

8, 2002, 115 Stat. 1925; amended Pub. L. 110-315, title IX, §941(k)(2)(F)(ii), Aug. 14, 2008, 122 Stat. 3466; renumbered title VI, §6134, Pub. L. 114-95, title VI, §6001(a), (b)(1), Dec. 10, 2015, 129 Stat. 2046, related to gifted and talented Indian students.

A prior section 7454, Pub. L. 89-10, title VII, §7134, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3730, related to State grant program, prior to the general amendment of former subchapter VII of this chapter by Pub. L. 107-110.

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.

§ 7455. Transferred

Editorial Notes

CODIFICATION

Section, Pub. L. 89-10, title VII, §7135, as added Pub. L. 107-110, title VII, §701, Jan. 8, 2002, 115 Stat. 1928, which related to grants to Indian tribes for education administrative planning and development, was renumbered title VI, §6132, of Pub. L. 89-10 by Pub. L. 114-95, title VI, §§6001(a), (b)(1), 6002(n)(2), Dec. 10, 2015, 129 Stat. 2046, 2057, and transferred to section 7452 of this title.

PRIOR PROVISIONS

A prior section 7455, Pub. L. 89-10, title VII, §7135, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3731, established National Clearinghouse for Bilingual Education, prior to the general amendment of former subchapter VII of this chapter by Pub. L. 107-110.

§ 7456. Repealed. Pub. L. 114-95, title VI, § 6002(q), Dec. 10, 2015, 129 Stat. 2062

Section, Pub. L. 89-10, title VI, §6136, formerly title VII, §7136, as added Pub. L. 107-110, title VII, §701, Jan. 8, 2002, 115 Stat. 1929; renumbered title VI, §6136, Pub. L. 114-95, title VI, §6001(a), (b)(1), Dec. 10, 2015, 129 Stat. 2046, related to improvement of educational opportunities for adult Indians.

A prior section 7456, Pub. L. 89-10, title VII, §7136, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3732, related to instructional materials development, prior to the general amendment of former subchapter VII of this chapter by Pub. L. 107-110.

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.

§ 7457. Native American language resource centers

(a) Purpose

The purpose of this Act is to further align the resources provided by the Department of Education with the policies set forth in the Native American Languages Act (25 U.S.C. 2901 et seq.) through establishment of a program within the Department of Education to support 1 or more Native American language resource centers.

(b) In general

The Secretary of Education is authorized to make a grant to, or enter into a contract with, an eligible entity for the purpose of—

(1) establishing, strengthening, and operating a Native American language resource center; and

(2) staffing the center with individuals with relevant expertise and experience, including staff who speak American Indian and Alaska Native languages and the Native Hawaiian language and have worked in language education in the American Indian and Alaska Native languages and the Native Hawaiian language in a preschool, elementary school, secondary school, adult education, or higher education program.

(c) Authorized activities

The Native American language resource center established under subsection (b) shall carry out activities to—

(1) improve the capacity to teach and learn Native American languages;

(2) further Native American language use and acquisition;

(3) preserve, protect, and promote the rights and freedom of Native Americans to use, practice, and develop Native American languages in furtherance of—

(A) the policies set forth in the Native American Languages Act (25 U.S.C. 2901 et seq.); and

(B) the United States trust responsibility to Native American communities;

(4) address the effects of past discrimination and ongoing inequities experienced by Native American language speakers;

(5) support the revitalization and reclamation of Native American languages; and

(6) support the use of Native American languages as a medium of instruction for a wide variety of age levels, academic content areas, and types of schools, including Native American language medium education.

