

**§ 3919. Special consideration of under-represented and underserved population**

In providing financial assistance under this subchapter, the Foundation shall make every effort to ensure that consideration is given to proposals which contain provisions designed to meet the needs of underrepresented and underserved populations.

(Pub. L. 98-377, title I, §109, as added Pub. L. 99-159, title II, §201, Nov. 22, 1985, 99 Stat. 897.)

**§ 3920. Availability of funds**

Funds to carry out this subchapter for any fiscal year shall be made available from amounts appropriated pursuant to annual authorizations of appropriations for the National Science Foundation for Science and Engineering Education. For fiscal year 1986, funds to carry out this subchapter shall be available from amounts authorized by section 102(a)(8) of the National Science Foundation Authorization Act for fiscal year 1986.

(Pub. L. 98-377, title I, §110, as added Pub. L. 99-159, title II, §201, Nov. 22, 1985, 99 Stat. 897.)

REFERENCES IN TEXT

Section 102(a)(8) of the National Science Foundation Authorization Act for fiscal year 1986, referred to in text, is section 102(a)(8) of Pub. L. 99-159, title I, Nov. 22, 1985, 99 Stat. 887, which is not classified to the Code.

**§ 3921. Prohibition against the Federal control of education**

The provisions of section 1232a<sup>1</sup> of this title, relating to prohibition against Federal control of education, shall apply to each program and award authorized by this subchapter.

(Pub. L. 98-377, title I, §111, as added Pub. L. 99-159, title II, §201, Nov. 22, 1985, 99 Stat. 897.)

REFERENCES IN TEXT

Section 1232a of this title, referred to in text, was in the original a reference to section 432 of the General Education Provisions Act. Sections 425 and 432 of that Act were renumbered as sections 432 and 438, respectively, by Pub. L. 103-382, title II, §212(b)(1), Oct. 20, 1994, 108 Stat. 3913, and are classified to sections 1231b-2 and 1232a, respectively, of this title.

PRIOR PROVISIONS

A prior section 3921, Pub. L. 98-377, title I, §121, Aug. 11, 1984, 98 Stat. 1269, related to programs authorized for mathematics and science education development, prior to the general revision of this subchapter by section 201 of Pub. L. 99-159. See section 3914 of this title.

**§ 3922. Participation of teachers from private schools**

The Foundation shall, after consultation with appropriate private school representatives, make provision for the benefit of teachers in private elementary and secondary schools in the programs authorized by this subchapter, in order to assure equitable participation of such teachers.

(Pub. L. 98-377, title I, §112, as added Pub. L. 99-159, title II, §201, Nov. 22, 1985, 99 Stat. 897.)

<sup>1</sup> See References in Text note below.

PRIOR PROVISIONS

Prior sections 3922 to 3954 were omitted in the general revision of this subchapter by section 201 of Pub. L. 99-159.

Prior section 3922, Pub. L. 98-377, title I, §122, Aug. 11, 1984, 98 Stat. 1269, related to requirements, contents, etc., for applications and defined "eligible applicant".

Prior section 3923, Pub. L. 98-377, title I, §123, Aug. 11, 1984, 98 Stat. 1270, related to special consideration for applications meeting the needs of underrepresented and underserved populations. See section 3919 of this title.

Prior section 3931, Pub. L. 98-377, title I, §132, Aug. 11, 1984, 98 Stat. 1270, related to establishment, etc., of the merit scholarship program.

Prior section 3932, Pub. L. 98-377, title I, §133, Aug. 11, 1984, 98 Stat. 1271, related to criteria, etc., for selection of merit scholars.

Prior section 3933, Pub. L. 98-377, title I, §134, Aug. 11, 1984, 98 Stat. 1271, related to amount of stipends and conditions for scholarships.

Prior section 3941, Pub. L. 98-377, title I, §141, Aug. 11, 1984, 98 Stat. 1272, related to authority, etc., of the Director to make grants, to enter into contracts, and to conduct programs from discretionary funds. See section 3916 of this title.

Prior section 3951, Pub. L. 98-377, title I, §161, Aug. 11, 1984, 98 Stat. 1272, related to the administrative authorities of the Foundation and reporting requirements.

Prior section 3952, Pub. L. 98-377, title I, §162, Aug. 11, 1984, 98 Stat. 1273, related to participation of teachers from private schools. See section 3922 of this title.

