

CHAPTER 70—STRENGTHENING AND IMPROVEMENT OF ELEMENTARY AND SECONDARY SCHOOLS

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CODIFICATION

The Elementary and Secondary Education Act of 1965, comprising this chapter, was originally enacted as Pub. L. 89-10, Apr. 11, 1965, 79 Stat. 27, and amended by Pub. L. 89-750, Nov. 3, 1966, 80 Stat. 1191; Pub. L. 90-247, Jan. 2, 1968, 81 Stat. 783; Pub. L. 90-576, title III, §307, Oct. 16, 1968, 82 Stat. 1097; Pub. L. 91-230, Apr. 13, 1970, 84 Stat. 121; Pub. L. 92-318, June 23, 1972, 86 Stat. 235; Pub. L. 93-380, Aug. 21, 1974, 88 Stat. 484; Pub. L. 94-193, §1(c), Dec. 31, 1975, 89 Stat. 1102; Pub. L. 94-273, §§2(12), 3(8), 49(a)-(c), Apr. 21, 1976, 90 Stat. 375, 376, 382; Pub. L. 94-482, Oct. 12, 1976, 90 Stat. 2081; Pub. L. 95-112, Aug. 24, 1977, 91 Stat. 911, and was classified to sections 241a et seq., 242 et seq., 331 et seq., 821 et seq., and 1801 et seq. of this title. The Act was subsequently extensively revised and restated by Pub. L. 95-561, Nov. 1, 1978, 92 Stat. 2143, and amended by Pub. L. 96-46, Aug. 6, 1979, 93 Stat. 338; Pub. L. 96-88, Oct. 17, 1979, 93 Stat. 668; Pub. L. 96-374, Oct. 3, 1980, 94 Stat. 1367; Pub. L. 96-470, Oct. 19, 1980, 94 Stat. 2237; Pub. L. 97-35, Aug. 13, 1981, 95 Stat. 357; Pub. L. 98-211, Dec. 8, 1983, 97 Stat. 1412; Pub. L. 98-511, Oct. 19, 1984, 98 Stat. 2366; Pub. L. 98-524, Oct. 19, 1984, 98 Stat. 2435; Pub. L. 99-159, Nov. 22, 1985, 99 Stat. 887, and was classified to section 2701 et seq. of this title. The Act was subsequently extensively revised and restated by Pub. L. 100-297, Apr. 28, 1988, 102 Stat. 130, and amended by Pub. L. 100-569, Oct. 31, 1988, 102 Stat. 2862; Pub. L. 100-570, Oct. 31, 1988, 102 Stat. 2865; Pub. L. 100-690, Nov. 18, 1988, 102 Stat. 4181; Pub. L. 101-226, Dec. 12, 1989, 103 Stat. 1928; Pub. L. 101-250, Mar. 6, 1990, 104 Stat. 96; Pub. L. 101-476, Oct. 30, 1990, 104 Stat. 1103; Pub. L. 101-589, Nov. 16, 1990, 104 Stat. 2881; Pub. L. 101-600, Nov. 16, 1990, 104 Stat. 3042; Pub. L. 101-647, Nov. 29, 1990, 104 Stat. 4789; Pub. L. 102-62, June 27, 1991, 105 Stat. 305; Pub. L. 102-73, July 25, 1991, 105 Stat. 333; Pub. L. 102-103, Aug. 17, 1991, 105 Stat. 497; Pub. L. 102-325, July 23, 1992, 106 Stat. 448; Pub. L. 102-359, Aug. 26, 1992, 106 Stat. 962; Pub. L. 102-545, Oct. 27, 1992, 106 Stat. 3586; Pub. L. 103-227, Mar. 31, 1994, 108 Stat. 125; Pub. L. 103-252, May 18, 1994, 108 Stat. 623, and was classified to section 2701 et seq. of this title. The Act was subsequently extensively revised and restated by Pub. L. 103-382, Oct. 20, 1994, 108 Stat. 3518, and amended by Pub. L. 104-5, Mar. 23, 1995, 109 Stat. 72; Pub. L. 104-106, Feb. 10, 1996, 110 Stat. 186; Pub. L. 104-134, Apr. 26, 1996, 110 Stat. 1321; Pub. L. 104-140, May 2, 1996, 110 Stat. 1327; Pub. L. 104-193, Aug. 22, 1996, 110 Stat. 2105; Pub. L. 104-195, Sept. 16, 1996, 110 Stat. 2379; Pub. L. 104-201, Sept. 23, 1996, 110 Stat. 2422; Pub. L. 104-208, Sept. 30, 1996, 110 Stat. 3009; Pub. L. 105-18, June 12, 1997, 111 Stat. 158; Pub. L. 105-78, Nov. 13, 1997, 111 Stat. 1467; Pub. L. 105-220, Aug. 7, 1998, 112 Stat. 936; Pub. L. 105-244, Oct. 7, 1998, 112 Stat. 1581; Pub. L. 105-277, Oct. 21, 1998, 112 Stat. 2681; Pub. L. 105-278, Oct. 22, 1998, 112 Stat. 2682; Pub. L. 105-332, Oct. 31, 1998, 112 Stat. 3076; Pub. L. 106-78, Oct. 22, 1999, 113 Stat. 1135; Pub. L. 106-113, Nov. 29, 1999, 113 Stat. 1501; Pub. L. 106-398, Oct. 30, 2000, 114 Stat. 1654; Pub. L. 106-400, Oct. 30, 2000, 114 Stat. 1675; Pub. L. 106-554, Dec. 21, 2000, 114 Stat. 2763; Pub. L. 107-20, July 24, 2001, 115 Stat. 155, and is classified to section 6301 et seq. of this title. Certain titles and parts of titles of the Act are shown, herein, however, as having been added by Pub. L. 107-110 without reference to such intervening amendments because of the extensive amendments, renumbering, and reorganization of these provisions by Pub. L. 107-110.

