

mathematics, science, special education, and instruction of limited English proficient students.

(b) Assurances

Each institution described in subsection (a) shall provide assurances to the Secretary that—

(1) training provided to prospective teachers responds to the identified needs of the local educational agencies or States where the institution's graduates are likely to teach, based on past hiring and recruitment trends;

(2) training provided to prospective teachers is closely linked with the needs of schools and the instructional decisions new teachers face in the classroom;

(3) prospective special education teachers receive course work in core academic subjects and receive training in providing instruction in core academic subjects;

(4) general education teachers receive training in providing instruction to diverse populations, including children with disabilities, limited English proficient students, and children from low-income families; and

(5) prospective teachers receive training on how to effectively teach in urban and rural schools, as applicable.

(c) Rule of construction

Nothing in this section shall be construed to require an institution to create a new teacher preparation area of concentration or degree program or adopt a specific curriculum in complying with this section.

(Pub. L. 89-329, title II, §206, as added Pub. L. 110-315, title II, §201(2), Aug. 14, 2008, 122 Stat. 3152.)

Editorial Notes

PRIOR PROVISIONS

A prior section 206 of Pub. L. 89-329 was classified to section 1026 of this title, prior to repeal by Pub. L. 110-315.

Another prior section 206 of Pub. L. 89-329 was classified to section 1026 of this title, prior to the general amendment of this subchapter by Pub. L. 96-374.

§ 1022f. State functions

(a) State assessment

In order to receive funds under this chapter, a State shall conduct an assessment to identify low-performing teacher preparation programs in the State and to assist such programs through the provision of technical assistance. Each such State shall provide the Secretary with an annual list of low-performing teacher preparation programs and an identification of those programs at risk of being placed on such list, as applicable. Such assessment shall be described in the report under section 1022d(b) of this title. Levels of performance shall be determined solely by the State and may include criteria based on information collected pursuant to this part, including progress in meeting the goals of—

(1) increasing 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 qualifica-

tions described in section 1412(a)(14)(C) of this title, in the State, including increasing professional development opportunities;

(2) improving student academic achievement for elementary and secondary students; and

(3) raising the standards for entry into the teaching profession.

(b) Termination of eligibility

Any teacher preparation program from which the State has withdrawn the State's approval, or terminated the State's financial support, due to the low performance of the program based upon the State assessment described in subsection (a)—

(1) shall be ineligible for any funding for professional development activities awarded by the Department;

(2) may not be permitted to accept or enroll any student who receives aid under subchapter IV in the institution's teacher preparation program;

(3) shall provide transitional support, including remedial services if necessary, for students enrolled at the institution at the time of termination of financial support or withdrawal of approval; and

(4) shall be reinstated upon demonstration of improved performance, as determined by the State.

(c) Negotiated rulemaking

If the Secretary develops any regulations implementing subsection (b)(2), the Secretary shall submit such proposed regulations to a negotiated rulemaking process, which shall include representatives of States, institutions of higher education, and educational and student organizations.

(d) Application of the requirements

The requirements of this section shall apply to both traditional teacher preparation programs and alternative routes to State certification and licensure programs.

(Pub. L. 89-329, title II, §207, as added Pub. L. 110-315, title II, §201(2), Aug. 14, 2008, 122 Stat. 3152; amended Pub. L. 114-95, title IX, §9214(c)(6), Dec. 10, 2015, 129 Stat. 2163.)

Editorial Notes

PRIOR PROVISIONS

A prior section 207 of Pub. L. 89-329 was classified to section 1027 of this title, prior to repeal by Pub. L. 110-315.

Another prior section 207 of Pub. L. 89-329 was classified to section 1027 of this title, prior to the general amendment of this subchapter by Pub. L. 96-374.

AMENDMENTS

2015—Subsec. (a)(1). Pub. L. 114-95 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 1412(a)(14)(C) of this title,” for “highly qualified teachers”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114-95 effective Dec. 10, 2015, except with respect to certain noncompetitive pro-

grams and competitive programs, see section 5 of Pub. L. 114-95, set out as a note under section 6301 of this title.

§ 1022g. General provisions

(a) Methods

In complying with sections 1022d and 1022e of this title, the Secretary shall ensure that States and institutions of higher education use fair and equitable methods in reporting and that the reporting methods do not reveal personally identifiable information.

