

indigenous to the original inhabitants of the State of Hawaii.

(6) Native Hawaiian organization

The term “Native Hawaiian organization” means a private nonprofit organization that—

(A) serves the interests of Native Hawaiians;

(B) has Native Hawaiians in substantive and policymaking positions within the organization; and

(C) is recognized by the Governor of Hawaii for the purpose of planning, conducting, or administering programs (or portions of programs) for the benefit of Native Hawaiians.

(7) Office of Hawaiian Affairs

The term “Office of Hawaiian Affairs” means the Office of Hawaiian Affairs established by the Constitution of the State of Hawaii.

(Pub. L. 89–10, title VI, § 6207, formerly title VII, § 7207, as added Pub. L. 107–110, title VII, § 701, Jan. 8, 2002, 115 Stat. 1941; renumbered title VI, § 6207, and amended Pub. L. 114–95, title VI, § 6001(a), (b)(1), 6003(d), Dec. 10, 2015, 129 Stat. 2046, 2067.)

AMENDMENTS

2015—Pub. L. 114–95, § 6003(d), added par. (1) and redesignated former pars. (1) to (6) as (2) to (7), respectively.

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—ALASKA NATIVE EDUCATION

§ 7541. Short title

This part may be cited as the “Alaska Native Educational Equity, Support, and Assistance Act”.

(Pub. L. 89–10, title VI, § 6301, formerly title VII, § 7301, as added Pub. L. 107–110, title VII, § 701, Jan. 8, 2002, 115 Stat. 1942; renumbered title VI, § 6301, Pub. L. 114–95, title VI, § 6001(a), (b)(1), Dec. 10, 2015, 129 Stat. 2046.)

PRIOR PROVISIONS

Provisions naming former part C (§ 7931 et seq.) of subchapter IX of this chapter as the “Alaska Native Educational Equity, Support and Assistance Act” were contained in section 7931 of this title, prior to the general amendment of former subchapter IX of this chapter by Pub. L. 107–110.

A prior section 7541, Pub. L. 89–10, title VII, § 7301, as added Pub. L. 103–382, title I, § 101, Oct. 20, 1994, 108 Stat. 3739, set forth findings and purpose of emergency immigrant education program, prior to the general amendment of former subchapter VII of this chapter by Pub. L. 107–110.

A prior section 6301 of Pub. L. 89–10 was classified to section 7371 of this title prior to the general amendment of part C of subchapter V of this chapter by Pub. L. 114–95.

Another prior section 6301 of Pub. L. 89–10 was classified to section 7351 of this title, prior to the general amendment of former subchapter VI of this chapter by Pub. L. 107–110.

§ 7542. Findings

Congress finds and declares the following:

(1) It is the policy of the Federal Government to maximize the leadership of and participation by Alaska Natives in the planning and the management of Alaska Native education programs and to support efforts developed by and undertaken within the Alaska Native community to improve educational opportunity for all students.

(2) Many Alaska Native children enter and exit school with serious educational disadvantages.

(3) Overcoming the magnitude of the geographic challenges, historical inequities, and other barriers to successfully improving educational outcomes for Alaska Native students in rural, village, and urban settings is challenging. Significant disparities between academic achievement of Alaska Native students and non-Native students continue, including lower graduation rates, increased school dropout rates, and lower achievement scores on standardized tests.

(4) The preservation of Alaska Native cultures and languages and the integration of Alaska Native cultures and languages into education, positive identity development for Alaska Native students, and local, place-based, and culture-based programming are critical to the attainment of educational success and the long-term well-being of Alaska Native students.

(5) Improving educational outcomes for Alaska Native students increases access to employment opportunities.

(6) The Federal Government should lend support to efforts developed by and undertaken within the Alaska Native community to improve educational opportunity for Alaska Native students. In 1983, pursuant to Public Law 98–63, Alaska ceased to receive educational funding from the Bureau of Indian Affairs. The Bureau of Indian Education does not operate any schools in Alaska, nor operate or fund Alaska Native education programs. The program under this part supports the Federal trust responsibility of the United States to Alaska Natives.

(Pub. L. 89–10, title VI, § 6302, formerly title VII, § 7302, as added Pub. L. 107–110, title VII, § 701, Jan. 8, 2002, 115 Stat. 1942; renumbered title VI, § 6302, and amended Pub. L. 114–95, title VI, §§ 6001(a), (b)(1), 6004(a), Dec. 10, 2015, 129 Stat. 2046, 2067.)

REFERENCES IN TEXT

Public Law 98–63, referred to in par. (6), is Pub. L. 98–63, July 30, 1983, 97 Stat. 301, known as the Supplemental Appropriations Act, 1983. For complete classification of this Act to the Code, see Tables. For provisions related to cessation of funding from the Bureau of Indian Affairs for schools in Alaska, see 97 Stat. 326.

