

§ 7514. Native Hawaiian Education Council and island councils

(a) Establishment of Native Hawaiian Education Council

In order to better effectuate the purposes of this part through the coordination of educational and related services and programs available to Native Hawaiians, including those programs receiving funding under this part, the Secretary is authorized to establish a Native Hawaiian Education Council (hereafter in this part referred to as the “Education Council”).

(b) Composition of Education Council

The Education Council shall consist of not more than 21 members, unless otherwise determined by a majority of the council.

(c) Conditions and terms

(1) Conditions

At least 10 members of the Education Council shall be Native Hawaiian education service providers and 10 members of the Education Council shall be Native Hawaiians or Native Hawaiian education consumers. In addition, a representative of the State of Hawaii Office of Hawaiian Affairs shall serve as a member of the Education Council.

(2) Appointments

The members of the Education Council shall be appointed by the Secretary based on recommendations received from the Native Hawaiian community.

(3) Terms

Members of the Education Council shall serve for staggered terms of 3 years, except as provided in paragraph (4).

(4) Council determinations

Additional conditions and terms relating to membership on the Education Council, including term lengths and term renewals, shall be determined by a majority of the Education Council.

(d) Native Hawaiian Education Council grant

The Secretary shall make a direct grant to the Education Council to carry out the following activities:

(1) Coordinate the educational and related services and programs available to Native Hawaiians, including the programs assisted under this part.

(2) Assess the extent to which such services and programs meet the needs of Native Hawaiians, and collect data on the status of Native Hawaiian education.

(3) Provide direction and guidance, through the issuance of reports and recommendations, to appropriate Federal, State, and local agencies in order to focus and improve the use of resources, including resources made available under this part, relating to Native Hawaiian education, and serve, where appropriate, in an advisory capacity.

(4) Make direct grants, if such grants enable the Education Council to carry out the duties of the Education Council, as described in paragraphs (1) through (3).

(e) Additional duties of the Education Council

(1) In general

The Education Council shall provide copies of any reports and recommendations issued by the Education Council, including any information that the Education Council provides to the Secretary pursuant to subsection (i) of this section, to the Secretary, the Committee on Education and the Workforce of the House of Representatives, and the Committee on Indian Affairs of the Senate.

(2) Annual report

The Education Council shall prepare and submit to the Secretary an annual report on the Education Council’s activities.

(3) Island council support and assistance

The Education Council shall provide such administrative support and financial assistance to the island councils established pursuant to subsection (f) of this section as the Secretary determines to be appropriate, in a manner that supports the distinct needs of each island council.

(f) Establishment of island councils

(1) In general

In order to better effectuate the purposes of this part and to ensure the adequate representation of island and community interests within the Education Council, the Secretary is authorized to facilitate the establishment of Native Hawaiian education island councils (hereafter in this part referred to as an “island council”) for the following islands:

- (A) Hawaii.
- (B) Maui.
- (C) Molokai.
- (D) Lanai.
- (E) Oahu.
- (F) Kauai.
- (G) Niihau.

(2) Composition of island councils

Each island council shall consist of parents, students, and other community members who have an interest in the education of Native Hawaiians, and shall be representative of individuals concerned with the educational needs of all age groups, from children in preschool through adults. At least three-fourths of the members of each island council shall be Native Hawaiians.

(g) Administrative provisions relating to Education Council and island councils

The Education Council and each island council shall meet at the call of the chairperson of the appropriate council, or upon the request of the majority of the members of the appropriate council, but in any event not less often than four times during each calendar year. The provisions of the Federal Advisory Committee Act shall not apply to the Education Council and each island council.

(h) Compensation

Members of the Education Council and each island council shall not receive any compensation for service on the Education Council and each island council, respectively.

(i) Report

Not later than 4 years after January 8, 2002, the Secretary shall prepare and submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Indian Affairs of the Senate a report that summarizes the annual reports of the Education Council, describes the allocation and use of funds under this part, and contains recommendations for changes in Federal, State, and local policy to advance the purposes of this part.

(Pub. L. 89-10, title VII, §7204, as added Pub. L. 107-110, title VII, §701, Jan. 8, 2002, 115 Stat. 1937.)

REFERENCES IN TEXT

The Federal Advisory Committee Act, referred to in subsec. (g), is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, as amended, which is set out in the Appendix to Title 5, Government Organization and Employees.

PRIOR PROVISIONS

A prior section 7514, Pub. L. 89-10, title VII, §7204, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3738, related to applications for grants, prior to the general amendment of this subchapter by Pub. L. 107-110. See section 7259b of this title.

§ 7515. Program authorized**(a) General authority****(1) Grants and contracts**

The Secretary is authorized to make direct grants to, or enter into contracts with—

- (A) Native Hawaiian educational organizations;
- (B) Native Hawaiian community-based organizations;
- (C) public and private nonprofit organizations, agencies, and institutions with experience in developing or operating Native Hawaiian programs or programs of instruction in the Native Hawaiian language; and
- (D) consortia of the organizations, agencies, and institutions described in subparagraphs (A) through (C),

to carry out programs that meet the purposes of this part.

(2) Priorities

In awarding grants or contracts to carry out activities described in paragraph (3), the Secretary shall give priority to entities proposing projects that are designed to address—

- (A) beginning reading and literacy among students in kindergarten through third grade;
- (B) the needs of at-risk children and youth;
- (C) needs in fields or disciplines in which Native Hawaiians are underemployed; and
- (D) the use of the Hawaiian language in instruction.

(3) Authorized activities

Activities provided through programs carried out under this part may include—

- (A) the development and maintenance of a statewide Native Hawaiian early education and care system to provide a continuum of services for Native Hawaiian children from the prenatal period of the children through age 5;

(B) the operation of family-based education centers that provide such services as—

- (i) programs for Native Hawaiian parents and their infants from the prenatal period of the infants through age 3;
- (ii) preschool programs for Native Hawaiians; and
- (iii) research on, and development and assessment of, family-based, early childhood, and preschool programs for Native Hawaiians;

(C) activities that enhance beginning reading and literacy in either the Hawaiian or the English language among Native Hawaiian students in kindergarten through third grade and assistance in addressing the distinct features of combined English and Hawaiian literacy for Hawaiian speakers in fifth and sixth grade;

(D) activities to meet the special needs of Native Hawaiian students with disabilities, including—

- (i) the identification of such students and their needs;
- (ii) the provision of support services to the families of those students; and
- (iii) other activities consistent with the requirements of the Individuals with Disabilities Education Act [20 U.S.C. 1400 et seq.];

(E) activities that address the special needs of Native Hawaiian students who are gifted and talented, including—

- (i) educational, psychological, and developmental activities designed to assist in the educational progress of those students; and
- (ii) activities that involve the parents of those students in a manner designed to assist in the students' educational progress;

(F) the development of academic and vocational curricula to address the needs of Native Hawaiian children and adults, including curriculum materials in the Hawaiian language and mathematics and science curricula that incorporate Native Hawaiian tradition and culture;

(G) professional development activities for educators, including—

- (i) the development of programs to prepare prospective teachers to address the unique needs of Native Hawaiian students within the context of Native Hawaiian culture, language, and traditions;
- (ii) in-service programs to improve the ability of teachers who teach in schools with concentrations of Native Hawaiian students to meet those students' unique needs; and
- (iii) the recruitment and preparation of Native Hawaiians, and other individuals who live in communities with a high concentration of Native Hawaiians, to become teachers;

(H) the operation of community-based learning centers that address the needs of Native Hawaiian families and communities through the coordination of public and private programs and services, including—