

Pub. L. 103-227, title IX, §1025, and amended Pub. L. 107-110, title X, §§1023(a),(b), 1025(a)(13), Jan. 8, 2002, 115 Stat. 1987, 1988, related to payments and Federal and non-Federal shares.

Section 6055e, Pub. L. 103-227, title IX, §1026, formerly Pub. L. 89-10, title XIII, §13306, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3885; renumbered Pub. L. 103-227, title IX, §1026, and amended Pub. L. 107-110, title X, §§1023(a),(b), 1025(a)(22), Jan. 8, 2002, 115 Stat. 1987, 1989, related to evaluations and reports.

Section 6055f, Pub. L. 103-227, title IX, §1027, formerly Pub. L. 89-10, title XIII, §13307, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3886; renumbered Pub. L. 103-227, title IX, §1027, and amended Pub. L. 107-110, title X, §§1023(a),(b), 1025(a)(4), (12) Jan. 8, 2002, 115 Stat. 1987, 1988, defined terms for purposes of this part.

Section 6055g, Pub. L. 103-227, title IX, §1028, formerly Pub. L. 89-10, title XIII, §13308, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3886; renumbered Pub. L. 103-227, title IX, §1028, Pub. L. 107-110, title X, §1023(a),(b), Jan. 8, 2002, 115 Stat. 1987, authorized appropriations.

Section 6055h, Pub. L. 103-227, title IX, §1029, as added Pub. L. 107-110, title X, §1023(c), Jan. 8, 2002, 115 Stat. 1987, applied section 7801 definitions to this part.

PART J—TECHNOLOGY-BASED TECHNICAL ASSISTANCE

Editorial Notes

CODIFICATION

Part N of title IX of Pub. L. 103-227, which comprised this part, was designated part J of this subchapter for purposes of codification. Part N of title IX of Pub. L. 103-227 was formerly part D of title XIII of Pub. L. 89-10, which was classified to part D (§8701 et seq.) of subchapter XIII of chapter 70 of this title, prior to being redesignated as part N of title IX of Pub. L. 103-227 by Pub. L. 107-110, title X, §1024(a), Jan. 8, 2002, 115 Stat. 1987, transferred to this part, and subsequently repealed by Pub. L. 107-279, title IV, §403(2), Nov. 5, 2002, 116 Stat. 1985.

§§ 6056, 6056a. Repealed. Pub. L. 107-279, title IV, § 403(2), Nov. 5, 2002, 116 Stat. 1985

Section 6056, Pub. L. 103-227, title IX, §1031, formerly Pub. L. 89-10, title XIII, §13401, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3886; renumbered Pub. L. 103-227, title IX, §1031, and amended Pub. L. 107-110, title X, §§1024(a),(b), 1025(a)(17)(E), Jan. 8, 2002, 115 Stat. 1987-1989, authorized technology-based technical assistance.

Another section 1031 of Pub. L. 103-227 is set out as a note under section 6301 of this title.

Section 6056a, Pub. L. 103-227, title IX, §1032, as added Pub. L. 107-110, title X, §1024(c), Jan. 8, 2002, 115 Stat. 1988, applied section 7801 definitions to this part.

Another section 1032 of Pub. L. 103-227 enacted section 3351 of this title and amended sections 3381 to 3384 and 3386 of this title prior to the general amendment of chapter 47 of this title by Pub. L. 103-382.

SUBCHAPTER X—MISCELLANEOUS

PART A—MISCELLANEOUS PROVISIONS

§ 6061. School prayer

No funds authorized to be appropriated under this chapter may be used by any State or local educational agency to adopt policies that prevent voluntary prayer and meditation in public schools.

(Pub. L. 103-227, title X, §1011, Mar. 31, 1994, 108 Stat. 265.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in text, was in the original this "Act", meaning Pub. L. 103-227, Mar. 31, 1994, 108 Stat. 125, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 5801 of this title and Tables.

CODIFICATION

Another section 1011 of Pub. L. 103-227 was classified to section 6054 of this title, prior to repeal by Pub. L. 107-279.

§ 6062. Funding for Individuals with Disabilities Education Act

(a) Findings

The Congress finds that—

(1) the Individuals with Disabilities Education Act [20 U.S.C. 1400 et seq.] was established with the commitment of forty percent Federal funding but currently receives only eight percent Federal funding;

(2) this funding shortfall is particularly burdensome to school districts and schools in low-income areas which serve higher than average proportions of students with disabilities and have fewer local resources to contribute; and

(3) it would cost the Federal Government approximately \$10,000,000,000 each year to fully fund the Individuals with Disabilities Education Act.

(b) Sense of Congress

It is the sense of the Congress that the Federal Government should provide States and communities with adequate resources under the Individuals with Disabilities Education Act [20 U.S.C. 1400 et seq.] as soon as reasonably possible, through the reallocation of noneducation funds within the current budget monetary constraints.

(Pub. L. 103-227, title X, §1012, Mar. 31, 1994, 108 Stat. 265.)

Editorial Notes

REFERENCES IN TEXT

The Individuals with Disabilities Education Act, referred to in text, is title VI of Pub. L. 91-230, Apr. 13, 1970, 84 Stat. 175, as amended, which is classified generally to chapter 33 (§1400 et seq.) of this title. For complete classification of this Act to the Code, see section 1400 of this title and Tables.