SUBCHAPTER I—IMPROVING THE ACADEMIC ACHIEVEMENT OF THE DISADVANTAGED

CODIFICATION

Title I of the Elementary and Secondary Education Act of 1965, comprising this subchapter, was originally enacted as part of Pub. L. 89-10, Apr. 11, 1965, 79 Stat. 27, amended, and subsequently revised, restated, and amended by other public laws. Title I is shown, herein, as having been added by Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1439, without reference to earlier amendments because of the extensive revision of the title's provisions by Pub. L. 107-110. See Codification note preceding this chapter.

§ 6301. Statement of purpose

The purpose of this subchapter is to provide all children significant opportunity to receive a fair, equitable, and high-quality education, and to close educational achievement gaps.

(Pub. L. 89-10, title I, §1001, as added Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1439; amended Pub. L. 114-95, title I, §1001, Dec. 10, 2015, 129 Stat. 1814.)

PRIOR PROVISIONS

A prior section 6301, Pub. L. 89-10, title I, §1001, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3519, declared policy and stated purpose of this subchapter, prior to the general amendment of this subchapter by Pub. L. 107-110.

A prior section 1001 of Pub. L. 89-10 was classified to section 2701 of this title, prior to the general amendment of Pub. L. 89-10 by Pub. L. 103-382.

Another prior section 1001 of Pub. L. 89-10 was renumbered section 9001 and was classified to section 3381 of this title, prior to the general amendment of Pub. L. 89-10 by Pub. L. 103-382.

AMENDMENTS

2015—Pub. L. 114-95 amended section generally. Prior to amendment, section set forth purpose of subchapter and included provisions relating to how this purpose could be accomplished.

