

**§ 4354. Reports**

The Board of Trustees of Gallaudet University and the Board of Trustees or other governing body of the institution of higher education with which the Secretary has an agreement under section 4332 of this title shall prepare and submit an annual report to the Secretary, and to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate, not later than 100 days after the end of each fiscal year, which shall include the following:

(1) The number of students during the preceding academic year who enrolled and whether these were first-time enrollments, who graduated, who found employment, or who left without completing a program of study, reported under each of the programs of the University (elementary, secondary, undergraduate, and graduate) and of NTID.

(2) For the preceding academic year, and to the extent possible, the following data on individuals who are deaf and from minority backgrounds and who are students (at all educational levels) or employees:

(A) The number of students enrolled full- and part-time.

(B) The number of these students who completed or graduated from each of the educational programs.

(C) The disposition of these students on the date that is one year after the date of graduation or completion of programs at NTID and at the University and its elementary and secondary schools in comparison to students from non-minority backgrounds.

(D) The number of students needing and receiving support services (such as tutoring and counseling) at all educational levels.

(E) The number of recruitment activities by type and location for all educational levels.

(F) Employment openings/vacancies and grade level/type of job and number of these individuals that applied and that were hired.

(G) Strategies (such as parent groups and training classes in the development of individualized education programs) used by the elementary and secondary programs and the extension centers to reach and actively involve minority parents in the educational programs of their children who are deaf or hard of hearing and the number of parents who have been served as a result of these activities.

(3)(A) A summary of the annual audited financial statements and auditor's report of the University, as required under section 4353 of this title, and (B) a summary of the annual audited financial statements and auditor's report of NTID programs and activities, and such supplementary schedules presenting financial information for NTID for the end of the Federal fiscal year as determined by the Secretary.

(4) For the preceding fiscal year, a statement showing the receipts of the University and NTID and from what Federal sources, and a statement showing the expenditures of each

institution by function, activity, and administrative and academic unit.

(5) A statement showing the use of funds (both corpus and income) provided by the Federal Endowment Program under section 4357 of this title.

(6) A statement showing how such Endowment Program funds are invested, what the gains or losses (both realized and unrealized) on such investments were for the most recent fiscal year, and what changes were made in investments during that year.

(7) Such additional information as the Secretary may consider necessary.

(Pub. L. 99-371, title II, § 204, formerly title IV, § 404, Aug. 4, 1986, 100 Stat. 790; renumbered title II, § 204, and amended Pub. L. 102-421, title I, §§ 101(b)(5), (6), 134, Oct. 16, 1992, 106 Stat. 2151, 2157; Pub. L. 103-73, title II, § 204(c), Aug. 11, 1993, 107 Stat. 735; Pub. L. 105-244, title IX, § 917, Oct. 7, 1998, 112 Stat. 1831; Pub. L. 110-315, title IX, § 906, Aug. 14, 2008, 122 Stat. 3453.)

**Editorial Notes****PRIOR PROVISIONS**

Provisions similar to this section were contained in section 691f of this title prior to repeal by Pub. L. 99-371.

**AMENDMENTS**

2008—Pub. L. 110-315, § 906(1), substituted "Committee on Health, Education, Labor, and Pensions of the Senate" for "Committee on Labor and Human Resources of the Senate" in introductory provisions.

Par. (1). Pub. L. 110-315, § 906(2), struck out "preparatory," after "secondary."

Par. (2)(C). Pub. L. 110-315, § 906(3), substituted "on the date that is one year after the date of graduation or completion" for "upon graduation/completion".

Par. (3)(B). Pub. L. 110-315, § 906(4), substituted "of NTID programs and activities" for "of the institution of higher education with which the Secretary has an agreement under section 4332 of this title, including specific schedules and analyses for all NTID funds, as required under section 4353 of this title".

1998—Par. (3). Pub. L. 105-244 substituted "A summary of the annual" for "The annual" in subpar. (A) and substituted "a summary of the annual" for "the annual" in subpar. (B).

1993—Par. (1). Pub. L. 103-73, § 204(c)(1), substituted "first-time" for "first time".

Par. (2)(G). Pub. L. 103-73, § 204(c)(2), substituted "individualized education programs" for "Individualized Education Programs" and "children who are deaf or hard of hearing" for "children who are deaf".

Par. (3). Pub. L. 103-73, § 204(c)(3), amended par. (3) generally. Prior to amendment, par. (3) read as follows: "The annual audited financial statements of the University and NTID, respectively, together with the auditor's report."

Par. (6). Pub. L. 103-73, § 204(c)(4), substituted "Program funds are" for "Program is".

1992—Pub. L. 102-421, § 134, amended section generally, substituting present provisions for provisions requiring annual reports from Board of Trustees of Gallaudet University and National Technical Institute for the Deaf and providing for an annual monitoring and evaluation report.

**Statutory Notes and Related Subsidiaries****EFFECTIVE DATE OF 1998 AMENDMENT**

Amendment by Pub. L. 105-244 effective Oct. 1, 1998, except as otherwise provided in Pub. L. 105-244, see sec-

tion 3 of Pub. L. 105-244, set out as a note under section 1001 of this title.

EFFECTIVE DATE OF 1992 AMENDMENT

Amendment by Pub. L. 102-421 effective Oct. 1, 1992, see section 161 of Pub. L. 102-421, set out as a note under section 4301 of this title.

