

98-211, §21(b), Dec. 8, 1983, 97 Stat. 1418; renumbered §8003, Pub. L. 100-297, title I, §1002(a), Apr. 28, 1988, 102 Stat. 293; renumbered title IX, §9003, Pub. L. 103-227, title X, §1032(1), (2), Mar. 31, 1994, 108 Stat. 270, related to waiver of requirements for certain jurisdictions. See section 8881 of this title.

Section 3384, Pub. L. 89-10, title IX, §9004, formerly title VI, §605, Apr. 11, 1965, 79 Stat. 58; renumbered title VII, §705, Pub. L. 89-750, title I, §161, Nov. 3, 1966, 80 Stat. 1204; renumbered title VIII, §805, Pub. L. 90-247, title VII, §702, Jan. 2, 1968, 81 Stat. 816; renumbered title IX, §1004, Pub. L. 95-561, title VIII, §801(1), (2), Nov. 1, 1978, 92 Stat. 2284; renumbered title X, §1004, Pub. L. 96-46, §2(a)(1), Aug. 6, 1979, 93 Stat. 340; renumbered §8004, Pub. L. 100-297, title I, §1002(a), Apr. 28, 1988, 102 Stat. 293; renumbered title IX, §9004, Pub. L. 103-227, title X, §1032(1), (2), Mar. 31, 1994, 108 Stat. 270, related to prohibition against use of funds for religious worship or instruction. See section 8897 of this title.

§ 3385. Repealed. Pub. L. 100-297, title V, §5352(2), Apr. 28, 1988, 102 Stat. 414

Section, Pub. L. 89-10, title X, §1005, formerly title VIII, §810, as added Pub. L. 92-318, title IV, §421(a), June 23, 1972, 86 Stat. 339; amended Pub. L. 93-380, title VI, §§631(a), 632(a), Aug. 21, 1974, 88 Stat. 585, 586; renumbered title IX, §1005, and amended Pub. L. 95-561, title VIII, §801(1), (2), title XI, §§1141(a), 1150(a)-(e), Nov. 1, 1978, 92 Stat. 2284, 2328, 2331-2333; renumbered title X, §1005, and amended Pub. L. 96-46, §§1(21), 2(a)(1), Aug. 6, 1979, 93 Stat. 339, 340; Pub. L. 96-88, title III, §301(a)(1), title V, §507, Oct. 17, 1979, 93 Stat. 677, 692; Pub. L. 98-511, title V, §513(c), Oct. 19, 1984, 98 Stat. 2400, related to improvement of educational opportunities for Indian students.

EFFECTIVE DATE OF REPEAL

Repeal effective July 1, 1988, see section 6303 of Pub. L. 100-297, set out as an Effective Date of 1988 Amendment note under section 1071 of this title.

§§ 3385a, 3385b. Repealed. Pub. L. 100-297, title V, §5352(4), Apr. 28, 1988, 102 Stat. 414

Section 3385a, Pub. L. 92-318, title IV, §422, as added Pub. L. 93-380, title VI, §632(c), Aug. 21, 1974, 88 Stat. 586; amended Pub. L. 95-561, title XI, §§1141(c)(1), 1152(a), Nov. 1, 1978, 92 Stat. 2329, 2333; Pub. L. 96-88, title III, §301(a)(1), title V, §507, Oct. 17, 1979, 93 Stat. 677, 692; Pub. L. 98-511, title V, §513(b)(1), (2), Oct. 19, 1984, 98 Stat. 2400, related to special educational training programs for teachers of Indian people.

Section 3385b, Pub. L. 92-318, title IV, §423, as added Pub. L. 93-380, title VI, §632(c), Aug. 21, 1974, 88 Stat. 586; amended Pub. L. 95-561, title XI, §§1141(c)(2), 1152(b), Nov. 1, 1978, 92 Stat. 2329, 2333; Pub. L. 96-88, title III, §301(a)(1), title V, §507, Oct. 17, 1979, 93 Stat. 677, 692; Pub. L. 98-511, title V, §513(b)(3), (4), Oct. 19, 1984, 98 Stat. 2400; Pub. L. 99-570, title IV, §4133(b)(2), Oct. 27, 1986, 100 Stat. 3207-133, related to fellowships for Indian students.

EFFECTIVE DATE OF REPEAL

Repeal effective July 1, 1988, see section 6303 of Pub. L. 100-297, set out as an Effective Date of 1988 Amendment note under section 1071 of this title.

