

Elementary and Secondary Education Act of 1965 (ESEA), as amended by Public Law 114-95, the Every Student Succeeds Act (ESSA), enacted on December 10, 2015; 129 Stat. 1802

This document was compiled by the Division of Legislative Counsel (DLC) in the Office of the General Counsel (OGC) of the U.S. Department of Education (Department), as a convenience for the use of OGC. The Department is also making it available on its website for the convenience of the public. The document is not an official statement of the law and is not a substitute for the text of the ESEA as reflected in the Statutes at Large or the U.S. Code.

While compilation is arranged in the order of the ESEA, it consists of individual documents in the following three types of formats:

(1) Sections of the ESEA that were **not amended** by the ESSA are taken from the May 17, 2016 compilation of the ESEA posted by the House Office of Law Revision Counsel at <http://legcounsel.house.gov/Comps/Elementary%20And%20Secondary%20Education%20Act%20Of%201965.pdf>. These sections are indicated by "ESEA OF 1965" at the top of the page.

(2) Sections of the ESEA that were **replaced** by the ESSA **in their entirety**, or that were **added** by the ESSA, are taken from the text of the ESSA (Public Law 114-95), posted at <https://www.gpo.gov/fdsys/pkg/PLAW-114publ95/pdf/PLAW-114publ95.pdf>. These sections are indicated by "Public Law 114-95" at the top of the page.

(3) Mark-ups prepared by DLC for other sections of the ESEA, showing amendments made by the ESSA. In these documents, language that was not deleted or amended is in black, deleted language is shown with strikethrough (such as "~~education~~"), and new language is in **highlighted red italics**.

Effective dates and transition. Sections 4 and 5 of the ESSA (included in this compilation) provide effective dates and transition provisions for the ESSA's amendments to the ESEA. In addition, section 312 of the Department of Education Appropriations Act, 2016 (Title III of Division H of P.L. 114-113, the Consolidated Appropriations Act, 2016), December 18, 2015; 129 Stat. 2638, provides as follows:

Sec. 312. Notwithstanding section 5(b) of the Every Student Succeeds Act, funds provided in this Act for non-competitive formula grant programs authorized by the ESEA for use during academic year 2016-2017 shall be administered in accordance with the ESEA as in effect on the day before the date of enactment of the Every Student Succeeds Act.

Comments and corrections: If you find any inaccuracies in this compilation, or have any comments on it, please send them to OGC.DLC@ed.gov.

[END]

~~Sec. 9210. Report on student home access to digital learning resources.
 Sec. 9211. Study on the title I formula.
 Sec. 9212. Preschool development grants.
 Sec. 9213. Review of Federal early childhood education programs.
 Sec. 9214. Use of the term “highly qualified” in other laws.
 Sec. 9215. Additional conforming amendments to other laws.~~

SEC. 3. REFERENCES.

~~Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.).~~

SEC. 4. TRANSITION.

20 USC 6301
note.

(a) FUNDING AUTHORITY.—

(1) MULTI-YEAR AWARDS.—

(A) PROGRAMS NO LONGER AUTHORIZED.—Except as otherwise provided in this Act or the amendments made by this Act, the recipient of a multiyear award under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), as in effect on the day before the date of enactment of this Act, under a program that is not authorized under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), as amended by this Act, and—

(i) that is not substantively similar to a program authorized under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), as amended by this Act, shall continue to receive funds in accordance with the terms of such prior award, except that no additional funds for such program may be awarded after September 30, 2016; and

(ii) that is substantively similar to a program authorized under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), as amended by this Act, shall continue to receive funds in accordance with the terms of such prior award.

(B) AUTHORIZED PROGRAMS.—Except as otherwise provided in this Act, or the amendments made by this Act, the recipient of a multiyear award under a program that was authorized under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), as in effect on the day before the date of enactment of this Act, and that is authorized under such Act (20 U.S.C. 6301 et seq.), as amended by this Act, shall continue to receive funds in accordance with the terms of such prior award.

(2) PLANNING AND TRANSITION.—Notwithstanding any other provision of law, a recipient of funds under a program described in paragraph (1)(A)(ii) or (1)(B) may use funds awarded to the recipient under such program, to carry out necessary and reasonable planning and transition activities in order to ensure the recipient’s compliance with the amendments to such program made by this Act.

(b) ORDERLY TRANSITION.—Subject to subsection (a)(1)(A)(i), the Secretary shall take such steps as are necessary to provide for the orderly transition to, and implementation of, programs authorized under the Elementary and Secondary Education Act of 1965

(20 U.S.C. 6301 et. seq.), as amended by this Act, from programs authorized under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), as in effect on the day before the date of enactment of this Act.

(c) TERMINATION OF CERTAIN WAIVERS.—

(1) **IN GENERAL.**—Notwithstanding any other provision of this Act, and subject to section 5(e)(2), a waiver described in paragraph (2) shall be null and void and have no legal effect on or after August 1, 2016.

(2) **WAIVERS.**—A waiver shall be subject to paragraph (1) if the waiver was granted by the Secretary of Education to a State or consortium of local educational agencies under the program first introduced in a letter to chief State school officers dated September 23, 2011, and authorized under section 9401 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7861), as in effect on the day before the date of enactment of this Act.

20 USC 6301
note.

SEC. 5. EFFECTIVE DATES.

(a) **IN GENERAL.**—Except as otherwise provided in this Act, or an amendment made by this Act, this Act, and the amendments made by this Act, shall be effective upon the date of enactment of this Act.

