

shall be determined separately with respect to each clause of each such subparagraph.

(Pub. L. 88-210, title II, §203, as added Pub. L. 109-270, §1(b), Aug. 12, 2006, 120 Stat. 738; amended Pub. L. 110-315, title IX, §941(k)(2)(D)(iii), Aug. 14, 2008, 122 Stat. 3466.)

REFERENCES IN TEXT

The Tribally Controlled Colleges and Universities Assistance Act of 1978, referred to in subsec. (a)(1)(B)(i)(I)(bb)(AA), is Pub. L. 95-471, Oct. 17, 1978, 92 Stat. 1325, which is classified principally to chapter 20 (§1801 et seq.) of Title 25, Indians. For complete classification of this Act to the Code, see Short Title note set out under section 1801 of Title 25 and Tables.

The Higher Education Act of 1965, referred to in subsec. (a)(1)(B)(i), is Pub. L. 89-329, Nov. 8, 1965, 79 Stat. 1219. Part B of title IV of the Act is classified generally to part B (§1071 et seq.) of subchapter IV of chapter 28 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1001 of this title and Tables.

PRIOR PROVISIONS

A prior section 2373, Pub. L. 88-210, title II, §204, as added Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3118, related to tech-prep education, prior to the general amendment of this chapter by Pub. L. 109-270.

Another prior section 2373, Pub. L. 88-210, title III, §323, as added Pub. L. 98-524, §1, Oct. 19, 1984, 98 Stat. 2461; amended Pub. L. 100-418, title VI, §6131(a)(2), Aug. 23, 1988, 102 Stat. 1509, provided for coordination of program with Job Training Partnership Act, prior to repeal by Pub. L. 101-392, title III, §305, title VII, §702(a), Sept. 25, 1990, 104 Stat. 786, 843, effective July 1, 1991.

A prior section 203 of Pub. L. 88-210 was classified to section 2372 of this title, prior to the general amendment of this chapter by Pub. L. 109-270.

Another prior section 203 of Pub. L. 88-210 was classified to section 2333 of this title, prior to the general amendment of former subchapter II of this chapter by Pub. L. 101-392.

AMENDMENTS

2008—Subsec. (a)(1)(B)(i)(I)(bb)(AA). Pub. L. 110-315 substituted “the Tribally Controlled Colleges and Universities Assistance Act of 1978” for “the Tribally Controlled College or University Assistance Act of 1978”.

§ 2374. Consortium applications

(a) In general

Each consortium that desires to receive a grant under this subchapter shall submit an application to the eligible agency at such time and in such manner as the eligible agency shall require.

(b) Plan

Each application submitted under this section shall contain a 6-year plan for the development and implementation of tech prep programs under this subchapter, which plan shall be reviewed after the second year of the plan.

(c) Approval

The eligible agency shall approve applications under this subchapter based on the potential of the activities described in the application to create an effective tech prep program.

(d) Special consideration

The eligible agency, as appropriate, shall give special consideration to applications that—

- (1) provide for effective employment placement activities or the transfer of students to baccalaureate or advanced degree programs;

- (2) are developed in consultation with business, industry, institutions of higher education, and labor organizations;

- (3) address effectively the issues of school dropout prevention and reentry, and the needs of special populations;

- (4) provide education and training in an area or skill, including an emerging technology, in which there is a significant workforce shortage based on the data provided by the eligible entity in the State under section 2328 of this title;

- (5) demonstrate how tech prep programs will help students meet high academic and employability competencies; and

- (6) demonstrate success in, or provide assurances of, coordination and integration with eligible recipients described in part C of subchapter I.

(e) Performance levels

(1) In general

Each consortium receiving a grant under this subchapter shall enter into an agreement with the eligible agency to meet a minimum level of performance for each of the performance indicators described in sections 2323(b) and 2373(e) of this title.

(2) Resubmission of application; termination of funds

An eligible agency—

(A) shall require consortia that do not meet the performance levels described in paragraph (1) for 3 consecutive years to resubmit an application to the eligible agency for a tech prep program grant; and

(B) may choose to terminate the funding for the tech prep program for a consortium that does not meet the performance levels described in paragraph (1) for 3 consecutive years, including when the grants are made on the basis of a formula determined by the eligible agency.

(f) Equitable distribution of assistance

In awarding grants under this subchapter, the eligible agency shall ensure an equitable distribution of assistance between or among urban and rural participants in the consortium.

(Pub. L. 88-210, title II, §204, as added Pub. L. 109-270, §1(b), Aug. 12, 2006, 120 Stat. 741.)

PRIOR PROVISIONS

A prior section 2374, Pub. L. 88-210, title II, §205, as added Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3120, related to consortium applications, prior to the general amendment of this chapter by Pub. L. 109-270.

A prior section 204 of Pub. L. 88-210 was classified to section 2373 of this title, prior to the general amendment of this chapter by Pub. L. 109-270.

Another prior section 204 of Pub. L. 88-210 was classified to section 2334 of this title, prior to the general amendment of former subchapter II of this chapter by Pub. L. 101-392.

§ 2375. Report

Each eligible agency that receives an allotment under this subchapter annually shall prepare and submit to the Secretary a report on the effectiveness of the tech prep programs assisted under this subchapter, including a description of how grants were awarded within the State.