

Pub. L. 89-10, by Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3519.

Section 3381, Pub. L. 89-10, title IX, §9001, 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(l), Oct. 12, 1976, 90 Stat. 2237; renumbered title IX, §1001, and amended Pub. L. 95-561, title VIII, §801(1), (2), title IX, §901(a), Nov. 1, 1978, 92 Stat. 2284, 2305; renumbered title X, §1001, Pub. L. 96-46, §2(a)(1), Aug. 6, 1979, 93 Stat. 340; renumbered §8001 and amended Pub. L. 100-297, title I, §1002, Apr. 28, 1988, 102 Stat. 293; renumbered title IX, §9001, Pub. L. 103-227, title X, §1032(1), (2), Mar. 31, 1994, 108 Stat. 270, defined terms used in this chapter.

Section 3382, Pub. L. 89-10, title IX, §9002, 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. 153, 173; renumbered title IX, §1002, Pub. L. 95-561, title VIII, §801(1), (2), Nov. 1, 1978, 92 Stat. 2284; renumbered title X, §1002, Pub. L. 96-46, §2(a)(1), Aug. 6, 1979, 93 Stat. 340; Pub. L. 96-88, title III, §301(a)(1), title V, §507, Oct. 17, 1979, 93 Stat. 677, 692; renumbered §8002, Pub. L. 100-297, title I, §1002(a), Apr. 28, 1988, 102 Stat. 293; renumbered title IX, §9002, Pub. L. 103-227, title X, §1032(1), (2), Mar. 31, 1994, 108 Stat. 270, related to Federal administration of Elementary and Secondary Education Act of 1965.

Section 3383, Pub. L. 89-10, title IX, §9003, formerly title VIII, §804, as added Pub. L. 93-380, title I, §106, Aug. 21, 1974, 88 Stat. 512; renumbered title IX, §1003, and amended Pub. L. 95-561, title VIII, §801(1), (2), title IX, §901(b), Nov. 1, 1978, 92 Stat. 2284, 2305; Pub. L. 96-46, §§1(20), 2(a)(3), Aug. 6, 1979, 93 Stat. 339, 340; renumbered title X, §1003, and amended Pub. L. 96-46, §2(a)(1), Aug. 6, 1979, 93 Stat. 340; Pub. L. 96-88, title III, §301(a)(1), title V, §507, Oct. 17, 1979, 93 Stat. 677, 692; Pub. L. 98-211, §21(b), Dec. 8, 1983, 97 Stat. 1418; renumbered §8003, Pub. L. 100-297, title I, §1002(a), Apr. 28, 1988, 102 Stat. 293; renumbered title IX, §9003, Pub. L. 103-227, title X, §1032(1), (2), Mar. 31, 1994, 108 Stat. 270, related to waiver of requirements for certain jurisdictions.

Section 3384, Pub. L. 89-10, title IX, §9004, formerly title VI, §605, Apr. 11, 1965, 79 Stat. 58; renumbered title VII, §705, Pub. L. 89-750, title I, §161, Nov. 3, 1966, 80 Stat. 1204; renumbered title VIII, §805, Pub. L. 90-247, title VII, §702, Jan. 2, 1968, 81 Stat. 816; renumbered title IX, §1004, Pub. L. 95-561, title VIII, §801(1), (2), Nov. 1, 1978, 92 Stat. 2284; renumbered title X, §1004, Pub. L. 96-46, §2(a)(1), Aug. 6, 1979, 93 Stat. 340; renumbered §8004, Pub. L. 100-297, title I, §1002(a), Apr. 28, 1988, 102 Stat. 293; renumbered title IX, §9004, Pub. L. 103-227, title X, §1032(1), (2), Mar. 31, 1994, 108 Stat. 270, related to prohibition against use of funds for religious worship or instruction.

§ 3385. Repealed. Pub. L. 100-297, title V, § 5352(2), Apr. 28, 1988, 102 Stat. 414

Section, Pub. L. 89-10, title X, §1005, formerly title VIII, §810, as added Pub. L. 92-318, title IV, §421(a), June 23, 1972, 86 Stat. 339; amended Pub. L. 93-380, title VI, §§631(a), 632(a), Aug. 21, 1974, 88 Stat. 585, 586; renumbered title IX, §1005, and amended Pub. L. 95-561, title VIII, §801(1), (2), title XI, §§1141(a), 1150(a)-(e), Nov. 1, 1978, 92 Stat. 2284, 2328, 2331-2333; renumbered title X, §1005, and amended Pub. L. 96-46, §§1(21), 2(a)(1), Aug. 6, 1979, 93 Stat. 339, 340; Pub. L. 96-88, title III, §301(a)(1), title V, §507, Oct. 17, 1979, 93 Stat. 677, 692; Pub. L. 98-511, title V, §513(c), Oct. 19, 1984, 98 Stat. 2400, related to improvement of educational opportunities for Indian students.

EFFECTIVE DATE OF REPEAL

Repeal effective July 1, 1988, see section 6303 of Pub. L. 100-297, set out as an Effective Date of 1988 Amendment note under section 1071 of this title.

