

PRIOR PROVISIONS

A prior section 7231, Pub. L. 89-10, title V, §5201, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3695, set forth short title and findings for the Women's Educational Equity Act of 1994, prior to the general amendment of this subchapter by Pub. L. 107-110.

A prior section 5301 of Pub. L. 89-10 was classified to section 7261 of this title, prior to the general amendment of this subchapter by Pub. L. 107-110.

§ 7231a. Definition

For the purpose of this part, the term "magnet school" means a public elementary school, public secondary school, public elementary education center, or public secondary education center that offers a special curriculum capable of attracting substantial numbers of students of different racial backgrounds.

(Pub. L. 89-10, title V, §5302, as added Pub. L. 107-110, title V, §501, Jan. 8, 2002, 115 Stat. 1807.)

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A prior section 5302 of Pub. L. 89-10 was classified to section 7262 of this title, prior to the general amendment of this subchapter by Pub. L. 107-110.

§ 7231b. Program authorized

The Secretary, in accordance with this part, is authorized to award grants to eligible local educational agencies, and consortia of such agencies where appropriate, to carry out the purpose of this part for magnet schools that are—

- (1) part of an approved desegregation plan; and
- (2) designed to bring students from different social, economic, ethnic, and racial backgrounds together.

(Pub. L. 89-10, title V, §5303, as added Pub. L. 107-110, title V, §501, Jan. 8, 2002, 115 Stat. 1807.)

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A prior section 5303 of Pub. L. 89-10 was classified to section 7263 of this title, prior to the general amendment of this subchapter by Pub. L. 107-110.

§ 7231c. Eligibility

A local educational agency, or consortium of such agencies where appropriate, is eligible to receive a grant under this part to carry out the purpose of this part if such agency or consortium—

- (1) is implementing a plan undertaken pursuant to a final order issued by a court of the United States, or a court of any State, or any other State agency or official of competent jurisdiction, that requires the desegregation of minority-group-segregated children or faculty in the elementary schools and secondary schools of such agency; or
- (2) without having been required to do so, has adopted and is implementing, or will, if a grant is awarded to such local educational agency, or consortium of such agencies, under this part, adopt and implement a plan that has been approved by the Secretary as adequate under title VI of the Civil Rights Act of 1964 [42 U.S.C. 2000d et seq.] for the desegregation of minority-group-segregated children or faculty in such schools.

(Pub. L. 89-10, title V, §5304, as added Pub. L. 107-110, title V, §501, Jan. 8, 2002, 115 Stat. 1807.)

REFERENCES IN TEXT

The Civil Rights Act of 1964, referred to in par. (2), 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.

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A prior section 5404, which probably should have been section 5304, of Pub. L. 89-10 was classified to section 7264 of this title, prior to the general amendment of this subchapter by Pub. L. 107-110.

§ 7231d. Applications and requirements**(a) Applications**

An eligible local educational agency, or consortium of such agencies, desiring to receive a grant under this part shall submit an application to the Secretary at such time, in such manner, and containing such information and assurances as the Secretary may reasonably require.

(b) Information and assurances

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

- (1) a description of—
 - (A) how a grant awarded under this part will be used to promote desegregation, including how the proposed magnet school programs will increase interaction among students of different social, economic, ethnic, and racial backgrounds;
 - (B) the manner and extent to which the magnet school program will increase student academic achievement in the instructional area or areas offered by the school;
 - (C) how the applicant will continue the magnet school program after assistance under this part is no longer available, and, if applicable, an explanation of why magnet schools established or supported by the applicant with grant funds under this part cannot be continued without the use of grant funds under this part;
 - (D) how grant funds under this part will be used—
 - (i) to improve student academic achievement for all students attending the magnet school programs; and
 - (ii) to implement services and activities that are consistent with other programs under this chapter, and other Acts, as appropriate; and
 - (E) the criteria to be used in selecting students to attend the proposed magnet school program; and

(2) assurances that the applicant will—

- (A) use grant funds under this part for the purposes specified in section 7231(b) of this title;
- (B) employ highly qualified teachers in the courses of instruction assisted under this part;
- (C) not engage in discrimination based on race, religion, color, national origin, sex, or disability in—
 - (i) the hiring, promotion, or assignment of employees of the applicant or other personnel for whom the applicant has any administrative responsibility;