

(1) made adequate yearly progress, as defined in section 6311(b)(2)(B) of this title, for each of the groups of students described in section 6311(b)(2)(C)(v) of this title; and

(2) met its annual measurable achievement objectives under section 6842(a) of this title.

(Pub. L. 89-10, title VI, §6161, as added Pub. L. 107-110, title VI, §601, Jan. 8, 2002, 115 Stat. 1890.)

§ 7325a. Peer review

The Secretary shall use a peer review process to review, based on data from the State assessments administered under section 6311(b)(3) of this title and on data from the evaluations conducted under section 6841 of this title, whether the State has failed to make adequate yearly progress for 2 consecutive years or whether the State has met its annual measurable achievement objectives.

(Pub. L. 89-10, title VI, §6162, as added Pub. L. 107-110, title VI, §601, Jan. 8, 2002, 115 Stat. 1890.)

§ 7325b. Technical assistance

(a) Provision of assistance

(1) Adequate yearly progress

Based on the review described in section 7325(1) of this title, the Secretary shall provide technical assistance to a State that has failed to make adequate yearly progress, as defined in section 6311(b)(2) of this title, for 2 consecutive years. The Secretary shall provide such assistance not later than the beginning of the first school year that begins after such determination is made.

(2) Annual measurable achievement objectives

Based on the reviews described in section 7325(2) of this title, the Secretary may provide technical assistance to a State that has failed to meet its annual measurable achievement objectives under section 6842(a) of this title for 2 consecutive years. The Secretary shall provide such assistance not later than the beginning of the first school year that begins after such determination is made.

(b) Characteristics

The technical assistance described in subsection (a) of this section shall—

(1) be valid, reliable and rigorous; and

(2) provide constructive feedback to help the State make adequate yearly progress, as defined in section 6311(b)(2) of this title, or meet the annual measurable achievement objectives under section 6842(a) of this title.

(Pub. L. 89-10, title VI, §6163, as added Pub. L. 107-110, title VI, §601, Jan. 8, 2002, 115 Stat. 1890.)

§ 7325c. Report to Congress

Beginning with the school year that begins in 2005, the Secretary shall submit an annual report to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate containing the following:

(1) A list of each State that has not made adequate yearly progress based on the review conducted under section 7325(1) of this title.

(2) A list of each State that has not met its annual measurable achievement objectives based on the review conducted under section 7325(2) of this title.

(3) The information reported by the State to the Secretary pursuant to section 6319(a) of this title.

(4) A description of any technical assistance provided pursuant to section 7325b of this title.

(Pub. L. 89-10, title VI, §6164, as added Pub. L. 107-110, title VI, §601, Jan. 8, 2002, 115 Stat. 1891.)

PRIOR PROVISIONS

Prior sections 7331 and 7332 were omitted in the general amendment of this subchapter by Pub. L. 107-110.

Section 7331, Pub. L. 89-10, title VI, §6201, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3709; amended Pub. L. 105-278, §2(1), Oct. 22, 1998, 112 Stat. 2682, related to State uses of funds. See section 7213 of this title.

Section 7332, Pub. L. 89-10, title VI, §6202, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3710, related to State applications. See section 7213a of this title.

PART B—RURAL EDUCATION INITIATIVE

§ 7341. Short title

This part may be cited as the “Rural Education Achievement Program”.

(Pub. L. 89-10, title VI, §6201, as added Pub. L. 107-110, title VI, §601, Jan. 8, 2002, 115 Stat. 1891.)

PRIOR PROVISIONS

A prior section 6201 of Pub. L. 89-10 was classified to section 7331 of this title, prior to the general amendment of this subchapter by Pub. L. 107-110.

Another prior section 6201 of Pub. L. 89-10 was classified to section 3271 of this title, prior to the general amendment of Pub. L. 89-10 by Pub. L. 103-382.

§ 7341a. Purpose

It is the purpose of this part to address the unique needs of rural school districts that frequently—

(1) lack the personnel and resources needed to compete effectively for Federal competitive grants; and

(2) receive formula grant allocations in amounts too small to be effective in meeting their intended purposes.

(Pub. L. 89-10, title VI, §6202, as added Pub. L. 107-110, title VI, §601, Jan. 8, 2002, 115 Stat. 1891.)

PRIOR PROVISIONS

A prior section 6202 of Pub. L. 89-10 was classified to section 7332 of this title, prior to the general amendment of this subchapter by Pub. L. 107-110.

Another prior section 6202 of Pub. L. 89-10 was classified to section 3272 of this title, prior to the general amendment of Pub. L. 89-10 by Pub. L. 103-382.

SUBPART 1—SMALL, RURAL SCHOOL ACHIEVEMENT PROGRAM

§ 7345. Use of applicable funding

(a) Alternative uses

(1) In general

Notwithstanding any other provision of law, an eligible local educational agency may use the applicable funding that the agency is eligi-