

§ 7402. Purpose**(a) Purpose**

It is the purpose of this part to support the efforts of local educational agencies, Indian tribes and organizations, postsecondary institutions, and other entities to meet the unique educational and culturally related academic needs of American Indian and Alaska Native students, so that such students can meet the same challenging State student academic achievement standards as all other students are expected to meet.

(b) Programs

This part carries out the purpose described in subsection (a) of this section by authorizing programs of direct assistance for—

- (1) meeting the unique educational and culturally related academic needs of American Indians and Alaska Natives;
- (2) the education of Indian children and adults;
- (3) the training of Indian persons as educators and counselors, and in other professions serving Indian people; and
- (4) research, evaluation, data collection, and technical assistance.

(Pub. L. 89–10, title VII, §7102, as added Pub. L. 107–110, title VII, §701, Jan. 8, 2002, 115 Stat. 1907.)

PRIOR PROVISIONS

A prior section 7402, Pub. L. 89–10, title VII, §7102, as added Pub. L. 103–382, title I, §101, Oct. 20, 1994, 108 Stat. 3716, set forth findings, policy, and purpose of Bilingual Education Act, prior to the general amendment of this subchapter by Pub. L. 107–110.

Prior sections 7403 to 7405 were omitted in the general amendment of this subchapter by Pub. L. 107–110.

Section 7403, Pub. L. 89–10, title VII, §7103, as added Pub. L. 103–382, title I, §101, Oct. 20, 1994, 108 Stat. 3718, authorized appropriations for bilingual education. See section 6801 of this title.

Section 7404, Pub. L. 89–10, title VII, §7104, as added Pub. L. 103–382, title I, §101, Oct. 20, 1994, 108 Stat. 3718, related to Native American and Alaska Native children in school. See sections 6822 and 6893 of this title.

Section 7405, Pub. L. 89–10, title VII, §7105, as added Pub. L. 103–382, title I, §101, Oct. 20, 1994, 108 Stat. 3719, related to residents of territories and freely associated nations. See section 6894 of this title.

SUBPART 1—FORMULA GRANTS TO LOCAL
EDUCATIONAL AGENCIES**§ 7421. Purpose**

It is the purpose of this subpart to support local educational agencies in their efforts to reform elementary school and secondary school programs that serve Indian students in order to ensure that such programs—

- (1) are based on challenging State academic content and student academic achievement standards that are used for all students; and
- (2) are designed to assist Indian students in meeting those standards.

(Pub. L. 89–10, title VII, §7111, as added Pub. L. 107–110, title VII, §701, Jan. 8, 2002, 115 Stat. 1908.)

PRIOR PROVISIONS

A prior section 7421, Pub. L. 89–10, title VII, §7111, as added Pub. L. 103–382, title I, §101, Oct. 20, 1994, 108 Stat.

3719, related to financial assistance for bilingual education, prior to the general amendment of this subchapter by Pub. L. 107–110. See section 6911 of this title.

§ 7422. Grants to local educational agencies and tribes**(a) In general**

The Secretary may make grants, from allocations made under section 7423 of this title, to local educational agencies and Indian tribes, in accordance with this section and section 7423 of this title.

(b) Local educational agencies**(1) Enrollment requirements**

A local educational agency shall be eligible for a grant under this subpart for any fiscal year if the number of Indian children eligible under section 7427 of this title who were enrolled in the schools of the agency, and to whom the agency provided free public education, during the preceding fiscal year—

(A) was at least 10; or

(B) constituted not less than 25 percent of the total number of individuals enrolled in the schools of such agency.

(2) Exclusion

The requirement of paragraph (1) shall not apply in Alaska, California, or Oklahoma, or with respect to any local educational agency located on, or in proximity to, a reservation.

(c) Indian tribes**(1) In general**

If a local educational agency that is otherwise eligible for a grant under this subpart does not establish a committee under section 7424(c)(4) of this title for such grant, an Indian tribe that represents not less than ½ of the eligible Indian children who are served by such local educational agency may apply for such grant.

(2) Special rule

The Secretary shall treat each Indian tribe applying for a grant pursuant to paragraph (1) as if such Indian tribe were a local educational agency for purposes of this subpart, except that any such tribe is not subject to section 7424(c)(4), section 7428(c), or section 7429 of this title.

(Pub. L. 89–10, title VII, §7112, as added Pub. L. 107–110, title VII, §701, Jan. 8, 2002, 115 Stat. 1908.)

PRIOR PROVISIONS

A prior section 7422, Pub. L. 89–10, title VII, §7112, as added Pub. L. 103–382, title I, §101, Oct. 20, 1994, 108 Stat. 3719, related to program development and implementation grants, prior to the general amendment of this subchapter by Pub. L. 107–110.

§ 7423. Amount of grants**(a) Amount of grant awards****(1) In general**

Except as provided in subsection (b) of this section and paragraph (2), the Secretary shall allocate to each local educational agency that has an approved application under this subpart an amount equal to the product of—