

(C) To the extent feasible, materials developed in the Federal departments and agencies and under appropriate federally funded programs.

(D) An assurance that the applicant has the technological and substantive experience to carry out the program.

(E) Such additional assurances as the Secretary may reasonably require.

(Pub. L. 89–10, title V, §5475, as added Pub. L. 107–110, title V, §501, Jan. 8, 2002, 115 Stat. 1834.)

§ 7255e. Administrative provisions

(a) Leadership, evaluation, and peer review

(1) Reservation of funds

The Secretary may reserve not more than 5 percent of the amount made available to carry out this subpart for a fiscal year for national leadership, evaluation, and peer review activities, which the Secretary may carry out directly or through grants, contracts, and cooperative agreements.

(2) Leadership

Funds reserved for leadership activities under paragraph (1) may be used for—

(A) disseminating information, including lists and descriptions of services available from grant recipients under this subpart; and

(B) other activities designed to enhance the quality of distance learning activities nationwide.

(3) Evaluation

Funds reserved for evaluation activities under paragraph (1) may be used to conduct independent evaluations of the activities assisted under this subpart and of distance learning in general, including—

(A) analyses of distance learning efforts (including such efforts that are, or are not, assisted under this subpart); and

(B) comparisons of the effects (including student outcomes) of different technologies in distance learning efforts.

(4) Peer review

Funds reserved for peer review activities under paragraph (1) may be used for peer review of—

(A) applications for grants under this subpart; and

(B) activities assisted under this subpart.

(b) Coordination

The Department, the National Science Foundation, the Department of Agriculture, the Department of Commerce, and any other Federal department or agency operating a telecommunications network for educational purposes, shall coordinate the activities assisted under this subpart with the activities of such department or agency relating to a telecommunications network for educational purposes.

(c) Funds from other agencies

The Secretary may accept funds from other Federal departments or agencies to carry out the purposes of this subpart, including funds for the purchase of equipment.

(d) Availability of funds

Funds made available to carry out this subpart shall remain available until expended.

(e) Closed captioning and descriptive video

The Secretary shall encourage each entity receiving funds under this subpart to provide—

(1) closed captioning of the verbal content of the entity's programming, as appropriate; and

(2) descriptive video of the visual content of the entity's programming, as appropriate.

(Pub. L. 89–10, title V, §5476, as added Pub. L. 107–110, title V, §501, Jan. 8, 2002, 115 Stat. 1835.)

§ 7255f. Definitions

In this subpart:

(1) Educational institution

The term “educational institution” means an institution of higher education, a local educational agency, or a State educational agency.

(2) Eligible entity

The term “eligible entity” includes any of the following that is organized on a Statewide or multistate basis:

(A) A public agency or corporation established for the purpose of developing and operating telecommunications networks to enhance educational opportunities provided by educational institutions, teacher training centers, and other entities, except that any such agency or corporation shall represent the interests of elementary schools and secondary schools that are eligible to participate in the program under part A of subchapter I of this chapter.

(B) A partnership that will provide telecommunications services and that includes three or more of the following entities, at least one of which shall be an agency described in clause (i) or (ii):

(i) A local educational agency that serves a significant number of elementary schools and secondary schools that are eligible for assistance under part A of subchapter I of this chapter, or elementary schools and secondary schools operated or funded for Indian children by the Department of the Interior eligible under section 6331(d)(1)(A) of this title.

(ii) A State educational agency.

(iii) An adult and family education program.

(iv) An institution of higher education or a State higher education agency (as that term is defined in section 1003 of this title).

(v) A teacher training center or academy that—

(I) provides teacher preservice and inservice training; and

(II) receives Federal financial assistance or has been approved by a State agency;

(vi)(I) A public or private entity with experience and expertise in the planning and operation of a telecommunications network, including entities involved in tele-