

**§ 9802. Definitions****(a) ESEA definitions**

Unless otherwise specified in this chapter, the terms used in this chapter have the meanings given the terms in section 7801 of this title.

**(b) Other definitions**

In this chapter:

**(1) Critical foreign language**

The term “critical foreign language” means a foreign language that the Secretary determines, in consultation with the heads of such Federal departments and agencies as the Secretary determines appropriate, is critical to the national security and economic competitiveness of the United States.

**(2) Institution of higher education**

The term “institution of higher education” has the meaning given the term in section 1001(a) of this title.

**(3) Secretary**

The term “Secretary” means the Secretary of Education.

**(4) Scientifically valid research**

The term “scientifically valid research” includes applied research, basic research, and field-initiated research in which the rationale, design, and interpretation are soundly developed in accordance with accepted principles of scientific research.

(Pub. L. 110-69, title VI, § 6001, formerly § 6002, Aug. 9, 2007, 121 Stat. 625; renumbered § 6001, Pub. L. 111-358, title X, § 1002(b)(1), Jan. 4, 2011, 124 Stat. 4048; Pub. L. 114-95, title IX, § 9215(i)(1), Dec. 10, 2015, 129 Stat. 2167.)

## PRIOR PROVISIONS

A prior section 6001 of Pub. L. 110-69 was classified to section 9801 of this title prior to repeal by Pub. L. 111-358.

## AMENDMENTS

2015—Subsec. (a). Pub. L. 114-95 made amendment to reference in original act which appears in text as reference to section 7801 of this title. Amendment was executed to this section, which is section 6001 of Pub. L. 110-69, notwithstanding directory language directing amendment of section 6002(a) of Pub. L. 110-69, to reflect the probable intent of Congress and the renumbering of section 6002 of Pub. L. 110-69 as this section. Pub. L. 110-69 does not contain a section 6002.

## 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.

## SUBCHAPTER I—TEACHER ASSISTANCE

## PART A—TEACHERS FOR A COMPETITIVE TOMORROW

**§§ 9811 to 9816. Repealed. Pub. L. 114-329, title II, § 205(b), Jan. 6, 2017, 130 Stat. 3001**

Section 9811, Pub. L. 110-69, title VI, § 6111, Aug. 9, 2007, 121 Stat. 626, related to the purpose of this part.

Section 9812, Pub. L. 110-69, title VI, § 6112, Aug. 9, 2007, 121 Stat. 626, related to definitions of terms used in this part.

Section 9813, Pub. L. 110-69, title VI, § 6113, Aug. 9, 2007, 121 Stat. 628, related to programs for baccalaureate degrees in science, technology, engineering, mathematics, or critical foreign languages, with concurrent teacher certification.

Section 9814, Pub. L. 110-69, title VI, § 6114, Aug. 9, 2007, 121 Stat. 631, related to programs for master's degrees in science, technology, engineering, mathematics, or critical foreign language education.

Section 9815, Pub. L. 110-69, title VI, § 6115, Aug. 9, 2007, 121 Stat. 634, related to general provisions regarding grants under this part.

Section 9816, Pub. L. 110-69, title VI, § 6116, Aug. 9, 2007, 121 Stat. 634; Pub. L. 111-358, title X, § 1003(a), Jan. 4, 2011, 124 Stat. 4048, related to authorization of appropriations to carry out this part.

## PART B—ADVANCED PLACEMENT AND INTERNATIONAL BACCALAUREATE PROGRAMS

**§ 9831. Purpose**

It is the purpose of this part—

(1) to raise academic achievement through Advanced Placement and International Baccalaureate programs by increasing, by 70,000, over a 4-year period beginning in 2008, the number of teachers serving high-need schools who are qualified to teach Advanced Placement or International Baccalaureate courses in mathematics, science, and critical foreign languages;

(2) to increase, to 700,000 per year, the number of students attending high-need schools who—

(A) take and score a 3, 4, or 5 on an Advanced Placement examination in mathematics, science, or a critical foreign language administered by the College Board; or

(B) achieve a passing score on an examination administered by the International Baccalaureate Organization in such a subject;

(3) to increase the availability of, and enrollment in, Advanced Placement or International Baccalaureate courses in mathematics, science, and critical foreign languages, and pre-Advanced Placement or pre-International Baccalaureate courses in such subjects, in high-need schools; and

(4) to support statewide efforts to increase the availability of, and enrollment in, Advanced Placement or International Baccalaureate courses in mathematics, science, and critical foreign languages, and pre-Advanced Placement or pre-International Baccalaureate courses in such subjects, in high-need schools.

(Pub. L. 110-69, title VI, § 6121, Aug. 9, 2007, 121 Stat. 634.)

