

§ 7112. Definitions

In this subpart:

(1) Blended learning

The term “blended learning” means a formal education program that leverages both technology-based and face-to-face instructional approaches—

(A) that include an element of online or digital learning, combined with supervised learning time, and student-led learning, in which the elements are connected to provide an integrated learning experience; and

(B) in which students are provided some control over time, path, or pace.

(2) Controlled substance

The term “controlled substance” means a drug or other substance identified under Schedule I, II, III, IV, or V in section 812(c) of title 21.

(3) Digital learning

The term “digital learning” means any instructional practice that effectively uses technology to strengthen a student’s learning experience and encompasses a wide spectrum of tools and practices, including—

(A) interactive learning resources, digital learning content (which may include openly licensed content), software, or simulations, that engage students in academic content;

(B) access to online databases and other primary source documents;

(C) the use of data and information to personalize learning and provide targeted supplementary instruction;

(D) online and computer-based assessments;

(E) learning environments that allow for rich collaboration and communication, which may include student collaboration with content experts and peers;

(F) hybrid or blended learning, which occurs under direct instructor supervision at a school or other location away from home and, at least in part, through online delivery of instruction with some element of student control over time, place, path, or pace; and

(G) access to online course opportunities for students in rural or remote areas.

(4) Drug

The term “drug” includes—

(A) controlled substances;

(B) the illegal use of alcohol or tobacco, including smokeless tobacco products and electronic cigarettes; and

(C) the harmful, abusive, or addictive use of substances, including inhalants and anabolic steroids.

(5) Drug and violence prevention

The term “drug and violence prevention” means—

(A) with respect to drugs, prevention, early intervention, rehabilitation referral, recovery support services, or education related to the illegal use of drugs, such as raising awareness about the consequences of drug use that are evidence-based (to the extent a State, in consultation with local edu-

cational agencies in the State, determines that such evidence is reasonably available); and

(B) with respect to violence, the promotion of school safety, such that students and school personnel are free from violent and disruptive acts, including sexual harassment and abuse, and victimization associated with prejudice and intolerance, on school premises, going to and from school, and at school-sponsored activities, through the creation and maintenance of a school environment that is free of weapons and fosters individual responsibility and respect for the rights of others.

(6) School-based mental health services provider

The term “school-based mental health services provider” includes a State-licensed or State-certified school counselor, school psychologist, school social worker, or other State licensed or certified mental health professional qualified under State law to provide mental health services to children and adolescents.

(7) State

The term “State” means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

(8) Stem-focused specialty school

The term “STEM-focused specialty school” means a school, or dedicated program within a school, that engages students in rigorous, relevant, and integrated learning experiences focused on science, technology, engineering, and mathematics, including computer science, which include authentic schoolwide research.

(Pub. L. 89-10, title IV, §4102, as added Pub. L. 114-95, title IV, §4101, Dec. 10, 2015, 129 Stat. 1969.)

Editorial Notes**PRIOR PROVISIONS**

A prior section 7112, Pub. L. 89-10, title IV, §4112, as added Pub. L. 107-110, title IV, §401, Jan. 8, 2002, 115 Stat. 1736, related to reservation of State funds for safe and drug-free schools, prior to the general amendment of this subpart by Pub. L. 114-95.

Another prior section 7112, Pub. L. 89-10, title IV, §4112, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3675, related to State applications, prior to the general amendment of this subchapter by Pub. L. 107-110.

A prior section 4102 of Pub. L. 89-10 was classified to section 3062 of this title, prior to the general amendment of Pub. L. 89-10 by Pub. L. 103-382.

Statutory Notes and Related Subsidiaries**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.

