

**(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, commonly<sup>1</sup> 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;

<sup>1</sup> So in original. Probably should be “title 5 (commonly”).