

such category of students and the performance of all students served by the eligible recipient under this chapter.

**(iii) Nonduplication**

The eligible agency shall ensure, in a manner that is consistent with the actions of the Secretary under subsection (c)(3), that each eligible recipient does not report duplicative information under this section.

**(iv) Rules for reporting of data**

The disaggregation of data under clause (ii) shall not be required when the number of students in a category is insufficient to yield statistically reliable information or when the results would reveal personally identifiable information about an individual student.

**(v) Availability**

The report described in clause (i) shall be made available to the public through a variety of formats, including electronically through the Internet.

**(c) Report**

**(1) In general**

Each eligible agency that receives an allotment under section 2321 of this title shall annually prepare and submit to the Secretary a report regarding—

(A) the progress of the State in achieving the State adjusted levels of performance on the core indicators of performance; and

(B) information on the levels of performance achieved by the State with respect to the additional indicators of performance, including the levels of performance for special populations.

**(2) Data**

Except as provided in paragraphs (3) and (4), each eligible agency that receives an allotment under section 2321 or 2371 of this title shall—

(A) disaggregate data for each of the indicators of performance under subsection (b)(2) for the categories of students described in section 6311(h)(1)(C)(i) of this title and section 2302(29) of this title that are served under this chapter; and

(B) identify and quantify any disparities or gaps in performance between any such category of students and the performance of all students served by the eligible agency under this chapter, which shall include a quantifiable description of the progress each such category of students served by the eligible agency under this chapter has made in meeting the State adjusted levels of performance.

**(3) Nonduplication**

The Secretary shall ensure that each eligible agency does not report duplicative information under this section.

**(4) Rules for reporting of data**

The disaggregation of data under paragraph (2) shall not be required when the number of students in a category is insufficient to yield statistically reliable information or when the results would reveal personally identifiable information about an individual student.

**(5) Information dissemination**

The Secretary—

(A) shall make the information contained in such reports available to the general public through a variety of formats, including electronically through the Internet;

(B) shall disseminate State-by-State comparisons of the information; and

(C) shall provide the appropriate committees of Congress with copies of such reports.

(Pub. L. 88-210, title I, §113, as added Pub. L. 109-270, §1(b), Aug. 12, 2006, 120 Stat. 696; amended Pub. L. 114-95, title IX, §9215(n)(3), Dec. 10, 2015, 129 Stat. 2169.)

REFERENCES IN TEXT

This section (as amended by such Act), referred to in subsec. (b)(2)(D), is this section as added by Pub. L. 109-270.

PRIOR PROVISIONS

A prior section 2323, Pub. L. 88-210, title I, §113, as added Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3087, related to accountability, prior to the general amendment of this chapter by Pub. L. 109-270.

Another prior section 2323, Pub. L. 88-210, title I, §113, as added Pub. L. 98-524, §1, Oct. 19, 1984, 98 Stat. 2445; amended Pub. L. 99-159, title VII, §§704, 713(a)(1), (2), Nov. 22, 1985, 99 Stat. 905, 907; Pub. L. 101-392, title I, §113, Sept. 25, 1990, 104 Stat. 766; Pub. L. 101-476, title IX, §901(a)(2), Oct. 30, 1990, 104 Stat. 1142; Pub. L. 103-382, title III, §391(s)(2), Oct. 20, 1994, 108 Stat. 4024, required submission of State plans, prior to the general amendment of this chapter by Pub. L. 105-332.

AMENDMENTS

2015—Subsec. (b)(2)(A)(i). Pub. L. 114-95, §9215(n)(3)(A)(i), added cl. (i) and struck out former cl. (i) which read as follows: “Student attainment of challenging academic content standards and student academic achievement standards, as adopted by a State in accordance with section 6311(b)(1) of this title and measured by the State determined proficient levels on the academic assessments described in section 6311(b)(3) of this title.”

Subsec. (b)(2)(A)(iv). Pub. L. 114-95, §9215(n)(3)(A)(ii), substituted “(as described in section 6311(c)(4)(A)(i)(I)(bb) of this title)” for “(as described in section 6311(b)(2)(C)(vi) of this title)”.

