

students to be served as if the program were located in an elementary school or secondary school.

**(d) Permissive local match**

**(1) In general**

A State educational agency may require an eligible entity to match subgrant funds awarded under this part, except that such match may not exceed the amount of the subgrant and may not be derived from other Federal or State funds.

**(2) Sliding scale**

The amount of a match under paragraph (1) shall be established based on a sliding scale that takes into account—

- (A) the relative poverty of the population to be targeted by the eligible entity; and
- (B) the ability of the eligible entity to obtain such matching funds.

**(3) In-kind contributions**

Each State educational agency that requires an eligible entity to match funds under this subsection shall permit the eligible entity to provide all or any portion of such match in the form of in-kind contributions.

**(4) Consideration**

Notwithstanding this subsection, a State educational agency shall not consider an eligible entity's ability to match funds when determining which eligible entities will receive subgrants under this part.

**(e) Peer review**

In reviewing local applications under this part, a State educational agency shall use a rigorous peer-review process or other methods to ensure the quality of funded projects.

**(f) Geographic diversity**

To the extent practicable, a State educational agency shall distribute subgrant funds under this part equitably among geographic areas within the State, including urban and rural communities.

**(g) Duration of awards**

A subgrant awarded under this part shall be awarded for a period of not less than 3 years and not more than 5 years.

**(h) Amount of awards**

A subgrant awarded under this part may not be made in an amount that is less than \$50,000.

**(i) Priority**

**(1) In general**

In awarding subgrants under this part, a State educational agency shall give priority to applications—

- (A) proposing to target services to—
  - (i) students who primarily attend schools that—
    - (I) are implementing comprehensive support and improvement activities or targeted support and improvement activities under section 6311(d) of this title or other schools determined by the local educational agency to be in need of intervention and support to improve stu-

dent academic achievement and other outcomes; and

(II) enroll students who may be at risk for academic failure, dropping out of school, involvement in criminal or delinquent activities, or who lack strong positive role models; and

(ii) the families of students described in clause (i);

(B) submitted jointly by eligible entities consisting of not less than 1—

- (i) local educational agency receiving funds under part A of subchapter I; and
- (ii) another eligible entity; and

(C) demonstrating that the activities proposed in the application—

- (i) are, as of the date of the submission of the application, not accessible to students who would be served; or
- (ii) would expand accessibility to high-quality services that may be available in the community.

**(2) Special rule**

The State educational agency shall provide the same priority under paragraph (1) to an application submitted by a local educational agency if the local educational agency demonstrates that it is unable to partner with a community-based organization in reasonable geographic proximity and of sufficient quality to meet the requirements of this part.

**(3) Limitation**

A State educational agency may not give a priority or a preference to eligible entities that seek to use funds made available under this part to extend the regular school day.

**(j) Renewability of awards**

A State educational agency may renew a subgrant provided under this part to an eligible entity, based on the eligible entity's performance during the preceding subgrant period.

(Pub. L. 89-10, title IV, § 4204, as added Pub. L. 107-110, title IV, § 401, Jan. 8, 2002, 115 Stat. 1769; amended Pub. L. 114-95, title IV, § 4201(a), Dec. 10, 2015, 129 Stat. 1988.)

AMENDMENTS

2015—Pub. L. 114-95 amended section generally. Prior to amendment, section related to local competitive grant program, consisting of subsecs. (a) to (i).

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.

**§ 7175. Local activities**

**(a) Authorized activities**

Each eligible entity that receives an award under section 7174 of this title may use the award funds to carry out a broad array of activities that advance student academic achievement and support student success, including—

- (1) academic enrichment learning programs, mentoring programs, remedial education ac-

tivities, and tutoring services, that are aligned with—

(A) the challenging State academic standards and any local academic standards; and  
(B) local curricula that are designed to improve student academic achievement;

(2) well-rounded education activities, including such activities that enable students to be eligible for credit recovery or attainment;

(3) literacy education programs, including financial literacy programs and environmental literacy programs;

