

“(B) the length of any period during which such entity received such grants.”

Subsec. (g). Pub. L. 114-95, §6002(l)(6), added subsec. (g) and struck out former subsec. (g). Prior to amendment, text read as follows: “Each grant under this section shall be awarded for a period of not more than 5 years.”

Subsec. (h)(1)(A)(ii). Pub. L. 114-95, §6002(l)(7), substituted “students in a local educational agency that serves a high proportion of Indian students” for “people”.

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114-95 effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114-95, set out as a note under section 6301 of this title.

SUBPART 3—NATIONAL ACTIVITIES

§ 7451. National research activities

(a) Authorized activities

The Secretary may use funds made available to carry out this subpart for each fiscal year to—

- (1) conduct research related to effective approaches for the education of Indian children and adults;
- (2) evaluate federally assisted education programs from which Indian children and adults may benefit;
- (3) collect and analyze data on the educational status and needs of Indians; and
- (4) carry out other activities that are consistent with the purpose of this part.

(b) Eligibility

The Secretary may carry out any of the activities described in subsection (a) of this section directly or through grants to, or contracts or cooperative agreements with, Indian tribes, Indian organizations, State educational agencies, local educational agencies, institutions of higher education, including Indian institutions of higher education, and other public and private agencies and institutions.

(c) Coordination

Research activities supported under this section—

- (1) shall be carried out in consultation with the Institute of Education Sciences to ensure that such activities are coordinated with and enhance the research and development activities supported by the Institute; and
- (2) may include collaborative research activities that are jointly funded and carried out by the Office of Indian Education Programs, the Bureau of Indian Education, and the Institute of Education Sciences.

(Pub. L. 89-10, title VI, §6131, formerly title VII, §7131, as added Pub. L. 107-110, title VII, §701, Jan. 8, 2002, 115 Stat. 1923; amended Pub. L. 107-279, title IV, §404(d)(5)(E), (8), Nov. 5, 2002, 116 Stat. 1986; renumbered title VI, §6131, and amended Pub. L. 114-95, title VI, §§6001(a), (b)(1), 6002(m), Dec. 10, 2015, 129 Stat. 2046, 2057.)

PRIOR PROVISIONS

A prior section 7451, Pub. L. 89-10, title VII, §7131, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3729, authorized research, evaluation of activities, and

dissemination of information, prior to the general amendment of former subchapter VII of this chapter by Pub. L. 107-110.

A prior section 6131 of Pub. L. 89-10 was classified to section 7311 of this title, prior to repeal by Pub. L. 114-95.

AMENDMENTS

2015—Subsec. (a). Pub. L. 114-95, §6002(m)(1), substituted “to carry out this subpart” for “under section 7492(b) of this title” in introductory provisions.

Subsec. (c)(2). Pub. L. 114-95, §6002(m)(2), inserted “, the Bureau of Indian Education,” after “Office of Indian Education Programs”.

2002—Subsec. (c)(1). Pub. L. 107-279 substituted “Institute of Education Sciences” for “Office of Educational Research and Improvement” and “by the Institute” for “by the Office”.

Subsec. (c)(2). Pub. L. 107-279, §404(d)(5)(E), substituted “Institute of Education Sciences” for “Office of Educational Research and Improvement”.

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114-95 effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114-95, set out as a note under section 6301 of this title.

§ 7452. Grants to tribes for education administrative planning, development, and coordination

(a) In general

The Secretary may award grants under this section to eligible applicants to enable the eligible applicants to—

- (1) promote tribal self-determination in education;
- (2) improve the academic achievement of Indian children and youth; and
- (3) promote the coordination and collaboration of tribal educational agencies with State educational agencies and local educational agencies to meet the unique educational and culturally related academic needs of Indian students.

(b) Definitions

In this section:

(1) Eligible applicant

In this section, the term “eligible applicant” means—

- (A) an Indian tribe or tribal organization approved by an Indian tribe; or
- (B) a tribal educational agency.

(2) Indian tribe

The term “Indian tribe” means a federally recognized tribe or a State-recognized tribe.

(3) Tribal educational agency

The term “tribal educational agency” means the agency, department, or instrumentality of an Indian tribe that is primarily responsible for supporting tribal students’ elementary and secondary education.

