

**§ 6575. Prohibition against Federal mandates, direction, or control**

Nothing in this subchapter shall be construed to authorize an officer or employee of the Federal Government to mandate, direct, or control a State, local educational agency, or school's specific instructional content, academic achievement standards and assessments, curriculum, or program of instruction.

(Pub. L. 89-10, title I, §1604, formerly §1905, as added Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1619; renumbered §1604, Pub. L. 114-95, title I, §1501(a)(5), Dec. 10, 2015, 129 Stat. 1906.)

PRIOR PROVISIONS

A prior section 1604 of Pub. L. 89-10 was classified to section 6514 of this title, prior to repeal by Pub. L. 114-95.

Another prior section 1604 of Pub. L. 89-10 was classified to section 6514 of this title, prior to the general amendment of this subchapter by Pub. L. 107-110.

**§ 6576. Rule of construction on equalized spending**

Nothing in this subchapter shall be construed to mandate equalized spending per pupil for a State, local educational agency, or school.

(Pub. L. 89-10, title I, §1605, formerly §1906, as added Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1619; renumbered §1605, Pub. L. 114-95, title I, §1501(a)(5), Dec. 10, 2015, 129 Stat. 1906.)

PRIOR PROVISIONS

A prior section 1605 of Pub. L. 89-10 was classified to section 6515 of this title, prior to repeal by Pub. L. 114-95.

**§§ 6577, 6578. Repealed. Pub. L. 114-95, title I, § 1501(a)(3), Dec. 10, 2015, 129 Stat. 1906**

Section 6577, Pub. L. 89-10, title I, §1907, as added Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1619, related to State report on dropout data.

Section 6578, Pub. L. 89-10, title I, §1908, as added Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1620, related to issuance of regulations not later than 6 months after Jan. 8, 2002.

EFFECTIVE DATE OF REPEAL

Repeal 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 an Effective Date of 2015 Amendment note under section 6301 of this title.

**SUBCHAPTER II—PREPARING, TRAINING, AND RECRUITING HIGH-QUALITY TEACHERS, PRINCIPALS, OR OTHER SCHOOL LEADERS**

PRIOR PROVISIONS

A prior title II of the Elementary and Secondary Education Act of 1965, comprising this subchapter, was originally enacted as part of Pub. L. 89-10, Apr. 11, 1965, 79 Stat. 27, and subsequently revised, restated, and amended by other public laws. Title II as extensively revised by Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1620, related to preparing, training, and recruiting high quality teachers and principals, and was set out in this subchapter as having been added by Pub. L. 107-110. Except as provided below, title II of the Act was repealed by Pub. L. 114-95, title II, §2002, Dec. 10, 2015, 129 Stat. 1913.

Subpart 5 of part C of prior title II of the Act, comprising subpart 5 (§6731 et seq.) of prior part C of this

subchapter, was redesignated subpart 3 (§8551 et seq.) of part F of title VIII of the Act and transferred to subpart 3 (§7941 et seq.) of part F of subchapter VIII of this chapter by Pub. L. 114-95, title II, §2001(a)(3)(A)-(C), title VIII, §8001(a), (b)(1), Dec. 10, 2015, 129 Stat. 1913, 2088, 2089.

Subpart 4 of part D of prior title II of the Act, comprising subpart 4 (§6777) of prior part D of this subchapter, was redesignated subpart 2 (§4121) of part A of title IV of the Act and transferred to subpart 2 (§7131) of part A of subchapter IV of this chapter by Pub. L. 114-95, title II, §2001(a)(4)(A)-(C), title IV, §4001(a)(5)(C), Dec. 10, 2015, 129 Stat. 1913, 1966.

**§ 6601. Purpose**

The purpose of this subchapter is to provide grants to State educational agencies and subgrants to local educational agencies to—

- (1) increase student achievement consistent with the challenging State academic standards;
- (2) improve the quality and effectiveness of teachers, principals, and other school leaders;
- (3) increase the number of teachers, principals, and other school leaders who are effective in improving student academic achievement in schools; and
- (4) provide low-income and minority students greater access to effective teachers, principals, and other school leaders.

(Pub. L. 89-10, title II, §2001, as added Pub. L. 114-95, title II, §2002, Dec. 10, 2015, 129 Stat. 1914.)

PRIOR PROVISIONS

A prior section 6601, Pub. L. 89-10, title II, §2101, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1620, set forth purpose of part A of former subchapter II of this chapter, prior to repeal by Pub. L. 114-95, §5, title II, §2002, Dec. 10, 2015, 129 Stat. 1806, 1913, effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs.

Another prior section 6601, Pub. L. 89-10, title II, §2001, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3612, set forth findings, prior to the general amendment of this subchapter by Pub. L. 107-110.

A prior section 2001 of Pub. L. 89-10 was classified to section 2981 of this title, prior to the general amendment of Pub. L. 89-10 by Pub. L. 103-382.

