

communications through satellite, cable, telephone, or computer; or

(II) a public broadcasting entity with such experience.

(vii) A public or private elementary school or secondary school.

(3) Instructional programming

The term “instructional programming” means courses of instruction and training courses for elementary and secondary students, teachers, and others, and materials for use in such instruction and training that have been prepared in audio and visual form on tape, disc, film, or live, and presented by means of telecommunications devices.

(4) Public broadcasting entity

The term “public broadcasting entity” has the same meaning given such term in section 397 of title 47.

(Pub. L. 89–10, title V, §5477, as added Pub. L. 107–110, title V, §501, Jan. 8, 2002, 115 Stat. 1836.)

SUBPART 8—READY TO TEACH

§ 7257. Grants

(a) In general

The Secretary is authorized to award grants to a nonprofit telecommunications entity, or partnership of such entities, for the purpose of carrying out a national telecommunications-based program to improve teaching in core curriculum areas. The program shall be designed to assist elementary school and secondary school teachers in preparing all students to achieve challenging State academic content and student academic achievement standards in core curriculum areas.

(b) Digital educational programming

The Secretary is authorized to award grants, as provided for in section 7257c of this title, to eligible entities described in subsection (b) of such section, to enable such entities to develop, produce, and distribute innovative educational and instructional video programming that is designed for use by elementary schools and secondary schools and based on challenging State academic content and student academic achievement standards. In awarding such grants, the Secretary shall ensure that eligible entities enter into multiyear content development collaborative arrangements with State educational agencies, local educational agencies, institutions of higher education, businesses, or other agencies or organizations.

(Pub. L. 89–10, title V, §5481, as added Pub. L. 107–110, title V, §501, Jan. 8, 2002, 115 Stat. 1837.)

§ 7257a. Application required

(a) General application

(1) In general

To be eligible to receive a grant under section 7257(a) of this title, a nonprofit telecommunications entity, or partnership of such entities shall submit an application to the Secretary. Each such application shall—

(A) demonstrate that the applicant will use the public broadcasting infrastructure,

the Internet, and school digital networks, where available, to deliver video and data in an integrated service to train teachers in the use of materials and learning technologies for achieving challenging State academic content and student academic achievement standards;

(B) ensure that the project for which assistance is sought will be conducted in cooperation with appropriate State educational agencies, local educational agencies, and State or local nonprofit public telecommunications entities;

(C) ensure that a significant portion of the benefits available for elementary schools and secondary schools from the project for which assistance is sought will be available to schools of local educational agencies that have a high percentage of children counted for the purpose of part A of subchapter I of this chapter; and

(D) contain such additional assurances as the Secretary may reasonably require.

(2) Sites

In approving applications under paragraph (1), the Secretary shall ensure that the program authorized by section 7257(a) of this title is conducted at elementary school and secondary school sites throughout the United States.

(b) Programming application

To be eligible to receive a grant under section 7257(b) of this title, an entity shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

(Pub. L. 89–10, title V, §5482, as added Pub. L. 107–110, title V, §501, Jan. 8, 2002, 115 Stat. 1838.)

§ 7257b. Reports and evaluation

An entity receiving a grant under section 7257(a) of this title shall prepare and submit to the Secretary an annual report that contains such information as the Secretary may require. At a minimum, such report shall describe the program activities undertaken with funds received under the grant, including—

(1) the core curriculum areas for which program activities have been undertaken and the number of teachers using the program in each core curriculum area; and

(2) the States in which teachers using the program are located.

(Pub. L. 89–10, title V, §5483, as added Pub. L. 107–110, title V, §501, Jan. 8, 2002, 115 Stat. 1838.)

§ 7257c. Digital educational programming grants

(a) Grants

The Secretary is authorized to award grants under section 7257(b) of this title to eligible entities to facilitate the development of educational programming that shall—

(1) include student assessment tools to provide feedback on student academic achievement;

(2) include built-in teacher utilization and support components to ensure that teachers understand and can easily use the content of the programming with group instruction or for individual student use;

(3) be created for, or adaptable to, challenging State academic content standards and student academic achievement standards; and

(4) be capable of distribution through digital broadcasting and school digital networks.

