

(B) for a State in which a State educational agency described in subparagraph (A) has designated a statewide entity under section 12523(e)<sup>1</sup> of this title, that designated statewide entity.

(Pub. L. 101-610, title I, §111A, as added Pub. L. 111-13, title I, §1201, Apr. 21, 2009, 123 Stat. 1467.)

#### Editorial Notes

##### REFERENCES IN TEXT

Section 12523(e) of this title, referred to in par. (2)(B), probably should be a reference to section 12523(d) of this title, which relates to designation of a statewide entity to carry out the functions of the State educational agency. Section 12523(e) relates to consultation of the Corporation with the Secretary of Education.

##### PRIOR PROVISIONS

A prior section 12522, Pub. L. 101-610, title I, §111A, as added Pub. L. 103-82, title I, §103(a)(2), Sept. 21, 1993, 107 Stat. 827, granted the Corporation authority to assist local applicants in nonparticipating States, prior to the general amendment of this part by Pub. L. 111-13.

Another prior section 12522, Pub. L. 101-610, title I, §112, Nov. 16, 1990, 104 Stat. 3133; Pub. L. 102-10, §4(3), Mar. 12, 1991, 105 Stat. 30; Pub. L. 102-384, §4, Oct. 5, 1992, 106 Stat. 1455, related to allotments, prior to repeal by Pub. L. 103-82, §103(a)(2).

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE

Section effective Oct. 1, 2009, see section 6101(a) of Pub. L. 111-13, set out as an Effective Date of 2009 Amendment note under section 4950 of this title.

#### § 12523. Assistance to States, territories, and Indian tribes

##### (a) Allotments to States, territories, and Indian tribes

The Corporation, in consultation with the Secretary of Education, may make allotments to State educational agencies, territories, and Indian tribes to pay for the Federal share of—

(1) planning and building the capacity within the State, territory, or Indian tribe involved to implement service-learning programs that are based principally in elementary schools and secondary schools, including—

(A) providing training and professional development for teachers, supervisors, personnel from community-based entities (particularly with regard to the recruitment, utilization, and management of participants), and trainers, to be conducted by qualified individuals or organizations that have experience with service-learning;

(B) developing service-learning curricula, consistent with State or local academic content standards, to be integrated into academic programs, including curricula for an age-appropriate learning component that provides participants an opportunity to analyze and apply their service experiences;

(C) forming local partnerships described in paragraph (2) or (4)(D) to develop school-based service-learning programs in accordance with this part;

(D) devising appropriate methods for research on and evaluation of the educational value of service-learning and the effect of service-learning activities on communities;

(E) establishing effective outreach and dissemination of information to ensure the broadest possible involvement of community-based entities with demonstrated effectiveness in working with school-age youth in their communities; and

(F) establishing effective outreach and dissemination of information to ensure the broadest possible participation of schools throughout the State, throughout the territory, or serving the Indian tribe involved with particular attention to schools implementing comprehensive support and improvement activities or targeted support and improvement activities under section 6311(d) of title 20;

(2) implementing, operating, or expanding school-based service-learning programs, which may include paying for the cost of the recruitment, training, supervision, placement, salaries, and benefits of service-learning coordinators, through distribution by State educational agencies, territories, and Indian tribes of Federal funds made available under this part to projects operated by local partnerships among—

(A) local educational agencies; and

(B) 1 or more community partners that—

(i) shall include a public or private nonprofit organization that—

(I) has a demonstrated expertise in the provision of services to meet unmet human, education, environmental, or public safety needs;

(II) will make projects available for participants, who shall be students; and

(III) was in existence at least 1 year before the date on which the organization submitted an application under section 12525 of this title; and

(ii) may include a private for-profit business, private elementary school or secondary school, or Indian tribe (except that an Indian tribe distributing funds to a project under this paragraph is not eligible to be part of the partnership operating that project);

(3) planning of school-based service-learning programs, through distribution by State educational agencies, territories, and Indian tribes of Federal funds made available under this part to local educational agencies and Indian tribes, which planning may include paying for the cost of—

(A) the salaries and benefits of service-learning coordinators; or

(B) the recruitment, training and professional development, supervision, and placement of service-learning coordinators who may be participants in a program under division C or receive a national service educational award under division D, who may be participants in a project under section 5001 of this title, or who may participate in a Youthbuild program under section 3226 of title 29,

<sup>1</sup> See References in Text note below.

who will identify the community partners described in paragraph (2)(B) and assist in the design and implementation of a program described in paragraph (2);

(4) implementing, operating, or expanding school-based service-learning programs to utilize adult volunteers in service-learning to improve the education of students, through distribution by State educational agencies, territories, and Indian tribes of Federal funds made available under this part to—

(A) local educational agencies;

(B) Indian tribes (except that an Indian tribe distributing funds under this paragraph is not eligible to be a recipient of those funds);

(C) public or private nonprofit organizations; or

(D) partnerships or combinations of local educational agencies, and entities described in subparagraph (B) or (C); and

(5) developing, as service-learning programs, civic engagement programs that promote a better understanding of—

(A) the principles of the Constitution, the heroes of United States history (including military heroes), and the meaning of the Pledge of Allegiance;

(B) how the Nation's government functions; and

(C) the importance of service in the Nation's character.

