

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-561 effective Oct. 1, 1978, see section 1530(a) of Pub. L. 95-561, set out as a note under section 1221e-3 of this title.

§ 1226c-1. Availability of education reports, etc., to Congressional committees

Any evaluation report or data or information collected in preparation of such report, which is paid for with appropriated funds, shall be made available, upon request, within 4 days to the chairman and ranking minority member of the Committee on Education and Labor of the House of Representatives and of the Committee on Labor and Human Resources of the Senate.

(Pub. L. 95-561, title XV, §1523, Nov. 1, 1978, 92 Stat. 2378; Pub. L. 103-437, §7(b), Nov. 2, 1994, 108 Stat. 4587.)

Editorial Notes

CODIFICATION

Section was enacted as part of Education Amendments of 1978, and not as part of General Education Provisions Act which comprises this chapter.

AMENDMENTS

1994—Pub. L. 103-437 substituted “Labor and Human Resources” for “Human Resources”.

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Committee on Labor and Human Resources of Senate changed to Committee on Health, Education, Labor, and Pensions of Senate by Senate Resolution No. 20, One Hundred Sixth Congress, Jan. 19, 1999.

EFFECTIVE DATE

Section effective Oct. 1, 1978, see section 1530(a) of Pub. L. 95-561, set out as an Effective Date of 1978 Amendment note under section 1221e-3 of this title.

§ 1226d. Repealed. Pub. L. 96-470, title I, § 106(a), Oct. 19, 1980, 94 Stat. 2238

Section, Pub. L. 90-247, title IV, § 418, as added Pub. L. 93-380, title V, §506(a)(3)(C), Aug. 21, 1974, 88 Stat. 564; amended S. Res. 4, Feb. 4, 1977; Pub. L. 95-561, title XII, §1246(c), Nov. 1, 1978, 92 Stat. 2354; S. Res. 30, Mar. 7, 1979, directed Assistant Secretary to submit to Committee on Education and Labor of the House of Representatives and Committee on Labor and Human Resources of the Senate comprehensive renewal evaluation reports for applicable programs.

§ 1227. Repealed. Pub. L. 103-382, title II, § 212(a)(1), Oct. 20, 1994, 108 Stat. 3913

Section, Pub. L. 90-247, title IV, § 419, formerly § 417, as added Pub. L. 92-318, title III, § 304, June 23, 1972, 86 Stat. 333; renumbered § 419 and amended Pub. L. 93-380, title V, § 506(a)(3)(A), (B), Aug. 21, 1974, 88 Stat. 563, related to education program evaluations by Comptroller General.

§ 1228. Repealed. Pub. L. 116-260, div. H, title III, § 314(a), Dec. 27, 2020, 134 Stat. 1610

Section, Pub. L. 90-247, title IV, § 426, formerly § 420, as added Pub. L. 93-380, title II, § 252, Aug. 21, 1974, 88 Stat. 519; renumbered § 426 and amended Pub. L. 103-382, title II, §§ 212(b)(1), 261(b), Oct. 20, 1994, 108 Stat. 3913, 3927; Pub. L. 106-398, § 1 [[div. A], title XVIII, § 1808(b)(2)], Oct. 30, 2000, 114 Stat. 1654, 1654A-382; Pub. L. 114-95, title IX, § 9215(mm)(2), Dec. 10, 2015, 129 Stat. 2176, prohibited use of appropriated funds for busing.

A prior section 426 of Pub. L. 90-247 was renumbered section 433, and is classified to section 1231c of this title.

Another prior section 426 of Pub. L. 90-247 was renumbered section 435, and is classified to section 1231e of this title.

Another prior section 426 of Pub. L. 90-247 was renumbered section 436, and was classified to section 1232e of this title prior to repeal by Pub. L. 95-561.

§ 1228a. Equity for students, teachers, and other program beneficiaries

(a) Purpose

The purpose of this section is to assist the Department in implementing the Department’s mission to ensure equal access to education and to promote educational excellence throughout the Nation, by—

(1) ensuring equal opportunities to participate for all eligible students, teachers, and other program beneficiaries in any project or activity carried out under an applicable program; and

(2) promoting the ability of such students, teachers, and beneficiaries to meet high standards.

(b) Requirement to develop steps to ensure equity

The Secretary shall require each applicant for assistance under an applicable program (other than an individual) to develop and describe in such applicant’s application the steps such applicant proposes to take to ensure equitable access to, and equitable participation in, the project or activity to be conducted with such assistance, by addressing the special needs of students, teachers, and other program beneficiaries in order to overcome barriers to equitable participation, including barriers based on gender, race, color, national origin, disability, and age.

(c) Establishment of criteria

The Secretary may establish criteria and provide technical assistance for meeting the requirements of this section.

