

- (A) individuals with disabilities;
- (B) individuals from economically disadvantaged families, including foster children;
- (C) individuals preparing for non-traditional fields;
- (D) single parents, including single pregnant women;
- (E) displaced homemakers; and
- (F) individuals with limited English proficiency.

**(30) State**

The term “State”, unless otherwise specified, means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and each outlying area.

**(31) Support services**

The term “support services” means services related to curriculum modification, equipment modification, classroom modification, supportive personnel, and instructional aids and devices.

**(32) Tech prep program**

The term “tech prep program” means a tech prep program described in section 2373(c) of this title.

**(33) Tribally controlled college or university**

The term “tribally controlled college or university” has the meaning given the term in section 1801(a) of title 25.

**(34) Tribally controlled postsecondary career and technical institution**

The term “tribally controlled postsecondary career and technical institution” means an institution of higher education (as defined in section 1001 of this title, except that subsection (a)(2) of such section shall not be applicable and the reference to Secretary in subsection (a)(5) of such section shall be deemed to refer to the Secretary of the Interior) that—

- (A) is formally controlled, or has been formally sanctioned or chartered, by the governing body of an Indian tribe or Indian tribes;
- (B) offers a technical degree or certificate granting program;
- (C) is governed by a board of directors or trustees, a majority of whom are Indians;
- (D) demonstrates adherence to stated goals, a philosophy, or a plan of operation, that fosters individual Indian economic and self-sufficiency opportunity, including programs that are appropriate to stated tribal goals of developing individual entrepreneurship and self-sustaining economic infrastructures on reservations;
- (E) has been in operation for at least 3 years;
- (F) holds accreditation with or is a candidate for accreditation by a nationally recognized accrediting authority for postsecondary career and technical education; and
- (G) enrolls the full-time equivalent of not less than 100 students, of whom a majority are Indians.

(Pub. L. 88-210, §3, as added Pub. L. 109-270, §1(b), Aug. 12, 2006, 120 Stat. 685; amended Pub. L. 110-315, title IX, §941(k)(2)(D)(i), Aug. 14, 2008, 122 Stat. 3466.)

## REFERENCES IN TEXT

The Social Security Act, referred to in par. (10)(A)(iii), is act Aug. 14, 1935, ch. 531, 49 Stat. 620, as amended. Part A of title IV of the Act is classified generally to part A (§601 et seq.) of subchapter IV of chapter 7 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see section 1305 of Title 42 and Tables.

The Indian Self-Determination and Education Assistance Act, referred to in par. (13)(D), is Pub. L. 93-638, Jan. 4, 1975, 88 Stat. 2203, as amended, which is classified principally to subchapter II (§450 et seq.) of chapter 14 of Title 25, Indians. For complete classification of this Act to the Code, see Short Title note set out under section 450 of Title 25 and Tables.

Act of April 16, 1934, referred to in par. (13)(D), is act Apr. 16, 1934, ch. 147, 48 Stat. 596, as amended, popularly known as the Johnson-O'Malley Act, which is classified generally to section 452 et seq. of Title 25, Indians. For complete classification of this Act to the Code, see Short Title note set out under section 452 of Title 25 and Tables.

## PRIOR PROVISIONS

A prior section 2302, Pub. L. 88-210, §3, as added Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3077; amended Pub. L. 107-110, title X, §1076(k), Jan. 8, 2002, 115 Stat. 2091, related to definitions, prior to the general amendment of this chapter by Pub. L. 109-270.

Another prior section 2302, Pub. L. 88-210, §3, as added Pub. L. 98-524, §1, Oct. 19, 1984, 98 Stat. 2437; amended Pub. L. 100-418, title VI, §§6131(b), 6134(b), Aug. 23, 1988, 102 Stat. 1511, 1512; Pub. L. 101-392, §3, Sept. 25, 1990, 104 Stat. 756, authorized appropriations for fiscal years 1991 to 1995 to carry out former subchapters I to IV of this chapter, prior to the general amendment of this chapter by Pub. L. 105-332.

## AMENDMENTS

2008—Par. (33). Pub. L. 110-315 made technical amendment to reference in original act which appears in text as reference to section 1801(a) of title 25.

**§ 2303. Transition provisions**

The Secretary shall take such steps as the Secretary determines to be appropriate to provide for the orderly transition to the authority of this chapter (as amended by the Carl D. Perkins Career and Technical Education Improvement Act of 2006) from any authority under the provisions of the Carl D. Perkins Vocational and Technical Education Act of 1998, as in effect on the day before August 12, 2006. The Secretary shall give each eligible agency the opportunity to submit a transition plan for the first fiscal year following August 12, 2006.

(Pub. L. 88-210, §4, as added Pub. L. 109-270, §1(b), Aug. 12, 2006, 120 Stat. 690.)

## REFERENCES IN TEXT

This chapter (as amended by the Carl D. Perkins Career and Technical Education Improvement Act of 2006), referred to in text, is this chapter as amended by Pub. L. 109-270, Aug. 12, 2006, 120 Stat. 683.