(b) **NONCOMPETITIVE PROGRAMS.**—With respect to noncompetitive programs under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq) and the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11301 et seq.) under which any funds are allotted by the Secretary of Education to recipients on the basis of a formula, the amendments made by this Act shall be effective beginning on July 1, 2016, except as otherwise provided in such amendments.

(c) **COMPETITIVE PROGRAMS.**—With respect to programs that are conducted by the Secretary of Education on a competitive basis (and are not programs described in subsection (b)) under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), the amendments made by this Act with respect to appropriations for use under such programs shall be effective beginning on October 1, 2016, except as otherwise provided in such amendments.

(d) **IMPACT AID.**—With respect to title VII of the Elementary and Secondary Education Act of 1965, as amended by this Act, the amendments made by this Act shall take effect with respect to appropriations for use under such title beginning fiscal year 2017, except as otherwise provided in such amendments.

(e) TITLE I OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.—

(1) **EFFECTIVE DATES FOR SECTION 1111 OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.**—Notwithstanding any other provision of this Act, or the amendments made by this Act, and subject to paragraph (2) of this subsection—

(A) section 1111(b)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)), as in effect on the day before the date of enactment of this Act, shall be effective through the close of August 1, 2016;

(B) subsections (c) and (d) of section 1111 of the Elementary and Secondary Education Act of 1965 (20

U.S.C. 6311), as amended by this Act, shall take effect beginning with school year 2017–2018; and

(C) section 1111(b)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)), as amended by this Act, and any other provision of section 1111 of such Act (20 U.S.C. 6311), as amended by this Act, which is not described in subparagraph (B) of this paragraph, shall take effect in a manner consistent with subsection (a).

(2) SPECIAL RULE.—

(A) IN GENERAL.—Notwithstanding any other provision of this Act (including subsection (b) and paragraph (1)), any school or local educational agency described in subparagraph (B) shall continue to implement interventions applicable to such school or local educational agency under clause (i) or (ii) of subparagraph (B) until—

(i) the State plan for the State in which the school or agency is located under section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311), as amended by this Act, is approved under such section (20 U.S.C. 6311); or

(ii) subsections (c) and (d) of section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311), as amended by this Act, take effect in accordance with paragraph (1)(B),

whichever occurs first.

(B) CERTAIN SCHOOLS AND LOCAL EDUCATIONAL AGENCIES.—A school or local educational agency shall be subject to the requirements of subparagraph (A), if such school or local educational agency has been identified by the State in which the school or local educational agency is located—

(i) as in need of improvement, corrective action, or restructuring under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.), as in effect on the day before the date of enactment of this Act; or

(ii) as a priority or focus school under a waiver granted by the Secretary of Education under section 9401 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7861), as in effect on the day before the date of enactment of this Act.

~~SEC. 6. TABLE OF CONTENTS OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.~~

~~Section 2 is amended to read as follows:~~

~~“Sec. 1. Short title.~~

~~“Sec. 2. Table of contents.~~

~~“TITLE I—IMPROVING THE ACADEMIC ACHIEVEMENT OF THE DISADVANTAGED~~

~~“Sec. 1001. Statement of purpose.~~

~~“Sec. 1002. Authorization of appropriations.~~

~~“Sec. 1003. School improvement.~~

~~“Sec. 1003A. Direct student services.~~

~~“Sec. 1004. State administration.~~

~~“PART A—IMPROVING BASIC PROGRAMS OPERATED BY LOCAL EDUCATIONAL AGENCIES~~

~~“SUBPART 1—BASIC PROGRAM REQUIREMENTS~~

~~“Sec. 1111. State plans.~~

Elementary and Secondary Education Act of 1965

[As Amended Through P.L. 114–95, Enacted December 10, 2015]

SECTION 1.¹ [20 U.S.C. 6301 note] SHORT TITLE.

This Act may be cited as the “Elementary and Secondary Education Act of 1965”.

~~SEC. 2.² TABLE OF CONTENTS.~~

The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.

TITLE I—IMPROVING THE ACADEMIC ACHIEVEMENT OF THE DISADVANTAGED

- Sec. 1001. Statement of purpose.
- Sec. 1002. Authorization of appropriations.
- Sec. 1003. School improvement.
- Sec. 1003A. Direct student services.
- Sec. 1004. State administration.

PART A—IMPROVING BASIC PROGRAMS OPERATED BY LOCAL EDUCATIONAL AGENCIES

Subpart 1—Basic Program Requirements

- Sec. 1111. State plans.
- Sec. 1112. Local educational agency plans.
- Sec. 1113. Eligible school attendance areas.
- Sec. 1114. Schoolwide programs.
- Sec. 1115. Targeted assistance schools.
- Sec. 1116. Parent and family engagement.
- Sec. 1117. Participation of children enrolled in private schools.
- Sec. 1118. Fiscal requirements.
- Sec. 1119. Coordination requirements.

¹Section 5(a) through (c) of the Every Student Succeeds Act (Public Law 114–95) provides as follows:

SEC. 5. EFFECTIVE DATES.

(a) IN GENERAL.—Except as otherwise provided in this Act, or an amendment made by this Act, this Act, and the amendments made by this Act, shall be effective upon the date of enactment of this Act.

(b) NONCOMPETITIVE PROGRAMS.—With respect to noncompetitive programs under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) and the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11301 et seq.) under which any funds are allotted by the Secretary of Education to recipients on the basis of a formula, the amendments made by this Act shall be effective beginning on July 1, 2016, except as otherwise provided in such amendments.