Subsec. (b)(4)(C)(ii)(I). Pub. L. 114-95, §9215(n)(3)(B), substituted “subgroups” for “categories”.

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114-95 effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114-95, set out as a note under section 6301 of this title.

**§ 2324. National activities**

**(a) Program performance information**

**(1) In general**

The Secretary shall collect performance information about, and report on, the condition of career and technical education and on the effectiveness of State and local programs, services, and activities carried out under this subchapter in order to provide the Secretary and Congress, as well as Federal, State, local, and tribal agencies, with information relevant to improvement in the quality and effectiveness of career and technical education. The Secretary shall report annually to Congress on

the Secretary's aggregate analysis of performance information collected each year pursuant to this subchapter, including an analysis of performance data regarding special populations.

**(2) Compatibility**

The Secretary shall, to the extent feasible, ensure that the performance information system is compatible with other Federal information systems.

**(3) Assessments**

As a regular part of its assessments, the National Center for Education Statistics shall collect and report information on career and technical education for a nationally representative sample of students. Such assessment may include international comparisons in the aggregate.

**(b) Miscellaneous provisions**

**(1) Collection of information at reasonable cost**

The Secretary shall take such action as may be necessary to secure at reasonable cost the information required by this subchapter. To ensure reasonable cost, the Secretary, in consultation with the National Center for Education Statistics, the Office of Career, Technical, and Adult Education, and an entity assisted under section 2328 of this title (if applicable), shall determine the methodology to be used and the frequency with which information is to be collected.

**(2) Cooperation of States**

All eligible agencies receiving assistance under this chapter shall cooperate with the Secretary in implementing the information systems developed pursuant to this chapter.

**(c) Single plan for research, development, dissemination, evaluation, and assessment**

**(1) In general**

The Secretary may, directly or through grants, contracts, or cooperative agreements, carry out research, development, dissemination, evaluation and assessment, capacity building, and technical assistance with regard to the career and technical education programs under this chapter. The Secretary shall develop a single plan for such activities.

**(2) Plan**

Such plan shall—

(A) identify the career and technical education activities described in paragraph (1) that the Secretary will carry out under this section;

(B) describe how the Secretary will evaluate such career and technical education activities in accordance with subsection (d)(2); and

(C) include such other information as the Secretary determines to be appropriate.

**(d) Advisory panel; evaluation; reports**

**(1) Independent advisory panel**

**(A) In general**

The Secretary shall appoint an independent advisory panel to advise the Secretary on the implementation of the assessment de-

scribed in paragraph (2), including the issues to be addressed and the methodology of the studies involved to ensure that the assessment adheres to the highest standards of quality.

**(B) Members**

The advisory panel shall consist of—

(i) educators, administrators, State directors of career and technical education, and chief executives, including those with expertise in the integration of academic and career and technical education;

(ii) experts in evaluation, research, and assessment;

(iii) representatives of labor organizations and businesses, including small businesses, economic development entities, and workforce investment entities;

(iv) parents;

(v) career guidance and academic counseling professionals; and

(vi) other individuals and intermediaries with relevant expertise.

**(C) Independent analysis**

The advisory panel shall transmit to the Secretary, the relevant committees of Congress, and the Library of Congress an independent analysis of the findings and recommendations resulting from the assessment described in paragraph (2).

**(D) FACA**

The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the panel established under this paragraph.

**(2) Evaluation and assessment**

**(A) In general**

From amounts made available under subsection (e), the Secretary shall provide for the conduct of an independent evaluation and assessment of career and technical education programs under this chapter, including the implementation of the Carl D. Perkins Career and Technical Education Improvement Act of 2006, to the extent practicable, through studies and analyses conducted independently through grants, contracts, and cooperative agreements that are awarded on a competitive basis.

