

partnership, or any other similar body that was considered a reading and literacy partnership for purposes of part C of title II of this Act (as such part was in effect on January 8, 2002), that consortium, partnership, or body may be considered a reading and literacy partnership for purposes of this subsection consistent with the provisions of this subpart.

(Pub. L. 89-10, title I, §1203, as added Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1543; amended Pub. L. 110-154, §1(c)(3), Dec. 21, 2007, 121 Stat. 1828.)

REFERENCES IN TEXT

Part C of title II (as such part was in effect on the day before January 8, 2002), referred to in subsecs. (a)(2), (b)(2), and (d)(4), means part C of title II of Pub. L. 89-10, as added by Pub. L. 105-277, div. A, §101(f) [title VIII, §101(a)(2)], Oct. 21, 1998, 112 Stat. 2681-337, 2681-391, as amended, which was classified generally to part C (§6661 et seq.) of subchapter II of this chapter prior to the general amendment of subchapter II by Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1620.

The Adult Education and Family Literacy Act, referred to in subsec. (b)(4)(G), is title II of Pub. L. 105-220, Aug. 7, 1998, 112 Stat. 1059, as amended, which is classified principally to subchapter I (§9201 et seq.) of chapter 73 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 9201 of this title and Tables.

The Individuals with Disabilities Education Act, referred to in subsec. (b)(4)(G), is title VI of Pub. L. 91-230, Apr. 13, 1970, 84 Stat. 175, as amended, which is classified generally to chapter 33 (§1400 et seq.) of this title. For complete classification of this Act to the Code, see section 1400 of this title and Tables.

PRIOR PROVISIONS

A prior section 6363, Pub. L. 89-10, title I, §1203, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3579; amended Pub. L. 105-277, div. A, §101(f) [title VIII, §204(b)], Oct. 21, 1998, 112 Stat. 2681-337, 2681-409; Pub. L. 106-554, §1(a)(4) [div. B, title XVI, §1604(f), (g)], Dec. 21, 2000, 114 Stat. 2763, 2763A-330, related to State Even Start programs, prior to the general amendment of this subchapter by Pub. L. 107-110. See section 6381b of this title.

A prior section 1203 of Pub. L. 89-10 was classified to section 2783 of this title, prior to the general amendment of Pub. L. 89-10 by Pub. L. 103-382.

AMENDMENTS

2007—Subsec. (c)(2)(A)(iv). Pub. L. 110-154 substituted “Eunice Kennedy Shriver National Institute of Child Health and Human Development” for “National Institute of Child Health and Human Development”.

§ 6364. Targeted assistance grants

(a) Eligibility criteria for awarding targeted assistance grants to States

Beginning with fiscal year 2004, from funds appropriated under section 6362(b)(1)(E) of this title, the Secretary shall make grants, on a competitive basis, to those State educational agencies that—

(1) for each of 2 consecutive years, demonstrate that an increasing percentage of third graders in each of the groups described in section 6311(b)(2)(C)(v)(II) of this title in the schools served by the local educational agencies receiving funds under section 6362 of this title are reaching the proficient level in reading; and

(2) for each of the same such consecutive 2 years, demonstrate that schools receiving

funds under section 6362 of this title are improving the reading skills of students in grades 1, 2, and 3 based on screening, diagnostic, and classroom-based instructional reading assessments.

(b) Continuation of performance awards

For any State educational agency that receives a competitive grant under this section, the Secretary shall make an award for each of the succeeding years that the State educational agency demonstrates it is continuing to meet the criteria described in subsection (a) of this section.

(c) Distribution of targeted assistance grants

(1) In general

The Secretary shall make a grant to each State educational agency with an application approved under this section in an amount that bears the same relation to the amount made available to carry out this section for a fiscal year as the number of children counted under section 6333(c) of this title for the State bears to the number of such children so counted for all States with applications approved for that year.

(2) Peer review

The peer review panel convened under section 6363(c)(2) of this title shall review the applications submitted under this subsection. The panel shall recommend such applications to the Secretary for funding or for disapproval.

(3) Application contents

A State educational agency that desires to receive a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require. Each such application shall include the following:

(A) Evidence that the State educational agency has carried out its obligations under section 6363 of this title.

(B) Evidence that the State educational agency has met the criteria described in subsection (a) of this section.

(C) The amount of funds requested by the State educational agency and a description of the criteria the State educational agency intends to use in distributing subgrants to eligible local educational agencies under this section to continue or expand activities under subsection (d)(5) of this section.