§ 3386. Omitted

CODIFICATION

Section, Pub. L. 89-10, title IX, §9005, formerly title VIII, §812, as added Pub. L. 93-380, title I, §110, Aug. 21, 1974, 88 Stat. 513; renumbered title IX, §1006, Pub. L. 95-561, title VIII, §801(1), (2), Nov. 1, 1978, 92 Stat. 2284; renumbered title X, §1006, Pub. L. 96-46, §2(a)(1), Aug. 6, 1979, 93 Stat. 340; Pub. L. 96-88, title III, §301(a)(1), title V, §507, Oct. 17, 1979, 93 Stat. 677, 692; renumbered §8005, Pub. L. 100-297, title I, §1002(a), Apr. 28, 1988, 102

Stat. 293; renumbered title IX, §9005, Pub. L. 103-227, title X, §1032(1), (2), Mar. 31, 1994, 108 Stat. 270, which related to open meetings of educational agencies, was omitted in the general amendment of the Elementary and Secondary Education Act of 1965, Pub. L. 89-10, by Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3519. See section 8856 of this title.

CHAPTER 48—DEPARTMENT OF EDUCATION

SUBCHAPTER I—GENERAL PROVISIONS

- Sec.
3401. Congressional findings.
3402. Congressional declaration of purpose.
3403. Relationship with States.
(a) Rights of local governments and educational institutions.
(b) Curriculum, administration, and personnel; library resources.
(c) Funding under pre-existing programs.

3404. Definitions.

SUBCHAPTER II—ESTABLISHMENT OF THE DEPARTMENT

3411. Establishment of Department; appointment of Secretary.
3412. Principal officers.
(a) Deputy Secretary of Education.
(b) Assistant Secretaries and General Counsel.
(c) Inspector General.
(d) Under Secretary of Education.
(e) Additional officers.
(f) Statements of functions of nominees.
(g) Supervision by Secretary.
(h) Coordination of literacy related functions by Assistant Secretary for Vocational and Adult Education.
(i) Liaison for Community and Junior Colleges.
3413. Office for Civil Rights.
(a) Establishment; administration; delegation of functions.
(b) Compliance and enforcement reports; copies submitted to Secretary.
(c) Authority of Assistant Secretary.
3414. Office of Elementary and Secondary Education; inclusion of Office of Migrant Education.
3415. Office of Postsecondary Education.
3416. Office of Vocational and Adult Education.
3417. Office of Special Education and Rehabilitative Services.
3418. Repealed.
3419. Office of Educational Research and Improvement.
3420. Office of Bilingual Education and Minority Languages Affairs.
3421. Office of General Counsel.
3422. Office of Inspector General.
3423. Repealed.
3423a. Office of Correctional Education.
(a) Findings.
(b) Statement of purpose.
(c) Establishment of Office.
(d) Functions of Office.
(e) Definitions.
3423b. Office of Non-Public Education.
3423c. Office of Indian Education.
(a) Office of Indian Education.
(b) Director.
(c) Indian preference in employment.
3423d. Office of Bilingual Education and Minority Languages Affairs.
(a) Establishment.
(b) Director.
3424. Federal Interagency Committee on Education.
(a) Establishment and function.
(b) Coordination of Federal programs, policies and practices.

