

PRIOR PROVISIONS

A prior section 7909, Pub. L. 89-10, title IX, §9209, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3803, related to Native Hawaiian curriculum development and teacher training and recruitment programs, prior to the general amendment of this subchapter by Pub. L. 107-110.

AMENDMENTS

2002—Subsec. (b). Pub. L. 107-279 substituted “section 9543(a)(5) of this title” for “section 9003(a)(6) of this title”.

§ 7910. Limitations on national testing or certification for teachers

(a) Mandatory national testing or certification of teachers

Notwithstanding any other provision of this chapter or any other provision of law, no funds available to the Department or otherwise available under this chapter may be used for any purpose relating to a mandatory nationwide test or certification of teachers or education paraprofessionals, including any planning, development, implementation, or administration of such test or certification.

(b) Prohibition on withholding funds

The Secretary is prohibited from withholding funds from any State educational agency or local educational agency if the State educational agency or local educational agency fails to adopt a specific method of teacher or paraprofessional certification.

(Pub. L. 89-10, title IX, §9530, as added Pub. L. 107-110, title IX, §901, Jan. 8, 2002, 115 Stat. 1984.)

PRIOR PROVISIONS

A prior section 7910, Pub. L. 89-10, title IX, §9210, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3804, related to Native Hawaiian community-based education learning centers, prior to the general amendment of this subchapter by Pub. L. 107-110.

§ 7911. Prohibition on nationwide database

Nothing in this chapter (other than section 6398(b) of this title) shall be construed to authorize the development of a nationwide database of personally identifiable information on individuals involved in studies or other collections of data under this chapter.

(Pub. L. 89-10, title IX, §9531, as added Pub. L. 107-110, title IX, §901, Jan. 8, 2002, 115 Stat. 1984.)

PRIOR PROVISIONS

A prior section 7911, Pub. L. 89-10, title IX, §9211, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3804, set out administrative provisions, prior to the general amendment of this subchapter by Pub. L. 107-110. See section 7516 of this title.

§ 7912. Unsafe school choice option

(a) Unsafe school choice policy

Each State receiving funds under this chapter shall establish and implement a statewide policy requiring that a student attending a persistently dangerous public elementary school or secondary school, as determined by the State in consultation with a representative sample of local educational agencies, or who becomes a victim of a violent criminal offense, as deter-

mined by State law, while in or on the grounds of a public elementary school or secondary school that the student attends, be allowed to attend a safe public elementary school or secondary school within the local educational agency, including a public charter school.

(b) Certification

As a condition of receiving funds under this chapter, a State shall certify in writing to the Secretary that the State is in compliance with this section.

(Pub. L. 89-10, title IX, §9532, as added Pub. L. 107-110, title IX, §901, Jan. 8, 2002, 115 Stat. 1984.)

PRIOR PROVISIONS

A prior section 7912, Pub. L. 89-10, title IX, §9212, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3805, defined terms, prior to the general amendment of this subchapter by Pub. L. 107-110. See section 7517 of this title.

§ 7913. Prohibition on discrimination

Nothing in this chapter shall be construed to require, authorize, or permit, the Secretary, or a State educational agency, local educational agency, or school to grant to a student, or deny or impose upon a student, any financial or educational benefit or burden, in violation of the fifth or 14th amendments to the Constitution or other law relating to discrimination in the provision of federally funded programs or activities.

(Pub. L. 89-10, title IX, §9533, as added Pub. L. 107-110, title IX, §901, Jan. 8, 2002, 115 Stat. 1985.)

§ 7914. Civil rights

(a) In general

Nothing in this chapter shall be construed to permit discrimination on the basis of race, color, religion, sex (except as otherwise permitted under title IX of the Education Amendments of 1972 [20 U.S.C. 1681 et seq.]), national origin, or disability in any program funded under this chapter.

(b) Rule of construction

Nothing in this chapter shall be construed to require the disruption of services to a child or the displacement of a child enrolled in or participating in a program administered by an eligible entity, as defined in section 6316 of this title and part B of subchapter V of this chapter, at the commencement of the entity's participation in a grant under section 6316 of this title or part B of subchapter V of this chapter.

(Pub. L. 89-10, title IX, §9534, as added Pub. L. 107-110, title IX, §901, Jan. 8, 2002, 115 Stat. 1985.)

REFERENCES IN TEXT

The Education Amendments of 1972, referred to in subsec. (a), is Pub. L. 92-318, June 23, 1972, 86 Stat. 235, as amended. Title IX of the Act, known as the Patsy Takemoto Mink Equal Opportunity in Education Act, is classified principally to chapter 38 (§1681 et seq.) of this title. For complete classification of title IX to the Code, see Short Title note set out under section 1681 of this title and Tables.

§ 7915. Rulemaking

The Secretary shall issue regulations under this chapter only to the extent that such regula-