

## EFFECTIVE DATE OF REPEAL

Repeal effective sixty days after Jan. 5, 1971, see section 404 of Pub. L. 91-648, set out as an Effective Date note under section 3371 of Title 5, Government Organization and Employees.

**§ 870. Repealed. Pub. L. 91-230, title I, § 143(a)(4)(A), title IV, § 401(h)(3), Apr. 13, 1970, 84 Stat. 142, 174**

Section, Pub. L. 89-10, title V, § 510, Apr. 11, 1965, 79 Stat. 54, related to the Advisory Council on State Departments of Education, providing in: subsec. (a) for its appointment by the Secretary within ninety days after April 11, 1965 and its functions; subsec. (b) for the membership and their qualifications; subsec. (c) for engagement of technical, clerical, and other assistance and access to pertinent data of the Department; subsec. (d) for an annual report to the Secretary and transmittal of it to the President and Congress; and (e) for compensation (\$100 per day limitation, including travel time) and travel expenses of members of the Council.

SUBCHAPTER IV—EDUCATION OF  
HANDICAPPED CHILDREN

**§§ 871 to 880a. Repealed. Pub. L. 91-230, title VI, § 662(3), Apr. 13, 1970, 84 Stat. 188**

Section 871, Pub. L. 89-10, title VI, § 601, formerly § 601(a), as added Pub. L. 89-750, title I, § 161, Nov. 3, 1966, 80 Stat. 1204; renumbered § 601 and amended Pub. L. 90-247, title I, §§ 151(4), 152(b)(2), title III, § 301(c)(1), Jan. 2, 1968, 81 Stat. 800, 803, 813, authorized grants to States for education of handicapped children.

Section 872, Pub. L. 89-10, title VI, § 602, formerly § 601(b), as added Pub. L. 89-750, title I, § 161, Nov. 3, 1966, 80 Stat. 1204; renumbered § 602 and amended Pub. L. 90-247, title I, §§ 151(4), 152(b)(3), title III, § 301(c)(2), Jan. 2, 1968, 81 Stat. 800, 803, 813, authorized appropriations of \$50,000,000; \$150,000,000; \$162,500,000; and \$200,000,000 for fiscal years ending June 30, 1967, 1968, 1969, 1970, respectively.

Section 873, Pub. L. 89-10, title VI, § 603, as added Pub. L. 89-750, title I, § 161, Nov. 3, 1966, 80 Stat. 1205; amended Pub. L. 90-247, title I, §§ 152(b)(3), 153 Jan. 2, 1968, 81 Stat. 803, 804, related to allotment of appropriated funds: additional appropriation for outlying areas, payments to Secretaries of Interior and Defense, allotment among States; determination of population figures by Commissioner; reallocation.

Section 874, Pub. L. 89-10, title VI, § 604, as added Pub. L. 89-750, title I, § 161, Nov. 3, 1966, 80 Stat. 1205; amended Pub. L. 90-247, title I, § 151(4), Jan. 2, 1968, 81 Stat. 800, related to submission of State plans to Commissioner and requirements of such plans.

Section 875, Pub. L. 89-10, title VI, § 605, as added Pub. L. 89-750, title I, § 161, Nov. 3, 1966, 80 Stat. 1207, provided for payments.

Section 876, Pub. L. 89-10, title VI, § 606, as added Pub. L. 89-750, title I, § 161, Nov. 3, 1966, 80 Stat. 1207; amended Pub. L. 90-247, title I, § 151(4), Jan. 2, 1968, 81 Stat. 800, related to administration of State plans.

Section 877, Pub. L. 89-10, title VI, § 607, as added Pub. L. 89-750, title I, § 161, Nov. 3, 1966, 80 Stat. 1207, provided for judicial review: jurisdiction, record; findings, substantial evidence, remand; review by United States Supreme Court.

Section 877a, Pub. L. 89-10, title VI, § 608, as added Pub. L. 90-247, title I, § 151(5), Jan. 2, 1968, 81 Stat. 801, related to regional resource centers: authorization of appropriations of \$7,500,000; \$7,750,000; and \$10,000,000 for fiscal years ending June 30, 1968, 1969, and 1970, respectively; availability of appropriations for grants and contracts, functions of centers; considerations governing approval, of application; and manner of payment, adjustment of overpayments and underpayments.