§§ 3385a, 3385b. Repealed. Pub. L. 100-297, title V, § 5352(4), Apr. 28, 1988, 102 Stat. 414

Section 3385a, Pub. L. 92-318, title IV, §422, as added Pub. L. 93-380, title VI, §632(c), Aug. 21, 1974, 88 Stat. 586; amended Pub. L. 95-561, title XI, §§1141(c)(1), 1152(a), Nov. 1, 1978, 92 Stat. 2329, 2333; Pub. L. 96-88, title III, §301(a)(1), title V, §507, Oct. 17, 1979, 93 Stat. 677, 692; Pub. L. 98-511, title V, §513(b)(1), (2), Oct. 19, 1984, 98 Stat. 2400, related to special educational training programs for teachers of Indian people.

Section 3385b, Pub. L. 92-318, title IV, §423, as added Pub. L. 93-380, title VI, §632(c), Aug. 21, 1974, 88 Stat. 586; amended Pub. L. 95-561, title XI, §§1141(c)(2), 1152(b), Nov. 1, 1978, 92 Stat. 2329, 2333; Pub. L. 96-88, title III, §301(a)(1), title V, §507, Oct. 17, 1979, 93 Stat. 677, 692; Pub. L. 98-511, title V, §513(b)(3), (4), Oct. 19, 1984, 98 Stat. 2400; Pub. L. 99-570, title IV, §4133(b)(2), Oct. 27, 1986, 100 Stat. 3207-133, related to fellowships for Indian students.

EFFECTIVE DATE OF REPEAL

Repeal effective July 1, 1988, see section 6303 of Pub. L. 100-297, set out as an Effective Date of 1988 Amendment note under section 1071 of this title.

§ 3386. Omitted

CODIFICATION

Section, Pub. L. 89-10, title IX, §9005, formerly title VIII, §812, as added Pub. L. 93-380, title I, §110, Aug. 21, 1974, 88 Stat. 513; renumbered title IX, §1006, Pub. L. 95-561, title VIII, §801(1), (2), Nov. 1, 1978, 92 Stat. 2284; renumbered title X, §1006, Pub. L. 96-46, §2(a)(1), Aug. 6, 1979, 93 Stat. 340; Pub. L. 96-88, title III, §301(a)(1), title V, §507, Oct. 17, 1979, 93 Stat. 677, 692; renumbered §8005, Pub. L. 100-297, title I, §1002(a), Apr. 28, 1988, 102 Stat. 293; renumbered title IX, §9005, Pub. L. 103-227, title X, §1032(1), (2), Mar. 31, 1994, 108 Stat. 270, which related to open meetings of educational agencies, was omitted in the general amendment of the Elementary and Secondary Education Act of 1965, Pub. L. 89-10, by Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3519.

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SUBCHAPTER I—GENERAL PROVISIONS

§ 3401. Congressional findings

The Congress finds that—

(1) education is fundamental to the development of individual citizens and the progress of the Nation;

(2) there is a continuing need to ensure equal access for all Americans to educational opportunities of a high quality, and such educational opportunities should not be denied because of race, creed, color, national origin, or sex;

(3) parents have the primary responsibility for the education of their children, and States, localities, and private institutions have the primary responsibility for supporting that parental role;

(4) in our Federal system, the primary public responsibility for education is reserved respectively to the States and the local school systems and other instrumentalities of the States;

(5) the American people benefit from a diversity of educational settings, including public and private schools, libraries, museums and other institutions, the workplace, the community, and the home;

(6) the importance of education is increasing as new technologies and alternative approaches to traditional education are considered, as society becomes more complex, and as equal opportunities in education and employment are promoted;

(7) there is a need for improvement in the management and coordination of Federal education programs to support more effectively State, local, and private institutions, students, and parents in carrying out their educational responsibilities;

(8) the dispersion of education programs across a large number of Federal agencies has led to fragmented, duplicative, and often inconsistent Federal policies relating to education;

(9) Presidential and public consideration of issues relating to Federal education programs is hindered by the present organizational position of education programs in the executive branch of the Government; and

(10) there is no single, full-time, Federal education official directly accountable to the President, the Congress, and the people.

(Pub. L. 96-88, title I, § 101, Oct. 17, 1979, 93 Stat. 669.)

EFFECTIVE DATE

Pub. L. 96-88, title VI, § 601, Oct. 17, 1979, 93 Stat. 696, provided that:

“(a) The provisions of this Act [see Short Title note below] shall take effect one hundred and eighty days after the first Secretary takes office, or on any earlier date on or after October 1, 1979, as the President may prescribe and publish in the Federal Register [prescribed as May 4, 1980, by Ex. Ord. No. 12212, formerly set out below], except that at any time on or after October 1, 1979—

“(1) any of the officers provided for in title II of this Act [subchapter II of this chapter] may be nominated and appointed, as provided in such title; and

“(2) the Secretary may promulgate regulations pursuant to section 505(b)(2) of this Act [section 3505(b)(2) of this title].

“(b) Funds available to any department or agency (or any official or component thereof), the functions or offices of which are transferred to the Secretary or the Department by this Act [see Short Title note below],