(D) Evidence that the State educational agency has increased significantly the percentage of students reading at grade level or above.

(E) Any additional evidence that demonstrates success in the implementation of this section.

(d) Subgrants to eligible local educational agencies

(1) In general

The Secretary may make a grant to a State educational agency under this section only if the State educational agency agrees to expend 100 percent of the amount of the funds provided under the grant for the purpose of mak-

ing competitive subgrants in accordance with this subsection to eligible local educational agencies.

(2) Notice

A State educational agency receiving a grant under this section shall provide notice to all local educational agencies in the State of the availability of competitive subgrants under this subsection and of the requirements for applying for the subgrants.

(3) Application

To be eligible to receive a subgrant under this subsection, an eligible local educational agency shall submit an application to the State educational agency at such time, in such manner, and containing such information as the State educational agency may reasonably require.

(4) Distribution

(A) In general

A State educational agency shall distribute subgrants under this section through a competitive process based on relative need of eligible local educational agencies and the evidence described in this paragraph.

(B) Evidence used in all years

For all fiscal years, a State educational agency shall distribute subgrants under this section based on evidence that an eligible local educational agency—

- (i) satisfies the requirements of section 6362(c)(4) of this title;
- (ii) will carry out its obligations under this subpart;
- (iii) will work with other local educational agencies in the State that have not received a subgrant under this subsection to assist such nonreceiving agencies in increasing the reading achievement of students; and
- (iv) is meeting the criteria described in subsection (a) of this section.

(5) Local uses of funds

An eligible local educational agency that receives a subgrant under this subsection—

- (A) shall use the funds provided under the subgrant to carry out the activities described in section 6362(c)(7)(A) of this title; and
- (B) may use such funds to carry out the activities described in section 6362(c)(7)(B) of this title.

(Pub. L. 89-10, title I, §1204, as added Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1546.)

PRIOR PROVISIONS

A prior section 6364, Pub. L. 89-10, title I, §1204, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3580; amended Pub. L. 104-134, title I, §101(b) [title II, §2755(a)], Apr. 26, 1996, 110 Stat. 1321-77, 1321-151; renumbered title I, Pub. L. 104-140, §1(a), May 2, 1996, 110 Stat. 1327; Pub. L. 106-113, div. B, §1000(a)(4) [title III, §306(a)], Nov. 29, 1999, 113 Stat. 1535, 1501A-260; Pub. L. 106-554, §1(a)(4) [div. B, title XVI, §1604(h)], Dec. 21, 2000, 114 Stat. 2763, 2763A-330, related to uses of funds in carrying out an Even Start program, prior to the general amendment of this subchapter by Pub. L. 107-110. See section 6381c of this title.

§ 6365. External evaluation

(a) In general

From funds reserved under section 6362(b)(1)(C) of this title, the Secretary shall contract with an independent organization outside of the Department for a 5-year, rigorous, scientifically valid, quantitative evaluation of this subpart.

(b) Process

The evaluation under subsection (a) of this section shall be conducted by an organization that is capable of designing and carrying out an independent evaluation that identifies the effects of specific activities carried out by State educational agencies and local educational agencies under this subpart on improving reading instruction. Such evaluation shall take into account factors influencing student performance that are not controlled by teachers or education administrators.

(c) Analysis

The evaluation under subsection (a) of this section shall include the following:

- (1) An analysis of the relationship between each of the essential components of reading instruction and overall reading proficiency.
- (2) An analysis of whether assessment tools used by State educational agencies and local educational agencies measure the essential components of reading.
- (3) An analysis of how State reading standards correlate with the essential components of reading instruction.
- (4) An analysis of whether the receipt of a targeted assistance grant under section 6364 of this title results in an increase in the number of children who read proficiently.
- (5) A measurement of the extent to which specific instructional materials improve reading proficiency.
- (6) A measurement of the extent to which specific screening, diagnostic, and classroom-based instructional reading assessments assist teachers in identifying specific reading deficiencies.
- (7) A measurement of the extent to which professional development programs implemented by State educational agencies using funds received under this subpart improve reading instruction.
- (8) A measurement of how well students preparing to enter the teaching profession are prepared to teach the essential components of reading instruction.
- (9) An analysis of changes in students' interest in reading and time spent reading outside of school.
- (10) Any other analysis or measurement pertinent to this subpart that is determined to be appropriate by the Secretary.

(d) Program improvement

The findings of the evaluation conducted under this section shall be provided to State educational agencies and local educational agencies on a periodic basis for use in program improvement.

(Pub. L. 89-10, title I, §1205, as added Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1548.)