(d) Additional authorized activities

The Native American language resource center established under subsection (b) may also carry out activities—

(1) to encourage and support the use of Native American languages within educational systems in the same manner as other world languages, including by encouraging State educational agencies, local educational agencies, and institutions of higher education to offer Native American language courses the same full academic credit as courses in other world languages;

(2) to support the development, adoption, and use of educational outcome metrics aligned with the Native American language of instruction, including assessments, qualifications, and processes based on promising practices in Native American language medium education;

(3) to provide assistance to Native American language programs seeking Federal resources;

(4) to encourage and support teacher preparation programs that prepare teachers to teach Native American languages and to use

Native American languages as a medium of instruction, including by disseminating promising practices and developing pedagogical programming and through appropriate alternative pathways to teacher certification;

(5) to provide information and resources—

(A) on promising practices in the use and revitalization of Native American languages in Native American communities, including use in educational institutions; and

(B) for the use of technology in school and community-based Native American language programs to support the retention, use, and teaching of Native American languages;

(6) to support the use of distance learning technologies and training for parents, students, teachers, and learning support staff associated with Native American language programs, including—

(A) the compilation and curation of digital libraries and other online resources for Native American languages, except that any materials collected by the center shall only be materials provided by a Native American language program or Native American community;

(B) the development of optional distance learning curricula appropriate for preschool, elementary school, secondary school, adult education, and postsecondary education;

(C) pedagogical training for Native American language teachers; and

(D) other efforts necessary to continue Native American language acquisition through distance learning;

(7) to provide technical assistance for Native American communities and school systems to develop Native American language medium education programs in preschool, elementary school, secondary school, or adult education programs conducted through the medium of Native American languages;

(8) to support Native American language programs and Native American communities in—

(A) accessing international best practices, resources, and research in indigenous language revitalization; and

(B) gathering and sharing technical assistance, promising practices, and experiences;

(9) for the operation of intensive programs, including summer institutes, to train Native American language speakers, to provide professional development, and to improve Native American language instruction through preservice and in-service language training for teachers; and

(10) that otherwise support the Native American language resource center established under subsection (b) to carry out the activities required in subsection (c).

(e) Definitions

In this section:

(1) ESEA definitions

The terms “elementary school”, “local educational agency”, “secondary school”, and “State educational agency” have the meanings given the terms in section 7801 of this title.

(2) Eligible entity

The term “eligible entity” means—

(A) an institution of higher education;

(B) an entity within an institution of higher education with dedicated expertise in Native American language and culture education; or

(C) a consortium that includes 1 or more institutions of higher education or 1 or more entities described in subparagraph (B).

(3) Institution of higher education

The term “institution of higher education” has the meaning given the term in section 1001 of this title.

(4) Native American; Native American language

The terms “Native American” and “Native American language” have the meanings given those terms in section 103 of the Native American Languages Act (25 U.S.C. 2902).

(f) Authorization of appropriations

There are authorized to be appropriated to carry out this section, \$3,000,000 for each fiscal year.

(Pub. L. 117-335, §2, Jan. 5, 2023, 136 Stat. 6143.)

Editorial Notes

REFERENCES IN TEXT

This Act, referred to in subsec. (a), is Pub. L. 117-335, Jan. 5, 2023, 136 Stat. 6143, known as the Native American Language Resource Center Act of 2022, which enacted this section and provisions set out as a note under section 6301 of this title.

The Native American Languages Act, referred to in subsecs. (a) and (c)(3)(A), is title I of Pub. L. 101-477, Oct. 30, 1990, 104 Stat. 1153, which is classified generally to chapter 31 (§2901 et seq.) of Title 25, Indians. For complete classification of this Act to the Code, see Short Title note set out under section 2901 of Title 25 and Tables.

CODIFICATION

Section was enacted as part of the Native American Language Resource Center Act of 2022, and not as part of the Elementary and Secondary Education Act of 1965 which comprises this chapter.

SUBPART 4—FEDERAL ADMINISTRATION

§ 7471. National Advisory Council on Indian Education

(a) Membership

There is established a National Advisory Council on Indian Education (hereafter in this section referred to as the “Council”), which shall—

(1) consist of 15 Indian members, who shall be appointed by the President from lists of nominees furnished, from time to time, by Indian tribes and organizations; and

(2) represent different geographic areas of the United States.

(b) Duties

The Council shall—

(1) advise the Secretary and the Secretary of the Interior concerning the funding and administration (including the development of regulations and administrative policies and