Section 877b, Pub. L. 89-10, title VI, § 609, as added Pub. L. 90-247, title I, § 151(5), Jan. 2, 1968, 81 Stat. 801,

related to model centers for deaf-blind children; Congressional declaration of purpose; authorization of Secretary to make grants and contracts; considerations governing making of grants or contracts; necessary services to be provided by centers; payment of costs of research, development, training and dissemination; definition of "construction"; recovery of payments; determination of children who are both deaf and blind; manner of payment, adjustment of overpayments and underpayments; and authorization of appropriations of \$1,000,000; \$3,000,000; and \$7,000,000 for fiscal years ending June 30, 1968, 1969, and 1970, respectively.

Section 877c, Pub. L. 89-10, title VI, § 610, as added Pub. L. 90-247, title I, § 151(5), Jan. 2, 1968, 81 Stat. 803, authorized grants or contracts to improve recruitment of educational personnel and dissemination of information concerning educational opportunities for handicapped.

Section 878, Pub. L. 89-10, title VI, § 611, formerly § 608, as added Pub. L. 89-750, title I, § 161, Nov. 3, 1966, 80 Stat. 1207; renumbered § 611, Pub. L. 90-247, title I, § 151(3), Jan. 2, 1968, 81 Stat. 800, provided for National Advisory Committee on Handicapped Children: membership; functions, annual report, recommendations; compensation, travel and per diem expenses; advisory professional and technical personnel.

Section 879, Pub. L. 89-10, title VI, § 612, formerly § 609, as added Pub. L. 89-750, title I, § 161, Nov. 3, 1966, 80 Stat. 1208; renumbered § 612, Pub. L. 90-247, title I, § 151(3), Jan. 2, 1968, 81 Stat. 800, provided for a bureau for education and training of the handicapped.

Section 880, Pub. L. 89-10, title VI, § 613, formerly § 610, as added Pub. L. 89-750, title I, § 161, Nov. 3, 1966, 80 Stat. 1208; renumbered § 613, Pub. L. 90-247, title I, § 151(3), Jan. 2, 1968, 81 Stat. 800, provided for labor standards requirement (prevailing wage rates).

Section 880a, Pub. L. 89-10, title VI, § 614, formerly § 602, as added Pub. L. 89-750, title I, § 161, Nov. 3, 1966, 80 Stat. 1204; renumbered § 614, Pub. L. 90-247, title I, § 152(a), Jan. 2, 1968, 81 Stat. 803, defined "handicapped children".

Such sections 871 to 877 comprised Part A—Assistance to States for education of handicapped children.

Section 877a comprised Part B—Regional resource centers for improvement of education of handicapped children.

Section 877b comprised Part C—Centers and services for deaf-blind children.

Section 877c comprised Part D—Recruitment of personnel and information on education of handicapped.

Sections 878 to 880a comprised Part E—General provisions.

## EFFECTIVE DATE OF REPEAL

Repeal effective July 1, 1971, see section 662 of Pub. L. 91-230.

## SHORT TITLE

Section 615 of Pub. L. 89-10, as added by Pub. L. 90-247, title I, § 154, Jan. 2, 1968, 81 Stat. 804, which provided that title VI of Pub. L. 89-10 [enacting this subchapter] was to be cited as the "Education of the Handicapped Act", was repealed by Pub. L. 91-230, title VI, § 662(3), Apr. 13, 1970, 84 Stat. 188.

SUBCHAPTER IV—A—BILINGUAL  
EDUCATION

**§ 880b. Omitted**

## CODIFICATION

Section 880b, Pub. L. 89-10, title VII, § 702, as added Pub. L. 93-380, title I, § 105(a)(1), Aug. 21, 1974, 88 Stat. 503, which set out the Congressional declaration of policy with regard to bilingual education and authorized appropriations for fiscal years through the 1978 fiscal year, was omitted in the general revision of title VII of the Elementary and Secondary Education Act of 1965, Pub. L. 89-10, title VII, as added Pub. L. 93-380, title I,

§105(a)(1), Aug. 21, 1974, 88 Stat. 511, by Pub. L. 95-561, title VII, §701, Nov. 1, 1978, 92 Stat. 2268.