(4) programs that support a healthy and active lifestyle, including nutritional education and regular, structured physical activity programs;

(5) services for individuals with disabilities;  
(6) programs that provide after-school activities for students who are English learners that emphasize language skills and academic achievement;

(7) cultural programs;

(8) telecommunications and technology education programs;

(9) expanded library service hours;

(10) parenting skills programs that promote parental involvement and family literacy;

(11) programs that provide assistance to students who have been truant, suspended, or expelled to allow the students to improve their academic achievement;

(12) drug and violence prevention programs and counseling programs;

(13) programs that build skills in science, technology, engineering, and mathematics (referred to in this paragraph as “STEM”), including computer science, and that foster innovation in learning by supporting nontraditional STEM education teaching methods; and

(14) programs that partner with in-demand fields of the local workforce or build career competencies and career readiness and ensure that local workforce and career readiness skills are aligned with the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.) and the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.).

## **(b) Measures of effectiveness**

### **(1) In general**

For a program or activity developed pursuant to this part to meet the measures of effectiveness, monitored by the State educational agency as described in section 7173(a)(14) of this title, such program or activity shall—

(A) be based upon an assessment of objective data regarding the need for before and after school (or summer recess) programs and activities in the schools and communities;

(B) be based upon an established set of performance measures aimed at ensuring the availability of high-quality academic enrichment opportunities;

(C) if appropriate, be based upon evidence-based research that the program or activity will help students meet the challenging State academic standards and any local academic standards;

(D) ensure that measures of student success align with the regular academic pro-

gram of the school and the academic needs of participating students and include performance indicators and measures described in section 7173(a)(14)(A) of this title; and

(E) collect the data necessary for the measures of student success described in subparagraph (D).

## **(2) Periodic evaluation**

### **(A) In general**

The program or activity shall undergo a periodic evaluation in conjunction with the State educational agency’s overall evaluation plan as described in section 7173(a)(14) of this title, to assess the program’s progress toward achieving the goal of providing high-quality opportunities for academic enrichment and overall student success.

### **(B) Use of results**

The results of evaluations under subparagraph (A) shall be—

(i) used to refine, improve, and strengthen the program or activity, and to refine the performance measures;

(ii) made available to the public upon request, with public notice of such availability provided; and

(iii) used by the State to determine whether a subgrant is eligible to be renewed under section 7174(j) of this title.

(Pub. L. 89–10, title IV, § 4205, as added Pub. L. 107–110, title IV, § 401, Jan. 8, 2002, 115 Stat. 1772; amended Pub. L. 114–95, title IV, § 4201(a), Dec. 10, 2015, 129 Stat. 1992.)

## REFERENCES IN TEXT

The Carl D. Perkins Career and Technical Education Act of 2006, referred to in subsec. (a)(14), is Pub. L. 88–210, Dec. 18, 1963, 77 Stat. 403, as amended generally by Pub. L. 109–270, § 1(b), Aug. 12, 2006, 120 Stat. 683, which is classified generally to chapter 44 (§ 2301 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2301 of this title and Tables.

The Workforce Innovation and Opportunity Act, referred to in (a)(14), is Pub. L. 113–128, July 22, 2014, 128 Stat. 1425, which enacted chapter 32 (§ 3101 et seq.) of Title 29, Labor, repealed chapter 30 (§ 2801 et seq.) of Title 29 and chapter 73 (§ 9201 et seq.) of this title, and made amendments to numerous other sections and notes in the Code. For complete classification of this Act to the Code, see Short Title note set out under section 3101 of Title 29 and Tables.

## AMENDMENTS

2015—Pub. L. 114–95 amended section generally. Prior to amendment, section related to local activities.

## 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.

## **§ 7176. Authorization of appropriations**

There are authorized to be appropriated to carry out this part \$1,000,000,000 for fiscal year 2017 and \$1,100,000,000 for each of fiscal years 2018 through 2020.

(Pub. L. 89–10, title IV, § 4206, as added Pub. L. 107–110, title IV, § 401, Jan. 8, 2002, 115 Stat. 1773;