

Short Title note set out under section 1001 of Title 20 and Tables.

#### AMENDMENTS

2015—Subsec. (a)(1). Pub. L. 114-95, §9215(uuu)(2)(A), substituted “section 4310 of the Elementary and Secondary Education Act of 1965” for “section 5210(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7221i(1))”.

Subsec. (a)(3)(C). Pub. L. 114-95, §9215(uuu)(2)(B), substituted “section 5211(b) of the Elementary and Secondary Education Act of 1965” for “section 6211(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7345(b))”.

Subsec. (a)(8). Pub. L. 114-95, §9215(uuu)(2)(C), substituted “section 8101 of the Elementary and Secondary Education Act of 1965” for “section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)”.

2014—Subsec. (a)(2)(A)(ii). Pub. L. 113-291 substituted “20 U.S.C. 1411” for “20 U.S.C.1411”.

#### 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 Title 20, Education.

#### TRANSFER OF FUNCTIONS FOR TROOPS-TO-TEACHERS PROGRAM; EXISTING AGREEMENTS

Pub. L. 112-239, div. A, title V, §541(a), Jan. 2, 2013, 126 Stat. 1728, provided that:

“(1) TRANSFER.—The responsibility and authority for operation and administration of the Troops-to-Teachers Program in chapter A of subpart 1 of part C of title II of the Elementary and Secondary Education Act of 1965 ([former] 20 U.S.C. 6671 et seq.) is transferred from the Secretary of Education to the Secretary of Defense.

“(2) MEMORANDUM OF AGREEMENT.—In connection with the transfer of responsibility and authority for operation and administration of the Troops-to-Teachers Program from the Secretary of Education to the Secretary of Defense under paragraph (1), the Secretaries shall enter into a memorandum of agreement pursuant to which the Secretary of Education will undertake the following:

“(A) Disseminate information about the Troops-to-Teachers Program to eligible schools (as defined in subsection (a) of section 1154 of title 10, United States Code, as added by subsection (b)).

“(B) Advise the Department of Defense on how to prepare eligible members of the Armed Forces described in subsection (d) of such section 1154 to become participants in the Program, to meet the requirements necessary to become a teacher in a school described in subsection (b)(2) of such section 1154, and to find post-service employment in an eligible school.

“(C) Advise the Department of Defense on how to identify teacher preparation programs for participants in the Program.

“(D) Inform the Department of Defense of academic subject areas with critical teacher shortages.

“(E) Identify geographic areas with critical teacher shortages, especially in high-need schools (as defined in subsection (a) of such section 1154).

“(3) EFFECTIVE DATE.—The transfer of responsibility and authority for operation and administration of the Troops-to-Teachers Program under paragraph (1) shall take effect—

“(A) on the first day of the first month beginning more than 90 days after the date of the enactment of this Act [Jan. 2, 2013]; or

“(B) on such earlier date as the Secretary of Education and the Secretary of Defense may jointly provide.”

Pub. L. 112-239, div. A, title V, §541(d)(3), Jan. 2, 2013, 126 Stat. 1735, provided that: “The repeal of chapter A of subpart 1 of part C of title II of the Elementary and

Secondary Education Act of 1965 ([former] 20 U.S.C. 6671 et seq.) by paragraph (1) shall not affect—

“(A) the validity or terms of any agreement entered into under such chapter, as in effect immediately before such repeal, before the effective date of the transfer of the Troops-to-Teachers Program under subsection (a) [set out as a note above]; or

“(B) the authority to pay assistance, make grants, or obtain reimbursement in connection with such an agreement as in effect before the effective date of the transfer of the Troops-to-Teachers Program under subsection (a).”

#### CHAPTER 59—SEPARATION

Sec.

1161. Commissioned officers: limitations on dismissal.

[1162, 1163. Repealed.]

1164. Warrant officers: separation for age.

1165. Regular warrant officers: separation during three-year probationary period.

1166. Regular warrant officers: elimination for unfitness or unsatisfactory performance.

1167. Members under confinement by sentence of court-martial: separation after six months confinement.

1168. Discharge or release from active duty: limitations.

1169. Regular enlisted members: limitations on discharge.

1170. Regular enlisted members: minority discharge.

1171. Regular enlisted members: early discharge.

1172. Enlisted members: during war or emergency; discharge.

1173. Enlisted members: discharge for hardship.

1174. Separation pay upon involuntary discharge or release from active duty.

1174a. Special separation benefits programs.

1175. Voluntary separation incentive.

1175a. Voluntary separation pay and benefits.

1176. Enlisted members: retention after completion of 18 or more, but less than 20, years of service.

1177. Members diagnosed with or reasonably asserting post-traumatic stress disorder or traumatic brain injury: medical examination required before administrative separation.

1178. System and procedures for tracking separations resulting from refusal to participate in anthrax vaccine immunization program.

#### AMENDMENTS

2009—Pub. L. 111-84, div. A, title V, §512(a)(2), Oct. 28, 2009, 123 Stat. 2281, added item 1177.

2006—Pub. L. 109-163, div. A, title VI, §643(a)(2), Jan. 6, 2006, 119 Stat. 3309, added item 1175a.

2000—Pub. L. 106-398, §1 [[div. A], title VII, §751(a)(2)], Oct. 30, 2000, 114 Stat. 1654, 1654A-193, added item 1178.

1996—Pub. L. 104-134, title II, §2707(a)(2), Apr. 26, 1996, 110 Stat. 1321-330, struck out item 1177 “Members infected with HIV-1 virus: mandatory discharge or retirement”.

Pub. L. 104-106, div. A, title V, §§563(a)(1)(B), 567(a)(2), Feb. 10, 1996, 110 Stat. 325, 329, added item 1167 and substituted “Members infected with HIV-1 virus: mandatory discharge or retirement” for “Members who are permanently nonworldwide assignable: mandatory discharge or retirement; counseling” in item 1177.

1994—Pub. L. 103-337, div. A, title V, §560(a)(2), title XVI, §1671(b)(10), Oct. 5, 1994, 108 Stat. 2778, 3013, struck out items 1162 “Reserves: discharge” and 1163 “Reserve components: members; limitations on separation” and added item 1177.

1992—Pub. L. 102-484, div. A, title V, §541(b), Oct. 23, 1992, 106 Stat. 2413, added item 1176.

1991—Pub. L. 102-190, div. A, title VI, §§661(a)(2), 662(a)(2), Dec. 5, 1991, 105 Stat. 1395, 1398, added items 1174a and 1175.