(c) COMPETITIVE PROGRAMS.—With respect to programs that are conducted by the Secretary of Education on a competitive basis (and are not programs described in subsection (b)) under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), the amendments made by this Act with respect to appropriations for use under such programs shall be effective beginning on October 1, 2016, except as otherwise provided in such amendments.

Section 312 of the Department of Education Appropriations Act, 2016 (division H of P.L. 114–113; Consolidated Appropriations Act, 2016) provides: “Notwithstanding section 5(b) of the Every Student Succeeds Act, funds provided in this Act for non-competitive formula grant programs authorized by the ESEA for use during academic year 2016–2017 shall be administered in accordance with the ESEA as in effect on the day before the date of enactment of the Every Student Succeeds Act.”

²The amendment by section 6 of Public Law 114–95 to amend section 2 to read in its entirety was executed by striking the table of sections contained in such section (shown above) in order to reflect the probable intent of Congress.

Elementary and Secondary Education Act of 1965 — Table of contents

Following enactment of P.L. 114-95, the Every Student Succeeds Act (ESSA), December 10, 2015 (with parenthetical citations to Title 20, U.S. Code, as updated by the House Office of Law Revision Counsel; see http://uscode.house.gov/classification/tbl114pl_1st.htm)

New provisions and changes in italics

Note: Section 6 of the ESSA amended the table of contents in section 2 of the ESEA, but omitted the items for new sections 5231 – 5234 (Title V, Part B, Subpart 3), which are included here.

- Sec. 1. Short title. (6301 note)
- Sec. 2. Table of contents.

TITLE I — IMPROVING THE ACADEMIC ACHIEVEMENT OF THE DISADVANTAGED

- Sec. 1001. Statement of purpose. (6301)
- Sec. 1002. Authorization of appropriations. (6302)
- Sec. 1003. School improvement. (6303)
- Sec. 1003A. *Direct student services. (6303b)*
- Sec. 1004. State administration. (6304)

PART A — IMPROVING BASIC PROGRAMS OPERATED BY LOCAL EDUCATIONAL AGENCIES

Subpart 1 — Basic Program Requirements

- Sec. 1111. State plans. (6311)
- Sec. 1112. Local educational agency plans. (6312)
- Sec. 1113. Eligible school attendance areas. (6313)
- Sec. 1114. Schoolwide programs. (6314)
- Sec. 1115. Targeted assistance schools. (6315)
- ~~Sec. 1116. Academic assessment and local educational agency and school improvement. (6316)~~
- ~~Sec. 1117. School support and recognition. (6317)~~
- Sec. 1116. *Parental involvement Parent and family engagement.* (6318)
- ~~Sec. 1119. Qualifications for teachers and paraprofessionals. (6319)~~
- Sec. 1117. *Participation of children enrolled in private schools.* (6320)
- Sec. 1118. *Fiscal requirements.* (6321)
- Sec. 1119. *Coordination requirements.* (6322)

Subpart 2 — Allocations

- Sec. 1121. Grants for the outlying areas and the Secretary of the Interior. (6331)
- Sec. 1122. Allocations to States. (6332)
- Sec. 1124. Basic grants to local educational agencies. (6333)
- Sec. 1124A. Concentration grants to local educational agencies. (6334)
- Sec. 1125. Targeted grants to local educational agencies. (6335)
- Sec. 1125AA. Adequacy of funding of targeted grants to local educational agencies in fiscal years after fiscal year 2001. (6336)
- Sec. 1125A. Education finance incentive grant program. (6337)
- Sec. 1126. Special allocation procedures. (6338)
- Sec. 1127. Carryover and waiver. (6339)

~~**PART B — STUDENT READING SKILLS IMPROVEMENT GRANTS (§§1201 — 1251)**~~

PART B – STATE ASSESSMENT GRANTS

- Sec. 1201. *Grants for State assessments and related activities. (6361)*
- Sec. 1202. *State option to conduct assessment system audit. (6362)*
- Sec. 1203. *Allotment of appropriated funds. (6363)*
- Sec. 1204. *Innovative assessment and accountability demonstration authority. (6364)*

PART C — EDUCATION OF MIGRATORY CHILDREN

- Sec. 1301. Program purposes. (6391)
- Sec. 1302. Program authorized. (6392)
- Sec. 1303. State allocations. (6393)
- Sec. 1304. State applications; services. (6394)
- Sec. 1305. Secretarial approval; peer review. (6395)
- Sec. 1306. Comprehensive needs assessment and service-delivery plan; authorized activities. (6396)
- Sec. 1307. Bypass. (6397)
- Sec. 1308. Coordination of migrant education activities. (6398)
- Sec. 1309. Definitions. (6399)

PART D — PREVENTION AND INTERVENTION PROGRAMS FOR CHILDREN AND YOUTH WHO ARE NEGLECTED, DELINQUENT, OR AT-RISK

- Sec. 1401. Purpose and program authorization. (6421)
- Sec. 1402. Payments for programs under this part. (6422)

Subpart 1 — State Agency Programs

- Sec. 1411. Eligibility. (6431)
- Sec. 1412. Allocation of funds. (6432)
- Sec. 1413. State reallocation of funds. (6433)
- Sec. 1414. State plan and State agency applications. (6434)
- Sec. 1415. Use of funds. (6435)
- Sec. 1416. Institution-wide projects. (6436)
- Sec. 1417. Three-year programs or projects. (6437)
- Sec. 1418. Transition services. (6438)
- Sec. 1419. ~~Evaluation; technical assistance; annual model program.~~ (6439)

