

related to model centers for deaf-blind children: Congressional declaration of purpose; authorization of Secretary to make grants and contracts; considerations governing making of grants or contracts; necessary services to be provided by centers; payment of costs of research, development, training and dissemination; definition of "construction"; recovery of payments; determination of children who are both deaf and blind; manner of payment, adjustment of overpayments and underpayments; and authorization of appropriations of \$1,000,000; \$3,000,000; and \$7,000,000 for fiscal years ending June 30, 1968, 1969, and 1970, respectively.

Section 877c, Pub. L. 89-10, title VI, § 610, as added Pub. L. 90-247, title I, § 151(5), Jan. 2, 1968, 81 Stat. 803, authorized grants or contracts to improve recruitment of educational personnel and dissemination of information concerning educational opportunities for handicapped.

Section 878, Pub. L. 89-10, title VI, § 611, formerly § 608, as added Pub. L. 89-750, title I, § 161, Nov. 3, 1966, 80 Stat. 1207; renumbered § 611, Pub. L. 90-247, title I, § 151(3), Jan. 2, 1968, 81 Stat. 800, provided for National Advisory Committee on Handicapped Children: membership; functions, annual report, recommendations; compensation, travel and per diem expenses; advisory professional and technical personnel.

Section 879, Pub. L. 89-10, title VI, § 612, formerly § 609, as added Pub. L. 89-750, title I, § 161, Nov. 3, 1966, 80 Stat. 1208; renumbered § 612, Pub. L. 90-247, title I, § 151(3), Jan. 2, 1968, 81 Stat. 800, provided for a bureau for education and training of the handicapped.

Section 880, Pub. L. 89-10, title VI, § 613, formerly § 610, as added Pub. L. 89-750, title I, § 161, Nov. 3, 1966, 80 Stat. 1208; renumbered § 613, Pub. L. 90-247, title I, § 151(3), Jan. 2, 1968, 81 Stat. 800, provided for labor standards requirement (prevailing wage rates).

Section 880a, Pub. L. 89-10, title VI, § 614, formerly § 602, as added Pub. L. 89-750, title I, § 161, Nov. 3, 1966, 80 Stat. 1204; renumbered § 614, Pub. L. 90-247, title I, § 152(a), Jan. 2, 1968, 81 Stat. 803, defined "handicapped children".

Such sections 871 to 877 comprised Part A—Assistance to States for education of handicapped children.

Section 877a comprised Part B—Regional resource centers for improvement of education of handicapped children.

Section 877b comprised Part C—Centers and services for deaf-blind children.

Section 877c comprised Part D—Recruitment of personnel and information on education of handicapped.

Sections 878 to 880a comprised Part E—General provisions.

#### EFFECTIVE DATE OF REPEAL

Repeal effective July 1, 1971, see section 662 of Pub. L. 91-230.

#### SHORT TITLE

Section 615 of Pub. L. 89-10, as added by Pub. L. 90-247, title I, § 154, Jan. 2, 1968, 81 Stat. 804, which provided that title VI of Pub. L. 89-10 [enacting this subchapter] was to be cited as the "Education of the Handicapped Act", was repealed by Pub. L. 91-230, title VI, § 662(3), Apr. 13, 1970, 84 Stat. 188.

### SUBCHAPTER IV—BILINGUAL EDUCATION

#### § 880b. Omitted

#### CODIFICATION

Section 880b, Pub. L. 89-10, title VII, § 702, as added Pub. L. 93-380, title I, § 105(a)(1), Aug. 21, 1974, 88 Stat. 503, which set out the Congressional declaration of policy with regard to bilingual education and authorized appropriations for fiscal years through the 1978 fiscal year, was omitted in the general revision of title VII of the Elementary and Secondary Education Act of 1965, Pub. L. 89-10, title VII, as added Pub. L. 93-380, title I,

§ 105(a)(1), Aug. 21, 1974, 88 Stat. 511, by Pub. L. 95-561, title VII, § 701, Nov. 1, 1978, 92 Stat. 2268.

A prior section 880b, Pub. L. 89-10, title VII, § 702, as added Pub. L. 90-247, title VII, § 702, Jan. 2, 1968, 81 Stat. 816, provided for Congressional declaration of policy and defined "children of limited English-speaking ability". Such provision remaining in effect through June 30, 1975, to the extent not inconsistent with the amendment made by section 105 of Pub. L. 93-380, see section 105(a)(2)(A) of Pub. L. 93-380, title I, Aug. 21, 1974, 88 Stat. 503.

