

Another prior section 1024, Pub. L. 89-329, title II, §204, Nov. 8, 1965, 79 Stat. 1226; Pub. L. 90-575, title II, §§212(b), (c), 213(a), Oct. 16, 1968, 82 Stat. 1036; Pub. L. 92-318, title I, §111(b)(2)(C), June 23, 1972, 86 Stat. 239, provided for special purpose grants in the college library resources program, prior to the general amendment of this subchapter by Pub. L. 96-374.

A prior section 1025, Pub. L. 89-329, title II, §205, as added Pub. L. 105-244, title II, §201, Oct. 7, 1998, 112 Stat. 1628; amended Pub. L. 107-110, title X, §1051(2), Jan. 8, 2002, 115 Stat. 2080, related to administrative provisions, prior to repeal by Pub. L. 110-315, title II, §201(2), Aug. 14, 2008, 122 Stat. 3133.

Another prior section 1025, Pub. L. 89-329, title II, §205, Nov. 8, 1965, 79 Stat. 1226; Pub. L. 91-230, title IV, §401(h)(4), Apr. 13, 1970, 84 Stat. 174, created the Advisory Council on College Library Resources, prior to the general amendment of this subchapter by Pub. L. 96-374.

A prior section 1026, Pub. L. 89-329, title II, §206, as added Pub. L. 105-244, title II, §201, Oct. 7, 1998, 112 Stat. 1630; amended Pub. L. 107-110, title X, §1051(2), Jan. 8, 2002, 115 Stat. 2080, related to accountability and evaluation, prior to repeal by Pub. L. 110-315, title II, §201(2), Aug. 14, 2008, 122 Stat. 3133.

Another prior section 1026, Pub. L. 89-329, title II, §206, Nov. 8, 1965, 79 Stat. 1226, related to the accreditation of educational institutions, prior to the general amendment of this subchapter by Pub. L. 96-374.

A prior section 1027, Pub. L. 89-329, title II, §207, as added Pub. L. 105-244, title II, §201, Oct. 7, 1998, 112 Stat. 1632; amended Pub. L. 107-110, title X, §1051(2), Jan. 8, 2002, 115 Stat. 2080, related to accountability for programs that prepare teachers, prior to repeal by Pub. L. 110-315, title II, §201(2), Aug. 14, 2008, 122 Stat. 3133.

Another prior section 1027, Pub. L. 89-329, title II, §207, Nov. 8, 1965, 79 Stat. 1227; Pub. L. 92-318, title I, §131(d)(2)(B), June 23, 1972, 86 Stat. 260, prohibited grants for library resources to be used for sectarian instruction or religious worship, prior to the general amendment of this subchapter by Pub. L. 96-374.

A prior section 1028, Pub. L. 89-329, title II, §208, as added Pub. L. 105-244, title II, §201, Oct. 7, 1998, 112 Stat. 1634; amended Pub. L. 107-110, title X, §1051(2), Jan. 8, 2002, 115 Stat. 2080, related to State functions, prior to repeal by Pub. L. 110-315, title II, §201(2), Aug. 14, 2008, 122 Stat. 3133.

Another prior section 1028, Pub. L. 89-329, title II, §208, Nov. 8, 1965, 79 Stat. 1227, required that institutions inform State agencies of their activities under the college library resources program, prior to the general amendment of this subchapter by Pub. L. 96-374.

A prior section 1029, Pub. L. 89-329, title II, §209, as added Pub. L. 105-244, title II, §201, Oct. 7, 1998, 112 Stat. 1635; amended Pub. L. 107-110, title X, §1051(2), Jan. 8, 2002, 115 Stat. 2080, related to general provisions, prior to repeal by Pub. L. 110-315, title II, §201(2), Aug. 14, 2008, 122 Stat. 3133.

Another prior section 1029, Pub. L. 89-329, title II, §211, as added Pub. L. 96-374, title II, §201, Oct. 3, 1980, 94 Stat. 1384; amended Pub. L. 99-498, title II, §202, Oct. 17, 1986, 100 Stat. 1287; Pub. L. 102-325, title II, §201, July 23, 1992, 106 Stat. 468, related to college library technology and cooperation grants, prior to repeal by Pub. L. 104-208, div. A, title I, §101(e) [title VII, §708(b)], Sept. 30, 1996, 110 Stat. 3009-233, 3009-312.

A prior section 1030, Pub. L. 89-329, title II, §210, as added Pub. L. 105-244, title II, §201, Oct. 7, 1998, 112 Stat. 1635; amended Pub. L. 107-110, title X, §1051(2), Jan. 8, 2002, 115 Stat. 2080, related to authorization of appropriations, prior to repeal by Pub. L. 110-315, title II, §201(2), Aug. 14, 2008, 122 Stat. 3133.

