

3133; amended Pub. L. 111-39, title II, §201(2), July 1, 2009, 123 Stat. 1936; Pub. L. 114-95, title IX, §§9214(c)(3), 9215(oo)(3), Dec. 10, 2015, 129 Stat. 2161, 2179.)

REFERENCES IN TEXT

The Elementary and Secondary Education Act of 1965, referred to in subsec. (b)(4)(A), is Pub. L. 89-10, Apr. 11, 1965, 79 Stat. 27, which is classified generally to chapter 70 (§6301 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 6301 of this title and Tables.

The Individuals with Disabilities Education Act, referred to in subsec. (b)(4)(A), is title VI of Pub. L. 91-230, Apr. 13, 1970, 84 Stat. 175, which is classified generally to chapter 33 (§1400 et seq.) of this title. For complete classification of this Act to the Code, see section 1400 of this title and Tables.

PRIOR PROVISIONS

Prior section 202 of Pub. L. 89-329 was classified to section 1022 of this title, prior to repeal by Pub. L. 110-315.

A prior section 202 of Pub. L. 89-329 was classified to section 1022 of this title, prior to repeal by Pub. L. 104-208.

Another prior section 202 of Pub. L. 89-329 was classified to section 1022 of this title, prior to the general amendment of this subchapter by Pub. L. 96-374.

AMENDMENTS

2015—Subsec. (b)(6)(E)(ii). Pub. L. 114-95, §9215(oo)(3), substituted “challenging State academic standards under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965,” for “student academic achievement standards and academic content standards under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965.”

Subsec. (b)(6)(H). Pub. L. 114-95, §9214(c)(3)(A), substituted “teachers who meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act,” for “highly qualified teachers” in introductory provisions.

Subsec. (d)(1)(A)(i)(I). Pub. L. 114-95, §9214(c)(3)(B)(i)(I), substituted “meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act (including teachers in rural school districts, special educators, and teachers of students who are limited English proficient)” for “be highly qualified (including teachers in rural school districts who may teach multiple subjects, special educators, and teachers of students who are limited English proficient who may teach multiple subjects)”.

Subsec. (d)(1)(B)(iii). Pub. L. 114-95, §9214(c)(3)(B)(i)(II), substituted “meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act, which may include training in multiple subjects to teach multiple grade levels as may be needed for individuals preparing to teach in rural communities and for individuals preparing to teach students with disabilities” for “become highly qualified, which may include training in multiple subjects to teach multiple grade levels as may be needed for individuals preparing to teach in rural communities and for individuals preparing to teach students with disabilities as described in section 602(10)(D) of the Individuals with Disabilities Education Act”.

Subsec. (d)(5). Pub. L. 114-95, §9214(c)(3)(B)(ii), substituted “become teachers who meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act” for “become highly qualified teachers” in introductory provisions.

Subsec. (e)(2)(C)(iii)(IV). Pub. L. 114-95, §9214(c)(3)(C), added subcl. (IV) and struck out former subcl. (IV) which read as follows: “meet the requirements to be a highly qualified teacher, as defined in section 9101 of the Elementary and Secondary Education Act of 1965, or section 602 of the Individuals with Disabilities Education Act, when the applicant begins to fulfill the service obligation under this clause; and”.

2009—Subsec. (b)(6)(E)(ii). Pub. L. 111-39, §201(2)(A), substituted “section 1111(b)(1)” for “section 1111(b)(2)”.

Subsec. (c)(1). Pub. L. 111-39, §201(2)(B), struck out “pre-baccalaureate” before “preparation”.

Subsec. (d). Pub. L. 111-39, §201(2)(C), substituted “the preparation” for “pre-baccalaureate preparation” in heading, added introductory provisions, and struck out former introductory provisions which read as follows: “An eligible partnership that receives a grant to carry out an effective program for the pre-baccalaureate preparation of teachers shall carry out a program that includes all of the following:”.

Subsec. (e)(2). Pub. L. 111-39, §201(2)(D), in subpar. (A)(ii), substituted “leading to” for “to earn” and, in subpar. (C), struck out “one-year” before “teaching residency program” in cls. (i) and (iii)(I).

Subsec. (i)(3). Pub. L. 111-39, §201(2)(E), substituted “consent to” for “consent of”.

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.

