

parable to the Local Council described in paragraph (1), the entity, tribe, or corporation may designate the council or entity as a Local Council under this chapter, and shall be considered to have established a Local Council in compliance with this subsection.

(3) Functions

The Local Council shall be responsible for preparing and submitting the application described in section 9412 of this title.

(b) Administration

(1) Administrative costs

Not more than 3 percent of the funds received by a Local Council under this chapter shall be used to pay for the administrative costs of the Local Council in carrying out this chapter.

(2) Fiscal agent

A Local Council may designate any entity, with a demonstrated capacity for administering grants, that is affected by, or concerned with, early learning issues, including the State, to serve as fiscal agent for the administration of grant funds received by the Local Council under this chapter.

(Pub. L. 106-554, §1(a)(1) [title VIII, §814], Dec. 21, 2000, 114 Stat. 2763, 2763A-88.)

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SUBCHAPTER I—EDUCATION SCIENCES REFORM

§ 9501. Definitions

In this subchapter:

(1) In general

The terms “elementary school”, “secondary school”, “local educational agency”, and “State educational agency” have the meanings given those terms in section 7801 of this title and the terms “freely associated states” and “outlying area” have the meanings given those terms in section 6331(c) of this title.

(2) Applied research

The term “applied research” means research—

(A) to gain knowledge or understanding necessary for determining the means by which a recognized and specific need may be met; and

(B) that is specifically directed to the advancement of practice in the field of education.

(3) Basic research

The term “basic research” means research—
 (A) to gain fundamental knowledge or understanding of phenomena and observable facts, without specific application toward processes or products; and

(B) for the advancement of knowledge in the field of education.

(4) Board

The term “Board” means the National Board for Education Sciences established under section 9516 of this title.

(5) Bureau

The term “Bureau” means the Bureau of Indian Affairs.

(6) Comprehensive center

The term “comprehensive center” means an entity established under section 9602 of this title.

(7) Department

The term “Department” means the Department of Education.

(8) Development

The term “development” means the systematic use of knowledge or understanding gained from the findings of scientifically valid research and the shaping of that knowledge or understanding into products or processes that can be applied and evaluated and may prove useful in areas such as the preparation of materials and new methods of instruction and practices in teaching, that lead to the improvement of the academic skills of students, and that are replicable in different educational settings.

(9) Director

The term “Director” means the Director of the Institute of Education Sciences.

(10) Dissemination

The term “dissemination” means the communication and transfer of the results of scientifically valid research, statistics, and evaluations, in forms that are understandable, easily accessible, and usable, or adaptable for use in, the improvement of educational practice by teachers, administrators, librarians, other practitioners, researchers, parents, policymakers, and the public, through technical assistance, publications, electronic transfer, and other means.

(11) Early childhood educator

The term “early childhood educator” means a person providing, or employed by a provider of, nonresidential child care services (including center-based, family-based, and in-home child care services) that is legally operating under State law, and that complies with applicable State and local requirements for the provision of child care services to children at any age from birth through the age at which a child may start kindergarten in that State.

(12) Field-initiated research

The term “field-initiated research” means basic research or applied research in which specific questions and methods of study are

generated by investigators (including teachers and other practitioners) and that conforms to standards of scientifically valid research.

(13) Historically Black college or university

The term “historically Black college or university” means a part B institution as defined in section 1061 of this title.

(14) Institute

The term “Institute” means the Institute of Education Sciences established under section 9511 of this title.

(15) Institution of higher education

The term “institution of higher education” has the meaning given that term in section 1001(a) of this title.

(16) National research and development center

The term “national research and development center” means a research and development center supported under section 9533(c) of this title.

(17) Provider of early childhood services

The term “provider of early childhood services” means a public or private entity that serves young children, including—

(A) child care providers;

(B) Head Start agencies operating Head Start programs, and entities carrying out Early Head Start programs, under the Head Start Act (42 U.S.C. 9831 et seq.);

(C) preschools;

(D) kindergartens; and

(E) libraries.

(18) Scientifically based research standards

(A) The term “scientifically based research standards” means research standards that—

(i) apply rigorous, systematic, and objective methodology to obtain reliable and valid knowledge relevant to education activities and programs; and

(ii) present findings and make claims that are appropriate to and supported by the methods that have been employed.

(B) The term includes, appropriate to the research being conducted—

(i) employing systematic, empirical methods that draw on observation or experiment;

(ii) involving data analyses that are adequate to support the general findings;

(iii) relying on measurements or observational methods that provide reliable data;

(iv) making claims of causal relationships only in random assignment experiments or other designs (to the extent such designs substantially eliminate plausible competing explanations for the obtained results);

(v) ensuring that studies and methods are presented in sufficient detail and clarity to allow for replication or, at a minimum, to offer the opportunity to build systematically on the findings of the research;

(vi) obtaining acceptance by a peer-reviewed journal or approval by a panel of independent experts through a comparably rigorous, objective, and scientific review; and

(vii) using research designs and methods appropriate to the research question posed.