#### SHORT TITLE

Pub. L. 89-10, title VII, § 701, as added by Pub. L. 90-247, title VII, § 702, Jan. 2, 1968, 81 Stat. 816, and reenacted by Pub. L. 93-380, title I, § 105(a)(1), Aug. 21, 1974, 88 Stat. 503, which provided that this subchapter be cited as the "Bilingual Education Act", was omitted in the general revision of this subchapter, title VII of the Elementary and Secondary Education Act of 1965, as added by Pub. L. 93-380, title I, § 105(a)(1), Aug. 21, 1974, 88 Stat. 511, by Pub. L. 95-561, title VII, § 701, Nov. 1, 1978, 92 Stat. 2268. See Codification note above.

#### § 880b-1. Omitted

#### CODIFICATION

Section 880b-1, Pub. L. 89-10, title VII, § 703, as added and amended Pub. L. 93-380, title I, § 105(a)(1), (b), Aug. 21, 1974, 88 Stat. 504, 512, which made general provisions for the bilingual education program, was omitted in the general revision of title VII of the Elementary and Secondary Education Act of 1965, Pub. L. 89-10, title VII, as added Pub. L. 93-380, title I, § 105(a)(1), Aug. 21, 1974, 88 Stat. 511, by Pub. L. 95-561, title VII, § 701, Nov. 1, 1978, 92 Stat. 2268.

A prior section 880b-1, Pub. L. 89-10, title VII, § 703, as added Pub. L. 90-247, title VII, § 702, Jan. 2, 1968, 81 Stat. 816; amended Pub. L. 91-230, title I, § 151, Apr. 13, 1970, 84 Stat. 151, authorized appropriation of 15, 30, 40, 80, 100, and 135 million dollars for fiscal years ending June 30, 1968 through 1973, respectively, and for distribution of funds.

#### §§ 880b-2 to 880b-5. Omitted

#### CODIFICATION

Sections 880b-2 to 880b-5, were to remain in effect through June 30, 1975. See section 105(a)(2)(A) of Pub. L. 93-380, Aug. 21, 1974, 88 Stat. 512.

Section 880b-2, Pub. L. 89-10, title VII, § 704, as added Pub. L. 90-247, title VII, § 702, Jan. 2, 1968, 81 Stat. 817, related to uses for Federal funds.

Section 880b-3, Pub. L. 89-10, title VII, § 705, as added Pub. L. 90-247, title VII, § 702, Jan. 2, 1968, 81 Stat. 817 related to applications for grants, providing in subsec.: (a) for time of and contents of applications; (b) conditions for approval; and (c) amendments.

Section 880b-3a, Pub. L. 89-10, title VII, § 706, as added Pub. L. 91-230, title I, § 152(a), Apr. 13, 1970, 84 Stat. 151; amended Pub. L. 92-318, title IV, § 452, June 23, 1972, 86 Stat. 345, provided for children in schools on or near reservations, subsec. (a) relating to local educational agency status of Indian institution or organization and subsec. (b) to payments to Secretary of Interior and criteria for such payments.

Section 880b-4, Pub. L. 89-10, title VII, § 707, formerly § 706, as added Pub. L. 90-247, title VII, § 702, Jan. 2, 1968, 81 Stat. 819; renumbered § 707 and amended Pub. L. 91-230, title I, § 152(a), (b), Apr. 13, 1970, 84 Stat. 151, 152, related to payments to applicants.

Section 880b-5, Pub. L. 89-10, title VII, § 708, formerly § 707, as added Pub. L. 90-247, title VII, § 702, Jan. 2, 1968, 81 Stat. 819; renumbered § 708 and amended Pub. L. 91-230, title I, §§ 152(a), 153, title IV, § 401(h)(3), Apr. 13, 1970, 84 Stat. 151, 152, 174; Pub. L. 93-380, title VIII, § 845(c), Aug. 21, 1974, 88 Stat. 612; Pub. L. 94-482, title V, § 501(a)(21), Oct. 12, 1976, 90 Stat. 2236, related to establishment of an Advisory Committee on Education of Bilingual Children.

**§ 880b-6. Repealed. Pub. L. 91-230, title IV, § 401(g)(5), Apr. 13, 1970, 84 Stat. 174**

Section, Pub. L. 89-10, title VII, § 709, formerly § 708, as added Pub. L. 90-247, title VII, § 702, Jan. 2, 1968, 81 Stat. 819; renumbered § 709 Pub. L. 91-230, title I, § 152(a), Apr. 13, 1970, 84 Stat. 151, related to labor standards requirement (prevailing wage rates).