Another prior section 1030, Pub. L. 89-329, title II, §213, as added Pub. L. 99-498, title II, §203, Oct. 17, 1986, 100 Stat. 1289, which defined "full-time equivalent students", was omitted in the general amendment of this subchapter by Pub. L. 102-325, title II, §201, July 23, 1992, 106 Stat. 467.

PART B—ENHANCING TEACHER EDUCATION

PRIOR PROVISIONS

A prior part B, consisting of sections 1041 to 1044, related to preparing tomorrow's teachers to use technology, prior to repeal by Pub. L. 110-315, title II, §201(3), Aug. 14, 2008, 122 Stat. 3154.

§ 1031. Authorization of appropriations

There are authorized to be appropriated to carry out this part such sums as may be necessary for fiscal year 2009 and each of the five succeeding fiscal years.

(Pub. L. 89-329, title II, §230, as added Pub. L. 110-315, title II, §201(3), Aug. 14, 2008, 122 Stat. 3154.)

PRIOR PROVISIONS

A prior section 1031, Pub. L. 89-329, title II, §221, as added Pub. L. 96-374, title II, §201, Oct. 3, 1980, 94 Stat. 1385; amended Pub. L. 99-498, title II, §204(b)(1), Oct. 17, 1986, 100 Stat. 1289; Pub. L. 102-325, title II, §201, July 23, 1992, 106 Stat. 469, authorized grants in accordance with former sections 1032 and 1033 of this title, prior to repeal by Pub. L. 104-208, div. A, title I, §101(e) [title VII, §708(b)], Sept. 30, 1996, 110 Stat. 3009-233, 3009-312.

Another prior section 1031, Pub. L. 89-329, title II, §221, as added Pub. L. 92-318, title I, §111(b)(3)(A), June 23, 1972, 86 Stat. 239, contained the grant authority for training and research programs, prior to the general amendment of this subchapter by Pub. L. 96-374.

Another prior section 1031, Pub. L. 89-329, title II, §221, Nov. 8, 1965, 79 Stat. 1227; Pub. L. 90-575, title II, §215, Oct. 16, 1968, 82 Stat. 1037; Pub. L. 92-318, title I, §111(a)(2), June 23, 1972, 86 Stat. 238, authorized appropriations of \$15,000,000 for each fiscal year ending June 30, 1966, 1967, and 1968, and \$11,800,000; \$28,000,000; \$38,000,000; and \$12,000,000 for fiscal years ending June 30, 1969, 1970, 1971, and 1972, prior to repeal by Pub. L. 92-318, title I, §111(b)(3)(A), June 23, 1972, 86 Stat. 239.

SUBPART 1—PREPARING TEACHERS FOR DIGITAL AGE LEARNERS

§ 1032. Program authorized

(a) Program authority

The Secretary is authorized to award grants to, or enter into contracts or cooperative agreements with, eligible consortia to pay the Federal share of the costs of projects to—

(1) serve graduate teacher candidates who are prepared to use modern information, communication, and learning tools to—

(A) improve student learning, assessment, and learning management; and

(B) help students develop learning skills to succeed in higher education and to enter the workforce;

(2) strengthen and develop partnerships among the stakeholders in teacher preparation to transform teacher education and ensure technology-rich teaching and learning environments throughout a teacher candidate's preservice education, including clinical experiences; and

(3) assess the effectiveness of departments, schools, and colleges of education at institutions of higher education in preparing teacher candidates for successful implementation of technology-rich teaching and learning environments, including environments consistent with the principles of universal design for

learning, that enable kindergarten through grade 12 students to develop learning skills to succeed in higher education and to enter the workforce.

(b) Amount and duration

A grant, contract, or cooperative agreement under this subpart—

- (1) shall be for not more than \$2,000,000;
- (2) shall be for a three-year period; and
- (3) may be renewed for one additional year.

(c) Non-Federal share requirement

The Federal share of the cost of any project funded under this subpart shall not exceed 75 percent. The non-Federal share of the cost of such project may be provided in cash or in kind, fairly evaluated, including services.

(d) Definition of eligible consortium

In this subpart, the term “eligible consortium” means a consortium of members that includes the following:

- (1) Not less than one institution of higher education that awards baccalaureate or masters degrees and prepares teachers for initial entry into teaching.
- (2) Not less than one State educational agency or local educational agency.
- (3) A department, school, or college of education at an institution of higher education.
- (4) A department, school, or college of arts and sciences at an institution of higher education.
- (5) Not less than one entity with the capacity to contribute to the technology-related reform of teacher preparation programs, which may be a professional association, foundation, museum, library, for-profit business, public or private nonprofit organization, community-based organization, or other entity.

