

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;

amended Pub. L. 114-95, title IV, §4201(a), Dec. 10, 2015, 129 Stat. 1993.)

PRIOR PROVISIONS

A prior section 7181, Pub. L. 89-10, title IV, §4301, as added Pub. L. 107-110, title IV, §401, Jan. 8, 2002, 115 Stat. 1773, which set forth short title of the Pro-Children Act of 2001, was renumbered section 8571 of Pub. L. 89-10 by Pub. L. 114-95, title IV, §4001(a)(4)(A), (B), (C)(ii), title VIII, §8001(a)(9), Dec. 10, 2015, 129 Stat. 1966, 2088, 2089, and transferred to section 7971 of this title.

A prior section 7182, Pub. L. 89-10, title IV, §4302, as added Pub. L. 107-110, title IV, §401, Jan. 8, 2002, 115 Stat. 1773, which related to definitions, was renumbered section 8572 of Pub. L. 89-10 by Pub. L. 114-95, title IV, §4001(a)(4)(A), (B), (C)(ii), title VIII, §8001(a)(9), Dec. 10, 2015, 129 Stat. 1966, 2088, 2089, and transferred to section 7972 of this title.

A prior section 7183, Pub. L. 89-10, title IV, §4303, as added Pub. L. 107-110, title IV, §401, Jan. 8, 2002, 115 Stat. 1774; amended Pub. L. 114-95, title IV, §4001(a)(1), Dec. 10, 2015, 129 Stat. 1966, which related to non-smoking policy for children's services, was renumbered section 8573 of Pub. L. 89-10 by Pub. L. 114-95, title IV, §4001(a)(4)(A), (B), (C)(ii), title VIII, §8001(a)(9), Dec. 10, 2015, 129 Stat. 1966, 2088, 2089, and transferred to section 7973 of this title.

A prior section 7184, Pub. L. 89-10, title IV, §4304, as added Pub. L. 107-110, title IV, §401, Jan. 8, 2002, 115 Stat. 1776, which related to preemption of law, was renumbered section 8574 of Pub. L. 89-10 by Pub. L. 114-95, title IV, §4001(a)(4)(A), (B), (C)(ii), title VIII, §8001(a)(9), Dec. 10, 2015, 129 Stat. 1966, 2088, 2089, and transferred to section 7974 of this title.

A prior section 7201, Pub. L. 89-10, title V, §5101, as added Pub. L. 107-110, title V, §501, Jan. 8, 2002, 115 Stat. 1776, related to purposes and State and local responsibility, prior to repeal by Pub. L. 114-95, title IV, §4001(b)(1)(A), Dec. 10, 2015, 129 Stat. 1806, 1967, effective Dec. 10, 2015, except with respect to certain non-competitive programs and competitive programs.

Another prior section 7201, Pub. L. 89-10, title V, §5101, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3690, set forth findings relating to magnet schools assistance, prior to the general amendment of former subchapter V of this chapter by Pub. L. 107-110.

Prior sections 7202 to 7210 were omitted in the general amendment of former subchapter V of this chapter by Pub. L. 107-110.

Section 7202, Pub. L. 89-10, title V, §5102, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3691, related to purpose of magnet schools assistance.

Section 7203, Pub. L. 89-10, title V, §5103, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3691, authorized program.

Section 7204, Pub. L. 89-10, title V, §5104, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3691, defined "magnet school".

Section 7205, Pub. L. 89-10, title V, §5105, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3692, related to eligibility for assistance.

Section 7206, Pub. L. 89-10, title V, §5106, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3692, related to applications and requirements.

Section 7207, Pub. L. 89-10, title V, §5107, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3693, related to priority in approving applications.

Section 7208, Pub. L. 89-10, title V, §5108, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3693, related to use of funds. See section 7231f of this title.

Section 7209, Pub. L. 89-10, title V, §5109, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3694, set forth prohibitions.

Section 7210, Pub. L. 89-10, title V, §5110, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3694, related to limitations.

A prior section 7211, Pub. L. 89-10, title V, §5111, as added Pub. L. 107-110, title V, §501, Jan. 8, 2002, 115 Stat. 1777, related to allotment to States, prior to repeal by

Pub. L. 114-95, §5, title IV, §4001(b)(1)(A), Dec. 10, 2015, 129 Stat. 1806, 1967, effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs.

Another prior section 7211, Pub. L. 89-10, title V, §5111, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3694, related to innovative programs, prior to the general amendment of former subchapter V by Pub. L. 107-110.

A prior section 5111 of Pub. L. 89-10 was classified to section 3181 of this title, prior to the general amendment of Pub. L. 89-10 by Pub. L. 103-382.

