

Par. (21). Pub. L. 115-224, §7(11), inserted “an Indian Tribe, Tribal organization, or Tribal educational agency” after “service agency.”

Pars. (22), (23). Pub. L. 115-224, §7(12), added pars. (22) and (23).

Pars. (25) to (27). Pub. L. 115-224, §7(13), added pars. (25) to (27).

Par. (29). Pub. L. 115-224, §7(14), added par. (29).

Par. (32). Pub. L. 115-224, §7(15), added par. (32).

Par. (33). Pub. L. 115-224, §7(16), substituted “such as careers” for “including careers”.

Pars. (35) to (38). Pub. L. 115-224, §7(17), added pars. (35) to (38).

Par. (39)(C). Pub. L. 115-224, §7(18), substituted “other skilled training” for “apprenticeship”.

Pars. (40) to (43). Pub. L. 115-224, §7(19), added pars. (40) to (43).

Pars. (46), (47). Pub. L. 115-224, §7(20), added pars. (46) and (47).

Par. (48)(B). Pub. L. 115-224, §7(21)(A), substituted “low-income youth and adults” for “foster children”.

Par. (48)(E). Pub. L. 115-224, §7(21)(B), added subpar. (E) and struck out former subpar. (E) which read as follows: “displaced homemakers; and”.

Par. (48)(F). Pub. L. 115-224, §7(21)(C), substituted “English learners;” for “individuals with limited English proficiency.”

Par. (48)(G) to (I). Pub. L. 115-224, §7(21)(D), added subpars. (G) to (I).

Par. (50). Pub. L. 115-224, §7(22), inserted “(including paraprofessionals and specialized instructional support personnel)” after “supportive personnel”.

Par. (52)(A). Pub. L. 115-224, §7(23)(A), substituted “Indian Tribe or Indian Tribes” for “Indian tribe or Indian tribes”.

Par. (52)(D). Pub. L. 115-224, §7(23)(B), substituted “Tribal” for “tribal” and inserted “or tribal lands” after “reservations”.

Pars. (53) to (55). Pub. L. 115-224, §7(24), added pars. (53) to (55).

2015—Par. (8). Pub. L. 114-95, §9215(n)(1)(A), made technical amendment to reference in original act which appears in text as reference to section 7221i of this title.

Par. (11). Pub. L. 114-95, §9215(n)(1)(B), made technical amendment to reference in original act which appears in text as reference to section 7801 of this title.

Par. (19). Pub. L. 114-95, §9215(n)(1)(C), made technical amendment to reference in original act which appears in text as reference to section 7801 of this title.

Par. (27). Pub. L. 114-95, §9215(n)(1)(D), made technical amendment to reference in original act which appears in text as reference to section 7801 of this title.

2008—Par. (33). Pub. L. 110-315 made technical amendment to reference in original act which appears in text as reference to section 1801(a) of title 25.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2019 AMENDMENT

Pub. L. 116-6, div. H, title II, §201(b), Feb. 15, 2019, 133 Stat. 475, provided that: “The amendment made by subsection (a) [amending this section] shall take effect on July 1, 2019, as if included in the Strengthening Career and Technical Education for the 21st Century Act (Public Law 115-224).”

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-224 effective July 1, 2019, see section 4 of Pub. L. 115-224, set out as a note under section 2301 of this title.

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114-95 effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114-95, set out as a note under section 6301 of this title.

§ 2303. Transition provisions

The Secretary shall take such steps as are necessary to provide for the orderly transition

to the authority of this chapter (as amended by the Strengthening Career and Technical Education for the 21st Century Act) from any authority under the provisions of the Carl D. Perkins Vocational and Technical Education Act of 2006,¹ as in effect on the day before July 31, 2018. The Secretary shall give each eligible agency the opportunity to submit a transition plan for the first fiscal year following July 31, 2018.

(Pub. L. 88-210, §4, as added Pub. L. 109-270, §1(b), Aug. 12, 2006, 120 Stat. 690; amended Pub. L. 115-224, §8, July 31, 2018, 132 Stat. 1574.)

Editorial Notes

REFERENCES IN TEXT

This chapter (as amended by the Strengthening Career and Technical Education for the 21st Century Act), referred to in text, is this chapter as amended by Pub. L. 115-224, July 31, 2018, 132 Stat. 1563.

The Carl D. Perkins Vocational and Technical Education Act of 2006, as in effect on the day before July 31, 2018, referred to in text, probably means the Carl D. Perkins Career and Technical Education Act of 2006, which is classified generally to this chapter, as in effect on the day before the enactment of Pub. L. 115-224, July 31, 2018, 132 Stat. 1563, which amended this chapter extensively. A prior version of the Act was named the Carl D. Perkins Vocational and Technical Education Act of 1998, but no act with the title “Carl D. Perkins Vocational and Technical Education Act of 2006” has been enacted.

PRIOR PROVISIONS

A prior section 2303, Pub. L. 88-210, §4, as added Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3082, related to transition provisions, prior to the general amendment of this chapter by Pub. L. 109-270.

Another prior section 2303, Pub. L. 101-392, §4, Sept. 25, 1990, 104 Stat. 758; Pub. L. 104-66, title I, §1041(f), Dec. 21, 1995, 109 Stat. 715, which related to the Interdepartmental Task Force on Vocational Education and Related Programs, was transferred to section 2308 of this title.