(Pub. L. 89-329, title II, §231, as added Pub. L. 110-315, title II, §201(3), Aug. 14, 2008, 122 Stat. 3154.)

PRIOR PROVISIONS

A prior section 1032, Pub. L. 89-329, title II, §222, as added Pub. L. 96-374, title II, §201, Oct. 3, 1980, 94 Stat. 1385; amended Pub. L. 102-325, title II, §201, July 23, 1992, 106 Stat. 469, related to library education and human resource development, prior to repeal by Pub. L. 104-208, div. A, title I, §101(e) [title VII, §708(b)], Sept. 30, 1996, 110 Stat. 3009-233, 3009-312.

Another prior section 1032, Pub. L. 89-329, title II, §222, Nov. 8, 1965, 79 Stat. 1227, defined the term “librarianship”, prior to repeal by Pub. L. 92-318, title I, §111(b)(3)(A), June 23, 1972, 86 Stat. 239.

A prior section 231 of Pub. L. 89-329 was classified to section 1041 of this title, prior to repeal by Pub. L. 104-208.

Another prior section 231 of Pub. L. 89-329 was classified to section 1041 of this title, prior to the general amendment of this subchapter by Pub. L. 96-374.

Another prior section 231 of Pub. L. 89-329 was classified to section 1041 of this title, prior to the general amendment of former part C of this subchapter by Pub. L. 94-482.

§ 1032a. Uses of funds

(a) In general

An eligible consortium that receives a grant or enters into a contract or cooperative agreement under this subpart shall use funds made

available under this subpart to carry out a project that—

(1) develops long-term partnerships among members of the consortium that are focused on effective teaching with modern digital tools and content that substantially connect preservice preparation of teacher candidates with high-need schools; or

(2) transforms the way departments, schools, and colleges of education teach classroom technology integration, including the principles of universal design, to teacher candidates.

(b) Uses of funds for partnership grants

In carrying out a project under subsection (a)(1), an eligible consortium shall—

(1) provide teacher candidates, early in their preparation, with field experiences with technology in educational settings;

(2) build the skills of teacher candidates to support technology-rich instruction, assessment and learning management in content areas, technology literacy, an understanding of the principles of universal design, and the development of other skills for entering the workforce;

(3) provide professional development in the use of technology for teachers, administrators, and content specialists who participate in field placement;

(4) provide professional development of technology pedagogical skills for faculty of departments, schools, and colleges of education and arts and sciences;

(5) implement strategies for the mentoring of teacher candidates by members of the consortium with respect to technology implementation;

(6) evaluate teacher candidates during the first years of teaching to fully assess outcomes of the project;

(7) build collaborative learning communities for technology integration within the consortium to sustain meaningful applications of technology in the classroom during teacher preparation and early career practice; and

(8) evaluate the effectiveness of the project.

(c) Uses of funds for transformation grants

In carrying out a project under subsection (a)(2), an eligible consortium shall—

(1) redesign curriculum to require collaboration between the department, school, or college of education faculty and the department, school, or college of arts and sciences faculty who teach content or methods courses for training teacher candidates;

(2) collaborate between the department, school, or college of education faculty and the department, school, or college of arts and science faculty and academic content specialists at the local educational agency to educate preservice teachers who can integrate technology and pedagogical skills in content areas;

(3) collaborate between the department, school, or college of education faculty and the department, school, or college of arts and sciences faculty who teach courses to preservice teachers to—

(A) develop and implement a plan for preservice teachers and continuing educators

that demonstrates effective instructional strategies and application of such strategies in the use of digital tools to transform the teaching and learning process; and

(B) better reach underrepresented pre-service teacher populations with programs that connect such preservice teacher populations with applications of technology;

(4) collaborate among faculty and students to create and disseminate case studies of technology applications in classroom settings with a goal of improving student academic achievement in high-need schools;

(5) provide additional technology resources for preservice teachers to plan and implement technology applications in classroom settings that provide evidence of student learning; and

(6) bring together expertise from departments, schools, or colleges of education, arts and science faculty, and academic content specialists at the local educational agency to share and disseminate technology applications in the classroom through teacher preparation and into early career practice.

(Pub. L. 89-329, title II, §232, as added Pub. L. 110-315, title II, §201(3), Aug. 14, 2008, 122 Stat. 3155.)

PRIOR PROVISIONS

A prior section 232 of Pub. L. 89-329 was classified to section 1042 of this title, prior to repeal by Pub. L. 104-208.

