

adequate number of high-quality academic tutoring options to ensure parents have a meaningful choice of services;

(4) develop and implement procedures for monitoring the quality of services provided by direct student service providers; and

(5) establish and implement clear criteria describing the course of action for direct student service providers that are not successful in improving student academic outcomes, which, for a high-quality academic tutoring provider, may include a process to remove State approval under paragraph (2).

(Pub. L. 89-10, title I, §1003A, as added Pub. L. 114-95, title I, §1004, Dec. 10, 2015, 129 Stat. 1817.)

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.

§ 6304. State administration

(a) In general

Except as provided in subsection (b), to carry out administrative duties assigned under parts A, C, and D of this subchapter, each State may reserve the greater of—

- (1) 1 percent of the amounts received under such parts; or
- (2) \$400,000 (\$50,000 in the case of each outlying area).

(b) Exception

If the sum of the amounts appropriated for parts A, C, and D of this subchapter is equal to or greater than \$14,000,000,000, then the reservation described in subsection (a)(1) shall not exceed 1 percent of the amount the State would receive, if \$14,000,000,000 were allocated among the States for parts A, C, and D of this subchapter.

(Pub. L. 89-10, title I, §1004, as added Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1444.)

PRIOR PROVISIONS

A prior section 1004 of Pub. L. 89-10 was renumbered section 9004 and was classified to section 3384 of this title, prior to the general amendment of Pub. L. 89-10 by Pub. L. 103-382.

PART A—IMPROVING BASIC PROGRAMS OPERATED BY LOCAL EDUCATIONAL AGENCIES

SUBPART 1—BASIC PROGRAM REQUIREMENTS

§ 6311. State plans

(a) Filing for grants

(1) In general

For any State desiring to receive a grant under this part, the State educational agency shall file with the Secretary a plan that is—

(A) developed by the State educational agency with timely and meaningful consultation with the Governor, members of the State legislature and State board of education (if the State has a State board of education), local educational agencies (including those located in rural areas), representatives of Indian tribes located in the State,

teachers, principals, other school leaders, charter school leaders (if the State has charter schools), specialized instructional support personnel, paraprofessionals, administrators, other staff, and parents; and

(B) is coordinated with other programs under this chapter, the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), the Rehabilitation Act of 1973 (20 U.S.C. 701 et seq.),¹ the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.), the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.), the Head Start Act (42 U.S.C. 9831 et seq.), the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.),² the Education Sciences Reform Act of 2002 (20 U.S.C. 9501 et seq.), the Education³ Technical Assistance Act of 2002 (20 U.S.C. 9601 et seq.), the National Assessment of Educational Progress Authorization Act (20 U.S.C. 9621 et seq.), the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11301 et seq.), and the Adult Education and Family Literacy Act (29 U.S.C. 3271 et seq.).

(2) Limitation

Consultation required under paragraph (1)(A) shall not interfere with the timely submission of the plan required under this section.

(3) Consolidated plan

A State plan submitted under paragraph (1) may be submitted as part of a consolidated plan under section 7842 of this title.

(4) Peer review and Secretarial approval

(A) In general

The Secretary shall—

- (i) establish a peer-review process to assist in the review of State plans;
- (ii) establish multidisciplinary peer-review teams and appoint members of such teams—

(I) who are representative of—

- (aa) parents, teachers, principals, other school leaders, specialized instructional support personnel, State educational agencies, local educational agencies, and the community (including the business community); and
- (bb) researchers who are familiar with—

(AA) the implementation of academic standards, assessments, or accountability systems; and

(BB) how to meet the needs of disadvantaged students, children with disabilities, and English learners, the needs of low-performing schools, and other educational needs of students;

(II) that include, to the extent practicable, majority representation of individuals who, in the most recent 2 years, have had practical experience in the classroom, school administration, or

¹ So in original. Probably should be “(29 U.S.C. 701 et seq.)”.

² So in original. Probably should be “9857 et seq.”.

³ So in original. Probably should be “Educational”.