

tems 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-

uation on education, particularly to State educational agencies and local educational agencies, to institutions of higher education, to the public, the media, voluntary organizations, professional associations, and other constituencies, especially with respect to information relating to, at a minimum—

(A) the core academic areas of reading, mathematics, and science;

(B) closing the achievement gap between high-performing students and low-performing students;

(C) educational practices that improve academic achievement and promote learning;

(D) education technology, including software; and

(E) those topics covered by the Educational Resources Information Center Clearinghouses (established under section 941(f) of the Educational Research, Development, Dissemination, and Improvement Act of 1994 (20 U.S.C. 6041(f)) (as such provision was in effect on the day before November 5, 2002);

(3) make such information accessible in a user-friendly, timely, and efficient manner (including through use of a searchable Internet-based online database that shall include all topics covered in paragraph (2)(E)) to schools, institutions of higher education, educators (including early childhood educators), parents, administrators, policymakers, researchers, public and private entities (including providers of early childhood services), entities responsible for carrying out technical assistance through the Department, and the general public;

(4) support the regional educational laboratories in conducting applied research, the development and dissemination of educational research, products and processes, the provision of technical assistance, and other activities to serve the educational needs of such laboratories’ regions;

(5) manage the National Library of Education described in subsection (d), and other sources of digital information on education research;

(6) assist the Director in the preparation of a biennial report, described in section 9519 of this title; and

(7) award a contract for a prekindergarten through grade 12 mathematics and science teacher clearinghouse.

(b) Additional duties

In carrying out subsection (a), the Evaluation and Regional Assistance Commissioner shall—

(1) ensure that information disseminated under this section is provided in a cost-effective, nonduplicative manner that includes the most current research findings, which may include through the continuation of individual clearinghouses authorized under the Educational Research, Development, Dissemination, and Improvement Act of 1994 (title IX of the Goals 2000: Educate America Act; 20 U.S.C. 6001 et seq.) (as such Act existed on the day before November 5, 2002);

(2) describe prominently the type of scientific evidence that is used to support the findings that are disseminated;

(3) explain clearly the scientifically appropriate and inappropriate uses of—

- (A) the findings that are disseminated; and
- (B) the types of evidence used to support those findings; and

(4) respond, as appropriate, to inquiries from schools, educators, parents, administrators, policymakers, researchers, public and private entities, and entities responsible for carrying out technical assistance.

(c) Continuation

The Director shall continue awards for the support of the Educational Resources Information Center Clearinghouses and contracts for regional educational laboratories (established under subsections (f) and (h) of section 941 of the Educational Research, Development, Dissemination, and Improvement Act of 1994 (20 U.S.C. 6041(f) and (h)) (as such awards were in effect on the day before November 5, 2002)) for the duration of those awards, in accordance with the terms and agreements of such awards.

(d) National Library of Education

(1) Establishment

There is established within the National Center for Education Evaluation and Regional Assistance a National Library of Education that shall—

- (A) be headed by an individual who is highly qualified in library science;
- (B) collect and archive information;
- (C) provide a central location within the Federal Government for information about education;
- (D) provide comprehensive reference services on matters related to education to employees of the Department of Education and its contractors and grantees, other Federal employees, and members of the public; and
- (E) promote greater cooperation and resource sharing among providers and repositories of education information in the United States.

(2) Information

The information collected and archived by the National Library of Education shall include—

- (A) products and publications developed through, or supported by, the Institute; and
- (B) other relevant and useful education-related research, statistics, and evaluation materials and other information, projects, and publications that are—
 - (i) consistent with—
 - (I) scientifically valid research; or
 - (II) the priorities and mission of the Institute; and
 - (ii) developed by the Department, other Federal agencies, or entities (including entities supported under subchapter II of this chapter and the Educational Resources Information Center Clearinghouses (established under section 941(f) of the Educational Research, Development, Dissemination, and Improvement Act of 1994 (20 U.S.C. 6041(f)) (as such provision was in effect on the day before November 5, 2002))).¹

¹ So in original. The third closing parenthesis probably should not appear.

(Pub. L. 107-279, title I, §172, Nov. 5, 2002, 116 Stat. 1962.)

REFERENCES IN TEXT

The Educational Research, Development, Dissemination, and Improvement Act of 1994 (as such Act existed on the day before November 5, 2002), referred to in subsections (a)(1)(E), (b)(1), (c), and (d)(2)(B)(ii), is title IX of Pub. L. 103-227, Mar. 31, 1994, 108 Stat. 212, as amended, which was classified principally to subchapter IX (§6001 et seq.) of chapter 68 of this title and was substantially repealed by Pub. L. 107-279, title IV, §403(2), Nov. 5, 2002, 116 Stat. 1985. Section 941 of the Act was classified to section 6041 of this title prior to repeal. For complete classification of this Act to the Code, see section 6001 of this title and Tables.

§ 9563. Evaluations

(a) In general

(1) Requirements

In carrying out its missions, the National Center for Education Evaluation and Regional Assistance may—

- (A) conduct or support evaluations consistent with the Center's mission as described in section 9561(b) of this title;
- (B) evaluate programs under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.);
- (C) to the extent practicable, examine evaluations conducted or supported by others in order to determine the quality and relevance of the evidence of effectiveness generated by those evaluations, with the approval of the Director;
- (D) coordinate the activities of the National Center for Education Evaluation and Regional Assistance with other evaluation activities in the Department;
- (E) review and, where feasible, supplement Federal education program evaluations, particularly those by the Department, to determine or enhance the quality and relevance of the evidence generated by those evaluations;
- (F) establish evaluation methodology; and
- (G) assist the Director in the preparation of the biennial report, as described in section 9519 of this title.

(2) Additional requirements

Each evaluation conducted by the National Center for Education Evaluation and Regional Assistance pursuant to paragraph (1) shall—

- (A) adhere to the highest possible standards of quality for conducting scientifically valid education evaluation; and
- (B) be subject to rigorous peer-review.

(b) Administration of evaluations under the Elementary and Secondary Education Act of 1965

The Evaluation and Regional Assistance Commissioner, consistent with the mission of the National Center for Education Evaluation and Regional Assistance under section 9561(b) of this title, shall administer all operations and contracts associated with evaluations authorized by section 8601 of the Elementary and Secondary Education Act of 1965 [20 U.S.C. 7981] and administered by the Department as of November 5, 2002.