

Sec.

SUBCHAPTER VIII—EQUAL ACCESS

4071. Denial of equal access prohibited.
- (a) Restriction of limited open forum on basis of religious, political, philosophical, or other speech content prohibited.
 - (b) "Limited open forum" defined.
 - (c) Fair opportunity criteria.
 - (d) Construction of subchapter with respect to certain rights.
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4072. Definitions.
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SUBCHAPTER IX—STAR SCHOOLS PROGRAM

4081 to 4086. Repealed.

§ 3901. Statement of purpose

It is the purpose of this chapter to improve the quality of mathematics and science teaching and instruction in the United States.

(Pub. L. 98-377, § 2, Aug. 11, 1984, 98 Stat. 1267.)

SHORT TITLE OF 1985 AMENDMENT

Pub. L. 99-159, § 1, Nov. 22, 1985, 99 Stat. 887, provided: "That this Act [enacting sections 366, 1221e-1c, and 3911 to 3922 of this title, and section 1886 of Title 42, The Public Health and Welfare, amending sections 351a, 351c, 351d, 353, 1134h, 1221e-1b, 1411, 2007, 2311, 2312, 2322, 2323, 2333, 2361 to 2363, 2383, 2392, 2417, 2462, 2464, 2471, 2763, 3902, 3963 to 3973, 3982, 3983, 3985 to 3988, 4003, 4033, 4051, 4053, 4056, and 4059 of this title, sections 1503 and 1753 of Title 29, Labor, and sections 1862 to 1864, 1868 to 1872, 1873, 1874, 1881a, 1882, and 1885 to 1885d of Title 42, omitting sections 3911 to 3915, 3921 to 3923, 3931 to 3933, 3941, and 3951 to 3954 of this title, repealing sections 1873a and 1884 of Title 42, enacting provisions set out as notes under sections 351f, 1087bb, 1411, and 2311 of this title and section 1861 of Title 42, and amending provisions set out as notes under sections 1087bb and 2301 of this title and sections 1861 and 1882 of Title 42] may be cited as the 'National Science, Engineering, and Mathematics Authorization Act of 1986'."

SHORT TITLE

Section 1 of Pub. L. 98-377 provided: "That this Act [enacting this chapter] may be cited as the 'Education for Economic Security Act'."

Part A of title III of Pub. L. 98-377, as amended, which enacted part A of subchapter III of this chapter, is known as "Partnerships in Education for Mathematics, Science, and Engineering Act", see note set out under section 3981 of this title.

Title V of Pub. L. 98-377, which enacted subchapter V of this chapter, is known as "Asbestos School Hazard Abatement Act of 1984", see note set out under section 4011 of this title.

Title VI of Pub. L. 98-377, which enacted subchapter VI of this chapter, is known as "Excellence in Education Act", see note set out under section 4031 of this title.

Title VIII of Pub. L. 98-377, which enacted subchapter VIII of this chapter, is known as "The Equal Access Act", see note set out under section 4071 of this title.

Title IX of Pub. L. 98-377, which enacted subchapter IX of this chapter, is known as the "Star Schools Program Assistance Act", see note set out under section 4081 of this title.

§ 3902. Definitions

For the purpose of this chapter—

(1) The term "area vocational education school" has the same meaning given that term under section 2471(3)¹ of this title..²

(2) The term "Director" means the Director of the National Science Foundation.

(3) The term "elementary school" has the same meaning given that term under section 198(a)(7)¹ of the Elementary and Secondary Education Act of 1965.

(4) The term "Governor" means the chief executive of a State.

(5) The term "Foundation" means the National Science Foundation.

(6) The term "institution of higher education" has the same meaning given that term by section 1001 of this title.

(7) The term "local educational agency" has the same meaning given that term under section 198(a)(10)¹ of the Elementary and Secondary Education Act of 1965.

(8) The term "secondary school" has the same meaning given that term under section 198(a)(7)¹ of the Elementary and Secondary Education Act of 1965.

(9) The term "Secretary" means the Secretary of Education.

(10) The term "State" means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Northern Mariana Islands.

(11) The term "State agency for higher education" means the State board of higher education or other agency or officer primarily responsible for the State supervision of higher education, or, if there is no such officer or agency, an officer or agency designated for the purpose of this chapter¹ by the Governor or by State law.

(12) The term "State educational agency" has the meaning given that term under section 198(a)(17)¹ of the Elementary and Secondary Education Act of 1965.

(Pub. L. 98-377, § 3, Aug. 11, 1984, 98 Stat. 1267; Pub. L. 99-159, title II, § 221, Nov. 22, 1985, 99 Stat. 897; Pub. L. 105-244, title I, § 102(a)(6)(F), Oct. 7, 1998, 112 Stat. 1618.)

REFERENCES IN TEXT

Section 2471 of this title, referred to in par. (1), was omitted in the general amendment of chapter 44 (§ 2301 et seq.) of this title by Pub. L. 105-332, § 1(b), Oct. 30, 1998, 112 Stat. 3076.

