

§ 2395. Limitation for certain students

No funds received under this chapter may be used to provide career and technical education programs to students prior to the seventh grade, except that equipment and facilities purchased with funds under this chapter may be used by such students.

(Pub. L. 88–210, title III, §315, as added Pub. L. 109–270, §1(b), Aug. 12, 2006, 120 Stat. 744.)

AMENDMENT OF SECTION

Pub. L. 115–224, §4, title II, §201(a)(3), (5), (6), July 31, 2018, 132 Stat. 1564, 1621, provided that, effective July 1, 2019, this section is renumbered section 215 of title II of Pub. L. 88–210, and amended by inserting “or programs of study” after “career and technical education programs” and substituting “the middle grades (as such term is defined in section 7801 of this title)” for “seventh grade”. See 2018 Amendment note below.

PRIOR PROVISIONS

A prior section 2395, Pub. L. 88–210, title III, §315, as added Pub. L. 105–332, §1(b), Oct. 31, 1998, 112 Stat. 3123, imposed a limitation for certain students, prior to the general amendment of this chapter by Pub. L. 109–270.

Another prior section 2395 and prior sections 2395a to 2395e were omitted in the general amendment of this chapter by Pub. L. 105–332.

Section 2395, Pub. L. 88–210, title III, §351, as added Pub. L. 101–392, title III, §309, Sept. 25, 1990, 104 Stat. 792, stated purpose of supplementary State grant program.

Section 2395a, Pub. L. 88–210, title III, §352, as added Pub. L. 101–392, title III, §309, Sept. 25, 1990, 104 Stat. 793, related to allotment to States.

Section 2395b, Pub. L. 88–210, title III, §353, as added Pub. L. 101–392, title III, §309, Sept. 25, 1990, 104 Stat. 793, related to allocations to local educational agencies.

Section 2395c, Pub. L. 88–210, title III, §354, as added Pub. L. 101–392, title III, §309, Sept. 25, 1990, 104 Stat. 793, related to use of grant funds.

Section 2395d, Pub. L. 88–210, title III, §355, as added Pub. L. 101–392, title III, §309, Sept. 25, 1990, 104 Stat. 793, related to State applications for grants.

Section 2395e, Pub. L. 88–210, title III, §356, as added Pub. L. 101–392, title III, §309, Sept. 25, 1990, 104 Stat. 794, related to local applications for grants.

AMENDMENTS

2018—Pub. L. 115–224, §201(a)(3), inserted “or programs of study” after “career and technical education programs” and substituted “the middle grades (as such term is defined in section 7801 of this title)” for “seventh grade”.

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115–224 effective July 1, 2019, see section 4 of Pub. L. 115–224, set out as a note under section 2301 of this title.

§ 2396. Federal laws guaranteeing civil rights

Nothing in this chapter shall be construed to be inconsistent with applicable Federal law prohibiting discrimination on the basis of race, color, sex, national origin, age, or disability in the provision of Federal programs or services.

(Pub. L. 88–210, title III, §316, as added Pub. L. 109–270, §1(b), Aug. 12, 2006, 120 Stat. 744.)

AMENDMENT OF SECTION

Pub. L. 115–224, §4, title II, §201(a)(5), (6), July 31, 2018, 132 Stat. 1564, 1621, provided that,

effective July 1, 2019, this section is renumbered section 216 of title II of Pub. L. 88–210.

PRIOR PROVISIONS

A prior section 2396, Pub. L. 88–210, title III, §316, as added Pub. L. 105–332, §1(b), Oct. 31, 1998, 112 Stat. 3123, related to Federal laws guaranteeing civil rights, prior to the general amendment of this chapter by Pub. L. 109–270.

Another prior section 2396 and prior sections 2396a to 2396m were omitted in the general amendment of this chapter by Pub. L. 105–332.

Section 2396, Pub. L. 88–210, title III, §362, as added Pub. L. 101–392, title III, §310, Sept. 25, 1990, 104 Stat. 794, stated purpose of community education employment centers and vocational education lighthouse schools program.

Section 2396a, Pub. L. 88–210, title III, §363, as added Pub. L. 101–392, title III, §310, Sept. 25, 1990, 104 Stat. 794, authorized grants to establish and operate community education employment centers.

