

VI, §608(b), Aug. 21, 1974, 88 Stat. 579; Pub. L. 95-112, §3(c), Sept. 24, 1977, 91 Stat. 912; renumbered §316 and amended Pub. L. 95-561, title XIII, §§1307(a)(3), 1311, Nov. 1, 1978, 92 Stat. 2360, 2361, as amended by Pub. L. 96-46, §2(a)(6), Aug. 6, 1979, 93 Stat. 340; renumbered §315 and amended Pub. L. 98-511, title I, §§102(f)(1), 109(a)(2), title V, §513(d), Oct. 19, 1984, 98 Stat. 2366, 2369, 2400, related to grants for improvement of educational opportunities for adult Indians, prior to the general amendment of this chapter by section 2102 of Pub. L. 100-297. Section 5352(3) of Pub. L. 100-297, title V, Apr. 28, 1988, 102 Stat. 414, subsequently provided for the repeal of section 315 of Pub. L. 89-750.

Section 1211b, Pub. L. 89-750, title III, §373, as added Pub. L. 102-26, §7, Apr. 9, 1991, 105 Stat. 127, related to education programs for commercial drivers.

A prior section 1211b, Pub. L. 89-750, title III, §317, formerly §315, as added Pub. L. 94-405, title III, §301, Sept. 10, 1976, 90 Stat. 1233; renumbered and amended Pub. L. 95-561, title XIII, §§1307(a)(3), 1312, Nov. 1, 1978, 92 Stat. 2360, 2361; Pub. L. 96-88, title III, §301(a)(1), title V, §507, Oct. 17, 1979, 93 Stat. 677, 692, related to grants for operations for special adult education programs for Indochina refugees, prior to repeal by Pub. L. 97-35, title V, §542(3), Aug. 13, 1981, 95 Stat. 459, eff. Oct. 1, 1981.

A prior section 1211c, Pub. L. 89-750, title III, §318, as added Pub. L. 95-561, title XIII, §1313, Nov. 1, 1978, 92 Stat. 2361; amended Pub. L. 96-88, title III, §301(a)(1), title V, §507, Oct. 17, 1979, 93 Stat. 677, 692; Pub. L. 97-300, title I, §183, Oct. 13, 1982, 96 Stat. 1357; Pub. L. 98-511, title I, §102(f)(1), Oct. 19, 1984, 98 Stat. 2366; Pub. L. 98-524, §4(d)(2), Oct. 19, 1984, 98 Stat. 2489, authorized adult education programs for adult immigrants, providing in subsec.: (a) for grant and contract authority; (b) for applications to State educational agencies; (c) for time, manner, and form of applications; (d) for payments by Secretary of application costs; (e) for contracts with private nonprofit groups; and (f) for authorization of appropriations for fiscal years 1979 through 1983, prior to repeal by Pub. L. 98-511, title I, §109(a)(1), Oct. 19, 1984, 98 Stat. 2369, eff. July 1, 1985.

#### SUBCHAPTER IV—NATIONAL PROGRAMS

##### §§ 1213 to 1213d. Repealed. Pub. L. 105-220, title II, §251(a)(1), Aug. 7, 1998, 112 Stat. 1079

Section 1213, Pub. L. 89-750, title III, §381, as added Pub. L. 100-297, title II, §2102, Apr. 28, 1988, 102 Stat. 317, related to adult migrant farmworker and immigrant education.

Section 1213a, Pub. L. 89-750, title III, §382, as added Pub. L. 100-297, title II, §2102, Apr. 28, 1988, 102 Stat. 318, related to adult literacy volunteer training.

Section 1213b, Pub. L. 89-750, title III, §383, as added Pub. L. 100-297, title II, §2102, Apr. 28, 1988, 102 Stat. 318, related to State program analysis assistance and policy studies.

Section 1213c, Pub. L. 89-750, title III, §384, as added Pub. L. 100-297, title II, §2102, Apr. 28, 1988, 102 Stat. 319; amended Pub. L. 102-73, title I, §102(c), July 25, 1991, 105 Stat. 334; Pub. L. 103-382, title III, §335(b), Oct. 20, 1994, 108 Stat. 3966, related to national research activities and establishment of National Institute for Literacy.

Section 1213d, Pub. L. 89-750, title III, §385, as added Pub. L. 100-297, title II, §2102, Apr. 28, 1988, 102 Stat. 319, related to limitation on grants for sectarian instruction or religious worship or to a school or department of divinity.

