

(i) are designed to help the teachers continue to improve their practice of teaching and to develop their instructional skills; and

part⁴ of an ongoing developmental induction process—

(I) involve the assistance of an exemplary teacher and other appropriate individuals from a school, local educational agency, or institution of higher education; and

(II) may include coaching, classroom observation, team teaching, and reduced teaching loads; and

(B) may include the establishment of a partnership by a local educational agency with an institution of higher education, another local educational agency, a teacher organization, or another organization.

(43) Technology

The term “technology” means state-of-the-art technology products and services.

(Pub. L. 89–10, title IX, §9101, as added Pub. L. 107–110, title IX, §901, Jan. 8, 2002, 115 Stat. 1956.)

REFERENCES IN TEXT

Section 2902 of title 25, referred to in par. (28), was in the original “section 103 of the Native American Languages Act of 1990”, which was translated as meaning section 103 of the Native American Languages Act, Pub. L. 101–477, to reflect the probable intent of Congress.

REFERENCES TO PART A OF SUBCHAPTER III CONSIDERED TO BE REFERENCES TO PART B OF SUBCHAPTER III

References to part A of subchapter III of this chapter are considered to be references to part B of subchapter III of this chapter in certain fiscal years. See section 6801(c) of this title.

PRIOR PROVISIONS

A prior section 7801, Pub. L. 89–10, title IX, §9101, as added Pub. L. 103–382, title I, §101, Oct. 20, 1994, 108 Stat. 3773, set forth findings regarding Indian education, prior to the general amendment of this subchapter by Pub. L. 107–110.

HIGHLY QUALIFIED TEACHER

Pub. L. 111–242, §163, as added by Pub. L. 111–322, title I, §1(a)(2), Dec. 22, 2010, 124 Stat. 3521; amended by Pub. L. 112–175, §145, Sept. 28, 2012, 126 Stat. 1322; Pub. L. 113–46, div. A, §144, Oct. 17, 2013, 127 Stat. 565, provided that:

“(a) A ‘highly qualified teacher’ includes a teacher who meets the requirements in 34 CFR 200.56(a)(2)(ii), as published in the Federal Register on December 2, 2002.

“(b) This provision is effective on the date of enactment of this provision [Dec. 22, 2010] through the end of the 2015–2016 academic year.

“(c) Not later than December 31, 2013, the Secretary of Education shall submit a report to the Committees on Appropriations and Health, Education, Labor, and Pensions of the Senate and the Committees on Appropriations and Education and the Workforce of the House of Representatives, using data required under existing law (section 1111(h)(6)(A) of Public Law 107–110 [probably means section 1111(h)(6)(A) of Pub. L. 89–10, as added by Pub. L. 107–110; 20 U.S.C. 6311(h)(6)(A)]) by State and each local educational agency, regarding the extent to which students in the following categories

are taught by teachers who are deemed highly qualified pursuant to 34 CFR 200.56(a)(2)(ii) as published in the Federal Register on December 2, 2002:

“(1) Students with disabilities.

“(2) English Learners.

“(3) Students in rural areas.

“(4) Students from low-income families.”

§ 7802. Applicability of subchapter

Parts B, C, D, and E of this subchapter do not apply to subchapter VIII of this chapter.

(Pub. L. 89–10, title IX, §9102, as added Pub. L. 107–110, title IX, §901, Jan. 8, 2002, 115 Stat. 1966.)

PRIOR PROVISIONS

A prior section 7802, Pub. L. 89–10, title IX, §9102, as added Pub. L. 103–382, title I, §101, Oct. 20, 1994, 108 Stat. 3774, set out purpose of provisions relating to Indian education, prior to the general amendment of this subchapter by Pub. L. 107–110. See section 7402 of this title.

§ 7803. Applicability to Bureau of Indian Affairs operated schools

For the purpose of any competitive program under this chapter—

(1) a consortium of schools operated by the Bureau of Indian Affairs;

(2) a school operated under a contract or grant with the Bureau of Indian Affairs in consortium with another contract or grant school or a tribal or community organization; or

(3) a Bureau of Indian Affairs school in consortium with an institution of higher education, a contract or grant school, or a tribal or community organization,

shall be given the same consideration as a local educational agency.

(Pub. L. 89–10, title IX, §9103, as added Pub. L. 107–110, title IX, §901, Jan. 8, 2002, 115 Stat. 1966.)

PRIOR PROVISIONS

Prior sections 7811 to 7818 were omitted in the general amendment of this subchapter by Pub. L. 107–110.

Section 7811, Pub. L. 89–10, title IX, §9111, as added Pub. L. 103–382, title I, §101, Oct. 20, 1994, 108 Stat. 3774, set forth purpose of provisions relating to formula grants to local educational agencies. See section 7421 of this title.

Section 7812, Pub. L. 89–10, title IX, §9112, as added Pub. L. 103–382, title I, §101, Oct. 20, 1994, 108 Stat. 3774; amended Pub. L. 104–5, §1, Mar. 23, 1995, 109 Stat. 72, related to grants to local educational agencies. See section 7422 of this title.

