

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-

grams, of students who are enrolled in the school's programs.

(2) Limitation

The Secretary shall not give a priority in awarding grants under this section based on the information described in paragraph (1)(E).

(3) Submission of certification

(A) In general

An eligible entity that is a public elementary school or secondary school (including a public charter school or a school operated by the Bureau of Indian Education) or a non-tribal for-profit or nonprofit organization shall submit, along with the application requirements described in paragraph (1), a certification described in subparagraph (B) indicating that—

(i) the school or organization has the capacity to provide education primarily through a Native American or an Alaska Native language; and

(ii) there are sufficient speakers of the target language at the school or available to be hired by the school or organization.

(B) Certification

The certification described in subparagraph (A) shall be from one of the following entities, on whose land the school or program is located, that is an entity served by such school, or that is an entity whose members (as defined by that entity) are served by the school:

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

(ii) A Federally recognized Indian tribe or tribal organization.

(iii) An Alaska Native Regional Corporation or an Alaska Native nonprofit organization.

(iv) A Native Hawaiian organization.

(d) Awarding of grants

In awarding grants under this section, the Secretary shall—

(1) determine the amount of each grant and the duration of each grant, which shall not exceed 3 years; and

(2) ensure, to the maximum extent feasible, that diversity in languages is represented.

(e) Activities authorized

(1) Required activities

An eligible entity that receives a grant under this section shall use such funds to carry out the following activities:

(A) Supporting Native American or Alaska Native language education and development.

(B) Providing professional development for teachers and, as appropriate, staff and administrators to strengthen the overall language and academic goals of the school that will be served by the grant program.

(2) Allowable activities

An eligible entity that receives a grant under this section may use such funds to carry out the following activities:

(A) Developing or refining curriculum, including teaching materials and activities, as appropriate.

(B) Creating or refining assessments written in the Native American or Alaska Native language of instruction that measure student proficiency and that are aligned with State or tribal academic standards.

(C) Carrying out other activities that promote the maintenance and revitalization of the Native American or Alaska Native language relevant to the grant program.

(f) Report to Secretary

Each eligible entity that receives a grant under this section shall prepare and submit an annual report to the Secretary, which shall include—

(1) the activities the entity carried out to meet the purposes of this section; and

(2) the number of children served by the program and the number of instructional hours in the Native American or Alaska Native language.

(g) Administrative costs

Not more than 5 percent of the funds provided to a grantee under this section for any fiscal year may be used for administrative purposes.

(Pub. L. 89-10, title VI, §6133, as added Pub. L. 114-95, title VI, §6002(o), Dec. 10, 2015, 129 Stat. 2057.)

REFERENCES IN TEXT

The Native American Languages Act, referred to in subsec. (a)(2), is title I of Pub. L. 101-477, Oct. 30, 1990, 104 Stat. 1153, which is classified generally to chapter 31 (§2901 et seq.) of Title 25, Indians. For complete classification of this Act to the Code, see Short Title note set out under section 2901 of Title 25 and Tables.

PRIOR PROVISIONS

A prior section 7453, Pub. L. 89-10, title VI, §6133, formerly title VII, §7133, as added Pub. L. 107-110, title VII, §701, Jan. 8, 2002, 115 Stat. 1924; renumbered title VI, §6133, Pub. L. 114-95, title VI, §6001(a), (b)(1), Dec. 10, 2015, 129 Stat. 2046, related to fellowships for Indian students, prior to repeal by Pub. L. 114-95, §5, title VI, §6002(n)(1), Dec. 10, 2015, 129 Stat. 1806, 2057, effective Dec. 10, 2015, except with respect to certain non-competitive programs and competitive programs.

Another prior section 7453, Pub. L. 89-10, title VII, §7133, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3730, related to academic excellence awards, prior to the general amendment of former subchapter VII of this chapter by Pub. L. 107-110.

A prior section 6133 of Pub. L. 89-10 was classified to section 7311b of this title, prior to repeal by Pub. L. 114-95.

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.

§ 7454. Repealed. Pub. L. 114-95, title VI, § 6002(n)(1), Dec. 10, 2015, 129 Stat. 2057

Section, Pub. L. 89-10, title VI, §6134, formerly title VII, §7134, as added Pub. L. 107-110, title VII, §701, Jan. 8, 2002, 115 Stat. 1925; amended Pub. L. 110-315, title IX, §941(k)(2)(F)(ii), Aug. 14, 2008, 122 Stat. 3466; renumbered title VI, §6134, Pub. L. 114-95, title VI, §6001(a), (b)(1), Dec. 10, 2015, 129 Stat. 2046, related to gifted and talented Indian students.

A prior section 7454, Pub. L. 89-10, title VII, §7134, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat.