Section 7431, Pub. L. 89-10, title VII, § 7121, as added Pub. L. 103-382, title I, § 101, Oct. 20, 1994, 108 Stat. 3728, related to coordination with other programs.

Section 7432, Pub. L. 89-10, title VII, § 7122, as added Pub. L. 103-382, title I, § 101, Oct. 20, 1994, 108 Stat. 3728, related to programs for Native Americans and Puerto Rico.

Section 7433, Pub. L. 89-10, title VII, § 7123, as added Pub. L. 103-382, title I, § 101, Oct. 20, 1994, 108 Stat. 3728, related to evaluations.

Section 7434, Pub. L. 89-10, title VII, § 7124, as added Pub. L. 103-382, title I, § 101, Oct. 20, 1994, 108 Stat. 3728, related to construction of provisions.

AMENDMENTS

2015—Pub. L. 114-95, § 6001(b)(9), made technical amendment to reference in original act which appears in text as reference to section 7424 of this title.

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.

SUBPART 2—SPECIAL PROGRAMS AND PROJECTS TO IMPROVE EDUCATIONAL OPPORTUNITIES FOR INDIAN CHILDREN**§ 7441. Improvement of educational opportunities for Indian children and youth****(a) Purpose****(1) In general**

It is the purpose of this section to support projects to develop, test, and demonstrate the effectiveness of services and programs to improve educational opportunities and achievement of Indian children and youth.

(2) Coordination

The Secretary shall take the necessary actions to achieve the coordination of activities assisted under this subpart with—

(A) other programs funded under this chapter; and

(B) other Federal programs operated for the benefit of Indian children and youth.

(b) Eligible entities

In this section, the term “eligible entity” means a State educational agency, local educational agency, Indian tribe, Indian organization, federally supported elementary school or secondary school for Indian students, a Tribal College or University (as defined in section 1059c(b) of this title), or a consortium of such entities.

(c) Grants authorized

The Secretary shall award grants to eligible entities to enable such entities to carry out activities that meet the purpose of this section, including—

(1) innovative programs related to the educational needs of educationally disadvantaged Indian children and youth;

(2) educational services that are not available to such children and youth in sufficient quantity or quality, including remedial instruction, to raise the achievement of Indian children in one or more of the subjects of English, mathematics, science, foreign languages, art, history, and geography;

(3) bilingual and bicultural programs and projects;

(4) special health and nutrition services, and other related activities, that address the special health, social, and psychological problems of Indian children and youth;

(5) special compensatory and other programs and projects designed to assist and encourage Indian children and youth to enter, remain in, or reenter school, and to increase the rate of

high school graduation for Indian children and youth;

(6) comprehensive guidance, counseling, and testing services;

(7) early childhood education programs that are effective in preparing young children to make sufficient academic growth by the end of grade 3, including kindergarten and pre-kindergarten programs, family-based preschool programs that emphasize school readiness, screening and referral, and the provision of services to Indian children and youth with disabilities;

(8) partnership projects between local educational agencies and institutions of higher education that allow secondary school students to enroll in courses at the postsecondary level to aid such students in the transition from secondary to postsecondary education;

(9) partnership projects between schools and local businesses for career preparation programs designed to provide Indian youth with the knowledge and skills such youth need to make an effective transition from school to a high-skill career;

(10) programs designed to encourage and assist Indian students to work toward, and gain entrance into, institutions of higher education;

(11) family literacy services;

(12) activities that recognize and support the unique cultural and educational needs of Indian children and youth, and incorporate traditional leaders;

(13) high-quality professional development of teaching professionals and paraprofessionals; or

(14) other services that meet the purpose described in this section.

(d) Grant requirements and applications

(1) Grant requirements

(A) In general

The Secretary may make multiyear grants under subsection (c) for the planning, development, pilot operation, or demonstration of any activity described in subsection (c) for a period not to exceed 5 years.

(B) Priority

In making multiyear grants described in this paragraph, the Secretary shall give priority to entities submitting applications that present a plan for combining two or more of the activities described in subsection (c) over a period of more than 1 year.

(C) Progress

The Secretary shall award grants for an initial period of not more than 3 years and may renew such grants for not more than an additional 2 years if the Secretary determines that the eligible entity has made substantial progress in carrying out the activities assisted under the grant in accordance with the application submitted under paragraph (3) and any subsequent modifications to such application.

(2) Dissemination grants

(A) In general

In addition to awarding the multiyear grants described in paragraph (1), the Sec-

retary may award grants under subsection (c) to eligible entities for the dissemination of exemplary materials or programs assisted under this section.

(B) Determination

The Secretary may award a dissemination grant described in this paragraph if, prior to awarding the grant, the Secretary determines that the material or program to be disseminated—

(i) has been adequately reviewed;

(ii) has demonstrated educational merit; and

(iii) can be replicated.

(3) Application

(A) In general

Any eligible entity that desires to receive a grant under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may reasonably require.

(B) Contents

Each application submitted to the Secretary under subparagraph (A), other than an application for a dissemination grant under paragraph (2), shall contain—

(i) a description of how parents and family of Indian children and representatives of Indian tribes have been, and will be, involved in developing and implementing the activities for which assistance is sought;

(ii) assurances that the applicant will participate, at the request of the Secretary, in any national evaluation of activities assisted under this section;

(iii) information demonstrating that the proposed program is an evidence-based program, where applicable, which may include a program that has been modified to be culturally appropriate for students who will be served;

(iv) a description of how the applicant will incorporate the proposed activities into the ongoing school program involved once the grant period is over; and

(v) such other assurances and information as the Secretary may reasonably require.

