

that financial and compliance audits, based upon the extent to which a school described in subsection (a) has complied with the local financial plan under section 2010 of this title, are conducted of each Bureau-operated school at least once every 3 years.

**(d) Administrative evaluation of schools**

The Director shall, at least once every 3 to 5 years, conduct a comprehensive evaluation of Bureau-operated schools. Such evaluation shall be in addition to any other program review or evaluation that may be required under Federal law.

(Pub. L. 95-561, title XI, § 1135, as added Pub. L. 107-110, title X, § 1042, Jan. 8, 2002, 115 Stat. 2056.)

**Editorial Notes**

PRIOR PROVISIONS

A prior section 2015, Pub. L. 95-561, title XI, § 1135, as added Pub. L. 103-382, title III, § 381, Oct. 20, 1994, 108 Stat. 4010, related to uniform education procedures and practices, prior to the general amendment of this chapter by Pub. L. 107-110.

Another prior section 2015, Pub. L. 95-561, title XI, § 1135, Nov. 1, 1978, 92 Stat. 2327, related to recruitment policy for Indian educators and promotion plan for Bureau employees, prior to the general amendment of this chapter by Pub. L. 103-382.

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE

Section effective Jan. 8, 2002, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 107-110, set out as a note under section 6301 of Title 20, Education.

**§ 2016. Rights of Indian students**

The Secretary shall prescribe such rules and regulations as are necessary to ensure the constitutional and civil rights of Indian students attending Bureau-funded schools, including such students' rights to—

- (1) privacy under the laws of the United States;
- (2) freedom of religion and expression; and
- (3) due process in connection with disciplinary actions, suspensions, and expulsions.

(Pub. L. 95-561, title XI, § 1136, as added Pub. L. 107-110, title X, § 1042, Jan. 8, 2002, 115 Stat. 2056.)

**Editorial Notes**

PRIOR PROVISIONS

A prior section 2016, Pub. L. 95-561, title XI, § 1136, as added Pub. L. 103-382, title III, § 381, Oct. 20, 1994, 108 Stat. 4010, related to recruitment of Indian educators, prior to the general amendment of this chapter by Pub. L. 107-110. See section 2014 of this title.

Another prior section 2016, Pub. L. 95-561, title XI, § 1136, Nov. 1, 1978, 92 Stat. 2327; Pub. L. 97-375, title II, § 208(b), Dec. 21, 1982, 96 Stat. 1825; Pub. L. 98-511, title V, § 509, Oct. 19, 1984, 98 Stat. 2397; Pub. L. 99-89, § 7, Aug. 15, 1985, 99 Stat. 383, related to annual reports to Congressional committees and audits, prior to the general amendment of this chapter by Pub. L. 103-382.

A prior section 2016a, Pub. L. 100-297, title VI, § 6210, Apr. 28, 1988, 102 Stat. 427, directed Assistant Secretary of the Interior for Bureau of Indian Affairs to submit to appropriate committees of Congress, the President, and the Secretary by September 30 of every other year a report on education of Indian children, prior to repeal by Pub. L. 100-427, § 27, Sept. 9, 1988, 102 Stat. 1614.

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE

Section effective Jan. 8, 2002, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 107-110, set out as a note under section 6301 of Title 20, Education.

**§ 2017. Regulations**

**(a) Promulgation**

**(1) In general**

The Secretary may promulgate only such regulations—

(A) as are necessary to ensure compliance with the specific provisions of this chapter; and

(B) as the Secretary is authorized to promulgate pursuant to section 2510 of this title.<sup>1</sup>

**(2) Publication**

In promulgating the regulations, the Secretary shall—

(A) publish proposed regulations in the Federal Register; and

(B) provide a period of not less than 120 days for public comment and consultation on the regulations.

**(3) Citation**

The regulations shall contain, immediately following each regulatory section, a citation to any statutory provision providing authority to promulgate such regulatory section.

**(b) Miscellaneous**

The provisions of this Act shall supersede any conflicting provisions of law (including any conflicting regulations) in effect on the day before the date of enactment of this Act and the Secretary is authorized to repeal any regulation inconsistent with the provisions of this Act.

(Pub. L. 95-561, title XI, § 1137, as added Pub. L. 107-110, title X, § 1042, Jan. 8, 2002, 115 Stat. 2056.)

**Editorial Notes**

REFERENCES IN TEXT

This Act, referred to in subsec. (b), means Pub. L. 95-561, Nov. 1, 1978, 92 Stat. 2143, known as the Education Amendments of 1978. For complete classification of this Act to the Code, see Short Title of 1978 Amendment note set out under section 6301 of Title 20, Education, and Tables.

PRIOR PROVISIONS

A prior section 2017, Pub. L. 95-561, title XI, § 1137, as added Pub. L. 103-382, title III, § 381, Oct. 20, 1994, 108 Stat. 4011; amended Pub. L. 105-244, title IX, § 901(d), Oct. 7, 1998, 112 Stat. 1828; Pub. L. 105-362, title VIII, § 801(c)(4), Nov. 10, 1998, 112 Stat. 3288, related to biennial report, prior to the general amendment of this chapter by Pub. L. 107-110. See section 2015 of this title.

Another prior section 2017, Pub. L. 95-561, title XI, § 1137, Nov. 1, 1978, 92 Stat. 2327, related to constitutional and civil rights of Indian children attending Bureau schools, prior to the general amendment of this chapter by Pub. L. 103-382.

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE

Section effective Jan. 8, 2002, except with respect to certain noncompetitive programs and competitive pro-

<sup>1</sup> So in original. Probably should be section "2509".