Another prior section 232 of Pub. L. 89-329 was classified to section 1042 of this title, prior to the general amendment of this subchapter by Pub. L. 96-374.

Another prior section 232 of Pub. L. 89-329 was classified to section 1042 of this title, prior to the general amendment of former part C of this subchapter by Pub. L. 94-482.

§ 1032b. Application requirements

To be eligible to receive a grant or enter into a contract or cooperative agreement under this subpart, an eligible consortium shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require. Such application shall include the following:

(1) A description of the project to be carried out with the grant, including how the project will—

(A) develop a long-term partnership focused on effective teaching with modern digital tools and content that substantially connects preservice preparation of teacher candidates with high-need schools; or

(B) transform the way departments, schools, and colleges of education teach classroom technology integration, including the principles of universal design, to teacher candidates.

(2) A demonstration of—

(A) the commitment, including the financial commitment, of each of the members of the consortium for the proposed project; and

(B) the support of the leadership of each organization that is a member of the consortium for the proposed project.

(3) A description of how each member of the consortium will participate in the project.

(4) A description of how the State educational agency or local educational agency will incorporate the project into the agency's technology plan, if such a plan already exists.

(5) A description of how the project will be continued after Federal funds are no longer available under this subpart for the project.

(6) A description of how the project will incorporate—

(A) State teacher technology standards; and

(B) State student technology standards.

(7) A plan for the evaluation of the project, which shall include benchmarks to monitor progress toward specific project objectives.

(Pub. L. 89-329, title II, §233, as added Pub. L. 110-315, title II, §201(3), Aug. 14, 2008, 122 Stat. 3157.)

PRIOR PROVISIONS

A prior section 233 of Pub. L. 89-329 was classified to section 1043 of this title, prior to the general amendment of this subchapter by Pub. L. 96-374.

§ 1032c. Evaluation

Not less than ten percent of the funds awarded to an eligible consortium to carry out a project under this subpart shall be used to evaluate the effectiveness of such project.

(Pub. L. 89-329, title II, §234, as added Pub. L. 110-315, title II, §201(3), Aug. 14, 2008, 122 Stat. 3157.)

PRIOR PROVISIONS

A prior section 234 of Pub. L. 89-329 was classified to section 1044 of this title, prior to the general amendment of this subchapter by Pub. L. 96-374.

SUBPART 2—HONORABLE AUGUSTUS F. HAWKINS CENTERS OF EXCELLENCE

§ 1033. Definitions

In this subpart:

(1) Eligible institution

The term “eligible institution” means—

(A) an institution of higher education that has a teacher preparation program that is a qualified teacher preparation program and that is—

(i) a part B institution (as defined in section 1061 of this title);

(ii) a Hispanic-serving institution (as defined in section 1101a of this title);

(iii) a Tribal College or University (as defined in section 1059c of this title);

(iv) an Alaska Native-serving institution (as defined in section 1059d(b) of this title);

(v) a Native Hawaiian-serving institution (as defined in section 1059d(b) of this title);

(vi) a Predominantly Black Institution (as defined in section 1059e of this title);

(vii) an Asian American and Native American Pacific Islander-serving institution (as defined in section 1059g(b) of this title); or

(viii) a Native American-serving, non-tribal institution (as defined in section 1059f of this title);

(B) a consortium of institutions described in subparagraph (A); or

(C) an institution described in subparagraph (A), or a consortium described in subparagraph (B), in partnership with any other institution of higher education, but only if the center of excellence established under section 1033a of this title is located at an institution described in subparagraph (A).

(2) Scientifically based reading research

The term “scientifically based reading research” has the meaning given such term in section 6368 of this title.

(Pub. L. 89-329, title II, §241, as added Pub. L. 110-315, title II, §201(3), Aug. 14, 2008, 122 Stat. 3158.)

PRIOR PROVISIONS

A prior section 1033, Pub. L. 89-329, title II, §223, as added Pub. L. 96-374, title II, §201, Oct. 3, 1980, 94 Stat. 1385; amended Pub. L. 99-498, title II, §205, Oct. 17, 1986, 100 Stat. 1289; Pub. L. 102-325, title II, §201, July 23, 1992, 106 Stat. 470, authorized Secretary to make grants and enter into contracts for research and development projects, prior to repeal by Pub. L. 104-208, div. A, title I, §101(e) [title VII, §708(b)], Sept. 30, 1996, 110 Stat. 3009-233, 3009-312.

Another prior section 1033, Pub. L. 89-329, title II, §222, formerly §223, Nov. 8, 1965, 79 Stat. 1227; Pub. L. 90-575, title II, §216, Oct. 16, 1968, 82 Stat. 1037, renumbered and amended Pub. L. 92-318, title I, §111(b)(3)(B)-(D), June 23, 1972, 86 Stat. 239, 240, related to grants for training in librarianship, prior to the general amendment of this subchapter by Pub. L. 96-374.

