

to ultimate beneficiaries of Federal financial assistance excluded from coverage before Mar. 22, 1988, see section 7 of Pub. L. 100-259, set out as a note under section 1687 of this title.

#### ABORTION NEUTRALITY

Pub. L. 100-259, § 8, Mar. 22, 1988, 102 Stat. 31, provided that: "No provision of this Act or any amendment made by this Act [see Short Title of 1988 Amendment note under section 1681 of this title] shall be construed to force or require any individual or hospital or any other institution, program, or activity receiving Federal Funds [sic] to perform or pay for an abortion."

### CHAPTER 39—EQUAL EDUCATIONAL OPPORTUNITIES AND TRANSPORTATION OF STUDENTS

#### SUBCHAPTER I—EQUAL EDUCATIONAL OPPORTUNITIES

##### PART 1—POLICY AND PURPOSE

- Sec.  
1701. Congressional declaration of policy.  
1702. Congressional findings.

##### PART 2—UNLAWFUL PRACTICES

1703. Denial of equal educational opportunity prohibited.  
1704. Balance not required.  
1705. Assignment on neighborhood basis not a denial of equal educational opportunity.

##### PART 3—ENFORCEMENT

1706. Civil actions by individuals denied equal educational opportunities or by Attorney General.  
1707. Population changes without effect, per se, on school population changes.  
1708. Jurisdiction of district courts.  
1709. Intervention by Attorney General.  
1710. Civil actions by Attorney General; notice of violations; certification respecting undertaking appropriate remedial action.

##### PART 4—REMEDIES

1712. Formulating remedies; applicability.  
1713. Priority of remedies.  
1714. Transportation of students.  
1715. District lines.  
1716. Voluntary adoption of remedies.  
1717. Reopening proceedings.  
1718. Limitation on court orders; termination of orders conditioned upon compliance with fifth and fourteenth amendments; statement of basis for termination orders; stay of termination orders.

##### PART 5—DEFINITIONS

1720. Definitions.

##### PART 6—MISCELLANEOUS PROVISIONS

1721. Separability.

#### SUBCHAPTER II—ASSIGNMENT AND TRANSPORTATION OF STUDENTS

1751. Prohibition against assignment or transportation of students to overcome racial imbalance.  
1752. Appeals from Federal district court transfer or transportation orders affecting school attendance areas and achieving balancing of students; postponement of Federal court orders pending exercise of appellate remedy; expiration of section.  
1753. Uniform rules of evidence requirement.  
1754. Provisions respecting transportation of pupils to achieve racial balance and judicial power to insure compliance with constitutional standards applicable to the entire United States.

- Sec.  
1755. Additional priority of remedies after finding of de jure segregation.  
1756. Remedies with respect to school district lines.  
1757. Prohibition of forced busing during school year.  
1758. Reasonable time for developing voluntary school desegregation plans following detailed notice of violations.

#### SUBCHAPTER I—EQUAL EDUCATIONAL OPPORTUNITIES

##### PART 1—POLICY AND PURPOSE

#### § 1701. Congressional declaration of policy

##### (a) Entitlement to equal educational opportunity; neighborhood as appropriate basis

The Congress declares it to be the policy of the United States that—

(1) all children enrolled in public schools are entitled to equal educational opportunity without regard to race, color, sex, or national origin; and

(2) the neighborhood is the appropriate basis for determining public school assignments.

##### (b) Purpose

In order to carry out this policy, it is the purpose of this subchapter to specify appropriate remedies for the orderly removal of the vestiges of the dual school system.

(Pub. L. 93-380, title II, § 202, Aug. 21, 1974, 88 Stat. 514.)

##### EFFECTIVE DATE

Chapter 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.

##### SHORT TITLE

Pub. L. 93-380, title II, § 201, Aug. 21, 1974, 88 Stat. 514, provided that: "This title [enacting this chapter and section 1228 of this title and amending section 1608 of this title] may be cited as the 'Equal Educational Opportunities Act of 1974'."

#### § 1702. Congressional findings

##### (a) Dual school systems as denial of equal protection; depletion of financial resources of local educational agencies; transportation of students; inadequacy of guidelines

The Congress finds that—

(1) the maintenance of dual school systems in which students are assigned to schools solely on the basis of race, color, sex, or national origin denies to those students the equal protection of the laws guaranteed by the fourteenth amendment;

(2) for the purpose of abolishing dual school systems and eliminating the vestiges thereof, many local educational agencies have been required to reorganize their school systems, to reassign students, and to engage in the extensive transportation of students;

(3) the implementation of desegregation plans that require extensive student transportation has, in many cases, required local educational agencies to expend large amounts of funds, thereby depleting their financial resources available for the maintenance or im-