

who will identify the community partners described in paragraph (2)(B) and assist in the design and implementation of a program described in paragraph (2);

(4) implementing, operating, or expanding school-based service-learning programs to utilize adult volunteers in service-learning to improve the education of students, through distribution by State educational agencies, territories, and Indian tribes of Federal funds made available under this part to—

(A) local educational agencies;

(B) Indian tribes (except that an Indian tribe distributing funds under this paragraph is not eligible to be a recipient of those funds);

(C) public or private nonprofit organizations; or

(D) partnerships or combinations of local educational agencies, and entities described in subparagraph (B) or (C); and

(5) developing, as service-learning programs, civic engagement programs that promote a better understanding of—

(A) the principles of the Constitution, the heroes of United States history (including military heroes), and the meaning of the Pledge of Allegiance;

(B) how the Nation's government functions; and

(C) the importance of service in the Nation's character.

**(b) Duties of service-learning coordinator**

A service-learning coordinator referred to in paragraph (2) or (3) of subsection (a) shall provide services to a local partnership described in subsection (a)(2) or entity described in subsection (a)(3), respectively, that may include—

(1) providing technical assistance and information to, and facilitating the training of, teachers and assisting in the planning, development, execution, and evaluation of service-learning in their classrooms;

(2) assisting local partnerships described in subsection (a)(2) in the planning, development, and execution of service-learning projects, including summer of service programs;

(3) assisting schools and local educational agencies in developing school policies and practices that support the integration of service-learning into the curriculum; and

(4) carrying out such other duties as the local partnership or entity, respectively, may determine to be appropriate.

**(c) Related expenses**

An entity that receives financial assistance under this part from a State, territory, or Indian tribe may, in carrying out the activities described in subsection (a), use such assistance to pay for the Federal share of reasonable costs related to the supervision of participants, program administration, transportation, insurance, and evaluations and for other reasonable expenses related to the activities.

**(d) Special rule**

A State educational agency described in section 12522(2)(A) of this title may designate a statewide entity (which may be a community-based entity) with demonstrated experience in

supporting or implementing service-learning programs, to receive the State educational agency's allotment under this part, and carry out the functions of the agency under this part.

**(e) Consultation with Secretary of Education**

The Corporation is authorized to enter into agreements with the Secretary of Education for initiatives (and may use funds authorized under section 12681(a)(6) of this title to enter into the agreements if the additional costs of the initiatives are warranted) that may include—

(1) identification and dissemination of research findings on service-learning and scientifically valid research based practices for service-learning; and

(2) provision of professional development opportunities that—

(A) improve the quality of service-learning instruction and delivery for teachers both preservice and in-service, personnel from community-based entities and youth workers; and

(B) create and sustain effective partnerships for service-learning programs between local educational agencies, community-based entities, businesses, and other stakeholders.

(Pub. L. 101-610, title I, §112, as added Pub. L. 111-13, title I, §1201, Apr. 21, 2009, 123 Stat. 1468.)

PRIOR PROVISIONS

A prior section 12523, Pub. L. 101-610, title I, §111B, as added Pub. L. 103-82, title I, §103(a)(2), Sept. 21, 1993, 107 Stat. 827, granted the Corporation authority to assist public or private nonprofit organizations, prior to the general amendment of this part by Pub. L. 111-13.

Another prior section 12523, Pub. L. 101-610, title I, §113, Nov. 16, 1990, 104 Stat. 3134; Pub. L. 102-384, §4, Oct. 5, 1992, 106 Stat. 1455, related to State grant applications, prior to repeal by Pub. L. 103-82, §103(a)(2).

A prior section 112 of Pub. L. 101-610 was classified to section 12524 prior to the general amendment of this part by Pub. L. 111-13.

Another prior section 112 of Pub. L. 101-610 was classified to section 12522 of this title prior to repeal by Pub. L. 103-82.

**§ 12524. Allotments**

**(a) Indian tribes and territories**

Of the amounts appropriated to carry out this part for any fiscal year, the Corporation shall reserve an amount of not less than 2 percent and not more than 3 percent for payments to Indian tribes, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, to be allotted in accordance with their respective needs.

**(b) Allotments through States**

**(1) In general**

After reserving an amount under subsection (a), the Corporation shall use the remainder of the funds appropriated to carry out this part for the fiscal year as follows:

**(A) Allotments based on school-age youth**

From 50 percent of such remainder, the Corporation shall allot to each State an amount that bears the same ratio to 50 percent of such remainder as the number of school-age youth in the State bears to the

total number of school-age youth in all States.