The Carl D. Perkins Vocational and Technical Education Act of 1998, as in effect on the day before August 12, 2006, referred to in text, means Pub. L. 88-210, as amended, which was classified generally to this chapter, prior to being amended generally and renamed the Carl D. Perkins Career and Technical Education Act of 2006 by Pub. L. 109-270, §1(b), Aug. 12, 2006, 120 Stat. 683.

## PRIOR PROVISIONS

A prior section 2303, Pub. L. 88-210, § 4, as added Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3082, related to transition provisions, prior to the general amendment of this chapter by Pub. L. 109-270.

Another prior section 2303, Pub. L. 101-392, § 4, Sept. 25, 1990, 104 Stat. 758; Pub. L. 104-66, title I, §1041(f), Dec. 21, 1995, 109 Stat. 715, which related to the Interdepartmental Task Force on Vocational Education and Related Programs, was transferred to section 2308 of this title.

**§ 2304. Privacy****(a) GEPA**

Nothing in this chapter shall be construed to supersede the privacy protections afforded parents and students under section 444 of the General Education Provisions Act (20 U.S.C. 1232g).

**(b) Prohibition on development of national database**

Nothing in this chapter shall be construed to permit the development of a national database of personally identifiable information on individuals receiving services under this chapter.

(Pub. L. 88-210, § 5, as added Pub. L. 109-270, §1(b), Aug. 12, 2006, 120 Stat. 690.)

## PRIOR PROVISIONS

A prior section 2304, Pub. L. 88-210, § 5, as added Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3082, related to privacy, prior to the general amendment of this chapter by Pub. L. 109-270.

**§ 2305. Limitation**

All of the funds made available under this chapter shall be used in accordance with the requirements of this chapter.

(Pub. L. 88-210, § 6, as added Pub. L. 109-270, §1(b), Aug. 12, 2006, 120 Stat. 690.)

## PRIOR PROVISIONS

A prior section 2305, Pub. L. 88-210, § 6, as added Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3082, related to limitation on use of funds, prior to the general amendment of this chapter by Pub. L. 109-270.

**§ 2306. Special rule**

In the case of a local community in which no employees are represented by a labor organization, for purposes of this chapter, the term “representatives of employees” shall be substituted for “labor organization”.

(Pub. L. 88-210, § 7, as added Pub. L. 109-270, §1(b), Aug. 12, 2006, 120 Stat. 690.)

## PRIOR PROVISIONS

A prior section 2306, Pub. L. 88-210, § 7, as added Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3083, related to special rule, prior to the general amendment of this chapter by Pub. L. 109-270.

**§ 2306a. Prohibitions****(a) Local control**

Nothing in this chapter shall be construed to authorize an officer or employee of the Federal Government to mandate, direct, or control a State, local educational agency, or school’s curriculum, program of instruction, or allocation of State or local resources, or mandate a State or

any subdivision thereof to spend any funds or incur any costs not paid for under this chapter, except as required under sections 2322(b), 2391(b), and 2413 of this title.

**(b) No preclusion of other assistance**

Any State that declines to submit an application to the Secretary for assistance under this chapter shall not be precluded from applying for assistance under any other program administered by the Secretary.

**(c) Prohibition on requiring Federal approval or certification of standards**

Notwithstanding any other provision of Federal law, no State shall be required to have academic and career and technical content standards or student academic and career and technical achievement standards approved or certified by the Federal Government, in order to receive assistance under this chapter.

**(d) Rule of construction**

Nothing in this section shall be construed to affect the requirements under section 2323 of this title.

**(e) Coherent and rigorous content**

For the purposes of this chapter, coherent and rigorous content shall be determined by the State consistent with section 6311(b)(1)(D) of this title.

(Pub. L. 88-210, § 8, as added Pub. L. 109-270, §1(b), Aug. 12, 2006, 120 Stat. 690.)

## PRIOR PROVISIONS

A prior section 8 of Pub. L. 88-210 was classified to section 2307 of this title prior to the general amendment of this chapter by Pub. L. 109-270.

**§ 2307. Authorization of appropriations**

There is authorized to be appropriated to carry out this chapter (other than sections 2324, 2327, and 2328 of this title, and subchapter II) such sums as may be necessary for each of the fiscal years 2007 through 2012.

(Pub. L. 88-210, § 9, as added Pub. L. 109-270, §1(b), Aug. 12, 2006, 120 Stat. 691.)

## PRIOR PROVISIONS

A prior section 2307, Pub. L. 88-210, § 8, as added Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3083, related to authorization of appropriations, prior to the general amendment of this chapter by Pub. L. 109-270.

**§ 2308. Interdepartmental Task Force on Vocational Education and Related Programs****(a) Establishment**

There is established the Interdepartmental Task Force on Vocational Education and Related Programs (in this section referred to as the “Task Force”).

**(b) Membership**

The Task Force shall consist of the Secretary of Education, the Secretary of Labor, the Secretary of Health and Human Services, and such other personnel of the Department of Education, the Department of Labor, and the Department of Health and Human Services as the Secretaries consider appropriate.

**(c) Duties**

The Task Force shall—