

(5) the term “Governor” means the chief executive of the State;

(6) the terms “local educational agency” and “State educational agency” have the meaning given such terms in section 8801 of this title;¹

(7) the term “outlying areas” means Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, Palau (until the effective date of the Compact of Free Association with the Government of Palau), the Republic of the Marshall Islands, and the Federated States of Micronesia;

(8) the term “performance standards” means concrete examples and explicit definitions of what students have to know and be able to do to demonstrate that such students are proficient in the skills and knowledge framed by content standards;

(9) the term “related services” has the same meaning given such term under section 1401 of this title;

(10) the term “State assessment” means measures of student performance which include at least 1 instrument of evaluation, and may include other measures of student performance, for a specific purpose and use which are intended to evaluate the progress of all students in the State toward learning the material in State content standards in 1 or more subject areas;

(11) the term “school” means a public school that is under the authority of the State educational agency or a local educational agency or, for the purpose of carrying out section 5895(b)¹ of this title, a school that is operated or funded by the Bureau;

(12) the term “Secretary”, unless otherwise provided, means the Secretary of Education; and

(13) the term “State”, unless otherwise provided, means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and each of the outlying areas.

(b) Subchapters IV, V, VI, VII, VIII, and IX

For the purpose of subchapters IV, V, VI, VII, VIII, and IX—

(1) except as provided in paragraph (3) and unless otherwise provided, the terms used in such subchapters have the same meanings given such terms in section 8801 of this title;¹

(2) the term “Bureau”, unless otherwise provided, means the Bureau of Indian Affairs; and

(3) the term “Secretary”, unless otherwise provided, means the Secretary of Education.

(Pub. L. 103-227, § 3, Mar. 31, 1994, 108 Stat. 129; Pub. L. 103-382, title III, § 394(f)(1), Oct. 20, 1994, 108 Stat. 4027; Pub. L. 104-134, title I, § 101(d) [title VII, § 703(a)(3)], Apr. 26, 1996, 110 Stat. 1321-211, 1321-252; renumbered title I, Pub. L. 104-140, § 1(a), May 2, 1996, 110 Stat. 1327; Pub. L. 108-446, title III, § 305(e), Dec. 3, 2004, 118 Stat. 2805.)

REFERENCES IN TEXT

Subchapters I to X, referred to in text, were in the original references to titles I to X of Pub. L. 103-227, Mar. 31, 1994, 108 Stat. 131-265. Titles I, V, VI, and VIII are classified generally to subchapters I (§ 5811 et seq.),

V (§ 5931 et seq.), VI (§ 5951), and VIII (§ 5981 et seq.), respectively, of this chapter. Title II enacted subchapter II (§ 5821 et seq.) of this chapter and section 3425 of this title, amended section 5093 of this title and section 5315 of Title 5, Government Organization and Employees, and enacted provisions set out as a note under section 5093 of this title. Title VII enacted subchapter VII (§ 5961 et seq.) of this chapter and amended section 1221e-1 of this title. Titles III and IV were classified generally to subchapters III (§ 5881 et seq.) and IV (§ 5911 et seq.), respectively, of this chapter and were repealed by Pub. L. 106-113, div. B, § 1000(a)(4) [title III, § 310(i)], Nov. 29, 1999, 113 Stat. 1535, 1501A-265. Section 5895(b) of this title was repealed by Pub. L. 106-113. Title IX enacted subchapter IX (§ 6001 et seq.) of this chapter, amended sections 2422, 3155, 3412, 3419, 3462, and 4085b of this title, repealed section 1221e of this title, and enacted provisions set out as notes under sections 1221e and 3155 of this title. Title X enacted subchapter X (§ 6061 et seq.) of this chapter and section 3351 of this title, amended sections 1107, 1232h, 2421, 3381 to 3384, and 3386 of this title, sections 1632, 1633, and 1635 of Title 29, Labor, and section 11903a of Title 42, The Public Health and Welfare, and enacted provisions set out as notes under section 6301 of this title and section 11901 of Title 42. For complete classification of titles I to X to the Code, see Tables.