§ 7113. Formula grants to States**(a) Reservations**

From the total amount appropriated under section 7122 of this title for a fiscal year, the Secretary shall reserve—

(1) one-half of 1 percent for allotments for payments to the outlying areas, to be distributed among those outlying areas on the basis of their relative need, as determined by the Secretary, in accordance with the purpose of this subpart;

(2) one-half of 1 percent for the Secretary of the Interior for programs under this subpart in schools operated or funded by the Bureau of Indian Education; and

(3) 2 percent for technical assistance and capacity building.

(b) State allotments

(1) Allotment

(A) In general

Subject to subparagraphs (B) and (C), from the amount appropriated to carry out this subpart that remains after the Secretary makes the reservations under subsection (a), the Secretary shall allot to each State having a plan approved under subsection (c), an amount that bears the same relationship to the remainder as the amount the State received under subpart 2 of part A of subchapter I for the preceding fiscal year bears to the amount all States received under that subpart for the preceding fiscal year.

(B) Small State minimum

No State receiving an allotment under this paragraph shall receive less than one-half of 1 percent of the total amount allotted under this paragraph.

(C) Puerto Rico

The amount allotted under this paragraph to the Commonwealth of Puerto Rico for a fiscal year may not exceed one-half of 1 percent of the total amount allotted under this paragraph.

(2) Reallotment

If a State does not receive an allotment under this subpart for a fiscal year, the Secretary shall reallot the amount of the State's allotment to the remaining States in accordance with this subsection.

(c) State plan

(1) In general

In order to receive an allotment under this section for any fiscal year, a State shall submit a plan to the Secretary, at such time and in such manner as the Secretary may reasonably require.

(2) Contents

Each plan submitted by a State under this section shall include the following:

(A) A description of how the State educational agency will use funds received under this subpart for State-level activities.

(B) A description of how the State educational agency will ensure that awards made to local educational agencies under this subpart are in amounts that are consistent with section 7115(a)(2) of this title.

(C) Assurances that the State educational agency will—

(i) review existing resources and programs across the State and will coordinate

any new plans and resources under this subpart with such existing resources and programs;

(ii) monitor the implementation of activities under this subpart and provide technical assistance to local educational agencies in carrying out such activities; and

(iii) provide for equitable access for all students to the activities supported under this subpart, including aligning those activities with the requirements of other Federal laws.

(Pub. L. 89-10, title IV, § 4103, as added Pub. L. 114-95, title IV, § 4101, Dec. 10, 2015, 129 Stat. 1970.)

Editorial Notes

PRIOR PROVISIONS

A prior section 7113, Pub. L. 89-10, title IV, § 4113, as added Pub. L. 107-110, title IV, § 401, Jan. 8, 2002, 115 Stat. 1739, related to State application to receive allotment, prior to the general amendment of this subpart by Pub. L. 114-95.

Another prior section 7113, Pub. L. 89-10, title IV, § 4113, as added Pub. L. 103-382, title I, § 101, Oct. 20, 1994, 108 Stat. 3677, related to State and local educational agency programs, prior to the general amendment of this subchapter by Pub. L. 107-110.

A prior section 4103 of Pub. L. 89-10 was classified to section 3063 of this title, prior to the general amendment of Pub. L. 89-10 by Pub. L. 103-382.

Statutory Notes and Related Subsidiaries

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.

§ 7114. State use of funds

(a) In general

Each State that receives an allotment under section 7113 of this title for a fiscal year shall—

(1) reserve not less than 95 percent of the allotment to make allocations to local educational agencies under section 7115 of this title;

(2) reserve not more than 1 percent of the allotment for the administrative costs of carrying out its responsibilities under this subpart, including public reporting on how funds made available under this subpart are being expended by local educational agencies, including the degree to which the local educational agencies have made progress toward meeting the objectives and outcomes described in section 7116(e)(1)(E) of this title; and

(3) use the amount made available to the State and not reserved under paragraphs (1) and (2) for activities described in subsection (b).

(b) State activities

Each State that receives an allotment under section 7113 of this title shall use the funds available under subsection (a)(3) for activities and programs designed to meet the purposes of this subpart, which may include—