

Subsec. (a)(4). Pub. L. 114-95, § 6002(l)(1)(C), (D), added par. (4).

Subsec. (b)(1). Pub. L. 114-95, § 6002(l)(2)(A), substituted “including a Tribal College or University, as defined in section 1059c(b) of this title” for “including an Indian institution of higher education”.

Subsec. (b)(4). Pub. L. 114-95, § 6002(l)(2)(B), inserted before period at end “in a consortium with at least one Tribal College or University, as defined in section 1059c(b) of this title, where feasible”.

Subsec. (d)(1). Pub. L. 114-95, § 6002(l)(3), substituted “purpose of this section.” for “purposes of this section.” and “Such activities may include—” and subpars. (A) to (D) for “Such activities may include continuing programs, symposia, workshops, conferences, and direct financial support, and may include programs designed to train tribal elders and seniors.”

Subsec. (e). Pub. L. 114-95, § 6002(l)(4), added subsec. (e) and struck out former subsec. (e). Prior to amendment, text read as follows: “Each eligible entity desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information, as the Secretary may reasonably require.”

Subsec. (f). Pub. L. 114-95, § 6002(l)(5), added par. (1), redesignated former pars. (1) and (2) as (2) and (3), respectively, and, in par. (3), substituted “basis of the length of any period for which the eligible entity has received a grant.” for “basis of—

“(A) the number of previous grants the Secretary has awarded such entity; or

“(B) the length of any period during which such entity received such grants.”

Subsec. (g). Pub. L. 114-95, § 6002(l)(6), added subsec. (g) and struck out former subsec. (g). Prior to amendment, text read as follows: “Each grant under this section shall be awarded for a period of not more than 5 years.”

Subsec. (h)(1)(A)(i). Pub. L. 114-95, § 6002(l)(7), substituted “students in a local educational agency that serves a high proportion of Indian students” for “people”.

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—NATIONAL ACTIVITIES

§ 7451. National research activities

(a) Authorized activities

The Secretary may use funds made available to carry out this subpart for each fiscal year to—

(1) conduct research related to effective approaches for the education of Indian children and adults;

(2) evaluate federally assisted education programs from which Indian children and adults may benefit;

(3) collect and analyze data on the educational status and needs of Indians; and

(4) carry out other activities that are consistent with the purpose of this part.

(b) Eligibility

The Secretary may carry out any of the activities described in subsection (a) directly or through grants to, or contracts or cooperative agreements with, Indian tribes, Indian organizations, State educational agencies, local educational agencies, institutions of higher education, including Indian institutions of higher

education, and other public and private agencies and institutions.

(c) Coordination

Research activities supported under this section—

(1) shall be carried out in consultation with the Institute of Education Sciences to ensure that such activities are coordinated with and enhance the research and development activities supported by the Institute; and

(2) may include collaborative research activities that are jointly funded and carried out by the Office of Indian Education Programs, the Bureau of Indian Education, and the Institute of Education Sciences.

(Pub. L. 89-10, title VI, § 6131, formerly title VII, § 7131, as added Pub. L. 107-110, title VII, § 701, Jan. 8, 2002, 115 Stat. 1923; amended Pub. L. 107-279, title IV, § 404(d)(5)(E), (8), Nov. 5, 2002, 116 Stat. 1986; renumbered title VI, § 6131, and amended Pub. L. 114-95, title VI, §§ 6001(a), (b)(1), 6002(m), Dec. 10, 2015, 129 Stat. 2046, 2057.)

PRIOR PROVISIONS

A prior section 7451, Pub. L. 89-10, title VII, § 7131, as added Pub. L. 103-382, title I, § 101, Oct. 20, 1994, 108 Stat. 3729, authorized research, evaluation of activities, and dissemination of information, prior to the general amendment of former subchapter VII of this chapter by Pub. L. 107-110.

A prior section 6131 of Pub. L. 89-10 was classified to section 7311 of this title, prior to repeal by Pub. L. 114-95.

AMENDMENTS

2015—Subsec. (a). Pub. L. 114-95, § 6002(m)(1), substituted “to carry out this subpart” for “under section 7492(b) of this title” in introductory provisions.

Subsec. (c)(2). Pub. L. 114-95, § 6002(m)(2), inserted “, the Bureau of Indian Education,” after “Office of Indian Education Programs”.