A prior section 241 of Pub. L. 89-329 was classified to section 1047 of this title, prior to repeal by Pub. L. 104-208.

Another prior section 241 of Pub. L. 89-329 was classified to section 1047 of this title, prior to the general amendment of former part D of this subchapter by Pub. L. 99-498.

§ 1033a. Augustus F. Hawkins centers of excellence

(a) Program authorized

From the amounts appropriated to carry out this part, the Secretary is authorized to award competitive grants to eligible institutions to establish centers of excellence.

(b) Use of funds

Grants provided by the Secretary under this subpart shall be used to ensure that current and future teachers are highly qualified by carrying out one or more of the following activities:

(1) Implementing reforms within teacher preparation programs to ensure that such programs are preparing teachers who are highly qualified, are able to understand scientifically valid research, and are able to use advanced technology effectively in the classroom, including use of instructional techniques to improve student academic achievement, by—

(A) retraining or recruiting faculty; and
(B) designing (or redesigning) teacher preparation programs that—

(i) prepare teachers to serve in low-performing schools and close student achievement gaps, and that are based on rigorous academic content, scientifically valid research (including scientifically based reading research and mathematics research, as

it becomes available), and challenging State academic content standards and student academic achievement standards; and
(ii) promote strong teaching skills.

(2) Providing sustained and high-quality pre-service clinical experience, including the mentoring of prospective teachers by exemplary teachers, substantially increasing interaction between faculty at institutions of higher education and new and experienced teachers, principals, and other administrators at elementary schools or secondary schools, and providing support, including preparation time, for such interaction.

(3) Developing and implementing initiatives to promote retention of highly qualified teachers and principals, including minority teachers and principals, including programs that provide—

(A) teacher or principal mentoring from exemplary teachers or principals, respectively; or

(B) induction and support for teachers and principals during their first three years of employment as teachers or principals, respectively.

(4) Awarding scholarships based on financial need to help students pay the costs of tuition, room, board, and other expenses of completing a teacher preparation program, not to exceed the cost of attendance.

(5) Disseminating information on effective practices for teacher preparation and successful teacher certification and licensure assessment preparation strategies.

(6) Activities authorized under section 1022a of this title.

(c) Application

Any eligible institution desiring a grant under this subpart shall submit an application to the Secretary at such a time, in such a manner, and accompanied by such information as the Secretary may require.

(d) Minimum grant amount

The minimum amount of each grant under this subpart shall be \$500,000.

(e) Limitation on administrative expenses

An eligible institution that receives a grant under this subpart may use not more than two percent of the funds provided to administer the grant.

(f) Regulations

The Secretary shall prescribe such regulations as may be necessary to carry out this subpart.

(Pub. L. 89-329, title II, §242, as added Pub. L. 110-315, title II, §201(3), Aug. 14, 2008, 122 Stat. 3158.)

PRIOR PROVISIONS

A prior section 242 of Pub. L. 89-329 was classified to section 1047a of this title, prior to the general amendment of former part D of this subchapter by Pub. L. 99-498.

SUBPART 3—PREPARING GENERAL EDUCATION
TEACHERS TO MORE EFFECTIVELY EDUCATE STUDENTS
WITH DISABILITIES

§ 1034. Teach to reach grants

(a) Authorization of program

(1) In general

The Secretary is authorized to award grants, on a competitive basis, to eligible partnerships to improve the preparation of general education teacher candidates to ensure that such teacher candidates possess the knowledge and skills necessary to effectively instruct students with disabilities in general education classrooms.

(2) Duration of grants

A grant under this section shall be awarded for a period of not more than five years.

(3) Non-Federal share

An eligible partnership that receives a grant under this section shall provide not less than 25 percent of the cost of the activities carried out with such grant from non-Federal sources, which may be provided in cash or in kind.

(b) Definition of eligible partnership

In this section, the term “eligible partnership” means a partnership that—

(1) shall include—

(A) one or more departments or programs at an institution of higher education—

(i) that prepare elementary or secondary general education teachers;

(ii) that have a program of study that leads to an undergraduate degree, a master’s degree, or completion of a postbaccalaureate program required for teacher certification; and

(iii) the graduates of which are highly qualified;

(B) a department or program of special education at an institution of higher education;

(C) a department or program at an institution of higher education that provides degrees in core academic subjects; and

(D) a high-need local educational agency; and

(2) may include a department or program of mathematics, earth or physical science, foreign language, or another department at the institution that has a role in preparing teachers.

