

(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 Indian tribe for an activity described in section 12523(a)(2) of this title;

(C) entity described in section 12523(a)(3) of this title that desires to receive such assistance from a State, territory, or Indian tribe for an activity described in such section;

(D) entity or partnership described in section 12523(a)(4) of this title that desires to receive such assistance from a State, territory, or Indian tribe for an activity described in such section; and

(E) entity that desires to receive such assistance from a State, territory, or Indian tribe for an activity described in section 12521(a)(5)<sup>2</sup> of this title,

shall prepare, submit to the State educational agency for the State, territory, or Indian tribe, and obtain approval of, an application for the program.

## (2) Submission

Such application shall be submitted at such time and in such manner, and shall contain such information, as the agency, territory, or Indian tribe may reasonably require.

(Pub. L. 101-610, title I, §113, as added Pub. L. 111-13, title I, §1201, Apr. 21, 2009, 123 Stat. 1471.)

### REFERENCES IN TEXT

Section 12521(a)(5) of this title, referred to in subsec. (b)(1)(E), probably should be a reference to section 12523(a)(5) of this title. Section 12521 does not contain subsections.

### PRIOR PROVISIONS

A prior section 12525, Pub. L. 101-610, title I, §113, as added Pub. L. 103-82, title I, §103(a)(2), Sept. 21, 1993, 107 Stat. 829, related to submission and contents of State or tribal applications, prior to the general amendment of this part by Pub. L. 111-13.

Another prior section 12525, Pub. L. 101-610, title I, §115, Nov. 16, 1990, 104 Stat. 3137; Pub. L. 102-384, §4, Oct. 5, 1992, 106 Stat. 1455, related to priority applications and private school participation, prior to repeal by Pub. L. 103-82, §103(a)(2).

A prior section 113 of Pub. L. 101-610 was classified to section 12523 of this title prior to repeal by Pub. L. 103-82.

## § 12526. Consideration of applications

### (a) Criteria for local applications

In providing assistance under this part, a State educational agency, territory, or Indian tribe (or the Corporation if section 12524(c) of this title applies) shall consider criteria with respect to sustainability, replicability, innovation, and quality of programs.

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

<sup>2</sup> See References in Text note below.

### (b) Priority for local applications

In providing assistance under this part, a State educational agency, territory, or Indian tribe (or the Corporation if section 12524(c) of this title applies) shall give priority to entities that submit applications under section 12525 of this title with respect to service-learning programs described in section 12521 of this title that are in the greatest need of assistance, such as programs targeting low-income areas or serving economically disadvantaged youth.

### (c) Rejection of applications to Corporation

If the Corporation rejects an application submitted by a State, territory, or Indian tribe under section 12525 of this title for an allotment, the Corporation shall promptly notify the State, territory, or Indian tribe of the reasons for the rejection of the application. The Corporation shall provide the State, territory, or Indian tribe with a reasonable opportunity to revise and resubmit the application and shall provide technical assistance, if needed, to the State, territory, or Indian tribe as part of the resubmission process. The Corporation shall promptly reconsider such resubmitted application.

(Pub. L. 101-610, title I, §114, as added Pub. L. 111-13, title I, §1201, Apr. 21, 2009, 123 Stat. 1472.)

### PRIOR PROVISIONS

A prior section 12526, Pub. L. 101-610, title I, §114, as added Pub. L. 103-82, title I, §103(a)(2), Sept. 21, 1993, 107 Stat. 829, related to preparation, submission, and approval of local applications, prior to the general amendment of this part by Pub. L. 111-13.

Another prior section 12526, Pub. L. 101-610, title I, §116, Nov. 16, 1990, 104 Stat. 3138; Pub. L. 102-384, §4, Oct. 5, 1992, 106 Stat. 1455, prescribed Federal and local project contributions, prior to repeal by Pub. L. 103-82, §103(a)(2).

A prior section 114 of Pub. L. 101-610 was classified to section 12524 of this title prior to repeal by Pub. L. 103-82.

## § 12527. Participation of students and teachers from private schools

### (a) In general

To the extent consistent with the number of students in the State, in the territory, or served by the Indian tribe or in the school district of the local educational agency involved who are enrolled in private nonprofit elementary schools and secondary schools, such State, territory, or Indian tribe, or agency shall (after consultation with appropriate private school representatives) make provision—

(1) for the inclusion of services and arrangements for the benefit of such students so as to allow for the equitable participation of such students in the programs implemented to carry out the objectives and provide the benefits described in this part; and

(2) for the training of the teachers of such students so as to allow for the equitable participation of such teachers in the programs implemented to carry out the objectives and provide the benefits described in this part.

### (b) Waiver

If a State, territory, Indian tribe, or local educational agency is prohibited by law from providing for the participation of students or teach-