EFFECTIVE DATE

Section 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 an Effective Date of 2015 Amendment note under section 6301 of this title.

**§ 6602. Definitions**

In this subchapter:

**(1) School leader residency program**

The term “school leader residency program” means a school-based principal or other school leader preparation program in which a prospective principal or other school leader—

- (A) for 1 academic year, engages in sustained and rigorous clinical learning with substantial leadership responsibilities and an opportunity to practice and be evaluated in an authentic school setting; and
- (B) during that academic year—
  - (i) participates in evidence-based coursework, to the extent the State (in consultation with local educational agen-

cies in the State) determines that such evidence is reasonably available, that is integrated with the clinical residency experience; and

(ii) receives ongoing support from a mentor principal or other school leader, who is effective.

**(2) State**

The term “State” means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

**(3) State authorizer**

The term “State authorizer” means an entity designated by the Governor of a State to recognize teacher, principal, or other school leader preparation academies within the State that—

(A) enters into an agreement with a teacher, principal, or other school leader preparation academy that specifies the goals expected of the academy, as described in paragraph (4)(A)(i);

(B) may be a nonprofit organization, State educational agency, or other public entity, or consortium of such entities (including a consortium of States); and

(C) does not reauthorize a teacher, principal, or other school leader preparation academy if the academy fails to produce the minimum number or percentage of effective teachers or principals or other school leaders, respectively (as determined by the State), identified in the academy’s authorizing agreement.

**(4) Teacher, principal, or other school leader preparation academy**

The term “teacher, principal, or other school leader preparation academy” means a public or other nonprofit entity, which may be an institution of higher education or an organization affiliated with an institution of higher education, that establishes an academy that will prepare teachers, principals, or other school leaders to serve in high-needs schools, and that—

(A) enters into an agreement with a State authorizer that specifies the goals expected of the academy, including—

(i) a requirement that prospective teachers, principals, or other school leaders who are enrolled in the academy receive a significant part of their training through clinical preparation that partners the prospective candidate with an effective teacher, principal, or other school leader, as determined by the State, respectively, with a demonstrated record of increasing student academic achievement, including for the subgroups of students defined in section 6311(c)(2) of this title, while also receiving concurrent instruction from the academy in the content area (or areas) in which the prospective teacher, principal, or other school leader will become certified or licensed that links to the clinical preparation experience;

(ii) the number of effective teachers, principals, or other school leaders, respectively, who will demonstrate success in in-

creasing student academic achievement that the academy will prepare; and

(iii) a requirement that the academy will award a certificate of completion (or degree, if the academy is, or is affiliated with, an institution of higher education) to a teacher only after the teacher demonstrates that the teacher is an effective teacher, as determined by the State, with a demonstrated record of increasing student academic achievement either as a student teacher or teacher-of-record on an alternative certificate, license, or credential;

(iv) a requirement that the academy will award a certificate of completion (or degree, if the academy is, or is affiliated with, an institution of higher education) to a principal or other school leader only after the principal or other school leader demonstrates a record of success in improving student performance; and

(v) timelines for producing cohorts of graduates and conferring certificates of completion (or degrees, if the academy is, or is affiliated with, an institution of higher education) from the academy;

(B) does not have unnecessary restrictions on the methods the academy will use to train prospective teacher, principal, or other school leader candidates, including—

(i) obligating (or prohibiting) the academy’s faculty to hold advanced degrees or conduct academic research;

(ii) restrictions related to the academy’s physical infrastructure;

(iii) restrictions related to the number of course credits required as part of the program of study;

(iv) restrictions related to the undergraduate coursework completed by teachers teaching or working on alternative certificates, licenses, or credentials, as long as such teachers have successfully passed all relevant State-approved content area examinations; or

(v) restrictions related to obtaining accreditation from an accrediting body for purposes of becoming an academy;

(C) limits admission to its program to prospective teacher, principal, or other school leader candidates who demonstrate strong potential to improve student academic achievement, based on a rigorous selection process that reviews a candidate’s prior academic achievement or record of professional accomplishment; and

(D) results in a certificate of completion or degree that the State may, after reviewing the academy’s results in producing effective teachers, or principals, or other school leaders, respectively (as determined by the State) recognize as at least the equivalent of a master’s degree in education for the purposes of hiring, retention, compensation, and promotion in the State.

**(5) Teacher residency program**

The term “teacher residency program” means a school-based teacher preparation program in which a prospective teacher—

(A) for not less than 1 academic year, teaches alongside an effective teacher, as determined by the State or local educational agency, who is the teacher of record for the classroom;

(B) receives concurrent instruction during the year described in subparagraph (A)—

(i) through courses that may be taught by local educational agency personnel or by faculty of the teacher preparation program; and

(ii) in the teaching of the content area in which the teacher will become certified or licensed; and

(C) acquires effective teaching skills, as demonstrated through completion of a residency program, or other measure determined by the State, which may include a teacher performance assessment.