(c) Activities

An eligible partnership that receives a grant under this section—

(1) shall use the grant funds to—

(A) develop or strengthen an undergraduate, postbaccalaureate, or master’s teacher preparation program by integrating special education strategies into the general education curriculum and academic content;

(B) provide teacher candidates participating in the program under subparagraph (A) with skills related to—

(i) response to intervention, positive behavioral interventions and supports, dif-

ferentiated instruction, and data driven instruction;

(ii) universal design for learning;

(iii) determining and utilizing accommodations for instruction and assessments;

(iv) collaborating with special educators, related services providers, and parents, including participation in individualized education program development and implementation; and

(v) appropriately utilizing technology and assistive technology for students with disabilities; and

(C) provide extensive clinical experience for participants described in subparagraph (B) with mentoring and induction support throughout the program that continues during the first two years of full-time teaching; and

(2) may use grant funds to develop and administer alternate assessments of students with disabilities.

(d) Application

An eligible partnership seeking a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require. Such application shall include—

(1) a self-assessment by the eligible partnership of the existing teacher preparation program at the institution of higher education and needs related to preparing general education teacher candidates to instruct students with disabilities; and

(2) an assessment of the existing personnel needs for general education teachers who instruct students with disabilities, performed by the local educational agency in which most graduates of the teacher preparation program are likely to teach after completion of the program under subsection (c)(1).

(e) Peer review

The Secretary shall convene a peer review committee to review applications for grants under this section and to make recommendations to the Secretary regarding the selection of grantees. Members of the peer review committee shall be recognized experts in the fields of special education, teacher preparation, and general education and shall not be in a position to benefit financially from any grants awarded under this section.

(f) Evaluations

(1) By the partnership

(A) In general

An eligible partnership receiving a grant under this section shall conduct an evaluation at the end of the grant period to determine—

(i) the effectiveness of the general education teachers who completed a program under subsection (c)(1) with respect to instruction of students with disabilities in general education classrooms; and

(ii) the systemic impact of the activities carried out by such grant on how each in-

stitution of higher education that is a member of the partnership prepares teachers for instruction in elementary schools and secondary schools.

(B) Report to the Secretary

Each eligible partnership performing an evaluation under subparagraph (A) shall report the findings of such evaluation to the Secretary.

(2) Report by the Secretary

Not later than 180 days after the last day of the grant period under this section, the Secretary shall make available to Congress and the public the findings of the evaluations submitted under paragraph (1), and information on best practices related to effective instruction of students with disabilities in general education classrooms.

(Pub. L. 89-329, title II, §251, as added Pub. L. 110-315, title II, §201(3), Aug. 14, 2008, 122 Stat. 3159.)

PRIOR PROVISIONS

A prior section 1034, Pub. L. 89-329, title II, §224, as added Pub. L. 102-325, title II, §201, July 23, 1992, 106 Stat. 470, required Secretary to consult with appropriate library and information science professional bodies in determining critical needs and priorities under former sections 1032 and 1033 of this title, prior to repeal by Pub. L. 104-208, div. A, title I, §101(e) [title VII, §708(b)], Sept. 30, 1996, 110 Stat. 3009-233, 3009-312.

Another prior section 1034, Pub. L. 89-329, title II, §224, as added Pub. L. 96-374, title II, §201, Oct. 3, 1980, 94 Stat. 1385, authorized special purpose grants, prior to repeal by Pub. L. 99-498, title II, §204(a), Oct. 17, 1986, 100 Stat. 1289.

Another prior section 1034, Pub. L. 89-329, title II, §223, formerly §224, Nov. 8, 1965, 79 Stat. 1228, Pub. L. 91-230, title IV, §401(h)(4), Apr. 13, 1970, 84 Stat. 174, and renumbered Pub. L. 92-318, title I, §111(b)(3)(D), June 23, 1972, 86 Stat. 240, related to grants for research and demonstration projects, prior to the general amendment of this subchapter by Pub. L. 96-374.

A prior section 251 of Pub. L. 89-329 was classified to section 1047j of this title, prior to the general amendment of former part D of this subchapter by Pub. L. 99-498.

SUBPART 4—ADJUNCT TEACHER CORPS

§ 1035. Adjunct teacher corps

(a) Purpose

The purpose of this section is to create opportunities for professionals and other individuals with subject matter expertise in mathematics, science, or critical foreign languages to provide such subject matter expertise to secondary school students on an adjunct basis.

(b) Program authorized

The Secretary is authorized to award grants on a competitive basis to eligible entities to identify, recruit, and train qualified individuals with subject matter expertise in mathematics, science, or critical foreign languages to serve as adjunct content specialists.

