

The Secretary of the Interior and the Secretary shall approve such standards, assessments, and accountability system unless the Secretary determines that the standards, assessments, and accountability system do not meet the requirements of section 6311 of this title, taking into account the unique circumstances and needs of such school or schools and the students served.

(3) TECHNICAL ASSISTANCE.—The Secretary of Interior and the Secretary shall, either directly or through a contract, provide technical assistance, upon request, to a tribal governing body or school board of a school funded by the Bureau of Indian Affairs that seeks a waiver under paragraph (2).

(Pub. L. 89–10, title VIII, §8204, formerly title IX, §9204, as added Pub. L. 107–110, title IX, §901, Jan. 8, 2002, 115 Stat. 1968; renumbered title VIII, §8204, and amended Pub. L. 114–95, title VIII, §§8001(a)(2), 8007, Dec. 10, 2015, 129 Stat. 2088, 2089, 2100.)

REFERENCES IN TEXT

The McKinney-Vento Homeless Assistance Act, referred to in subsec. (a)(1), is Pub. L. 100–77, July 22, 1987, 101 Stat. 482, as amended. Subtitle B of title VII of the Act is classified generally to part B (§11431 et seq.) of subchapter VI of chapter 119 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 11301 of Title 42 and Tables.

AMENDMENTS

2015—Subsec. (a)(1). Pub. L. 114–95, §8007(1)(A), substituted “part A of subchapter VI” for “part A of subchapter VII”.

Subsec. (a)(2)(B). Pub. L. 114–95, §8007(1)(B), added subpar. (B) and struck out former subpar. (B). Prior to amendment, text read as follows: “The agreement shall—

- “(i) set forth the plans of the Secretary of the Interior for the use of the amount transferred and the achievement measures to assess program effectiveness, including measurable goals and objectives; and
- “(ii) be developed in consultation with Indian tribes.”

Subsec. (c). Pub. L. 114–95, §8007(2), added subsec. (c).

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.

§ 7825. Department staff

The Secretary shall—

(1) not later than 60 days after December 10, 2015, identify the number of Department full-time equivalent employees who worked on or administered each education program or project authorized under this chapter, as such program or project was in effect on the day before December 10, 2015, and publish such information on the Department’s website;

(2) not later than 60 days after December 10, 2015, identify the number of full-time equivalent employees who worked on or administered each program or project authorized under this chapter, as such program or project was in effect on the day before December 10, 2015, that has been eliminated or consolidated since December 10, 2015;

(3) not later than 1 year after December 10, 2015, reduce the workforce of the Department by the number of full-time equivalent employees the Department identified under paragraph (2); and

(4) not later than 1 year after December 10, 2015, report to Congress on—

(A) the number of full-time equivalent employees associated with each program or project authorized under this chapter and administered by the Department;

(B) the number of full-time equivalent employees who were determined to be associated with eliminated or consolidated programs or projects described in paragraph (2);

(C) how the Secretary has reduced the number of full-time equivalent employees as described in paragraph (3);

(D) the average salary of the full-time equivalent employees described in subparagraph (B) whose positions were eliminated; and

(E) the average salary of the full-time equivalent employees who work on or administer a program or project authorized by the Department under this chapter, disaggregated by employee function within each such program or project.

(Pub. L. 89–10, title VIII, §8205, as added Pub. L. 114–95, title VIII, §8008, Dec. 10, 2015, 129 Stat. 2101.)

PRIOR PROVISIONS

Prior sections 7831 to 7835 were omitted in the general amendment of former subchapter IX of this chapter by Pub. L. 107–110.

Section 7831, Pub. L. 89–10, title IX, §9121, as added Pub. L. 103–382, title I, §101, Oct. 20, 1994, 108 Stat. 3782, related to improvement of educational opportunities for Indian children.

Section 7832, Pub. L. 89–10, title IX, §9122, as added Pub. L. 103–382, title I, §101, Oct. 20, 1994, 108 Stat. 3784, related to professional development.

Section 7833, Pub. L. 89–10, title IX, §9123, as added Pub. L. 103–382, title I, §101, Oct. 20, 1994, 108 Stat. 3786, authorized fellowships for Indian students.

Section 7834, Pub. L. 89–10, title IX, §9124, as added Pub. L. 103–382, title I, §101, Oct. 20, 1994, 108 Stat. 3787; amended Pub. L. 105–244, title IX, §901(d), Oct. 7, 1998, 112 Stat. 1828, related to gifted and talented Indian students.