<p>Sec.</p> <p>(c) Membership.</p> <p>(d) Designation of additional persons to attend meetings.</p> <p>(e) Federal vocational education and training programs study; report.</p> <p>(f) Required meetings; establishment of subcommittees.</p> <p>(g) Support assistance.</p> <p>3425. Office of Educational Technology.</p> <p>(a) Establishment.</p> <p>(b) Director.</p> <p>(c) Officers and employees.</p> <p>(d) Experts and consultants.</p> <p>3426. Liaison for Proprietary Institutions of Higher Education.</p> <p>(a) Establishment.</p> <p>(b) Appointment.</p> <p>(c) Duties.</p> <p>SUBCHAPTER III—TRANSFERS OF AGENCIES AND FUNCTIONS</p> <p>3441. Transfers from Department of Health, Education, and Welfare.</p> <p>(a) Functions transferred to Secretary.</p> <p>(b) Offices, etc., transferred to Department.</p> <p>(c) Administrative functions transferred to Secretary.</p> <p>(d) Reservation of functions relating to Project Head Start.</p> <p>3442. Repealed.</p> <p>3443. Transfers from Department of Labor.</p> <p>(a) Functions relating to programs for the education of migrant and seasonal farmworkers.</p> <p>(b) Authorization to conduct functions.</p> <p>3444. Transfer of programs from National Science Foundation.</p> <p>(a) Science education; exceptions.</p> <p>(b) Authority of Secretary; consultation and advice.</p> <p>(c) Report by Secretary.</p> <p>(d) Reservation of certain Foundation authority.</p> <p>3445. Transfers from Department of Justice.</p> <p>3446. Transfers from Department of Housing and Urban Development.</p> <p>3447. Effect of transfers.</p> <p>SUBCHAPTER IV—ADMINISTRATIVE PROVISIONS</p> <p>PART A—PERSONNEL PROVISIONS</p> <p>3461. Officers and employees.</p> <p>(a) Appointment and compensation.</p> <p>(b) Applicability of General Schedule; termination of authority; exemption from limitations on executive positions.</p> <p>(c) Repealed.</p> <p>(d) Senior Executive Service.</p> <p>(e) Indian preference laws.</p> <p>3462. Experts and consultants.</p> <p>(a) In general.</p> <p>(b) Special rule.</p> <p>3463. Personnel reduction and annual limitations.</p> <p>(a) Work-years limitation; allocations; adjustments.</p> <p>(b) Full-time equivalent personnel reductions.</p> <p>(c) Personnel computations.</p> <p>(d) Report on effects of reorganization on employees.</p> <p>PART B—GENERAL ADMINISTRATIVE PROVISIONS</p> <p>3471. General authority.</p> <p>(a) Force and effect of actions by Secretary.</p> <p>(b) Reporting requirements.</p> <p>3472. Delegation of functions.</p>	<p>Sec.</p> <p>3473. Reorganization of Department.</p> <p>(a) Authorization; limitations.</p> <p>(b) Alteration, consolidation, or discontinuance of statutory and organizational entities.</p> <p>3474. Rules and regulations.</p> <p>3475. Contracts.</p> <p>(a) Authorization of Secretary.</p> <p>(b) Limitations.</p> <p>3476. Regional and field offices.</p> <p>3477. Acquisition and maintenance of property.</p> <p>(a) Authorized properties; establishment of necessary facilities.</p> <p>(b) Day care center facilities.</p> <p>(c) Special purpose facilities.</p> <p>3478. Facilities at remote locations.</p> <p>(a) Authorized services, supplies and facilities.</p> <p>(b) Reimbursements.</p> <p>(c) Appropriation credits and refunds.</p> <p>3479. Use of facilities.</p> <p>(a) Federal, State, local and foreign government facilities.</p> <p>(b) Public and private permittees.</p> <p>(c) Appropriation credits and refunds.</p> <p>(d) Interests in real property.</p> <p>3480. Copyrights and patents.</p> <p>3481. Gifts and bequests.</p> <p>3482. Technical advice.</p> <p>(a) Authorization.</p> <p>(b) Consolidation of applications for grants and contracts.</p> <p>3483. Working capital fund.</p> <p>(a) Establishment; administrative services included.</p> <p>(b) Capital; reimbursement of funds; credit; miscellaneous receipts; transfers.</p> <p>3484. Funds transfer.</p> <p>3485. Seal of Department.</p> <p>3486. Annual report.</p> <p>(a) Contents.</p> <p>(b) Estimate on non-Federal personnel employed.</p> <p>3487. Repealed.</p> <p>3488. Authorization of appropriations.</p> <p>3489. General extension of authorizations.</p> <p>SUBCHAPTER V—TRANSITIONAL, SAVINGS, AND CONFORMING PROVISIONS</p> <p>3501. Transfer and allocation of appropriations and personnel.</p> <p>(a) Personnel and appropriations in connection with functions and offices transferred by this chapter; use of unexpended funds.</p> <p>(b) Positions specified to carry out functions or offices transferred by this chapter.</p> <p>3502. Effect on personnel.</p> <p>(a) Non-separation or non-reduction in grade or compensation of full-time personnel and part-time personnel holding permanent positions.</p> <p>(b) Positions compensated in accordance with Executive Schedule.</p> <p>3503. Agency terminations.</p> <p>(a) Specific terminations.</p> <p>(b) Positions authorized to be compensated at rate prescribed for level IV or V of the Executive Schedule.</p> <p>3504. Incidental transfers.</p> <p>(a) Authorization of Director of Office of Management and Budget; termination of affairs.</p> <p>(b) Transfer of positions within Senior Executive Service.</p> <p>3505. Savings provisions.</p> <p>(a) Orders, determinations, etc.</p>
---	--