Section 862, Pub. L. 89–10, title V, § 502, Apr. 11, 1965, 79 Stat. 48; Pub. L. 89–750, title I, § 152(c), Nov. 3, 1966, 80 Stat. 1203; Pub. L. 90–247, title I, §§ 142(a), 143, 145(b)(1), (2), Jan. 2, 1968, 81 Stat. 799, 800; Pub. L. 91–230, title I, § 143(a)(4)(B), Apr. 13, 1970, 84 Stat. 142; Pub. L. 93–380, title VIII, § 843(a)(2), (3), Aug. 21, 1974, 88 Stat. 611, related to the apportionment of grant funds among States.

Section 863, Pub. L. 89–10, title V, § 503, Apr. 11, 1965, 79 Stat. 49; Pub. L. 89–750, title I, §§ 152(a), 154, Nov. 3, 1966, 80 Stat. 1203, 1204; Pub. L. 90–247, title I, §§ 144, 145(a), Jan. 2, 1968, 81 Stat. 799, 800; Pub. L. 91–230, title I, §§ 142(a), 143(a)(4)(C), Apr. 13, 1970, 84 Stat. 142; Pub. L. 92–318, title V, § 509(a)(3), June 23, 1972, 86 Stat. 353, related to programs and activities covered.

Section 864, Pub. L. 89–10, title V, § 504, Apr. 11, 1965, 79 Stat. 50; Pub. L. 89–750, title I, § 152(d), Nov. 3, 1966, 80 Stat. 1203; Pub. L. 91–230, title I, § 143(a)(4)(B), Apr. 13, 1970, 84 Stat. 142, related to the findings prerequisite to the approval of applications for apportioned funds.

Section 865, Pub. L. 89–10, title V, § 505, Apr. 11, 1965, 79 Stat. 51; Pub. L. 90–247, title I, §§ 145(b)(3), 146, Jan. 2, 1968, 81 Stat. 800, related to special project grants.

PART B—LOCAL EDUCATIONAL AGENCIES

§§ 866 to 866d. Omitted

CODIFICATION

Sections were omitted in the general revision of title V of the Elementary and Secondary Education Act of 1965, Pub. L. 89–10, title V, Apr. 11, 1965, 79 Stat. 47, by Pub. L. 95–561, title V, § 501, Nov. 1, 1978, 92 Stat. 2240.

Section 866, Pub. L. 89–10, title V, § 521, as added Pub. L. 91–230, title I, § 143(a)(4)(D), Apr. 13, 1970, 84 Stat. 142; amended Pub. L. 93–380, title I, § 104(b), Aug. 21, 1974, 88 Stat. 503; Pub. L. 95–112, § 2(e)(2), Sept. 24, 1977, 91 Stat. 911, authorized appropriations for grants to local educational agencies for fiscal years ending prior to Oct. 1, 1979.

A prior section 866, Pub. L. 89–10, title V, § 506, Apr. 11, 1965, 79 Stat. 51, provided for payments to States: installments; advances or reimbursement; and adjustments, prior to repeal by Pub. L. 91–230, title I, § 143(a)(4)(A), Apr. 13, 1970, 84 Stat. 142.

Section 866a, Pub. L. 89–10, title V, § 522, as added Pub. L. 91–230, title I, § 143(a)(4)(D), Apr. 13, 1970, 84 Stat. 143; amended Pub. L. 93–380, title VIII, § 843(a)(2), (3), Aug. 21, 1974, 88 Stat. 611, related to the apportionment of grant funds among States.

Section 866b, Pub. L. 89–10, title V, § 523, as added Pub. L. 91–230, title I, § 143(a)(4)(D), Apr. 13, 1970, 84 Stat. 143, related to grants from apportioned funds and to the programs and activities covered.

Section 866c, Pub. L. 89–10, title V, § 524, as added Pub. L. 91–230, title I, § 143(a)(4)(D), Apr. 13, 1970, 84 Stat. 144, related to the approval of applications by the Commissioner.

Section 866d, Pub. L. 89–10, title V, § 525, as added Pub. L. 91–230, title I, § 143(a)(4)(D), Apr. 13, 1970, 84 Stat. 144, related to the approval of applications by State educational agencies.

PART C—COMPREHENSIVE EDUCATIONAL PLANNING AND EVALUATION

§§ 867 to 867c. Omitted

CODIFICATION

Sections were omitted in the general revision of title V of the Elementary and Secondary Education Act of 1965, Pub. L. 89–10, title V, Apr. 11, 1965, 79 Stat. 47, by Pub. L. 95–561, title V, § 501, Nov. 1, 1978, 92 Stat. 2240.