**§ 9832. Definitions**

In this part:

**(1) Advanced Placement or International Baccalaureate course**

The term “Advanced Placement or International Baccalaureate course” means—

(A) a course of college-level instruction provided to secondary school students, terminating in an examination administered by the College Board or the International Baccalaureate Organization, or another such examination approved by the Secretary; or

(B) another highly rigorous, evidence-based, postsecondary preparatory program

terminating in an examination administered by another nationally recognized educational organization that has a demonstrated record of effectiveness in assessing secondary school students, or another such examination approved by the Secretary.

**(2) Eligible entity**

The term “eligible entity” means—

- (A) a State educational agency;
- (B) a local educational agency; or
- (C) a partnership consisting of—

- (i) a national, regional, or statewide non-profit organization, with expertise and experience in providing Advanced Placement or International Baccalaureate services; and

- (ii) a State educational agency or local educational agency.

**(3) Low-income student**

The term “low-income student” means an individual who is determined by a State educational agency or local educational agency to be a child ages 5 through 19, from a low-income family, on the basis of data used by the Secretary to determine allocations under section 6333 of this title, data on children eligible for free or reduced-price lunches under the Richard B. Russell National School Lunch Act [42 U.S.C. 1751 et seq.], data on children in families receiving assistance under part A of title IV of the Social Security Act [42 U.S.C. 601 et seq.], or data on children eligible to receive medical assistance under the Medicaid program under title XIX of the Social Security Act [42 U.S.C. 1396 et seq.], or through an alternate method that combines or extrapolates from those data.

**(4) High concentration of low-income students**

The term “high concentration of low-income students”, used with respect to a school, means a school that serves a student population 40 percent or more of who are low-income students.

**(5) High-need local educational agency**

The term “high-need local educational agency” means a local educational agency or educational service agency described in 9812(3)(A)<sup>1</sup> of this title.

**(6) High-need school**

The term “high-need school” means a secondary school—

- (A) with a pervasive need for Advanced Placement or International Baccalaureate courses in mathematics, science, or critical foreign languages, or for additional Advanced Placement or International Baccalaureate courses in such a subject; and
- (B)(i) with a high concentration of low-income students; or

- (ii) designated with a school locale code of 41, 42, or 43, as determined by the Secretary.

(Pub. L. 110-69, title VI, §6122, Aug. 9, 2007, 121 Stat. 635; Pub. L. 114-95, title IX, §9215(i)(2), Dec. 10, 2015, 129 Stat. 2167.)

REFERENCES IN TEXT

The Richard B. Russell National School Lunch Act, referred to in par. (3), is act June 4, 1946, ch. 281, 60

Stat. 230, which is classified generally to chapter 13 (§1751 et seq.) 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 1751 of Title 42 and Tables.

The Social Security Act, referred to in par. (3), is act Aug. 14, 1935, ch. 531, 49 Stat. 620. Part A of title IV of the Act is classified generally to part A (§601 et seq.) of subchapter IV of chapter 7 of Title 42, The Public Health and Welfare. Title XIX of the Act is classified generally to subchapter XIX (§1396 et seq.) of chapter 7 of Title 42. For complete classification of this Act to the Code, see section 1305 of Title 42 and Tables.

AMENDMENTS

2015—Par. (3). Pub. L. 114-95, §9215(i)(2)(A), substituted “The term ‘low-income student’ means an individual who is determined by a State educational agency or local educational agency to be a child ages 5 through 19, from a low-income family, on the basis of data used by the Secretary to determine allocations under section 6333 of this title, data on children eligible for free or reduced-price lunches under the Richard B. Russell National School Lunch Act, data on children in families receiving assistance under part A of title IV of the Social Security Act, or data on children eligible to receive medical assistance under the Medicaid program under title XIX of the Social Security Act, or through an alternate method that combines or extrapolates from those data.” for “The term ‘low-income student’ has the meaning given the term ‘low-income individual’ in section 6537(3) of this title.”

Par. (4). Pub. L. 114-95, §9215(i)(2)(B), substituted “The term ‘high concentration of low-income students’, used with respect to a school, means a school that serves a student population 40 percent or more of who are low-income students.” for “The term ‘high concentration of low-income students’ has the meaning given the term in section 6537(2) of this title.”

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.

**§9833. Advanced Placement and International Baccalaureate programs**

**(a) Program authorized**

From the amounts appropriated under subsection (l), the Secretary is authorized to award grants, on a competitive basis, to eligible entities to enable the eligible entities to carry out the authorized activities described in subsection (g).

**(b) Duration of grants**

The Secretary may award grants under this section for a period of not more than 5 years.

**(c) Coordination**

The Secretary shall coordinate the activities carried out under this section with any activities carried out under section 7114 or 7117 of this title that provide students access to accelerated learning programs that provide—

- (1) postsecondary level courses accepted for credit at institutions of higher education, including dual or concurrent enrollment programs, and early college high schools; or
- (2) postsecondary level instruction and examinations that are accepted for credit at institutions of higher education, including Advanced Placement and International Baccalaureate programs.

<sup>1</sup> So in original. Probably should be preceded by “section”.