

mate beneficiaries of Federal financial assistance excluded from coverage before the enactment of this Act [Mar. 22, 1988].”

ABORTION NEUTRALITY

This section not to be construed to force or require any individual or hospital or any other institution, program, or activity receiving Federal funds to perform or pay for an abortion, see section 8 of Pub. L. 100-259, set out as a note under section 1688 of this title.

§ 1688. Neutrality with respect to abortion

Nothing in this chapter shall be construed to require or prohibit any person, or public or private entity, to provide or pay for any benefit or service, including the use of facilities, related to an abortion. Nothing in this section shall be construed to permit a penalty to be imposed on any person or individual because such person or individual is seeking or has received any benefit or service related to a legal abortion.

(Pub. L. 92-318, title IX, §909, as added Pub. L. 100-259, §3(b), Mar. 22, 1988, 102 Stat. 29.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this title”, meaning title IX of Pub. L. 92-318 which enacted this chapter and amended sections 203 and 213 of Title 29, Labor, and sections 2000c, 2000c-6, 2000c-9, and 2000h-2 of Title 42, The Public Health and Welfare. For complete classification of title IX to the Code, see Short Title note set out under section 1681 of this title and Tables.

Statutory Notes and Related Subsidiaries

CONSTRUCTION

This section not to be construed to extend application of Education Amendments of 1972, Pub. L. 92-318, to ultimate beneficiaries of Federal financial assistance excluded from coverage before Mar. 22, 1988, see section 7 of Pub. L. 100-259, set out as a note under section 1687 of this title.

ABORTION NEUTRALITY

Pub. L. 100-259, §8, Mar. 22, 1988, 102 Stat. 31, provided that: “No provision of this Act or any amendment made by this Act [see Short Title of 1988 Amendment note under section 1681 of this title] shall be construed to force or require any individual or hospital or any other institution, program, or activity receiving Federal Funds [sic] to perform or pay for an abortion.”

CHAPTER 39—EQUAL EDUCATIONAL OPPORTUNITIES AND TRANSPORTATION OF STUDENTS

SUBCHAPTER I—EQUAL EDUCATIONAL OPPORTUNITIES

PART 1—POLICY AND PURPOSE

- | | |
|------------------------|---|
| Sec.
1701.
1702. | Congressional declaration of policy.
Congressional findings. |
|------------------------|---|

PART 2—UNLAWFUL PRACTICES

- | | |
|-------------------------|---|
| 1703.
1704.
1705. | Denial of equal educational opportunity prohibited.
Balance not required.
Assignment on neighborhood basis not a denial of equal educational opportunity. |
|-------------------------|---|

PART 3—ENFORCEMENT

- | | |
|-------|---|
| 1706. | Civil actions by individuals denied equal educational opportunities or by Attorney General. |
|-------|---|

- | | |
|--|---|
| Sec.
1707.
1708.
1709.
1710. | Population changes without effect, per se, on school population changes.
Jurisdiction of district courts.
Intervention by Attorney General.
Civil actions by Attorney General; notice of violations; certification respecting undertaking appropriate remedial action. |
|--|---|

PART 4—REMEDIES

- | | |
|---|--|
| 1712.
1713.
1714.
1715.
1716.
1717.
1718. | Formulating remedies; applicability.
Priority of remedies.
Transportation of students.
District lines.
Voluntary adoption of remedies.
Reopening proceedings.
Limitation on court orders; termination of orders conditioned upon compliance with fifth and fourteenth amendments; statement of basis for termination orders; stay of termination orders. |
|---|--|

PART 5—DEFINITIONS

- | | |
|-------|--------------|
| 1720. | Definitions. |
|-------|--------------|

PART 6—MISCELLANEOUS PROVISIONS

- | | |
|-------|---------------|
| 1721. | Separability. |
|-------|---------------|

SUBCHAPTER II—ASSIGNMENT AND TRANSPORTATION OF STUDENTS

- | | |
|--|--|
| 1751.
1752.
1753.
1754.
1755.
1756.
1757.
1758. | Prohibition against assignment or transportation of students to overcome racial imbalance.
Appeals from Federal district court transfer or transportation orders affecting school attendance areas and achieving balancing of students; postponement of Federal court orders pending exercise of appellate remedy; expiration of section.
Uniform rules of evidence requirement.
Provisions respecting transportation of pupils to achieve racial balance and judicial power to insure compliance with constitutional standards applicable to the entire United States.
Additional priority of remedies after finding of de jure segregation.
Remedies with respect to school district lines.
Prohibition of forced busing during school year.
Reasonable time for developing voluntary school desegregation plans following detailed notice of violations. |
|--|--|

SUBCHAPTER I—EQUAL EDUCATIONAL OPPORTUNITIES

PART 1—POLICY AND PURPOSE

§ 1701. Congressional declaration of policy

(a) Entitlement to equal educational opportunity; neighborhood as appropriate basis

The Congress declares it to be the policy of the United States that—

(1) all children enrolled in public schools are entitled to equal educational opportunity without regard to race, color, sex, or national origin; and

(2) the neighborhood is the appropriate basis for determining public school assignments.

(b) Purpose

In order to carry out this policy, it is the purpose of this subchapter to specify appropriate remedies for the orderly removal of the vestiges of the dual school system.