Section 8801 of this title, referred to in subsecs. (a)(6) and (b)(1), was repealed by Pub. L. 107-110, title X, § 1011(5)(C), Jan. 8, 2002, 115 Stat. 1986.

For Oct. 1, 1994, as the date the Compact of Free Association with the Government of Palau takes effect, referred to in subsec. (a)(7), see Proc. No. 6726, Sept. 27, 1994, 59 F.R. 49777, set out as a note under section 1931 of Title 48, Territories and Insular Possessions.

AMENDMENTS

2004—Subsec. (a)(9). Pub. L. 108-446 substituted “section 1401” for “section 1401(a)(17)”.

1996—Subsec. (a)(7) to (14). Pub. L. 104-134 redesignated pars. (8) to (14) as (7) to (13), respectively, and struck out former par. (7) which read as follows: “the term ‘opportunity-to-learn standards’ means the criteria for, and the basis of, assessing the sufficiency or quality of the resources, practices, and conditions necessary at each level of the education system (schools, local educational agencies, and States) to provide all students with an opportunity to learn the material in voluntary national content standards or State content standards;”.

1994—Subsec. (a)(6). Pub. L. 103-382, § 394(f)(1)(A)(i), substituted “section 8801” for “section 2891”.

Subsec. (a)(10). Pub. L. 103-382, § 394(f)(1)(A)(ii), substituted “section 1401(a)(17)” for “section 1401”.

Subsec. (b)(1). Pub. L. 103-382, § 394(f)(1)(B), substituted “section 8801” for “section 2891”.

SUBCHAPTER I—NATIONAL EDUCATION GOALS

§ 5811. Purpose

The purpose of this subchapter is to establish National Education Goals.

(Pub. L. 103-227, title I, § 101, Mar. 31, 1994, 108 Stat. 130.)

§ 5812. National Education Goals

The Congress declares that the National Education Goals are the following:

(1) School readiness

(A) By the year 2000, all children in America will start school ready to learn.

(B) The objectives for this goal are that—

(i) all children will have access to high-quality and developmentally appropriate

¹ See References in Text note below.

preschool programs that help prepare children for school;

(ii) every parent in the United States will be a child's first teacher and devote time each day to helping such parent's preschool child learn, and parents will have access to the training and support parents need; and

(iii) children will receive the nutrition, physical activity experiences, and health care needed to arrive at school with healthy minds and bodies, and to maintain the mental alertness necessary to be prepared to learn, and the number of low-birthweight babies will be significantly reduced through enhanced prenatal health systems.

(2) School completion

(A) By the year 2000, the high school graduation rate will increase to at least 90 percent.

(B) The objectives for this goal are that—

(i) the Nation must dramatically reduce its school dropout rate, and 75 percent of the students who do drop out will successfully complete a high school degree or its equivalent; and

(ii) the gap in high school graduation rates between American students from minority backgrounds and their non-minority counterparts will be eliminated.

(3) Student achievement and citizenship

(A) By the year 2000, all students will leave grades 4, 8, and 12 having demonstrated competency over challenging subject matter including English, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography, and every school in America will ensure that all students learn to use their minds well, so they may be prepared for responsible citizenship, further learning, and productive employment in our Nation's modern economy.

(B) The objectives for this goal are that—

(i) the academic performance of all students at the elementary and secondary level will increase significantly in every quartile, and the distribution of minority students in each quartile will more closely reflect the student population as a whole;

(ii) the percentage of all students who demonstrate the ability to reason, solve problems, apply knowledge, and write and communicate effectively will increase substantially;

(iii) all students will be involved in activities that promote and demonstrate good citizenship, good health, community service, and personal responsibility;

(iv) all students will have access to physical education and health education to ensure they are healthy and fit;

(v) the percentage of all students who are competent in more than one language will substantially increase; and

(vi) all students will be knowledgeable about the diverse cultural heritage of this Nation and about the world community.