PART A—FINANCIAL ASSISTANCE FOR BILINGUAL EDUCATION PROGRAMS

**§§ 880b-7 to 880b-9. Omitted**

CODIFICATION

Sections were omitted in the general revision of title VII of the Elementary and Secondary Education Act of 1965, Pub. L. 89-10, title VII, as added Pub. L. 93-380, title I, § 105(a)(1), Aug. 21, 1974, 88 Stat. 511, by Pub. L. 95-561, title VII, § 701, Nov. 1, 1978, 92 Stat. 2268.

Section 880b-7, Pub. L. 89-10, title VII, § 721, as added Pub. L. 93-380, title I, § 105(a)(1), Aug. 21, 1974, 88 Stat. 506, provided for bilingual education programs.

Section 880b-8, Pub. L. 89-10, title VII, § 722, as added Pub. L. 93-380, Title I, § 105(a)(1), Aug. 21, 1974, 88 Stat. 507, related to Indian children in schools.

Section 880b-9, Pub. L. 89-10, title VII, § 723, as added Pub. L. 93-380, title I, § 105(a)(1), Aug. 21, 1974, 88 Stat. 508; amended Pub. L. 94-273, § 3(7), Apr. 21, 1976, 90 Stat. 376; S. Res. 4, Feb. 4, 1977, related to grants and contract for training.

PART B—ADMINISTRATION

**§§ 880b-10, 880b-11. Omitted**

CODIFICATION

Sections were omitted in the general revision of title VII of the Elementary and Secondary Education Act of 1965, Pub. L. 89-10, title VII, as added Pub. L. 93-380, title I, § 105(a)(1), Aug. 21, 1974, 88 Stat. 511, by Pub. L. 95-561, title VII, § 701, Nov. 1, 1978, 92 Stat. 2268.

Section 880b-10, Pub. L. 89-10, title VII, § 731, as added Pub. L. 93-380, title I, § 105(a)(1), Aug. 21, 1974, 88 Stat. 509; amended Pub. L. 94-273, § 3(7), Apr. 21, 1976, 90 Stat. 376; Pub. L. 94-482, title V, § 501(d)(1), Oct. 12, 1976, 90 Stat. 2237, established the Office of Bilingual Education.

Section 880b-11, Pub. L. 89-10, title VII, § 732, as added Pub. L. 93-380, title I, § 105(a)(1), Aug. 21, 1974, 88 Stat. 510; amended Pub. L. 94-482, title V, § 501(a)(21), (d)(2), Oct. 12, 1976, 90 Stat. 2236, 2237, provided for the establishment of the National Advisory Council on Bilingual Education.

APPOINTMENT OF NATIONAL ADVISORY COUNCIL ON BILINGUAL EDUCATION

Pub. L. 93-380, title I, § 105(a)(2)(B), Aug. 21, 1974, 88 Stat. 512, provided for the appointment of the National Advisory Council on Bilingual Education, which Council was provided for by section 880b-11, within 90 days after Aug. 21, 1974. See Codification note above.

PART C—SUPPORTIVE SERVICES AND ACTIVITIES

**§§ 880b-12, 880b-13. Omitted**

CODIFICATION

Sections were omitted in the general revision of title VII of the Elementary and Secondary Education Act of 1965, Pub. L. 89-10, title VII, as added Pub. L. 93-380, title I, § 105(a)(1), Aug. 21, 1974, 88 Stat. 511, by Pub. L. 95-561, title VII, § 701, Nov. 1, 1978, 92 Stat. 2268.

Section 880b-12, Pub. L. 89-10, title VII, § 741, as added Pub. L. 93-380, title I, § 105(a)(1), Aug. 21, 1974, 88 Stat. 511, provided for the administration of the research and demonstration projects program.

Section 880b-13, Pub. L. 89-10, title VII, § 742, as added Pub. L. 93-380, title I, § 105(a)(1), Aug. 21, 1974, 88 Stat.

511; amended Pub. L. 94-482, title V, § 501(d)(3), Oct. 12, 1976, 90 Stat. 2237, related to research and demonstration projects.

