

(1) Local educational agency

The term “local educational agency” means a local educational agency or a consortium of such agencies.

(2) Public school

The term “public school” means a public elementary school or a public secondary school.

(3) School-age population

The term “school-age population” means the population aged 5 through 17.

(4) State

The term “State” means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

(Pub. L. 89–10, title V, §5145, as added Pub. L. 107–110, title V, §501, Jan. 8, 2002, 115 Stat. 1788.)

PRIOR PROVISIONS

A prior section 5145 of Pub. L. 89–10 was classified to section 3224a of this title, prior to the general amendment of Pub. L. 89–10 by Pub. L. 103–382.

§ 7217e. Authorization of appropriations

There are authorized to be appropriated to carry out this part—

- (1) \$450,000,000 for fiscal year 2002;
- (2) \$475,000,000 for fiscal year 2003;
- (3) \$500,000,000 for fiscal year 2004;
- (4) \$525,000,000 for fiscal year 2005;
- (5) \$550,000,000 for fiscal year 2006; and
- (6) \$600,000,000 for fiscal year 2007.

(Pub. L. 89–10, title V, §5146, as added Pub. L. 107–110, title V, §501, Jan. 8, 2002, 115 Stat. 1788.)

PRIOR PROVISIONS

A prior section 5146 of Pub. L. 89–10 was classified to section 3224b of this title, prior to the general amendment of Pub. L. 89–10 by Pub. L. 103–382.

PART B—PUBLIC CHARTER SCHOOLS

SUBPART 1—CHARTER SCHOOL PROGRAMS

§ 7221. Purpose

It is the purpose of this subpart to increase national understanding of the charter schools model by—

- (1) providing financial assistance for the planning, program design, and initial implementation of charter schools;
- (2) evaluating the effects of such schools, including the effects on students, student academic achievement, staff, and parents;
- (3) expanding the number of high-quality charter schools available to students across the Nation; and
- (4) encouraging the States to provide support to charter schools for facilities financing in an amount more nearly commensurate to the amount the States have typically provided for traditional public schools.

(Pub. L. 89–10, title V, §5201, as added Pub. L. 107–110, title V, §501, Jan. 8, 2002, 115 Stat. 1788.)

PRIOR PROVISIONS

A prior section 5201 of Pub. L. 89–10 was classified to section 7231 of this title, prior to the general amendment of this subchapter by Pub. L. 107–110.

§ 7221a. Program authorized**(a) In general**

The Secretary may award grants to State educational agencies having applications approved pursuant to section 7221b of this title to enable such agencies to conduct a charter school grant program in accordance with this subpart.

(b) Special rule

If a State educational agency elects not to participate in the program authorized by this subpart or does not have an application approved under section 7221b of this title, the Secretary may award a grant to an eligible applicant that serves such State and has an application approved pursuant to section 7221b(c) of this title.

(c) Program periods**(1) Grants to States**

Grants awarded to State educational agencies under this subpart shall be for a period of not more than 3 years.

(2) Grants to eligible applicants

Grants awarded by the Secretary to eligible applicants or subgrants awarded by State educational agencies to eligible applicants under this subpart shall be for a period of not more than 3 years, of which the eligible applicant may use—

- (A) not more than 18 months for planning and program design;
- (B) not more than 2 years for the initial implementation of a charter school; and
- (C) not more than 2 years to carry out dissemination activities described in section 7221c(f)(6)(B) of this title.

(d) Limitation

A charter school may not receive—

- (1) more than one grant for activities described in subparagraphs (A) and (B) of subsection (c)(2) of this section; or
- (2) more than one grant for activities under subparagraph (C) of subsection (c)(2) of this section.

(e) Priority treatment**(1) In general**

In awarding grants under this subpart for fiscal year 2002 or any succeeding fiscal year from any funds appropriated under section 7221j of this title (other than funds reserved to carry out section 7221d(b) of this title), the Secretary shall give priority to States to the extent that the States meet the criteria described in paragraph (2) and one or more of the criteria described in subparagraph (A), (B), or (C) of paragraph (3).

(2) Review and evaluation priority criteria

The criteria referred to in paragraph (1) are that the State provides for periodic review and evaluation by the authorized public chartering agency of each charter school, at least once every 5 years unless required more frequently by State law, to determine whether the charter school is meeting the terms of the school’s charter, and is meeting or exceeding the student academic achievement requirements and