

§ 3996. Submission of applications

An applicant within a State that desires to receive a grant under this part¹ shall submit an application prepared in accordance with section 3995 of this title to the State educational agency for approval. Each application with respect to funds for improvement of elementary and secondary resources under section 3994(b)(1) of this title shall be submitted jointly by the local educational agency and each business concern or other party that is to participate in the activities for which assistance is sought.

(Pub. L. 98-377, title III, §326, as added Pub. L. 100-418, title VI, §6031(a)(2), Aug. 23, 1988, 102 Stat. 1482.)

REFERENCES IN TEXT

This part, referred to in text, was in the original "this chapter" and was translated as reading "this part" to reflect the probable intent of Congress because title III of Pub. L. 98-377, which comprises this subchapter, does not contain chapters.

§ 3997. Approval of applications**(a) Criteria**

The State shall establish criteria for approval of applications under this section. Such criteria shall include—

- (1) consideration of the local district's need for, and inability to locally provide for, the activities, equipment, library and instructional materials requested;
- (2) the number and nature of elementary and secondary students who will benefit from the planned program; and
- (3) the expressed level of financial and in-kind commitment from other parties to the program.

(b) Approval procedures

The State shall adopt approval procedures designed to ensure that grants are equitably distributed among—

- (1) rural, urban, and suburban areas; and
- (2) small, medium, and large local educational agencies.

(Pub. L. 98-377, title III, §327, as added Pub. L. 100-418, title VI, §6031(a)(2), Aug. 23, 1988, 102 Stat. 1482.)

§ 3998. Computation of grant amounts**(a) Payments to grantees****(1) Payment by State**

The State shall pay to the extent of amounts received by it from the Secretary under this part, to each applicant having an application approved under section 3997 of this title, the Federal share of the cost of the program described in the application.

(2) Amount

(A) Except as provided in subparagraph (B), the Federal share for each fiscal year shall be 75 percent.

(B) In the case of an applicant that receives a waiver under section 3995(c) of this title, the Federal share for each fiscal year may be as much as 100 percent.

¹ See References in Text note below.

(3) Non-Federal share

The non-Federal share of payments under this part may be in cash or in kind, fairly evaluated, including plant, equipment, or services.

(b) Payments to States

Except as provided in subsection (c) of this section, each State shall receive under this part the greater of—

- (1) an amount equal to its share of funds appropriated under chapter 1 of the Education Consolidation and Improvement Act; or
- (2) \$225,000.

(c) Reduction for insufficient funding

If sums appropriated to carry out this part are not sufficient to permit the Secretary to pay in full the grants which States may receive under subsection (b) of this section, the amount of such grants shall be ratably reduced.

(Pub. L. 98-377, title III, §328, as added Pub. L. 100-418, title VI, §6031(a)(2), Aug. 23, 1988, 102 Stat. 1482.)

REFERENCES IN TEXT

The Education Consolidation and Improvement Act, referred to in subsec. (b)(1), probably means the Education Consolidation and Improvement Act of 1981, which is subtitle D [§§551 to 596] of title V of Pub. L. 97-35, Aug. 13, 1981, 95 Stat. 463, as amended. Chapter 1 of the Act was classified generally to subchapter I (§3801 et seq.) of chapter 51 of this title, prior to repeal by Pub. L. 100-297, title I, §1003(a), Apr. 28, 1988, 102 Stat. 293. For complete classification of this Act to the Code, see Tables.

SUBCHAPTER IV—PRESIDENTIAL AWARDS FOR TEACHING EXCELLENCE IN MATHEMATICS AND SCIENCE

§§ 4001 to 4003. Repealed. Pub. L. 100-297, title II, §2303, Apr. 28, 1988, 102 Stat. 324

Section 4001, Pub. L. 98-377, title IV, §401, Aug. 11, 1984, 98 Stat. 1287, related to Presidential awards.

Section 4002, Pub. L. 98-377, title IV, §402, Aug. 11, 1984, 98 Stat. 1287, related to administrative provisions.

Section 4003, Pub. L. 98-377, title IV, §403, Aug. 11, 1984, 98 Stat. 1287; Pub. L. 99-159, title II, §241, Nov. 22, 1985, 99 Stat. 901, related to authorization of appropriations.

EFFECTIVE DATE OF REPEAL

Repeal effective July 1, 1988, see section 6303 of Pub. L. 100-297, set out as an Effective Date of 1988 Amendment note under section 1071 of this title.

SUBCHAPTER V—ASBESTOS SCHOOL HAZARD ABATEMENT

§ 4011. Findings and purpose**(a) Findings**

The Congress finds that—

(1) exposure to asbestos fibers has been identified over a long period of time and by reputable medical and scientific evidence as significantly increasing the incidence of cancer and other severe or fatal diseases, such as asbestosis;

(2) medical evidence has suggested that children may be particularly vulnerable to environmentally induced cancers;

(3) medical science has not established any minimum level of exposure to asbestos fibers