(19) Scientifically valid education evaluation

The term “scientifically valid education evaluation” means an evaluation that—

(A) adheres to the highest possible standards of quality with respect to research design and statistical analysis;

(B) provides an adequate description of the programs evaluated and, to the extent possible, examines the relationship between program implementation and program impacts;

(C) provides an analysis of the results achieved by the program with respect to its projected effects;

(D) employs experimental designs using random assignment, when feasible, and other research methodologies that allow for the strongest possible causal inferences when random assignment is not feasible; and

(E) may study program implementation through a combination of scientifically valid and reliable methods.

(20) Scientifically valid research

The term “scientifically valid research” includes applied research, basic research, and field-initiated research in which the rationale, design, and interpretation are soundly developed in accordance with scientifically based research standards.

(21) Secretary

The term “Secretary” means the Secretary of Education.

(22) State

The term “State” includes (except as provided in section 9548 of this title) each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the freely associated states, and the outlying areas.

(23) Technical assistance

The term “technical assistance” means—

(A) assistance in identifying, selecting, or designing solutions based on research, including professional development and high-quality training to implement solutions leading to—

(i) improved educational and other practices and classroom instruction based on scientifically valid research; and

(ii) improved planning, design, and administration of programs;

(B) assistance in interpreting, analyzing, and utilizing statistics and evaluations; and

(C) other assistance necessary to encourage the improvement of teaching and learning through the applications of techniques supported by scientifically valid research.

(Pub. L. 107–279, title I, §102, Nov. 5, 2002, 116 Stat. 1941.)

REFERENCES IN TEXT

The Head Start Act, referred to in par. (17)(B), is subchapter B (§§635–657) of chapter 8 of subtitle A of title VI of Pub. L. 97–35, Aug. 13, 1981, 95 Stat. 499, as amended, which is classified generally to subchapter II (§9831 et seq.) of chapter 105 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 9801 of this Title 42 and Tables.

SHORT TITLE

Pub. L. 107–279, title I, §101, Nov. 5, 2002, 116 Stat. 1941, provided that: “This title [enacting this subchapter] may be cited as the ‘Education Sciences Reform Act of 2002’.”

Pub. L. 107–279, title II, §201, Nov. 5, 2002, 116 Stat. 1975, provided that: “This title [enacting subchapter II of this chapter] may be cited as the ‘Educational Technical Assistance Act of 2002’.”

Pub. L. 107–279, title III, §301, Nov. 5, 2002, 116 Stat. 1982, provided that: “This title [enacting subchapter III of this chapter] may be referred to as the ‘National Assessment of Educational Progress Authorization Act’.”

ORDERLY TRANSITION

Pub. L. 107–279, title IV, §405, Nov. 5, 2002, 116 Stat. 1986, provided that: “The Secretary of Education shall take such steps as are necessary to provide for the orderly transition to, and implementation of, the offices, boards, committees, and centers (and their various functions and responsibilities) established or authorized by this Act [enacting this chapter and section 3419 of this title, amending sections 1232], 3412, 3461, 6194, 6311, 6312, 6317, 6491, 6932, 7013, 7253c, 7283b, 7283d, 7451, 7703, 7909, 9007, 9010, 9011, 9573, 9623, and 9624 of this title and section 5315 of Title 5, Government Organization and Employees, transferring sections 9010 and 9011 of this title to sections 9622 and 9621 of this title, respectively, repealing sections 3419, 6011, 6021, 6031, 6041, 6051, 6053 to 6053e, 6054 to 6054b, 6055 to 6055h, 6056, 6056a, 9001 to 9009, and 9012 of this title, enacting provisions set out as notes under this section and section 7703 of this title, and repealing provisions set out as notes under sections 1221e and 9001 of this title], and by the amendments made by this Act, from those established or authorized by the Educational Research, Development, Dissemination, and Improvement Act of 1994 (20 U.S.C. 6001 et seq.) and the National Education Statistics Act of 1994 (20 U.S.C. 9001 et seq.).”

PART A—THE INSTITUTE OF EDUCATION SCIENCES

§ 9511. Establishment**(a) Establishment**

There shall be in the Department the Institute of Education Sciences, to be administered by a Director (as described in section 9514 of this title) and, to the extent set forth in section 9516 of this title, a board of directors.

(b) Mission**(1) In general**

The mission of the Institute is to provide national leadership in expanding fundamental knowledge and understanding of education from early childhood through postsecondary study, in order to provide parents, educators, students, researchers, policymakers, and the general public with reliable information about—

(A) the condition and progress of education in the United States, including early childhood education and special education;

(B) educational practices that support learning and improve academic achievement and access to educational opportunities for all students; and

(C) the effectiveness of Federal and other education programs.

(2) Carrying out mission

In carrying out the mission described in paragraph (1), the Institute shall compile statistics, develop products, and conduct re-