

Elementary and Secondary Education Amendments of 1966

[Public Law 89–750]

[As Amended Through P.L. 103-382, Enacted October 20, 1994]

【Currency: This publication is a compilation of the text of Public Law 89-750. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at <https://www.govinfo.gov/app/collection/comps/>】

【Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).】

AN ACT To strengthen and improve programs of assistance for elementary and secondary schools, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, [20 U.S.C. 2701 note] That this Act may be cited as the “Elementary and Secondary Education Amendments of 1966”.

TITLE I—AMENDMENT TO THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

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PART H—RACIAL IMBALANCE AND COMPLIANCE WITH CIVIL RIGHTS ACT OF 1964

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COMPLIANCE WITH CIVIL RIGHTS ACT OF 1964

SEC. 182. 【42 U.S.C. 2000d–5】 The Commissioner of Education shall not defer action or order action deferred on any application by a local educational agency for funds authorized to be appropriated by this Act, by the Elementary and Secondary Education Act of 1965, by the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), by the Act of September 23, 1950 (Public Law 815, Eighty-first Congress)¹, or by the Cooperative Research Act, on the basis of alleged noncompliance with the provisions of title VI of the Civil Rights Act of 1964 for more than sixty days after notice is given to such local agency of such deferral unless such local agency is given the opportunity for a hearing as provided

¹The amendment made by section 392(b)(1) of P.L. 103–382 (108 Stat. 4026) was not executable. The instructions to strike “by the Act of September 23, 1950 (Public Law 815, 81st Congress),” could not be executed because the term “81st” probably should have been “Eighty-first”.

in section 602 of title VI of the Civil Rights Act of 1964, such hearing to be held within sixty days of such notice, unless the time for such hearing is extended by mutual consent of such local agency and the Commissioner, and such deferral shall not continue for more than thirty days after the close of any such hearing unless there has been an express finding on the record of such hearing that such local educational agency has failed to comply with the provisions of title VI of the Civil Rights Act of 1964: *Provided*, That, for the purpose of determining whether a local educational agency is in compliance with title VI of the Civil Rights Act of 1964 (Public Law 88-352), compliance by such agency with a final order or judgment of a Federal court for the desegregation of the school or school system operated by such agency shall be deemed to be in compliance with such title VI, insofar as the matters covered in the order or judgment are concerned.