

(3) High-need local educational agency

The term “high-need local educational agency” means a local educational agency—

(A)(i) that serves not fewer than 10,000 children from families with incomes below the poverty line; or

(ii) for which not less than 20 percent of the children served by the agency are from families with incomes below the poverty line; and

(B)(i) for which there is a high percentage of teachers not teaching in the academic subjects or grade levels that the teachers were trained to teach; or

(ii) for which there is a high percentage of teachers with emergency, provisional, or temporary certification or licensing.

(4) Highly qualified paraprofessional

The term “highly qualified paraprofessional” means a paraprofessional who has not less than 2 years of—

(A) experience in a classroom; and

(B) postsecondary education or demonstrated competence in a field or academic subject for which there is a significant shortage of qualified teachers.

(5) Out-of-field teacher

The term “out-of-field teacher” means a teacher who is teaching an academic subject or a grade level for which the teacher is not highly qualified.

(6) Principal

The term “principal” includes an assistant principal.

(Pub. L. 89-10, title II, §2102, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1620.)

PRIOR PROVISIONS

A prior section 6602, Pub. L. 89-10, title II, §2002, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3613, set forth purposes of this subchapter, prior to the general amendment of this subchapter by Pub. L. 107-110. See section 6601 of this title.

A prior section 2102 of Pub. L. 89-10 was classified to section 6622 of this title, prior to the general amendment of this subchapter by Pub. L. 107-110.

Another prior section 2102 of Pub. L. 89-10 was classified to section 3002 of this title, prior to the general amendment of Pub. L. 89-10 by Pub. L. 103-382.

§ 6603. Authorizations of appropriations**(a) Grants to States, local educational agencies, and eligible partnerships**

There are authorized to be appropriated to carry out this part (other than subpart 5) \$3,175,000,000 for fiscal year 2002 and such sums as may be necessary for each of the 5 succeeding fiscal years.

(b) National programs

There are authorized to be appropriated to carry out subpart 5 of this part such sums as may be necessary for fiscal year 2002 and each of the 5 succeeding fiscal years.

(Pub. L. 89-10, title II, §2103, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1621.)

PRIOR PROVISIONS

A prior section 6603, Pub. L. 89-10, title II, §2003, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat.

3614; amended Pub. L. 105-277, div. A, §101(f) [title VIII, §101(b)(1)], Oct. 21, 1998, 112 Stat. 2681-337, 2681-406, authorized appropriations and related to allocations of appropriations, prior to the general amendment of this subchapter by Pub. L. 107-110.

A prior section 2103 of Pub. L. 89-10 was classified to section 6623 of this title, prior to the general amendment of this subchapter by Pub. L. 107-110.

Another prior section 2103 of Pub. L. 89-10 was classified to section 3003 of this title, prior to the general amendment of Pub. L. 89-10 by Pub. L. 103-382.

SUBPART 1—GRANTS TO STATES

§ 6611. Allotments to States**(a) In general**

The Secretary shall make grants to States with applications approved under section 6612 of this title to pay for the Federal share of the cost of carrying out the activities specified in section 6613 of this title. Each grant shall consist of the allotment determined for a State under subsection (b) of this section.

(b) Determination of allotments**(1) Reservation of funds****(A)¹ In general**

From the total amount appropriated under section 6603(a) of this title for a fiscal year, the Secretary shall reserve—

(i) one-half of 1 percent for allotments for the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, to be distributed among those outlying areas on the basis of their relative need, as determined by the Secretary, in accordance with the purpose of this part; and

(ii) one-half of 1 percent for the Secretary of the Interior for programs under this part in schools operated or funded by the Bureau of Indian Affairs.

(2) State allotments**(A) Hold harmless****(i) In general**

Subject to subparagraph (B), from the funds appropriated under section 6603(a) of this title for any fiscal year and not reserved under paragraph (1), the Secretary shall allot to each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico an amount equal to the total amount that such State received for fiscal year 2001 under—

(I) section 2202(b) of this Act (as in effect on the day before January 8, 2002); and

(II) section 306 of the Department of Education Appropriations Act, 2001 (as enacted into law by section 1(a)(1) of Public Law 106-554).

(ii) Ratable reduction

If the funds described in clause (i) are insufficient to pay the full amounts that all States are eligible to receive under clause (i) for any fiscal year, the Secretary shall ratably reduce those amounts for the fiscal year.

¹ So in original. No subpar. (B) has been enacted.