(e) 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.

(Pub. L. 89–10, title VI, § 6121, formerly title VII, § 7121, as added Pub. L. 107–110, title VII, § 701, Jan. 8, 2002, 115 Stat. 1919; renumbered title VI, § 6121, and amended Pub. L. 114–95, title VI, §§ 6001(a), (b)(1), 6002(k), Dec. 10, 2015, 129 Stat. 2046, 2054.)

Editorial Notes

PRIOR PROVISIONS

A prior section 6121 of Pub. L. 89–10 was renumbered section 5101 and is classified to section 7305 of this title.

AMENDMENTS

2015—Pub. L. 114–95, § 6002(k)(1), substituted “Improvement of educational opportunities for Indian chil-

dren and youth” for “Improvement of educational opportunities for Indian children” in section catchline.

Subsec. (a)(1). Pub. L. 114-95, § 6002(k)(2)(A), inserted “and youth” after “Indian children”.

Subsec. (a)(2)(B). Pub. L. 114-95, § 6002(k)(2)(B), substituted “Indian children and youth” for “American Indian and Alaska Native children”.

Subsec. (b). Pub. L. 114-95, § 6002(k)(3), substituted “a Tribal College or University (as defined in section 1059c(b) of this title)” for “Indian institution (including an Indian institution of higher education)”.

Subsec. (c). Pub. L. 114-95, § 6002(k)(4), added subsec. (c) and struck out former subsec. (c) which related to grants authorized, consisting of pars. (1) and (2).

Subsec. (d)(1)(C). Pub. L. 114-95, § 6002(k)(5)(A), substituted “award grants for an initial period of not more than 3 years and may renew such grants for not more than an additional 2 years if the Secretary determines” for “make a grant payment for a grant described in this paragraph to an eligible entity after the initial year of the multiyear grant only if the Secretary determines”.

Subsec. (d)(3)(B)(i). Pub. L. 114-95, § 6002(k)(5)(B)(i), substituted “parents and family of Indian children” for “parents of Indian children”.

Subsec. (d)(3)(B)(iii). Pub. L. 114-95, § 6002(k)(5)(B)(iii), substituted “information demonstrating that the proposed program is an evidence-based program” for “information demonstrating that the proposed program for the activities is a scientifically based research program”.

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.

§ 7442. Professional development for teachers and education professionals

(a) Purposes

The purposes of this section are—

(1) to increase the number of qualified Indian teachers and administrators serving Indian students;

(2) to provide pre- and in-service training and support to qualified Indian individuals to enable such individuals to become effective teachers, principals, other school leaders, administrators, paraprofessionals, counselors, social workers, and specialized instructional support personnel;

(3) to improve the skills of qualified Indian individuals who serve in the capacities described in paragraph (2); and

(4) to develop and implement initiatives to promote retention of effective teachers, principals, and school leaders who have a record of success in helping low-achieving Indian students improve their academic achievement, outcomes, and preparation for postsecondary education or employment.

(b) Eligible entities

For the purpose of this section, the term “eligible entity” means—

(1) an institution of higher education, including a Tribal College or University, as defined in section 1059c(b) of this title;

(2) a State educational agency or local educational agency, in consortium with an institution of higher education;

(3) an Indian tribe or organization, in consortium with an institution of higher education; and

(4) a Bureau-funded school (as defined in section 2026¹ of title 25) in a consortium with at least one Tribal College or University, as defined in section 1059c(b) of this title, where feasible.

(c) Program authorized

The Secretary is authorized to award grants to eligible entities having applications approved under this section to enable those entities to carry out the activities described in subsection (d).

(d) Authorized activities

(1) In general

Grant funds under this section shall be used for activities to provide support and training for Indian individuals in a manner consistent with the purpose of this section. Such activities may include—

(A) continuing education programs, symposia, workshops, and conferences;

(B) teacher mentoring programs, professional guidance, and instructional support provided by educators, local traditional leaders, or cultural experts, as appropriate for teachers during their first 3 years of employment as teachers;

(C) direct financial support; and

(D) programs designed to train traditional leaders and cultural experts to assist those personnel referenced in subsection (a)(2), as appropriate, with relevant Native language and cultural mentoring, guidance, and support.

(2) Special rules

(A) Type of training

For education personnel, the training received pursuant to a grant under this section may be inservice or preservice training.

(B) Program

For individuals who are being trained to enter any field other than teaching, the training received pursuant to a grant under this section shall be in a program that results in a graduate degree.

(e) Application

Each eligible entity desiring a grant under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may reasonably require. At a minimum, an application under this section shall describe how the eligible entity will—

(1) recruit qualified Indian individuals, such as students who may not be of traditional college age, to become teachers, principals, or school leaders;

(2) use funds made available under the grant to support the recruitment, preparation, and professional development of Indian teachers or principals in local educational agencies that serve a high proportion of Indian students; and

(3) assist participants in meeting the requirements under subsection (h).

¹ See References in Text note below.