**(B) Contents**

The assessment required under subparagraph (A) shall include descriptions and evaluations of—

(i) the extent to which State, local, and tribal entities have developed, implemented, or improved State and local career and technical education programs assisted under this chapter;

(ii) the preparation and qualifications of teachers and faculty of career and technical education (such as meeting State established teacher certification or licensing requirements), as well as shortages of such teachers and faculty;

(iii) academic and career and technical education achievement and employment outcomes of career and technical education, including analyses of—

(I) the extent and success of the integration of rigorous and challenging academic and career and technical education for students participating in career and technical education programs, including a review of the effect of such integration on the academic and technical proficiency achievement of such students (including the number of such students receiving a secondary school diploma); and

(II) the extent to which career and technical education programs prepare students, including special populations, for subsequent employment in high skill, high wage occupations (including those in which mathematics and science skills are critical), or for participation in postsecondary education;

(iv) employer involvement in, and satisfaction with, career and technical education programs and career and technical education students' preparation for employment;

(v) the participation of students in career and technical education programs;

(vi) the use of educational technology and distance learning with respect to career and technical education and tech prep programs; and

(vii) the effect of State and local adjusted levels of performance and State and local levels of performance on the delivery of career and technical education services, including the percentage of career and technical education and tech prep students meeting the adjusted levels of performance described in section 2323 of this title.

### (C) Reports

#### (i) In general

The Secretary shall submit to the relevant committees of Congress—

(I) an interim report regarding the assessment on or before January 1, 2010; and

(II) a final report, summarizing all studies and analyses that relate to the assessment and that are completed after the interim report, on or before July 1, 2011.

#### (ii) Prohibition

Notwithstanding any other provision of law, the reports required by this subsection shall not be subject to any review outside the Department of Education before their transmittal to the relevant committees of Congress and the Secretary, but the President, the Secretary, and the independent advisory panel established under paragraph (1) may make such additional recommendations to Congress with respect to the assessment as the President, the Secretary, or the panel determine to be appropriate.

### (3) Collection of State information and report

#### (A) In general

The Secretary may collect and disseminate information from States regarding

State efforts to meet State adjusted levels of performance described in section 2323(b) of this title.

#### (B) Report

The Secretary shall gather any information collected pursuant to subparagraph (A) and submit a report to the relevant committees in Congress.

### (4) Research

#### (A) In general

From amounts made available under subsection (e), the Secretary, after consulting with the States, shall award a grant, contract, or cooperative agreement, on a competitive basis, to an institution of higher education, a public or private nonprofit organization or agency, or a consortium of such institutions, organizations, or agencies to establish a national research center—

(i) to carry out scientifically based research and evaluation for the purpose of developing, improving, and identifying the most successful methods for addressing the education, employment, and training needs of participants, including special populations, in career and technical education programs, including research and evaluation in such activities as—

(I) the integration of—

(aa) career and technical instruction; and

(bb) academic, secondary and postsecondary instruction;

(II) education technology and distance learning approaches and strategies that are effective with respect to career and technical education;

(III) State adjusted levels of performance and State levels of performance that serve to improve career and technical education programs and student achievement;

(IV) academic knowledge and career and technical skills required for employment or participation in postsecondary education; and

(V) preparation for occupations in high skill, high wage, or high demand business and industry, including examination of—

(aa) collaboration between career and technical education programs and business and industry; and

(bb) academic and technical skills required for a regional or sectoral workforce, including small business;

(ii) to carry out scientifically based research and evaluation to increase the effectiveness and improve the implementation of career and technical education programs that are integrated with coherent and rigorous content aligned with challenging academic standards, including conducting research and development, and studies, that provide longitudinal information or formative evaluation with respect to career and technical education programs and student achievement;

(iii) to carry out scientifically based research and evaluation that can be used to improve the preparation and professional development of teachers, faculty, and administrators, and to improve student learning in the career and technical education classroom, including—

(I) effective in-service and preservice teacher and faculty education that assists career and technical education programs in—

(aa) integrating those programs with challenging State academic standards, as adopted by States under section 6311(b)(1) of this title; and

(bb) coordinating technical education with industry-recognized certification requirements;

(II) dissemination and training activities related to the applied research and demonstration activities described in this subsection, which may also include serving as a repository for information on career and technical skills, State academic standards, and related materials; and

(III) the recruitment and retention of career and technical education teachers, faculty, counselors, and administrators, including individuals in groups underrepresented in the teaching profession; and

(iv) to carry out such other research and evaluation, consistent with the purposes of this chapter, as the Secretary determines appropriate to assist State and local recipients of funds under this chapter.

