

- (B) a private nonprofit entity; or
- (C) a consortium of entities described in subparagraphs (A) and (B).

(Pub. L. 89-10, title V, §5230, as added Pub. L. 107-110, title V, §501, Jan. 8, 2002, 115 Stat. 1803.)

#### § 7223j. Authorization of appropriations

For the purpose of carrying out this subpart, there are authorized to be appropriated \$150,000,000 for fiscal year 2002 and such sums as may be necessary for fiscal year 2003.

(Pub. L. 89-10, title V, §5231, as added Pub. L. 107-110, title V, §501, Jan. 8, 2002, 115 Stat. 1803.)

#### SUBPART 3—VOLUNTARY PUBLIC SCHOOL CHOICE PROGRAMS

### § 7225. Grants

#### (a) Authorization

From funds made available under section 7225g of this title to carry out this subpart, the Secretary shall award grants, on a competitive basis, to eligible entities to enable the entities to establish or expand a program of public school choice (referred to in this subpart as a “program”) in accordance with this subpart.

#### (b) Duration

Grants awarded under subsection (a) of this section may be awarded for a period of not more than 5 years.

(Pub. L. 89-10, title V, §5241, as added Pub. L. 107-110, title V, §501, Jan. 8, 2002, 115 Stat. 1803.)

### § 7225a. Uses of funds

#### (a) Required use of funds

An eligible entity that receives a grant under this subpart shall use the grant funds to provide students selected to participate in the program with transportation services or the cost of transportation to and from the public elementary schools and secondary schools, including charter schools, that the students choose to attend under the program.

#### (b) Permissible uses of funds

An eligible entity that receives a grant under this subpart may use the grant funds for—

- (1) planning or designing a program (for not more than 1 year);
- (2) the cost of making tuition transfer payments to public elementary schools or secondary schools to which students transfer under the program;
- (3) the cost of capacity-enhancing activities that enable high-demand public elementary schools or secondary schools to accommodate transfer requests under the program;
- (4) the cost of carrying out public education campaigns to inform students and parents about the program; and
- (5) other costs reasonably necessary to implement the program.

#### (c) Nonpermissible uses of funds

An eligible entity that receives a grant under this subpart may not use the grant funds for school construction.

#### (d) Administrative expenses

The eligible entity may use not more than 5 percent of the funds made available through the

grant for any fiscal year for administrative expenses.

(Pub. L. 89-10, title V, §5242, as added Pub. L. 107-110, title V, §501, Jan. 8, 2002, 115 Stat. 1804.)

### § 7225b. Applications

#### (a) Submission

An eligible entity that desires a grant under this subpart shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

#### (b) Contents

An application submitted under subsection (a) of this section shall include—

- (1) a description of the program for which the eligible entity seeks funds and the goals for such program;
- (2) a description of how and when parents of students will be given the notice required under section 7225d(a)(2) of this title;
- (3) a description of how students will be selected for the program;
- (4) a description of how the program will be coordinated with, and will complement and enhance, other related Federal and non-Federal projects;
- (5) if the program is to be carried out by a partnership, the name of each partner and a description of the partner’s responsibilities; and
- (6) such other information as the Secretary may require.

(Pub. L. 89-10, title V, §5243, as added Pub. L. 107-110, title V, §501, Jan. 8, 2002, 115 Stat. 1804.)

### § 7225c. Priorities

In awarding grants under this subpart, the Secretary shall give priority to an eligible entity—

- (1) whose program would provide the widest variety of choices to all students in participating schools;
- (2) whose program would, through various choice options, have the most impact in allowing students in low-performing schools to attend higher-performing schools; and
- (3) that is a partnership that seeks to implement an interdistrict approach to carrying out a program.

(Pub. L. 89-10, title V, §5244, as added Pub. L. 107-110, title V, §501, Jan. 8, 2002, 115 Stat. 1804.)

### § 7225d. Requirements and voluntary participation

#### (a) Parent and community involvement and notice

In carrying out a program under this subpart, an eligible entity shall—

- (1) develop the program with—
  - (A) the involvement of parents and others in the community to be served; and
  - (B) individuals who will carry out the program, including administrators, teachers, principals, and other staff; and
- (2) provide to parents of students in the area to be served by the program with prompt notice of—