Subpart 2 — Local Agency Programs

- Sec. 1421. Purpose. (6451)
- Sec. 1422. Programs operated by local educational agencies. (6452)
- Sec. 1423. Local educational agency applications. (6453)
- Sec. 1424. Uses of funds. (6454)
- Sec. 1425. Program requirements for correctional facilities receiving funds under this section. (6455)
- Sec. 1426. Accountability. (6456)

Subpart 3 — General Provisions

- Sec. 1431. Program evaluations. (6471)
- Sec. 1432. Definitions. (6472)

~~PART E — NATIONAL ASSESSMENT OF TITLE I (§§1501 — 1504)~~

~~PART E — FLEXIBILITY FOR EQUITABLE PER-PUPIL FUNDING~~

~~Sec. 1501. Flexibility for equitable per-pupil funding. (6491)~~

~~PART F — COMPREHENSIVE SCHOOL REFORM (§§1601 — 1608)~~

~~PART G — ADVANCED PLACEMENT PROGRAMS (§§1701 — 1707)~~

~~PART H — SCHOOL DROPOUT PREVENTION (§1801 — 1830)~~

~~PART I F — GENERAL PROVISIONS~~

- ~~Sec. 1601. Federal regulations. (6571)~~
~~Sec. 1602. Agreements and records. (6572)~~
~~Sec. 1603. State administration. (6573)~~
~~Sec. 1604. Prohibition against Federal mandates, direction, or control. (6575)~~
~~Sec. 1605. Rule of construction on equalized spending. (6576)~~
~~Sec. 1907. State report on dropout data. (6577)~~
~~Sec. 1908. Regulations for sections 1111 and 1116. (6578)~~

**TITLE II — PREPARING, TRAINING, AND RECRUITING HIGH-QUALITY
TEACHERS, AND PRINCIPALS, AND OTHER SCHOOL LEADERS**

~~PART A — TEACHER AND PRINCIPAL TRAINING AND RECRUITING FUND (§§2101 — 2151)~~

~~PART B — MATHEMATICS AND SCIENCE PARTNERSHIPS (§§2201 — 2203)~~

~~PART C — INNOVATION FOR TEACHER QUALITY §§2311 — 2352)~~

~~Subpart 5 — Teacher Liability Protection (transferred to Title VIII-F-3)~~

~~PART D — ENHANCING EDUCATION THROUGH TECHNOLOGY (§§2401 — 2431)~~

~~Subpart 4 — Limitation on Availability of Certain Funds for Schools (transferred to Title IV-A-2)~~

- ~~Sec. 2001. Purpose. (6601)~~
~~Sec. 2002. Definitions. (6602)~~
~~Sec. 2003. Authorization of appropriations. (6603)~~

~~PART A — SUPPORTING EFFECTIVE INSTRUCTION~~

- ~~Sec. 2101. Formula grants to States. (6611)~~
~~Sec. 2102. Subgrants to local educational agencies. (6612)~~
~~Sec. 2103. Local uses of funds. (6613)~~
~~Sec. 2104. Reporting. (6614)~~

~~PART B — NATIONAL ACTIVITIES~~

~~Sec. 2201. Reservations. (6621)~~

~~Subpart 1 — Teacher and School Leader Incentive Program~~

~~Sec. 2211. Purposes; definition. (6631)~~

- Sec. 2212. *Teacher and school leader incentive fund grants. (6632)*
- Sec. 2213. *Reports. (6633)*

Subpart 2 – Literacy Education for All, Results for the Nation

- Sec. 2221. *Purposes; definitions. (6641)*
- Sec. 2222. *Comprehensive literacy State development grants. (6642)*
- Sec. 2223. *Subgrants to eligible entities in support of birth through kindergarten entry literacy. (6643)*
- Sec. 2224. *Subgrants to eligible entities in support of kindergarten through grade 12 literacy. (6644)*
- Sec. 2225. *National evaluation and information dissemination. (6645)*
- Sec. 2226. *Innovative approaches to literacy. (6646)*

Subpart 3 – American History and Civics Education

- Sec. 2231. *Program authorized. (6661)*
- Sec. 2232. *Presidential and congressional academies for American history and civics. (6662)*
- Sec. 2233. *National activities. (6663)*

Subpart 4 – Programs of National Significance

- Sec. 2241. *Funding allotment. (6671)*
- Sec. 2242. *Supporting effective educator development. (6672)*
- Sec. 2243. *School leader recruitment and support. (6673)*
- Sec. 2244. *Technical assistance and national evaluation. (6674)*
- Sec. 2245. *STEM master teacher corps. (6675)*

PART C – GENERAL PROVISIONS

- Sec. 2301. *Supplement, not supplant. (6691)*
- Sec. 2302. *Rules of construction. (6692)*

TITLE III – LANGUAGE INSTRUCTION FOR LIMITED ENGLISH PROFICIENT ENGLISH LEARNERS AND IMMIGRANT STUDENTS

- Sec. 3001. *Authorizations of appropriations; ~~condition on effectiveness of parts.~~ (6801)*

**PART A — ENGLISH LANGUAGE ACQUISITION, LANGUAGE ENHANCEMENT,
AND ACADEMIC ACHIEVEMENT ACT**

- Sec. 3101. *Short title. (6811)*
- Sec. 3102. *Purposes. (6812)*

**Subpart 1 — Grants and Subgrants for English Language Acquisition
and Language Enhancement**

- Sec. 3111. *Formula grants to States. (6821)*
- Sec. 3112. *Native American and Alaska Native children in school. (6822)*
- Sec. 3113. *State and specially qualified agency plans. (6823)*
- Sec. 3114. *Within-State allocations. (6824)*
- Sec. 3115. *Subgrants to eligible entities. (6825)*
- Sec. 3116. *Local plans. (6826)*

