

PRIOR PROVISIONS

A prior section 7472, Pub. L. 89-10, title VII, §7142, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3736, related to training for all teachers program, prior to the general amendment of former subchapter VII of this chapter by Pub. L. 107-110.

A prior section 6142 of Pub. L. 89-10 was classified to section 7315a of this title, prior to repeal by Pub. L. 114-95.

§ 7473. Preference for Indian applicants

In making grants and entering into contracts or cooperative agreements under subpart 2 or subpart 3 of this part, the Secretary shall give a preference to Indian tribes, organizations, and institutions of higher education under any program with respect to which Indian tribes, organizations, and institutions are eligible to apply for grants, contracts, or cooperative agreements.

(Pub. L. 89-10, title VI, §6143, formerly title VII, §7143, as added Pub. L. 107-110, title VII, §701, Jan. 8, 2002, 115 Stat. 1931; renumbered title VI, §6143, Pub. L. 114-95, title VI, §6001(a), (b)(1), Dec. 10, 2015, 129 Stat. 2046.)

PRIOR PROVISIONS

A prior section 7473, Pub. L. 89-10, title VII, §7143, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3736, related to bilingual education teachers and personnel grants, prior to the general amendment of former subchapter VII of this chapter by Pub. L. 107-110.

A prior section 6143 of Pub. L. 89-10 was classified to section 7315b of this title, prior to repeal by Pub. L. 114-95.

§ 7474. Minimum grant criteria

The Secretary may not approve an application for a grant, contract, or cooperative agreement under subpart 2 or subpart 3 of this part unless the application is for a grant, contract, or cooperative agreement that is—

- (1) of sufficient size, scope, and quality to achieve the purpose or objectives of such grant, contract, or cooperative agreement; and
- (2) based on relevant research findings.

(Pub. L. 89-10, title VI, §6144, formerly title VII, §7144, as added Pub. L. 107-110, title VII, §701, Jan. 8, 2002, 115 Stat. 1931; renumbered title VI, §6144, Pub. L. 114-95, title VI, §6001(a), (b)(1), Dec. 10, 2015, 129 Stat. 2046.)

PRIOR PROVISIONS

A prior section 7474, Pub. L. 89-10, title VII, §7144, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3736, related to bilingual education career ladder program, prior to the general amendment of former subchapter VII of this chapter by Pub. L. 107-110.

A prior section 6144 of Pub. L. 89-10 was classified to section 7315c of this title, prior to repeal by Pub. L. 114-95.

Prior sections 7475 to 7480 were omitted in the general amendment of former subchapter VII of this chapter by Pub. L. 107-110.

Section 7475, Pub. L. 89-10, title VII, §7145, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3734, related to graduate fellowships in bilingual education program.

Section 7476, Pub. L. 89-10, title VII, §7146, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3735, related to application for professional development award.

Section 7477, Pub. L. 89-10, title VII, §7147, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3736, set forth program requirements.

Section 7478, Pub. L. 89-10, title VII, §7148, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3736, authorized payment of stipends to persons participating in programs.

Section 7479, Pub. L. 89-10, title VII, §7149, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3736, related to program evaluations.

Section 7480, Pub. L. 89-10, title VII, §7150, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3736, related to use of funds for second language competence.

SUBPART 5—DEFINITIONS; AUTHORIZATIONS OF APPROPRIATIONS

§ 7491. Definitions

For the purposes of this part:

(1) Adult

The term “adult” means an individual who—
 (A) has attained the age of 16 years; or
 (B) has attained an age that is greater than the age of compulsory school attendance under an applicable State law.

(2) Free public education

The term “free public education” means education that is—

- (A) provided at public expense, under public supervision and direction, and without tuition charge; and
- (B) provided as elementary or secondary education in the applicable State or to pre-school children.

(3) Indian

The term “Indian” means an individual who is—

- (A) a member of an Indian tribe or band, as membership is defined by the tribe or band, including—
 - (i) any tribe or band terminated since 1940; and
 - (ii) any tribe or band recognized by the State in which the tribe or band resides;
- (B) a descendant, in the first or second degree, of an individual described in subparagraph (A);
- (C) considered by the Secretary of the Interior to be an Indian for any purpose;
- (D) an Eskimo, Aleut, or other Alaska Native; or
- (E) a member of an organized Indian group that received a grant under the Indian Education Act of 1988 as in effect the day preceding October 20, 1994.

(4) Traditional leaders

The term “traditional leaders” has the meaning given the term in section 2902 of title 25.

(Pub. L. 89-10, title VI, §6151, formerly title VII, §7151, as added Pub. L. 107-110, title VII, §701, Jan. 8, 2002, 115 Stat. 1931; renumbered title VI, §6151, and amended Pub. L. 114-95, title VI, §6001(a), (b)(1), §6002(s), Dec. 10, 2015, 129 Stat. 2046, 2062.)

REFERENCES IN TEXT

The Indian Education Act of 1988, as in effect the day preceding October 20, 1994, referred to in par. (3)(E), is