

subchapter, the Secretary may issue proposed regulations without following such process but shall, immediately thereafter and before issuing final regulations, conduct regional meetings to review such proposed regulations.”

Subsecs. (c), (d). Pub. L. 114-95, §1601(a)(3)–(5), added subsec. (c), redesignated former subsec. (c) as (d), and in subsec. (d) substituted “this subchapter” for “this part”.

Subsec. (e). Pub. L. 114-95, §1601(a)(6), added subsec. (e).

Statutory Notes and Related Subsidiaries

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.

§ 6572. Agreements and records

(a) Agreements

In any case in which a negotiated rulemaking process is established under section 6571(b) of this title, all published proposed regulations shall conform to agreements that result from the rulemaking described in section 6571 of this title unless the Secretary reopens the negotiated rulemaking process.

(b) Records

The Secretary shall ensure that an accurate and reliable record of agreements reached during the negotiations process is maintained.

(Pub. L. 89-10, title I, §1602, formerly §1902, as added Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1618; renumbered §1602 and amended Pub. L. 114-95, title I, §§1501(a)(4), 1601(b), Dec. 10, 2015, 129 Stat. 1906, 1912.)

Editorial Notes

PRIOR PROVISIONS

A prior section 1602 of Pub. L. 89-10 was classified to section 6512 of this title, prior to repeal by Pub. L. 114-95.

Another prior section 1602 of Pub. L. 89-10 was classified to section 6512 of this title, prior to the general amendment of this subchapter by Pub. L. 107-110.

AMENDMENTS

2015—Subsec. (a). Pub. L. 114-95, §1601(b), amended subsec. (a) generally. Prior to amendment, text read as follows: “All published proposed regulations shall conform to agreements that result from negotiated rulemaking described in section 6571 of this title unless the Secretary reopens the negotiated rulemaking process or provides a written explanation to the participants involved in the process explaining why the Secretary decided to depart from, and not adhere to, such agreements.”

Statutory Notes and Related Subsidiaries

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.

§ 6573. State administration

(a) Rulemaking

(1) In general

Each State that receives funds under this subchapter shall—

(A) ensure that any State rules, regulations, and policies relating to this subchapter conform to the purposes of this subchapter and provide any such proposed rules, regulations, and policies to the committee of practitioners created under subsection (b) for review and comment;

(B) minimize such rules, regulations, and policies to which the State’s local educational agencies and schools are subject;

(C) eliminate or modify State and local fiscal accounting requirements in order to facilitate the ability of schools to consolidate funds under schoolwide programs;

(D) identify any such rule, regulation, or policy as a State-imposed requirement; and

(E)(i) identify any duplicative or contrasting requirements between the State and Federal rules or regulations; and

(ii) eliminate the State rules and regulations that are duplicative of Federal requirements.

(2) Support and facilitation

State rules, regulations, and policies under this subchapter shall support and facilitate local educational agency and school-level systemic reform designed to enable all children to meet the challenging State academic standards.

(b) Committee of practitioners

(1) In general

Each State educational agency that receives funds under this subchapter shall create a State committee of practitioners to advise the State in carrying out its responsibilities under this subchapter.

(2) Membership

Each such committee shall include—

(A) as a majority of its members, representatives from local educational agencies;

(B) administrators, including the administrators of programs described in other parts of this subchapter;

(C) teachers from traditional public schools and charter schools (if there are charter schools in the State) and career and technical educators;

(D) principals and other school leaders;

(E) parents;

(F) members of local school boards;

(G) representatives of private school children;

(H) specialized instructional support personnel and paraprofessionals;

(I) representatives of authorized public chartering agencies (if there are charter schools in the State); and

(J) charter school leaders (if there are charter schools in the State).

(3) Duties

The duties of such committee shall include a review, before publication, of any proposed or final State rule or regulation pursuant to this subchapter. In an emergency situation where such rule or regulation must be issued within a very limited time to assist local educational agencies with the operation of the program

under this subchapter, the State educational agency may issue a regulation without prior consultation, but shall immediately thereafter convene the State committee of practitioners to review the emergency regulation before issuance in final form.

(Pub. L. 89–10, title I, §1603, formerly §1903, as added Pub. L. 107–110, title I, §101, Jan. 8, 2002, 115 Stat. 1618; renumbered §1603 and amended Pub. L. 114–95, title I, §§1501(a)(4), 1601(c), Dec. 10, 2015, 129 Stat. 1906, 1912.)

Editorial Notes

PRIOR PROVISIONS

A prior section 1603 of Pub. L. 89–10 was classified to section 6513 of this title, prior to repeal by Pub. L. 114–95.

Another prior section 1603 of Pub. L. 89–10 was classified to section 6513 of this title, prior to the general amendment of this subchapter by Pub. L. 107–110.

AMENDMENTS

2015—Subsec. (a)(1)(E). Pub. L. 114–95, §1601(c)(1)(A), added subpar. (E).