(c) Duration of grants

The Secretary may award grants under this section for a period of not more than five years.

(d) Eligible entity

In this section, the term “eligible entity” means—

(1) a local educational agency; or

(2) a partnership consisting of a local educational agency, serving as a fiscal agent, and a public or private educational organization or business.

(e) Uses of funds

An eligible entity that receives a grant under this section is authorized to use such grant to carry out one or both of the following activities:

(1) To develop the capacity of the eligible entity to identify, recruit, and train individuals with subject matter expertise in mathematics, science, or critical foreign languages who are not employed in the elementary and secondary education system (including individuals in business and government, and individuals who would participate through distance-learning arrangements) to become adjunct content specialists.

(2) To provide preservice training and on-going professional development to adjunct content specialists.

(f) Applications

(1) Application required

An eligible entity that desires a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(2) Contents

An application submitted under paragraph (1) shall include—

(A) a description of—

(i) the need for, and expected benefits of using, adjunct content specialists in the schools served by the local educational agency, which may include information on the difficulty the local educational agency faces in recruiting qualified faculty in mathematics, science, and critical foreign language courses;

(ii) measurable objectives for the activities supported by the grant, including the number of adjunct content specialists the eligible entity intends to place in schools and classrooms, and the gains in academic achievement expected as a result of the addition of such specialists;

(iii) how the eligible entity will establish criteria for and recruit the most qualified individuals and public or private organizations and businesses to participate in the activities supported by the grant;

(iv) how the eligible entity will provide preservice training and on-going professional development to adjunct content specialists to ensure that such specialists have the capacity to serve effectively;

(v) how the eligible entity will use funds received under this section, including how the eligible entity will evaluate the success of the activities supported by the grant; and

(vi) how the eligible entity will support and continue the activities supported by the grant after the grant has expired, including how such entity will seek support from other sources, such as State and local government and the private sector; and

(B) an assurance that the use of adjunct content specialists will not result in the displacement or transfer of currently employed teachers nor a reduction in the number of overall teachers in the district.

(g) Priorities

In awarding grants under this section, the Secretary shall give priority to eligible entities that demonstrate in the application for such a grant a plan to—

(1) serve the schools served by the local educational agency that have a large number or percentage of students performing below grade level in mathematics, science, or critical foreign language courses;

(2) serve local educational agencies that have a large number or percentage of students from low-income families; and

(3) recruit and train individuals to serve as adjunct content specialists in schools that have an insufficient number of teachers in mathematics, science, or critical foreign languages.

(h) Matching requirement

Each eligible entity that receives a grant under this section shall provide, from non-Federal sources, an amount equal to 100 percent of the amount of such grant (in cash or in kind) to carry out the activities supported by such grant.

(i) Performance report

Each eligible entity receiving a grant under this section shall prepare and submit to the Secretary a final report on the results of the activities supported by such grant, which shall contain such information as the Secretary may require, including any improvements in student academic achievement as a result of the use of adjunct content specialists.

(j) Evaluation

The Secretary shall evaluate the activities supported by grants under this section, including the impact of such activities on student academic achievement, and shall report the results of such evaluation to the authorizing committees.

(k) Definition

In this section, the term “adjunct content specialist” means an individual who—

(1) meets the requirements of section 7801(23)(B)(ii) of this title;

(2) has demonstrated expertise in mathematics, science, or a critical foreign language, as determined by the local educational agency; and

(3) is not the primary provider of instructional services to a student, unless the adjunct content specialist is under the direct supervision of a teacher who meets the requirements of section 7801(23) of this title.

(Pub. L. 89-329, title II, §255, as added Pub. L. 110-315, title II, §201(3), Aug. 14, 2008, 122 Stat. 3161.)

SUBPART 5—GRADUATE FELLOWSHIPS TO PREPARE FACULTY IN HIGH-NEED AREAS AT COLLEGES OF EDUCATION

§ 1036. Graduate fellowships to prepare faculty in high-need areas at colleges of education

(a) Grants by Secretary

The Secretary shall make grants to eligible institutions to enable such institutions to make graduate fellowship awards to qualified individuals in accordance with the provisions of this section.

(b) Eligible institutions

In this section, the term “eligible institution” means an institution of higher education, or a consortium of such institutions, that offers a program of postbaccalaureate study leading to a doctoral degree.

(c) Applications

An eligible institution that desires a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

(d) Types of fellowships supported

(1) In general

An eligible institution that receives a grant under this section shall use the grant funds to provide graduate fellowships to individuals who are preparing for the professorate in order to prepare individuals to become highly qualified elementary school and secondary school mathematics and science teachers, special education teachers, and teachers who provide instruction for limited English proficient students.