(b) Special rule

For each State that does not use content assessments as a means of ensuring that all teachers teaching in core academic subjects within the State meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, in accordance with the State plan submitted or revised under section 6311 of this title, and that each person employed as a special education teacher in the State who teaches elementary school or secondary school meets the qualifications described in section 1412(a)(14)(C) of this title, the Secretary shall—

(1) to the extent practicable, collect data comparable to the data required under this part from States, local educational agencies, institutions of higher education, or other entities that administer such assessments to teachers or prospective teachers; and

(2) notwithstanding any other provision of this part, use such data to carry out requirements of this part related to assessments, pass rates, and scaled scores.

(c) Release of information to teacher preparation programs

(1) In general

For the purpose of improving teacher preparation programs, a State that receives funds under this chapter, or that participates as a member of a partnership, consortium, or other entity that receives such funds, shall provide to a teacher preparation program, upon the request of the teacher preparation program, any and all pertinent education-related information that—

(A) may enable the teacher preparation program to evaluate the effectiveness of the program's graduates or the program itself; and

(B) is possessed, controlled, or accessible by the State.

(2) Content of information

The information described in paragraph (1)—

(A) shall include an identification of specific individuals who graduated from the teacher preparation program to enable the teacher preparation program to evaluate the information provided to the program from the State with the program's own data about the specific courses taken by, and field experiences of, the individual graduates; and

(B) may include—

(i) kindergarten through grade 12 academic achievement and demographic data,

without revealing personally identifiable information about an individual student, for students who have been taught by graduates of the teacher preparation program; and

(ii) teacher effectiveness evaluations for teachers who graduated from the teacher preparation program.

(Pub. L. 89-329, title II, §208, as added Pub. L. 110-315, title II, §201(2), Aug. 14, 2008, 122 Stat. 3153; amended Pub. L. 114-95, title IX, §9214(c)(7), Dec. 10, 2015, 129 Stat. 2163.)

Editorial Notes

PRIOR PROVISIONS

A prior section 208 of Pub. L. 89-329 was classified to section 1028 of this title, prior to repeal by Pub. L. 110-315.

Another prior section 208 of Pub. L. 89-329 was classified to section 1028 of this title, prior to the general amendment of this subchapter by Pub. L. 96-374.

AMENDMENTS

2015—Subsec. (b). Pub. L. 114-95, in introductory provisions, substituted “meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification,” for “are highly qualified, as required under section 6319 of this title,” and “meets the qualifications described in section 1412(a)(14)(C) of this title” for “is highly qualified by the deadline, as required under section 1412(a)(14)(C) of this title”.

Statutory Notes and Related Subsidiaries

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.

§ 1022h. Authorization of appropriations

There are authorized to be appropriated to carry out this part \$300,000,000 for fiscal year 2009 and such sums as may be necessary for each of the two succeeding fiscal years.

(Pub. L. 89-329, title II, §209, as added Pub. L. 110-315, title II, §201(2), Aug. 14, 2008, 122 Stat. 3154.)

Editorial Notes

PRIOR PROVISIONS

A prior section 209 of Pub. L. 89-329 was classified to section 1029 of this title, prior to repeal by Pub. L. 110-315.

A prior section 1023, Pub. L. 89-329, title II, §203, as added Pub. L. 105-244, title II, §201, Oct. 7, 1998, 112 Stat. 1625; amended Pub. L. 107-110, title X, §1051(2), Jan. 8, 2002, 115 Stat. 2080, related to partnership grants, prior to repeal by Pub. L. 110-315, title II, §201(2), Aug. 14, 2008, 122 Stat. 3133.

Another prior section 1023, Pub. L. 89-329, title II, §203, as added Pub. L. 102-325, title II, §201, July 23, 1992, 106 Stat. 468, required Secretary to ensure that programs under this subchapter were administered by appropriate library experts, prior to repeal by Pub. L. 104-208, div. A, title I, §101(e) [title VII, §708(b)], Sept. 30, 1996, 110 Stat. 3009-233, 3009-312.

Another prior section 1023, Pub. L. 89-329, title II, §203, Nov. 8, 1965, 79 Stat. 1225; Pub. L. 90-575, title II,