

Another prior section 425 of Pub. L. 90-247 was renumbered section 423, and is classified to section 1226a-1 of this title.

## AMENDMENTS

2002—Par. (6). Pub. L. 107-110 substituted “7941” for “8941”.

1994—Pub. L. 103-437, which directed that section 417(a) of Pub. L. 90-247 be amended by substituting “Labor and Human Resources” for “Human Resources”, could not be executed because this section, which was section 417 of Pub. L. 90-247, was renumbered section 425 and amended generally by Pub. L. 103-382.

Pub. L. 103-382, §235, amended section generally, substituting single undesignated par. relating to biennial evaluation reports for former subsecs. (a) and (b) relating to annual evaluation reports and including requirement for information on contracts and grants for evaluations of programs.

1984—Subsec. (a). Pub. L. 98-511 substituted “December 31” for “November 1”.

1980—Subsec. (a)(F). Pub. L. 96-374 inserted “, including tabulations of available data to indicate the effectiveness of the programs and projects by the sex, race, and age of its beneficiaries” after “detailed data and appendices”.

1979—Subsec. (a). Pub. L. 96-46 substituted “(a) Not later than” for “(a)(1) Not later than” and struck out par. (2) which provided that, in the case of programs and projects assisted under title I of the Elementary and Secondary Education Act of 1965, the report include a survey of how many children counted under section 103(c) of such Act do or do not participate in such programs and projects and how many disadvantaged children do or do not participate in such programs and projects.

1978—Subsec. (a)(1). Pub. L. 95-561 inserted “(including compliance with provisions of law requiring the maintenance of non-Federal expenditures for the purposes of such applicable programs)” after “effectiveness of applicable programs” and substituted “Committee on Human Resources” for “Committee on Labor and Public Welfare” in provisions preceding subpar. (A).

## CHANGE OF NAME

Committee on Labor and Human Resources of Senate changed to Committee on Health, Education, Labor, and Pensions of Senate by Senate Resolution No. 20, One Hundred Sixth Congress, Jan. 19, 1999.

Committee on Education and Labor of House of Representatives changed to Committee on Education and the Workforce of House of Representatives by House Resolution No. 5, One Hundred Twelfth Congress, Jan. 5, 2011.

## EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-110 effective Jan. 8, 2002, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 107-110, set out as an Effective Date note under section 6301 of this title.

## EFFECTIVE DATE OF 1984 AMENDMENT

Pub. L. 98-511, title VII, §711, Oct. 19, 1984, 98 Stat. 2408, provided that:

“(a) Except as provided in subsection (b), this Act and the amendments made by this Act [see Tables for classification] shall take effect on the date of enactment of this Act [Oct. 19, 1984] or October 1, 1984, whichever occurs later.

“(b) The amendments made by title I of this Act [see Tables for classification] shall take effect on July 1, 1985.”

## EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-374 effective Oct. 1, 1980, see section 1393(a) of Pub. L. 96-374, set out as a note under section 1001 of this title.

## EFFECTIVE DATE OF 1979 AMENDMENT

Amendment by Pub. L. 96-46 effective Oct. 1, 1978, see section 8 of Pub. L. 96-46, set out as a note under section 930 of this title.

## EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-561 effective Oct. 1, 1978, see section 1530(a) of Pub. L. 95-561, set out as a note under section 1221e-3 of this title.

### § 1226c-1. Availability of education reports, etc., to Congressional committees

Any evaluation report or data or information collected in preparation of such report, which is paid for with appropriated funds, shall be made available, upon request, within 4 days to the chairman and ranking minority member of the Committee on Education and Labor of the House of Representatives and of the Committee on Labor and Human Resources of the Senate.

(Pub. L. 95-561, title XV, §1523, Nov. 1, 1978, 92 Stat. 2378; Pub. L. 103-437, §7(b), Nov. 2, 1994, 108 Stat. 4587.)

## CODIFICATION

Section was enacted as part of Education Amendments of 1978, and not as part of General Education Provisions Act which comprises this chapter.

## AMENDMENTS

1994—Pub. L. 103-437 substituted “Labor and Human Resources” for “Human Resources”.

## CHANGE OF NAME

Committee on Labor and Human Resources of Senate changed to Committee on Health, Education, Labor, and Pensions of Senate by Senate Resolution No. 20, One Hundred Sixth Congress, Jan. 19, 1999.

Committee on Education and Labor of House of Representatives changed to Committee on Education and the Workforce of House of Representatives by House Resolution No. 5, One Hundred Twelfth Congress, Jan. 5, 2011.

## EFFECTIVE DATE

Section effective Oct. 1, 1978, see section 1530(a) of Pub. L. 95-561, set out as an Effective Date of 1978 Amendment note under section 1221e-3 of this title.

### § 1226d. Repealed. Pub. L. 96-470, title I, § 106(a), Oct. 19, 1980, 94 Stat. 2238

Section, Pub. L. 90-247, title IV, §418, as added Pub. L. 93-380, title V, §506(a)(3)(C), Aug. 21, 1974, 88 Stat. 564; amended S. Res. 4, Feb. 4, 1977; Pub. L. 95-561, title XII, §1246(c), Nov. 1, 1978, 92 Stat. 2354; S. Res. 30, Mar. 7, 1979, directed Assistant Secretary to submit to Committee on Education and Labor of the House of Representatives and Committee on Labor and Human Resources of the Senate comprehensive renewal evaluation reports for applicable programs.

