

**(4) Authorized public chartering agency**

The term “authorized public chartering agency” means a State educational agency, local educational agency, or other public entity that has the authority pursuant to State law and approved by the Secretary to authorize or approve a charter school.

(Pub. L. 89-10, title V, §5210, as added Pub. L. 107-110, title V, §501, Jan. 8, 2002, 115 Stat. 1798.)

## REFERENCES IN TEXT

The Age Discrimination Act of 1975, referred to in par. (1)(G), is title III of Pub. L. 94-135, Nov. 28, 1975, 89 Stat. 728, as amended, which is classified generally to chapter 76 (§6101 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 6101 of Title 42 and Tables.

The Civil Rights Act of 1964, referred to in par. (1)(G), is Pub. L. 88-352, July 2, 1964, 78 Stat. 241, as amended. Title VI of the Act is classified generally to subchapter V (§2000d et seq.) of chapter 21 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 2000a of Title 42 and Tables.

The Education Amendments of 1972, referred to in par. (1)(G), is Pub. L. 92-318, June 23, 1972, 86 Stat. 235, as amended. Title IX of the Act, known as the Patsy Takemoto Mink Equal Opportunity in Education Act, is classified principally to chapter 38 (§1681 et seq.) of this title. For complete classification of title IX to the Code, see Short Title note set out under section 1681 of this title and Tables.

The Individuals with Disabilities Education Act, referred to in par. (1)(G), is title VI of Pub. L. 91-230, Apr. 13, 1970, 84 Stat. 175, as amended. Part B of the Act is classified generally to subchapter II (§1411 et seq.) of chapter 33 of this title. For complete classification of this Act to the Code, see section 1400 of this title and Tables.

**§ 7221j. Authorization of appropriations****(a) In general**

There are authorized to be appropriated to carry out this subpart \$300,000,000 for fiscal year 2002 and such sums as may be necessary for each of the 5 succeeding fiscal years.

**(b) Reservation**

From the amount appropriated under subsection (a) of this section for each fiscal year, the Secretary shall reserve—

(1) \$200,000,000 to carry out this subpart, other than section 7221d(b) of this title; and

(2) any funds in excess of \$200,000,000, that do not exceed \$300,000,000, to carry out section 7221d(b) of this title; and

(3)(A) 50 percent of any funds in excess of \$300,000,000 to carry out this subpart, other than section 7221d(b) of this title; and

(B) 50 percent of any funds in excess of \$300,000,000 to carry out section 7221d(b) of this title.

(Pub. L. 89-10, title V, §5211, as added Pub. L. 107-110, title V, §501, Jan. 8, 2002, 115 Stat. 1799.)

## SUBPART 2—CREDIT ENHANCEMENT INITIATIVES TO ASSIST CHARTER SCHOOL FACILITY ACQUISITION, CONSTRUCTION, AND RENOVATION

**§ 7223. Purpose**

The purpose of this subpart is to provide grants to eligible entities to permit the eligible

entities to demonstrate innovative credit enhancement initiatives that assist charter schools to address the cost of acquiring, constructing, and renovating facilities.

(Pub. L. 89-10, title V, §5221, as added Pub. L. 107-110, title V, §501, Jan. 8, 2002, 115 Stat. 1800.)

**§ 7223a. Grants to eligible entities****(a) Grants**

The Secretary shall use 100 percent of the amount available to carry out this subpart to award not less than three grants to eligible entities that have applications approved under this subpart to demonstrate innovative methods of assisting charter schools to address the cost of acquiring, constructing, and renovating facilities by enhancing the availability of loans or bond financing.

**(b) Grantee selection****(1) Evaluation of application**

The Secretary shall evaluate each application submitted under section 7223b of this title, and shall determine whether the application is sufficient to merit approval.

**(2) Distribution of grants**

The Secretary shall award at least one grant to an eligible entity described in section 7223i(2)(A) of this title, at least one grant to an eligible entity described in section 7223i(2)(B) of this title, and at least one grant to an eligible entity described in section 7223i(2)(C) of this title, if applications are submitted that permit the Secretary to do so without approving an application that is not of sufficient quality to merit approval.

**(c) Grant characteristics**

Grants under this subpart shall be of a sufficient size, scope, and quality so as to ensure an effective demonstration of an innovative means of enhancing credit for the financing of charter school acquisition, construction, or renovation.

**(d) Special rule**

In the event the Secretary determines that the funds made available under this subpart are insufficient to permit the Secretary to award not less than three grants in accordance with subsections (a) through (c) of this section, such three-grant minimum and subsection (b)(2) of this section shall not apply, and the Secretary may determine the appropriate number of grants to be awarded in accordance with subsection (c) of this section.

(Pub. L. 89-10, title V, §5222, as added Pub. L. 107-110, title V, §501, Jan. 8, 2002, 115 Stat. 1800.)

**§ 7223b. Applications****(a) In general**

To receive a grant under this subpart, an eligible entity shall submit to the Secretary an application in such form as the Secretary may reasonably require.

**(b) Contents**

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

(1) a statement identifying the activities proposed to be undertaken with funds received