Subpart 2 — Accountability and Administration

- Sec. 3121. *Evaluations Reporting.* (6841)
- ~~Sec. 3122.~~ ~~*Achievement objectives and accountability.*~~ (6842)
- ~~Sec. 3123~~ 3122. ~~*Reporting requirements*~~ *Biennial reports.* (6843)
- Sec. 3124 3123. *Coordination with related programs.* (6844)
- Sec. 3125 3124. *Rules of construction.* (6845)
- Sec. 3126 3125. *Legal authority under State law.* (6846)
- Sec. 3127 3126. *Civil rights.* (6847)
- Sec. 3128 3127. *Programs for Native Americans and Puerto Rico.* (6848)
- Sec. 3129 3128. *Prohibition.* (6849)

Subpart 3 – National Activities

- Sec. 3131. *National professional development project.* (6861)

~~Subpart 4 – Definitions (§3141)~~

~~PART B — IMPROVING LANGUAGE INSTRUCTION EDUCATIONAL PROGRAMS (§§3201 — 3253)~~

~~PART C B — GENERAL PROVISIONS~~

- Sec. 3301 3201. *Definitions.* (7011)
- ~~Sec. 3302.~~ ~~*Parental notification.*~~ (7012)
- Sec. 3303 3202. *National Clearinghouse.* (7013)
- Sec. 3304 3203. *Regulations.* (7014)

TITLE IV — 21ST CENTURY SCHOOLS

~~PART A — SAFE AND DRUG-FREE SCHOOLS AND COMMUNITIES~~

- ~~Sec. 4001.~~ ~~*Short title.*~~ (7101)
- ~~Sec. 4002.~~ ~~*Purpose.*~~ (7102)
- ~~Sec. 4003.~~ ~~*Authorization of appropriations.*~~ (7103)
- Sec. 4001. *General provisions.* (7101)

~~PART A – STUDENT SUPPORT AND ACADEMIC ENRICHMENT GRANTS~~

~~Subpart 1 — State Grants (§§411 — 4117)~~

Subpart 1 – Student Support and Academic Enrichment Grants

- Sec. 4101. *Purpose.* (7111)
- Sec. 4102. *Definitions.* (7112)
- Sec. 4103. *Formula grants to States.* (7113)
- Sec. 4104. *State use of funds.* (7114)
- Sec. 4105. *Allocations to local educational agencies.* (7115)
- Sec. 4106. *Local educational agency applications.* (7116)
- Sec. 4107. *Activities to support well-rounded educational opportunities.* (7117)
- Sec. 4108. *Activities to support safe and healthy students.* (7118)
- Sec. 4109. *Activities to support the effective use of technology.* (7119)
- Sec. 4110. *Supplement, not supplant.* (7120)
- Sec. 4111. *Rule of construction.* (7121)
- Sec. 4112. *Authorization of appropriations.* (7122)

~~Subpart 2 — National Programs (§§4121 — 4130)~~

~~Subpart 2 – Internet Safety (transferred from Title II-D-4)~~

Sec. 2444 4121. ~~Internet safety (6777) (7131).~~

~~Subpart 3 — Gun Possession (transferred to Title VIII-F-4)~~

~~Subpart 4 — General Provisions (§4151 — 4155)~~

~~Sec. 4155. Transfer of school disciplinary records. (7165) (transferred to 8537)~~

PART B — 21ST CENTURY COMMUNITY LEARNING CENTERS

- Sec. 4201. Purpose; definitions. (7171)
- Sec. 4202. Allotments to States. (7172)
- Sec. 4203. State application. (7173)
- Sec. 4204. Local competitive *subgrant* program. (7174)
- Sec. 4205. Local activities. (7175)
- Sec. 4206. Authorization of appropriations. (7176)

~~PART C — ENVIRONMENTAL TOBACCO SMOKE (transferred to Title VIII-F-5)~~

~~PART B C — PUBLIC EXPANDING OPPORTUNITY THROUGH
QUALITY CHARTER SCHOOLS (transferred from Title V-B)~~

- Sec. 5201 4301. Purpose. (7221)
- Sec. 5202 4302. Program authorized. (7221a)
- Sec. 5203 4303. ~~Applications~~ *Grants to support high-quality charter schools.* (7221b)
- Sec. 5204 4304. ~~Administration~~ *Facilities financing assistance.* (7221c)
- Sec. 5205 4305. National activities. (7221d)
- Sec. 5206 4306. Federal formula allocation during first year and for successive enrollment expansions. (7221e)
- Sec. 5207 4307. Solicitation of input from charter school operators. (7221f)
- Sec. 5208 4308. Records transfer. (7221g)
- Sec. 5209 4309. Paperwork reduction. (7221h)
- Sec. 5210 4310. Definitions. (7221i)
- Sec. 5214 4311. Authorization of appropriations. (7221j)

~~PART D – MAGNET SCHOOLS ASSISTANCE (transferred from Title V-C)~~

- Sec. 5304 4401. Findings and purpose. (7231)
- Sec. 5302 4402. Definition. (7231a)
- Sec. 5303 4403. Program authorized. (7231b)
- Sec. 5304 4404. Eligibility. (7231c)
- Sec. 5305 4405. Applications and requirements. (7231d)
- Sec. 5306 4406. Priority. (7231e)
- Sec. 5307 4407. Use of funds. (7231f)
- ~~Sec. 5308. Prohibition. (7231g)~~
- Sec. 5309 4408. Limitations. (7231h)
- ~~Sec. 5310. Evaluations. (7231i)~~
- Sec. 5314 4409. Authorization of appropriations; reservation. (7231j)

