

(D) has demonstrated success in increasing student academic achievement, including graduation rates where applicable, for each of the subgroups of students, as defined in section 6311(c)(2) of this title, except that such demonstration is not required in a case in which the number of students in a group is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student.

(9) Replicate

The term “replicate”, when used with respect to a high-quality charter school, means to open a new charter school, or a new campus of a high-quality charter school, based on the educational model of an existing high-quality charter school, under an existing charter or an additional charter, if permitted or required by State law.

(Pub. L. 89–10, title IV, §4310, formerly title V, §5210, as added Pub. L. 107–110, title V, §501, Jan. 8, 2002, 115 Stat. 1798; renumbered title IV, §4310, and amended Pub. L. 114–95, title IV, §§4001(b)(2)(A), (B), (D)(iii), 4301(4), Dec. 10, 2015, 129 Stat. 1967, 2012.)

REFERENCES IN TEXT

The Age Discrimination Act of 1975, referred to in par. (2)(G), is title III of Pub. L. 94–135, Nov. 28, 1975, 89 Stat. 728, 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. (2)(G), is Pub. L. 88–352, July 2, 1964, 78 Stat. 241. 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. (2)(G), is Pub. L. 92–318, June 23, 1972, 86 Stat. 235. 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 Americans with Disabilities Act of 1990, referred to in par. (2)(G), is Pub. L. 101–336, July 26, 1990, 104 Stat. 327, which is classified principally to chapter 126 (§12101 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 12101 of Title 42 and Tables.

The Individuals with Disabilities Education Act, referred to in par. (2)(G), is title VI of Pub. L. 91–230, Apr. 13, 1970, 84 Stat. 175. 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.

AMENDMENTS

2015—Pub. L. 114–95, §4301(4)(A), substituted “part” for “subpart” in introductory provisions.

Par. (1). Pub. L. 114–95, §4301(4)(C), redesignated par. (4) as (1). Former par. (1) redesignated (2).

Par. (2). Pub. L. 114–95, §4301(4)(B), redesignated par. (1) as (2). Former par. (2) redesignated (5).

Par. (2)(G). Pub. L. 114–95, §4301(4)(D)(i), substituted “, the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), section 1232g of this title (commonly referred to as the ‘Family Educational Rights

and Privacy Act of 1974’), and part B” for “, and part B”.

Par. (2)(H). Pub. L. 114–95, §4301(4)(D)(ii), added subpar. (H) and struck out former subpar. (H) which read as follows: “is a school to which parents choose to send their children, and that admits students on the basis of a lottery, if more students apply for admission than can be accommodated;”.

Par. (2)(I). Pub. L. 114–95, §4301(4)(D)(iii), added subpar. (I) and struck out former subpar. (I) which read as follows: “agrees to comply with the same Federal and State audit requirements as do other elementary schools and secondary schools in the State, unless such requirements are specifically waived for the purpose of this program;”.

Par. (2)(M). Pub. L. 114–95, §4301(4)(D)(iv)–(vi), added subpar. (M).

Pars. (3), (4). Pub. L. 114–95, §4301(4)(E), added pars. (3) and (4). Former pars. (3) and (4) redesignated (6) and (1), respectively.

Par. (5). Pub. L. 114–95, §4301(4)(B), redesignated par. (2) as (5).

Par. (6). Pub. L. 114–95, §4301(4)(B), redesignated par. (3) as (6).

Par. (6)(B). Pub. L. 114–95, §4301(4)(F), struck out “under section 7221b(d)(3) of this title” before period at end.

Pars. (7) to (9). Pub. L. 114–95, §4301(4)(G), added pars. (7) to (9).

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114–95 effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114–95, set out as a note under section 6301 of this title.

§ 7221j. Authorization of appropriations

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

- (1) \$270,000,000 for fiscal year 2017;
- (2) \$270,000,000 for fiscal year 2018;
- (3) \$300,000,000 for fiscal year 2019; and
- (4) \$300,000,000 for fiscal year 2020.

