

\$40,000,000, the Secretary shall award grants to local educational agencies only to establish or expand counseling programs in elementary schools.

(Pub. L. 89-10, title V, §5421, as added Pub. L. 107-110, title V, §501, Jan. 8, 2002, 115 Stat. 1814.)

SUBPART 3—PARTNERSHIPS IN CHARACTER
EDUCATION

§ 7247. Partnerships in character education program

(a) Program authorized

(1) In general

The Secretary is authorized to award grants to eligible entities for the design and implementation of character education programs that—

- (A) are able to be integrated into classroom instruction and to be consistent with State academic content standards; and
- (B) are able to be carried out in conjunction with other educational reform efforts.

(2) Eligible entity

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

- (A) a State educational agency in partnership with—
 - (i) one or more local educational agencies; or
 - (ii) one or more—
 - (I) local educational agencies; and
 - (II) nonprofit organizations or entities, including an institution of higher education;
- (B) a local educational agency or consortium of local educational agencies; or
- (C) a local educational agency in partnership with one or more nonprofit organizations or entities, including an institution of higher education.

(3) Duration

Each grant under this section shall be awarded for a period not to exceed 5 years, of which the eligible entity may not use more than 1 year for planning and program design.

(4) Amount of grants for State educational agencies

Subject to the availability of appropriations, the amount of a grant made by the Secretary to a State educational agency under this section shall not be less than \$500,000 if the State educational agency—

- (A) is in a partnership described in paragraph (2)(A); and
- (B) meets such requirements as the Secretary may establish under this section.

(b) Contracts under program

(1) Evaluation

Each eligible entity awarded a grant under this section may contract with outside sources, including institutions of higher education and private and nonprofit organizations, for the purposes of—

- (A) evaluating the program for which the assistance is made available;

(B) measuring the integration of such program into the curriculum and teaching methods of schools where the program is carried out; and

(C) measuring the success of such program in fostering the elements of character selected by the recipient under subsection (c) of this section.

(2) Materials and program development

Each eligible entity awarded a grant under this section may contract with outside sources, including institutions of higher education and private and nonprofit organizations, for assistance in—

- (A) developing secular curricula, materials, teacher training, and other activities related to character education; and
- (B) integrating secular character education into the curricula and teaching methods of schools where the program is carried out.

(c) Elements of character

(1) Selection

(A) In general

Each eligible entity awarded a grant under this section may select the elements of character that will be taught under the program for which the grant was awarded.

(B) Consideration of views

In selecting elements of character under subparagraph (A), the eligible entity shall consider the views of the parents of the students to be taught under the program and the views of the students.

(2) Example elements

Elements of character selected under this subsection may include any of the following:

- (A) Caring.
- (B) Civic virtue and citizenship.
- (C) Justice and fairness.
- (D) Respect.
- (E) Responsibility.
- (F) Trustworthiness.
- (G) Giving.
- (H) Any other elements deemed appropriate by the eligible entity.

(d) Use of funds by State educational agency recipients

Of the total funds received in any fiscal year under this section by an eligible entity that is a State educational agency—

- (1) not more than 3 percent of such funds may be used for administrative purposes; and
- (2) the remainder of such funds may be used for—

- (A) collaborative initiatives with and between local educational agencies and schools;
- (B) the preparation or purchase of materials, and teacher training;
- (C) providing assistance to local educational agencies, schools, or institutions of higher education; and
- (D) technical assistance and evaluation.

(e) Application

(1) In general

Each eligible entity desiring a grant under this section shall submit an application to the

Secretary at such time and in such manner as the Secretary may require.

(2) Required information

Each application for a grant under this section shall include (together with any other information that the Secretary may require) information that—

(A) demonstrates that the program for which the grant is sought has clear objectives that are based on scientifically based research;

(B) describes any partnerships or collaborative efforts among the organizations and entities of the eligible entity;

(C) describes the activities that will be carried out with the grant funds and how such activities will meet the objectives described in subparagraph (A), including—

(i) how parents, students, students with disabilities (including those with mental or physical disabilities), and other members of the community, including members of private and nonprofit organizations, will be involved in the design and implementation of the program and how the eligible entity will work with the larger community to increase the reach and promise of the program;

(ii) curriculum and instructional practices that will be used or developed; and

(iii) methods of teacher training and parent education that will be used or developed;

(D) describes how the program for which the grant is sought will be linked to other efforts to improve academic achievement, including—

(i) broader educational reforms that are being instituted by the eligible entity or its partners; and

(ii) State academic content standards;

(E) in the case of an eligible entity that is a State educational agency, describes how the State educational agency—

(i) will provide technical and professional assistance to its local educational agency partners in the development and implementation of character education programs; and

(ii) will assist other interested local educational agencies that are not members of the original partnership in designing and establishing character education programs;

(F) describes how the eligible entity will evaluate the success of its program—

(i) based on the objectives described in subparagraph (A); and

(ii) in cooperation with any national evaluation conducted pursuant to subsection (h)(2)(B)(iii) of this section; and

(G) assures that the eligible entity annually will provide to the Secretary such information as may be required to determine the effectiveness of the program.

