

Public Law 109–211
109th Congress

An Act

Mar. 24, 2006
[S. 2363]

To extend the educational flexibility program under section 4 of the Education Flexibility Partnership Act of 1999.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

20 USC 5891b
note.

SECTION 1. EDUCATIONAL FLEXIBILITY PROGRAM EXTENSION.

(a) **EXTENSION AUTHORITY.**—Notwithstanding any other provision of law, the Secretary of Education is authorized to carry out the educational flexibility program under section 4 of the Education Flexibility Partnership Act of 1999 (20 U.S.C. 5891b), until the date of enactment of an Act that reauthorizes programs under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.), for any State that was an Ed-Flex Partnership State on September 30, 2004.

(b) **DESIGNATION.**—

(1) **IN GENERAL.**—Any designation of a State as an Ed-Flex Partnership State that was in effect on September 30, 2004, shall be extended until the date of enactment of an Act that reauthorizes programs under part A of title I of the Elementary and Secondary Education Act of 1965, if the Secretary of Education makes the determination described in paragraph (2).

(2) **DETERMINATION.**—The determination referred to in paragraph (1) is a determination that the performance of the State educational agency, in carrying out the programs for which the State has received a waiver under the educational flexibility program, justifies the extension of the designation.

Approved March 24, 2006.

LEGISLATIVE HISTORY—S. 2363:

CONGRESSIONAL RECORD, Vol. 152 (2006):

Mar. 2, considered and passed Senate.

Mar. 14, considered and passed House.