

fits may include the acquisition of skills that are important to many employers, Scholastic Aptitude Test (SAT) scores that are 100 points above the national averages, and the achievement of better grades in secondary school and in college than the grades of students who have not participated in the programs;

(4) to increase the availability and broaden the range of schools, including middle schools, that have advanced placement and pre-advanced placement programs;

(5) to demonstrate that larger and more diverse groups of students can participate and succeed in advanced placement programs;

(6) to provide greater access to advanced placement and pre-advanced placement courses and highly trained teachers for low-income and other disadvantaged students;

(7) to provide access to advanced placement courses for secondary school students at schools that do not offer advanced placement programs, increase the rate at which secondary school students participate in advanced placement courses, and increase the numbers of students who receive advanced placement test scores for which college academic credit is awarded;

(8) to increase the participation of low-income individuals in taking advanced placement tests through the payment or partial payment of the costs of the advanced placement test fees; and

(9) to increase the number of individuals that achieve a baccalaureate or advanced degree, and to decrease the amount of time such individuals require to attain such degrees.

(Pub. L. 89-10, title I, §1702, as added Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1606.)

#### § 6533. Funding distribution rule

From amounts appropriated under section 6302(g) of this title for a fiscal year, the Secretary shall give priority to funding activities under section 6534 of this title and shall distribute any remaining funds under section 6535 of this title.

(Pub. L. 89-10, title I, §1703, as added Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1606.)

#### § 6534. Advanced placement test fee program

##### (a) Grants authorized

From amounts made available under section 6533 of this title for a fiscal year, the Secretary shall award grants to State educational agencies having applications approved under this section to enable the State educational agencies to reimburse low-income individuals to cover part or all of the costs of advanced placement test fees, if the low-income individuals—

(1) are enrolled in an advanced placement course; and

(2) plan to take an advanced placement test.

##### (b) Award basis

In determining the amount of the grant awarded to a State educational agency under this section for a fiscal year, the Secretary shall consider the number of children eligible to be counted under section 6333(c) of this title in the

State in relation to the number of such children so counted in all the States.

##### (c) Information dissemination

A State educational agency awarded a grant under this section shall disseminate information regarding the availability of advanced placement test fee payments under this section to eligible individuals through secondary school teachers and guidance counselors.

##### (d) Applications

Each State educational agency desiring 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. At a minimum, each State educational agency application shall—

(1) describe the advanced placement test fees the State educational agency will pay on behalf of low-income individuals in the State from grant funds awarded under this section;

(2) provide an assurance that any grant funds awarded under this section shall be used only to pay for advanced placement test fees; and

(3) contain such information as the Secretary may require to demonstrate that the State educational agency will ensure that a student is eligible for payments authorized under this section, including documentation required under chapter 1 of subpart 2 of part A of title IV of the Higher Education Act of 1965 [20 U.S.C. 1070a-11 et seq.].

##### (e) Regulations

The Secretary shall prescribe such regulations as are necessary to carry out this section.

##### (f) Report

###### (1) In general

Each State educational agency awarded a grant under this section shall, with respect to each advanced placement subject, annually report to the Secretary on—

(A) the number of students in the State who are taking an advanced placement course in that subject;

(B) the number of advanced placement tests taken by students in the State who have taken an advanced placement course in that subject;

(C) the number of students in the State scoring at different levels on advanced placement tests in that subject; and

(D) demographic information regarding individuals in the State taking advanced placement courses and tests in that subject disaggregated by race, ethnicity, sex, English proficiency status, and socioeconomic status.

###### (2) Report to Congress

The Secretary shall annually compile the information received from each State educational agency under paragraph (1) and report to the appropriate committees of Congress regarding the information.

##### (g) BIA as SEA

For purposes of this section the Bureau of Indian Affairs shall be treated as a State educational agency.

(Pub. L. 89-10, title I, §1704, as added Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1606.)

REFERENCES IN TEXT

The Higher Education Act of 1965, referred to in subsec. (d)(3), is Pub. L. 89-329, Nov. 8, 1965, 79 Stat. 1219, as amended. Chapter 1 of subpart 2 of part A of title IV of the Act is classified generally to division 1 (§1070a-11 et seq.) of subpart 2 of part A 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.

**§ 6535. Advanced placement incentive program grants**

**(a) Grants authorized**

**(1) In general**

From amounts made available under section 6533 of this title for a fiscal year, the Secretary shall award grants, on a competitive basis, to eligible entities to enable those entities to carry out the authorized activities described in subsection (d) of this section.

**(2) Duration and payments**

**(A) Duration**

The Secretary shall award a grant under this section for a period of not more than 3 years.

**(B) Payments**

The Secretary shall make grant payments under this section on an annual basis.

**(3) Definition of eligible entity**

In this section, the term “eligible entity” means a State educational agency, local educational agency, or national nonprofit educational entity with expertise in advanced placement services.

**(b) Application**

Each eligible entity desiring 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.

**(c) Priority**

In awarding grants under this section, the Secretary shall give priority to an eligible entity that submits an application under subsection (b) of this section that—

- (1) demonstrates a pervasive need for access to advanced placement incentive programs;
- (2) provides for the involvement of business and community organizations in the activities to be assisted;
- (3) assures the availability of matching funds from State, local, or other sources to pay for the cost of activities to be assisted;
- (4) demonstrates a focus on developing or expanding advanced placement programs and participation in the core academic areas of English, mathematics, and science;
- (5) demonstrates an intent to carry out activities that target—

(A) local educational agencies serving schools with a high concentration of low-income students; or

(B) schools with a high concentration of low-income students; and

(6) in the case of a local educational agency, assures that the local educational agency serves schools with a high concentration of low-income students; or

(7) demonstrates an intent to carry out activities to increase the availability of, and participation in, on-line advanced placement courses.

**(d) Authorized activities**

**(1) In general**

Subject to paragraph (2), an eligible entity shall use grant funds made available under this section to expand access for low-income individuals to advanced placement incentive programs that involve—

- (A) teacher training;
- (B) pre-advanced placement course development;
- (C) coordination and articulation between grade levels to prepare students for academic achievement in advanced placement courses;
- (D) books and supplies; or
- (E) activities to increase the availability of, and participation in, on-line advanced placement courses; or
- (F) any other activity directly related to expanding access to and participation in advanced placement incentive programs, particularly for low-income individuals.

**(2) State educational agency**

In the case of an eligible entity that is a State educational agency, the entity may use grant funds made available under this section to award subgrants to local educational agencies to enable the local educational agencies to carry out the activities under paragraph (1).

**(e) Contracts**

An eligible entity awarded a grant to provide online advanced placement courses under this part may enter into a contract with a nonprofit or for profit organization to provide the online advanced placement courses, including contracting for necessary support services.

**(f) Data collection and reporting**

**(1) Data collection**

Each eligible entity awarded a grant under this section shall, with respect to each advanced placement subject, annually report to the Secretary on—

- (A) the number of students served by the eligible entity who are taking an advanced placement course in that subject;
- (B) the number of advanced placement tests taken by students served by the eligible entity in that subject;
- (C) the number of students served by the eligible entity scoring at different levels on advanced placement tests in that subject; and
- (D) demographic information regarding individuals served by such agency who taking<sup>1</sup> advanced placement courses and tests in that subject disaggregated by race, eth-

<sup>1</sup> So in original.