

served by the local educational agency and involving an increasing percentage of the out-of-school youth in service-learning activities; and

(10) conduct semester of service programs that—

(A) provide opportunities for secondary school students to participate in a semester of coordinated school-based or community-based service-learning opportunities for a minimum of 70 hours (of which at least a third will be spent participating in field-based activities) over a semester, to address specific community challenges;

(B) engage as participants high percentages or numbers of economically disadvantaged students;

(C) allow participants to receive academic credit, for the time spent in the classroom and in the field for the program, that is equivalent to the academic credit for any class of equivalent length and with an equivalent time commitment; and

(D) ensure that the classroom-based instruction component of the program is integrated into the academic program of the local educational agency involved; and

(11) carry out any other innovative service-learning programs or research that the Corporation considers appropriate.

#### (d) Applications

To be eligible to receive a grant to carry out a program or activity under this part, an entity or partnership, as appropriate, shall prepare and submit to the Corporation an application at such time and in such manner as the Chief Executive Officer may reasonably require, and obtain approval of the application.

#### (e) Priority

In making grants under this part, the Corporation shall give priority to applicants proposing to—

(1) involve students and community stakeholders in the design and implementation of service-learning programs carried out using funds received under this part;

(2) implement service-learning programs in low-income or rural communities; and

(3) utilize adult volunteers, including tapping the resources of retired and retiring adults, in the planning and implementation of service-learning programs.

#### (f) Requirements

##### (1) Term

Each program or activity funded under this part shall be carried out over a period of 3 years, which may include 1 planning year. In the case of a program funded under this part, the 3-year period may be extended by 1 year, if the program meets performance levels established in accordance with section 12639(k) of this title and any other criteria determined by the Corporation.

##### (2) Collaboration encouraged

Each entity carrying out a program or activity funded under this part shall, to the extent practicable, collaborate with entities carrying

out programs under this division, division C, and titles I and II of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq., 5001 et seq.).

#### (3) Evaluation

Not later than 4 years after the effective date of the Serve America Act, the Corporation shall conduct an independent evaluation of the programs and activities carried out using funds made available under this part, and determine best practices relating to service-learning and recommendations for improvement of those programs and activities. The Corporation shall widely disseminate the results of the evaluations, and information on the best practices and recommendations to the service community through multiple channels, including the Corporation's Resource Center or a clearinghouse of effective strategies.

(Pub. L. 101-610, title I, §119, as added Pub. L. 111-13, title I, §1204, Apr. 21, 2009, 123 Stat. 1479; amended Pub. L. 114-95, title IX, §9215(bbb)(3), Dec. 10, 2015, 129 Stat. 2185.)

#### REFERENCES IN TEXT

The Domestic Volunteer Service Act of 1973, referred to in subsec. (f)(2), is Pub. L. 93-113, Oct. 1, 1973, 87 Stat. 394. Titles I and II of the Act are classified generally to subchapters I (§4951 et seq.) and II (§5000 et seq.), respectively, of chapter 66 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 4950 of this title and Tables.

For the effective date of the Serve America Act, referred to in subsec. (f)(3), as Oct. 1, 2009, see section 6101(a) of Pub. L. 111-13, set out as an Effective Date of 2009 Amendment note under section 4950 of this title.

#### PRIOR PROVISIONS

A prior section 119 of Pub. L. 101-610 was renumbered section 118 and is classified to section 12561 of this title.

#### AMENDMENTS

2015—Subsec. (a)(2)(A)(ii)(II). Pub. L. 114-95 substituted “the four-year adjusted cohort graduation rate (as defined in section 7801 of title 20)” for “the graduation rate (as defined in section 6311(b)(2)(C)(vi) of title 20 and as clarified in applicable regulations promulgated by the Department of Education”.

#### 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 Title 20, Education.

#### EFFECTIVE DATE

Part effective Oct. 1, 2009, see section 6101(a) of Pub. L. 111-13, set out as an Effective Date of 2009 Amendment note under section 4950 of this title.

#### PART IV—REPEALED

Part related to service-learning impact study, prior to repeal by Pub. L. 113-188, title III, §301(a), Nov. 26, 2014, 128 Stat. 2018.