(Pub. L. 89–10, title IV, §4311, as added Pub. L. 114–95, title IV, §4301(5), Dec. 10, 2015, 129 Stat. 2013.)

PRIOR PROVISIONS

A prior section 7221j, Pub. L. 89–10, title IV, §4311, formerly title V, §5211, as added Pub. L. 107–110, title V, §501, Jan. 8, 2002, 115 Stat. 1799; renumbered title IV, §4311, Pub. L. 114–95, title IV, §4001(b)(2)(A), (B), (D)(iii), Dec. 10, 2015, 129 Stat. 1967, authorized appropriations for fiscal year 2002 and the 5 succeeding fiscal years, prior to repeal by Pub. L. 114–95, §5, title IV, §4301(5), Dec. 10, 2015, 129 Stat. 1806, 2013, effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs.

A prior section 4311 of Pub. L. 89–10 was classified to section 3091 of this title, prior to general amendment of Pub. L. 89–10 by Pub. L. 103–382.

Prior sections 7223 to 7223j and 7225 to 7225g were repealed by Pub. L. 114–95, §5, title IV, §4001(b)(1)(B), Dec. 10, 2015, 129 Stat. 1806, 1967, effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs.

Section 7223, Pub. L. 89–10, title V, §5221, as added Pub. L. 107–110, title V, §501, Jan. 8, 2002, 115 Stat. 1800, stated purpose of subpart 2 of part B of former subchapter V of this chapter, related to credit enhancement initiatives to assist charter school facility acquisition, construction, and renovation.

Section 7223a, Pub. L. 89–10, title V, §5222, as added Pub. L. 107–110, title V, §501, Jan. 8, 2002, 115 Stat. 1800, related to grants to eligible entities.

Section 7223b, Pub. L. 89–10, title V, §5223, as added Pub. L. 107–110, title V, §501, Jan. 8, 2002, 115 Stat. 1800, related to applications for grants.

Section 7223c, Pub. L. 89-10, title V, § 5224, as added Pub. L. 107-110, title V, § 501, Jan. 8, 2002, 115 Stat. 1801, related to charter school objectives.

Section 7223d, Pub. L. 89-10, title V, § 5225, as added Pub. L. 107-110, title V, § 501, Jan. 8, 2002, 115 Stat. 1801, related to reserve account.

Section 7223e, Pub. L. 89-10, title V, § 5226, as added Pub. L. 107-110, title V, § 501, Jan. 8, 2002, 115 Stat. 1802, related to limitation on administrative costs.

Section 7223f, Pub. L. 89-10, title V, § 5227, as added Pub. L. 107-110, title V, § 501, Jan. 8, 2002, 115 Stat. 1802, related to audits and reports.

Section 7223g, Pub. L. 89-10, title V, § 5228, as added Pub. L. 107-110, title V, § 501, Jan. 8, 2002, 115 Stat. 1803, provided that there was no full faith and credit for grantee obligations.

Section 7223h, Pub. L. 89-10, title V, § 5229, as added Pub. L. 107-110, title V, § 501, Jan. 8, 2002, 115 Stat. 1803, related to recovery of funds.

Section 7223i, Pub. L. 89-10, title V, § 5230, as added Pub. L. 107-110, title V, § 501, Jan. 8, 2002, 115 Stat. 1803, defined terms for the former subpart.

Section 7223j, Pub. L. 89-10, title V, § 5231, as added Pub. L. 107-110, title V, § 501, Jan. 8, 2002, 115 Stat. 1803, authorized appropriations for fiscal years 2002 and 2003.

Section 7225, Pub. L. 89-10, title V, § 5241, as added Pub. L. 107-110, title V, § 501, Jan. 8, 2002, 115 Stat. 1803, authorized grants to carry out subpart 3 of part B of former subchapter V of this chapter, related to voluntary public school choice programs.

Section 7225a, Pub. L. 89-10, title V, § 5242, as added Pub. L. 107-110, title V, § 501, Jan. 8, 2002, 115 Stat. 1804, related to uses of funds.