Section 2396b, Pub. L. 88–210, title III, §364, as added Pub. L. 101–392, title III, §310, Sept. 25, 1990, 104 Stat. 794, related to program requirements.

Section 2396c, Pub. L. 88–210, title III, §365, as added Pub. L. 101–392, title III, §310, Sept. 25, 1990, 104 Stat. 795, related to support services requirements.

Section 2396d, Pub. L. 88–210, title III, §366, as added Pub. L. 101–392, title III, §310, Sept. 25, 1990, 104 Stat. 796, related to parental and community participation.

Section 2396e, Pub. L. 88–210, title III, §367, as added Pub. L. 101–392, title III, §310, Sept. 25, 1990, 104 Stat. 797, related to employment and training of professional staff.

Section 2396f, Pub. L. 88–210, title III, §368, as added Pub. L. 101–392, title III, §310, Sept. 25, 1990, 104 Stat. 797, related to eligibility for grants.

Section 2396g, Pub. L. 88–210, title III, §369, as added Pub. L. 101–392, title III, §310, Sept. 25, 1990, 104 Stat. 797, related to applications to participate in grant program.

Section 2396h, Pub. L. 88–210, title III, §370, as added Pub. L. 101–392, title III, §310, Sept. 25, 1990, 104 Stat. 798; amended Pub. L. 104–66, title I, §1041(d), Dec. 21, 1995, 109 Stat. 714, related to evaluation of student learning progress.

Section 2396i, Pub. L. 88–210, title III, §371, as added Pub. L. 101–392, title III, §310, Sept. 25, 1990, 104 Stat. 798, defined terms “eligible recipient” and “parent”.

Section 2396m, Pub. L. 88–210, title III, §375, as added Pub. L. 101–392, title III, §310, Sept. 25, 1990, 104 Stat. 798, authorized grants to establish and operate vocational education lighthouse schools.

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115–224 effective July 1, 2019, see section 4 of Pub. L. 115–224, set out as a note under section 2301 of this title.

SHORT TITLE

Pub. L. 88–210, title III, §361, as added by Pub. L. 101–392, title III, §310, Sept. 25, 1990, 104 Stat. 794, which provided that part G of title III of Pub. L. 88–210, enacting part G (§2396 et seq.) of former subchapter III of this chapter, could be cited as the “Community Education Employment Center Act of 1990”, was omitted in the general amendment of Pub. L. 88–210 by Pub. L. 105–332, §1(b), Oct. 31, 1998, 112 Stat. 3076.

§ 2397. Participation of private school personnel and children**(a) Personnel**

An eligible agency or eligible recipient that uses funds under this chapter for in-service and preservice career and technical education professional development programs for career and technical education teachers, administrators,

and other personnel shall, to the extent practicable, upon written request, permit the participation in such programs of career and technical education secondary school teachers, administrators, and other personnel in nonprofit private schools offering career and technical secondary education programs located in the geographical area served by such eligible agency or eligible recipient.

(b) Student participation

(1) Student participation

Except as prohibited by State or local law, an eligible recipient may, upon written request, use funds made available under this chapter to provide for the meaningful participation, in career and technical education programs and activities receiving funding under this chapter, of secondary school students attending nonprofit private schools who reside in the geographical area served by the eligible recipient.

(2) Consultation

An eligible recipient shall consult, upon written request, in a timely and meaningful manner with representatives of nonprofit private schools in the geographical area served by the eligible recipient described in paragraph (1) regarding the meaningful participation, in career and technical education programs and activities receiving funding under this chapter, of secondary school students attending nonprofit private schools.

(Pub. L. 88-210, title III, §317, as added Pub. L. 109-270, §1(b), Aug. 12, 2006, 120 Stat. 744.)

AMENDMENT OF SECTION

Pub. L. 115-224, §4, title II, §201(a)(4)-(6), July 31, 2018, 132 Stat. 1564, 1621, provided that, effective July 1, 2019, this section is renumbered section 217 of title II of Pub. L. 88-210, and subsection (b) of this section is amended. After July 1, 2019, subsection (b) will read as follows:

(b) Student participation

(1) Student participation

Except as prohibited by State or local law, an eligible recipient may, upon written request, use funds made available under this chapter to provide for the meaningful participation, in career and technical education programs and activities, including programs of study, receiving funding under this chapter, of secondary school students attending nonprofit private schools in areas served by the eligible recipient.

