

### § 7372. Rule of construction on equalized spending

Nothing in this subchapter shall be construed to mandate equalized spending per pupil for a State, local educational agency, or school.

(Pub. L. 89–10, title VI, §6302, as added Pub. L. 107–110, title VI, §601, Jan. 8, 2002, 115 Stat. 1898.)

#### PRIOR PROVISIONS

A prior section 7372, Pub. L. 89–10, title VI, §6402, as added Pub. L. 103–382, title I, §101, Oct. 20, 1994, 108 Stat. 3713, related to participation of children enrolled in private schools, prior to the general amendment of this subchapter by Pub. L. 107–110. See section 7217a of this title.

A prior section 6302 of Pub. L. 89–10 was classified to section 7352 of this title, prior to the general amendment of this subchapter by Pub. L. 107–110.

A prior section 7373, Pub. L. 89–10, title VI, §6403, as added Pub. L. 103–382, title I, §101, Oct. 20, 1994, 108 Stat. 3715, which related to Federal administration, was omitted in the general amendment of this subchapter by Pub. L. 107–110. See section 7217b of this title.

### SUBCHAPTER VII—INDIAN, NATIVE HAWAIIAN, AND ALASKA NATIVE EDUCATION

#### CODIFICATION

Title VII of the Elementary and Secondary Education Act of 1965, comprising this subchapter, was originally enacted as part of Pub. L. 89–10, Apr. 11, 1965, 79 Stat. 27, amended, and subsequently revised, restated, and amended by other public laws. Title VII is shown, herein, as having been added by Pub. L. 107–110, title VII, §701, Jan. 8, 2002, 115 Stat. 1907, without reference to earlier amendments because of the extensive revision of the title's provisions by Pub. L. 107–110. See Codification note preceding section 6301 of this title.

#### PART A—INDIAN EDUCATION

### § 7401. Statement of policy

It is the policy of the United States to fulfill the Federal Government's unique and continuing trust relationship with and responsibility to the Indian people for the education of Indian children. The Federal Government will continue to work with local educational agencies, Indian tribes and organizations, postsecondary institutions, and other entities toward the goal of ensuring that programs that serve Indian children are of the highest quality and provide for not only the basic elementary and secondary educational needs, but also the unique educational and culturally related academic needs of these children.

(Pub. L. 89–10, title VII, §7101, as added Pub. L. 107–110, title VII, §701, Jan. 8, 2002, 115 Stat. 1907.)

#### PRIOR PROVISIONS

A prior section 7401, Pub. L. 89–10, title VII, §7101, as added Pub. L. 103–382, title I, §101, Oct. 20, 1994, 108 Stat. 3716, set forth short title of Bilingual Education Act, prior to the general amendment of this subchapter by Pub. L. 107–110.

#### SAVINGS PROVISIONS

Pub. L. 107–110, title VII, §703, Jan. 8, 2002, 115 Stat. 1947, provided that: "Funds appropriated for parts A, B, and C of title IX of the Elementary and Secondary Education Act of 1965 [former 20 U.S.C. 7801 et seq., 7901 et seq., 7931 et seq.] (as in effect on the day before the date

of enactment of this Act [Jan. 8, 2002]) shall be available for use under parts A, B, and C, respectively, of title VII of such Act [parts A, B, and C, respectively, of this subchapter], as added by this section [section 701]."

#### EXECUTIVE ORDER NO. 13096

Ex. Ord. No. 13096, Aug. 6, 1998, 63 F.R. 42681, which related to American Indian and Alaska Native education, was revoked by Ex. Ord. No. 13336, §9(b), Apr. 30, 2004, 69 F.R. 25297, formerly set out below.

#### EXECUTIVE ORDER NO. 13336

Ex. Ord. No. 13336, Apr. 30, 2004, 69 F.R. 25295, which established the Interagency Working Group on American Indian and Alaska Native Education and required a study, report, and conference relating to American Indian and Alaska Native students' achievement under the No Child Left Behind Act of 2001, was revoked by Ex. Ord. No. 13592, §5(c), Dec. 2, 2011, 76 F.R. 76607, set out below.

#### EX. ORD. NO. 13592. IMPROVING AMERICAN INDIAN AND ALASKA NATIVE EDUCATIONAL OPPORTUNITIES AND STRENGTHENING TRIBAL COLLEGES AND UNIVERSITIES

Ex. Ord. No. 13592, Dec. 2, 2011, 76 F.R. 76603, provided: By the authority vested in me as President by the Constitution and the laws of the United States of America, I hereby order as follows:

**SECTION 1. Policy.** The United States has a unique political and legal relationship with the federally recognized American Indian and Alaska Native (AI/AN) tribes across the country, as set forth in the Constitution of the United States, treaties, Executive Orders, and court decisions. For centuries, the Federal Government's relationship with these tribes has been guided by a trust responsibility—a long-standing commitment on the part of our Government to protect the unique rights and ensure the well-being of our Nation's tribes, while respecting their tribal sovereignty. In recognition of that special commitment—and in fulfillment of the solemn obligations it entails—Federal agencies must help improve educational opportunities provided to all AI/AN students, including students attending public schools in cities and in rural areas, students attending schools operated and funded by the Department of the Interior's Bureau of Indian Education (BIE), and students attending postsecondary institutions, including Tribal Colleges and Universities (TCUs). This is an urgent need. Recent studies show that AI/AN students are dropping out of school at an alarming rate, that our Nation has made little or no progress in closing the achievement gap between AI/AN students and their non-AI/AN student counterparts, and that many Native languages are on the verge of extinction.

It is the policy of my Administration to support activities that will strengthen the Nation by expanding educational opportunities and improving educational outcomes for all AI/AN students in order to fulfill our commitment to furthering tribal self-determination and to help ensure that AI/AN students have an opportunity to learn their Native languages and histories and receive complete and competitive educations that prepare them for college, careers, and productive and satisfying lives.

My Administration is also committed to improving educational opportunities for students attending TCUs. TCUs maintain, preserve, and restore Native languages and cultural traditions; offer a high-quality college education; provide career and technical education, job training, and other career-building programs; and often serve as anchors in some of the country's poorest and most remote areas.

**SEC. 2. Definitions.** (a) "Agency" means any executive department or agency designated by the Secretary of Education and the Secretary of the Interior to participate in this order.

(b) "Indian tribe" means an Indian or Alaska Native tribe, band, nation, pueblo, village, or community that