

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

under section 6453(2) of this title to provide services to children and youth under this subpart shall—

(1) where feasible, ensure that educational programs in the correctional facility are coordinated with the student's home school, particularly with respect to a student with an individualized education program under part B of the Individuals with Disabilities Education Act [20 U.S.C. 1411 et seq.];

(2) if the child or youth is identified as in need of special education services while in the correctional facility, notify the local school of the child or youth of such need;

(3) where feasible, provide transition assistance to help the child or youth stay in school, including coordination of services for the family, counseling, assistance in accessing drug and alcohol abuse prevention programs, tutoring, and family counseling;

(4) provide support programs that encourage children and youth who have dropped out of school to reenter school and attain a regular high school diploma once their term at the correctional facility has been completed, or provide such children and youth with the skills necessary to gain employment or seek a regular high school diploma or its recognized equivalent;

(5) work to ensure that the correctional facility is staffed with teachers and other qualified staff who are trained to work with children and youth with disabilities taking into consideration the unique needs of such children and youth;

(6) ensure that educational programs in the correctional facility are related to assisting students to meet the challenging State academic standards;

(7) to the extent possible, use technology to assist in coordinating educational programs between the correctional facility and the community school;

(8) where feasible, involve parents in efforts to improve the educational achievement of their children and prevent the further involvement of such children in delinquent activities;

(9) coordinate funds received under this subpart with other local, State, and Federal funds available to provide services to participating children and youth, such as funds made available under title I of the Workforce Innovation and Opportunity Act [29 U.S.C. 3111 et seq.], and career and technical education funds;

(10) coordinate programs operated under this subpart with activities funded under the Juvenile Justice and Delinquency Prevention Act of 1974 [42 U.S.C. 5601 et seq.] and other comparable programs, if applicable;

(11) if appropriate, work with local businesses to develop training, curriculum-based youth entrepreneurship education, and mentoring programs for children and youth;

(12) upon the child's or youth's entry into the correctional facility, work with the child's or youth's family members and the local educational agency that most recently provided services to the child or youth (if applicable) to ensure that the relevant and appropriate academic records and plans regarding the continuation of educational services for such

child or youth are shared jointly between the correctional facility and local educational agency in order to facilitate the transition of such children and youth between the local educational agency and the correctional facility; and

(13) consult with the local educational agency for a period jointly determined necessary by the correctional facility and local educational agency upon discharge from that facility, to coordinate educational services so as to minimize disruption to the child's or youth's achievement.

(Pub. L. 89-10, title I, §1425, as added Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1589; amended Pub. L. 113-128, title V, §512(i)(4), July 22, 2014, 128 Stat. 1708; Pub. L. 114-95, title I, §1401(12), Dec. 10, 2015, 129 Stat. 1904.)

REFERENCES IN TEXT

The Individuals with Disabilities Education Act, referred to in par. (1), is title VI of Pub. L. 91-230, Apr. 13, 1970, 84 Stat. 175, as amended. Part B of the Act is classified generally to subchapter II (§1411 et seq.) of chapter 33 of this title. For complete classification of this Act to the Code, see section 1400 of this title and Tables.

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 subtitle 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 6455, Pub. L. 89-10, title I, §1425, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3599; amended Pub. L. 105-277, div. A, §101(f) [title VIII, §405(d)(18)(D), (f)(13)(D)], Oct. 21, 1998, 112 Stat. 2681-337, 2681-422, 2681-431, related to program requirements for correctional facilities receiving funds, prior to the general amendment of this subchapter by Pub. L. 107-110.

AMENDMENTS

2015—Par. (4). Pub. L. 114-95, §1401(12)(A), inserted “and attain a regular high school diploma” after “reenter school” and substituted “seek a regular high school diploma” for “seek a secondary school diploma”.

Par. (6). Pub. L. 114-95, §1401(12)(B), substituted “the challenging State academic standards” for “high academic achievement standards”.

Par. (9). Pub. L. 114-95, §1401(12)(C), substituted “career” for “vocational”.

Pars. (12), (13). Pub. L. 114-95, §1401(12)(D)–(F), added pars. (12) and (13).