**(B) Allotments based on allocations under Elementary and Secondary Education Act of 1965**

From 50 percent of such remainder, the Corporation shall allot to each State an amount that bears the same ratio to 50 percent of such remainder as the allocation to the State for the previous fiscal year under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) bears to the total of such allocations to all States.

**(2) Minimum amount**

For any fiscal year for which amounts appropriated for this division exceed \$50,000,000, the minimum allotment to each State under paragraph (1) shall be \$75,000.

**(c) Reallotment**

If the Corporation determines that the allotment of a State, territory, or Indian tribe under this section will not be required for a fiscal year because the State, territory, or Indian tribe did not submit and receive approval of an application for the allotment under section 12525 of this title, the Corporation shall make the allotment for such State, territory, or Indian tribe available for grants to community-based entities to carry out service-learning programs as described in section 12523(b) of this title in such State, in such territory, or for such Indian tribe. After community-based entities apply for grants from the allotment, by submitting an application at such time and in such manner as the Corporation requires, and receive approval, the remainder of such allotment shall be available for reallotment to such other States, territories, or Indian tribes with approved applications submitted under section 12525 of this title as the Corporation may determine to be appropriate.

(Pub. L. 101-610, title I, § 112A, as added Pub. L. 111-13, title I, § 1201, Apr. 21, 2009, 123 Stat. 1470.)

REFERENCES IN TEXT

The Elementary and Secondary Education Act of 1965, referred to in subsec. (b)(1)(B), is Pub. L. 89-10, Apr. 11, 1965, 79 Stat. 27. Title I of the Act is classified generally to subchapter I (§ 6301 et seq.) of chapter 70 of Title 20, Education. For complete classification of this Act to the Code, see Short Title note set out under section 6301 of Title 20 and Tables.

PRIOR PROVISIONS

A prior section 12524, Pub. L. 101-610, title I, § 112, as added Pub. L. 103-82, title I, § 103(a)(2), Sept. 21, 1993, 107 Stat. 827; amended Pub. L. 103-382, title III, §§ 391(y), 394(h)(2), Oct. 20, 1994, 108 Stat. 4026, 4028, related to grants and allotments, prior to the general amendment of this part by Pub. L. 111-13.

Another prior section 12524, Pub. L. 101-610, title I, § 114, Nov. 16, 1990, 104 Stat. 3135; Pub. L. 102-10, § 4(4), Mar. 12, 1991, 105 Stat. 30, related to local applications for assistance, prior to repeal by Pub. L. 103-82, § 103(a)(2).

**§ 12525. Applications**

**(a) Applications to Corporation for allotments**

**(1) In general**

To be eligible to receive an allotment under section 12524 of this title, a State, acting

through the State educational agency, territory, or Indian tribe shall prepare and submit to the Corporation an application at such time and in such manner as the Chief Executive Officer may reasonably require, and obtain approval of the application.

**(2) Contents**

An application for an allotment under section 12523 of this title shall include—

(A) a proposal for a 3-year plan promoting service-learning, which shall contain such information as the Chief Executive Officer may reasonably require, including how the applicant will integrate service opportunities into the academic program of the participants;

(B) information about the criteria the State educational agency, territory, or Indian tribe will use to evaluate and grant approval to applications submitted under subsection (b), including an assurance that the State educational agency, territory, or Indian tribe will comply with the requirement in section 12526(a) of this title;

(C) assurances about the applicant's efforts to—

(i) ensure that students of different ages, races, sexes, ethnic groups, disabilities, and economic backgrounds have opportunities to serve together;

(ii) include any opportunities for students, enrolled in schools or programs of education providing elementary or secondary education, to participate in service-learning programs and ensure that such service-learning programs include opportunities for such students to serve together;

(iii) involve participants in the design and operation of the programs;

(iv) promote service-learning in areas of greatest need, including low-income or rural areas; and

(v) otherwise integrate service opportunities into the academic program of the participants; and

(D) assurances that the applicant will comply with the nonduplication and non-displacement requirements of section 12637 of this title and the notice, hearing, and grievance procedures required by section 12636 of this title.

**(b) Application to State, territory, or Indian tribe for assistance to carry out school-based service-learning programs**

**(1) In general**

Any—

(A) qualified organization, Indian tribe, territory, local educational agency, for-profit business, private elementary school or secondary school, or institution of higher education that desires to receive financial assistance under this subpart<sup>1</sup> from a State, territory, or Indian tribe for an activity described in section 12523(a)(1) of this title;

(B) partnership described in section 12523(a)(2) of this title that desires to receive such assistance from a State, territory, or

<sup>1</sup> So in original. Probably should be "this part".