

as funds are allotted to States under paragraph (2) of section 2321(a) of this title.

(b) Payments to eligible agencies

The Secretary shall make a payment in the amount of a State's allotment under subsection (a) to the eligible agency that serves the State and has an application approved under subsection (c).

(c) State application

Each eligible agency desiring an allotment under this subchapter shall submit, as part of its State plan under section 2342 of this title, an application that—

(1) describes how activities under this subchapter will be coordinated, to the extent practicable, with activities described in the State plan submitted under section 2342 of this title; and

(2) contains such information as the Secretary may require.

(Pub. L. 88-210, title II, § 201, as added Pub. L. 109-270, § 1(b), Aug. 12, 2006, 120 Stat. 737.)

PRIOR PROVISIONS

A prior section 2371, Pub. L. 88-210, title II, § 202, as added Pub. L. 105-332, § 1(b), Oct. 31, 1998, 112 Stat. 3117, provided definitions, prior to the general amendment of this chapter by Pub. L. 109-270.

Another prior section 2371, Pub. L. 88-210, title III, § 321, as added Pub. L. 98-524, § 1, Oct. 19, 1984, 98 Stat. 2459; amended Pub. L. 100-418, title VI, § 6131(a)(2), Aug. 23, 1988, 102 Stat. 1509, provided findings and purposes of program, prior to repeal by Pub. L. 101-392, title III, § 305, title VII, § 702(a), Sept. 25, 1990, 104 Stat. 786, 843, effective July 1, 1991.

A prior section 201 of Pub. L. 88-210, as added by Pub. L. 105-332, § 1(b), Oct. 31, 1998, 112 Stat. 3117, which provided that former title II of Pub. L. 88-210 could be cited as the "Tech-Prep Education Act", was set out as a note under former section 2301 of this title, prior to the general amendment of Pub. L. 88-210 by Pub. L. 109-270.

§ 2372. Consolidation of funds

(a) In general

An eligible agency receiving an allotment under sections 2321 and 2371 of this title may choose to consolidate all, or a portion of, funds received under section 2371 of this title with funds received under section 2321 of this title in order to carry out the activities described in the State plan submitted under section 2342 of this title.

(b) Notification requirement

Each eligible agency that chooses to consolidate funds under this section shall notify the Secretary, in the State plan submitted under section 2342 of this title, of the eligible agency's decision to consolidate funds under this section.

(c) Treatment of consolidated funds

Funds consolidated under this section shall be considered as funds allotted under section 2321 of this title and shall be distributed in accordance with section 2322 of this title.

(Pub. L. 88-210, title II, § 202, as added Pub. L. 109-270, § 1(b), Aug. 12, 2006, 120 Stat. 738.)

PRIOR PROVISIONS

A prior section 2372, Pub. L. 88-210, title II, § 203, as added Pub. L. 105-332, § 1(b), Oct. 31, 1998, 112 Stat. 3118,

related to State allotment and application, prior to the general amendment of this chapter by Pub. L. 109-270.

Another prior section 2372, Pub. L. 88-210, title III, § 322, as added Pub. L. 98-524, § 1, Oct. 19, 1984, 98 Stat. 2460; amended Pub. L. 100-418, title VI, § 6131(a)(2), Aug. 23, 1988, 102 Stat. 1509; Pub. L. 101-476, title IX, § 901(a)(2), Oct. 30, 1990, 104 Stat. 1142, authorized Secretary to make grants and specified uses of funds for program, prior to repeal by Pub. L. 101-392, title III, § 305, title VII, § 702(a), Sept. 25, 1990, 104 Stat. 786, 843, effective July 1, 1991.

A prior section 202 of Pub. L. 88-210 was classified to section 2371 of this title, prior to the general amendment of this chapter by Pub. L. 109-270.

Another prior section 202 of Pub. L. 88-210 was classified to section 2332 of this title, prior to the general amendment of former subchapter II of this chapter by Pub. L. 101-392.

§ 2373. Tech prep program

(a) Grant program authorized

(1) In general

From amounts made available to each eligible agency under section 2371 of this title, the eligible agency, in accordance with the provisions of this subchapter, shall award grants, on a competitive basis or on the basis of a formula determined by the eligible agency, for tech prep programs described in subsection (c). The grants shall be awarded to consortia between or among—

(A) a local educational agency, an intermediate educational agency, educational service agency, or area career and technical education school, serving secondary school students, or a secondary school funded by the Bureau of Indian Affairs; and

(B)(i) a nonprofit institution of higher education that—

(I)(aa) offers a 2-year associate degree program or a 2-year certificate program; and

(bb) is qualified as an institution of higher education pursuant to section 102 of the Higher Education Act of 1965 [20 U.S.C. 1002], including—

(AA) an institution receiving assistance under the Tribally Controlled Colleges and Universities Assistance Act of 1978 (25 U.S.C. 1801 et seq.); and

(BB) a tribally controlled postsecondary career and technical institution; or

(II) offers a 2-year apprenticeship program that follows secondary education instruction,

if such nonprofit institution of higher education is not prohibited from receiving assistance under part B of title IV of the Higher Education Act of 1965 [20 U.S.C. 1071 et seq.] pursuant to the provisions of section 435(a)(2) of such Act [20 U.S.C. 1085(a)(2)]; or

(ii) a proprietary institution of higher education that offers a 2-year associate degree program and is qualified as an institution of higher education pursuant to section 102 of the Higher Education Act of 1965 [20 U.S.C. 1002], if such proprietary institution of higher education is not subject to a default management plan required by the Secretary.

(2) Special rule

In addition, a consortium described in paragraph (1) may include 1 or more—