



LEXSTAT 20 USC 7909

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*** CURRENT THROUGH PL 112-8, APPROVED 4/9/2011 ***

TITLE 20. EDUCATION
CHAPTER 70. STRENGTHENING AND IMPROVEMENT OF ELEMENTARY AND SECONDARY SCHOOLS
GENERAL PROVISIONS
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20 USCS § 7909

§ 7909. Prohibition on federally sponsored testing

(a) General prohibition. Notwithstanding any other provision of Federal law and except as provided in subsection (b), no funds provided under this Act [20 USCS §§ 6301 et seq.] to the Secretary or to the recipient of any award may be used to develop, pilot test, field test, implement, administer, or distribute any federally sponsored national test in reading, mathematics, or any other subject, unless specifically and explicitly authorized by law.

(b) Exceptions. Subsection (a) shall not apply to international comparative assessments developed under the authority of section 153(a)(5) of the Education Sciences Reform Act of 2002 [20 USCS § 9543(a)(5)] and administered to only a representative sample of pupils in the United States and in foreign nations.

HISTORY:

(April 11, 1965, P.L. 89-10, Title IX, Part E, Subpart 2, § 9529, as added Jan. 8, 2002, P.L. 107-110, Title IX, § 901, 115 Stat. 1984.)

(As amended Nov. 5, 2002, P.L. 107-279, Title IV, § 404(d)(9), 116 Stat. 1986.)

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

A prior § 7909 (Act April 11, 1965, P.L. 89-10, Title IX, Part B, § 9209, as added Oct. 20, 1994, P.L. 103-382, Title I, § 101, 108 Stat. 3803), relating to Native Hawaiians, was replaced in the general revision of Title IX of Act April 11, 1965, P.L. 89-10, by § 901 of Act Jan. 8, 2002, P.L. 107-110. Such section provided for Native Hawaiian curriculum development, teacher training and a recruitment program. For similar provisions, see 20 USCS § 7515.

Effective date of section:

This section took effect on January 8, 2002, subject to certain exceptions, pursuant to § 5 of Act Jan. 8, 2002, P.L. 107-110, which appears as 20 USCS § 6301 note.

Amendments:

2002. Act Nov. 2, 2002, in subsec. (b), substituted "section 153(a)(5) of the Education Sciences Reform Act of 2002" for "section 404(a)(6) of the National Education Statistics Act of 1994".