

§ 7277b. Local uses of funds**(a) In general**

A local educational agency that receives a subgrant under section 7277a(a) of this title shall use the subgrant funds to plan and prepare for healthy, high-performance school building projects that—

- (1) reduce energy use to at least 30 percent below that of a school constructed in compliance with standards prescribed in chapter 8 of the 2000 International Energy Conservation Code, or a similar State code intended to achieve substantially equivalent results;
- (2) meet Federal and State health and safety codes; and
- (3) support healthful, energy efficient, and environmentally sound practices.

(b) Use of funds

A local educational agency that receives a subgrant under section 7277a(a) of this title shall use funds for one or more of the following:

- (1) To develop a comprehensive energy audit of the energy consumption characteristics of a building and the need for additional energy conservation measures necessary to allow schools to meet the guidelines set out in subsection (a) of this section.
- (2) To produce a comprehensive analysis of building strategies, designs, materials, and equipment that—
 - (A) are cost effective, produce greater energy efficiency, and enhance indoor air quality; and
 - (B) can be used when conducting school construction and renovation or purchasing materials and equipment.
- (3) To obtain research and provide technical services and assistance in planning and designing healthy, high-performance school buildings, including developing a timeline for implementation of such plans.

(Pub. L. 89–10, title V, § 5583, as added Pub. L. 107–110, title V, § 501, Jan. 8, 2002, 115 Stat. 1864.)

§ 7277c. Report to Congress

The Secretary shall conduct a biennial review of State actions implementing this subpart and carrying out the plans developed under this subpart through State and local funding, and shall submit a report to Congress on the results of such reviews.

(Pub. L. 89–10, title V, § 5584, as added Pub. L. 107–110, title V, § 501, Jan. 8, 2002, 115 Stat. 1865.)

§ 7277d. Limitations

No funds received under this subpart may be used for any of the following:

- (1) Payment of maintenance of costs in connection with any projects constructed in whole or in part with Federal funds provided under this subpart.
- (2) Construction, renovation, or repair of school facilities.
- (3) Construction, renovation, repair, or acquisition of a stadium or other facility primarily used for athletic contests or exhibitions, or other events for which admission is charged to the general public.

(Pub. L. 89–10, title V, § 5585, as added Pub. L. 107–110, title V, § 501, Jan. 8, 2002, 115 Stat. 1865.)

§ 7277e. Healthy, high-performance school building defined

In this subpart, the term “healthy, high-performance school building” means a school building in which the design, construction, operation, and maintenance—

- (1) use energy-efficient and affordable practices and materials;
- (2) are cost-effective;
- (3) enhance indoor air quality; and
- (4) protect and conserve water.

(Pub. L. 89–10, title V, § 5586, as added Pub. L. 107–110, title V, § 501, Jan. 8, 2002, 115 Stat. 1865.)

SUBPART 19—GRANTS FOR CAPITAL EXPENSES OF PROVIDING EQUITABLE SERVICES FOR PRIVATE SCHOOL STUDENTS**§ 7279. Grant program authorized**

The Secretary is authorized to award grants to State educational agencies, from allotments made under section 7279b of this title, to enable the State educational agencies to award subgrants to local educational agencies to pay for capital expenses in accordance with this subpart.

(Pub. L. 89–10, title V, § 5591, as added Pub. L. 107–110, title V, § 501, Jan. 8, 2002, 115 Stat. 1865.)

§ 7279a. Uses of funds

A local educational agency that receives a subgrant under this subpart shall use the subgrant funds only to pay for capital expenses incurred in providing equitable services for private school students under section 6320 of this title.

(Pub. L. 89–10, title V, § 5592, as added Pub. L. 107–110, title V, § 501, Jan. 8, 2002, 115 Stat. 1865.)

§ 7279b. Allotments to States

From the funds made available to carry out this subpart for a fiscal year, the Secretary shall allot to each State an amount that bears the same ratio to the funds made available as the number of private school students who received services under part A of subchapter I of this chapter in the State in the most recent year for which data, satisfactory to the Secretary, are available bears to the number of such students in all States in such year.

(Pub. L. 89–10, title V, § 5593, as added Pub. L. 107–110, title V, § 501, Jan. 8, 2002, 115 Stat. 1866.)

§ 7279c. Subgrants to local educational agencies**(a) Applications**

A local educational agency that desires to receive a subgrant under this subpart shall submit an application to the State educational agency involved at such time, in such manner, and containing such information as the State educational agency may require.

(b) Distribution

A State educational agency shall award subgrants to local educational agencies within the