(2) Types of study

A graduate fellowship provided under this section shall support an individual in pursuing postbaccalaureate study, which leads to a doctoral degree and may include a master's degree as part of such study, related to teacher preparation and pedagogy in one of the following areas:

(A) Science, technology, engineering, or mathematics, if the individual has completed a master's degree in mathematics or science and is pursuing a doctoral degree in mathematics, science, or education.

(B) Special education.

(C) The instruction of limited English proficient students, including postbaccalaureate study in language instruction educational programs.

(e) Fellowship terms and conditions

(1) Selection of fellows

The Secretary shall ensure that an eligible institution that receives a grant under this section—

(A) shall provide graduate fellowship awards to individuals who plan to pursue a career in instruction at an institution of higher education that has a teacher preparation program; and

(B) may not provide a graduate fellowship to an otherwise eligible individual—

(i) during periods in which such individual is enrolled at an institution of higher education unless such individual is maintaining satisfactory academic progress in, and devoting full-time study or research to, the pursuit of the degree for which the fellowship support was provided; or

(ii) if the individual is engaged in gainful employment, other than part-time employment related to teaching, research, or a similar activity determined by the institution to be consistent with and supportive of the individuals's¹ progress toward the degree for which the fellowship support was provided.

(2) Amount of fellowship awards

(A) In general

An eligible institution that receives a grant under this section shall award stipends to individuals who are provided graduate fellowships under this section.

(B) Awards based on need

A stipend provided under this section shall be in an amount equal to the level of support provided by the National Science Foundation graduate fellowships, except that such stipend shall be adjusted as necessary so as not to exceed the fellowship recipient's demonstrated need, as determined by the institution of higher education where the fellowship recipient is enrolled.

(3) Service requirement

(A) Teaching required

Each individual who receives a graduate fellowship under this section and earns a doctoral degree shall teach for one year at an institution of higher education that has a teacher preparation program for each year of fellowship support received under this section.

(B) Institutional obligation

Each eligible institution that receives a grant under this section shall provide an assurance to the Secretary that the institution has inquired of and determined the decision of each individual who has received a graduate fellowship to, within three years of receiving a doctoral degree, begin employment at an institution of higher education that has a teacher preparation program, as required by this section.

(C) Agreement required

Prior to receiving an initial graduate fellowship award, and upon the annual renewal of the graduate fellowship award, an individual selected to receive a graduate fellowship under this section shall sign an agreement with the Secretary agreeing to pursue a career in instruction at an institution of higher education that has a teacher preparation program in accordance with subparagraph (A).

(D) Failure to comply

If an individual who receives a graduate fellowship award under this section fails to

comply with the agreement signed pursuant to subparagraph (C), the sum of the amounts of any graduate fellowship award received by such recipient shall, upon a determination of such a failure, be treated as a Federal Direct Unsubsidized Stafford Loan under part C of subchapter IV, and shall be subject to repayment, together with interest thereon accruing from the date of the fellowship award, in accordance with terms and conditions specified by the Secretary in regulations under this subpart.

(E) Modified service requirement

The Secretary may waive or modify the service requirement of this paragraph in accordance with regulations promulgated by the Secretary with respect to the criteria to determine the circumstances under which compliance with such service requirement is inequitable or represents a substantial hardship. The Secretary may waive the service requirement if compliance by the fellowship recipient is determined to be inequitable or represent a substantial hardship—

(i) because the individual is permanently and totally disabled at the time of the waiver request; or

(ii) based on documentation presented to the Secretary of substantial economic or personal hardship.

(f) Institutional support for fellows

An eligible institution that receives a grant under this section may reserve not more than ten percent of the grant amount for academic and career transition support for graduate fellowship recipients and for meeting the institutional obligation described in subsection (e)(3)(B).

(g) Restriction on use of funds

An eligible institution that receives a grant under this section may not use grant funds for general operational overhead of the institution.

(Pub. L. 89-329, title II, §258, as added Pub. L. 110-315, title II, §201(3), Aug. 14, 2008, 122 Stat. 3163.)

PART C—GENERAL PROVISIONS

§ 1041. Limitations

(a) Federal control prohibited

Nothing in this subchapter shall be construed to permit, allow, encourage, or authorize any Federal control over any aspect of any private, religious, or home school, whether or not a home school is treated as a private school or home school under State law. This section shall not be construed to prohibit private, religious, or home schools from participation in programs or services under this subchapter.

(b) No change in State control encouraged or required

Nothing in this subchapter shall be construed to encourage or require any change in a State's treatment of any private, religious, or home school, whether or not a home school is treated as a private school or home school under State law.

¹ So in original. Probably should be "individual's".