PART E – FAMILY ENGAGEMENT IN EDUCATION PROGRAMS

- Sec. 4501. Purposes. (7241)
- Sec. 4502. Grants authorized. (7242)
- Sec. 4503. Applications. (7243)
- Sec. 4504. Uses of funds. (7244)
- Sec. 4505. Family engagement in Indian schools. (7245)
- Sec. 4506. Authorization of appropriations. (7246)

PART F – NATIONAL ACTIVITIES

- Sec. 4601. Authorization of appropriations; reservations. (7251)

Subpart 1 – Education Innovation and Research

- Sec. 4611. Grants for education innovation and research. (7261)

Subpart 2 – Community Support for School Success

- Sec. 4621. Purposes. (7271)
- Sec. 4622. Definitions. (7272)
- Sec. 4623. Program authorized. (7273)
- Sec. 4624. Promise neighborhoods. (7274)
- Sec. 4625. Full-service community schools. (7275)

Subpart 3 – National Activities for School Safety

- Sec. 4631. National activities for school safety. (7281)

Subpart 4 – Academic Enrichment

- Sec. 4641. Awards for academic enrichment. (7291)
- Sec. 4642. Assistance for arts education. (7292)
- Sec. 4643. Ready to learn programming. (7293)
- Sec. 4644. Supporting high-ability learners and learning. (7294)

TITLE V – PROMOTING INFORMED PARENTAL CHOICE AND INNOVATIVE PROGRAMS

TITLE VI V – FLEXIBILITY AND ACCOUNTABILITY

~~TITLE V, PART A – INNOVATIVE PROGRAMS (§§5101 – 5146)~~

~~TITLE V, PART B – PUBLIC CHARTER SCHOOLS~~

~~Subpart 1 – (transferred to Title IV-C)~~

~~Subpart 2 – Credit Enhancement Initiatives To Assist Charter School Facility Acquisition, Construction, and Renovation (§§5221 – 5231) (but see §4304)~~

~~Subpart 3 – Voluntary Public School Choice Programs (§§5241 – 5248)~~

~~TITLE V, PART C – MAGNET SCHOOLS ASSISTANCE (transferred to Title IV-C)~~

~~TITLE V, PART D – FUND FOR THE IMPROVEMENT OF EDUCATION (§§5401 – 5618)~~

TITLE VI, PART A — IMPROVING ACADEMIC ACHIEVEMENT

~~Subpart 1 — Accountability (§§6111 — 6113)~~

~~Subpart 2~~ PART A — FUNDING TRANSFERABILITY FOR STATE AND LOCAL EDUCATIONAL AGENCIES

- Sec. ~~6124~~ 5101. Short title. (7305)
Sec. ~~6122~~ 5102. Purpose. (7305a)
Sec. ~~6123~~ 5103. Transferability of funds. (7305b)

~~Subpart 3 — State and Local Flexibility Demonstration (§§6131 — 6164)~~

PART B — RURAL EDUCATION INITIATIVE

- Sec. ~~6204~~ 5201. Short title. (7341)
Sec. ~~6202~~ 5202. Purpose. (7341a)

Subpart 1 — Small, Rural School Achievement Program

- Sec. ~~6214~~ 5211. Use of applicable funding. (7345)
Sec. ~~6212~~ 5212. Grant program authorized. (7345a)
Sec. ~~6213~~ 5213. ~~Accountability.~~ (7345b)

Subpart 2 — Rural and Low-Income School Program

- Sec. ~~6224~~ 5221. Program authorized. (7351)
Sec. ~~6222~~ 5222. Uses of funds. (7351a)
Sec. ~~6223~~ 5223. Applications. (7351b)
Sec. ~~6224~~ 5224. ~~Accountability Report.~~ (7351c)
Sec. 5225. *Choice of participation.* (7351d)

Subpart 3 — General Provisions

- Sec. ~~6234~~ 5231. Annual average daily attendance determination. (7355)
Sec. ~~6232~~ 5232. Supplement, not supplant. (7355a)
Sec. ~~6233~~ 5233. Rule of construction. (7355b)
Sec. ~~6234~~ 5234. Authorization of appropriations. (7355c)

PART C — GENERAL PROVISIONS

- Sec. ~~6304~~ 5301. Prohibition against Federal mandates, direction, or control. (7371)
Sec. ~~6302~~ 5302. Rule of construction on equalized spending. (7372)

TITLE VII VI — INDIAN, NATIVE HAWAIIAN, AND ALASKA NATIVE EDUCATION

PART A — INDIAN EDUCATION

- Sec. 7404 6101. Statement of policy. (7401)
Sec. 7402 6102. Purpose. (7402)

Subpart 1 — Formula Grants to Local Educational Agencies

- Sec. 7414 6111. Purpose. (7421)

- Sec. ~~7112~~ 6112. Grants to local educational agencies and tribes. (7422)
- Sec. ~~7113~~ 6113. Amount of grants. (7423)
- Sec. ~~7114~~ 6114. Applications. (7424)
- Sec. ~~7115~~ 6115. Authorized services and activities. (7425)
- Sec. ~~7116~~ 6116. Integration of services authorized. (7426)
- Sec. ~~7117~~ 6117. Student eligibility forms. (7427)
- Sec. ~~7118~~ 6118. Payments. (7428)
- Sec. ~~7119~~ 6119. State educational agency review. (7429)

