

**(b) Training program**

The Statistics Commissioner may establish a program to train employees of public and private educational agencies, organizations, and institutions in the use of standard statistical procedures and concepts, and may establish a fellowship program to appoint such employees as temporary fellows at the Statistics Center, in order to assist the Statistics Center in carrying out its duties.

(Pub. L. 107-279, title I, §153, Nov. 5, 2002, 116 Stat. 1958; Pub. L. 114-95, title IX, §9214(b), Dec. 10, 2015, 129 Stat. 2161.)

## REFERENCES IN TEXT

The Elementary and Secondary Education Act of 1965, referred to in subsec. (a)(5), is Pub. L. 89-10, Apr. 11, 1965, 79 Stat. 27, which is classified generally to chapter 70 (§6301 et seq.) 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.

## AMENDMENTS

2015—Subsec. (a)(1)(F)(ii). Pub. L. 114-95 substituted “teachers who meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 1412(a)(14)(C) of this title.” for “teachers who are highly qualified (as such term is defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801))”.

## 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.

## STUDY BY NATIONAL CENTER FOR EDUCATION STATISTICS RESPECTING CONDITION OF EDUCATION FOR HISPANIC AMERICANS

Pub. L. 98-211, §24(b), Dec. 8, 1983, 97 Stat. 1419, provided that: “The National Center for Education Statistics shall not terminate the study of the condition of education for Hispanic Americans unless specifically required or authorized to do so by law.”

**§ 9544. Performance of duties****(a) Grants, contracts, and cooperative agreements**

In carrying out the duties under this part, the Statistics Commissioner,<sup>1</sup> may award grants, enter into contracts and cooperative agreements, and provide technical assistance.

**(b) Gathering information****(1) Sampling**

The Statistics Commissioner may use the statistical method known as sampling (including random sampling) to carry out this part.

**(2) Source of information**

The Statistics Commissioner may, as appropriate, use information collected—

- (A) from States, local educational agencies, public and private schools, preschools, institutions of higher education, vocational and adult education programs, libraries, ad-

ministrators, teachers, students, the general public, and other individuals, organizations, agencies, and institutions (including information collected by States and local educational agencies for their own use); and

(B) by other offices within the Institute and by other Federal departments, agencies, and instrumentalities.

**(3) Collection**

The Statistics Commissioner may—

(A) enter into interagency agreements for the collection of statistics;

(B) arrange with any agency, organization, or institution for the collection of statistics; and

(C) assign employees of the Statistics Center to any such agency, organization, or institution to assist in such collection.

**(4) Technical assistance and coordination**

In order to maximize the effectiveness of Department efforts to serve the educational needs of children and youth, the Statistics Commissioner shall—

(A) provide technical assistance to the Department offices that gather data for statistical purposes; and

(B) coordinate with other Department offices in the collection of data.

**(c) Duration**

Notwithstanding any other provision of law, the grants, contracts, and cooperative agreements under this section may be awarded, on a competitive basis, for a period of not more than 5 years, and may be renewed at the discretion of the Statistics Commissioner for an additional period of not more than 5 years.

(Pub. L. 107-279, title I, §154, Nov. 5, 2002, 116 Stat. 1960.)

**§ 9545. Reports****(a) Procedures for issuance of reports**

The Statistics Commissioner,<sup>1</sup> shall establish procedures, in accordance with section 9576 of this title, to ensure that the reports issued under this section are relevant, of high quality, useful to customers, subject to rigorous peer review, produced in a timely fashion, and free from any partisan political influence.

**(b) Report on condition and progress of education**

Not later than June 1, 2003, and each June 1 thereafter, the Statistics Commissioner,<sup>1</sup> shall submit to the President and the appropriate congressional committees a statistical report on the condition and progress of education in the United States.

**(c) Statistical reports**

The Statistics Commissioner shall issue regular and, as necessary, special statistical reports on education topics, particularly in the core academic areas of reading, mathematics, and science, consistent with the priorities and the mission of the Statistics Center.

(Pub. L. 107-279, title I, §155, Nov. 5, 2002, 116 Stat. 1960.)