Section 7835, Pub. L. 89–10, title IX, §9125, as added Pub. L. 103–382, title I, §101, Oct. 20, 1994, 108 Stat. 3789, related to grants to tribes for education administrative planning and development.

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.

PART C—COORDINATION OF PROGRAMS; CONSOLIDATED STATE AND LOCAL PLANS AND APPLICATIONS

§ 7841. Purposes

The purposes of this part are—

(1) to improve teaching and learning by encouraging greater cross-program coordination, planning, and service delivery;

(2) to provide greater flexibility to State and local authorities through consolidated plans, applications, and reporting; and

(3) to enhance the integration of programs under this chapter with State and local programs.

(Pub. L. 89-10, title VIII, §8301, formerly title IX, §9301, as added Pub. L. 107-110, title IX, §901, Jan. 8, 2002, 115 Stat. 1968; renumbered title VIII, §8301, Pub. L. 114-95, title VIII, §8001(a)(3), Dec. 10, 2015, 129 Stat. 2088, 2089.)

§ 7842. Optional consolidated State plans or applications

(a) General authority

(1) Simplification

In order to simplify application requirements and reduce the burden for State educational agencies under this chapter, the Secretary, in accordance with subsection (b), shall establish procedures and criteria under which, after consultation with the Governor, a State educational agency may submit a consolidated State plan or a consolidated State application meeting the requirements of this section for—

(A) each of the covered programs in which the State participates; and

(B) such other programs as the Secretary may designate.

(2) Consolidated applications and plans

After consultation with the Governor, a State educational agency that submits a consolidated State plan or a consolidated State application under this section shall not be required to submit separate State plans or applications under any of the programs to which the consolidated State plan or consolidated State application under this section applies.

(b) Collaboration

(1) In general

In establishing criteria and procedures under this section, the Secretary shall collaborate with State educational agencies and, as appropriate, with other State agencies, local educational agencies, public and private agencies, organizations, and institutions, private schools, and representatives of parents, students, and teachers.

(2) Contents

Through the collaborative process described in paragraph (1), the Secretary shall establish, for each program under this chapter to which this section applies, the descriptions, information, assurances, and other material required to be included in a consolidated State plan or consolidated State application.

(3) Necessary materials

The Secretary shall require only descriptions, information, assurances (including assurances of compliance with applicable provisions regarding participation by private school children and teachers), and other materials that are absolutely necessary for the consideration of the consolidated State plan or consolidated State application.

(Pub. L. 89-10, title VIII, §8302, formerly title IX, §9302, as added Pub. L. 107-110, title IX, §901, Jan. 8, 2002, 115 Stat. 1968; renumbered title VIII,

§8302, and amended Pub. L. 114-95, title VIII, §§8001(a)(3), 8009, Dec. 10, 2015, 129 Stat. 2088, 2089, 2102.)

AMENDMENTS

2015—Subsec. (b)(1). Pub. L. 114-95, §8009, struck out “nonprofit” after “public and private”.

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.

§ 7843. Consolidated reporting

(a) In general

In order to simplify reporting requirements and reduce reporting burdens, the Secretary shall establish procedures and criteria under which a State educational agency, in consultation with the Governor of the State, may submit a consolidated State annual report.

(b) Contents

The report shall contain information about the programs included in the report, including the performance of the State under those programs, and other matters as the Secretary determines are necessary, such as monitoring activities.

(c) Replacement

The report shall replace separate individual annual reports for the programs included in the consolidated State annual report.

(Pub. L. 89-10, title VIII, §8303, formerly title IX, §9303, as added Pub. L. 107-110, title IX, §901, Jan. 8, 2002, 115 Stat. 1969; renumbered title VIII, §8303, Pub. L. 114-95, title VIII, §8001(a)(3), Dec. 10, 2015, 129 Stat. 2088, 2089.)

§ 7844. General applicability of State educational agency assurances

(a) Assurances

A State educational agency, in consultation with the Governor of the State, that submits a consolidated State plan or consolidated State application under this chapter, whether separately or under section 7842 of this title, shall have on file with the Secretary a single set of assurances, applicable to each program for which the plan or application is submitted, that provides that—

(1) each such program will be administered in accordance with all applicable statutes, regulations, program plans, and applications;

(2)(A) the control of funds provided under each such program and title to property acquired with program funds will be in a public agency, a¹ eligible private agency, institution, or organization, or an Indian tribe, if the law authorizing the program provides for assistance to those entities; and

(B) the public agency, eligible private agency, institution, or organization, or Indian tribe will administer those funds and property to the extent required by the authorizing law;

(3) the State will adopt and use proper methods of administering each such program, including—

¹ So in original. Probably should be “an”.