**(b) Duties of service-learning coordinator**

A service-learning coordinator referred to in paragraph (2) or (3) of subsection (a) shall provide services to a local partnership described in subsection (a)(2) or entity described in subsection (a)(3), respectively, that may include—

(1) providing technical assistance and information to, and facilitating the training of, teachers and assisting in the planning, development, execution, and evaluation of service-learning in their classrooms;

(2) assisting local partnerships described in subsection (a)(2) in the planning, development, and execution of service-learning projects, including summer of service programs;

(3) assisting schools and local educational agencies in developing school policies and practices that support the integration of service-learning into the curriculum; and

(4) carrying out such other duties as the local partnership or entity, respectively, may determine to be appropriate.

**(c) Related expenses**

An entity that receives financial assistance under this part from a State, territory, or Indian tribe may, in carrying out the activities described in subsection (a), use such assistance to pay for the Federal share of reasonable costs related to the supervision of participants, program administration, transportation, insurance, and evaluations and for other reasonable expenses related to the activities.

**(d) Special rule**

A State educational agency described in section 12522(2)(A) of this title may designate a statewide entity (which may be a community-based entity) with demonstrated experience in

supporting or implementing service-learning programs, to receive the State educational agency's allotment under this part, and carry out the functions of the agency under this part.

**(e) Consultation with Secretary of Education**

The Corporation is authorized to enter into agreements with the Secretary of Education for initiatives (and may use funds authorized under section 12681(a)(6) of this title to enter into the agreements if the additional costs of the initiatives are warranted) that may include—

(1) identification and dissemination of research findings on service-learning and scientifically valid research based practices for service-learning; and

(2) provision of professional development opportunities that—

(A) improve the quality of service-learning instruction and delivery for teachers both preservice and in-service, personnel from community-based entities and youth workers; and

(B) create and sustain effective partnerships for service-learning programs between local educational agencies, community-based entities, businesses, and other stakeholders.

(Pub. L. 101-610, title I, §112, as added Pub. L. 111-13, title I, §1201, Apr. 21, 2009, 123 Stat. 1468; amended Pub. L. 113-128, title V, §512(u)(1), July 22, 2014, 128 Stat. 1712; Pub. L. 114-95, title IX, §9215(bbb)(2), Dec. 10, 2015, 129 Stat. 2185.)

**Editorial Notes**

**PRIOR PROVISIONS**

A prior section 12523, Pub. L. 101-610, title I, §111B, as added Pub. L. 103-82, title I, §103(a)(2), Sept. 21, 1993, 107 Stat. 827, granted the Corporation authority to assist public or private nonprofit organizations, prior to the general amendment of this part by Pub. L. 111-13.

Another prior section 12523, Pub. L. 101-610, title I, §113, Nov. 16, 1990, 104 Stat. 3134; Pub. L. 102-384, §4, Oct. 5, 1992, 106 Stat. 1455, related to State grant applications, prior to repeal by Pub. L. 103-82, §103(a)(2).

A prior section 112 of Pub. L. 101-610 was classified to section 12524 prior to the general amendment of this part by Pub. L. 111-13.

Another prior section 112 of Pub. L. 101-610 was classified to section 12522 of this title prior to repeal by Pub. L. 103-82.

**AMENDMENTS**

2015—Subsec. (a)(1)(F). Pub. L. 114-95 substituted “implementing comprehensive support and improvement activities or targeted support and improvement activities under section 6311(d) of title 20” for “not making adequate yearly progress for two or more consecutive years under section 6311 of title 20”.

2014—Subsec. (a)(3)(B). Pub. L. 113-128 substituted “or who may participate in a Youthbuild program under section 3226 of title 29” for “or who may participate in a Youthbuild program under section 2918a of title 29”.

**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 Title 20, Education.

**EFFECTIVE DATE OF 2014 AMENDMENT**

Amendment by Pub. L. 113-128 effective on the first day of the first full program year after July 22, 2014

(July 1, 2015), see section 506 of Pub. L. 113–128, set out as an Effective Date note under section 3101 of Title 29, Labor.