Subpart 2 — Special Programs and Projects to Improve Educational Opportunities for Indian Children

- Sec. ~~7121~~ 6121. Improvement of educational opportunities for Indian children *and youth*. (7441)
- Sec. ~~7122~~ 6122. Professional development for teachers and education professionals. (7422)

Subpart 3 — National Activities

- Sec. ~~7131~~ 6131. National research activities. (7451)
- Sec. ~~7132~~ ~~6132~~. ~~In-service training for teachers of Indian children.~~ (7452)
- Sec. ~~7133~~ ~~6133~~. ~~Fellowships for Indian students.~~ (7453)
- Sec. ~~7134~~. ~~Gifted and talented Indian students.~~ (7454)
- Sec. ~~7135~~ 6132. Grants to tribes for education administrative planning, ~~and~~ development, *and coordination*. ~~(7455)~~ (7452)
- Sec. ~~7136~~ ~~6136~~. ~~Improvement of educational opportunities for adult Indians.~~ (7456)
- Sec. 6133. *Native American and Alaska Native language immersion schools and programs.* (7453)

Subpart 4 — Federal Administration

- Sec. ~~7141~~ 6141. National Advisory Council on Indian Education. (7471)
- Sec. ~~7142~~ 6142. Peer review. (7472)
- Sec. ~~7143~~ 6143. Preference for Indian applicants. (7473)
- Sec. ~~7144~~ 6144. Minimum grant criteria. (7474)

Subpart 5 — Definitions; Authorizations of Appropriations

- Sec. ~~7151~~ 6151. Definitions. (7491)
- Sec. ~~7152~~ 6152. Authorizations of appropriations. (7492)

PART B — NATIVE HAWAIIAN EDUCATION

- Sec. ~~7201~~ 6201. Short title. (7511)
- Sec. ~~7202~~ 6202. Findings. (7512)
- Sec. ~~7203~~ 6203. Purposes. (7513)
- Sec. ~~7204~~ 6204. Native Hawaiian Education Council ~~and island councils~~. (7514)
- Sec. ~~7205~~ 6205. Program authorized. (7515)
- Sec. ~~7206~~ 6206. Administrative provisions. (7516)
- Sec. ~~7207~~ 6207. Definitions. (7517)

PART C — ALASKA NATIVE EDUCATION

- Sec. ~~7301~~ 6301. Short title. (7541)
- Sec. ~~7302~~ 6302. Findings. (7542)
- Sec. ~~7303~~ 6303. Purposes. (7543)
- Sec. ~~7304~~ 6304. Program authorized. (7544)
- Sec. ~~7305~~ 6305. Administrative provisions. (7545)

Sec. 7306 6306. Definitions. (7546)

TITLE VIII VII — IMPACT AID

Sec. ~~8004~~ 7001. Purpose. (7701)
Sec. ~~8002~~ 7002. Payments relating to Federal acquisition of real property. (7702)
Sec. ~~8003~~ 7003. Payments for eligible federally connected children. (7703)
Sec. ~~8004~~ 7004. Policies and procedures relating to children residing on Indian lands. (7704)
Sec. ~~8005~~ 7005. Application for payments under sections ~~8002~~ 7002 and ~~8003~~ 7003. (7705)
Sec. ~~8007~~ 7007. Construction. (7707)
Sec. ~~8008~~ 7008. Facilities. (7708)
Sec. ~~8009~~ 7009. State consideration of payments in providing State aid. (7709)
Sec. ~~8010~~ 7010. Federal administration. (7710)
Sec. ~~8011~~ 7011. Administrative hearings and judicial review. (7711)
Sec. ~~8012~~ 7012. Forgiveness of overpayments. (7712)
Sec. ~~8013~~ 7013. Definitions. (7713)
Sec. ~~8014~~ 7014. Authorization of appropriations. (7714)

TITLE IX VIII — GENERAL PROVISIONS

PART A — DEFINITIONS

Sec. ~~9101~~ 8101. Definitions. (7801)
Sec. ~~9102~~ 8102. Applicability of title. (7802)
Sec. ~~9103~~ 8103. Applicability to Bureau of Indian Affairs *Education* operated schools. (7803)

PART B — FLEXIBILITY IN THE USE OF ADMINISTRATIVE AND OTHER FUNDS

Sec. ~~9201~~ 8201. Consolidation of State administrative funds for elementary and secondary education programs. (7821)
Sec. ~~9202~~ 8202. Single local educational agency States. (7822)
Sec. ~~9203~~ 8203. Consolidation of funds for local administration. (7823)
Sec. ~~9204~~ 8204. Consolidated set-aside for Department of the Interior funds. (7824)
Sec. 8205. *Department staff.* (7825)

PART C — COORDINATION OF PROGRAMS; CONSOLIDATED STATE AND LOCAL PLANS AND APPLICATIONS

Sec. ~~9301~~ 8301. Purposes. (7841)
Sec. ~~9302~~ 8302. Optional consolidated State plans or applications. (7842)
Sec. ~~9303~~ 8303. Consolidated reporting. (7843)
Sec. ~~9304~~ 8304. General applicability of State educational agency assurances. (7844)
Sec. ~~9305~~ 8305. Consolidated local plans or applications. (7845)
Sec. ~~9306~~ 8306. Other general assurances. (7846)

PART D — WAIVERS

Sec. ~~9401~~ 8401. Waivers of statutory and regulatory requirements. (7861)