(2) Consultation

An eligible recipient shall consult, upon written request, in a timely and meaningful manner with representatives of nonprofit private schools in areas served by the eligible recipient described in paragraph (1) regarding the meaningful participation, in career and technical education programs and activities, including programs of study, receiving funding under this chapter, of secondary school students attending nonprofit private schools.

See 2018 Amendment notes below.

PRIOR PROVISIONS

A prior section 2397, Pub. L. 88-210, title III, §317, as added Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3123,

related to authorization of Secretary, prior to the general amendment of this chapter by Pub. L. 109-270.

Another prior section 2397 and prior sections 2397a to 2397h were omitted in the general amendment of this chapter by Pub. L. 105-332.

Section 2397, Pub. L. 88-210, title III, §382, as added Pub. L. 101-392, title III, §311, Sept. 25, 1990, 104 Stat. 800, stated purpose of program to assist tribally controlled postsecondary vocational institutions.

Section 2397a, Pub. L. 88-210, title III, §383, as added Pub. L. 101-392, title III, §311, Sept. 25, 1990, 104 Stat. 800, authorized grants to tribally controlled postsecondary vocational institutions.

Section 2397b, Pub. L. 88-210, title III, §384, as added Pub. L. 101-392, title III, §311, Sept. 25, 1990, 104 Stat. 800, related to eligible grant recipients.

Section 2397c, Pub. L. 88-210, title III, §385, as added Pub. L. 101-392, title III, §311, Sept. 25, 1990, 104 Stat. 800, related to applications for grants, consultation, and use of grants.

Section 2397d, Pub. L. 88-210, title III, §386, as added Pub. L. 101-392, title III, §311, Sept. 25, 1990, 104 Stat. 801, related to amount of grants.

Section 2397e, Pub. L. 88-210, title III, §387, as added Pub. L. 101-392, title III, §311, Sept. 25, 1990, 104 Stat. 802, related to effect of grant receipt on eligibility under other programs.

Section 2397f, Pub. L. 88-210, title III, §388, as added Pub. L. 101-392, title III, §311, Sept. 25, 1990, 104 Stat. 802, related to grant adjustments.

Section 2397g, Pub. L. 88-210, title III, §389, as added Pub. L. 101-392, title III, §311, Sept. 25, 1990, 104 Stat. 803, related to report on facilities and facilities improvement.

Section 2397h, Pub. L. 88-210, title III, §390, as added Pub. L. 101-392, title III, §311, Sept. 25, 1990, 104 Stat. 803, defined terms for purposes of tribally controlled postsecondary vocational institutions grant program.

AMENDMENTS

2018—Subsec. (b)(1). Pub. L. 115-224, §201(a)(4)(A), inserted “, including programs of study,” after “activities” and substituted “in areas served by” for “who reside in the geographical area served by”.

Subsec. (b)(2). Pub. L. 115-224, §201(a)(4)(B), substituted “areas” for “the geographical area” and inserted “, including programs of study,” after “activities”.

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-224 effective July 1, 2019, see section 4 of Pub. L. 115-224, set out as a note under section 2301 of this title.

SHORT TITLE

Pub. L. 88-210, title III, §381, as added by Pub. L. 101-392, title III, §311, Sept. 25, 1990, 104 Stat. 799, which provided that part H of title III of Pub. L. 88-210, enacting part H (§2397 et seq.) of former subchapter III of this chapter, could be cited as the “Tribally Controlled Vocational Institutions Support Act of 1990”, was omitted in the general amendment of Pub. L. 88-210 by Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3076.

§ 2398. Limitation on Federal regulations

The Secretary may issue regulations under this chapter only to the extent necessary to administer and ensure compliance with the specific requirements of this chapter.

(Pub. L. 88-210, title III, §318, as added Pub. L. 109-270, §1(b), Aug. 12, 2006, 120 Stat. 744.)

AMENDMENT OF SECTION

Pub. L. 115-224, §4, title II, §201(a)(5), (6), July 31, 2018, 132 Stat. 1564, 1621, provided that, effective July 1, 2019, this section is renumbered section 218 of title II of Pub. L. 88-210.