Subsec. (a)(2). Pub. L. 114–95, §1601(c)(1)(B), substituted “the challenging State academic standards” for “the challenging State student academic achievement standards”.

Subsec. (b)(2)(C) to (J). Pub. L. 114–95, §1601(c)(2), added subpars. (C) to (J) and struck out former subpars. (C) to (G) which read as follows:

- “(C) teachers, including vocational educators;
- “(D) parents;
- “(E) members of local school boards;
- “(F) representatives of private school children; and
- “(G) pupil services personnel.”

Statutory Notes and Related Subsidiaries

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.

§ 6574. Repealed. Pub. L. 113–188, title IX, § 901(a), Nov. 26, 2014, 128 Stat. 2020

Section, Pub. L. 89–10, title I, §1904, as added Pub. L. 107–110, title I, §101, Jan. 8, 2002, 115 Stat. 1619, related to annual local educational agency spending audits and reports.

§ 6575. Prohibition against Federal mandates, direction, or control

Nothing in this subchapter 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 specific instructional content, academic achievement standards and assessments, curriculum, or program of instruction.

(Pub. L. 89–10, title I, §1604, formerly §1905, as added Pub. L. 107–110, title I, §101, Jan. 8, 2002, 115 Stat. 1619; renumbered §1604, Pub. L. 114–95, title I, §1501(a)(5), Dec. 10, 2015, 129 Stat. 1906.)

Editorial Notes

PRIOR PROVISIONS

A prior section 1604 of Pub. L. 89–10 was classified to section 6514 of this title, prior to repeal by Pub. L. 114–95.

Another prior section 1604 of Pub. L. 89–10 was classified to section 6514 of this title, prior to the general amendment of this subchapter by Pub. L. 107–110.

§ 6576. Rule of construction on equalized spending

Nothing in this subchapter shall be construed to mandate equalized spending per pupil for a State, local educational agency, or school.

(Pub. L. 89–10, title I, §1605, formerly §1906, as added Pub. L. 107–110, title I, §101, Jan. 8, 2002, 115 Stat. 1619; renumbered §1605, Pub. L. 114–95, title I, §1501(a)(5), Dec. 10, 2015, 129 Stat. 1906.)

Editorial Notes

PRIOR PROVISIONS

A prior section 1605 of Pub. L. 89–10 was classified to section 6515 of this title, prior to repeal by Pub. L. 114–95.

§§ 6577, 6578. Repealed. Pub. L. 114–95, title I, § 1501(a)(3), Dec. 10, 2015, 129 Stat. 1906

Section 6577, Pub. L. 89–10, title I, §1907, as added Pub. L. 107–110, title I, §101, Jan. 8, 2002, 115 Stat. 1619, related to State report on dropout data.

Section 6578, Pub. L. 89–10, title I, §1908, as added Pub. L. 107–110, title I, §101, Jan. 8, 2002, 115 Stat. 1620, related to issuance of regulations not later than 6 months after Jan. 8, 2002.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal 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 an Effective Date of 2015 Amendment note under section 6301 of this title.

SUBCHAPTER II—PREPARING, TRAINING, AND RECRUITING HIGH-QUALITY TEACHERS, PRINCIPALS, OR OTHER SCHOOL LEADERS

Editorial Notes

PRIOR PROVISIONS

A prior title II of the Elementary and Secondary Education Act of 1965, comprising this subchapter, was originally enacted as part of Pub. L. 89–10, Apr. 11, 1965, 79 Stat. 27, and subsequently revised, restated, and amended by other public laws. Title II as extensively revised by Pub. L. 107–110, title II, §201, Jan. 8, 2002, 115 Stat. 1620, related to preparing, training, and recruiting high quality teachers and principals, and was set out in this subchapter as having been added by Pub. L. 107–110. Except as provided below, title II of the Act was repealed by Pub. L. 114–95, title II, §2002, Dec. 10, 2015, 129 Stat. 1913.

Subpart 5 of part C of prior title II of the Act, comprising subpart 5 (§6731 et seq.) of prior part C of this subchapter, was redesignated subpart 3 (§8551 et seq.) of part F of title VIII of the Act and transferred to subpart 3 (§7941 et seq.) of part F of subchapter VIII of this chapter by Pub. L. 114–95, title II, §2001(a)(3)(A)–(C), title VIII, §8001(a), (b)(1), Dec. 10, 2015, 129 Stat. 1913, 2088, 2089.

Subpart 4 of part D of prior title II of the Act, comprising subpart 4 (§6777) of prior part D of this subchapter, was redesignated subpart 2 (§4121) of part A of title IV of the Act and transferred to subpart 2 (§7131) of part A of subchapter IV of this chapter by Pub. L. 114–95, title II, §2001(a)(4)(A)–(C), title IV, §4001(a)(5)(C), Dec. 10, 2015, 129 Stat. 1913, 1966.