

## AMENDMENTS

2015—Pars. (1), (2). Pub. L. 114-95, §3003(k), substituted “English learners” for “limited English proficient children”.

## 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.

**§ 6846. Legal authority under State law**

Nothing in this part shall be construed to negate or supersede State law, or the legal authority under State law of any State agency, State entity, or State public official, over programs that are under the jurisdiction of the State agency, entity, or official.

(Pub. L. 89-10, title III, §3125, formerly §3126, as added Pub. L. 107-110, title III, §301, Jan. 8, 2002, 115 Stat. 1705; renumbered §3125, Pub. L. 114-95, title III, §3001(2)(B), Dec. 10, 2015, 129 Stat. 1953.)

## PRIOR PROVISIONS

A prior section 6846, Pub. L. 89-10, title III, §3136, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3648, related to national challenge grants for technology in education, prior to the general amendment of this subchapter by Pub. L. 107-110.

A prior section 3125 of Pub. L. 89-10 was renumbered section 3124 and is classified to section 6845 of this title.

**§ 6847. Civil rights**

Nothing in this part shall be construed in a manner inconsistent with any Federal law guaranteeing a civil right.

(Pub. L. 89-10, title III, §3126, formerly §3127, as added Pub. L. 107-110, title III, §301, Jan. 8, 2002, 115 Stat. 1705; renumbered §3126, Pub. L. 114-95, title III, §3001(2)(B), Dec. 10, 2015, 129 Stat. 1953.)

## PRIOR PROVISIONS

A prior section 6847, Pub. L. 89-10, title III, §3137, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3649, related to Federal administration of programs, prior to the general amendment of this subchapter by Pub. L. 107-110.

A prior section 3126 of Pub. L. 89-10 was renumbered section 3125 and is classified to section 6846 of this title.

**§ 6848. Programs for Native Americans and Puerto Rico**

Notwithstanding any other provision of this part, programs authorized under this part that serve Native American (including Native American Pacific Islander) children and children in the Commonwealth of Puerto Rico may include programs of instruction, teacher training, curriculum development, evaluation, and assessment designed for Native American children learning and studying Native American languages and children of limited Spanish proficiency, except that an outcome of programs serving such children shall be increased English proficiency among such children.

(Pub. L. 89-10, title III, §3127, formerly §3128, as added Pub. L. 107-110, title III, §301, Jan. 8, 2002, 115 Stat. 1705; renumbered §3127, Pub. L. 114-95, title III, §3001(2)(B), Dec. 10, 2015, 129 Stat. 1953.)

## PRIOR PROVISIONS

A prior section 3127 of Pub. L. 89-10 was renumbered section 3126 and is classified to section 6847 of this title.

**§ 6849. Prohibition**

In carrying out this part, the Secretary shall neither mandate nor preclude the use of a particular curricular or pedagogical approach to educating English learners.

(Pub. L. 89-10, title III, §3128, formerly §3129, as added Pub. L. 107-110, title III, §301, Jan. 8, 2002, 115 Stat. 1706; renumbered §3128 and amended Pub. L. 114-95, title III, §§3001(2)(B), 3003(l), Dec. 10, 2015, 129 Stat. 1953, 1964.)

## PRIOR PROVISIONS

A prior section 3128 of Pub. L. 89-10 was renumbered section 3127 and is classified to section 6848 of this title.

## AMENDMENTS

2015—Pub. L. 114-95, §3003(l), substituted “English learners” for “limited English proficient children”.

## 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

**§ 6861. National professional development project**

The Secretary shall use funds made available under section 6821(c)(1)(C) of this title to award grants on a competitive basis, for a period of not more than 5 years, to institutions of higher education or public or private entities with relevant experience and capacity (in consortia with State educational agencies or local educational agencies) to provide for professional development activities that will improve classroom instruction for English learners and assist educational personnel working with English learners to meet high professional standards, including standards for certification and licensure as teachers who work in language instruction educational programs or serve English learners. Grants awarded under this section may be used—

(1) for effective preservice or inservice professional development programs that will improve the qualifications and skills of educational personnel involved in the education of English learners, including personnel who are not certified or licensed and educational paraprofessionals, and for other activities to increase teacher and school leader effectiveness in meeting the needs of English learners;

(2) for the development of curricula or other instructional strategies appropriate to the needs of the consortia participants involved;

(3) to support strategies that strengthen and increase parent, family, and community member engagement in the education of English learners;

(4) to develop, share, and disseminate effective practices in the instruction of English learners and in increasing the student academic achievement of English learners, such as through the use of technology-based programs;