**§ 4355. Monitoring, evaluation, and reporting**

**(a) Activities**

The Secretary shall conduct monitoring and evaluation activities of the education programs and activities and the administrative operations of the University (including the elementary, secondary, undergraduate, and graduate programs) and of NTID. The Secretary may also conduct studies related to the provision of preschool, elementary, secondary, and postsecondary education and other related services to individuals who are deaf or hard of hearing. In carrying out the responsibilities described in this section, the Secretary is authorized to employ such consultants as may be necessary pursuant to section 3109 of title 5.

**(b) Report**

The Secretary shall annually transmit information to Congress on the monitoring and evaluation activities pursuant to subsection (a), together with such recommendations, including recommendations for legislation, as the Secretary may consider necessary.

**(c) Authorization of appropriations**

There are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2009 through 2014 to carry out the monitoring and evaluation activities authorized under this section.

(Pub. L. 99-371, title II, §205, formerly title IV, §405, Aug. 4, 1986, 100 Stat. 790; renumbered title II, §205, and amended Pub. L. 102-421, title I, §§101(b)(5), (6), 135(a), Oct. 16, 1992, 106 Stat. 2151, 2158; Pub. L. 103-73, title II, §204(d), Aug. 11, 1993, 107 Stat. 735; Pub. L. 105-244, title IX, §918, Oct. 7, 1998, 112 Stat. 1831; Pub. L. 110-315, title IX, §907, Aug. 14, 2008, 122 Stat. 3453.)

**Editorial Notes**

AMENDMENTS

2008—Subsec. (a). Pub. L. 110-315, §907(1), struck out “preparatory,” before “undergraduate”.

Subsec. (b). Pub. L. 110-315, §907(2), substituted “The Secretary shall annually transmit information to Congress on” for “The Secretary, as part of the annual report required under section 3486 of this title, shall include a description of”.

Subsec. (c). Pub. L. 110-315, §907(3), substituted “fiscal years 2009 through 2014” for “fiscal years 1998 through 2003”.

1998—Subsec. (c). Pub. L. 105-244 substituted “1998 through 2003” for “1993, 1994, 1995, 1996, and 1997”.

1993—Subsec. (a). Pub. L. 103-73 substituted “individuals who are deaf or hard of hearing” for “individuals who are deaf” and struck out “the provisions of” after “pursuant to”.

1992—Pub. L. 102-421, §135(a), amended section generally. Prior to amendment, section read as follows: “The Secretary shall conduct monitoring and evaluation activities of the education programs and activities and the administrative operations of Gallaudet University and of the National Technical Institute for the Deaf. In carrying out the responsibilities described in

this section, the Secretary is authorized to employ such consultants as may be necessary pursuant to the provisions of section 3109 of title 5.”

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105-244 effective Oct. 1, 1998, except as otherwise provided in Pub. L. 105-244, see section 3 of Pub. L. 105-244, set out as a note under section 1001 of this title.

EFFECTIVE DATE OF 1992 AMENDMENT

Amendment by Pub. L. 102-421 effective Oct. 1, 1992, see section 161 of Pub. L. 102-421, set out as a note under section 4301 of this title.

**§ 4356. Liaison for educational programs**

**(a) Designation of liaison**

The Secretary shall designate an individual in the Office of Special Education and Rehabilitative Services of the Department of Education from among individuals who have experience in the education of individuals who are deaf to serve as liaison between the Department and Gallaudet University, the National Technical Institute for the Deaf, and other postsecondary educational programs for individuals who are deaf under the Individuals with Disabilities Education Act [20 U.S.C. 1400 et seq.], the Rehabilitation Act of 1973 [29 U.S.C. 701 et seq.], and other Federal or non-Federal agencies, institutions, or organizations involved with the education or rehabilitation of individuals who are deaf or hard of hearing.

**(b) Duties of liaison**

The individual serving as liaison for educational programs for individuals who are deaf or hard of hearing shall:

(1) provide information to institutions regarding the Department’s efforts directly affecting the operation of such programs by such institutions;

(2) review research and other activities carried out by the University, NTID, and other Federal or non-Federal agencies, institutions, or organizations involved with the education or rehabilitation of individuals who are deaf or hard of hearing for the purpose of determining overlap and opportunities for coordination among such entities; and

(3) provide such support and assistance as such institutions may request and the Secretary considers appropriate.

**(c) Authority of Secretary**

Nothing in this section may be construed to affect the authority of the Secretary under this chapter or any other Act with respect to Gallaudet University or the National Technical Institute for the Deaf.

(Pub. L. 99-371, title II, §206, formerly title IV, §406, Aug. 4, 1986, 100 Stat. 790; Pub. L. 101-476, title IX, §901(a)(2), Oct. 30, 1990, 104 Stat. 1142; renumbered title II, §206, and amended Pub. L. 102-421, title I, §§101(b)(5), (6), 136, 151(a)(4), (5), Oct. 16, 1992, 106 Stat. 2151, 2159, 2164; Pub. L. 103-73, title II, §204(e), Aug. 11, 1993, 107 Stat. 735; Pub. L. 110-315, title IX, §908, Aug. 14, 2008, 122 Stat. 3453.)