(f) Selection of recipients

(1) Peer review

(A) In general

In selecting eligible entities to receive grants under this section from among the

applicants for such grants, the Secretary shall use a peer review process that includes the participation of experts in the field of character education and development.

(B) Use of funds

The Secretary may use funds appropriated under this section for the cost of carrying out peer reviews under this paragraph.

(2) Selection criteria

Each selection under paragraph (1) shall be made on the basis of the quality of the application submitted, taking into consideration such factors as—

(A) the extent to which the program fosters character in students and the potential for improved student academic achievement;

(B) the extent and ongoing nature of parental, student, and community involvement;

(C) the quality of the plan for measuring and assessing success; and

(D) the likelihood that the objectives of the program will be achieved.

(3) Equitable distribution

In making selections under this subsection, the Secretary shall ensure, to the extent practicable under paragraph (2), that the programs assisted under this section are equitably distributed among the geographic regions of the United States, and among urban, suburban, and rural areas.

(g) Participation by private school children and teachers

Each eligible entity that receives a grant under this section shall provide, to the extent feasible and appropriate, for the participation in programs and activities under this section of students and teachers in private elementary schools and secondary schools.

(h) Evaluation and program development

(1) State and local reporting and evaluation

Each eligible entity receiving a grant under this section shall submit to the Secretary a comprehensive evaluation of the program assisted under this section, including its impact on students, students with disabilities (including those with mental or physical disabilities), teachers, administrators, parents, and others—

(A) by the end of the second year of the program; and

(B) not later than 1 year after completion of the grant period.

(2) National research, dissemination, and evaluation

(A) In general

(i) Authorization

The Secretary is authorized to award grants to, or enter into contracts or cooperative agreements with, State educational agencies or local educational agencies, institutions of higher education, tribal organizations, or other public or private agencies or organizations to carry out research, development, dissemination, technical assistance, and evaluation ac-

tivities that support or inform State and local character education programs.

(ii) Reservation of funds

The Secretary shall reserve not more than 5 percent of the funds made available under this section to carry out this paragraph.

(B) Uses

Funds made available under subparagraph (A) may be used for the following:

(i) Conducting research and development activities that focus on matters such as—

(I) the extent to which schools are undertaking character education initiatives;

(II) the effectiveness of instructional models for all students, including students with disabilities (including those with mental or physical disabilities);

(III) materials and curricula for use by programs in character education;

(IV) models of professional development in character education;

(V) the development of measures of effectiveness for character education programs (which may include the factors described in paragraph (3)); and

(VI) the effectiveness of State and local programs receiving funds under this section.

(ii) Providing technical assistance to State and local programs, particularly on matters of program evaluation.

(iii) Conducting evaluations of State and local programs receiving funding under this section, that may be conducted through a national clearinghouse under clause (iv).

(iv) Compiling and disseminating, through a national clearinghouse or other means—

(I) information on model character education programs;

(II) information about high quality character education materials and curricula;

(III) research findings in the area of character education and character development; and

(IV) any other information that will be useful to character education program participants nationwide, including educators, parents, and administrators.

(C) Partnerships

In carrying out national activities under this paragraph, the Secretary may enter into partnerships with national nonprofit character education organizations and institutions of higher education with expertise and successful experience in implementing—

(i) character education programs that had an effective impact on schools, students, students with disabilities (including those with mental or physical disabilities), and teachers; or

(ii) character education program evaluation and research.

(D) Partnership for activities under subparagraph (B)(iv)

In carrying out national activities under subparagraph (B)(iv), the Secretary may enter into a partnership with a national nonprofit character education organization that will disseminate information to educators, parents, administrators, and others nationwide, including information about the range of model character education programs, materials, and curricula.

(E) Report

Each entity awarded a grant or entering into a contract or cooperative agreement under this paragraph shall submit an annual report to the Secretary that—

(i) describes the entity's progress in carrying out research, development, dissemination, evaluation, and technical assistance under this paragraph;

(ii) identifies unmet and future information needs in the field of character education; and

(iii) if applicable, describes the progress of the entity in carrying out the requirements of subparagraph (B)(iv), including a listing of—

(I) the number of requests for information received by the entity in the course of carrying out such requirements;

(II) the types of organizations making such requests; and

(III) the types of information requested.

