

1994)” after “under this subchapter” in introductory provisions.

Subsec. (b)(1). Pub. L. 106-398, §1 [[div. A], title XVIII, §1812(2)], amended heading and text of par. (1) generally. Prior to amendment, text read as follows: “A State may reduce State aid to a local educational agency that receives a payment under section 7702 or 7703(b) of this title (except the amount calculated in excess of 1.0 under subparagraph (B) of section 7703(a)(2) of this title) or under the Act of September 30, 1950 (Public Law 874, 81st Congress) as such Act was in effect on the day preceding October 20, 1994 (other than an increase in payments described in paragraphs (2)(B), (2)(C), (2)(D), or (3)(B)(ii) of section 3(d) of such Act of September 30, 1950) for any fiscal year if the Secretary determines, and certifies under subsection (c)(3)(A) of this section, that such State has in effect a program of State aid that equalizes expenditures for free public education among local educational agencies in such State.”

Subsec. (d). Pub. L. 106-398, §1 [[div. A], title XVIII, §1812(3)], struck out “or under the Act of September 30, 1950 (Public Law 874, 81st Congress) (as such Act was in effect on the day preceding October 20, 1994)” after “under this subchapter” wherever appearing.

1996—Subsec. (b)(2)(A). Pub. L. 104-195 substituted “more than 25 percent” for “more than—

- “(i) 25 percent for fiscal year 1995, 1996, or 1997; and
- “(ii) 20 percent for fiscal year 1998 or 1999”.

#### EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-110 effective Jan. 8, 2002, and effective with respect to appropriations for use under this subchapter for fiscal year 2002, see section 5 of Pub. L. 107-110, set out as an Effective Date note under section 6301 of this title.

### § 7710. Federal administration

#### (a) Payments in whole dollar amounts

The Secretary shall round any payments under this subchapter to the nearest whole dollar amount.

#### (b) Other agencies

Each Federal agency administering Federal property on which children reside, and each agency principally responsible for an activity that may occasion assistance under this subchapter, shall, to the maximum extent practicable, comply with requests of the Secretary for information the Secretary may require to carry out this subchapter.

#### (c) Special rules

##### (1) Certain children eligible under subparagraphs (A) and (G)(ii) of section 7703(a)(1)

(A) The Secretary shall treat as eligible under subparagraph (A) of section 7703(a)(1) of this title any child who would be eligible under such subparagraph except that the Federal property on which the child resides or on which the child’s parent is employed is not in the same State in which the child attends school, if such child meets the requirements of paragraph (3)<sup>1</sup> of this subsection.

(B) The Secretary shall treat as eligible under subparagraph (G) of section 7703(a)(1) of this title any child who would be eligible under such subparagraph except that such child does not meet the requirements of clause (ii) of such subparagraph, if such child meets the requirements of paragraph (3)<sup>1</sup> of this subsection.

<sup>1</sup> So in original. Probably should be paragraph “(2)”.

### (2) Requirements

A child meets the requirements of this paragraph if—

(A) such child resides—

- (i) in a State adjacent to the State in which the local educational agency serving the school such child attends is located; or
- (ii) with a parent employed on Federal property in a State adjacent to the State in which such agency is located;

(B) the schools of such agency are within a more reasonable commuting distance of such child’s home than the schools of the local educational agency that serves the school attendance area where such child resides;

(C) attending the schools of the local educational agency that serves the school attendance area where such child resides will impose a substantial hardship on such child;

(D) the State in which such child attends school provides funds for the education of such child on the same basis as all other public school children in the State, unless otherwise permitted under section 7709(b) of this title; and

(E) such agency received a payment for fiscal year 1999 under section 7703(b) of this title on behalf of children described in paragraph (1).

(Pub. L. 89-10, title VIII, §8010, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3767; amended Pub. L. 106-398, §1 [[div. A], title XVIII, §1813], Oct. 30, 2000, 114 Stat. 1654, 1654A-387.)

#### AMENDMENTS

2000—Subsec. (c)(1). Pub. L. 106-398, §1 [[div. A], title XVIII, §1813(1), (2)], redesignated par. (2) as (1) and struck out heading and text of former par. (1). Text read as follows: “Notwithstanding any other provision of law, for any fiscal year before fiscal year 1995, the Secretary shall treat as eligible under subsection (a) or (b) of section 3 of the Act of September 30, 1950 (Public Law 874, 81st Congress) (as such subsection was in effect on the day preceding October 20, 1994), and shall forgive the obligation of a local educational agency to repay any amounts that such agency received under such section for such fiscal year based on, any child who would be eligible under such subsections except that such child does not meet the requirements of subsection (a)(1)(B) or (b)(2)(B), respectively, of such section 3, if such child meets the requirements of paragraph (3) of this subsection.”

Subsec. (c)(2). Pub. L. 106-398, §1 [[div. A], title XVIII, §1813(2)], redesignated par. (3) as (2). Former par. (2) redesignated (1).

Subsec. (c)(2)(D). Pub. L. 106-398, §1 [[div. A], title XVIII, §1813(3)(A)], struck out “section 5(d)(2) of the Act of September 30, 1950 (Public Law 874, 81st Congress) (as such section was in effect on the day preceding October 20, 1994) or” after “otherwise permitted under”.

Subsec. (c)(2)(E). Pub. L. 106-398, §1 [[div. A], title XVIII, §1813(3)(B)], substituted “1999” for “1994”, struck out “(or such section’s predecessor authority)” after “section 7703(b) of this title”, and substituted “paragraph (1)” for “paragraph (2)”.

Subsec. (c)(3). Pub. L. 106-398, §1 [[div. A], title XVIII, §1813(2)], redesignated par. (3) as (2).

### § 7711. Administrative hearings and judicial review

#### (a) Administrative hearings

A local educational agency and a State that is adversely affected by any action of the Sec-