A prior section 7211a, Pub. L. 89-10, title V, §5112, as added Pub. L. 107-110, title V, §501, Jan. 8, 2002, 115 Stat. 1777, related to allocation to local educational agencies, prior to repeal by Pub. L. 114-95, §5, title IV, §4001(b)(1)(A), Dec. 10, 2015, 129 Stat. 1806, 1967, effective Dec. 10, 2015, except with respect to certain non-competitive programs and competitive programs.

A prior section 5112 of Pub. L. 89-10 was classified to section 7212 of this title, prior to the general amendment of former this subchapter V of this chapter by Pub. L. 107-110.

Another prior section 5112 of Pub. L. 89-10 was classified to section 3182 of this title, prior to the general amendment of Pub. L. 89-10 by Pub. L. 103-382.

A prior section 7212, Pub. L. 89-10, title V, §5112, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3695, which related to evaluations, was omitted in the general amendment of former subchapter V of this chapter by Pub. L. 107-110.

A prior section 7213, Pub. L. 89-10, title V, §5121, as added Pub. L. 107-110, title V, §501, Jan. 8, 2002, 115 Stat. 1779, related to State uses of funds, prior to repeal by Pub. L. 114-95, §5, title IV, §4001(b)(1)(A), Dec. 10, 2015, 129 Stat. 1806, 1967, effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs.

Another prior section 7213, Pub. L. 89-10, title V, §5113, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3695, related to authorization of appropriations and reservation of funds, prior to the general amendment of former subchapter V of this chapter by Pub. L. 107-110.

A prior section 5121 of Pub. L. 89-10 was classified to section 3191 of this title, prior to the general amendment of Pub. L. 89-10 by Pub. L. 103-382.

Prior sections 7213a, 7215 to 7215b, and 7217 to 7217e were repealed by Pub. L. 114-95, §5, title IV, §4001(b)(1)(A), Dec. 10, 2015, 129 Stat. 1806, 1967, effective Dec. 10, 2015, except with respect to certain non-competitive programs and competitive programs.

Section 7213a, Pub. L. 89-10, title V, §5122, as added Pub. L. 107-110, title V, §501, Jan. 8, 2002, 115 Stat. 1780, related to State applications.

A prior section 5122 of Pub. L. 89-10 was classified to section 3192 of this title, prior to the general amendment of Pub. L. 89-10 by Pub. L. 103-382.

Section 7215, Pub. L. 89-10, title V, §5131, as added Pub. L. 107-110, title V, §501, Jan. 8, 2002, 115 Stat. 1781, related to local uses of funds.

A prior section 5131 of Pub. L. 89-10 was classified to section 3211 of this title, prior to the general amendment of Pub. L. 89-10 by Pub. L. 103-382.

Section 7215a, Pub. L. 89-10, title V, §5132, as added Pub. L. 107-110, title V, §501, Jan. 8, 2002, 115 Stat. 1783, related to administrative authority.

A prior section 5132 of Pub. L. 89-10 was classified to section 3212 of this title, prior to the general amendment of Pub. L. 89-10 by Pub. L. 103-382.

Section 7215b, Pub. L. 89-10, title V, §5133, as added Pub. L. 107-110, title V, §501, Jan. 8, 2002, 115 Stat. 1783, related to local applications.

A prior section 5133 of Pub. L. 89-10 was classified to section 3213 of this title, prior to the general amendment of Pub. L. 89-10 by Pub. L. 103-382.

Section 7217, Pub. L. 89-10, title V, §5141, as added Pub. L. 107-110, title V, §501, Jan. 8, 2002, 115 Stat. 1784, related to maintenance of effort.

A prior section 5141 of Pub. L. 89-10 was classified to section 3221 of this title, prior to the general amendment of Pub. L. 89-10 by Pub. L. 103-382.

Section 7217a, Pub. L. 89-10, title V, §5142, as added Pub. L. 107-110, title V, §501, Jan. 8, 2002, 115 Stat. 1785, related to participation of children enrolled in private schools.

A prior section 5142 of Pub. L. 89-10 was classified to section 3222 of this title, prior to the general amendment of Pub. L. 89-10 by Pub. L. 103-382.

Section 7217b, Pub. L. 89-10, title V, §5143, as added Pub. L. 107-110, title V, §501, Jan. 8, 2002, 115 Stat. 1787, related to Federal administration.

A prior section 5143 of Pub. L. 89-10 was classified to section 3223 of this title, prior to the general amendment of Pub. L. 89-10 by Pub. L. 103-382.