(3) Factors

Factors that may be considered in evaluating the success of programs funded under this section include the following:

(A) Discipline issues.

(B) Student academic achievement.

(C) Participation in extracurricular activities.

(D) Parental and community involvement.

(E) Faculty and administration involvement.

(F) Student and staff morale.

(G) Overall improvements in school climate for all students, including students with disabilities (including those with mental or physical disabilities).

(i) Permissive match

(1) In general

The Secretary may require eligible entities to match funds awarded under this section with non-Federal funds, except that the amount of the match may not exceed the amount of the grant award.

(2) Sliding scale

The amount of a match under paragraph (1) shall be established based on a sliding scale that takes into account—

(A) the poverty of the population to be targeted by the eligible entity; and

(B) the ability of the eligible entity to obtain funding for the match.

(3) In-kind contributions

The Secretary shall permit eligible entities to match funds in whole or in part with in-kind contributions.

(4) Consideration

Notwithstanding this subsection, the Secretary in making awards under this section shall not consider the ability of an eligible entity to match funds.

(Pub. L. 89-10, title V, §5431, as added Pub. L. 107-110, title V, §501, Jan. 8, 2002, 115 Stat. 1817.)

SUBPART 4—SMALLER LEARNING COMMUNITIES

§ 7249. Smaller learning communities**(a) Grant authority**

The Secretary is authorized to award grants to local educational agencies to enable the agencies to create a smaller learning community or communities.

(b) Application

Each local educational agency desiring a grant under this subpart shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require. The application shall include descriptions of the following:

(1) Strategies and methods the local educational agency will use to create the smaller learning community or communities.

(2) Curriculum and instructional practices, including any particular themes or emphases, to be used in the smaller learning environment.

(3) The extent of involvement of teachers and other school personnel in investigating, designing, implementing, and sustaining the smaller learning community or communities.

(4) The process to be used for involving students, parents, and other stakeholders in the development and implementation of the smaller learning community or communities.

(5) Any cooperation or collaboration among community agencies, organizations, businesses, and others to develop or implement a plan to create the smaller learning community or communities.

(6) The training and professional development activities that will be offered to teachers and others involved in the activities assisted under this subpart.

(7) The objectives of the activities assisted under this subpart, including a description of how such activities will better enable all students to reach challenging State academic content standards and State student academic achievement standards.

(8) The methods by which the local educational agency will assess progress in meeting the objectives described in paragraph (7).

(9) If the smaller learning community or communities exist as a school-within-a-school, the relationship, including governance and administration, of the smaller learning community to the remainder of the school.

(10) The administrative and managerial relationship between the local educational agency and the smaller learning community or communities, including how such agency will demonstrate a commitment to the continuity of the smaller learning community or communities (including the continuity of student and teacher assignment to a particular learning community).

(11) How the local educational agency will coordinate or use funds provided under this subpart with other funds provided under this chapter or other Federal laws.

(12) The grade levels or ages of students who will participate in the smaller learning community or communities.

(13) The method of placing students in the smaller learning community or communities, such that students are not placed according to ability or any other measure, but are placed at random or by their own choice, and not pursuant to testing or other judgments.

(c) Authorized activities

Funds under this section may be used for one or more of the following:

(1) To study—

(A) the feasibility of creating the smaller learning community or communities; and

(B) effective and innovative organizational and instructional strategies that will be used in the smaller learning community or communities.

(2) To research, develop, and implement—

(A) strategies for creating the smaller learning community or communities; and

(B) strategies for effective and innovative changes in curriculum and instruction, geared to challenging State academic content standards and State student academic achievement standards.

(3) To provide professional development for school staff in innovative teaching methods that—

(A) challenge and engage students; and

(B) will be used in the smaller learning community or communities.

(4) To develop and implement strategies to include parents, business representatives, local institutions of higher education, community-based organizations, and other community members in the smaller learning communities as facilitators of activities that enable teachers to participate in professional development activities and provide links between students and their community.

(Pub. L. 89-10, title V, §5441, as added Pub. L. 107-110, title V, §501, Jan. 8, 2002, 115 Stat. 1823.)

SUBPART 5—READING IS FUNDAMENTAL—
INEXPENSIVE BOOK DISTRIBUTION PROGRAM**§ 7251. Inexpensive book distribution program for reading motivation****(a) Purpose**

The purpose of this subpart is to establish and implement a model partnership between a governmental entity and a private entity, to help prepare young children for reading and to motivate older children to read, through the distribution of inexpensive books. Local reading motivation programs assisted under this section shall use such assistance to provide books, training for volunteers, motivational activities, and other essential literacy resources and shall assign the highest priority to serving the youngest and neediest children in the United States.

(b) Authorization

The Secretary is authorized to enter into a contract with Reading Is Fundamental (RIF)