

(6) ensuring that all students enrolled in the magnet school programs have equitable access to high quality education that will enable the students to succeed academically and continue with postsecondary education or employment.

(Pub. L. 89–10, title IV, § 4401, formerly title V, § 5301, as added Pub. L. 107–110, title V, § 501, Jan. 8, 2002, 115 Stat. 1806; renumbered title IV, § 4401, and amended Pub. L. 114–95, title IV, §§ 4001(b)(3)(A), (B), (D)(i), 4401(1), Dec. 10, 2015, 129 Stat. 1967, 2014.)

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 former subchapter V of this chapter by Pub. L. 107–110.

A prior section 4401 of Pub. L. 89–10 was classified to section 3121 of this title, prior to the general amendment of Pub. L. 89–10 by Pub. L. 103–382.

AMENDMENTS

2015—Subsec. (a)(2). Pub. L. 114–95, § 4401(1)(A), substituted “2,500,000” for “2,000,000” and “69” for “65”.

Subsec. (b)(2). Pub. L. 114–95, § 4401(1)(B)(i), substituted “, implementation, and expansion” for “and implementation” and “standards” for “content standards and student academic achievement standards”.

Subsec. (b)(3). Pub. L. 114–95, § 4401(1)(B)(ii), substituted “, design, and expansion” for “and design”.

Subsec. (b)(4). Pub. L. 114–95, § 4401(1)(B)(iii), substituted “career” for “vocational”.

Subsec. (b)(6). Pub. L. 114–95, § 4401(1)(B)(iv), struck out “productive” before “employment”.

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.

§ 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 IV, § 4402, formerly title V, § 5302, as added Pub. L. 107–110, title V, § 501, Jan. 8, 2002, 115 Stat. 1807; renumbered title IV, § 4402, Pub. L. 114–95, title IV, § 4001(b)(3)(A), (B), (D)(i), Dec. 10, 2015, 129 Stat. 1967.)

PRIOR PROVISIONS

A prior section 4402 of Pub. L. 89–10 was classified to section 3122 of this title, prior to the general amendment of Pub. L. 89–10 by Pub. L. 103–382.

§ 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 IV, § 4403, formerly title V, § 5303, as added Pub. L. 107–110, title V, § 501, Jan. 8, 2002, 115 Stat. 1807; renumbered title IV, § 4403, Pub. L. 114–95, title IV, § 4001(b)(3)(A), (B), (D)(i), Dec. 10, 2015, 129 Stat. 1967.)

PRIOR PROVISIONS

A prior section 4403 of Pub. L. 89–10 was classified to section 3123 of this title, prior to the general amendment of Pub. L. 89–10 by Pub. L. 103–382.

§ 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 IV, § 4404, formerly title V, § 5304, as added Pub. L. 107–110, title V, § 501, Jan. 8, 2002, 115 Stat. 1807; renumbered title IV, § 4404, Pub. L. 114–95, title IV, § 4001(b)(3)(A), (B), (D)(i), Dec. 10, 2015, 129 Stat. 1967.)

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.

PRIOR PROVISIONS

A prior section 4404 of Pub. L. 89–10 was classified to section 3124 of this title, prior to the general amendment of Pub. L. 89–10 by Pub. L. 103–382.

§ 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) shall include—

(1) a description of—

(A) how a grant awarded under this part will be used to promote desegregation, including any available evidence on, or if such

evidence is not available, a rationale, based on current research, for 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, including any evidence, or if such evidence is not available, a rationale based on current research findings, to support such description;

(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 the applicant will assess, monitor, and evaluate the impact of the activities funded under this part on student achievement and integration;

(E) 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

(F) 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 effective 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;

(ii) the assignment of students to schools, or to courses of instruction within the schools, of such applicant, except to carry out the approved plan; and

(iii) designing or operating extracurricular activities for students;

(D) carry out a high-quality education program that will encourage greater parental decisionmaking and involvement; and

(E) give students residing in the local attendance area of the proposed magnet school program equitable consideration for placement in the program, consistent with desegregation guidelines and the capacity of the applicant to accommodate the students.

(c) Special rule

No grant shall be awarded under this part unless the Assistant Secretary of Education for Civil Rights determines that the assurances described in subsection (b)(2)(C) will be met.

(Pub. L. 89–10, title IV, § 4405, formerly title V, § 5305, as added Pub. L. 107–110, title V, § 501, Jan. 8, 2002, 115 Stat. 1808; renumbered title IV, § 4405, and amended Pub. L. 114–95, title IV, §§ 4001(b)(3)(A), (B), (D)(i), 4401(2), Dec. 10, 2015, 129 Stat. 1967, 2014.)

PRIOR PROVISIONS

A prior section 4405 of Pub. L. 89–10 was classified to section 3125 of this title, prior to the general amendment of Pub. L. 89–10 by Pub. L. 103–382.

AMENDMENTS

2015—Subsec. (b)(1)(A). Pub. L. 114–95, § 4401(2)(A)(i), inserted “any available evidence on, or if such evidence is not available, a rationale, based on current research, for” before “how the proposed magnet school programs”.

Subsec. (b)(1)(B). Pub. L. 114–95, § 4401(2)(A)(ii), inserted “, including any evidence, or if such evidence is not available, a rationale based on current research findings, to support such description” before semicolon at end.

Subsec. (b)(1)(D) to (F). Pub. L. 114–95, § 4401(2)(A)(iii), (iv), added subpar. (D) and redesignated former subpars. (D) and (E) as (E) and (F), respectively.

Subsec. (b)(2)(A). Pub. L. 114–95, § 4401(2)(B)(i), made technical amendment to reference in original act which appears in text as reference to section 7231(b) of this title.

Subsec. (b)(2)(B). Pub. L. 114–95, § 4401(2)(B)(ii), substituted “effective” for “highly qualified”.

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.

§ 7231e. Priority

In awarding grants under this part, the Secretary shall give priority to applicants that—

(1) demonstrate the greatest need for assistance, based on the expense or difficulty of effectively carrying out approved desegregation plans and the magnet school program for which the grant is sought;

(2) propose to—

(A) carry out a new, evidence-based magnet school program;

(B) significantly revise an existing magnet school program, using evidence-based methods and practices, as available; or

(C) replicate an existing magnet school program that has a demonstrated record of success in increasing student academic achievement and reducing isolation of minority groups;

(3) propose to select students to attend magnet school programs by methods such as lottery, rather than through academic examination; and

(4) propose to increase racial integration by taking into account socioeconomic diversity in designing and implementing magnet school programs.

(Pub. L. 89–10, title IV, § 4406, formerly title V, § 5306, as added Pub. L. 107–110, title V, § 501, Jan. 8, 2002, 115 Stat. 1809; renumbered title IV, § 4406, and amended Pub. L. 114–95, title IV, §§ 4001(b)(3)(A), (B), (D)(i), 4401(3), Dec. 10, 2015, 129 Stat. 1967, 2014.)