EFFECTIVE DATE OF 2015 AMENDMENT

Pub. L. 114-95, §5, Dec. 10, 2015, 129 Stat. 1806, provided that:

“(a) IN GENERAL.—Except as otherwise provided in this Act [see Tables for classification], or an amendment made by this Act, this Act, and the amendments made by this Act, shall be effective upon the date of enactment of this Act [Dec. 10, 2015].

“(b) NONCOMPETITIVE PROGRAMS.—With respect to noncompetitive programs under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq) and the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11301 et seq.) under which any funds are allotted by the Secretary of Education to recipients on the basis of a formula, the amendments made by this Act shall be effective beginning on July 1, 2016, except as otherwise provided in such amendments.

“(c) COMPETITIVE PROGRAMS.—With respect to programs that are conducted by the Secretary of Education on a competitive basis (and are not programs described in subsection (b)) under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), the amendments made by this Act with respect to appropriations for use under such programs shall be effective beginning on October 1, 2016, except as otherwise provided in such amendments.

“(d) IMPACT AID.—With respect to title VII of the Elementary and Secondary Education Act of 1965 [20 U.S.C. 7701 et seq.], as amended by this Act, the amendments made by this Act shall take effect with respect

to appropriations for use under such title beginning fiscal year 2017, except as otherwise provided in such amendments.

“(e) TITLE I OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.—

“(1) EFFECTIVE DATES FOR SECTION 1111 OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.—Notwithstanding any other provision of this Act, or the amendments made by this Act, and subject to paragraph (2) of this subsection—

“(A) section 1111(b)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)), as in effect on the day before the date of enactment of this Act, shall be effective through the close of August 1, 2016;

“(B) subsections (c) and (d) of section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311), as amended by this Act, shall take effect beginning with school year 2017-2018; and

“(C) section 1111(b)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)), as amended by this Act, and any other provision of section 1111 of such Act (20 U.S.C. 6311), as amended by this Act, which is not described in subparagraph (B) of this paragraph, shall take effect in a manner consistent with subsection (a).

“(2) SPECIAL RULE.—

“(A) IN GENERAL.—Notwithstanding any other provision of this Act (including subsection (b) and paragraph (1)), any school or local educational agency described in subparagraph (B) shall continue to implement interventions applicable to such school or local educational agency under clause (i) or (ii) of subparagraph (B) until—

“(i) the State plan for the State in which the school or agency is located under section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311), as amended by this Act, is approved under such section (20 U.S.C. 6311); or

“(ii) subsections (c) and (d) of section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311), as amended by this Act, take effect in accordance with paragraph (1)(B), whichever occurs first.

“(B) CERTAIN SCHOOLS AND LOCAL EDUCATIONAL AGENCIES.—A school or local educational agency shall be subject to the requirements of subparagraph (A), if such school or local educational agency has been identified by the State in which the school or local educational agency is located—

“(i) as in need of improvement, corrective action, or restructuring under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.), as in effect on the day before the date of enactment of this Act; or

“(ii) as a priority or focus school under a waiver granted by the Secretary of Education under section 9401 [now 8401] of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7861), as in effect on the day before the date of enactment of this Act.”

EFFECTIVE DATE

Pub. L. 107-110, §5, Jan. 8, 2002, 115 Stat. 1427, provided that:

“(a) IN GENERAL.—Except as otherwise provided in this Act [see Tables for classification], this Act, and the amendments made by this Act, shall be effective upon the date of enactment of this Act [Jan. 8, 2002].

“(b) NONCOMPETITIVE PROGRAMS.—With respect to noncompetitive programs under which any funds are allotted by the Secretary of Education to recipients on the basis of a formula, this Act, and the amendments made by this Act, shall take effect on July 1, 2002.

“(c) COMPETITIVE PROGRAMS.—With respect to programs that are conducted by the Secretary on a competitive basis, this Act, and the amendments made by this Act, shall take effect with respect to appropriations for use under those programs for fiscal year 2002.

“(d) IMPACT AID.—With respect to title VIII (Impact Aid) [probably meant title VIII (now VII) of Pub. L.