

(Pub. L. 93-380, title II, §258, Aug. 21, 1974, 88 Stat. 520; Pub. L. 96-88, title III, §301(a)(1), title V, §507, Oct. 17, 1979, 93 Stat. 677, 692.)

TRANSFER OF FUNCTIONS

“Secretary”, meaning the Secretary of Education, substituted for “Commissioner” in subsec. (c) pursuant to sections 301(a)(1) and 507 of Pub. L. 96-88, which are classified to sections 3441(a)(1) and 3507 of this title and which transferred functions of Commissioner of Education to Secretary of Education.

§ 1758. Reasonable time for developing voluntary school desegregation plans following detailed notice of violations

Notwithstanding any other law or provision of law, no court or officer of the United States shall enter, as a remedy for a denial of equal educational opportunity or a denial of equal protection of the laws, any order for enforcement of a plan of desegregation or modification of a court-approved plan, until such time as the local educational agency to be affected by such order has been provided notice of the details of the violation and given a reasonable opportunity to develop a voluntary remedial plan. Such time shall permit the local educational agency sufficient opportunity for community participation in the development of a remedial plan.

(Pub. L. 93-380, title II, §259, Aug. 21, 1974, 88 Stat. 521.)

CHAPTER 40—CONSOLIDATION OF EDUCATION PROGRAMS

SUBCHAPTER I—LIBRARIES, LEARNING RESOURCES, EDUCATIONAL INNOVATION, AND SUPPORT

PART A—GENERAL PROVISIONS

§§ 1801 to 1806. Omitted

CODIFICATION

Sections were omitted in the general revision of the Elementary and Secondary Education Act of 1965, titles I to IX of Pub. L. 89-10, Apr. 11, 1965, 79 Stat. 27, by Pub. L. 95-561, Nov. 1, 1978, 92 Stat. 2143.

Section 1801, Pub. L. 89-10, title IV, §401, as added Pub. L. 93-380, title IV, §401, Aug. 21, 1974, 88 Stat. 535; amended Pub. L. 94-482, title III, §328, Oct. 12, 1976, 90 Stat. 2220; Pub. L. 95-112, §2(d), Sept. 24, 1977, 91 Stat. 911, authorized appropriations for making grants for libraries and library resources for fiscal years ending prior to Oct. 1, 1979.

Section 1802, Pub. L. 89-10, title IV, §402, as added Pub. L. 93-380, title IV, §401, Aug. 21, 1974, 88 Stat. 537, provided for allotments to States.

Section 1803, Pub. L. 89-10, title IV, §403, as added Pub. L. 93-380, title IV, §401, Aug. 21, 1974, 88 Stat. 538; amended Pub. L. 94-482, title III, §323(a)(3), title V, §501(e)(1), Oct. 12, 1976, 90 Stat. 2217, 2237, provided for structure and function of State plans.

Section 1804, Pub. L. 89-10, title IV, §404, as added Pub. L. 93-380, title IV, §401, Aug. 21, 1974, 88 Stat. 540, directed Commissioner to afford the State educational agency reasonable notice and opportunity for a hearing prior to final disapproval of a State plan.

Section 1805, Pub. L. 89-10, title IV, §405, as added Pub. L. 93-380, title IV, §401, Aug. 21, 1974, 88 Stat. 541, related to payments to States.

Section 1806, Pub. L. 89-10, title IV, §406, as added Pub. L. 93-380, title IV, §401, Aug. 21, 1974, 88 Stat. 541; amended Pub. L. 94-482, title III, §324, title V, §501(r), Oct. 12, 1976, 90 Stat. 2220, 2238, related to participation of children enrolled in private schools.

PART B—LIBRARIES AND LEARNING RESOURCES

§ 1821. Omitted

CODIFICATION

Section, Pub. L. 89-10, title IV, §421, as added Pub. L. 93-380, title IV, §401, Aug. 21, 1974, 88 Stat. 542, which authorized a program of grants relating to libraries and learning resources, was omitted in the general revision of the Elementary and Secondary Education Act of 1965, titles I to IX of Pub. L. 89-10, Apr. 11, 1965, 79 Stat. 27, by Pub. L. 95-561, Nov. 1, 1978, 92 Stat. 2143.

PART C—EDUCATIONAL INNOVATION AND SUPPORT

§§ 1831, 1832. Omitted

CODIFICATION

Section 1831, Pub. L. 89-10, title IV, §431, as added Pub. L. 93-380, title IV, §401, Aug. 21, 1974, 88 Stat. 543; amended Pub. L. 94-482, title V, §501(e)(2), Oct. 12, 1976, 90 Stat. 2237, which authorized a program of educational innovation and support, was omitted in the general revision of the Elementary and Secondary Education Act of 1965, titles I to IX of Pub. L. 89-10, Apr. 11, 1965, 79 Stat. 27, by Pub. L. 95-561, Nov. 1, 1978, 92 Stat. 2143.

Section 1832, Pub. L. 89-10, title IV, §432, as added Pub. L. 93-380, title IV, §401, Aug. 21, 1974, 88 Stat. 544, which provided for the use of cultural and educational resources, was omitted in the general revision of the Elementary and Secondary Education Act of 1965, titles I to IX of Pub. L. 89-10, Apr. 11, 1965, 79 Stat. 27, by Pub. L. 95-561, Nov. 1, 1978, 92 Stat. 2143.

SUBCHAPTER II—SPECIAL PROJECTS

§§ 1851 to 1853. Repealed. Pub. L. 95-561, title III, § 301(b)(2), Nov. 1, 1978, 92 Stat. 2228

Section 1851, act July 26, 1954, ch. 576, §2, as added Aug. 21, 1974, Pub. L. 93-380, title IV, §402(a)(1), 88 Stat. 544, set out Congressional statement of purpose in making provision for special projects to experiment with new educational and administrative methods, techniques, and practices, to meet special or unique educational needs or problems, and to place special emphasis on national education priorities.

Section 1852, act July 26, 1954, ch. 576, §3, as added Aug. 21, 1974, Pub. L. 93-380, title IV, §402(a)(1), 88 Stat. 544; amended Apr. 21, 1976, Pub. L. 94-273, §2(14), 90 Stat. 375, authorized Commissioner to contract with public and private groups in carrying out special projects.

Section 1853, act July 26, 1954, ch. 576, §4, as added Aug. 21, 1974, Pub. L. 93-380, title IV, §402(a)(1), 88 Stat. 545; amended Oct. 12, 1976, Pub. L. 94-482, title IV, §409(c), 90 Stat. 2233; S. Res. 4, Feb. 4, 1977, authorized appropriations for section 1852 contracts and development of plans for succeeding year.

EFFECTIVE DATE OF REPEAL

Pub. L. 95-561, title III, §301(b)(2), Nov. 1, 1978, 92 Stat. 2228, provided that the repeal is effective Sept. 30, 1979.

SUBCHAPTER III—PREFERENTIAL PROGRAMS

§§ 1861 to 1864. Repealed. Pub. L. 95-561, title III, § 301(b)(1)(A)–(D), Nov. 1, 1978, 92 Stat. 2228

Section 1861, Pub. L. 93-380, title IV, §402(b), Aug. 21, 1974, 88 Stat. 545, related to reservation and apportionment of funds for certain authorized and described programs.

Section 1862, Pub. L. 93-380, title IV, §403, Aug. 21, 1974, 88 Stat. 546, related to education for use of metric system of measurement.

Section 1863, Pub. L. 93-380, title IV, §404, Aug. 21, 1974, 88 Stat. 547, related to education of gifted and talented children.