Section 867, Pub. L. 89–10, title V, § 531, as added Pub. L. 91–230, title I, § 143(a)(4)(D), Apr. 13, 1970, 84 Stat. 145; amended Pub. L. 93–380, title I, § 104(c), title VIII, § 843(a)(2), (3), Aug. 21, 1974, 88 Stat. 503, 611; Pub. L. 95–112, § 2(e)(3), Sept. 24, 1977, 91 Stat. 911, authorized the appropriation of funds for comprehensive planning and evaluation grants for fiscal years ending prior to Oct. 1, 1979.

A prior section 867, Pub. L. 89–10, title V, § 507, Apr. 11, 1965, 79 Stat. 51, as amended, was renumbered § 553 by Pub. L. 91–230, title I, § 143(a)(3), Apr. 13, 1970, 84 Stat. 142, and was classified to section 869b of this title which was repealed by Pub. L. 91–648, title IV, § 403, Jan. 5, 1971, 84 Stat. 1925.

Section 867a, Pub. L. 89–10, title V, § 532, as added Pub. L. 91–230, title I, § 143(a)(4)(D), Apr. 13, 1970, 84 Stat. 146, related to comprehensive planning and evaluation grants and to the establishment and functioning of State planning and evaluation agencies.

Section 867b, Pub. L. 89–10, title V, § 533, as added Pub. L. 91–230, title I, § 143(a)(4)(D), Apr. 13, 1970, 84 Stat. 147, related to the form and content of grant applications.

Section 867c, Pub. L. 89–10, title V, § 534, as added Pub. L. 91–230, title I, § 143(a)(4)(D), Apr. 13, 1970, 84 Stat. 148, related to the required annual reports.

§ 868. Omitted

CODIFICATION

Section, Pub. L. 89–10, title V, § 541, as added Pub. L. 91–230, title I, § 143(a)(4)(D), Apr. 13, 1970, 84 Stat. 148; amended Pub. L. 95–112, § 2(e)(4), Sept. 24, 1977, 91 Stat. 912, which provided for the establishment of a National Council on Quality in Education and State advisory councils, was omitted in the general revision of title V of the Elementary and Secondary Education Act of 1965, Pub. L. 89–10, title V, Apr. 11, 1965, 79 Stat. 47, by Pub. L. 95–561, title V, § 501, Nov. 1, 1978, 92 Stat. 2240.

A prior section 868, Pub. L. 89–10, title V, § 508, Apr. 11, 1965, 79 Stat. 54, which provided for administration of State plan, was repealed by Pub. L. 91–230, title I, § 143(a)(4)(A), Apr. 13, 1970, 84 Stat. 142.

Provisions similar to those comprising subsecs. (a)(1), (2)(A), (E), and (a)(3) of this section were contained in section 510(a), (b), (d) of Pub. L. 89–10, title V, Apr. 11, 1965, 79 Stat. 54, which was classified to section 870(a), (b), (d) of this title, prior to repeal of section 870 and general amendment of title V by section 143(a)(4)(A) and (D) of Pub. L. 91–230, respectively.

PART E—GENERAL PROVISIONS

§§ 869, 869a. Omitted

CODIFICATION

Section 869, Pub. L. 89–10, title V, § 551, as added Pub. L. 91–230, title I, § 143(a)(4)(D), Apr. 13, 1970, 84 Stat. 150, which related to the administration of plans, to hearings, and to the steps following a failure to comply with the provisions related of this subchapter, was omitted in the general revision of title V of the Elementary and Secondary Education Act of 1965, Pub. L. 89–10, title V, Apr. 11, 1965, 79 Stat. 47, by Pub. L. 95–561, title V, § 501, Nov. 1, 1978, 92 Stat. 2240.

A prior section 869, Pub. L. 89–10, title V, § 509, Apr. 11, 1965, 79 Stat. 54, which provided for judicial review, was repealed by Pub. L. 91–230, title I, § 143(a)(4)(A), Apr. 13, 1970, 84 Stat. 142.

Provisions similar to those comprising this section were contained in section 508 of Pub. L. 89–10, title V, Apr. 11, 1965, 79 Stat. 54, which was classified to section 868 of this title, prior to repeal of section 868 and general amendment of title V by section 143(a)(4)(A) and (D) of Pub. L. 91–230, respectively.

