§ 11412. Making surplus personal property available to nonprofit agencies

(a) Omitted

(b) Requirement for notification

Within 90 days after July 22, 1987, the Administrator of General Services shall require each State agency administering a State plan under section 502(a)–(e) of Title 40 to make generally available information about surplus personal property which may be used in the provision of food, shelter, or other services to homeless individuals.

(c) Costs

Surplus personal property identified pursuant to this section shall be made available to providers of assistance to homeless individuals by a State agency distributing such property at (1) a nominal cost to such organization or (2) at no cost when the Administrator agrees to reimburse the State agency for the costs of care and handling of such property.


CODIFICATION


SUBCHAPTER VI—EDUCATION AND TRAINING

PART A—ADULT EDUCATION FOR HOMELESS


EFFECTIVE DATE OF REPEAL


PART B—EDUCATION FOR HOMELESS CHILDREN AND YOUTHS

§ 11431. Statement of policy

The following is the policy of the Congress:

(1) Each State educational agency shall ensure that each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education, including a public preschool education, as provided to other children and youths.

(2) In any State where compulsory residency requirements or other requirements, in laws, regulations, practices, or policies, may act as a barrier to the identification of, or the enrollment, attendance, or success in school of, homeless children and youths, the State educational agency and local educational agencies in the State will review and undertake steps to revise such laws, regulations, practices, or policies to ensure that homeless children and youths are afforded the same free, appropriate public education as provided to other children and youths.

(3) Homelessness is not sufficient reason to separate students from the mainstream school environment.

(4) Homeless children and youths should have access to the education and other services that such children and youths need to ensure that such children and youths have an opportunity to meet the same challenging State academic standards to which all students are held.


PRIOR PROVISIONS


AMENDMENTS

2015—Par. (2). Pub. L. 114–95, § 9101(1), substituted “In any State where compulsory residency requirements or other requirements, in laws, regulations, practices, or policies, may act as a barrier to the identification of, or the enrollment, attendance, or success in school of, homeless children and youths, the State educational agency and local educational agencies in the State will review” for “In any State that has a compulsory residency requirement as a component of the State’s compulsory school attendance laws or other laws, regulations, practices, or policies that may act as a barrier to the enrollment, attendance, or success in school of homeless children and youths, the State will review”. Par. (3). Pub. L. 114–95, § 9101(2), struck out “alone” after “Homelessness”. Par. (4). Pub. L. 114–95, § 9101(3), substituted “challenging State academic standards” for “challenging State student academic achievement standards”.

EFFECTIVE DATE OF 2015 AMENDMENT

Pub. L. 114–95, title IX, § 9107, Dec. 10, 2015, 129 Stat. 237, provided that: “Except as provided in section 9105(b) [set out as a note under section 11434a of this title] or as otherwise provided in this Act [see Tables for classification], this title [probably means ‘this part’, meaning part A (§§ 1141–1147) of title IX of Pub. L. 114–95, amending this section and sections 11421 to 11435 of this title and enacting provisions set out as
notes under section 11434a of this title] and the amend-
ments made by this title take effect on October 1, 2016.”

**Effective Date**

Part effective Jan. 8, 2002, except with respect to cer-
tain noncompetitive programs and competitive pro-
grants, see section 5 of Pub. L. 107–110, set out as a note under section 6301 of Title 20, Education.

§ 11432. Grants for State and local activities for
the education of homeless children and youths

(a) General authority

The Secretary is authorized to make grants to
States in accordance with the provisions of this
section to enable such States to carry out the
activities described in subsections (d) through
(b) Grants from allotments

The Secretary shall make the grants to States
from the allotments made under subsection
(c)(1).

(c) Allocation and reservations

(1) Allocation

(A) Subject to subparagraph (B), the Sec-
retary is authorized to allot to each State an
amount that bears the same ratio to the
amount appropriated for such year under sec-
tion 11435 of this title that remains after the
Secretary reserves funds under paragraph (2)
and uses funds to carry out section 11434(d)
and (h) of this title, as the amount allocated
under section 1122 of the Elementary and Sec-
the State for that year bears to the total
amount allocated under section 1122 of such
Act to all States for that year, except that no
State shall receive less than the greater of—
(i) $150,000;
(ii) one-fourth of 1 percent of the amount
appropriated under section 11435 of this title
for that year; or
(iii) the amount such State received under
this section for fiscal year 2001.
(B) If there are insufficient funds in a fiscal
year to allot to each State the minimum
amount under subparagraph (A), the Secretary
shall ratably reduce the allotments to all
States based on the proportionate share that
each State received under this subsection for
the preceding fiscal year.

(2) Reservations

(A) The Secretary is authorized to reserve
0.1 percent of the amount appropriated for
each fiscal year under section 11435 of this
title to be allocated by the Secretary among
the United States Virgin Islands, Guam,
American Samoa, and the Commonwealth of
the Northern Mariana Islands, according to
their respective need for assistance under this
part, as determined by the Secretary.
(B)(i) The Secretary shall transfer 1 percent
of the amount appropriated for each fiscal
year under section 11435 of this title to the De-
partment of the Interior for programs for In-
dian students served by schools funded by the
Secretary of the Interior, as determined under
the Indian Self-Determination and Education
Assistance Act (25 U.S.C. 450 et seq.), that are
consistent with the purposes of the programs
described in this part.
(ii) The Secretary and the Secretary of the
Interior shall set forth in an agreement, con-
sistent with the requirements of this part, for
the distribution and use of the funds described
in clause (i) under terms that the Secretary
determines best meet the purposes of the pro-
grants described in this part. Such agreement
shall set forth the plans of the Secretary
and the Interior for the use of the amounts trans-
ferred, including appropriate goals, objectives,
and milestones.

(3) State defined

For purposes of this subsection, the term
“State” does not include the United States
Virgin Islands, Guam, American Samoa, or the
Commonwealth of the Northern Mariana Is-
lands.

(d) Activities

Grants under this section shall be used for the
following:

(1) To carry out the policies set forth in sec-
tion 11431 of this title in the State.
(2) To provide services and activities to im-
prove the identification of homeless children
and youths (including preschool-aged homeless
children) and enable such children and youths
to enroll in, attend, and succeed in school, in-
cluding, if appropriate, in preschool programs.
(3) To establish or designate in the State
educational agency an Office of the Coordina-
tor for Education of Homeless Children and
Youths that can sufficiently carry out the du-
ties described for the Office in this part in ac-
cordance with subsection (f).
(4) To prepare and carry out the State plan
described in subsection (g).
(5) To develop and implement professional
development programs for liaisons designated
under subsection (g)(1)(J)(i) and other local
educational agency personnel—
(A) to improve their identification of
homeless children and youths; and
(B) to heighten the awareness of the liai-
sions and personnel of, and their capacity to
respond to, specific needs in the education of
homeless children and youths.

(e) State and local subgrants

(1) Minimum disbursements by States

From the sums made available each year to
a State through grants under subsection (a) to
carry out this part, the State educational
agency shall distribute not less than 75 per-
cent in subgrants to local educational agen-
cies for the purposes of carrying out section
11433 of this title, except that States funded at
the minimum level set forth in subsection
(c)(1) shall distribute not less than 50 percent
in subgrants to local educational agencies for
the purposes of carrying out section 11433 of
this title.

(2) Use by State educational agency

A State educational agency may use the
grant funds remaining after the State edu-

1 See References in Text note below.