<sup>1</sup> So in original. The comma probably should not appear.

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**§ 9546. Dissemination****(a) General requests****(1) In general**

The Statistics Center may furnish transcripts or copies of tables and other statistical records and make special statistical compilations and surveys for State and local officials, public and private organizations, and individuals.

**(2) Compilations**

The Statistics Center shall provide State educational agencies, local educational agencies, and institutions of higher education with opportunities to suggest the establishment of particular compilations of statistics, surveys, and analyses that will assist those educational agencies.

**(b) Congressional requests**

The Statistics Center shall furnish such special statistical compilations and surveys as the relevant congressional committees may request.

**(c) Joint statistical projects**

The Statistics Center may engage in joint statistical projects related to the mission of the Center, or other statistical purposes authorized by law, with nonprofit organizations or agencies, and the cost of such projects shall be shared equitably as determined by the Secretary.

**(d) Fees****(1) In general**

Statistical compilations and surveys under this section, other than those carried out pursuant to subsections (b) and (c), may be made subject to the payment of the actual or estimated cost of such work.

**(2) Funds received**

All funds received in payment for work or services described in this subsection may be used to pay directly the costs of such work or services, to repay appropriations that initially bore all or part of such costs, or to refund excess sums when necessary.

**(e) Access****(1) Other agencies**

The Statistics Center shall, consistent with section 9573 of this title, cooperate with other Federal agencies having a need for educational data in providing access to educational data received by the Statistics Center.

**(2) Interested parties**

The Statistics Center shall, in accordance with such terms and conditions as the Center may prescribe, provide all interested parties, including public and private agencies, parents, and other individuals, direct access, in the most appropriate form (including, where possible, electronically), to data collected by the Statistics Center for the purposes of research and acquiring statistical information.

(Pub. L. 107-279, title I, §156, Nov. 5, 2002, 116 Stat. 1961.)

**§ 9547. Cooperative education statistics systems**

The Statistics Center may establish 1 or more national cooperative education statistics systems

for the purpose of producing and maintaining, with the cooperation of the States, comparable and uniform information and data on early childhood education, elementary and secondary education, postsecondary education, adult education, and libraries, that are useful for policymaking at the Federal, State, and local levels.

(Pub. L. 107-279, title I, §157, Nov. 5, 2002, 116 Stat. 1962.)

**§ 9548. State defined**

In this part, the term “State” means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

(Pub. L. 107-279, title I, §158, Nov. 5, 2002, 116 Stat. 1962.)

PART D—NATIONAL CENTER FOR EDUCATION  
EVALUATION AND REGIONAL ASSISTANCE

**§ 9561. Establishment****(a) Establishment**

There is established in the Institute a National Center for Education Evaluation and Regional Assistance.

**(b) Mission**

The mission of the National Center for Education Evaluation and Regional Assistance shall be—

- (1) to provide technical assistance;
- (2) to conduct evaluations of Federal education programs administered by the Secretary (and as time and resources allow, other education programs) to determine the impact of such programs (especially on student academic achievement in the core academic areas of reading, mathematics, and science);
- (3) to support synthesis and wide dissemination of results of evaluation, research, and products developed; and
- (4) to encourage the use of scientifically valid education research and evaluation throughout the United States.

**(c) Grants, contracts, and cooperative agreements**

In carrying out the duties under this part, the Director may award grants, enter into contracts and cooperative agreements, and provide technical assistance.

(Pub. L. 107-279, title I, §171, Nov. 5, 2002, 116 Stat. 1962.)

**§ 9562. Commissioner for Education Evaluation and Regional Assistance****(a) In general**

The National Center for Education Evaluation and Regional Assistance shall be headed by a Commissioner for Education Evaluation and Regional Assistance (in this part referred to as the “Evaluation and Regional Assistance Commissioner”) who is highly qualified and has demonstrated a capacity to carry out the mission of the Center and shall—

- (1) conduct evaluations pursuant to section 9563 of this title;
- (2) widely disseminate information on scientifically valid research, statistics, and eval-