(Pub. L. 89–10, title II, §2002, as added Pub. L. 114–95, title II, §2002, Dec. 10, 2015, 129 Stat. 1914.)

#### PRIOR PROVISIONS

A prior section 6602, Pub. L. 89–10, title II, §2102, as added Pub. L. 107–110, title II, §201, Jan. 8, 2002, 115 Stat. 1620, defined terms in part A of former subchapter II of this chapter, prior to repeal by Pub. L. 114–95, §5, title II, §2002, Dec. 10, 2015, 129 Stat. 1806, 1913, effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs.

Another prior section 6602, Pub. L. 89–10, title II, §2002, as added Pub. L. 103–382, title I, §101, Oct. 20, 1994, 108 Stat. 3613, set forth purposes of this subchapter, prior to the general amendment of this subchapter by Pub. L. 107–110.

A prior section 2002 of Pub. L. 89–10 was classified to section 2982 of this title, prior to the general amendment of Pub. L. 89–10 by Pub. L. 103–382.

#### EFFECTIVE DATE

Section 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 an Effective Date of 2015 Amendment note under section 6301 of this title.

### § 6603. Authorization of appropriations

#### (a) Grants to States and local educational agencies

For the purpose of carrying out part A, there are authorized to be appropriated \$2,295,830,000 for each of fiscal years 2017 through 2020.

#### (b) National activities

For the purpose of carrying out part B, there are authorized to be appropriated—

- (1) \$468,880,575 for each of fiscal years 2017 and 2018;
- (2) \$469,168,000 for fiscal year 2019; and
- (3) \$489,168,000 for fiscal year 2020.

(Pub. L. 89–10, title II, §2003, as added Pub. L. 114–95, title II, §2002, Dec. 10, 2015, 129 Stat. 1916.)

#### PRIOR PROVISIONS

A prior section 6603, Pub. L. 89–10, title II, §2103, as added Pub. L. 107–110, title II, §201, Jan. 8, 2002, 115 Stat. 1621, related to authorizations of appropriations, prior to repeal by Pub. L. 114–95, §5, title II, §2002, Dec. 10, 2015, 129 Stat. 1806, 1913, effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs.

Another prior section 6603, Pub. L. 89–10, title II, §2003, as added Pub. L. 103–382, title I, §101, Oct. 20, 1994,

108 Stat. 3614; amended Pub. L. 105–277, div. A, §101(f) [title VIII, §101(b)(1)], Oct. 21, 1998, 112 Stat. 2681–337, 2681–406, authorized appropriations and related to allocations of appropriations, prior to the general amendment of this subchapter by Pub. L. 107–110.

A prior section 2003 of Pub. L. 89–10 was classified to section 2983 of this title, prior to the general amendment of Pub. L. 89–10 by Pub. L. 103–382.

#### EFFECTIVE DATE

Section 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 an Effective Date of 2015 Amendment note under section 6301 of this title.

### PART A—SUPPORTING EFFECTIVE INSTRUCTION

#### § 6611. Formula grants to States

##### (a) Reservation of funds

From the total amount appropriated under section 6603(a) of this title for a fiscal year, the Secretary shall reserve—

(1) one-half of 1 percent for allotments for the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, to be distributed among those outlying areas on the basis of their relative need, as determined by the Secretary, in accordance with the purpose of this subchapter; and

(2) one-half of 1 percent for the Secretary of the Interior for programs under this part in schools operated or funded by the Bureau of Indian Education.

##### (b) State allotments

###### (1) Hold harmless

###### (A) Fiscal years 2017 through 2022

For each of fiscal years 2017 through 2022, subject to paragraph (2) and subparagraph (C), from the funds appropriated under section 6603(a) of this title for a fiscal year that remain after the Secretary makes the reservations under subsection (a), the Secretary shall allot to each State an amount equal to the total amount that such State received for fiscal year 2001 under—

- (i) section 2202(b) of this Act (as in effect on the day before January 8, 2002); and
- (ii) section 306 of the Department of Education Appropriations Act, 2001 (as enacted into law by section 1(a)(1) of Public Law 106–554).

###### (B) Ratable reduction

If the funds described in subparagraph (A) are insufficient to pay the full amounts that all States are eligible to receive under subparagraph (A) for any fiscal year, the Secretary shall ratably reduce those amounts for the fiscal year.

###### (C) Percentage reduction

For each of fiscal years 2017 through 2022, the amount in subparagraph (A) shall be reduced by a percentage equal to the product of 14.29 percent and the number of years between the fiscal year for which the determination is being made and fiscal year 2016.

##### (2) Allotment of additional funds

###### (A) In general

Subject to subparagraph (B), for any fiscal year for which the funds appropriated under