Prior section 3953, Pub. L. 98-377, title I, §163, Aug. 11, 1984, 98 Stat. 1273, related to prohibition against Federal control of education. See section 3921 of this title.

Prior section 3954, Pub. L. 98-377, title I, §164, Aug. 11, 1984, 98 Stat. 1273, related to authorization of appropriations for purposes of former provisions. See section 3920 of this title.

SUBCHAPTER II—EDUCATION FOR  
ECONOMIC SECURITY

**§§ 3961 to 3973. Repealed. Pub. L. 100-297, title II, § 2303, Apr. 28, 1988, 102 Stat. 324**

Section 3961, Pub. L. 98-377, title II, §201, Aug. 11, 1984, 98 Stat. 1273, related to purpose of subchapter.

Section 3962, Pub. L. 98-377, title II, §202, Aug. 11, 1984, 98 Stat. 1274, defined "junior or community college".

Section 3963, Pub. L. 98-377, title II, §203, Aug. 11, 1984, 98 Stat. 1274; Pub. L. 99-159, title II, §222(a), Nov. 22, 1985, 99 Stat. 897; Pub. L. 100-418, title VI, §6005, Aug. 23, 1988, 102 Stat. 1471, related to program authorized.

Section 3964, Pub. L. 98-377, title II, §204, Aug. 11, 1984, 98 Stat. 1274; Pub. L. 99-159, title II, §223, Nov. 22, 1985, 99 Stat. 897, related to allotment to States.

Section 3965, Pub. L. 98-377, title II, §205, Aug. 11, 1984, 98 Stat. 1275; Pub. L. 99-159, title II, §222(b), Nov. 22, 1985, 99 Stat. 897, related to in-State apportionment.

Section 3966, Pub. L. 98-377, title II, §206, Aug. 11, 1984, 98 Stat. 1275; Pub. L. 99-159, title II, §224, Nov. 22, 1985, 99 Stat. 898, related to elementary and secondary education programs.

Section 3967, Pub. L. 98-377, title II, §207, Aug. 11, 1984, 98 Stat. 1277; Pub. L. 99-159, title II, §225, Nov. 22, 1985, 99 Stat. 899, related to higher education programs.

Section 3968, Pub. L. 98-377, title II, §208, Aug. 11, 1984, 98 Stat. 1278; Pub. L. 99-159, title II, §226, Nov. 22, 1985, 99 Stat. 899, related to State assessments of mathematics, science, foreign languages, and computer learning.

Section 3969, Pub. L. 98-377, title II, §209, Aug. 11, 1984, 98 Stat. 1279; Pub. L. 99-159, title II, §227, Nov. 22, 1985, 99 Stat. 899, related to State applications.

Section 3970, Pub. L. 98-377, title II, §210, Aug. 11, 1984, 98 Stat. 1280; Pub. L. 99-159, title II, §228, Nov. 22, 1985, 99 Stat. 900, related to local educational agency assessments.

Section 3971, Pub. L. 98-377, title II, §211, Aug. 11, 1984, 98 Stat. 1281; Pub. L. 99-159, title II, §228A, Nov. 22, 1985, 99 Stat. 900, related to participation of children and teachers from private nonprofit schools.

Section 3972, Pub. L. 98-377, title II, §212, Aug. 11, 1984, 98 Stat. 1281; Pub. L. 99-159, title II, §229, Nov. 22, 1985, 99 Stat. 900, related to Secretary's discretionary fund for programs of national significance.

Section 3973, Pub. L. 98-377, title II, §213, Aug. 11, 1984, 98 Stat. 1282; Pub. L. 99-159, title II, §230, Nov. 22, 1985, 99 Stat. 900, related to payments.

#### 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 III—PARTNERSHIPS IN EDUCATION FOR MATHEMATICS, SCIENCE, AND ENGINEERING

#### PART A—HIGHER EDUCATION PARTNERSHIPS

##### § 3981. Statement of purpose

It is the purpose of this part to supplement State and local resources to—

(1) improve the quality of instruction in the fields of mathematics, science, and engineering in the State;

(2) furnish additional resources and support for research, student scholarships, and faculty exchange programs in the fields of mathematics, science, and engineering; and

(3) encourage partnerships in education between the business community, institutions of higher education, and elementary and secondary schools in the community.