PART E — APPROVAL AND DISAPPROVAL OF STATE PLANS AND LOCAL APPLICATIONS

Sec. 8451. *Approval and disapproval of State plans.* (7871)
Sec. 8452. *Approval and disapproval of local educational agency applications.* (7872)

PART E F — UNIFORM PROVISIONS

Subpart 1 — Private Schools

- Sec. ~~9501~~ 8501. Participation by private school children and teachers. (7881)
- Sec. ~~9502~~ 8502. Standards for by-pass. (7882)
- Sec. ~~9503~~ 8503. Complaint process for participation of private school children. (7883)
- Sec. ~~9504~~ 8504. By-pass determination process. (7884)
- Sec. ~~9505~~ 8505. Prohibition against funds for religious worship or instruction. (7885)
- Sec. ~~9506~~ 8506. Private, religious, and home schools. (7886)

Subpart 2 — Other Provisions

- Sec. ~~9524~~ 8521. Maintenance of effort. (7901)
- Sec. ~~9522~~ 8522. Prohibition regarding State aid. (7902)
- Sec. ~~9523~~ 8523. Privacy of assessment results. (7903)
- Sec. ~~9524~~ 8524. School prayer. (7904)
- Sec. ~~9525~~ 8525. Equal access to public school facilities. (7905)
- Sec. ~~9526~~ 8526. ~~General prohibitions~~ *Prohibited uses of funds.* (7906)
- Sec. ~~8526A~~. *Prohibition against Federal mandates, direction, and control.* (7906a)
- Sec. ~~9527~~ 8527. Prohibitions on Federal Government and use of Federal funds. (7907)
- Sec. ~~9528~~ 8528. Armed Forces recruiter access to students and student recruiting information. (7908)
- Sec. ~~9529~~ 8529. Prohibition on federally sponsored testing. (7909)
- Sec. ~~9530~~ 8530. Limitations on national testing or certification for teachers, *principals, or other school leaders.* (7910)
- Sec. ~~8530A~~. *Prohibition on requiring State participation.* (7910a)
- Sec. ~~9534~~ 8531. Prohibition on nationwide database. (7911)
- Sec. ~~9532~~ 8532. Unsafe school choice option. (7912)
- Sec. ~~9533~~ 8533. Prohibition on discrimination. (7913)
- Sec. ~~9534~~ 8534. Civil rights. (7914)
- Sec. ~~9535~~ 8535. Rulemaking. (7915)
- Sec. ~~9536~~ 8536. Severability. (7916)
- Sec. ~~4155~~ 8537. Transfer of school disciplinary records. ~~(7165)~~ (7917)
- Sec. ~~8538~~. *Consultation with Indian tribes and tribal organizations.* (7918)
- Sec. ~~8539~~. *Outreach and technical assistance for rural local educational agencies.* (7919)
- Sec. ~~8540~~. *Consultation with the Governor.* (7920)
- Sec. ~~8541~~. *Local governance.* (7921)
- Sec. ~~8542~~. *Rule of construction regarding travel to and from school.* (7922)
- Sec. ~~8543~~. *Limitations on school-based health centers.* (7923)
- Sec. ~~8544~~. *State control over standards.* (7924)
- Sec. ~~8545~~. *Sense of Congress on protecting student privacy.* (7925)
- Sec. ~~8546~~. *Prohibition on aiding and abetting sexual abuse.* (7926)
- Sec. ~~8547~~. *Sense of Congress on restoration of State sovereignty over public education.* (7927)
- Sec. ~~8548~~. *Privacy.* (7928)
- Sec. ~~8549~~. *Analysis and periodic review of departmental guidance.* (7929)
- Sec. ~~8549A~~. *Sense of Congress.* (7930)
- Sec. ~~8549B~~. *Sense of Congress on early learning and child care.* (7931)
- Sec. ~~8549C~~. *Technical assistance.* (7932)

Subpart 3 — Teacher Liability Protection (*transferred from Title II-C-5*)

- Sec. ~~2364~~ 8551. Short title. ~~(6734)~~ (7941)
- Sec. ~~2362~~ 8552. Purpose. ~~(6732)~~ (7942)

- Sec. ~~2363~~ 8553. Definitions. ~~(6733)~~ (7943)
Sec. ~~2364~~ 8554. Applicability. ~~(6734)~~ (7944)
Sec. ~~2365~~ 8555. Preemption and election of State nonapplicability. ~~(6735)~~ (7945)
Sec. ~~2366~~ 8556. Limitation on liability for teachers. ~~(6736)~~ (7946)
Sec. ~~2367~~ 8557. Allocation of responsibility for noneconomic loss. ~~(6737)~~ (7947)
Sec. ~~2368~~ 8558. Effective date. ~~(6738)~~ (7948)

Subpart 4 – Gun Possession (*transferred from Title IV-A-3*)

- Sec. 4144 8561. Gun-free requirements. ~~(7154)~~ (7961)

Subpart 5 — Environmental Tobacco Smoke (*transferred from Title IV-C*)

- Sec. ~~4301~~ 8571. Short title. ~~(7181)~~ (7971)
Sec. ~~4302~~ 8572. Definitions. ~~(7182)~~ (7972)
Sec. ~~4303~~ 8573. Nonsmoking policy for children's services. ~~(7183)~~ (7973)
Sec. ~~4304~~ 8574. Preemption. ~~(7184)~~ (7974)

PART F G — Evaluations

- Sec. ~~9601~~ 8601. Evaluations. ~~(7941)~~ (7981)

[END]