

(2) Rule

For the purpose of this section, an elementary school or secondary school has a limited public forum whenever the school involved grants an offering to, or opportunity for, one or more outside youth or community groups to meet on school premises or in school facilities before or after the hours during which attendance at the school is compulsory.

(Pub. L. 89-10, title VIII, §8525, formerly title IX, §9525, as added Pub. L. 107-110, title IX, §901, Jan. 8, 2002, 115 Stat. 1981; renumbered title VIII, §8525, Pub. L. 114-95, title VIII, §8001(a)(6), Dec. 10, 2015, 129 Stat. 2088, 2089.)

PRIOR PROVISIONS

A prior section 7905, Pub. L. 89-10, title IX, §9205, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3800, related to Native Hawaiian Family-Based Education Centers, prior to the general amendment of former subchapter IX of this chapter by Pub. L. 107-110.

§ 7906. Prohibited uses of funds

No funds under this chapter may be used—

(1) for construction, renovation, or repair of any school facility, except as authorized under this chapter;

(2) for transportation unless otherwise authorized under this chapter;

(3) to develop or distribute materials, or operate programs or courses of instruction directed at youth, that are designed to promote or encourage sexual activity, whether homosexual or heterosexual;

(4) to distribute or to aid in the distribution by any organization of legally obscene materials to minors on school grounds;

(5) to provide sex education or HIV-prevention education in schools unless that instruction is age appropriate and includes the health benefits of abstinence; or

(6) to operate a program of contraceptive distribution in schools.

(Pub. L. 89-10, title VIII, §8526, formerly title IX, §9526, as added Pub. L. 107-110, title IX, §901, Jan. 8, 2002, 115 Stat. 1982; renumbered title VIII, §8526, and amended Pub. L. 114-95, title VIII, §8001(a)(6), 8022, Dec. 10, 2015, 129 Stat. 2088, 2089, 2112.)

PRIOR PROVISIONS

A prior section 7906, Pub. L. 89-10, title IX, §9206, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3800, authorized grants for a Native Hawaiian higher education program, prior to the general amendment of former subchapter IX of this chapter by Pub. L. 107-110.

AMENDMENTS

2015—Pub. L. 114-95, §8022, substituted “Prohibited uses of funds” for “General prohibitions” in section catchline, in subsec. (a), struck out “(a) Prohibition” before introductory provisions, substituted “No funds under this chapter may be used” for “None of the funds authorized under this chapter shall be used” in introductory provisions, added pars. (1) and (2) and redesignated former pars. (1) to (4) as (3) to (6), respectively, and struck out subsec. (b). Prior to amendment, text of subsec. (b) read as follows: “Nothing in this section shall be construed to—

“(1) authorize an officer or employee of the Federal Government to mandate, direct, review, or control a State, local educational agency, or school’s instructional content, curriculum, and related activities;

“(2) limit the application of the General Education Provisions Act;

“(3) require the distribution of scientifically or medically false or inaccurate materials or to prohibit the distribution of scientifically or medically true or accurate materials; or

“(4) create any legally enforceable right.”

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114-95 effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114-95, set out as a note under section 6301 of this title.

§ 7906a. Prohibition against Federal mandates, direction, or control**(a) In general**

No officer or employee of the Federal Government shall, through grants, contracts, or other cooperative agreements, mandate, direct, or control a State, local educational agency, or school’s specific instructional content, academic standards and assessments, curricula, or program of instruction developed and implemented to meet the requirements of this chapter (including any requirement, direction, or mandate to adopt the Common Core State Standards developed under the Common Core State Standards Initiative, any other academic standards common to a significant number of States, or any assessment, instructional content, or curriculum aligned to such standards), nor shall anything in this chapter be construed to authorize such officer or employee to do so.

(b) Financial support

No officer or employee of the Federal Government shall condition or incentivize the receipt of any grant, contract, or cooperative agreement, the receipt of any priority or preference under such grant, contract, or cooperative agreement, or the receipt of a waiver under section 7861 of this title upon a State, local educational agency, or school’s adoption or implementation of specific instructional content, academic standards and assessments, curricula, or program of instruction developed and implemented to meet the requirements of this chapter (including any condition, priority, or preference to adopt the Common Core State Standards developed under the Common Core State Standards Initiative, any other academic standards common to a significant number of States, or any assessment, instructional content, or curriculum aligned to such standards).

(Pub. L. 89-10, title VIII, §8526A, as added Pub. L. 114-95, title VIII, §8023, Dec. 10, 2015, 129 Stat. 2113.)

EFFECTIVE DATE

Section effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114-95, set out as an Effective Date of 2015 Amendment note under section 6301 of this title.

§ 7907. Prohibitions on Federal Government and use of Federal funds**(a) General prohibition**

Nothing in this chapter shall be construed to authorize an officer or employee of the Federal