2014—Par. (9). Pub. L. 113-128 substituted “coordinate funds received under this subpart with other local, State, and Federal funds available to provide services to participating children and youth, such as funds made available under title I of the Workforce Innovation and Opportunity Act,” for “coordinate funds received under this subpart with other local, State, and Federal funds available to provide services to participating children and youth, such as funds made available 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 pro-

grams 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.

§ 6456. Accountability

The State educational agency may—

(1) reduce or terminate funding for projects under this subpart if a local educational agency does not show progress in the number of children and youth attaining a regular high school diploma or its recognized equivalent; and

(2) require correctional facilities or institutions for neglected or delinquent children and youth to demonstrate, after receiving assistance under this subpart for 3 years, that there has been an increase in the number of children and youth returning to school, attaining a regular high school diploma or its recognized equivalent, or attaining employment after such children and youth are released.

(Pub. L. 89-10, title I, §1426, as added Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1590; amended Pub. L. 114-95, title I, §1401(13), Dec. 10, 2015, 129 Stat. 1905.)

PRIOR PROVISIONS

A prior section 6456, Pub. L. 89-10, title I, §1426, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3600, related to accountability, prior to the general amendment of this subchapter by Pub. L. 107-110.

AMENDMENTS

2015—Par. (1). Pub. L. 114-95, §1401(13)(A), substituted “the number of children and youth attaining a regular high school diploma or its recognized equivalent” for “reducing dropout rates for male students and for female students over a 3-year period”.

Par. (2). Pub. L. 114-95, §1401(13)(B), substituted “attaining a regular high school diploma” for “obtaining a secondary school diploma” and “attaining employment” for “obtaining employment”.

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—GENERAL PROVISIONS

§ 6471. Program evaluations

(a) Scope of evaluation

Each State agency or local educational agency that conducts a program under subpart 1 or 2 of this part shall evaluate the program, disaggregating data on participation by gender, race, ethnicity, and age while protecting individual student privacy,¹ not less than once every 3 years, to determine the program’s impact on the ability of participants—

(1) to maintain and improve educational achievement and to graduate from high school

in the number of years established by the State under either the four-year adjusted cohort graduation rate or the extended-year adjusted cohort graduation rate, if applicable;

(2) to accrue school credits that meet State requirements for grade promotion and high school graduation;

(3) to make the transition to a regular program or other education program operated by a local educational agency or school operated or funded by the Bureau of Indian Education;

(4) to complete high school (or high school equivalency requirements) and obtain employment after leaving the correctional facility or institution for neglected or delinquent children and youth; and

(5) as appropriate, to participate in post-secondary education and job training programs.

(b) Exception

The disaggregation required under subsection (a) shall not be required in a case in which the number of students in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student.

(c) Evaluation measures

In conducting each evaluation under subsection (a), a State agency or local educational agency shall use multiple and appropriate measures of student progress.

(d) Evaluation results

Each State agency and local educational agency shall—

(1) submit evaluation results to the State educational agency and the Secretary; and

(2) use the results of evaluations under this section to plan and improve subsequent programs for participating children and youth.

(Pub. L. 89-10, title I, §1431, as added Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1591; amended Pub. L. 114-95, title I, §1401(14), Dec. 10, 2015, 129 Stat. 1905.)

PRIOR PROVISIONS

A prior section 6471, Pub. L. 89-10, title I, §1431, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3600, related to program evaluations, prior to the general amendment of this subchapter by Pub. L. 107-110.

A prior section 1431 of Pub. L. 89-10 was classified to section 2831 of this title, prior to the general amendment of Pub. L. 89-10 by Pub. L. 103-382.

AMENDMENTS

2015—Subsec. (a). Pub. L. 114-95, §1401(14)(A), (B), inserted “while protecting individual student privacy,” after “age” in introductory provisions and substituted “high school” for “secondary school” wherever appearing.

Subsec. (a)(1). Pub. L. 114-95, §1401(14)(C), inserted “and to graduate from high school in the number of years established by the State under either the four-year adjusted cohort graduation rate or the extended-year adjusted cohort graduation rate, if applicable” after “educational achievement”.

Subsec. (a)(3). Pub. L. 114-95, §1401(14)(D), inserted “or school operated or funded by the Bureau of Indian Education” after “local educational agency”.

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114-95 effective Dec. 10, 2015, except with respect to certain noncompetitive pro-

¹ So in original.