(4) Teacher education and professional development

(A) By the year 2000, the Nation's teaching force will have access to programs for the con-

tinued improvement of their professional skills and the opportunity to acquire the knowledge and skills needed to instruct and prepare all American students for the next century.

(B) The objectives for this goal are that—

(i) all teachers will have access to pre-service teacher education and continuing professional development activities that will provide such teachers with the knowledge and skills needed to teach to an increasingly diverse student population with a variety of educational, social, and health needs;

(ii) all teachers will have continuing opportunities to acquire additional knowledge and skills needed to teach challenging subject matter and to use emerging new methods, forms of assessment, and technologies;

(iii) States and school districts will create integrated strategies to attract, recruit, prepare, retrain, and support the continued professional development of teachers, administrators, and other educators, so that there is a highly talented work force of professional educators to teach challenging subject matter; and

(iv) partnerships will be established, whenever possible, among local educational agencies, institutions of higher education, parents, and local labor, business, and professional associations to provide and support programs for the professional development of educators.

(5) Mathematics and science

(A) By the year 2000, United States students will be first in the world in mathematics and science achievement.

(B) The objectives for this goal are that—

(i) mathematics and science education, including the metric system of measurement, will be strengthened throughout the system, especially in the early grades;

(ii) the number of teachers with a substantive background in mathematics and science, including the metric system of measurement, will increase by 50 percent; and

(iii) the number of United States undergraduate and graduate students, especially women and minorities, who complete degrees in mathematics, science, and engineering will increase significantly.

(6) Adult literacy and lifelong learning

(A) By the year 2000, every adult American will be literate and will possess the knowledge and skills necessary to compete in a global economy and exercise the rights and responsibilities of citizenship.

(B) The objectives for this goal are that—

(i) every major American business will be involved in strengthening the connection between education and work;

(ii) all workers will have the opportunity to acquire the knowledge and skills, from basic to highly technical, needed to adapt to emerging new technologies, work methods, and markets through public and private educational, vocational, technical, workplace, or other programs;

(iii) the number of quality programs, including those at libraries, that are designed

to serve more effectively the needs of the growing number of part-time and midcareer students will increase substantially;

(iv) the proportion of the qualified students, especially minorities, who enter college, who complete at least two years, and who complete their degree programs will increase substantially;

(v) the proportion of college graduates who demonstrate an advanced ability to think critically, communicate effectively, and solve problems will increase substantially; and

(vi) schools, in implementing comprehensive parent involvement programs, will offer more adult literacy, parent training and lifelong learning opportunities to improve the ties between home and school, and enhance parents' work and home lives.

(7) Safe, disciplined, and alcohol- and drug-free schools

(A) By the year 2000, every school in the United States will be free of drugs, violence, and the unauthorized presence of firearms and alcohol and will offer a disciplined environment conducive to learning.

(B) The objectives for this goal are that—

(i) every school will implement a firm and fair policy on use, possession, and distribution of drugs and alcohol;

(ii) parents, businesses, governmental and community organizations will work together to ensure the rights of students to study in a safe and secure environment that is free of drugs and crime, and that schools provide a healthy environment and are a safe haven for all children;

(iii) every local educational agency will develop and implement a policy to ensure that all schools are free of violence and the unauthorized presence of weapons;

(iv) every local educational agency will develop a sequential, comprehensive kindergarten through twelfth grade drug and alcohol prevention education program;

(v) drug and alcohol curriculum should be taught as an integral part of sequential, comprehensive health education;

(vi) community-based teams should be organized to provide students and teachers with needed support; and

(vii) every school should work to eliminate sexual harassment.

(8) Parental participation

(A) By the year 2000, every school will promote partnerships that will increase parental involvement and participation in promoting the social, emotional, and academic growth of children.

(B) The objectives for this Goal are that—

(i) every State will develop policies to assist local schools and local educational agencies to establish programs for increasing partnerships that respond to the varying needs of parents and the home, including parents of children who are disadvantaged or bilingual, or parents of children with disabilities;

(ii) every school will actively engage parents and families in a partnership which sup-

ports the academic work of children at home and shared educational decisionmaking at school; and

(iii) parents and families will help to ensure that schools are adequately supported and will hold schools and teachers to high standards of accountability.