A prior section 880b, Pub. L. 89-10, title VII, §702, as added Pub. L. 90-247, title VII, §702, Jan. 2, 1968, 81 Stat. 816, provided for Congressional declaration of policy and defined "children of limited English-speaking ability". Such provision remaining in effect through June 30, 1975, to the extent not inconsistent with the amendment made by section 105 of Pub. L. 93-380, see section 105(a)(2)(A) of Pub. L. 93-380, title I, Aug. 21, 1974, 88 Stat. 503.

#### SHORT TITLE

Pub. L. 89-10, title VII, §701, as added by Pub. L. 90-247, title VII, §702, Jan. 2, 1968, 81 Stat. 816, and reenacted by Pub. L. 93-380, title I, §105(a)(1), Aug. 21, 1974, 88 Stat. 503, which provided that this subchapter be cited as the "Bilingual Education Act", was omitted in the general revision of this subchapter, title VII of the Elementary and Secondary Education Act of 1965, as added by Pub. L. 93-380, title I, §105(a)(1), Aug. 21, 1974, 88 Stat. 511, by Pub. L. 95-561, title VII, §701, Nov. 1, 1978, 92 Stat. 2268. See Codification note above.

#### § 880b-1. Omitted

##### CODIFICATION

Section 880b-1, Pub. L. 89-10, title VII, §703, as added and amended Pub. L. 93-380, title I, §105(a)(1), (b), Aug. 21, 1974, 88 Stat. 504, 512, which made general provisions for the bilingual education program, was omitted in the general revision of title VII of the Elementary and Secondary Education Act of 1965, Pub. L. 89-10, title VII, as added Pub. L. 93-380, title I, §105(a)(1), Aug. 21, 1974, 88 Stat. 511, by Pub. L. 95-561, title VII, §701, Nov. 1, 1978, 92 Stat. 2268.

A prior section 880b-1, Pub. L. 89-10, title VII, §703, as added Pub. L. 90-247, title VII, §702, Jan. 2, 1968, 81 Stat. 816; amended Pub. L. 91-230, title I, §151, Apr. 13, 1970, 84 Stat. 151, authorized appropriation of 15, 30, 40, 80, 100, and 135 million dollars for fiscal years ending June 30, 1968 through 1973, respectively, and for distribution of funds.

#### §§ 880b-2 to 880b-5. Omitted

##### CODIFICATION

Sections 880b-2 to 880b-5, were to remain in effect through June 30, 1975. See section 105(a)(2)(A) of Pub. L. 93-380, Aug. 21, 1974, 88 Stat. 512.

Section 880b-2, Pub. L. 89-10, title VII, §704, as added Pub. L. 90-247, title VII, §702, Jan. 2, 1968, 81 Stat. 817, related to uses for Federal funds.

Section 880b-3, Pub. L. 89-10, title VII, §705, as added Pub. L. 90-247, title VII, §702, Jan. 2, 1968, 81 Stat. 817 related to applications for grants, providing in subsec.: (a) for time of and contents of applications; (b) conditions for approval; and (c) amendments.

Section 880b-3a, Pub. L. 89-10, title VII, §706, as added Pub. L. 91-230, title I, §152(a), Apr. 13, 1970, 84 Stat. 151; amended Pub. L. 92-318, title IV, §452, June 23, 1972, 86 Stat. 345, provided for children in schools on or near reservations, subsec. (a) relating to local educational agency status of Indian institution or organization and subsec. (b) to payments to Secretary of Interior and criteria for such payments.

Section 880b-4, Pub. L. 89-10, title VII, §707, formerly §706, as added Pub. L. 90-247, title VII, §702, Jan. 2, 1968, 81 Stat. 819; renumbered §707 and amended Pub. L. 91-230, title I, §152(a), (b), Apr. 13, 1970, 84 Stat. 151, 152, related to payments to applicants.

Section 880b-5, Pub. L. 89-10, title VII, §708, formerly §707, as added Pub. L. 90-247, title VII, §702, Jan. 2, 1968, 81 Stat. 819; renumbered §708 and amended Pub. L. 91-230, title I, §§152(a), 153, title IV, §401(h)(3), Apr. 13, 1970, 84 Stat. 151, 152, 174; Pub. L. 93-380, title VIII, §845(c), Aug. 21, 1974, 88 Stat. 612; Pub. L. 94-482, title V, §501(a)(21), Oct. 12, 1976, 90 Stat. 2236, related to establishment of an Advisory Committee on Education of Bilingual Children.