CODIFICATION

Another section 1012 of Pub. L. 103-227 was classified to section 6054a of this title, prior to repeal by Pub. L. 107-279.

§ 6063. Study of Goals 2000 and students with disabilities

(a) Study required

(1) In general

Not later than 180 days after March 31, 1994, the Secretary shall make appropriate arrangements with the National Academy of Sciences or the National Academy of Education to conduct a comprehensive study of the inclusion of children with disabilities in school reform ac-

tivities assisted under the Goals 2000: Educate America Act [20 U.S.C. 5801 et seq.].

(2) “Children with disabilities” defined

For purposes of this section, the term “children with disabilities” has the same meaning given such term in section 1401 of this title.

(b) Study components

The study conducted under subsection (a) shall include—

(1) an evaluation of the National Education Goals and objectives, curriculum reforms, standards, and other programs and activities intended to achieve those goals;

(2) a review of the adequacy of assessments and measures used to gauge progress towards meeting National Education Goals and any national and State standards, and an examination of other methods or accommodations necessary or desirable to collect data on the educational progress of children with disabilities, and the costs of such methods and accommodations;

(3) an examination of what incentives or assistance might be provided to States to develop improvement plans that adequately address the needs of children with disabilities;

(4) the relation of the Goals 2000: Educate America Act [20 U.S.C. 5801 et seq.] to other Federal laws governing or affecting the education of children with disabilities; and

(5) such other issues as the National Academy of Sciences or the National Academy of Education considers appropriate.

(c) Study panel membership

Any panel constituted in furtherance of the study to be conducted under subsection (a) shall include consumer representatives.

(d) Findings and recommendations

The Secretary shall request the National Academy of Sciences or the National Academy of Education to submit an interim report of its findings and recommendations to the President and Congress not later than 12 months, and a final report not later than 24 months, from the date of the completion of procurement relating to the study.

(e) Funding

From funds appropriated to the Secretary for research related to individuals with disabilities the Secretary shall make available \$600,000 for fiscal year 1994, and such sums as may be necessary for fiscal year 1995, to carry out this section. Amounts made available under this subsection shall remain available until expended.

(Pub. L. 103–227, title X, §1015, Mar. 31, 1994, 108 Stat. 266.)

Editorial Notes

REFERENCES IN TEXT

The Goals 2000: Educate America Act, referred to in subsecs. (a)(1) and (b)(4), is Pub. L. 103–227, Mar. 31, 1994, 108 Stat. 125 (except titles V and IX), as amended, which is classified principally to this chapter (except subchapters V (§5931 et seq.) and IX (§6001 et seq.)). For complete classification of this Act to the Code, see Short Title note set out under section 5801 of this title and Tables.

§ 6064. Contraceptive devices

The Department of Health and Human Services and the Department of Education shall ensure that all federally funded programs which provide for the distribution of contraceptive devices to unemancipated minors develop procedures to encourage, to the extent practical, family participation in such programs.

(Pub. L. 103–227, title X, §1018, Mar. 31, 1994, 108 Stat. 268.)

§ 6065. Assessments

(a) Subchapter II

No funds provided under subchapter II of this chapter shall be used to develop or undertake assessments that will be used to make decisions regarding the graduation, grade promotion, or retention of students for 5 years after March 31, 1994.

(b) Subchapter III¹

Assessments developed with funds under subchapter III¹ of this chapter may be used for decisions regarding graduation, grade promotion, or retention of students only on the condition that students have been prepared in the content for which the students are being assessed.

(Pub. L. 103–227, title X, §1019, Mar. 31, 1994, 108 Stat. 269.)

Editorial Notes

REFERENCES IN TEXT

Subchapters II and III of this chapter, referred to in text, were in the original references to titles II and III, respectively, of Pub. L. 103–227, Mar. 31, 1994, 108 Stat. 133, 157. Title II enacted subchapter II 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 III was classified generally to subchapter III (§5881 et seq.) of this chapter and was repealed by Pub. L. 106–113, div. B, §1000(a)(4) [title III, §310(i)], Nov. 29, 1999, 113 Stat. 1535, 1501A–265.

§ 6066. Public schools

Except as provided in section 5890¹ of this title, nothing in this chapter shall be construed to authorize the use of funds under subchapter III¹ of this chapter to directly or indirectly benefit any school other than a public school.

(Pub. L. 103–227, title X, §1020, Mar. 31, 1994, 108 Stat. 269.)

Editorial Notes

REFERENCES IN TEXT

Section 5890 of this title, referred to in text, was repealed by Pub. L. 106–113, div. B, §1000(a)(4) [title III, §310(i)], Nov. 29, 1999, 113 Stat. 1535, 1501A–265.

Subchapter III of this chapter, referred to in text, was in the original a reference to title III of Pub. L. 103–227, Mar. 31, 1994, 108 Stat. 157, which was classified generally to subchapter III (§5881 et seq.) of this chapter and was repealed by Pub. L. 106–113, div. B, §1000(a)(4) [title III, §310(i)], Nov. 29, 1999, 113 Stat. 1535, 1501A–265.

¹ See References in Text note below.

¹ See References in Text note below.