(Pub. L. 103-227, title I, §102, Mar. 31, 1994, 108 Stat. 130.)

SUBCHAPTER II—NATIONAL EDUCATION REFORM LEADERSHIP, STANDARDS, AND ASSESSMENTS

PART A—NATIONAL EDUCATION GOALS PANEL

§§ 5821 to 5827. Repealed. Pub. L. 107-110, title X, § 1011(4)(A), Jan. 8, 2002, 115 Stat. 1986

Section 5821, Pub. L. 103-227, title II, §201, Mar. 31, 1994, 108 Stat. 133; Pub. L. 104-134, title I, §101(d) [title VII, §703(a)(4)], Apr. 26, 1996, 110 Stat. 1321-211, 1321-252; renumbered title I, Pub. L. 104-140, §1(a), May 2, 1996, 110 Stat. 1327, set forth purpose of part.

Section 5822, Pub. L. 103-227, title II, §202, Mar. 31, 1994, 108 Stat. 134; Pub. L. 104-134, title I, §101(d) [title VII, §703(a)(5)], Apr. 26, 1996, 110 Stat. 1321-211, 1321-252; renumbered title I, Pub. L. 104-140, §1(a), May 2, 1996, 110 Stat. 1327, established National Education Goals Panel.

Section 5823, Pub. L. 103-227, title II, §203, Mar. 31, 1994, 108 Stat. 136; Pub. L. 104-134, title I, §101(d) [title VII, §703(a)(6)], Apr. 26, 1996, 110 Stat. 1321-211, 1321-252; renumbered title I, Pub. L. 104-140, §1(a), May 2, 1996, 110 Stat. 1327, set forth duties of Panel.

Section 5824, Pub. L. 103-227, title II, §204, Mar. 31, 1994, 108 Stat. 136; Pub. L. 103-382, title III, §361(b)(1), Oct. 20, 1994, 108 Stat. 3974; Pub. L. 104-134, title I, §101(d) [title VII, §703(a)(7)], Apr. 26, 1996, 110 Stat. 1321-211, 1321-252; renumbered title I, Pub. L. 104-140, §1(a), May 2, 1996, 110 Stat. 1327, related to powers of Panel.

Section 5825, Pub. L. 103-227, title II, §205, Mar. 31, 1994, 108 Stat. 137, set forth administrative provisions.

Section 5826, Pub. L. 103-227, title II, §206, Mar. 31, 1994, 108 Stat. 138, related to appointment of Director and staff and procurement of experts and consultants.

Section 5827, Pub. L. 103-227, title II, §207, Mar. 31, 1994, 108 Stat. 138, related to assessment of readiness of children for school.

EFFECTIVE DATE OF REPEAL

Repeal effective Jan. 8, 2002, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 107-110, set out as an Effective Date note under section 6301 of this title.

PART B—LEADERSHIP IN EDUCATIONAL TECHNOLOGY

PRIOR PROVISIONS

A prior part B, consisting of sections 5841 to 5851 of this title, was repealed by Pub. L. 104-134, title I, §101(d) [title VII, §701(1)], Apr. 26, 1996, 110 Stat. 1321-211, 1321-251; renumbered title I, Pub. L. 104-140, §1(a), May 2, 1996, 110 Stat. 1327.

Section 5841, Pub. L. 103-227, title II, §211, Mar. 31, 1994, 108 Stat. 139, stated purpose.

Section 5842, Pub. L. 103-227, title II, §212, Mar. 31, 1994, 108 Stat. 139, established National Education Standards and Improvement Council and provided for composition, appointment rules and qualifications, terms, date of appointment, initiation of duties, retention of appointment, vacancy, compensation, conflict of interest, travel, and officers.

Section 5843, Pub. L. 103-227, title II, §213, Mar. 31, 1994, 108 Stat. 142, related to duties of Council.