

(Pub. L. 89–10, title IV, § 4406, formerly title V, § 5306, as added Pub. L. 107–110, title V, § 501, Jan. 8, 2002, 115 Stat. 1809; renumbered title IV, § 4406, and amended Pub. L. 114–95, title IV, §§ 4001(b)(3)(A), (B), (D)(i), 4401(3), Dec. 10, 2015, 129 Stat. 1967, 2014.)

#### **Editorial Notes**

##### PRIOR PROVISIONS

A prior section 4406 of Pub. L. 89–10 was classified to section 3126 of this title, prior to the general amendment of Pub. L. 89–10 by Pub. L. 103–382.

##### AMENDMENTS

2015—Pars. (2) to (4). Pub. L. 114–95, § 4401(3), added pars. (2) to (4) and struck out former pars. (2) and (3) which read as follows:

“(2) propose to carry out new magnet school programs, or significantly revise existing magnet school programs; and

“(3) propose to select students to attend magnet school programs by methods such as lottery, rather than through academic examination.”

#### **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.

#### **§ 7231f. Use of funds**

##### **(a) In general**

Grant funds made available under this part may be used by an eligible local educational agency, or consortium of such agencies—

(1) for planning and promotional activities directly related to the development, expansion, continuation, or enhancement of academic programs and services offered at magnet schools;

(2) for the acquisition of books, materials, and equipment, including computers and the maintenance and operation of materials, equipment, and computers, necessary to conduct programs in magnet schools;

(3) for the compensation, or subsidization of the compensation, of elementary school and secondary school teachers who are effective, and instructional staff where applicable, who are necessary to conduct programs in magnet schools;

(4) with respect to a magnet school program offered to less than the entire student population of a school, for instructional activities that—

(A) are designed to make available the special curriculum that is offered by the magnet school program to students who are enrolled in the school but who are not enrolled in the magnet school program; and

(B) further the purpose of this part;

(5) for activities, which may include professional development, that will build the recipient's capacity to operate magnet school programs once the grant period has ended;

(6) to enable the local educational agency, or consortium of such agencies, to have more flexibility in the administration of a magnet

school program in order to serve students attending a school who are not enrolled in a magnet school program;

(7) to enable the local educational agency, or consortium of such agencies, to have flexibility in designing magnet schools for students in all grades;

(8) to enable the local educational agency, or consortium of such agencies, or other organizations partnered with such agency or consortium, to establish, expand, or strengthen inter-district and regional magnet programs; and

(9) to provide transportation to and from the magnet school, provided that—

(A) such transportation is sustainable beyond the grant period; and

(B) the costs of providing transportation do not represent a significant portion of the grant funds received by the eligible local educational agency under this part.

##### **(b) Special rule**

Grant funds under this part may be used for activities described in paragraphs (2) and (3) of subsection (a) only if the activities are directly related to improving student academic achievement based on the challenging State academic standards or directly related to improving student reading skills or knowledge of mathematics, science, history, geography, English, foreign languages, art, or music, or to improving career, technical, and professional skills.

(Pub. L. 89–10, title IV, § 4407, formerly title V, § 5307, as added Pub. L. 107–110, title V, § 501, Jan. 8, 2002, 115 Stat. 1809; renumbered title IV, § 4407, and amended Pub. L. 114–95, title IV, §§ 4001(b)(3)(A), (B), (D)(i), 4401(4), Dec. 10, 2015, 129 Stat. 1967, 2015; Pub. L. 116–260, div. H, title III, § 314(b), Dec. 27, 2020, 134 Stat. 1610.)

#### **Editorial Notes**

##### PRIOR PROVISIONS

A prior section 4407 of Pub. L. 89–10 was classified to section 3127 of this title, prior to the general amendment of Pub. L. 89–10 by Pub. L. 103–382.

##### AMENDMENTS

2020—Subsec. (a)(9). Pub. L. 116–260 struck out “notwithstanding section 1228 of this title,” before “to provide transportation”.

2015—Subsec. (a)(3). Pub. L. 114–95, § 4401(4)(A)(i), substituted “effective” for “highly qualified”.

Subsec. (a)(8), (9). Pub. L. 114–95, § 4401(4)(A)(ii)–(iv), added pars. (8) and (9).

Subsec. (b). Pub. L. 114–95, § 4401(4)(B), added subsec. (b) and struck out former subsec. (b). Prior to amendment, text read as follows: “Grant funds under this part may be used for activities described in paragraphs (2) and (3) of subsection (a) of this section only if the activities are directly related to improving student academic achievement based on the State's challenging academic content standards and student academic achievement standards or directly related to improving student reading skills or knowledge of mathematics, science, history, geography, English, foreign languages, art, or music, or to improving vocational, technological, and professional skills.”

