

“(b) SPECIAL RULE.—Sections 3, 115, 116, 504, and 512 and part H of title III of the Carl D. Perkins Vocational and Applied Technology Education Act [former sections 2302, 2325, 2326, 2466a, and 2468a of this title and former part H (§2397 et seq.) of subchapter III of chapter 44 of this title] (as amended by this Act) shall take effect upon the enactment of this Act [Sept. 25, 1990].”

§ 3423b. Office of Non-Public Education

There shall be in the Department an Office of Non-Public Education to ensure the maximum potential participation of non-public school students in all Federal educational programs for which such students are eligible.

(Pub. L. 96-88, title II, §214, as added Pub. L. 103-382, title II, §271(c), Oct. 20, 1994, 108 Stat. 3929.)

PRIOR PROVISIONS

A prior section 214 of Pub. L. 96-88 was renumbered section 212 and is classified to section 3423a of this title.

Another prior section 214 of Pub. L. 96-88 was renumbered section 217 and is classified to section 3424 of this title.

§ 3423c. Office of Indian Education

(a) Office of Indian Education

There shall be an Office of Indian Education (referred to in this section as “the Office”) in the Department of Education.

(b) Director

(1) Appointment and reporting

The Office shall be under the direction of the Director, who shall be appointed by the Secretary and who shall report directly to the Assistant Secretary for Elementary and Secondary Education.

(2) Duties

The Director shall—

(A) be responsible for administering part A of title VI of the Elementary and Secondary Education Act of 1965 [20 U.S.C. 7401 et seq.];

(B) be involved in, and be primarily responsible for, the development of all policies affecting Indian children and adults under programs administered by the Office of Elementary and Secondary Education;

(C) coordinate the development of policy and practice for all programs in the Department relating to Indian persons; and

(D) assist the Assistant Secretary of the Office of Educational Research and Improvement in identifying research priorities relating to the education of Indian persons.

(c) Indian preference in employment

(1) In general

The Secretary shall give a preference to Indian persons in all personnel actions in the Office.

(2) Implementation

Such preference shall be implemented in the same fashion as the preference given to any veteran under section 45 of title 25.

(Pub. L. 96-88, title II, §215, as added Pub. L. 103-382, title III, §372(2), Oct. 20, 1994, 108 Stat. 3977; amended Pub. L. 114-95, title IX, §9215(v), Dec. 10, 2015, 129 Stat. 2171.)

REFERENCES IN TEXT

The Elementary and Secondary Education Act of 1965, referred to in subsec. (b)(2)(A), is Pub. L. 89-10, Apr. 11, 1965, 79 Stat. 27. Part A of title VI of the Act is classified generally to part A (§7401 et seq.) of subchapter VI of chapter 70 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 6301 of this title and Tables.

PRIOR PROVISIONS

A prior section 215 of Pub. L. 96-88 was renumbered section 217 and is classified to section 3424 of this title.

Provisions similar to those in this section were contained in section 2641 of Title 25, Indians, prior to repeal by Pub. L. 103-382, §367.

AMENDMENTS

2015—Subsec. (b)(2)(A). Pub. L. 114-95 substituted “be responsible for administering part A of title VI of the Elementary and Secondary Education Act of 1965” for “be responsible for administering this title”.

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.

OFFICE OF EDUCATIONAL RESEARCH AND IMPROVEMENT

The Office of Educational Research and Improvement was established by section 3419 of this title. Section 3419 was repealed and a new section 3419 establishing the Institute of Educational Sciences was enacted by Pub. L. 107-279, title IV, §402(2), Nov. 5, 2002, 116 Stat. 1985.

§ 3423d. Office of English Language Acquisition, Language Enhancement, and Academic Achievement for Limited English Proficient Students

(a) Establishment

There shall be, in the Department, an Office of English Language Acquisition, Language Enhancement, and Academic Achievement for Limited English Proficient Students through which the Secretary shall carry out functions relating to bilingual education.

(b) Director

(1) In general

The Office shall be headed by a Director of English Language Acquisition, Language Enhancement, and Academic Achievement for Limited English Proficient Students, appointed by the Secretary, to whom the Secretary shall delegate all delegable functions relating to bilingual education. The Director shall also be assigned responsibility for recommending improvements and providing technical assistance to other Federal programs serving language-minority and limited-English-proficient students and their families and for assisting the Assistant Secretary of the Office of Educational Research and Improvement in identifying research priorities which reflect the needs of language-minority and limited-English language proficient students.