### § 1227. Repealed. Pub. L. 103-382, title II, § 212(a)(1), Oct. 20, 1994, 108 Stat. 3913

Section, Pub. L. 90-247, title IV, §419, formerly §417, as added Pub. L. 92-318, title III, §304, June 23, 1972, 86 Stat. 333; renumbered §419 and amended Pub. L. 93-380, title V, §506(a)(3)(A), (B), Aug. 21, 1974, 88 Stat. 563, related to education program evaluations by Comptroller General.

### § 1228. Prohibition against use of appropriated funds for busing

No funds appropriated for the purpose of carrying out any applicable program may be used

for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to overcome racial imbalance in any school or school system, or for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to carry out a plan of racial desegregation of any school or school system, except for funds appropriated pursuant to title VIII of the Elementary and Secondary Education Act of 1965 [20 U.S.C. 7701 et seq.], but not including any portion of such funds as are attributable to children counted under section 8003(d) of such Act [20 U.S.C. 7703(d)] or residing on property described in section 8013(10) of such Act [20 U.S.C. 7713(10)].

(Pub. L. 90-247, title IV, § 426, formerly § 420, as added Pub. L. 93-380, title II, § 252, Aug. 21, 1974, 88 Stat. 519; renumbered § 426 and amended Pub. L. 103-382, title II, §§ 212(b)(1), 261(b), Oct. 20, 1994, 108 Stat. 3913, 3927; Pub. L. 106-398, § 1 [[div. A], title XVIII, § 1808(b)(2)], Oct. 30, 2000, 114 Stat. 1654, 1654A-382.)

#### REFERENCES IN TEXT

The Elementary and Secondary Education Act of 1965, referred to in text, is Pub. L. 89-10, Apr. 11, 1965, 79 Stat. 27, as amended. Title VIII of the Act is classified generally to subchapter VIII (§ 7701 et seq.) of chapter 70 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 6301 of this title and Tables.

#### PRIOR PROVISIONS

A prior section 426 of Pub. L. 90-247 was renumbered section 433, and is classified to section 1231c of this title.

Another prior section 426 of Pub. L. 90-247 was renumbered section 435, and is classified to section 1231e of this title.

Another prior section 426 of Pub. L. 90-247 was renumbered section 436, and was classified to section 1232e of this title prior to repeal by Pub. L. 95-561.

#### AMENDMENTS

2000—Pub. L. 106-398 substituted “section 8003(d) of such Act” for “subsections (d) and (g) of section 8003 of such Act”.

1994—Pub. L. 103-382, § 261(b), substituted “title VIII of the Elementary and Secondary Education Act of 1965” for “subchapter I of chapter 13 of this title” and “subsections (d) and (g) of section 8003 of such Act or residing on property described in section 8013(10) of such Act” for “subparagraph (C) of section 238(d)(2) of this title or section 244(1)(C) of this title”.

#### EFFECTIVE DATE

Section effective on and after sixtieth day after Aug. 21, 1974, see section 2(c) of Pub. L. 93-380, set out as a note under section 1221-1 of this title.

### § 1228a. Equity for students, teachers, and other program beneficiaries

#### (a) Purpose

The purpose of this section is to assist the Department in implementing the Department's mission to ensure equal access to education and to promote educational excellence throughout the Nation, by—

- (1) ensuring equal opportunities to participate for all eligible students, teachers, and other program beneficiaries in any project or activity carried out under an applicable program; and

- (2) promoting the ability of such students, teachers, and beneficiaries to meet high standards.

#### (b) Requirement to develop steps to ensure equity

The Secretary shall require each applicant for assistance under an applicable program (other than an individual) to develop and describe in such applicant's application the steps such applicant proposes to take to ensure equitable access to, and equitable participation in, the project or activity to be conducted with such assistance, by addressing the special needs of students, teachers, and other program beneficiaries in order to overcome barriers to equitable participation, including barriers based on gender, race, color, national origin, disability, and age.

#### (c) Establishment of criteria

The Secretary may establish criteria and provide technical assistance for meeting the requirements of this section.

#### (d) Effect on other laws

Nothing in this section shall be construed to alter in any way the rights or responsibilities established under the laws cited in section 1221(d) of this title.

(Pub. L. 90-247, title IV, § 427, as added Pub. L. 103-382, title II, § 236, Oct. 20, 1994, 108 Stat. 3917.)

#### PRIOR PROVISIONS

A prior section 427 of Pub. L. 90-247 was renumbered section 434, and is classified to section 1231d of this title.

Another prior section 427 of Pub. L. 90-247 was renumbered section 429, and was classified to section 1231f of this title prior to repeal by Pub. L. 103-382.

#### EFFECTIVE DATE

Section effective July 1, 1995, for noncompetitive programs in which funds are allocated on the basis of a formula and for programs that are conducted on a competitive basis, with respect to appropriations for use under such programs in fiscal year 1995 and in subsequent fiscal years, see section 3(a)(2) of Pub. L. 103-382, set out as an Effective Date of 1994 Amendment note under section 1221 of this title.

### § 1228b. Coordination

The National Assessment Governing Board, the Advisory Council on Education Statistics, the National Education Goals Panel, and any other board established to analyze, address, or approve education content or student performance standards and assessments shall coordinate and interact with one another in order to ensure that each such entity does not duplicate activities to assist the States in reforming their educational systems.

(Pub. L. 90-247, title IV, § 428, as added Pub. L. 103-382, title II, § 237, Oct. 20, 1994, 108 Stat. 3917; amended Pub. L. 104-134, title I, § 101(d) [title VII, § 703(c)], Apr. 26, 1996, 110 Stat. 1321-211, 1321-255; renumbered title I, Pub. L. 104-140, § 1(a), May 2, 1996, 110 Stat. 1327.)

#### PRIOR PROVISIONS

A prior section 428 of Pub. L. 90-247 was renumbered section 435, and is classified to section 1231e of this title.