PRIOR PROVISIONS

A prior section 7542, Pub. L. 89–10, title VII, § 7302, as added Pub. L. 103–382, title I, § 101, Oct. 20, 1994, 108 Stat. 3739, related to State administrative costs, prior to the general amendment of former subchapter VII of this chapter by Pub. L. 107–110.

A prior section 6302 of Pub. L. 89–10 was classified to section 7372 of this title prior to the general amendment of part C of subchapter V of this chapter by Pub. L. 114–95.

Another prior section 6302 of Pub. L. 89-10 was classified to section 7352 of this title, prior to the general amendment of former subchapter VI of this chapter by Pub. L. 107-110.

AMENDMENTS

2015—Pub. L. 114-95, § 6004(a), added pars. (1) to (6) and struck out former pars. (1) to (7) which related to findings concerning Alaska Native educational equity, support, and assistance.

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.

§ 7543. Purposes

The purposes of this part are as follows:

(1) To recognize and address the unique educational needs of Alaska Natives.

(2) To recognize the role of Alaska Native languages and cultures in the educational success and long-term well-being of Alaska Native students.

(3) To integrate Alaska Native cultures and languages into education, develop Alaska Native students' positive identity, and support local place-based and culture-based curriculum and programming.

(4) To authorize the development, management, and expansion of effective supplemental educational programs to benefit Alaska Natives.

(5) To provide direction and guidance to appropriate Federal, State and local agencies to focus resources, including resources made available under this part, on meeting the educational needs of Alaska Natives.

(6) To ensure the maximum participation by Alaska Native educators and leaders in the planning, development, implementation, management, and evaluation of programs designed to serve Alaska Native students.

(Pub. L. 89-10, title VI, § 6303, formerly title VII, § 7303, as added Pub. L. 107-110, title VII, § 701, Jan. 8, 2002, 115 Stat. 1943; renumbered title VI, § 6303, and amended Pub. L. 114-95, title VI, §§ 6001(a), (b)(1), 6004(b), Dec. 10, 2015, 129 Stat. 2046, 2068.)

PRIOR PROVISIONS

A prior section 7543, Pub. L. 89-10, title VII, § 7303, as added Pub. L. 103-382, title I, § 101, Oct. 20, 1994, 108 Stat. 3739, related to withholding, prior to the general amendment of former subchapter VII of this chapter by Pub. L. 107-110.

A prior section 6303 of Pub. L. 89-10 was classified to section 7353 of this title, prior to the general amendment of former subchapter VI of this chapter by Pub. L. 107-110.

AMENDMENTS

2015—Par. (1). Pub. L. 114-95, § 6004(b)(1), inserted “and address” after “To recognize”.

Pars. (2) to (5). Pub. L. 114-95, § 6004(b)(2)–(5), added pars. (2) and (3), redesignated former pars. (2) and (4) as (4) and (5), respectively, substituted “, management, and expansion of effective supplemental educational programs to benefit Alaska Natives.” for “of supplemental educational programs to benefit Alaska Natives.” in par. (4), and struck out former par. (3) which read as follows: “To supplement existing programs and

authorities in the area of education to further the purposes of this part.”

Par. (6). Pub. L. 114-95, § 6004(b)(6), added par. (6).

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.

§ 7544. Program authorized

(a) General authority

(1) Grants and contracts

The Secretary is authorized to make grants to, or enter into contracts with—

(A) Alaska Native organizations with experience operating programs that fulfill the purposes of this part;

(B) Alaska Native organizations that do not have the experience described in subparagraph (A) but are in partnership with—

(i) a State educational agency or a local educational agency; or

(ii) an Alaska Native organization that operates a program that fulfills the purposes of this part;

(C) an entity located in Alaska, and predominately governed by Alaska Natives, that does not meet the definition of an Alaska Native organization under this part but—

(i) has experience operating programs that fulfill the purposes of this part; and

(ii) is granted an official charter or sanction, as described in the definition of a tribal organization under section 5304 of title 25, from at least one Alaska Native tribe or Alaska Native organization to carry out programs that meet the purposes of this part.

(2) Mandatory activities

Activities provided through the programs carried out under this part shall include the following:

(A) The development and implementation of plans, methods, strategies, and activities to improve the educational outcomes of Alaska Natives.

(B) The collection of data to assist in the evaluation of the programs carried out under this part.

(3) Permissible activities

Activities provided through programs carried out under this part may include the following:

(A) The development of curricula and programs that address the educational needs of Alaska Native students, including the following:

(i) Curriculum materials that are culturally informed and reflect the cultural diversity, languages, history, or the contributions of Alaska Native people, including curricula intended to preserve and promote Alaska Native culture.

(ii) Instructional programs that make use of Alaska Native languages and cultures.

(iii) Networks that develop, test, and disseminate best practices and introduce suc-