Section 7225b, Pub. L. 89-10, title V, § 5243, as added Pub. L. 107-110, title V, § 501, Jan. 8, 2002, 115 Stat. 1804, related to applications for grants.

Section 7225c, Pub. L. 89-10, title V, § 5244, as added Pub. L. 107-110, title V, § 501, Jan. 8, 2002, 115 Stat. 1804, related to priorities in awarding grants.

Section 7225d, Pub. L. 89-10, title V, § 5245, as added Pub. L. 107-110, title V, § 501, Jan. 8, 2002, 115 Stat. 1805, related to requirements and voluntary participation.

Section 7225e, Pub. L. 89-10, title V, § 5246, as added Pub. L. 107-110, title V, § 501, Jan. 8, 2002, 115 Stat. 1805, related to evaluations.

Section 7225f, Pub. L. 89-10, title V, § 5247, as added Pub. L. 107-110, title V, § 501, Jan. 8, 2002, 115 Stat. 1805, defined terms for the former subpart.

Section 7225g, Pub. L. 89-10, title V, § 5248, as added Pub. L. 107-110, title V, § 501, Jan. 8, 2002, 115 Stat. 1806, authorized appropriations for fiscal year 2002 and the 5 succeeding fiscal years.

EFFECTIVE DATE

Section effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114-95, set out as an Effective Date of 2015 Amendment note under section 6301 of this title.

PART D—MAGNET SCHOOLS ASSISTANCE

CODIFICATION

Pub. L. 114-95, title IV, § 4001(b)(3)(A)–(C), Dec. 10, 2015, 129 Stat. 1967, redesignated part C (§ 7231 et seq.) of subchapter V of this chapter as part D of this subchapter.

§ 7231. Findings and purpose

(a) Findings

Congress makes the following findings:

(1) Magnet schools are a significant part of the Nation's effort to achieve voluntary desegregation in our Nation's schools.

(2) The use of magnet schools has increased dramatically since the inception of the magnet schools assistance program under this

chapter, with approximately 2,500,000 students nationwide attending such schools, of whom more than 69 percent are non-white.

(3) Magnet schools offer a wide range of distinctive programs that have served as models for school improvement efforts.

(4) It is in the best interests of the United States—

(A) to continue the Federal Government's support of local educational agencies that are implementing court-ordered desegregation plans and local educational agencies that are voluntarily seeking to foster meaningful interaction among students of different racial and ethnic backgrounds, beginning at the earliest stage of such students' education;

(B) to ensure that all students have equitable access to a high quality education that will prepare all students to function well in a technologically oriented and a highly competitive economy comprised of people from many different racial and ethnic backgrounds; and

(C) to continue to desegregate and diversify schools by supporting magnet schools, recognizing that segregation exists between minority and nonminority students as well as among students of different minority groups.

(5) Desegregation efforts through magnet school programs are a significant part of our Nation's effort to achieve voluntary desegregation in schools and help to ensure equal educational opportunities for all students.

(b) Purpose

The purpose of this part is to assist in the desegregation of schools served by local educational agencies by providing financial assistance to eligible local educational agencies for—

(1) the elimination, reduction, or prevention of minority group isolation in elementary schools and secondary schools with substantial proportions of minority students, which shall include assisting in the efforts of the United States to achieve voluntary desegregation in public schools;

(2) the development, implementation, and expansion of magnet school programs that will assist local educational agencies in achieving systemic reforms and providing all students the opportunity to meet challenging State academic standards;

(3) the development, design, and expansion of innovative educational methods and practices that promote diversity and increase choices in public elementary schools and public secondary schools and public educational programs;

(4) courses of instruction within magnet schools that will substantially strengthen the knowledge of academic subjects and the attainment of tangible and marketable career, technological, and professional skills of students attending such schools;

(5) improving the capacity of local educational agencies, including through professional development, to continue operating magnet schools at a high performance level after Federal funding for the magnet schools is terminated; and