(c) Grant program

The Secretary may award grants to—

- (1) eligible applicants described under subsection (b)(1)(A) to plan and develop a tribal educational agency, if the tribe or organization has no current tribal educational agency, for a period of not more than 1 year; and

(2) eligible applicants described under subsection (b)(1)(B), for a period of not more than 3 years, in order to—

(A) directly administer education programs, including formula grant programs under this chapter, consistent with State law and under a written agreement between the parties;

(B) build capacity to administer and coordinate such education programs, and to improve the relationship and coordination between such applicants and the State educational agencies and local educational agencies that educate students from the tribe;

(C) receive training and support from the State educational agency and local educational agency, in areas such as data collection and analysis, grants management and monitoring, fiscal accountability, and other areas as needed;

(D) train and support the State educational agency and local educational agency in areas related to tribal history, language, or culture;

(E) build on existing activities or resources rather than replacing other funds; and

(F) carry out other activities, consistent with the purposes of this section.

(d) Grant application

(1) In general

Each eligible applicant desiring a grant under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may reasonably prescribe.

(2) Contents

Each application described in paragraph (1) shall contain—

(A) a statement describing the activities to be conducted, and the objectives to be achieved, under the grant;

(B) a description of the method to be used for evaluating the effectiveness of the activities for which assistance is sought and for determining whether such objectives are achieved; and

(C) for applications for activities under subsection (c)(2), evidence of—

(i) a preliminary agreement with the appropriate State educational agency, 1 or more local educational agencies, or both the State educational agency and a local educational agency; and

(ii) existing capacity as a tribal educational agency.

(3) Approval

The Secretary may approve an application submitted by an eligible applicant under this subsection if the application, including any documentation submitted with the application—

(A) demonstrates that the eligible applicant has consulted with other education entities, if any, within the territorial jurisdiction of the applicant that will be affected by the activities to be conducted under the grant;

(B) provides for consultation with such other education entities in the operation and evaluation of the activities conducted under the grant; and

(C) demonstrates that there will be adequate resources provided under this section or from other sources to complete the activities for which assistance is sought.

(e) Restrictions

(1) In general

An Indian tribe may not receive funds under this section if the tribe receives funds under section 1140 of the Education Amendments of 1978 (20 U.S.C. 2020).¹

(2) Direct services

No funds under this section may be used to provide direct services.

(f) Supplement, not supplant

Funds under this section shall be used to supplement, and not supplant, other Federal, State, and local programs that meet the needs of tribal students.

(Pub. L. 89–10, title VI, § 6132, formerly title VII, § 7135, as added Pub. L. 107–110, title VII, § 701, Jan. 8, 2002, 115 Stat. 1928; renumbered title VI, § 6135, renumbered § 6132, and amended Pub. L. 114–95, title VI, §§ 6001(a), (b)(1), 6002(n)(2), (p), Dec. 10, 2015, 129 Stat. 2046, 2057, 2060.)

CODIFICATION

Section was classified to section 7455 of this title prior to renumbering by Pub. L. 114–95.

PRIOR PROVISIONS

A prior section 7452, Pub. L. 89–10, title VI, § 6132, formerly title VII, § 7132, as added Pub. L. 107–110, title VII, § 701, Jan. 8, 2002, 115 Stat. 1924; renumbered title VI, § 6132, Pub. L. 114–95, title VI, § 6001(a), (b)(1), Dec. 10, 2015, 129 Stat. 2046, related to in-service training for teachers of Indian children, prior to repeal by Pub. L. 114–95, § 5, title VI, § 6002(n)(1), Dec. 10, 2015, 129 Stat. 1806, 2057, effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs.

Another prior section 7452, Pub. L. 89–10, title VII, § 7132, as added Pub. L. 103–382, title I, § 101, Oct. 20, 1994, 108 Stat. 3729, related to research activities, prior to the general amendment of former subchapter VII of this chapter by Pub. L. 107–110.

A prior section 6132 of Pub. L. 89–10 was classified to section 7311a of this title, prior to repeal by Pub. L. 114–95.

AMENDMENTS

2015—Pub. L. 114–95, § 6001(p), amended section generally. Prior to amendment, section related to grants to Indian tribes for education administrative planning and development.

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114–95 effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114–95, set out as a note under section 6301 of this title.

§ 7453. Native American and Alaska Native language immersion schools and programs

(a) Purposes

The purposes of this section are—

¹ So in original. Probably should be “(25 U.S.C. 2020)”.