Section 869a, Pub. L. 89–10, title V, § 552, as added Pub. L. 91–230, title I, § 143(a)(4)(D), Apr. 13, 1970, 84 Stat. 151, which provided for judicial review of Commissioner's decision concerning approval of application or withholding of payments, was omitted in the general revision of title V of the Elementary and Secondary Education Act of 1965, Pub. L. 89–10, title V, Apr. 11, 1965, 79 Stat. 47, by Pub. L. 95–561, title V, § 501, Nov. 1, 1978, 92 Stat. 2240.

Provisions similar to those comprising this section were contained in section 509 of Pub. L. 89–10, title V,

Apr. 11, 1965, 79 Stat. 54, which was classified to section 869 of this title, prior to repeal of section 869 and general amendment of title V by section 143(a)(4)(A) and (D) of Pub. L. 91–230, respectively.

§ 869b. Repealed. Pub. L. 91–648, title IV, § 403, Jan. 5, 1971, 84 Stat. 1925

Section, Pub. L. 89–10, title V, § 553, formerly § 507, Apr. 11, 1965, 79 Stat. 51, amended Pub. L. 89–750, title I, § 153, Nov. 3, 1966, 80 Stat. 1204; renumbered and amended Pub. L. 91–230, title I, § 143(a)(3), Apr. 13, 1970, 84 Stat. 142, relating to interchange of personnel of Office of Education with States, provided in subsec. (a), definitions; subsec. (b), authorization for interchange and period of assignment; subsec. (c), Federal personnel assigned to States, compensation, continuation of Federal employment benefits, and disability; subsec. (d), reimbursement by States for services of assigned Federal personnel; subsec. (e), travel expenses of assigned Federal personnel; subsec. (f), State personnel assigned duty with Office of Education; subsec. (g), conflict of interest, disability of State personnel assigned with Office of Education; subsec. (h), travel expenses of assigned personnel; and subsec. (i), assignments of personnel subject to regulations of Commissioner.

EFFECTIVE DATE OF REPEAL

Repeal effective sixty days after Jan. 5, 1971, see section 404 of Pub. L. 91–648, set out as an Effective Date note under section 3371 of Title 5, Government Organization and Employees.

§ 870. Repealed. Pub. L. 91–230, title I, § 143(a)(4)(A), title IV, § 401(h)(3), Apr. 13, 1970, 84 Stat. 142, 174

Section, Pub. L. 89–10, title V, § 510, Apr. 11, 1965, 79 Stat. 54, related to the Advisory Council on State Departments of Education, providing in: subsec. (a) for its appointment by the Secretary within ninety days after April 11, 1965 and its functions; subsec. (b) for the membership and their qualifications; subsec. (c) for engagement of technical, clerical, and other assistance and access to pertinent data of the Department; subsec. (d) for an annual report to the Secretary and transmittal of it to the President and Congress; and (e) for compensation ($100 per day limitation, including travel time) and travel expenses of members of the Council.

SUBCHAPTER IV—EDUCATION OF HANDICAPPED CHILDREN

§§ 871 to 880a. Repealed. Pub. L. 91–230, title VI, § 662(3), Apr. 13, 1970, 84 Stat. 188

Section 871, Pub. L. 89–10, title VI, § 601, formerly § 601(a), as added Pub. L. 89–750, title I, § 161, Nov. 3, 1966, 80 Stat. 1204; renumbered § 601 and amended Pub. L. 90–247, title I, §§ 151(4), 152(b)(2), title III, § 301(c)(1), Jan. 2, 1968, 81 Stat. 800, 803, 813, authorized grants to States for education of handicapped children.

Section 872, Pub. L. 89–10, title VI, § 602, formerly § 601(b), as added Pub. L. 89–750, title I, § 161, Nov. 3, 1966, 80 Stat. 1204; renumbered § 602 and amended Pub. L. 90–247, title I, §§ 151(4), 152(b)(3), title III, § 301(c)(2), Jan. 2, 1968, 81 Stat. 800, 803, 813, authorized appropriations of $50,000,000; $150,000,000; $162,500,000; and $200,000,000 for fiscal years ending June 30, 1967, 1968, 1969, 1970, respectively.

Section 873, Pub. L. 89–10, title VI, § 603, as added Pub. L. 89–750, title I, § 161, Nov. 3, 1966, 80 Stat. 1205; amended Pub. L. 90–247, title I, §§ 152(b)(3), 153 Jan. 2, 1968, 81 Stat. 803, 804, related to allotment of appropriated funds: additional appropriation for outlying areas, payments to Secretaries of Interior and Defense, allotment among States; determination of population figures by Commissioner; reallotment.

