

(2) Associate Commissioners

The Commissioner may appoint such Associate Commissioners as the Commissioner determines are necessary and appropriate.

(Pub. L. 103-382, title IV, §403, Oct. 20, 1994, 108 Stat. 4030.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 7267 of this title.

§ 9003. Duties of Center**(a) Duties**

The duties of the Center are to collect, analyze, and disseminate statistics and other information related to education in the United States and in other nations, including—

(1) collecting, acquiring, compiling (where appropriate, on a State by State basis), and disseminating full and complete statistics on the condition and progress of education, at the preschool, elementary, secondary, and postsecondary levels in the United States, including data on—

(A) State and local education reform activities;

(B) student achievement at all levels of education;

(C) secondary school completions, dropouts, and adult literacy;

(D) educational access to and opportunity for postsecondary education, including data on financial aid to postsecondary students;

(E) teaching, including data on course-taking, instruction, the conditions of the education workplace, and the supply of, and demand for, teachers, which may include data on the proportions of women and men, cross-tabulated by race or ethnicity, teaching in subjects in which such individuals have been historically underrepresented;

(F) the learning and teaching environment, including data on libraries;

(G) the incidence, frequency, seriousness, and nature of violence affecting students, school personnel, and other individuals participating in school activities, as well as other indices of school safety;

(H) the financing and management of education, including data on revenues and expenditures; and

(I) the social and economic status of children;

(2) conducting and publishing reports and analyses of the meaning and significance of such statistics;

(3) conducting longitudinal studies, as well as regular and special surveys and data collections, necessary to report on the condition and progress of education;

(4) collecting, analyzing, cross-tabulating, and reporting, to the extent feasible, so as to provide information by gender, race, socioeconomic status, limited-English proficiency, and other population characteristics when such disaggregated information would facilitate educational and policy decisionmaking;

(5) assisting public and private educational agencies, organizations, and institutions in improving and automating statistical and data collection activities; and

(6) acquiring and disseminating data on educational activities and student achievement in the United States compared with foreign nations.

(b) Training program

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

(Pub. L. 103-382, title IV, §404, Oct. 20, 1994, 108 Stat. 4031.)

NATIONAL SURVEY OF FACTORS ASSOCIATED WITH PARTICIPATION

Pub. L. 102-325, title XIV, §1406, July 22, 1992, 106 Stat. 818, required Secretary of Education, acting through National Center for Educational Statistics, to conduct special purpose survey on biennial basis of factors associated with participation of low-income, disadvantaged, non-English language background, disabled, and minority students in various types of postsecondary education, to conduct certain consultations, to report relevant data and conclusions from the survey to Congress on annual basis, to submit a plan to ensure participation of at-risk students in higher education, and to make an interagency agreement with National Science Foundation relating to existing panel study of income dynamics, prior to repeal by Pub. L. 105-332, §6(b)(2), Oct. 31, 1998, 112 Stat. 3128.

DATA STUDY REQUIRED

Pub. L. 99-498, title XIII, §1303, Oct. 17, 1986, 100 Stat. 1580, as amended by Pub. L. 100-50, §23(3), June 3, 1987, 101 Stat. 362, required Secretary of Education, through Office of Educational Research and Improvement, to conduct studies of escalating cost of higher education, student aid recipients, current and future supply and demand of teachers, and certain financial aid formulas for students in postsecondary education institutions and to submit reports to Congress not later than Sept. 30, 1990, prior to repeal by Pub. L. 105-332, §6(a), Oct. 31, 1998, 112 Stat. 3127.

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."

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1232j of this title.

§ 9004. Performance of duties**(a) Grants, contracts, and cooperative agreements****(1) In general**

In carrying out the Commissioner's duties under this chapter, the Commissioner may award grants, and enter into contracts and cooperative agreements.

(2) 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 five years, and may be renewed at the discretion of the Commissioner for an additional period of not more than five years.

(b) Gathering information

(1) Sampling

The Commissioner may use the statistical method known as sampling to carry out the purpose of this chapter.

(2) Source of information

The Commissioner may, as the Commissioner considers appropriate, use information collected—

(A) from States, local educational agencies, public and private schools, preschools, institutions of higher education, libraries, administrators, teachers, students, the general public, and such other individuals, organizations, agencies, and institutions as the Commissioner may consider appropriate; and

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

(3) Collection

The 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 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 Federal efforts to serve the educational needs of children and youth, the Commissioner shall—

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

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

(Pub. L. 103-382, title IV, §405, Oct. 20, 1994, 108 Stat. 4032.)

§ 9005. Reports

(a) Report on condition and progress of education

The Commissioner shall, not later than June 1, 1995, and each succeeding June 1 thereafter, submit to the President and the Congress a statistical report on the condition and progress of education in the United States.

(b) Statistical reports

The Commissioner shall issue regular statistical reports to the President and Congress on such education topics as the Commissioner determines to be appropriate.

(c) Special reports

The Commissioner may, whenever the Commissioner considers it appropriate, issue special reports on particular education topics.

(Pub. L. 103-382, title IV, §406, Oct. 20, 1994, 108 Stat. 4033.)

§ 9006. Advisory Council on Education Statistics

(a) Establishment

There is established, within the Center, the Advisory Council on Education Statistics (hereafter in this chapter referred to as the “Council”).

(b) Membership

(1) Composition

The Council shall be composed of—

(A) 18 voting members who are users of education data and who are appointed by the Secretary on the basis of their experience and eminence within the field of education, of whom at least—

(i) three shall be practicing educators;

(ii) three shall be education policy-makers;

(iii) three shall be professional statisticians;

(iv) three shall be education researchers; and

(v) three shall be experts in educational measurement;

(B) three individuals representing the general public, appointed by the Secretary;

(C) the Director of the Census and the Commissioner of Labor Statistics, as voting, ex officio members; and

(D) the Assistant Secretary and the Commissioner, as nonvoting, ex officio members.

(2) Presiding officer

The Commissioner shall appoint the presiding officer of the Council from among the voting members of the Council.

(3) Terms

Members of the Council appointed under paragraph (1)(A) shall be appointed for three-year terms except that, in the case of initial appointments, the Secretary shall make appointments for shorter terms to the extent necessary to avoid the expiration of the terms of more than six members in the same calendar year.

(4) Meetings

(A) The Council shall meet in public session at the call of the presiding officer, except that the Council shall meet—

(i) at least two times during each calendar year; and

(ii) in addition, whenever ten voting members request in writing that the presiding officer call a meeting.

(B) Eleven voting members of the Council shall constitute a quorum.

(5) Special rule

The Council shall—

(A) review general policies for the operation of the Center and shall advise the Commissioner on standards to ensure that statistics and other information disseminated by the Center are of high quality and are not subject to partisan political influence; and

(B) advise the Commissioner and the National Assessment Governing Board on technical and statistical matters related to the