

Section 1613, Pub. L. 92-318, title VII, §714, June 23, 1972, 86 Stat. 368; S. Res. 4, Feb. 4, 1977, related to reports to President and Congressional committees.

Section 1614, Pub. L. 92-318, title VII, §715, June 23, 1972, 86 Stat. 368, related to administration of joint funding with respect to programs and projects under this chapter.

Section 1615, Pub. L. 92-318, title VII, §716, June 23, 1972, 86 Stat. 368; Pub. L. 93-380, title VIII, §845(e), Aug. 21, 1974, 88 Stat. 612; Pub. L. 94-43, §3, June 28, 1975, 89 Stat. 233; Pub. L. 94-482, title III, §321(d), Oct. 12, 1976, 90 Stat. 2217, related to establishment of National Advisory Council on Equality of Educational Opportunity.

Section 1616, Pub. L. 92-318, title VII, §717(a), June 23, 1972, 86 Stat. 369, related to applicability of General Education Provisions Act to this chapter.

Section 1617, Pub. L. 92-318, title VII, §718, June 23, 1972, 86 Stat. 369, related to allowance of reasonable attorney's fees respecting a final order by a court against an educational agency, a State, etc., for failure to comply with provisions of this chapter, discrimination on basis of race, etc.

Section 1618, Pub. L. 92-318, title VII, §719, June 23, 1972, 86 Stat. 369, related to effect of this chapter on method of student assignment.

Section 1619, Pub. L. 92-318, title VII, §720, June 23, 1972, 86 Stat. 369; Pub. L. 93-380, title VI, §643(d), Aug. 21, 1974, 88 Stat. 587; Pub. L. 94-482, title III, §321(c)(3), Oct. 12, 1976, 90 Stat. 2217, defined terms used in this chapter.

EFFECTIVE DATE OF REPEAL

Section 601(b)(2) of Pub. L. 95-561 provided that the repeal is effective Sept. 30, 1979.

CHAPTER 37—ASSIGNMENT OR TRANSPORTATION OF STUDENTS

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| Sec.
1651. | Prohibition against assignment or transportation of students to overcome racial imbalance. |
| 1652. | Prohibition against busing.
(a) Use of appropriated funds for busing.
(b) Rules, regulations, orders, etc., for busing.
(c) "Applicable program" defined. |
| 1653. | Omitted. |
| 1654. | Intervention authorization in implementation of court orders. |
| 1655. | Uniform rules of evidence of racial discrimination. |
| 1656. | Prohibition against official or court orders to achieve racial balance or insure compliance with constitutional standards applicable to entire United States. |

§ 1651. Prohibition against assignment or transportation of students to overcome racial imbalance

No provision of this Act shall be construed to require the assignment or transportation of students or teachers in order to overcome racial imbalance.

(Pub. L. 92-318, title VIII, §801, June 23, 1972, 86 Stat. 371.)

REFERENCES IN TEXT

This Act, referred to in text, is Pub. L. 92-318, June 23, 1972, 86 Stat. 235, as amended, known as the Education Amendments of 1972. For complete classification of this Act to the Code, see Short Title note set out under section 1001 of this title and Tables.

§ 1652. Prohibition against busing

(a) Use of appropriated funds for busing

No funds appropriated for the purpose of carrying out any applicable program may be used

for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to overcome racial imbalance in any school or school system, or for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to carry out a plan of racial desegregation of any school or school system, except on the express written voluntary request of appropriate local school officials. No such funds shall be made available for transportation when the time or distance of travel is so great as to risk the health of the children or significantly impinge on the educational process of such children, or where the educational opportunities available at the school to which it is proposed that any such student be transported will be substantially inferior to those opportunities offered at the school to which such student would otherwise be assigned under a nondiscriminatory system of school assignments based on geographic zones established without discrimination on account of race, religion, color, or national origin.

(b) Rules, regulations, orders, etc., for busing

No officer, agent, or employee of the Department of Education, the Department of Justice, or any other Federal agency shall, by rule, regulation, order, guideline, or otherwise (1) urge, persuade, induce, or require any local education agency, or any private nonprofit agency, institution, or organization to use any funds derived from any State or local sources for any purpose, unless constitutionally required, for which Federal funds appropriated to carry out any applicable program may not be used, as provided in this section, or (2) condition the receipt of Federal funds under any Federal program upon any action by any State or local public officer or employee which would be prohibited by clause (1) on the part of a Federal officer or employee. No officer, agent, or employee of the Department of Education or any other Federal agency shall urge, persuade, induce, or require any local education agency to undertake transportation of any student where the time or distance of travel is so great as to risk the health of the child or significantly impinge on his or her educational process; or where the educational opportunities available at the school to which it is proposed that such student be transported will be substantially inferior to those offered at the school to which such student would otherwise be assigned under a nondiscriminatory system of school assignments based on geographic zones established without discrimination on account of race, religion, color, or national origin.

(c) "Applicable program" defined

An applicable program means a program to which the General Education Provisions Act [20 U.S.C. 1221 et seq.] applies.

(Pub. L. 92-318, title VIII, §802, June 23, 1972, 86 Stat. 371; Pub. L. 96-88, title III, §301, title V, §507, Oct. 17, 1979, 93 Stat. 677, 692.)

REFERENCES IN TEXT

The General Education Provisions Act, referred to in subsec. (c), is title IV of Pub. L. 90-247, Jan. 2, 1968, 81 Stat. 814, as amended, which is classified generally to chapter 31 (§1221 et seq.) of this title. For complete