2002—Subsec. (c)(1). Pub. L. 107-279 substituted “Institute of Education Sciences” for “Office of Educational Research and Improvement” and “by the Institute” for “by the Office”.

Subsec. (c)(2). Pub. L. 107-279, § 404(d)(5)(E), substituted “Institute of Education Sciences” for “Office of Educational Research and Improvement”.

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.

§ 7452. Grants to tribes for education administrative planning, development, and coordination

(a) In general

The Secretary may award grants under this section to eligible applicants to enable the eligible applicants to—

(1) promote tribal self-determination in education;

(2) improve the academic achievement of Indian children and youth; and

(3) promote the coordination and collaboration of tribal educational agencies with State educational agencies and local educational agencies to meet the unique educational and culturally related academic needs of Indian students.

(b) Definitions

In this section:

(1) Eligible applicant

In this section, the term “eligible applicant” means—

- (A) an Indian tribe or tribal organization approved by an Indian tribe; or
- (B) a tribal educational agency.

(2) Indian tribe

The term “Indian tribe” means a federally recognized tribe or a State-recognized tribe.

(3) Tribal educational agency

The term “tribal educational agency” means the agency, department, or instrumentality of an Indian tribe that is primarily responsible for supporting tribal students’ elementary and secondary education.

(c) Grant program

The Secretary may award grants to—

(1) eligible applicants described under subsection (b)(1)(A) to plan and develop a tribal educational agency, if the tribe or organization has no current tribal educational agency, for a period of not more than 1 year; and

(2) eligible applicants described under subsection (b)(1)(B), for a period of not more than 3 years, in order to—

(A) directly administer education programs, including formula grant programs under this chapter, consistent with State law and under a written agreement between the parties;

(B) build capacity to administer and coordinate such education programs, and to improve the relationship and coordination between such applicants and the State educational agencies and local educational agencies that educate students from the tribe;

(C) receive training and support from the State educational agency and local educational agency, in areas such as data collection and analysis, grants management and monitoring, fiscal accountability, and other areas as needed;

(D) train and support the State educational agency and local educational agency in areas related to tribal history, language, or culture;

(E) build on existing activities or resources rather than replacing other funds; and

(F) carry out other activities, consistent with the purposes of this section.

(d) Grant application**(1) In general**

Each eligible applicant desiring a grant under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may reasonably prescribe.

(2) Contents

Each application described in paragraph (1) shall contain—

(A) a statement describing the activities to be conducted, and the objectives to be achieved, under the grant;

(B) a description of the method to be used for evaluating the effectiveness of the activities for which assistance is sought and for determining whether such objectives are achieved; and

(C) for applications for activities under subsection (c)(2), evidence of—

- (i) a preliminary agreement with the appropriate State educational agency, 1 or more local educational agencies, or both the State educational agency and a local educational agency; and
- (ii) existing capacity as a tribal educational agency.

(3) Approval

The Secretary may approve an application submitted by an eligible applicant under this subsection if the application, including any documentation submitted with the application—

(A) demonstrates that the eligible applicant has consulted with other education entities, if any, within the territorial jurisdiction of the applicant that will be affected by the activities to be conducted under the grant;

(B) provides for consultation with such other education entities in the operation and evaluation of the activities conducted under the grant; and

(C) demonstrates that there will be adequate resources provided under this section or from other sources to complete the activities for which assistance is sought.

(e) Restrictions**(1) In general**

An Indian tribe may not receive funds under this section if the tribe receives funds under section 1140 of the Education Amendments of 1978 (20 U.S.C. 2020).¹

(2) Direct services

No funds under this section may be used to provide direct services.

(f) Supplement, not supplant

Funds under this section shall be used to supplement, and not supplant, other Federal, State, and local programs that meet the needs of tribal students.

(Pub. L. 89–10, title VI, § 6132, formerly title VII, § 7135, as added Pub. L. 107–110, title VII, § 701, Jan. 8, 2002, 115 Stat. 1928; renumbered title VI, § 6135, renumbered § 6132, and amended Pub. L. 114–95, title VI, §§ 6001(a), (b)(1), 6002(n)(2), (p), Dec. 10, 2015, 129 Stat. 2046, 2057, 2060.)

CODIFICATION

Section was classified to section 7455 of this title prior to renumbering by Pub. L. 114–95.

