

shall be computed on the basis of the level of funding that would, but for such waiver, have been required.

(Pub. L. 88-210, title III, §311, as added Pub. L. 109-270, §1(b), Aug. 12, 2006, 120 Stat. 742.)

PRIOR PROVISIONS

A prior section 2391, Pub. L. 88-210, title III, §311, as added Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3121, related to fiscal requirements, prior to the general amendment of this chapter by Pub. L. 109-270.

Another prior section 2391, Pub. L. 88-210, title III, §331, formerly §341, as added Pub. L. 98-524, §1, Oct. 19, 1984, 98 Stat. 2463; renumbered §331 and amended Pub. L. 101-392, title III, §307(a)(2), (c), Sept. 25, 1990, 104 Stat. 787, stated findings of Congress, prior to the general amendment of this chapter by Pub. L. 105-332.

A prior section 311 of Pub. L. 88-210 was classified to section 2361 of this title, prior to the general amendment of this chapter by Pub. L. 105-332.

§ 2392. Authority to make payments

Any authority to make payments or to enter into contracts under this chapter shall be available only to such extent or in such amounts as are provided in advance in appropriation Acts.

(Pub. L. 88-210, title III, §312, as added Pub. L. 109-270, §1(b), Aug. 12, 2006, 120 Stat. 743.)

PRIOR PROVISIONS

A prior section 2392, Pub. L. 88-210, title III, §312, as added Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3122, related to authority to make payments, prior to the general amendment of this chapter by Pub. L. 109-270.

Another prior section 2392, Pub. L. 88-210, title III, §332, formerly §342, as added Pub. L. 98-524, §1, Oct. 19, 1984, 98 Stat. 2464; amended Pub. L. 99-159, title VII, §709, Nov. 22, 1985, 99 Stat. 906; renumbered §332 and amended Pub. L. 101-392, title III, §307(a)(2), (d), Sept. 25, 1990, 104 Stat. 787, authorized business-labor-education partnership training grants, prior to the general amendment of this chapter by Pub. L. 105-332.

A prior section 312 of Pub. L. 88-210 was classified to section 2362 of this title, prior to the general amendment of this chapter by Pub. L. 105-332.

§ 2393. Construction

Nothing in this chapter shall be construed to permit, allow, encourage, or authorize any Federal control over any aspect of a private, religious, or home school, regardless of whether a home school is treated as a private school or home school under State law. This section shall not be construed to bar students attending private, religious, or home schools from participation in programs or services under this chapter.

(Pub. L. 88-210, title III, §313, as added Pub. L. 109-270, §1(b), Aug. 12, 2006, 120 Stat. 743.)

PRIOR PROVISIONS

A prior section 2393, Pub. L. 88-210, title III, §313, as added Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3122, related to construction of this chapter, prior to the general amendment of this chapter by Pub. L. 109-270.

Another prior section 2393, Pub. L. 88-210, title III, §333, formerly §343, as added Pub. L. 98-524, §1, Oct. 19, 1984, 98 Stat. 2465; amended Pub. L. 100-418, title VI, §6134(a), Aug. 23, 1988, 102 Stat. 1512; renumbered §333, Pub. L. 101-392, title III, §307(a)(2), Sept. 25, 1990, 104 Stat. 787, related to use of grant funds, prior to the general amendment of this chapter by Pub. L. 105-332.

A prior section 313 of Pub. L. 88-210 was classified to section 2363 of this title, prior to the general amendment of this chapter by Pub. L. 105-332.

§ 2394. Voluntary selection and participation

No funds made available under this chapter shall be used—

(1) to require any secondary school student to choose or pursue a specific career path or major; or

(2) to mandate that any individual participate in a career and technical education program, including a career and technical education program that requires the attainment of a federally funded skill level, standard, or certificate of mastery.

(Pub. L. 88-210, title III, §314, as added Pub. L. 109-270, §1(b), Aug. 12, 2006, 120 Stat. 743.)

PRIOR PROVISIONS

A prior section 2394, Pub. L. 88-210, title III, §314, as added Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3123, related to voluntary selection and participation, prior to the general amendment of this chapter by Pub. L. 109-270.

Another prior section 2394 and prior sections 2394a to 2394e were omitted in the general amendment of this chapter by Pub. L. 105-332.

Section 2394, Pub. L. 88-210, title III, §342, as added Pub. L. 101-392, title III, §308, Sept. 25, 1990, 104 Stat. 789, stated findings and purpose of Congress.

Section 2394a, Pub. L. 88-210, title III, §343, as added Pub. L. 101-392, title III, §308, Sept. 25, 1990, 104 Stat. 789; amended Pub. L. 102-103, title III, §315, Aug. 17, 1991, 105 Stat. 508, authorized grants for tech-prep education programs. See section 2373 of this title.

Section 2394b, Pub. L. 88-210, title III, §344, as added Pub. L. 101-392, title III, §308, Sept. 25, 1990, 104 Stat. 790; amended Pub. L. 103-239, title VII, §711(a), May 4, 1994, 108 Stat. 606, related to use of grant funds.

Section 2394c, Pub. L. 88-210, title III, §345, as added Pub. L. 101-392, title III, §308, Sept. 25, 1990, 104 Stat. 791; amended Pub. L. 103-239, title VII, §711(b), May 4, 1994, 108 Stat. 606, related to applications for grants. See section 2374 of this title.

Section 2394d, Pub. L. 88-210, title III, §346, as added Pub. L. 101-392, title III, §308, Sept. 25, 1990, 104 Stat. 792, related to reports.

Section 2394e, Pub. L. 88-210, title III, §347, as added Pub. L. 101-392, title III, §308, Sept. 25, 1990, 104 Stat. 792; amended Pub. L. 105-244, title I, §102(a)(6)(E), Oct. 7, 1998, 112 Stat. 1618, defined terms for purposes of tech-prep education grant program.

SHORT TITLE

Pub. L. 88-210, title III, §341, as added by Pub. L. 101-392, title III, §308, Sept. 25, 1990, 104 Stat. 788, which provided that part E of title III of Pub. L. 88-210, enacting part E (§2394 et seq.) of former subchapter III of this chapter, could be cited as the “Tech-Prep Education Act”, was omitted in the general amendment of Pub. L. 88-210 by Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3076.

§ 2395. Limitation for certain students

No funds received under this chapter may be used to provide career and technical education programs to students prior to the seventh grade, except that equipment and facilities purchased with funds under this chapter may be used by such students.

(Pub. L. 88-210, title III, §315, as added Pub. L. 109-270, §1(b), Aug. 12, 2006, 120 Stat. 744.)

PRIOR PROVISIONS

A prior section 2395, Pub. L. 88-210, title III, §315, as added Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3123, imposed a limitation for certain students, prior to the general amendment of this chapter by Pub. L. 109-270.