Section 198 of the Elementary and Secondary Education Act of 1965, referred to in pars. (3), (7), (8), and (12), is section 198 of Pub. L. 89-10, title I, as added by Pub. L. 95-561, title I, § 101(a), Nov. 1, 1978, 92 Stat. 2198, which was classified to section 2854 of this title prior to the general amendment of Pub. L. 89-10 by Pub. L. 100-297, Apr. 28, 1988, 102 Stat. 140. For definitions, see section 8801 of this title.

This chapter, referred to in par. (11), was in the original "this title" and has been translated as if the reference was to "this Act" to reflect the probable intent of Congress inasmuch as this section is not part of a title of Pub. L. 98-377.

AMENDMENTS

1998—Par. (6). Pub. L. 105-244 substituted "section 1001" for "section 1141(a)".

¹ See References in Text note below.

² So in original.

1985—Par. (1). Pub. L. 99-159 substituted reference to section 2471(3) of this title for reference to section 195(2) of the Vocational Education Act of 1965.

EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105-244 effective Oct. 1, 1998, except as otherwise provided in Pub. L. 105-244, see section 3 of Pub. L. 105-244, set out as a note under section 1001 of this title.

TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.

SUBCHAPTER I—NATIONAL SCIENCE FOUNDATION SCIENCE AND ENGINEERING EDUCATION

§ 3911. Congressional declaration of policy

(a) The Congress declares that the science and engineering education responsibilities of the National Science Foundation are—

- (1) to improve the quality of instruction in the fields of mathematics, science, and engineering;
- (2) to support research, fellowships, teacher-faculty-business exchange programs in mathematics, science, and engineering;
- (3) to improve the quality and availability of instrumentation for mathematics, science, and engineering instruction;
- (4) to encourage partnerships in education between local and State education agencies, business and industry, colleges and universities, and cultural and professional institutions and societies; and
- (5) to improve the quality of education at all levels in the fields of mathematics, science, and engineering.

(b) In exercising its responsibilities to strengthen scientific and engineering research potential and science and engineering education programs at all levels, the Foundation shall avoid undue concentration of support for research and education activities.

(Pub. L. 98-377, title I, §101, as added Pub. L. 99-159, title II, §201, Nov. 22, 1985, 99 Stat. 893.)

PRIOR PROVISIONS

A prior section 3911, Pub. L. 98-377, title I, §101, Aug. 11, 1984, 98 Stat. 1268, related to grants for teacher institutes, prior to the general revision of this subchapter by section 201 of Pub. L. 99-159. See section 3913 of this title.

UNDERGRADUATE SCIENCE IMPROVEMENT

Pub. L. 100-570, title I, §112, Oct. 31, 1988, 102 Stat. 2870, provided that:

“(a) The Congress finds that the support of undergraduate science and engineering education is a critical component in a comprehensive national policy intended to ensure the Nation’s future supply of scientists and engineers.

“(b) In accordance with the provisions of this Act [see Tables for classification], the Foundation shall support undergraduate science and engineering activities in instrumentation and laboratory improvement, undergraduate faculty enhancement, undergraduate research opportunities, undergraduate curriculum development, and efforts to encourage the participation of women, minorities, and the disabled in such fields.

“(c) In carrying out the provisions of this section, the Foundation shall take into account the special needs of two-year and four-year colleges and universities.”

§ 3912. Functional objectives; uses of funds

(a) In carrying out its science and engineering education responsibilities, the Foundation shall have the following functional objectives: public understanding of science and technology, faculty enhancement, student education and training, instructional development and instrumentation, and materials development and dissemination.

(b) Funds under this subchapter shall, consistent with such functional objectives, be used for—

- (1) enhancement of public understanding of science and engineering through informal education activities using a variety of mediums such as broadcasting, museums, clubs, and amateur science societies;
- (2) development of new science and engineering faculty resources and talents;
- (3) enhancement of the quality of science and engineering instruction in colleges of teacher education;
- (4) development of four-year college faculty and instructors in high technology fields;
- (5) development of two-year community college faculty and instructors especially in high technology fields;
- (6) development of precollege mathematics, science and engineering education and training;
- (7) encouragement of potential students, including underrepresented and underserved populations, to pursue careers in mathematics, science, engineering, and critical foreign languages;
- (8) development of instructional instrumentation and systems for postsecondary technical, engineering, and scientific education; and
- (9) development of science, engineering, and education networks to aid in the development and dissemination of successful curricula, methods, and materials.

(Pub. L. 98-377, title I, §102, as added Pub. L. 99-159, title II, §201, Nov. 22, 1985, 99 Stat. 894.)

PRIOR PROVISIONS

A prior section 3912, Pub. L. 98-377, title I, §102, Aug. 11, 1984, 98 Stat. 1268, related to submission, contents, etc., of applications, prior to the general revision of this subchapter by section 201 of Pub. L. 99-159.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3916 of this title.

§ 3913. Teacher institutes

(a) **Authorization to make competitive grants; covered institutions, businesses, etc.; purpose**

The Foundation shall, in accordance with the provisions of this subchapter, make competitive grants to institutions of higher education, businesses, nonprofit private organizations (including schools), local education agencies, professional engineering and scientific associations, museums, libraries, public broadcasting entities