SUBCHAPTER V—GENERAL PROVISIONS

**§ 881. Transferred**

CODIFICATION

Section, Pub. L. 89-10, title VIII, § 801, formerly title VI, § 601, Apr. 11, 1965, 79 Stat. 55, renumbered title VII, § 701, Pub. L. 89-750, title I, § 161, Nov. 3, 1966, 80 Stat. 1204, renumbered title VIII, § 801, and amended Pub. L. 90-247, title I, §§ 142(b), 152(c), title VII, §§ 702, 703, Jan. 2, 1968, 81 Stat. 799, 803, 816, 819; Pub. L. 91-230, title I, § 162, Apr. 13, 1970, 84 Stat. 152; Pub. L. 94-193, § 1(c), Dec. 31, 1975, 89 Stat. 1102; Pub. L. 94-482, title V, § 501(f), Oct. 12, 1976, 90 Stat. 2237, which related to definitions, was renumbered Pub. L. 89-10, title X, § 1001 by Pub. L. 95-561, title VIII, § 801(1), (2), Nov. 1, 1978, 92 Stat. 2284, and transferred to section 3381 of this title, and was subsequently omitted in the general amendment of Pub. L. 89-10 by Pub. L. 103-382, title I, § 101, Oct. 20, 1994, 108 Stat. 3519.

**§ 882. Repealed. Pub. L. 91-230, title IV, § 401(h)(3), Apr. 13, 1970, 84 Stat. 174**

Section, Pub. L. 89-10, title VIII, § 802, formerly title VI, § 602, Apr. 11, 1965, 79 Stat. 57, renumbered title VII, § 702, Pub. L. 89-750, title I, § 161, Nov. 3, 1966, 80 Stat. 1204, renumbered title VIII, § 802, Pub. L. 90-247, title VII, § 702, Jan. 2, 1968, 81 Stat. 816, provided for appointment of advisory council and for compensation (\$100 per day limitation, including travel time) and travel expenses of the members.

**§§ 883 to 885. Transferred**

CODIFICATION

Section 883, Pub. L. 89-10, title VIII, § 803, formerly title VI, § 603, Apr. 11, 1965, 79 Stat. 57; renumbered title VII, § 703, and amended Pub. L. 89-750, title I, §§ 111(f), 161, Nov. 3, 1966, 80 Stat. 1196, 1204; renumbered title VIII, § 803, Pub. L. 90-247, title VII, § 702, Jan. 2, 1968, 81 Stat. 816; amended Pub. L. 91-230, title I, § 163, title IV, § 401(c)(2), Apr. 13, 1970, 84 Stat. 152, 173, was comprised of subsecs. (a) to (c). Subsecs. (a) and (b) were repealed by Pub. L. 91-230, title IV, § 401(c)(2), Apr. 13, 1970, 84 Stat. 173. Subsec. (c), which related to federal administration, was renumbered Pub. L. 89-10, title X, § 1002 by Pub. L. 95-561, title VIII, § 801(1), (2), Nov. 1, 1978, 92 Stat. 2284, and transferred to section 3382 of this title, and was subsequently omitted in the general amendment of Pub. L. 89-10 by Pub. L. 103-382, title I, § 101, Oct. 20, 1994, 108 Stat. 3519.

Section 884, Pub. L. 89-10, title VIII, § 804, as added Pub. L. 93-380, title I, § 106, Aug. 21, 1974, 88 Stat. 512, which related to limitations on refund of payments, was renumbered Pub. L. 89-10, title X, § 1003 by Pub. L. 95-561, title VIII, § 801(1), (2), Nov. 1, 1978, 92 Stat. 2284, and transferred to section 3383 of this title, and was subsequently omitted in the general amendment of Pub. L. 89-10 by Pub. L. 103-382, title I, § 101, Oct. 20, 1994, 108 Stat. 3519.

A prior section 884, Pub. L. 89-10, title VIII, § 804, formerly title VI, § 604, Apr. 11, 1965, 79 Stat. 57; renumbered title VII, § 704, and amended Pub. L. 89-750, title I, §§ 161, 181, Nov. 3, 1966, 80 Stat. 1204, 1209; renumbered title VIII, § 804, Pub. L. 90-247, title VII, § 702, Jan. 2, 1968, 81 Stat. 816, prohibited Federal control of education (curriculum, program of instruction, administration, personnel of any educational institution or system, selection of library resources, textbooks, or other printed or published instructional material, and assignment or transportation of students or teachers in order to overcome racial imbalance), was repealed by Pub. L. 91-230, title IV, § 401(f)(5), Apr. 13, 1970, 84 Stat. 173.