(b) Eligible entities

To be eligible to receive a grant under section 7257(b) of this title, an entity shall be a local public telecommunications entity, as defined in section 397(12) of title 47, that is able to demonstrate a capacity for the development and distribution of educational and instructional television programming of high quality.

(c) Competitive basis

Grants under section 7257(b) of this title shall be awarded on a competitive basis as determined by the Secretary.

(d) Matching requirement

To be eligible to receive a grant under section 7257(b) of this title, an entity shall contribute to the activities assisted under such grant non-Federal matching funds in an amount equal to not less than 100 percent of the amount of the grant. Such matching funds may include funds provided for the transition to digital broadcasting, as well as in-kind contributions.

(e) Duration

A grant under section 7257(b) of this title shall be awarded for a period of 3 years in order to provide a sufficient period of time for the creation of a substantial body of significant content.

(Pub. L. 89-10, title V, §5484, as added Pub. L. 107-110, title V, §501, Jan. 8, 2002, 115 Stat. 1838.)

§ 7257d. Administrative costs

An entity that receives a grant under this subpart may not use more than 5 percent of the amount received under the grant for administrative costs.

(Pub. L. 89-10, title V, §5485, as added Pub. L. 107-110, title V, §501, Jan. 8, 2002, 115 Stat. 1839.)

SUBPART 9—FOREIGN LANGUAGE ASSISTANCE PROGRAM

§ 7259. Short title

This subpart may be cited as the “Foreign Language Assistance Act of 2001”.

(Pub. L. 89-10, title V, §5491, as added Pub. L. 107-110, title V, §501, Jan. 8, 2002, 115 Stat. 1839.)

§ 7259a. Program authorized

(a) Program authority

(1) In general

The Secretary is authorized to make grants, on a competitive basis, to State educational agencies or local educational agencies to pay the Federal share of the cost of innovative model programs providing for the establishment, improvement, or expansion of foreign language study for elementary school and secondary school students.

(2) Duration

Each grant under paragraph (1) shall be awarded for a period of 3 years.

(b) Requirements

(1) Grants to State educational agencies

In awarding a grant under subsection (a) of this section to a State educational agency, the Secretary shall support programs that promote systemic approaches to improving foreign language learning in the State.

(2) Grants to local educational agencies

In awarding a grant under subsection (a) of this section to a local educational agency, the Secretary shall support programs that—

(A) show the promise of being continued beyond the grant period;

(B) demonstrate approaches that can be disseminated and duplicated in other local educational agencies; and

(C) may include a professional development component.

(c) Federal share

(1) In general

The Federal share for each fiscal year shall be 50 percent.

(2) Waiver

Notwithstanding paragraph (1), the Secretary may determine the Federal share for any local educational agency which the Secretary determines does not have adequate resources to pay the non-Federal share of the cost of the activities assisted under this subpart.

(d) Special rule

Not less than $\frac{3}{4}$ of the funds made available under section 7241 of this title to carry out this subpart shall be used for the expansion of foreign language learning in the elementary grades.

(e) Reservation

The Secretary may reserve not more than 5 percent of funds made available under section 7241 of this title to carry out this subpart for a fiscal year to evaluate the efficacy of programs assisted under this subpart.

(Pub. L. 89-10, title V, §5492, as added Pub. L. 107-110, title V, §501, Jan. 8, 2002, 115 Stat. 1839.)

§ 7259b. Applications

(a) In general

Any State educational agency or local educational agency desiring a grant under this subpart shall submit an application to the Secretary at such time, in such manner, and containing such information and assurances as the Secretary may require.

(b) Special consideration

The Secretary shall give special consideration to applications describing programs that—

(1) include intensive summer foreign language programs for professional development;

(2) link nonnative English speakers in the community with the schools in order to promote two-way language learning;

(3) promote the sequential study of a foreign language for students, beginning in elementary schools;

(4) make effective use of technology, such as computer-assisted instruction, language lab-