**EFFECTIVE DATE**

Section effective Oct. 1, 2009, see section 6101(a) of Pub. L. 111–13, set out as an Effective Date of 2009 Amendment note under section 4950 of this title.

**§ 12524. Allotments**

**(a) Indian tribes and territories**

Of the amounts appropriated to carry out this part for any fiscal year, the Corporation shall reserve an amount of not less than 2 percent and not more than 3 percent for payments to Indian tribes, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, to be allotted in accordance with their respective needs.

**(b) Allotments through States**

**(1) In general**

After reserving an amount under subsection (a), the Corporation shall use the remainder of the funds appropriated to carry out this part for the fiscal year as follows:

**(A) Allotments based on school-age youth**

From 50 percent of such remainder, the Corporation shall allot to each State an amount that bears the same ratio to 50 percent of such remainder as the number of school-age youth in the State bears to the total number of school-age youth in all States.

**(B) Allotments based on allocations under Elementary and Secondary Education Act of 1965**

From 50 percent of such remainder, the Corporation shall allot to each State an amount that bears the same ratio to 50 percent of such remainder as the allocation to the State for the previous fiscal year under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) bears to the total of such allocations to all States.

**(2) Minimum amount**

For any fiscal year for which amounts appropriated for this division exceed \$50,000,000, the minimum allotment to each State under paragraph (1) shall be \$75,000.

**(c) Reallotment**

If the Corporation determines that the allotment of a State, territory, or Indian tribe under this section will not be required for a fiscal year because the State, territory, or Indian tribe did not submit and receive approval of an application for the allotment under section 12525 of this title, the Corporation shall make the allotment for such State, territory, or Indian tribe available for grants to community-based entities to carry out service-learning programs as described in section 12523(b) of this title in such State, in such territory, or for such Indian tribe. After community-based entities apply for grants from the allotment, by submitting an application at such time and in such manner as the Corporation requires, and receive approval, the remain-

der of such allotment shall be available for reallocation to such other States, territories, or Indian tribes with approved applications submitted under section 12525 of this title as the Corporation may determine to be appropriate.

(Pub. L. 101–610, title I, § 112A, as added Pub. L. 111–13, title I, § 1201, Apr. 21, 2009, 123 Stat. 1470.)

**Editorial Notes**

**REFERENCES IN TEXT**

The Elementary and Secondary Education Act of 1965, referred to in subsec. (b)(1)(B), is Pub. L. 89–10, Apr. 11, 1965, 79 Stat. 27. Title I of the Act is classified generally to subchapter I (§6301 et seq.) of chapter 70 of Title 20, Education. For complete classification of this Act to the Code, see Short Title note set out under section 6301 of Title 20 and Tables.

**PRIOR PROVISIONS**

A prior section 12524, Pub. L. 101–610, title I, § 112, as added Pub. L. 103–82, title I, § 103(a)(2), Sept. 21, 1993, 107 Stat. 827; amended Pub. L. 103–382, title III, §§ 391(y), 394(h)(2), Oct. 20, 1994, 108 Stat. 4026, 4028, related to grants and allotments, prior to the general amendment of this part by Pub. L. 111–13.

Another prior section 12524, Pub. L. 101–610, title I, § 114, Nov. 16, 1990, 104 Stat. 3135; Pub. L. 102–10, § 4(4), Mar. 12, 1991, 105 Stat. 30, related to local applications for assistance, prior to repeal by Pub. L. 103–82, § 103(a)(2).

**Statutory Notes and Related Subsidiaries**

**EFFECTIVE DATE**

Section effective Oct. 1, 2009, see section 6101(a) of Pub. L. 111–13, set out as an Effective Date of 2009 Amendment note under section 4950 of this title.

**§ 12525. Applications**

**(a) Applications to Corporation for allotments**

**(1) In general**

To be eligible to receive an allotment under section 12524 of this title, a State, acting through the State educational agency, territory, or Indian tribe shall prepare and submit to the Corporation an application at such time and in such manner as the Chief Executive Officer may reasonably require, and obtain approval of the application.

**(2) Contents**

An application for an allotment under section 12523 of this title shall include—

(A) a proposal for a 3-year plan promoting service-learning, which shall contain such information as the Chief Executive Officer may reasonably require, including how the applicant will integrate service opportunities into the academic program of the participants;

(B) information about the criteria the State educational agency, territory, or Indian tribe will use to evaluate and grant approval to applications submitted under subsection (b), including an assurance that the State educational agency, territory, or Indian tribe will comply with the requirement in section 12526(a) of this title;

(C) assurances about the applicant's efforts to—

(i) ensure that students of different ages, races, sexes, ethnic groups, disabilities,