AMENDMENTS

2018—Pub. L. 115-224, §8(1), substituted “are necessary” for “the Secretary determines to be appropriate”.

Pub. L. 115-224, §8(2), substituted “as amended by the Strengthening Career and Technical Education for the 21st Century Act” for “as amended by the Carl D. Perkins Career and Technical Education Improvement Act of 2006” and substituted “July 31, 2018” for “August 12, 2006” in two places.

Pub. L. 115-224, §8(3), substituted “Carl D. Perkins Vocational and Technical Education Act of 2006” for “Carl D. Perkins Vocational and Technical Education Act of 1998”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-224 effective July 1, 2019, see section 4 of Pub. L. 115-224, set out as a note under section 2301 of this title.

§ 2304. Privacy

(a) GEPA

Nothing in this chapter shall be construed to supersede the privacy protections afforded parents and students under section 444 of the General Education Provisions Act (20 U.S.C. 1232g).

¹ See References in Text note below.

(b) Prohibition on development of national database

Nothing in this chapter shall be construed to permit the development of a national database of personally identifiable information on individuals receiving services under this chapter.

(Pub. L. 88-210, § 5, as added Pub. L. 109-270, § 1(b), Aug. 12, 2006, 120 Stat. 690.)

Editorial Notes

PRIOR PROVISIONS

A prior section 2304, Pub. L. 88-210, § 5, as added Pub. L. 105-332, § 1(b), Oct. 31, 1998, 112 Stat. 3082, related to privacy, prior to the general amendment of this chapter by Pub. L. 109-270.

§ 2305. Limitation

All of the funds made available under this chapter shall be used in accordance with the requirements of this chapter.

(Pub. L. 88-210, § 6, as added Pub. L. 109-270, § 1(b), Aug. 12, 2006, 120 Stat. 690.)

Editorial Notes

PRIOR PROVISIONS

A prior section 2305, Pub. L. 88-210, § 6, as added Pub. L. 105-332, § 1(b), Oct. 31, 1998, 112 Stat. 3082, related to limitation on use of funds, prior to the general amendment of this chapter by Pub. L. 109-270.

§ 2306. Special rule

In the case of a local community in which no employees are represented by a labor organization, for purposes of this chapter, the term “representatives of employees” shall be substituted for “labor organization”.

(Pub. L. 88-210, § 7, as added Pub. L. 109-270, § 1(b), Aug. 12, 2006, 120 Stat. 690.)

Editorial Notes

PRIOR PROVISIONS

A prior section 2306, Pub. L. 88-210, § 7, as added Pub. L. 105-332, § 1(b), Oct. 31, 1998, 112 Stat. 3083, related to special rule, prior to the general amendment of this chapter by Pub. L. 109-270.

§ 2306a. Prohibitions

(a) Local control

Nothing in this chapter shall be construed to authorize an officer or employee of the Federal Government—

- (1) to condition or incentivize the receipt of any grant, contract, or cooperative agreement, or the receipt of any priority or preference under such grant, contract, or cooperative agreement, upon a State, local educational agency, eligible agency, eligible recipient, eligible entity, or school’s adoption or implementation of specific instructional content, academic standards and assessments, curricula, or program of instruction (including any condition, priority, or preference to adopt the Common Core State Standards developed under the Common Core State Standards Initiative, any other academic standards common to a significant number of States, or any

assessment, instructional content, or curriculum aligned to such standards);

(2) through grants, contracts, or other cooperative agreements, to mandate, direct, or control a State, local educational agency, eligible agency, eligible recipient, eligible entity, or school’s specific instructional content, academic standards and assessments, curricula, or program of instruction (including any requirement, direction, or mandate to adopt the Common Core State Standards developed under the Common Core State Standards Initiative, any other academic standards common to a significant number of States, or any assessment, instructional content, or curriculum aligned to such standards); or

(3) except as required under sections 2322(b), 2391(b), and 2413 of this title—

(A) to mandate, direct, or control the allocation of State or local resources; or

(B) to mandate that a State or a political subdivision of a State spend any funds or incur any costs not paid for under this chapter.

(b) No preclusion of other assistance

Any State that declines to submit an application to the Secretary for assistance under this chapter shall not be precluded from applying for assistance under any other program administered by the Secretary.

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

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

(d) Rule of construction

Nothing in this section affects the applicability of subchapter II of chapter 5, and chapter 7, of title 5 (commonly known as the “Administrative Procedure Act”) or chapter 8 of title 5, commonly¹ known as the “Congressional Review Act”).

(e) Coherent and rigorous content

For the purposes of this chapter, coherent and rigorous content shall be determined by the State consistent with section 6311(b)(1) of this title.

(f) Congressional notice and comment

(1) Notice to Congress

Not less than 15 business days prior to issuing a notice of proposed rulemaking related to this chapter in the Federal Register, the Secretary shall provide to the Committee on Health, Education, Labor, and Pensions of the Senate, the Committee on Education and the Workforce of the House of Representatives, and other relevant congressional committees, notice of the Secretary’s intent to issue a notice of proposed rulemaking that shall include—

- (A) a copy of the proposed regulation;

¹ So in original. Probably should be “title 5 (commonly”).