#### **(B) Report**

The center conducting the activities described in subparagraph (A) shall annually prepare a report of the key research findings of such center and shall submit copies of the report to the Secretary, the relevant committees of Congress, the Library of Congress, and each eligible agency.

#### **(C) Dissemination**

The center shall conduct dissemination and training activities based upon the research described in subparagraph (A).

#### **(5) Demonstrations and dissemination**

The Secretary is authorized to carry out demonstration career and technical education programs, to replicate model career and technical education programs, to disseminate best practices information, and to provide technical assistance upon request of a State, for the purposes of developing, improving, and identifying the most successful methods and techniques for providing career and technical education programs assisted under this chapter.

#### **(e) Authorization of appropriations**

There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2007 through 2012.

(Pub. L. 88-210, title I, §114, as added Pub. L. 109-270, §1(b), Aug. 12, 2006, 120 Stat. 702; amend-

ed Pub. L. 113-76, div. H, title III, §307(d), Jan. 17, 2014, 128 Stat. 399; Pub. L. 114-95, title IX, §9215(n)(4), Dec. 10, 2015, 129 Stat. 2169.)

#### REFERENCES IN TEXT

The Federal Advisory Committee Act, referred to in subsec. (d)(1)(D), is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, as amended, which is set out in the Appendix to Title 5, Government Organization and Employees.

The Carl D. Perkins Career and Technical Education Improvement Act of 2006, referred to in subsec. (d)(2)(A), is Pub. L. 109-270, Aug. 12, 2006, 120 Stat. 683. For complete classification of this Act to the Code, see Short Title of 2006 Amendment note set out under section 2301 of this title and Tables.

#### PRIOR PROVISIONS

A prior section 2324, Pub. L. 88-210, title I, §114, as added Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3089, related to national activities, prior to the general amendment of this chapter by Pub. L. 109-270.

Another prior section 2324, Pub. L. 88-210, title I, §114, as added Pub. L. 98-524, §1, Oct. 19, 1984, 98 Stat. 2449; amended Pub. L. 101-392, title I, §114, Sept. 25, 1990, 104 Stat. 769, related to development and approval of State plans, prior to the general amendment of this chapter by Pub. L. 105-332.

#### AMENDMENTS

2015—Subsec. (d)(4)(A)(iii)(I)(aa). Pub. L. 114-95 substituted “integrating those programs with challenging State academic standards, as adopted by States under section 6311(b)(1) of this title;” for “integrating those programs with academic content standards and student academic achievement standards, as adopted by States under section 6311(b)(1) of this title;”.

2014—Subsec. (b)(1). Pub. L. 113-76 substituted “Office of Career, Technical, and Adult Education” for “Office of Vocational and Adult Education”.

#### EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114-95 effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114-95, set out as a note under section 6301 of this title.

### **§ 2325. Assistance for the outlying areas**

#### **(a) Outlying areas**

From funds reserved pursuant to section 2321(a)(1)(A) of this title, the Secretary shall—

(1) make a grant in the amount of \$660,000 to Guam;

(2) make a grant in the amount of \$350,000 to each of American Samoa and the Commonwealth of the Northern Mariana Islands; and

(3) make a grant of \$160,000 to the Republic of Palau, subject to subsection (d).

#### **(b) Remainder**

##### **(1) First year**

Subject to subsection (a), for the first fiscal year following August 12, 2006, the Secretary shall make a grant of the remainder of funds reserved pursuant to section 2321(a)(1)(A) of this title to the Pacific Region Educational Laboratory in Honolulu, Hawaii, to make grants for career and technical education and training in Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, for the purpose of providing direct career and technical educational services, including—

(A) teacher and counselor training and retraining;