

Homeland Security, see section 1704(g) of Pub. L. 107-296, set out as a note under section 101 of Title 10, Armed Forces.

§ 927. Allotment formula

(a) Establishment by regulation of minimum allotment formula; criteria

The Director shall by regulation establish a formula for determining the minimum allotment of funds necessary for the operation of each school in the defense dependents' education system. In establishing such formula, the Director shall take into consideration—

- (1) the number of students served by a school and the size of the school;
- (2) special cost factors for a school, including—
 - (A) geographic isolation of the school,
 - (B) a need for special staffing, transportation, or educational programs at the school, and
 - (C) unusual food and housing costs,
- (3) the cost of providing academic services of a high quality as required by section 921(b)(1) of this title; and
- (4) such other factors as the Director considers appropriate.

(b) Issuance, etc., of regulations

Any regulation under subsection (a) of this section shall be issued, and shall become effective, in accordance with the procedures applicable to regulations required to be issued by the Secretary of Education in accordance with section 1232 of this title.

(c) Applicability of certain provisions

(1) Children with disabilities

Notwithstanding the provisions of section 921(b)(3) of this title, the provisions of part B of the Individuals with Disabilities Education Act [20 U.S.C. 1411 et seq.], other than the funding and reporting provisions, shall apply to all schools operated by the Department of Defense under this chapter, including the requirement that children with disabilities, aged 3 to 5, inclusive, receive a free appropriate public education.

(2) Infants and toddlers with disabilities

The responsibility to provide comparable early intervention services to infants and toddlers with disabilities and their families in accordance with individualized family service plans described in section 677¹ of the Individuals with Disabilities Education Act and to comply with the procedural safeguards set forth in part H¹ of such Act shall apply with respect to all eligible dependents overseas.

(3) Implementation

In carrying out paragraph (2), the Secretary shall have in effect a comprehensive, coordinated, multidisciplinary program of early intervention services for infants and toddlers with disabilities among Department of Defense entities involved in the provision of such services to such individuals.

(Pub. L. 95-561, title XIV, §1409, Nov. 1, 1978, 92 Stat. 2369; Pub. L. 102-119, §24, Oct. 7, 1991, 105

Stat. 605; Pub. L. 106-65, div. A, title III, §354(3), Oct. 5, 1999, 113 Stat. 573.)

REFERENCES IN TEXT

The Individuals with Disabilities Education Act, referred to in subsec. (c)(1), (2), is title VI of Pub. L., 91-230, Apr. 13, 1970, 84 Stat. 175, as amended. Part B of the Act is classified generally to subchapter II (§1411 et seq.) of chapter 33 of this title. Part H of the Act and section 677 of the Act were classified generally to subchapter VIII (§1471 et seq.) of chapter 33 of this title and section 1477 of this title, respectively, prior to repeal by Pub. L. 105-17, title II, §203(b), June 4, 1997, 111 Stat. 157, effective July 1, 1998. For complete classification of this Act to the Code, see section 1400 of this title and Tables.

AMENDMENTS

1999—Subsec. (b). Pub. L. 106-65, §354(3)(A), substituted “Secretary of Education” for “Department of Health, Education, and Welfare” and made technical amendment to reference in original act which appears in text as reference to section 1232 of this title.

Subsec. (c)(1). Pub. L. 106-65, §354(3)(B), struck out “by academic year 1993-1994” after “public education”.

Subsec. (c)(3). Pub. L. 106-65, §354(3)(C), substituted “Implementation” for “Implementation timelines” in heading, substituted “In carrying out paragraph (2), the Secretary shall have in effect a comprehensive” for “In carrying out the provisions of paragraph (2), the Secretary shall—”, struck out the subpar. (A) designation and “in academic year 1991-1992 and the 2 succeeding academic years, plan and develop a comprehensive” before “, coordinated”, substituted a period for the semicolon after “such individuals”, and struck out subpars. (B) and (C) which related to implementation in academic years 1994-1995, 1995-1996, and succeeding academic years.

1991—Subsec. (c). Pub. L. 102-119 amended subsec. (c) generally. Prior to amendment, subsec. (c) read as follows: “The provisions of the Education for All Handicapped Children Act of 1975 shall apply with respect to all schools operated by the Department of Defense under this chapter.”

EFFECTIVE DATE OF 1991 AMENDMENT

Section 27 of Pub. L. 102-119 provided that:

“(a) SECTIONS 8, 9, AND 10.—The amendments made by sections 8, 9, and 10 [amending sections 1423, 1431, 1434, and 1435 of this title] shall take effect on October 1, 1991, or on the date of enactment of this Act [Oct. 7, 1991], whichever is later.

“(b) SECTIONS 5, 12, 13, 14, 15, 17, AND 18.—The amendments made by sections 5, 12, 13, 14, 15, 17, and 18 [amending sections 1413, 1472, 1476, 1477, 1478, 1480, and 1482 of this title] shall take effect July 1, 1992, except that each State shall have the option to have any of the amendments apply earlier than such date.

“(c) REMAINING PROVISIONS.—The remaining sections of this Act [enacting section 1484a of this title, amending this section, sections 241, 1087ee, 1400 to 1402, 1404, 1405, 1407, 1411 to 1417, 1419, 1421 to 1425, 1431 to 1433, 1435, 1442, 1443, 1451, 1452, 1461, 1471 to 1473, and 1475 to 1485 of this title, sections 2503 and 2504 of Title 25, Indians, sections 721, 774, 777a, 795m, and 796d of Title 29, Labor, and sections 1396b, 1396n, 6022, 6024, 9835, 9855d, 9862, and 9886 of Title 42, The Public Health and Welfare, and enacting provisions set out as notes under this section and sections 1400 and 1484 of this title] and the amendments made by such sections shall take effect on the date of the enactment of this Act [Oct. 7, 1991].”

§ 928. School advisory committees

(a) Establishment; functions; membership

(1) The Director shall provide for the establishment of an advisory committee for each

¹ See References in Text note below.