#### § 880b-6. Repealed. Pub. L. 91-230, title IV, §401(g)(5), Apr. 13, 1970, 84 Stat. 174

Section, Pub. L. 89-10, title VII, §709, formerly §708, as added Pub. L. 90-247, title VII, §702, Jan. 2, 1968, 81 Stat. 819; renumbered §709 Pub. L. 91-230, title I, §152(a), Apr. 13, 1970, 84 Stat. 151, related to labor standards requirement (prevailing wage rates).

#### PART A—FINANCIAL ASSISTANCE FOR BILINGUAL EDUCATION PROGRAMS

#### §§ 880b-7 to 880b-9. Omitted

##### CODIFICATION

Sections were omitted in the general revision of title VII of the Elementary and Secondary Education Act of 1965, Pub. L. 89-10, title VII, as added Pub. L. 93-380, title I, §105(a)(1), Aug. 21, 1974, 88 Stat. 511, by Pub. L. 95-561, title VII, §701, Nov. 1, 1978, 92 Stat. 2268.

Section 880b-7, Pub. L. 89-10, title VII, §721, as added Pub. L. 93-380, title I, §105(a)(1), Aug. 21, 1974, 88 Stat. 506, provided for bilingual education programs.

Section 880b-8, Pub. L. 89-10, title VII, §722, as added Pub. L. 93-380, Title I, §105(a)(1), Aug. 21, 1974, 88 Stat. 507, related to Indian children in schools.

Section 880b-9, Pub. L. 89-10, title VII, §723, as added Pub. L. 93-380, title I, §105(a)(1), Aug. 21, 1974, 88 Stat. 508; amended Pub. L. 94-273, §3(7), Apr. 21, 1976, 90 Stat. 376; S. Res. 4, Feb. 4, 1977, related to grants and contract for training.

#### PART B—ADMINISTRATION

#### §§ 880b-10, 880b-11. Omitted

##### CODIFICATION

Sections were omitted in the general revision of title VII of the Elementary and Secondary Education Act of 1965, Pub. L. 89-10, title VII, as added Pub. L. 93-380, title I, §105(a)(1), Aug. 21, 1974, 88 Stat. 511, by Pub. L. 95-561, title VII, §701, Nov. 1, 1978, 92 Stat. 2268.

Section 880b-10, Pub. L. 89-10, title VII, §731, as added Pub. L. 93-380, title I, §105(a)(1), Aug. 21, 1974, 88 Stat. 509; amended Pub. L. 94-273, §3(7), Apr. 21, 1976, 90 Stat. 376; Pub. L. 94-482, title V, §501(d)(1), Oct. 12, 1976, 90 Stat. 2237, established the Office of Bilingual Education.

Section 880b-11, Pub. L. 89-10, title VII, §732, as added Pub. L. 93-380, title I, §105(a)(1), Aug. 21, 1974, 88 Stat. 510; amended Pub. L. 94-482, title V, §501(a)(21), (d)(2), Oct. 12, 1976, 90 Stat. 2236, 2237, provided for the establishment of the National Advisory Council on Bilingual Education.

##### APPOINTMENT OF NATIONAL ADVISORY COUNCIL ON BILINGUAL EDUCATION

Pub. L. 93-380, title I, §105(a)(2)(B), Aug. 21, 1974, 88 Stat. 512, provided for the appointment of the National Advisory Council on Bilingual Education, which Council was provided for by section 880b-11, within 90 days after Aug. 21, 1974. See Codification note above.

#### PART C—SUPPORTIVE SERVICES AND ACTIVITIES

#### §§ 880b-12, 880b-13. Omitted

##### CODIFICATION

Sections were omitted in the general revision of title VII of the Elementary and Secondary Education Act of 1965, Pub. L. 89-10, title VII, as added Pub. L. 93-380, title I, §105(a)(1), Aug. 21, 1974, 88 Stat. 511, by Pub. L. 95-561, title VII, §701, Nov. 1, 1978, 92 Stat. 2268.

Section 880b-12, Pub. L. 89-10, title VII, §741, as added Pub. L. 93-380, title I, §105(a)(1), Aug. 21, 1974, 88 Stat. 511, provided for the administration of the research and demonstration projects program.

Section 880b-13, Pub. L. 89-10, title VII, §742, as added Pub. L. 93-380, title I, §105(a)(1), Aug. 21, 1974, 88 Stat.