

## S 2405

Restoring Authority to Schools Act of 2004

**Congress:** 108 (2003–2005, Ended)

**Chamber:** Senate

**Policy Area:** Law

**Introduced:** May 11, 2004

**Current Status:** Read twice and referred to the Committee on the Judiciary.

**Latest Action:** Read twice and referred to the Committee on the Judiciary. (May 11, 2004)

**Official Text:** <https://www.congress.gov/bill/108th-congress/senate-bill/2405>

### Sponsor

**Name:** Sen. Miller, Zell [D-GA]

**Party:** Democratic • **State:** GA • **Chamber:** Senate

### Cosponsors

*No cosponsors are listed for this bill.*

### Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	May 11, 2004

### Subjects & Policy Tags

**Policy Area:**

Law

### Related Bills

*No related bills are listed.*

Restoring Authority to Schools Act of 2004 - Requires prospective relief in any civil action for violations of Federal law in public schools to be narrowly drawn, to extend no further than necessary, and to reflect the least intrusive means necessary to correct the violation. Requires the court to give substantial weight to any adverse impact on other students or the school community caused by such relief.

Prohibits the court from ordering prospective relief that requires or permits government officials to exceed their authority under State or local law or otherwise violates such law unless Federal law so requires, the relief is necessary, and no other relief will correct the violation.

Authorizes the court to enter a temporary restraining order or an order for preliminary injunctive relief with respect to violations of Federal law in public schools to the extent otherwise authorized by law if the order complies with the limitations on prospective relief set forth in this Act.

Requires the termination of prospective relief upon the motion of any party or intervener at specified times. Entitles defendants or interveners to the immediate termination of such relief if it was approved or granted in the absence of a finding that the limitations set forth in this Act were met.

Prohibits the court from entering or approving a consent decree absent compliance with such limitations.

Sets forth procedures for motions affecting prospective relief.

Authorizes the court to appoint a special master in those civil actions addressed by this Act.

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### **Actions Timeline**

- **May 11, 2004:** Introduced in Senate
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