

native education programs from correctional facilities. Services to students at-risk of dropping out of school shall not have a negative impact on meeting such transitional and academic needs of the students returning from correctional facilities.

(Pub. L. 89-10, title I, §1422, as added Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1587; amended Pub. L. 114-95, title I, §1401(9), Dec. 10, 2015, 129 Stat. 1903.)

PRIOR PROVISIONS

A prior section 6452, Pub. L. 89-10, title I, §1422, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3598, related to programs operated by local educational agencies, prior to the general amendment of this subchapter by Pub. L. 107-110.

AMENDMENTS

2015—Subsec. (d). Pub. L. 114-95 substituted “impact on meeting such transitional” for “impact on meeting the transitional”.

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.

§ 6453. Local educational agency applications

Each local educational agency desiring assistance under this subpart shall submit an application to the State educational agency that contains such information as the State educational agency may require. Each such application shall include—

(1) a description of the program to be assisted;

(2) a description of formal agreements, regarding the program to be assisted, between—

(A) the local educational agency; and

(B) correctional facilities and alternative school programs serving children and youth involved with the juvenile justice system, including such facilities operated by the Secretary of the Interior and Indian tribes;

(3) as appropriate, a description of how participating schools will coordinate with facilities working with delinquent children and youth to ensure that such children and youth are participating in an education program comparable to one operating in the local school such youth would attend;

(4) a description of the program operated by participating schools to facilitate the successful transition of children and youth returning from correctional facilities and, as appropriate, the types of services that such schools will provide such children and youth and other at-risk children and youth;

(5) a description of the characteristics (including learning difficulties, substance abuse problems, and other special needs) of the children and youth who will be returning from correctional facilities and, as appropriate, other at-risk children and youth expected to be served by the program, and a description of how the school will coordinate existing educational programs to meet the unique educational needs of such children and youth;

(6) as appropriate, a description of how schools will coordinate with existing social, health, and other services to meet the needs of students returning from correctional facilities, at-risk children or youth, and other participating children or youth, including prenatal health care and nutrition services related to the health of the parent and the child or youth, parenting and child development classes, child care, targeted reentry and outreach programs, referrals to community resources, and scheduling flexibility;

(7) as appropriate, a description of any partnerships with institutions of higher education or local businesses to facilitate postsecondary and workforce success for children and youth returning from correctional facilities, such as through participation in credit-bearing coursework while in secondary school, enrollment in postsecondary education, participation in career and technical education programming, and mentoring services for participating students;

(8) as appropriate, a description of how the program will involve parents and family members in efforts to improve the educational achievement of their children, assist in dropout prevention activities, and prevent the involvement of their children in delinquent activities;

(9) a description of how the program under this subpart will be coordinated with other Federal, State, and local programs, such as programs under title I of the Workforce Innovation and Opportunity Act [29 U.S.C. 3111 et seq.] and career and technical education programs serving at-risk children and youth;

(10) a description of how the program will be coordinated with programs operated under the Juvenile Justice and Delinquency Prevention Act of 1974 [42 U.S.C. 5601 et seq.] and other comparable programs, if applicable;

(11) as appropriate, a description of how schools will work with probation officers to assist in meeting the needs of children and youth returning from correctional facilities;

(12) a description of the efforts participating schools will make to ensure correctional facilities working with children and youth are aware of a child’s or youth’s existing individualized education program; and

(13) as appropriate, a description of the steps participating schools will take to find alternative placements for children and youth interested in continuing their education but unable to participate in a traditional public school program.

(Pub. L. 89-10, title I, §1423, as added Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1588; amended Pub. L. 113-128, title V, §512(i)(3), July 22, 2014, 128 Stat. 1708; Pub. L. 114-95, title I, §1401(10), Dec. 10, 2015, 129 Stat. 1903.)

REFERENCES IN TEXT

The Workforce Innovation and Opportunity Act, referred to in par. (9), is Pub. L. 113-128, July 22, 2014, 128 Stat. 1425. Title I of the Act is classified generally to subchapter I (§3111 et seq.) of chapter 32 of Title 29, Labor. For complete classification of this Act to the Code, see Short Title note set out under section 3101 of Title 29 and Tables.

The Juvenile Justice and Delinquency Prevention Act of 1974, referred to in par. (10), is Pub. L. 93-415, Sept. 7, 1974, 88 Stat. 1109, as amended, which is classified principally to chapter 72 (§5601 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 5601 of Title 42 and Tables.