(d) Effect on other laws

Nothing in this section shall be construed to alter in any way the rights or responsibilities established under the laws cited in section 1221(d) of this title.

(Pub. L. 90-247, title IV, § 427, as added Pub. L. 103-382, title II, § 236, Oct. 20, 1994, 108 Stat. 3917.)

Editorial Notes

PRIOR PROVISIONS

A prior section 427 of Pub. L. 90-247 was renumbered section 434, and is classified to section 1231d of this title.

Another prior section 427 of Pub. L. 90-247 was renumbered section 429, and was classified to section 1231f of this title prior to repeal by Pub. L. 103-382.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective July 1, 1995, for noncompetitive programs in which funds are allocated on the basis of a formula and for programs that are conducted on a competitive basis, with respect to appropriations for use under such programs in fiscal year 1995 and in subse-

quent fiscal years, see section 3(a)(2) of Pub. L. 103-382, set out as an Effective Date of 1994 Amendment note under section 1221 of this title.

§ 1228b. Coordination

The National Assessment Governing Board, the Advisory Council on Education Statistics, the National Education Goals Panel, and any other board established to analyze, address, or approve education content or student performance standards and assessments shall coordinate and interact with one another in order to ensure that each such entity does not duplicate activities to assist the States in reforming their educational systems.

(Pub. L. 90-247, title IV, § 428, as added Pub. L. 103-382, title II, § 237, Oct. 20, 1994, 108 Stat. 3917; amended Pub. L. 104-134, title I, § 101(d) [title VII, § 703(c)], Apr. 26, 1996, 110 Stat. 1321-211, 1321-255; renumbered title I, Pub. L. 104-140, § 1(a), May 2, 1996, 110 Stat. 1327.)

Editorial Notes

PRIOR PROVISIONS

A prior section 428 of Pub. L. 90-247 was renumbered section 435, and is classified to section 1231e of this title.

AMENDMENTS

1996—Pub. L. 104-134 struck out “the National Education Standards and Improvement Council,” before “and any other board”.

§ 1228c. Disclosure requirements

(a) In general

Each educational organization, prior to enrolling a minor and prior to accepting funds for the cost of a minor’s participation in an educational program operated by such organization, shall disclose the following information in written form to the minor or the minor’s parent.

(1) Method of solicitation and selection

The method of solicitation and selection of participants in the educational program, including—

(A) the origin of any mailing list used for such solicitation and selection;

(B) any recruitment through a local school official, teacher, or school personnel, including any compensation or other benefit offered to such official, teacher, or personnel for the recommendation of a minor for participation in the educational program;

(C) any open enrollment activity, including the method of outreach; and

(D) any cooperation with, or sponsorship by, a membership organization, including a description of the cooperation or sponsorship and the name of each such organization.

(2) Cost and fees

Information regarding the cost of the educational program and information regarding the distribution of any enrollment fee, including—

(A) the amount paid for, and the percentage of the total educational program cost of, each feature of the educational program, including—

(i) food;

(ii) lodging;

(iii) transportation;

(iv) program staffing;

(v) textbooks, syllabi, or other scholastic educational program materials;

(vi) speaker fees; and

(vii) administrative expenses, including expenses related to—

(I) the preparation of nonscholastic educational program materials;

(II) the provision of financial assistance;

(III) mailing list rental or other recruitment activity; and

(IV) administrative salaries and consulting fees;

(B) the identity of the organization or business providing each of the features described in clauses (i) through (vii) of subparagraph (A); and

(C) the nature of any relationship of any board member, officer, or employee of the educational organization to any organization or business described in subparagraph (B), including the salary or other compensation paid by such organization or business to such board member, officer, or employee.

(b) Nondiscriminatory enrollment and service policy

(1) In general

Each educational organization shall include a verifiable statement in all enrollment or recruitment material that the educational organization does not—

(A) fail or refuse to hire, or discharge, any individual, or otherwise discriminate against any individual with respect to compensation, terms, conditions, or privileges of employment; or

(B) exclude any student from participation in an educational program, discriminate against any student in providing the benefits associated with such program (including any scholarship or financial assistance, and use of any facility), or subject the student to discrimination under such program, on the basis of race, disability, or residence in a low-income area.

(2) Construction

Nothing in this subsection shall be construed to entitle a student to—

(A) participation in an educational program or any benefit associated with such program; or

(B) a waiver of any fee charged for such participation or benefit.

(c) Enforcement

The Secretary shall—

(1)(A) widely disseminate information about the requirements of this section to State and local school officials and parents; and

(B) require educational organizations to submit appropriate information or assurances regarding such organizations’ compliance with this section; and

(2) take whatever other steps the Secretary determines are appropriate to enforce this section, including—