EFFECTIVE DATE OF 2009 AMENDMENT

Amendment by Pub. L. 111-39 effective as if enacted on the date of enactment of Pub. L. 110-315 (Aug. 14, 2008), see section 3 of Pub. L. 111-39, set out as a note under section 1001 of this title.

§ 1022b. Administrative provisions

(a) Duration; number of awards; payments

(1) Duration

A grant awarded under this part shall be awarded for a period of five years.

(2) Number of awards

An eligible partnership may not receive more than one grant during a five-year period. Nothing in this subchapter shall be construed to prohibit an individual member, that can demonstrate need, of an eligible partnership that receives a grant under this subchapter from entering into another eligible partnership consisting of new members and receiving a grant with such other eligible partnership before the five-year period described in the preceding sentence applicable to the eligible partnership with which the individual member has first partnered has expired.

(b) Peer review

(1) Panel

The Secretary shall provide the applications submitted under this part to a peer review panel for evaluation. With respect to each ap-

plication, the peer review panel shall initially recommend the application for funding or for disapproval.

(2) Priority

The Secretary, in funding applications under this part, shall give priority—

(A) to eligible partnerships that include an institution of higher education whose teacher preparation program has a rigorous selection process to ensure the highest quality of students entering such program; and

(B)(i) to applications from broad-based eligible partnerships that involve businesses and community organizations; or

(ii) to eligible partnerships so that the awards promote an equitable geographic distribution of grants among rural and urban areas.

(3) Secretarial selection

The Secretary shall determine, based on the peer review process, which applications shall receive funding and the amounts of the grants. In determining grant amounts, the Secretary shall take into account the total amount of funds available for all grants under this part and the types of activities proposed to be carried out by the eligible partnership.

(c) Matching requirements

(1) In general

Each eligible partnership receiving a grant under this part shall provide, from non-Federal sources, an amount equal to 100 percent of the amount of the grant, which may be provided in cash or in-kind, to carry out the activities supported by the grant.

(2) Waiver

The Secretary may waive all or part of the matching requirement described in paragraph (1) for any fiscal year for an eligible partnership if the Secretary determines that applying the matching requirement to the eligible partnership would result in serious hardship or an inability to carry out the authorized activities described in this part.

(d) Limitation on administrative expenses

An eligible partnership that receives a grant under this part may use not more than two percent of the funds provided to administer the grant.

(Pub. L. 89-329, title II, §203, as added Pub. L. 110-315, title II, §201(2), Aug. 14, 2008, 122 Stat. 3145.)

PRIOR PROVISIONS

A prior section 203 of Pub. L. 89-329 was classified to section 1023 of this title, prior to repeal by Pub. L. 110-315.

Another prior section 203 of Pub. L. 89-329 was classified to section 1023 of this title, prior to repeal by Pub. L. 104-208.

Another prior section 203 of Pub. L. 89-329 was classified to section 1023 of this title, prior to the general amendment of this subchapter by Pub. L. 96-374.

§ 1022c. Accountability and evaluation

(a) Eligible partnership evaluation

Each eligible partnership submitting an application for a grant under this part shall estab-

lish, and include in such application, an evaluation plan that includes strong and measurable performance objectives. The plan shall include objectives and measures for increasing—

(1) achievement for all prospective and new teachers, as measured by the eligible partnership;

(2) teacher retention in the first three years of a teacher's career;

(3) improvement in the pass rates and scaled scores for initial State certification or licensure of teachers; and

(4)(A) the percentage of teachers who meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 1412(a)(14)(C) of this title, hired by the high-need local educational agency participating in the eligible partnership;

(B) the percentage of teachers who meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 1412(a)(14)(C) of this title, hired by the high-need local educational agency who are members of underrepresented groups;

(C) the percentage of teachers who meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 1412(a)(14)(C) of this title, hired by the high-need local educational agency who teach high-need academic subject areas (such as reading, mathematics, science, and foreign language, including less commonly taught languages and critical foreign languages);

(D) the percentage of teachers who meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 1412(a)(14)(C) of this title, hired by the high-need local educational agency who teach in high-need areas (including special education, language instruction educational programs for limited English proficient students, and early childhood education);

(E) the percentage of teachers who meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 1412(a)(14)(C) of this title, hired by the high-need local educational agency who teach in high-need schools, disaggregated by the elementary school and secondary school levels;

(F) as applicable, the percentage of early childhood education program classes in the ge-