PRIOR PROVISIONS

A prior section 7452, Pub. L. 89–10, title VI, § 6132, formerly title VII, § 7132, as added Pub. L. 107–110, title VII, § 701, Jan. 8, 2002, 115 Stat. 1924; renumbered title VI, § 6132, Pub. L. 114–95, title VI, § 6001(a), (b)(1), Dec. 10, 2015, 129 Stat. 2046, related to in-service training for teachers of Indian children, prior to repeal by Pub. L.

¹ So in original. Probably should be “(25 U.S.C. 2020)”.

114-95, § 5, title VI, § 6002(n)(1), Dec. 10, 2015, 129 Stat. 1806, 2057, effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs.

Another prior section 7452, Pub. L. 89-10, title VII, § 7132, as added Pub. L. 103-382, title I, § 101, Oct. 20, 1994, 108 Stat. 3729, related to research activities, prior to the general amendment of former subchapter VII of this chapter by Pub. L. 107-110.

A prior section 6132 of Pub. L. 89-10 was classified to section 7311a of this title, prior to repeal by Pub. L. 114-95.

AMENDMENTS

2015—Pub. L. 114-95, § 6001(p), amended section generally. Prior to amendment, section related to grants to Indian tribes for education administrative planning and development.

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.

§ 7453. Native American and Alaska Native language immersion schools and programs

(a) Purposes

The purposes of this section are—

(1) to establish a grant program to support schools that use Native American and Alaska Native languages as the primary language of instruction;

(2) to maintain, protect, and promote the rights and freedom of Native Americans and Alaska Natives to use, practice, maintain, and revitalize their languages, as envisioned in the Native American Languages Act (25 U.S.C. 2901 et seq.); and

(3) to support the Nation's First Peoples' efforts to maintain and revitalize their languages and cultures, and to improve educational opportunities and student outcomes within Native American and Alaska Native communities.

(b) Program authorized

(1) In general

From funds reserved under section 7492(c) of this title, the Secretary shall reserve 20 percent to make grants to eligible entities to develop and maintain, or to improve and expand, programs that support schools, including elementary school and secondary school education sites and streams, using Native American and Alaska Native languages as the primary languages of instruction.

(2) Eligible entities

In this subsection, the term “eligible entity” means any of the following entities that has a plan to develop and maintain, or to improve and expand, programs that support the entity's use of a Native American or Alaska Native language as the primary language of instruction in elementary schools or secondary schools, or both:

(A) An Indian tribe.

(B) A Tribal College or University (as defined in section 1059c of this title).

(C) A tribal education agency.

(D) A local educational agency, including a public charter school that is a local educational agency under State law.

(E) A school operated by the Bureau of Indian Education.

(F) An Alaska Native Regional Corporation (as described in section 1602(g) of title 43).

(G) A private, tribal, or Alaska Native nonprofit organization.

(H) A nontribal for-profit organization.

(c) Application

(1) In general

An eligible entity that desires to receive a grant under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require, including the following:

(A) The name of the Native American or Alaska Native language to be used for instruction at the school supported by the eligible entity.

(B) The number of students attending such school.

(C) The number of hours of instruction in or through 1 or more Native American or Alaska Native languages being provided to targeted students at such school, if any.

(D) A description of how the eligible entity will—

(i) use the funds provided to meet the purposes of this section;

(ii) implement the activities described in subsection (e);

(iii) ensure the implementation of rigorous academic content; and

(iv) ensure that students progress toward high-level fluency goals.

(E) Information regarding the school's organizational governance or affiliations, including information about—

(i) the school governing entity (such as a local educational agency, tribal education agency or department, charter organization, private organization, or other governing entity);

(ii) the school's accreditation status;

(iii) any partnerships with institutions of higher education; and

(iv) any indigenous language schooling and research cooperatives.

(F) An assurance that—

(i) the school is engaged in meeting State or tribally designated long-term goals for students, as may be required by applicable Federal, State, or tribal law;

(ii) the school provides assessments of students using the Native American or Alaska Native language of instruction, where possible;

(iii) the qualifications of all instructional and leadership personnel at such school is sufficient to deliver high-quality education through the Native American or Alaska Native language used in the school; and

(iv) the school will collect and report to the public data relative to student achievement and, if appropriate, rates of high school graduation, career readiness, and enrollment in postsecondary education or workforce development pro-