Section 7813, Pub. L. 89–10, title IX, §9113, as added Pub. L. 103–382, title I, §101, Oct. 20, 1994, 108 Stat. 3775, related to amount of grants. See section 7423 of this title.

Section 7814, Pub. L. 89–10, title IX, §9114, as added Pub. L. 103–382, title I, §101, Oct. 20, 1994, 108 Stat. 3776, related to applications for grants. See section 7424 of this title.

Section 7815, Pub. L. 89–10, title IX, §9115, as added Pub. L. 103–382, title I, §101, Oct. 20, 1994, 108 Stat. 3778; amended Pub. L. 105–332, §3(c)(2), Oct. 31, 1998, 112 Stat. 3125, related to authorized services and activities. See section 7425 of this title.

Section 7816, Pub. L. 89–10, title IX, §9116, as added Pub. L. 103–382, title I, §101, Oct. 20, 1994, 108 Stat. 3779, related to student eligibility forms. See section 7427 of this title.

Section 7817, Pub. L. 89–10, title IX, §9117, as added Pub. L. 103–382, title I, §101, Oct. 20, 1994, 108 Stat. 3781, related to payments. See section 7428 of this title.

Section 7818, Pub. L. 89–10, title IX, §9118, as added Pub. L. 103–382, title I, §101, Oct. 20, 1994, 108 Stat. 3782,

⁴ So in original. Probably should be preceded by “(ii) as”.

related to State educational agency review. See section 7429 of this title.

PART B—FLEXIBILITY IN THE USE OF
ADMINISTRATIVE AND OTHER FUNDS

§ 7821. Consolidation of State administrative funds for elementary and secondary education programs

(a) Consolidation of administrative funds

(1) In general

A State educational agency may consolidate the amounts specifically made available to it for State administration under one or more of the programs under paragraph (2) if the State educational agency can demonstrate that the majority of its resources are derived from non-Federal sources.

(2) Applicability

This section applies to any program under this chapter under which funds are authorized to be used for administration, and such other programs as the Secretary may designate.

(b) Use of funds

(1) In general

A State educational agency shall use the amount available under this section for the administration of the programs included in the consolidation under subsection (a) of this section.

(2) Additional uses

A State educational agency may also use funds available under this section for administrative activities designed to enhance the effective and coordinated use of funds under programs included in the consolidation under subsection (a) of this section, such as—

- (A) the coordination of those programs with other Federal and non-Federal programs;
- (B) the establishment and operation of peer-review mechanisms under this chapter;
- (C) the administration of this subchapter;
- (D) the dissemination of information regarding model programs and practices;
- (E) technical assistance under any program under this chapter;
- (F) State-level activities designed to carry out this subchapter;
- (G) training personnel engaged in audit and other monitoring activities; and
- (H) implementation of the Cooperative Audit Resolution and Oversight Initiative of the Department.

(c) Records

A State educational agency that consolidates administrative funds under this section shall not be required to keep separate records, by individual program, to account for costs relating to the administration of programs included in the consolidation under subsection (a) of this section.

(d) Review

To determine the effectiveness of State administration under this section, the Secretary may periodically review the performance of State educational agencies in using consolidated

administrative funds under this section and take such steps as the Secretary finds appropriate to ensure the effectiveness of that administration.

(e) Unused administrative funds

If a State educational agency does not use all of the funds available to the agency under this section for administration, the agency may use those funds during the applicable period of availability as funds available under one or more programs included in the consolidation under subsection (a) of this section.

(f) Consolidation of funds for standards and assessment development

In order to develop challenging State academic standards and assessments, a State educational agency may consolidate the amounts described in subsection (a) of this section for those purposes under subchapter I of this chapter.

(Pub. L. 89-10, title IX, §9201, as added Pub. L. 107-110, title IX, §901, Jan. 8, 2002, 115 Stat. 1966.)

PRIOR PROVISIONS

A prior section 9201 of Pub. L. 89-10 was classified to section 7901 of this title, prior to the general amendment of this subchapter by Pub. L. 107-110.

§ 7822. Single local educational agency States

A State educational agency that also serves as a local educational agency shall, in its applications or plans under this chapter, describe how the agency will eliminate duplication in conducting administrative functions.

(Pub. L. 89-10, title IX, §9202, as added Pub. L. 107-110, title IX, §901, Jan. 8, 2002, 115 Stat. 1967.)

PRIOR PROVISIONS

A prior section 9202 of Pub. L. 89-10 was classified to section 7902 of this title, prior to the general amendment of this subchapter by Pub. L. 107-110.

§ 7823. Consolidation of funds for local administration.

(a) General authority

In accordance with regulations of the Secretary and for any fiscal year, a local educational agency, with the approval of its State educational agency, may consolidate and use for the administration of one or more programs under this chapter (or such other programs as the Secretary shall designate) not more than the percentage, established in each program, of the total available for the local educational agency under those programs.

(b) State procedures

Within 1 year after January 8, 2002, a State educational agency shall, in collaboration with local educational agencies in the State, establish procedures for responding to requests from local educational agencies to consolidate administrative funds under subsection (a) of this section and for establishing limitations on the amount of funds under those programs that may be used for administration on a consolidated basis.

(c) Conditions

A local educational agency that consolidates administrative funds under this section for any