PRIOR PROVISIONS

A prior section 6453, Pub. L. 89-10, title I, §1423, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3598; amended Pub. L. 105-277, div. A, §101(f) [title VIII, §405(d)(18)(C), (f)(13)(C)], Oct. 21, 1998, 112 Stat. 2681-337, 2681-422, 2681-431, related to local educational agency applications, prior to the general amendment of this subchapter by Pub. L. 107-110.

AMENDMENTS

2015—Par. (2)(B). Pub. L. 114-95, §1401(10)(A), inserted “, including such facilities operated by the Secretary of the Interior and Indian tribes” after “juvenile justice system”.

Par. (4). Pub. L. 114-95, §1401(10)(B), added par. (4) and struck out former par. (4) which read as follows: “a description of the program operated by participating schools for children and youth returning from correctional facilities and, as appropriate, the types of services that such schools will provide such children and youth and other at-risk children and youth;”.

Par. (7). Pub. L. 114-95, §1401(10)(C), inserted “institutions of higher education or” before “local businesses” and substituted “facilitate postsecondary and workforce success for children and youth returning from correctional facilities, such as through participation in credit-bearing coursework while in secondary school, enrollment in postsecondary education, participation in career and technical education programming” for “develop training, curriculum-based youth entrepreneurship education”.

Par. (8). Pub. L. 114-95, §1401(10)(D), inserted “and family members” after “parents”.

Par. (9). Pub. L. 114-95, §1401(10)(E), substituted “career” for “vocational”.

Par. (13). Pub. L. 114-95, §1401(10)(F), substituted “traditional” for “regular”.

2014—Par. (9). Pub. L. 113-128 substituted “a description of how the program under this subpart will be coordinated with other Federal, State, and local programs, such as programs under title I of the Workforce Innovation and Opportunity Act” for “a description of how the program under this subpart will be coordinated with other Federal, State, and local programs, such as programs under title I of Public Law 105-220”.

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.

EFFECTIVE DATE OF 2014 AMENDMENT

Amendment by Pub. L. 113-128 effective on the first day of the first full program year after July 22, 2014 (July 1, 2015), see section 506 of Pub. L. 113-128, set out as an Effective Date note under section 3101 of Title 29, Labor.

§ 6454. Uses of funds

(a) In general

Funds provided to local educational agencies under this subpart may be used, as appropriate, for—

- (1) programs that serve children and youth returning to local schools from correctional facilities, to assist in the transition of such children and youth to the school environment

and help them remain in school in order to complete their education;

- (2) dropout prevention programs which serve at-risk children and youth;

- (3) the coordination of health and social services for such individuals if there is a likelihood that the provision of such services, including day care, drug and alcohol counseling, and mental health services, will improve the likelihood such individuals will complete their education;

- (4) special programs to meet the unique academic needs of participating children and youth, including career and technical education, special education, career counseling, curriculum-based youth entrepreneurship education, and assistance in securing student loans or grants for postsecondary education;

- (5) programs providing mentoring and peer mediation;

- (6) programs for at-risk Indian children and youth, including such children and youth in correctional facilities in the area served by the local educational agency that are operated by the Secretary of the Interior or Indian tribes; and

- (7) pay for success initiatives.

(b) Contracts and grants

A local educational agency may use a subgrant received under this subpart to carry out the activities described under paragraphs (1) through (7) of subsection (a) directly or through subgrants, contracts, or cooperative agreements.

(Pub. L. 89-10, title I, §1424, as added Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1589; amended Pub. L. 114-95, title I, §1401(11), Dec. 10, 2015, 129 Stat. 1904.)

PRIOR PROVISIONS

A prior section 6454, Pub. L. 89-10, title I, §1424, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3599, related to uses of funds, prior to the general amendment of this subchapter by Pub. L. 107-110.

AMENDMENTS

2015—Pub. L. 114-95, §1401(11)(A), designated existing provisions as subsec. (a) and inserted subsec. heading.

Subsec. (a)(2). Pub. L. 114-95, §1401(11)(B), struck out “, including pregnant and parenting teens, children and youth who have come in contact with the juvenile justice system, children and youth at least 1 year behind their expected grade level, migrant youth, immigrant youth, students with limited English proficiency, and gang members” after “at-risk children and youth”.

Subsec. (a)(4). Pub. L. 114-95, §1401(11)(C)(i), substituted “career” for “vocational”.

Subsec. (a)(6), (7). Pub. L. 114-95, §1401(11)(C)(ii)-(E), added pars. (6) and (7).

Subsec. (b). Pub. L. 114-95, §1401(11)(F), added subsec. (b).

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.

§ 6455. Program requirements for correctional facilities receiving funds under this section

Each correctional facility entering into an agreement with a local educational agency