#### **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.

**§ 7231g. Repealed. Pub. L. 114–95, title IV, § 4001(b)(3)(D)(ii), Dec. 10, 2015, 129 Stat. 1967**

Section, Pub. L. 89–10, title IV, §5308, formerly title V, §5308, as added Pub. L. 107–110, title V, §501, Jan. 8, 2002, 115 Stat. 1810; renumbered title IV, §5308, Pub. L. 114–95, title IV, §4001(b)(3)(A), (B), Dec. 10, 2015, 129 Stat. 1967, prohibited certain uses of grants under this part.

**Editorial Notes**

**PRIOR PROVISIONS**

A prior section 5308 of Pub. L. 89–10 was classified to section 7268 of this title, prior to the general amendment of former subchapter V of this chapter by Pub. L. 107–110.

**Statutory Notes and Related Subsidiaries**

**EFFECTIVE DATE OF REPEAL**

Repeal 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.

**§ 7231h. Limitations**

**(a) Duration of awards**

A grant under this part shall be awarded for a period that shall not exceed 5 fiscal years.

**(b) Limitation on planning funds**

A local educational agency, or consortium of such agencies, may expend for planning (professional development shall not be considered to be planning for purposes of this subsection) not more than 50 percent of the grant funds received under this part for the first year of the program and not more than 15 percent of such funds for each of the second and third such years.

**(c) Amount**

No grant awarded under this part to a local educational agency, or a consortium of such agencies, shall be for more than \$15,000,000 for the grant period described in subsection (a).

**(d) Timing**

To the extent practicable, the Secretary shall award grants for any fiscal year under this part not later than June 1 of the applicable fiscal year.

(Pub. L. 89–10, title IV, §4408, formerly title V, §5309, as added Pub. L. 107–110, title V, §501, Jan. 8, 2002, 115 Stat. 1810; renumbered title IV, §4408, and amended Pub. L. 114–95, title IV, §§4001(b)(3)(A), (B), (D)(iii), 4401(5), Dec. 10, 2015, 129 Stat. 1967, 2015.)

**Editorial Notes**

**PRIOR PROVISIONS**

A prior section 4408 of Pub. L. 89–10 was classified to section 3128 of this title, prior to the general amendment of Pub. L. 89–10 by Pub. L. 103–382.

**AMENDMENTS**

2015—Subsec. (a). Pub. L. 114–95, §4401(5)(A), substituted “5” for “3”.

Subsec. (c). Pub. L. 114–95, §4401(5)(B), added subsec. (c) and struck out former subsec. (c). Prior to amend-

ment, text read as follows: “No local educational agency, or consortium of such agencies, awarded a grant under this part shall receive more than \$4,000,000 under this part for any 1 fiscal year.”

Subsec. (d). Pub. L. 114–95, §4401(5)(C), substituted “June” for “July”.

**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.

**§ 7231i. Repealed. Pub. L. 114–95, title IV, § 4001(b)(3)(D)(ii), Dec. 10, 2015, 129 Stat. 1967**

Section, Pub. L. 89–10, title IV, §5310, formerly title V, §5310, as added Pub. L. 107–110, title V, §501, Jan. 8, 2002, 115 Stat. 1810; renumbered title IV, §5310, Pub. L. 114–95, title IV, §4001(b)(3)(A), (B), Dec. 10, 2015, 129 Stat. 1967, related to evaluations.

**Statutory Notes and Related Subsidiaries**

**EFFECTIVE DATE OF REPEAL**

Repeal 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.

**§ 7231j. Authorization of appropriations; reservation**

**(a) Authorization**

There are authorized to be appropriated to carry out this part the following amounts:

- (1) \$94,000,000 for fiscal year 2017.
- (2) \$96,820,000 for fiscal year 2018.
- (3) \$102,387,150 for fiscal year 2019.
- (4) \$108,530,379 for fiscal year 2020.

**(b) Reservation for technical assistance**

The Secretary may reserve not more than 1 percent of the funds appropriated under subsection (a) for any fiscal year to provide technical assistance and share best practices with respect to magnet school programs assisted under this part.

**(c) Availability of funds for grants to agencies not previously assisted**

In any fiscal year for which the amount appropriated pursuant to subsection (a) exceeds \$75,000,000, the Secretary shall give priority in using such amounts in excess of \$75,000,000 to awarding grants to local educational agencies or consortia of such agencies that did not receive a grant under this part in the preceding fiscal year.

(Pub. L. 89–10, title IV, §4409, formerly title V, §5311, as added Pub. L. 107–110, title V, §501, Jan. 8, 2002, 115 Stat. 1810; renumbered title IV, §4409, and amended Pub. L. 114–95, title IV, §§4001(b)(3)(A), (B), (D)(iii), 4401(6), Dec. 10, 2015, 129 Stat. 1967, 2015.)

**Editorial Notes**

**PRIOR PROVISIONS**

A prior section 4409 of Pub. L. 89–10 was classified to section 3129 of this title, prior to the general amendment of Pub. L. 89–10 by Pub. L. 103–382.