Section 7217c, Pub. L. 89-10, title V, §5144, as added Pub. L. 107-110, title V, §501, Jan. 8, 2002, 115 Stat. 1788, provided that funds made available were to supplement, not supplant, other funds.

A prior section 5144 of Pub. L. 89-10 was classified to section 3224 of this title, prior to the general amendment of Pub. L. 89-10 by Pub. L. 103-382.

Section 7217d, Pub. L. 89-10, title V, §5145, as added Pub. L. 107-110, title V, §501, Jan. 8, 2002, 115 Stat. 1788, defined terms.

A prior section 5145 of Pub. L. 89-10 was classified to section 3224a of this title, prior to the general amendment of Pub. L. 89-10 by Pub. L. 103-382.

Section 7217e, Pub. L. 89-10, title V, §5146, as added Pub. L. 107-110, title V, §501, Jan. 8, 2002, 115 Stat. 1788, authorized appropriations for fiscal years 2002 to 2007.

A prior section 5146 of Pub. L. 89-10 was classified to section 3224b of this title, prior to the general amendment of Pub. L. 89-10 by Pub. L. 103-382.

AMENDMENTS

2015—Pub. L. 114-95 amended section generally. Prior to amendment section authorized appropriations for fiscal years 2002 to 2007.

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.

PART C—EXPANDING OPPORTUNITY THROUGH QUALITY CHARTER SCHOOLS

CODIFICATION

Pub. L. 114-95, title IV, §4001(b)(2)(A)–(D)(ii), Dec. 10, 2015, 129 Stat. 1967, redesignated part B (§7221 et seq.) of subchapter V of this chapter as part C of this subchapter, substituted “Expanding Opportunity Through Quality Charter Schools” for “Public Charter Schools” in part heading, and struck out subpart 1 heading.

PRIOR PROVISIONS

A prior part C of title IV of the Elementary and Secondary Education Act of 1965, comprising part C (§7181 et seq.) of this subchapter, was redesignated subpart 5 of part F of title VIII of the Act and transferred to subpart 5 (§7971 et seq.) of part F of subchapter VIII of this chapter by Pub. L. 114-95, title IV, §4001(a)(4)(A)–(C)(i), title VIII, §8001(a)(9), (b)(1), Dec. 10, 2015, 129 Stat. 1966, 2088, 2089.

§ 7221. Purpose

It is the purpose of this part to—

(1) improve the United States education system and education opportunities for all people in the United States by supporting innovation in public education in public school settings that prepare students to compete and contribute to the global economy and a stronger Nation;

(2) provide financial assistance for the planning, program design, and initial implementation of charter schools;

(3) increase the number of high-quality charter schools available to students across the United States;

(4) evaluate the impact of charter schools on student achievement, families, and communities, and share best practices between charter schools and other public schools;

(5) encourage States to provide support to charter schools for facilities financing in an amount more nearly commensurate to the amount States typically provide for traditional public schools;

(6) expand opportunities for children with disabilities, English learners, and other traditionally underserved students to attend charter schools and meet the challenging State academic standards;

(7) support efforts to strengthen the charter school authorizing process to improve performance management, including transparency, oversight and monitoring (including financial audits), and evaluation of such schools; and

(8) support quality, accountability, and transparency in the operational performance of all authorized public chartering agencies, including State educational agencies, local educational agencies, and other authorizing entities.

(Pub. L. 89-10, title IV, §4301, as added Pub. L. 114-95, title IV, §4301(1), Dec. 10, 2015, 129 Stat. 1993.)

PRIOR PROVISIONS

A prior section 7221, Pub. L. 89-10, title IV, §4301, formerly title V, §5201, as added Pub. L. 107-110, title V, §501, Jan. 8, 2002, 115 Stat. 1788; renumbered title IV, §4301, Pub. L. 114-95, title IV, §4001(b)(2)(A), (B), (D)(iii), Dec. 10, 2015, 129 Stat. 1967, related to purpose of former subpart 1 of part B of subchapter V of this chapter, prior to repeal by Pub. L. 114-95, §5, title IV, §4301(1), Dec. 10, 2015, 129 Stat. 1806, 1993, effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs.

A prior section 4301 of Pub. L. 89-10 was renumbered section 8571, and is classified to section 7971 of this title.

Another prior section 4301 of Pub. L. 89-10 was classified to section 3081 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.

§ 7221a. Program authorized

(a) In general

The Secretary may carry out a charter school program that supports charter schools that serve early childhood, elementary school, or secondary school students by—

(1) supporting the startup of new charter schools, the replication of high-quality charter schools, and the expansion of high-quality charter schools;

(2) assisting charter schools in accessing credit to acquire and renovate facilities for school use; and

(3) carrying out national activities to support—