##### PURPOSE AND FINDINGS REGARDING LITERACY AMENDMENTS AND NATIONAL INSTITUTE FOR LITERACY

Pub. L. 102-73, title I, §102(a), (b), July 25, 1991, 105 Stat. 334, stated findings of Congress and purpose of amendment by section 102 of Pub. L. 102-73 to former section 1213c of this title, prior to repeal by Pub. L. 105-220, title II, §251(a)(2), Aug. 7, 1998, 112 Stat. 1079.

##### FAMILY LITERACY PUBLIC BROADCASTING PROGRAM

Pub. L. 102-73, title III, §304, July 25, 1991, 105 Stat. 353, authorized Secretary to contract with the Corpora-

tion for Public Broadcasting to arrange for production and dissemination of family literacy programming and materials to assist parents in improving family literacy skills and language development, authorized appropriations, and required report to Congress, prior to repeal by Pub. L. 105-220, title II, §251(a)(2), Aug. 7, 1998, 112 Stat. 1079.

### CHAPTER 31—GENERAL PROVISIONS CONCERNING EDUCATION

Sec. 1221.	Short title; applicability; definitions.
1221-1.	National policy with respect to equal educational opportunity.
1221-2.	National policy with respect to museums as educational institutions.
1221-3.	Repealed.

#### SUBCHAPTER I—FUNCTIONS OF DEPARTMENT OF EDUCATION

1221a to 1221e-1c.	Repealed.
1221e-1d.	Use of Council staff and facilities.
1221e-2.	Repealed.
1221e-3.	General authority of Secretary.
1221e-4.	Educational impact statement.
1221f to 1221i.	Repealed.
1221j.	Television program assistance.

#### SUBCHAPTER II—APPROPRIATIONS AND EVALUATIONS

##### PART 1—APPROPRIATIONS

1222.	Repealed.
1223.	Forward funding.
1224.	Repealed.
1225.	Availability of appropriations on academic or school-year basis; additional period for obligation of funds.
1226.	Repealed.
1226a.	Contingent extension of programs.
1226a-1.	Payments; installments, advances or reimbursement, and adjustments.

##### PART 2—PLANNING AND EVALUATION OF FEDERAL EDUCATION ACTIVITIES

1226b.	Responsibility of States to furnish information.
1226c.	Biennial evaluation report.
1226c-1.	Availability of education reports, etc., to Congressional committees.
1226d, 1227.	Repealed.
1228.	Prohibition against use of appropriated funds for busing.
1228a.	Equity for students, teachers, and other program beneficiaries.
1228b.	Coordination.
1228c.	Disclosure requirements.

#### SUBCHAPTER III—GENERAL REQUIREMENTS AND CONDITIONS CONCERNING OPERATION AND ADMINISTRATION OF EDUCATION PROGRAMS: GENERAL AUTHORITY OF SECRETARY

1230.	Repealed.
PART 1—GENERAL AUTHORITY	
1231.	Joint funding of programs.
1231a.	Collection and dissemination of information.
1231b, 1231b-1.	Repealed.
1231b-2.	Review of applications.
1231c.	Advice, counsel, and technical assistance.
1231c-1.	Repealed.
1231d.	Parental involvement and dissemination.
1231e.	Use of funds withheld.
1231f.	Repealed.

##### PART 2—ADMINISTRATION: REQUIREMENTS AND LIMITATIONS

1231g.	Applications.
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- Sec. Regulations.
- 1232. Repealed.
- 1232-1. Repealed.
- 1232a. Prohibition against Federal control of education.
- 1232b. Labor standards.

PART 3—ADMINISTRATION OF EDUCATION PROGRAMS AND PROJECTS BY STATES AND LOCAL EDUCATIONAL AGENCIES

- 1232c. State agency monitoring and enforcement.
- 1232d. Single State application.
- 1232e. Single local educational agency application.

PART 4—RECORDS; PRIVACY; LIMITATION ON WITHHOLDING FEDERAL FUNDS

- 1232f. Records.
- 1232g. Family educational and privacy rights.
- 1232h. Protection of pupil rights.
- 1232i. Limitations on withholding of Federal assistance.
- 1232j. Prohibition on federally sponsored testing.

SUBCHAPTER IV—ENFORCEMENT

- 1234. Office of Administrative Law Judges.
- 1234a. Recovery of funds.
- 1234b. Measure of recovery.
- 1234c. Remedies for existing violations.
- 1234d. Withholding.
- 1234e. Cease and desist orders.
- 1234f. Compliance agreements.
- 1234g. Judicial review.
- 1234h. Use of recovered funds.
- 1234i. Definitions.

