

the plan or application and considered such comment.

(b) GEPA provision

Section 441 of the General Education Provisions Act [20 U.S.C. 1232d] shall not apply to programs under this chapter.

(Pub. L. 89-10, title IX, §9304, as added Pub. L. 107-110, title IX, §901, Jan. 8, 2002, 115 Stat. 1969.)

PRIOR PROVISIONS

A prior section 9304 of Pub. L. 89-10 was classified to section 7934 of this title, prior to the general amendment of this subchapter by Pub. L. 107-110.

§ 7845. Consolidated local plans or applications

(a) General authority

(1) Consolidated plan

A local educational agency receiving funds under more than one covered program may submit plans or applications to the State educational agency under those programs on a consolidated basis.

(2) Availability to Governor

The State educational agency shall make any consolidated local plans and applications available to the Governor.

(b) Required consolidated plans or applications

A State educational agency that has an approved consolidated State plan or application under section 7842 of this title may require local educational agencies in the State receiving funds under more than one program included in the consolidated State plan or consolidated State application to submit consolidated local plans or applications under those programs, but may not require those agencies to submit separate plans.

(c) Collaboration

A State educational agency, in consultation with the Governor, shall collaborate with local educational agencies in the State in establishing procedures for the submission of the consolidated State plans or consolidated State applications under this section.

(d) Necessary materials

The State educational agency shall require only descriptions, information, assurances, and other material that are absolutely necessary for the consideration of the local educational agency plan or application.

(Pub. L. 89-10, title IX, §9305, as added Pub. L. 107-110, title IX, §901, Jan. 8, 2002, 115 Stat. 1970.)

PRIOR PROVISIONS

A prior section 9305 of Pub. L. 89-10 was classified to section 7935 of this title, prior to the general amendment of this subchapter by Pub. L. 107-110.

§ 7846. Other general assurances

(a) Assurances

Any applicant, other than a State educational agency that submits a plan or application under this chapter, whether separately or pursuant to section 7845 of this title, shall have on file with the State educational agency a single set of assurances, applicable to each program for which

a plan or application is submitted, that provides that—

(1) each such program will be administered in accordance with all applicable statutes, regulations, program plans, and applications;

(2)(A) the control of funds provided under each such program and title to property acquired with program funds will be in a public agency or in a nonprofit private agency, institution, organization, or Indian tribe, if the law authorizing the program provides for assistance to those entities; and

(B) the public agency, nonprofit private agency, institution, or organization, or Indian tribe will administer the funds and property to the extent required by the authorizing statutes;

(3) the applicant will adopt and use proper methods of administering each such program, including—

(A) the enforcement of any obligations imposed by law on agencies, institutions, organizations, and other recipients responsible for carrying out each program; and

(B) the correction of deficiencies in program operations that are identified through audits, monitoring, or evaluation;

(4) the applicant will cooperate in carrying out any evaluation of each such program conducted by or for the State educational agency, the Secretary, or other Federal officials;

(5) the applicant will use such fiscal control and fund accounting procedures as will ensure proper disbursement of, and accounting for, Federal funds paid to the applicant under each such program;

(6) the applicant will—

(A) submit such reports to the State educational agency (which shall make the reports available to the Governor) and the Secretary as the State educational agency and Secretary may require to enable the State educational agency and the Secretary to perform their duties under each such program; and

(B) maintain such records, provide such information, and afford such access to the records as the State educational agency (after consultation with the Governor) or the Secretary may reasonably require to carry out the State educational agency's or the Secretary's duties; and

(7) before the application was submitted, the applicant afforded a reasonable opportunity for public comment on the application and considered such comment.

(b) GEPA provision

Section 442 of the General Education Provisions Act [20 U.S.C. 1232e] shall not apply to programs under this chapter.

(Pub. L. 89-10, title IX, §9306, as added Pub. L. 107-110, title IX, §901, Jan. 8, 2002, 115 Stat. 1971.)

PRIOR PROVISIONS

A prior section 9306 of Pub. L. 89-10 was classified to section 7936 of this title, prior to the general amendment of this subchapter by Pub. L. 107-110.

A prior section 7851, Pub. L. 89-10, title IX, §9131, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3790, which related to improvement of educational op-