

## PRIOR PROVISIONS

A prior section 7906, Pub. L. 89-10, title IX, §9206, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3800, authorized grants for a Native Hawaiian higher education program, prior to the general amendment of this subchapter by Pub. L. 107-110.

**§ 7907. Prohibitions on Federal Government and use of Federal funds**

**(a) General prohibition**

Nothing in this chapter shall be construed to authorize an officer or employee of the Federal Government to mandate, direct, or control a State, local educational agency, or school's curriculum, program of instruction, or allocation of State or local resources, or mandate a State or any subdivision thereof to spend any funds or incur any costs not paid for under this chapter.

**(b) Prohibition on endorsement of curriculum**

Notwithstanding any other prohibition of Federal law, no funds provided to the Department under this chapter may be used by the Department to endorse, approve, or sanction any curriculum designed to be used in an elementary school or secondary school.

**(c) Prohibition on requiring Federal approval or certification of standards**

**(1) In general**

Notwithstanding any other provision of Federal law, no State shall be required to have academic content or student academic achievement standards approved or certified by the Federal Government, in order to receive assistance under this chapter.

**(2) Rule of construction**

Nothing in this subsection shall be construed to affect requirements under subchapter I of this chapter or part A of subchapter VI of this chapter.

**(d) Rule of construction on building standards**

Nothing in this chapter shall be construed to mandate national school building standards for a State, local educational agency, or school.

(Pub. L. 89-10, title IX, §9527, as added Pub. L. 107-110, title IX, §901, Jan. 8, 2002, 115 Stat. 1983.)

## PRIOR PROVISIONS

A prior section 7907, Pub. L. 89-10, title IX, §9207, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3801, related to Native Hawaiian gifted and talented program, prior to the general amendment of this subchapter by Pub. L. 107-110.

**§ 7908. Armed Forces recruiter access to students and student recruiting information**

**(a) Policy**

**(1) Access to student recruiting information**

Notwithstanding section 1232g(a)(5)(B) of this title and except as provided in paragraph (2), each local educational agency receiving assistance under this chapter shall provide, on a request made by military recruiters or an institution of higher education, access to secondary school students names, addresses, and telephone listings.

**(2) Consent**

A secondary school student or the parent of the student may request that the student's

name, address, and telephone listing described in paragraph (1) not be released without prior written parental consent, and the local educational agency or private school shall notify parents of the option to make a request and shall comply with any request.

**(3) Same access to students**

Each local educational agency receiving assistance under this chapter shall provide military recruiters the same access to secondary school students as is provided generally to post secondary educational institutions or to prospective employers of those students.

**(b) Notification**

The Secretary, in consultation with the Secretary of Defense, shall, not later than 120 days after January 8, 2002, notify principals, school administrators, and other educators about the requirements of this section.

**(c) Exception**

The requirements of this section do not apply to a private secondary school that maintains a religious objection to service in the Armed Forces if the objection is verifiable through the corporate or other organizational documents or materials of that school.

**(d) Special rule**

A local educational agency prohibited by Connecticut State law (either explicitly by statute or through statutory interpretation by the State Supreme Court or State Attorney General) from providing military recruiters with information or access as required by this section shall have until May 31, 2002, to comply with that requirement.

(Pub. L. 89-10, title IX, §9528, as added Pub. L. 107-110, title IX, §901, Jan. 8, 2002, 115 Stat. 1983.)

## PRIOR PROVISIONS

A prior section 7908, Pub. L. 89-10, title IX, §9208, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3802, related to Native Hawaiian special education programs, prior to the general amendment of this subchapter by Pub. L. 107-110.

**§ 7909. Prohibition on federally sponsored testing**

**(a) General prohibition**

Notwithstanding any other provision of Federal law and except as provided in subsection (b) of this section, no funds provided under this chapter to the Secretary or to the recipient of any award may be used to develop, pilot test, field test, implement, administer, or distribute any federally sponsored national test in reading, mathematics, or any other subject, unless specifically and explicitly authorized by law.

**(b) Exceptions**

Subsection (a) of this section shall not apply to international comparative assessments developed under the authority of section 9543(a)(5) of this title and administered to only a representative sample of pupils in the United States and in foreign nations.

(Pub. L. 89-10, title IX, §9529, as added Pub. L. 107-110, title IX, §901, Jan. 8, 2002, 115 Stat. 1984; amended Pub. L. 107-279, title IV, §404(d)(9), Nov. 5, 2002, 116 Stat. 1986.)