#### § 12565. Repealed. Pub. L. 113-188, title III, § 301(a), Nov. 26, 2014, 128 Stat. 2018

Section, Pub. L. 101-610, title I, §120, as added Pub. L. 111-13, title I, §1205, Apr. 21, 2009, 123 Stat. 1483, provided for a 10-year longitudinal study and reports on the impact of the activities carried out under this division.

## Division C—National Service Trust Program

## PRIOR PROVISIONS

This division is comprised of subtitle C, §§121–141, of title I of Pub. L. 101–610. A prior part C (§12541 et seq.), comprised of subtitle C, §§120–135, of title I of Pub. L. 101–610 was renumbered subtitle I, §§199A–199O, of title I of Pub. L. 101–610 by Pub. L. 103–82, title I, §101(a), Sept. 21, 1993, 107 Stat. 788, and transferred to division I of this subchapter.

## PART I—INVESTMENT IN NATIONAL SERVICE

**§ 12571. Authority to provide assistance and approved national service positions****(a) Provision of assistance**

Subject to the availability of appropriations for this purpose, the Corporation for National and Community Service may make grants to States, subdivisions of States, territories, Indian tribes, public or private nonprofit organizations, and institutions of higher education for the purpose of assisting the recipients of the grants—

(1) to carry out full- or part-time national service programs, including summer programs, described in subsection (a), (b), or (c) of section 12572 of this title; and

(2) to make grants in support of other national service programs described in subsection (a), (b), or (c) of section 12572 of this title that are carried out by other entities.

**(b) Restrictions on agreements with Federal agencies****(1) Agreements authorized**

The Corporation may enter into an inter-agency agreement (other than a grant agreement) with another Federal agency to support a national service program carried out or otherwise supported by the agency. The Corporation, in entering into the interagency agreement may approve positions as approved national service positions for a program carried out or otherwise supported by the agency.

**(2) Prohibition on grants**

The Corporation may not provide a grant under this section to a Federal agency.

**(3) Consultation with State Commissions**

A Federal agency carrying out or supporting a national service program shall consult with the State Commissions for those States in which projects will be conducted through that program in order to ensure that the projects do not duplicate projects conducted by State or local national service programs.

**(4) Support for other national service programs**

A Federal agency that enters into an inter-agency agreement under paragraph (1) shall, in an appropriate case, enter into a contract or cooperative agreement with an entity that is carrying out a national service program in a State that is in existence in the State as of the date of the contract or cooperative agreement and is of high quality, in order to support the national service program.

**(5) Application of requirements**

A requirement under this chapter that applies to an entity receiving assistance under

this section (other than a requirement limited to an entity receiving assistance under subsection (a)) shall be considered to apply to a Federal agency that enters into an inter-agency agreement under this subsection, even though no Federal agency may receive financial assistance under such an agreement.

**(c) Provision of approved national service positions**

As part of the provision of assistance under subsection (a), and in providing approved national service positions under subsection (b), the Corporation shall—

(1) approve the provision of national service educational awards described in division D of this subchapter for the participants who serve in national service programs carried out using such assistance; and

(2) deposit in the National Service Trust established in section 12601(a) of this title an amount equal to the product of—

(A) the value of a national service educational award under section 12603 of this title; and

(B) the total number of approved national service positions to be provided or otherwise approved.

**(d) Five percent limitation on administrative costs****(1) Limitation**

Not more than 5 percent of the amount of assistance provided to the original recipient of a grant or transfer of assistance under subsection (a) for a fiscal year may be used to pay for administrative costs incurred by—

(A) the recipient of the assistance; and

(B) national service programs carried out or supported with the assistance.

**(2) Rules on use**

The Corporation may by rule prescribe the manner and extent to which—

(A) assistance provided under subsection (a) may be used to cover administrative costs; and

(B) that portion of the assistance available to cover administrative costs should be distributed between—

(i) the original recipient of the grant or transfer of assistance under such subsection; and

(ii) national service programs carried out or supported with the assistance.

**(e) Matching funds requirements****(1) Requirements**

Except as provided in section 12594 of this title, the Corporation share of the cost (including the costs of member living allowances, employment-related taxes, health care coverage, and workers' compensation and other necessary operation costs) of carrying out a national service program that receives the assistance under subsection (a) of this section, whether the assistance is provided directly or as a subgrant from the original recipient of the assistance, may not exceed 75 percent of such cost.

**(2) Calculation**

In providing for the remaining share of the cost of carrying out a national service program, the program—