

(3) Amount equal to or exceeds \$250,000,000

If the amount appropriated under section 6553 of this title for a fiscal year equals or exceeds \$250,000,000, then the Secretary shall use such amount to award a grant to each State educational agency in an amount that bears the same relation to such appropriated amount as the amount the State educational agency received under part A of this subchapter for the preceding fiscal year bears to the amount received by all State educational agencies under such part for the preceding fiscal year, to enable the State educational agency to award subgrants under subsection (b) of this section.

(b) Subgrants to local educational agencies**(1) In general**

From amounts made available to a State educational agency under paragraph (2) or (3) of subsection (a) of this section, the State educational agency shall award subgrants, on a competitive basis, to local educational agencies that operate public schools that serve students in grades 6 through 12 and that have annual school dropout rates that are above the State average annual school dropout rate, to enable those schools, or the middle schools that feed students into those schools, to implement effective, sustainable, and coordinated school dropout prevention and reentry programs that involve activities such as—

- (A) professional development;
- (B) obtaining curricular materials;
- (C) release time for professional staff to obtain professional development;
- (D) planning and research;
- (E) remedial education;
- (F) reduction in pupil-to-teacher ratios;
- (G) efforts to meet State student academic achievement standards;
- (H) counseling and mentoring for at-risk students;
- (I) implementing comprehensive school reform models, such as creating smaller learning communities; and
- (J) school reentry activities.

(2) Amount

Subject to paragraph (3), a subgrant under this subpart shall be awarded—

- (A) in the first year that a local educational agency receives a subgrant payment under this subpart, in an amount that is based on factors such as—
 - (i) the size of schools operated by the local educational agency;
 - (ii) costs of the model or set of prevention and reentry strategies being implemented; and
 - (iii) local cost factors such as poverty rates;
- (B) in the second year, in an amount that is not less than 75 percent of the amount the local educational agency received under this subpart in the first such year;
- (C) in the third year, in an amount that is not less than 50 percent of the amount the local educational agency received under this subpart in the first such year; and
- (D) in each succeeding year, in an amount that is not less than 30 percent of the

amount the local educational agency received under this subpart in the first year.

(3) Duration

A subgrant under this subpart shall be awarded for a period of 3 years, and may be continued for a period of 2 additional years if the State educational agency determines, based on the annual reports described in section 6561i(a) of this title, that significant progress has been made in lowering the annual school dropout rate for secondary schools participating in the program assisted under this subpart.

(Pub. L. 89–10, title I, §1822, as added Pub. L. 107–110, title I, §101, Jan. 8, 2002, 115 Stat. 1612.)

§ 6561b. Applications**(a) In general**

To receive—

(1) a grant under this subpart, a State educational agency or local educational agency shall submit an application and plan to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require; and

(2) a subgrant under this subpart, a local educational agency shall submit an application and plan to the State educational agency at such time, in such manner, and accompanied by such information as the State educational agency may reasonably require.

(b) Contents**(1) State educational agency and local educational agency**

Each application and plan submitted under subsection (a) of this section shall—

(A) include an outline—

(i) of the State educational agency's or local educational agency's strategy for reducing the State educational agency or local educational agency's annual school dropout rate;

(ii) for targeting secondary schools, and the middle schools that feed students into those secondary schools, that have the highest annual school dropout rates; and

(iii) for assessing the effectiveness of the efforts described in the plan;

(B) contain an identification of the schools in the State or operated by the local educational agency that have annual school dropout rates that are greater than the average annual school dropout rate for the State;

(C) describe the instructional strategies to be implemented, how the strategies will serve all students, and the effectiveness of the strategies;

(D) describe a budget and timeline for implementing the strategies;

(E) contain evidence of coordination with existing resources;

(F) provide an assurance that funds provided under this subpart will supplement, and not supplant, other State and local funds available for school dropout prevention and reentry programs; and

(G) describe how the activities to be assisted conform with research knowledge

about school dropout prevention and reentry.

(2) Local educational agency

Each application and plan submitted under subsection (a) of this section by a local educational agency shall contain, in addition to the requirements of paragraph (1)—

(A) an assurance that the local educational agency is committed to providing ongoing operational support for such schools to address the problem of school dropouts for a period of 5 years; and

(B) an assurance that the local educational agency will support the plan, including—

(i) provision of release time for teacher training;

(ii) efforts to coordinate activities for secondary schools and the middle schools that feed students into those secondary schools; and

(iii) encouraging other schools served by the local educational agency to participate in the plan.

(Pub. L. 89-10, title I, §1823, as added Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1614.)

§ 6561c. State reservation

A State educational agency that receives a grant under paragraph (2) or (3) of section 6561a(a) of this title may reserve not more than 5 percent of the grant funds for administrative costs and State activities related to school dropout prevention and reentry activities, of which not more than 2 percent of the grant funds may be used for administrative costs.

(Pub. L. 89-10, title I, §1824, as added Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1615.)

§ 6561d. Strategies and capacity building

Each local educational agency receiving a grant or subgrant under this subpart and each State educational agency receiving a grant under this subpart shall implement scientifically based, sustainable, and widely replicated strategies for school dropout prevention and reentry. The strategies may include—

(1) specific strategies for targeted purposes, such as—

(A) effective early intervention programs designed to identify at-risk students;

(B) effective programs serving at-risk students, including racial and ethnic minorities and pregnant and parenting teenagers, designed to prevent such students from dropping out of school; and

(C) effective programs to identify and encourage youth who have already dropped out of school to reenter school and complete their secondary education; and

(2) approaches such as breaking larger schools down into smaller learning communities and other comprehensive reform approaches, creating alternative school programs, and developing clear linkages to career skills and employment.

(Pub. L. 89-10, title I, §1825, as added Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1615.)

§ 6561e. Selection of local educational agencies for subgrants

(a) State educational agency review and award

The State educational agency shall review applications submitted under section 6561b(a)(2) of this title and award subgrants to local educational agencies with the assistance and advice of a panel of experts on school dropout prevention and reentry.

(b) Eligibility

A local educational agency is eligible to receive a subgrant under this subpart if the local educational agency operates a public school (including a public alternative school)—

(1) that is eligible to receive assistance under part A of this subchapter; and

(2)(A) that serves students 50 percent or more of whom are low-income students; or

(B) in which a majority of the students come from feeder schools that serve students 50 percent or more of whom are low-income students.

(Pub. L. 89-10, title I, §1826, as added Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1616.)

§ 6561f. Community based organizations

A local educational agency that receives a grant or subgrant under this subpart and a State educational agency that receives a grant under this subpart may use the funds to secure necessary services from a community-based organization or other government agency if the funds are used to provide school dropout prevention and reentry activities related to schoolwide efforts.

(Pub. L. 89-10, title I, §1827, as added Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1616.)

§ 6561g. Technical assistance

Notwithstanding any other provision of law, each local educational agency that receives funds under this subpart shall use the funds to provide technical assistance to secondary schools served by the agency that have not made progress toward lowering annual school dropout rates after receiving assistance under this subpart for 2 fiscal years.

(Pub. L. 89-10, title I, §1828, as added Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1616.)

§ 6561h. School dropout rate calculation

For purposes of calculating an annual school dropout rate under this subpart, a school shall use the annual event school dropout rate for students leaving a school in a single year determined in accordance with the National Center for Education Statistics' Common Core of Data.

(Pub. L. 89-10, title I, §1829, as added Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1616.)

§ 6561i. Reporting and accountability

(a) Local educational agency reports

(1) In general

To receive funds under this subpart for a fiscal year after the first fiscal year that a local educational agency receives funds under this