(2) Organization

The Office shall be organized as the Director determines to be appropriate in order to carry

out such functions and responsibilities effectively.

(3) Inclusion

The Secretary shall ensure that limited-English-proficient and language-minority students are included in ways that are valid, reliable, and fair under all standards and assessment development conducted or funded by the Department.

(Pub. L. 96-88, title II, §216, as added Pub. L. 103-382, title III, §372(2), Oct. 20, 1994, 108 Stat. 3978; amended Pub. L. 107-110, title X, §1072(b), (c)(2)(B), (d), Jan. 8, 2002, 115 Stat. 2089.)

CODIFICATION

Another section 216 of Pub. L. 96-88 was renumbered section 218 and is classified to section 3425 of this title.

AMENDMENTS

2002—Pub. L. 107-110, §1072(c)(2)(B), substituted “Office of English Language Acquisition, Language Enhancement, and Academic Achievement for Limited English Proficient Students” for “Office of Bilingual Education and Minority Languages Affairs” in section catchline.

Subsec. (a). Pub. L. 107-110, §1072(b), substituted “Office of English Language Acquisition, Language Enhancement, and Academic Achievement for Limited English Proficient Students” for “Office of Bilingual Education and Minority Languages Affairs”.

Subsec. (b)(1). Pub. L. 107-110, §1072(d), substituted “Director of English Language Acquisition, Language Enhancement, and Academic Achievement for Limited English Proficient Students” for “Director of Bilingual Education and Minority Languages Affairs”.

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-110 effective Jan. 8, 2002, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 107-110, set out as an Effective Date note under section 6301 of this title.

OFFICE OF EDUCATIONAL RESEARCH AND IMPROVEMENT

The Office of Educational Research and Improvement was established by section 3419 of this title. Section 3419 was repealed and a new section 3419 establishing the Institute of Educational Sciences was enacted by Pub. L. 107-279, title IV, §402(2), Nov. 5, 2002, 116 Stat. 1985.

§ 3424. Federal Interagency Committee on Education

(a) Establishment and function

There is established a Federal Interagency Committee on Education (hereafter referred to in this section as the “Committee”). The Committee shall assist the Secretary in providing a mechanism to assure that the procedures and actions of the Department and other Federal departments and agencies are fully coordinated.

(b) Coordination of Federal programs, policies and practices

The Committee shall study and make recommendations for assuring effective coordination of Federal programs, policies, and administrative practices affecting education, including—

- (1) consistent administration and development of policies and practices among Federal agencies in the conduct of related programs;
- (2) full and effective communication among Federal agencies to avoid unnecessary duplica-

tion of activities and repetitive collection of data;

(3) full and effective cooperation with the Secretary on such studies and analyses as are necessary to carry out the purposes of this chapter;

(4) coordination of related programs to assure that recipients of Federal assistance are efficiently and responsively served; and

(5) full and effective involvement and participation of students and parents in Federal education programs.

(c) Membership

The Committee shall be composed of the Secretary, who shall chair the Committee, and senior policy making officials from those Federal agencies, commissions, and boards that the President may find appropriate.

(d) Designation of additional persons to attend meetings

The Director of the Office of Management and Budget, the Chairman of the Council of Economic Advisers, the Director of the Office of Science and Technology Policy, and the Executive Director of the Domestic Policy Staff may each designate a staff member to attend meetings of the Committee.

(e) Federal vocational education and training programs study; report

The Committee shall conduct a study concerning the progress, effectiveness, and accomplishments of Federal vocational education and training programs, and the need for improved coordination between all federally funded vocational education and training programs. The Committee shall report the findings of such study to the Secretary and the Congress within two years of October 17, 1979.

(f) Required meetings; establishment of subcommittees

The Committee shall meet at least twice each year. The Secretary may establish subcommittees of the Committee to facilitate coordination in important areas of Federal activity.

(g) Support assistance

The Secretary and the head of each agency represented on the Committee under subsection (c) of this section shall furnish necessary assistance to the Committee.

(Pub. L. 96-88, title II, §217, formerly §214, Oct. 17, 1979, 93 Stat. 676; renumbered §215, Pub. L. 101-392, title VI, §602(a)(2), Sept. 25, 1990, 104 Stat. 840; renumbered §217, Pub. L. 103-382, title III, §372(1), Oct. 20, 1994, 108 Stat. 3977.)

TERMINATION OF ADVISORY COMMITTEES

Advisory committees established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by the Congress, its duration is otherwise provided for by law. See section 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 776, set out in the Appendix to Title 5, Government Organization and Employees.