Section 874, Pub. L. 89–10, title VI, § 604, as added Pub. L. 89–750, title I, § 161, Nov. 3, 1966, 80 Stat. 1205; amended Pub. L. 90–247, title I, § 151(4), Jan. 2, 1968, 81 Stat. 800, related to submission of State plans to Commissioner and requirements of such plans.

Section 875, Pub. L. 89–10, title VI, § 605, as added Pub. L. 89–750, title I, § 161, Nov. 3, 1966, 80 Stat. 1207, provided for payments.

Section 876, Pub. L. 89–10, tile VI, § 606, as added Pub. L. 89–750, title I, § 161, Nov. 3, 1966, 80 Stat. 1207; amended Pub. L. 90–247, title I, § 151(4), Jan. 2, 1968, 81 Stat. 800, related to administration of State plans.

Section 877, Pub. L. 89–10, title VI, § 607, as added Pub. L. 89–750, title I, § 161, Nov. 3, 1966, 80 Stat. 1207, provided for judicial review: jurisdiction, record; findings, substantial evidence, remand; review by United States Supreme Court.

Section 877a, Pub. L. 89–10, title VI, § 608, as added Pub. L. 90–247, title I, § 151(5), Jan. 2, 1968, 81 Stat. 801, related to regional resource centers: authorization of appropriations of $7,500,000; $7,750,000; and $10,000,000 for fiscal years ending June 30, 1968, 1969, and 1970, respectively; availability of appropriations for grants and contracts, functions of centers; considerations governing approval, of application; and manner of payment, adjustment of overpayments and underpayments.

Section 877b, Pub. L. 89–10, title VI, § 609, as added Pub. L. 90–247, title I, § 151(5), Jan. 2, 1968, 81 Stat. 801, related to model centers for deaf-blind children: Congressional declaration of purpose; authorization of Secretary to make grants and contracts; considerations governing making of grants or contracts; necessary services to be provided by centers; payment of costs of research, development, training and dissemination; definition of ''construction''; recovery of payments; determination of children who are both deaf and blind; manner of payment, adjustment of overpayments and underpayments; and authorization of appropriations of $1,000,000; $3,000,000; and $7,000,000 for fiscal years ending June 30, 1968, 1969, and 1970, respectively.

Section 877c, Pub. L. 89–10, title VI, § 610, as added Pub. L. 90–247, title I, § 151(5), Jan. 2, 1968, 81 Stat. 803, authorized grants or contracts to improve recruitment of educational personnel and dissemination of information concerning educational opportunities for handicapped.

Section 878, Pub. L. 89–10, title VI, § 611, formerly § 608, as added Pub. L. 89–750, title I, § 161, Nov. 3, 1966, 80 Stat. 1207; renumbered § 611, Pub. L. 90–247, title I, § 151(3), Jan. 2, 1968, 81 Stat. 800, provided for National Advisory Committee on Handicapped Children: membership; functions, annual report, recommendations; compensation, travel and per diem expenses; advisory professional and technical personnel.

Section 879, Pub. L. 89–10, title VI, § 612, formerly § 609, as added Pub. L. 89–750, title I, § 161, Nov. 3, 1966, 80 Stat. 1208; renumbered § 612, Pub. L. 90–247, title I, § 151(3), Jan. 2, 1968, 81 Stat. 800, provided for a bureau for education and training of the handicapped.

Section 880, Pub. L. 89–10, title VI, § 613, formerly § 610, as added Pub. L. 89–750, title I, § 161, Nov. 3, 1966, 80 Stat. 1208; renumbered § 613, Pub. L. 90–247, title I, § 151(3), Jan. 2, 1968, 81 Stat. 800, provided for labor standards requirement (prevailing wage rates).

Section 880a, Pub. L. 89–10, title VI, § 614, formerly § 602, as added Pub. L. 89–750, title I, § 161, Nov. 3, 1966, 80 Stat. 1204; renumbered § 614, Pub. L. 90–247, title I, § 152(a), Jan. 2, 1968, 81 Stat. 803, defined ''handicapped children''.

Such sections 871 to 877 comprised Part A—Assistance to States for education of handicapped children.

Section 877a comprised Part B—Regional resource centers for improvement of education of handicapped children.

Section 877b comprised Part C—Centers and services for deaf-blind children.

Section 877c comprised Part D—Recruitment of personnel and information on education of handicapped.

Sections 878 to 880a comprised Part E—General provisions.

EFFECTIVE DATE OF REPEAL

Repeal effective July 1, 1971, see section 662 of Pub. L. 91–230.