(Pub. L. 98-377, title III, §302, Aug. 11, 1984, 98 Stat. 1283; Pub. L. 100-418, title VI, §6031(b)(2), Aug. 23, 1988, 102 Stat. 1483.)

#### AMENDMENTS

1988—Pub. L. 100-418 substituted “part” for “subchapter” in introductory text.

#### SHORT TITLE

Pub. L. 98-377, title III, §301, Aug. 11, 1984, 98 Stat. 1283, as amended by Pub. L. 100-418, title VI, §6031(b)(2), Aug. 23, 1988, 102 Stat. 1483, provided that: “This part [part A (§§301-309) of title III of Pub. L. 98-377 enacting this part] may be cited as the ‘Partnerships in Education for Mathematics, Science, and Engineering Act.’”

##### § 3982. Definitions

As used in this part—

(1) the term “applicant” means with respect to activities described in section 3984(a) of this title an institution of higher education and the other participants described in paragraph (3) of section 3984(a) of this title, and with respect to activities described in section 3984(b) of this title a local educational agency and the other participants described in paragraph (3) of section 3984(b) of this title;

(2) the term “equipment” includes machinery, utilities, and built-in equipment and any necessary enclosures or structures to house them, and includes all other items necessary for the functioning of a particular facility as a facility for the provision of educational services, including items such as instructional equipment and necessary furniture, printed,

published, and audio-visual instructional materials, and books, periodicals, documents, and other related materials; and

(3) the term “State agency for higher education” means the State board of higher education or other agency or officer primarily responsible for the State supervision of higher education, or if there is no such officer or agency, an officer or agency designated by the Governor or by State law.

(Pub. L. 98-377, title III, §303, Aug. 11, 1984, 98 Stat. 1283; Pub. L. 99-159, title II, §232, Nov. 22, 1985, 99 Stat. 900; Pub. L. 100-418, title VI, §6031(b)(2), Aug. 23, 1988, 102 Stat. 1483.)

#### AMENDMENTS

1988—Pub. L. 100-418 substituted “part” for “subchapter” in introductory text.

1985—Pub. L. 99-159 struck out pars. (3), (4), and (5) which defined “Foundation”, “institution of higher education”, and “States”, respectively, and redesignated par. (6) as (3).

##### § 3983. Program authorized

###### (a) Authority of Secretary

The Secretary is authorized, in accordance with the provisions of this part, to make grants to applicants to pay the Federal share of the costs of the activities described in section 3984 of this title.

###### (b) Authorization of appropriations

There are authorized to be appropriated \$50,000,000 for each of the fiscal years 1986 and 1987. There are authorized to be appropriated to carry out the provisions of this part \$15,000,000 for fiscal year 1989 and such sums as may be necessary for each of the fiscal years 1990, 1991, 1992, and 1993.

(Pub. L. 98-377, title III, §304, Aug. 11, 1984, 98 Stat. 1284; Pub. L. 99-159, title II, §§231, 233, Nov. 22, 1985, 99 Stat. 900, 901; Pub. L. 100-297, title II, §2301, Apr. 28, 1988, 102 Stat. 319; Pub. L. 100-418, title VI, §6031(b)(2), Aug. 23, 1988, 102 Stat. 1483.)

#### AMENDMENTS

1988—Pub. L. 100-418 substituted “part” for “subchapter” wherever appearing.

Subsec. (b). Pub. L. 100-297 substituted “1986 and 1987” for “1986, 1987, and 1988, to carry out the provisions of this subchapter” and inserted provision authorizing appropriations to carry out provisions of this part of \$15,000,000 for fiscal year 1989 and such sums as may be necessary for each of the fiscal years 1990, 1991, 1992, and 1993.

1985—Subsec. (a). Pub. L. 99-159, §231, substituted “Secretary” for “Foundation”.

Subsec. (b). Pub. L. 99-159, §233, amended subsec. (b) generally, substituting authorizations of \$50,000,000 for each of the fiscal years 1986, 1987, and 1988, for authorizations of \$30,000,000 for fiscal year 1984 and \$60,000,000 for fiscal year 1985.

#### EFFECTIVE DATE OF 1988 AMENDMENT

For effective date and applicability of amendment by Pub. L. 100-297, see section 6303 of Pub. L. 100-297, set out as a note under section 1071 of this title.

##### § 3984. Authorized activities

###### (a) Higher education partnership in education programs and activities; eligible applicants

(1) An applicant may use payments received under this part in any fiscal year for higher edu-