SUBCHAPTER V—READY TO LEARN TELEVISION

1235 to 1235g. Repealed.

CODIFICATION

Pub. L. 91-230, title IV, §401(a)(1), Apr. 13, 1970, 84 Stat. 164, substituted as chapter heading “GENERAL PROVISIONS CONCERNING EDUCATION” for “LEAD-TIME AND PLANNING AND EVALUATION IN ELEMENTARY AND SECONDARY EDUCATION PROGRAMS”.

§ 1221. Short title; applicability; definitions

(a) Short title

This chapter may be cited as the “General Education Provisions Act”.

(b) Applicability of chapter

(1) Except as otherwise provided, this chapter applies to each applicable program of the Department of Education.

(2) Except as otherwise provided, this chapter does not apply to any contract made by the Department of Education.

(c) Definitions

As used in this chapter, the following terms have the following meanings:

(1) The term “applicable program” means any program for which the Secretary or the Department has administrative responsibility as provided by law or by delegation of authority pursuant to law. The term includes each program for which the Secretary or the Department has administrative responsibility under the Department of Education Organization Act [20 U.S.C. 3401 et seq.] or under Federal law effective after the effective date of that Act.

(2) The term “applicable statute” means—

(A) the Act or the title, part, section, or any other subdivision of an Act, as the case may be, that authorizes the appropriation for an applicable program;

(B) this chapter; and

(C) any other statute that by its terms expressly controls the administration of an applicable program.

(3) The term “Department” means the Department of Education.

(4) The term “Secretary” means the Secretary of Education.

(d) Application of other laws unaffected

Nothing in this chapter shall be construed to affect the applicability of title VI of the Civil Rights Act of 1964 [42 U.S.C. 2000d et seq.], title IX of the Education Amendments of 1972 [20 U.S.C. 1681 et seq.], title V of the Rehabilitation Act of 1973 [29 U.S.C. 790 et seq.], the Age Discrimination Act [42 U.S.C. 6101 et seq.], or other statutes prohibiting discrimination, to any applicable program.

(Pub. L. 90-247, title IV, §400, formerly §401, Jan. 2, 1968, 81 Stat. 814; Pub. L. 90-576, title III, §301(a), Oct. 16, 1968, 82 Stat. 1094; Pub. L. 91-230, title IV, §401(a)(2), Apr. 13, 1970, 84 Stat. 164; renumbered §400, Pub. L. 92-318, title III, §301(a)(1), June 23, 1972, 86 Stat. 326; Pub. L. 93-380, title V, §505(a)(1), Aug. 21, 1974, 88 Stat. 561; Pub. L. 103-382, title II, §211, Oct. 20, 1994, 108 Stat. 3912.)

REFERENCES IN TEXT

The Department of Education Organization Act, referred to in subsec. (c)(1), is Pub. L. 96-88, Oct. 17, 1979, 93 Stat. 668, as amended, which is classified principally to chapter 48 (§3401 et seq.) of this title. For the effective date of the Act, see Effective Date note set out under section 3401 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 3401 of this title and Tables.

The Civil Rights Act of 1964, referred to in subsec. (d), is Pub. L. 88-352, July 2, 1964, 78 Stat. 241, as amended. Title VI of the Act is classified generally to subchapter V (§2000d et seq.) of chapter 21 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 2000a of Title 42 and Tables.

The Education Amendments of 1972, referred to in subsec. (d), is Pub. L. 92-318, June 23, 1972, 86 Stat. 235, as amended. Title IX of the Act, known as the Patsy Takemoto Mink Equal Opportunity in Education Act, is classified principally to chapter 38 (§1681 et seq.) of this title. For complete classification of title IX to the Code, see Short Title note set out under section 1681 of this title and Tables.

The Rehabilitation Act of 1973, referred to in subsec. (d), is Pub. L. 93-112, Sept. 26, 1973, 87 Stat. 355, as amended. Title V of the Act is classified generally to subchapter V (§790 et seq.) of chapter 16 of Title 29, Labor. For complete classification of this Act to the Code, see Short Title note set out under section 701 of Title 29 and Tables.

The Age Discrimination Act, referred to in subsec. (d), probably means the Age Discrimination Act of 1975, which is title III of Pub. L. 94-135, Nov. 28, 1975, 89 Stat. 728, as amended, and which is classified generally to chapter 76 (§6101 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 6101 of Title 42 and Tables.

AMENDMENTS

1994—Pub. L. 103-382 amended section generally, inserting provision that this chapter not apply to any