

part of Pub. L. 89–10, Apr. 11, 1965, 79 Stat. 27, and subsequently revised, restated, and amended by other public laws. Title V as extensively revised by Pub. L. 107–110, title V, §501, Jan. 8, 2002, 115 Stat. 1776, related to promoting informed parental choice and innovative programs, and was set out in former subchapter V of this chapter as having been added by Pub. L. 107–110. Except as provided below, title V of the Act was repealed by Pub. L. 114–95, title IV, §4001(b)(1)(A)–(C), (4), Dec. 10, 2015, 129 Stat. 1967.

A prior part B of title V of the Elementary and Secondary Education Act of 1965, comprising part B (§7221 et seq.) of former subchapter V of this chapter, was redesignated part C of title IV of the Act and transferred to part C (§7221 et seq.) of subchapter IV of this chapter by Pub. L. 114–95, title IV, §4001(b)(2)(A)–(C), Dec. 10, 2015, 129 Stat. 1967.

A prior part C of title V of the Elementary and Secondary Education Act of 1965, comprising part C (§7231 et seq.) of former subchapter V of this chapter, was redesignated part D of title IV of the Act and transferred to part D (§7231 et seq.) of subchapter IV of this chapter by Pub. L. 114–95, §4001(b)(3)(A)–(C), Dec. 10, 2015, 129 Stat. 1967.

PART A—FUNDING TRANSFERABILITY FOR STATE AND LOCAL EDUCATIONAL AGENCIES

Editorial Notes

CODIFICATION

Pub. L. 114–95, title V, §5002(1), (2), Dec. 10, 2015, 129 Stat. 2040, substituted “Funding Transferability for State and Local Educational Agencies” for “Improving Academic Achievement” in part heading and struck out subpart 2 designation and heading.

PRIOR PROVISIONS

Prior subparts 1, 3, and 4 of this part, consisting of sections 7301 to 7301b, 7311 to 7311b, 7315 to 7315c, 7321 to 7321e, and 7325 to 7325c, related to accountability, State and local flexibility demonstration, and State accountability for adequate yearly progress, prior to repeal by Pub. L. 114–95, title V, §5001(b)(1), Dec. 10, 2015, 129 Stat. 2040.

§ 7305. Short title

This part may be cited as the “State and Local Transferability Act”.

(Pub. L. 89–10, title V, §5101, formerly title VI, §6121, as added Pub. L. 107–110, title VI, §601, Jan. 8, 2002, 115 Stat. 1876; renumbered title V, §5101, and amended Pub. L. 114–95, title V, §§5001(a)(1), 5002(3), Dec. 10, 2015, 129 Stat. 2039, 2040.)

Editorial Notes

PRIOR PROVISIONS

A prior section 5101 of Pub. L. 89–10 was classified to section 7201 of this title prior to repeal by Pub. L. 114–95.

Another prior section 5101 of Pub. L. 89–10 was classified to section 7201 of this title, prior to the general amendment of former subchapter V of this chapter by Pub. L. 107–110.

Another prior section 5101 of Pub. L. 89–10 was classified to section 3171 of this title, prior to the general amendment of Pub. L. 89–10 by Pub. L. 103–382.

AMENDMENTS

2015—Pub. L. 114–95, §5002(3), substituted “part” for “subpart”.

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 pro-

grams and competitive programs, see section 5 of Pub. L. 114–95, set out as a note under section 6301 of this title.

§ 7305a. Purpose

The purpose of this part is to allow States and local educational agencies the flexibility to target Federal funds to the programs and activities that most effectively address the unique needs of States and localities.

(Pub. L. 89–10, title V, §5102, formerly title VI, §6122, as added Pub. L. 107–110, title VI, §601, Jan. 8, 2002, 115 Stat. 1876; renumbered title V, §5102, and amended Pub. L. 114–95, title V, §§5001(a)(1), 5002(4), Dec. 10, 2015, 129 Stat. 2039, 2040.)

Editorial Notes

PRIOR PROVISIONS

A prior section 5102 of Pub. L. 89–10 was classified to section 7202 of this title, prior to the general amendment of former subchapter V of this chapter by Pub. L. 107–110.

Another prior section 5102 of Pub. L. 89–10 was classified to section 3172 of this title, prior to the general amendment of Pub. L. 89–10 by Pub. L. 103–382.

AMENDMENTS

2015—Pub. L. 114–95, §5002(4), amended section generally. Prior to amendment, text read as follows: “The purpose of this subpart is to allow States and local educational agencies the flexibility—

“(1) to target Federal funds to Federal programs that most effectively address the unique needs of States and localities; and

“(2) to transfer Federal funds allocated to other activities to allocations for certain activities authorized under subchapter I of this chapter.”

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.

§ 7305b. Transferability of funds

(a) Transfers by States

(1) In general

In accordance with this part, a State may transfer all, or any lesser amount, of State funds (including funds transferred under paragraph (2)) allotted to the State for use for State-level activities under the following provisions for a fiscal year to one or more of the State’s allotments for such fiscal year under any other of such provisions:

(A) Part A of subchapter II.

(B) Part A of subchapter IV.

(C) Section 7172(c)(3) of this title.

(2) Additional funds

In accordance with this part, a State may transfer any funds allotted to the State under a provision listed in paragraph (1) for a fiscal year to its allotment under any other of the following provisions:

(A) Part A of subchapter I.

(B) Part C of subchapter I.