

A—Education Sciences Reform Act Part C

ATTACHMENT A  
NCES Authorization Legislation

H. R. 3801

One Hundred Seventh Congress  
of the  
United States of America

**AT THE SECOND SESSION**

*Begun and held at the City of Washington on Wednesday, the twenty-third  
day of January, two thousand and two*

# An Act

To provide for improvement of Federal education research, statistics, evaluation, information, and dissemination, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## **PART C—NATIONAL CENTER FOR EDUCATION STATISTICS**

### **SEC. 151. ESTABLISHMENT.**

(a) ESTABLISHMENT.—There is established in the Institute a National Center for Education Statistics (in this part referred to as the “Statistics Center”).

1(b) MISSION.—The mission of the Statistics Center shall be—

1(1) to collect and analyze education information and statistics in a manner that meets the highest methodological standards;

2(2) to report education information and statistics in a timely manner; and

1(3) to collect, analyze, and report education information and statistics in a manner that—

2(A) is objective, secular, neutral, and nonideological and is free of partisan political influence and racial, cultural, gender, or regional bias; and

3(B) is relevant and useful to practitioners, researchers, policymakers, and the public.

### **SEC. 152. COMMISSIONER FOR EDUCATION STATISTICS.**

The Statistics Center shall be headed by a Commissioner for Education Statistics (in this part referred to as the “Statistics Commissioner”) who shall be highly qualified and have substantial knowledge of statistical methodologies and activities undertaken by the Statistics Center.

### **SEC. 153. DUTIES.**

(a) GENERAL DUTIES.—The Statistics Center shall collect, report, analyze, and disseminate statistical data related to education in the United States and in other nations, including—

1(1) collecting, acquiring, compiling (where appropriate, on a State-by-State basis), and disseminating full and complete statistics (disaggregated by the population characteristics described in paragraph (3)) on the condition and progress of education, at the preschool, elementary, secondary, postsecondary, and adult levels in the United States, including data on—

2(A) State and local education reform activities;

3(B) State and local early childhood school readiness activities;

4(C) student achievement in, at a minimum, the core academic areas of reading, mathematics, and science at all levels of education;

5(D) secondary school completions, dropouts, and adult literacy and reading skills;

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

7(F) teaching, including—

8(i) data on in-service professional development, including a comparison of courses taken in the core academic areas of reading, mathematics, and science with courses in noncore academic areas, including technology courses; and

9(ii) the percentage of teachers who are highly qualified (as such term is defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20

10U.S.C. 7801)) in each State and, where feasible, in each local educational agency and school;

11(G) instruction, the conditions of the education work-place, and the supply of, and demand for, teachers;

12(H) 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, including information regarding—

13 (i) the relationship between victims and perpetrators;

14(ii) demographic characteristics of the victims and perpetrators; and

15(iii) the type of weapons used in incidents, as classified in the Uniform Crime Reports of the Federal Bureau of Investigation;

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

17(j) the social and economic status of children, including their academic achievement;

18(k) the existence and use of educational technology and access to the Internet by students and teachers in elementary schools and secondary schools;

19(l) access to, and opportunity for, early childhood education;

20(m) the availability of, and access to, before-school and after-school programs (including such programs during school recesses);

21(n) student participation in and completion of secondary and postsecondary vocational and technical education programs by specific program area; and

22(o) the existence and use of school libraries;

2(2) conducting and publishing reports on the meaning and significance of the statistics described in paragraph (1);

3(3) collecting, analyzing, cross-tabulating, and reporting, to the extent feasible, information by gender, race, ethnicity, socioeconomic status, limited English proficiency, mobility, disability, urban, rural, suburban districts, and other population characteristics, when such disaggregated information will facilitate educational and policy decision making;

4(4) assisting public and private educational agencies, organizations, and institutions in improving and automating statistical and data collection activities, which may include assisting State educational agencies and local educational agencies with the disaggregation of data and with the development of longitudinal student data systems;

5(5) determining voluntary standards and guidelines to assist State educational agencies in developing statewide longitudinal data systems that link individual student data consistent with the requirements of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), promote linkages across States, and protect student privacy consistent with section 183, to improve student academic achievement and close achievement gaps;

6(6) acquiring and disseminating data on educational activities and student achievement (such as the Third International Math and Science Study) in the United States compared with foreign nations;

7(7) conducting longitudinal and special data collections necessary to report on the condition and progress of education;

8(8) assisting the Director in the preparation of a biennial report, as described in section 119; and

(9) determining, in consultation with the National Research Council of the National Academies, methodology by which States may accurately measure graduation rates (defined as the percentage of students who graduate from secondary school with a regular diploma in the standard number of years), school completion rates, and dropout rates.

(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.

#### **SEC. 154. PERFORMANCE OF DUTIES.**

1(a) GRANTS, CONTRACTS, AND COOPERATIVE AGREEMENTS.—In carrying out the duties under this part, the Statistics Commissioner, may award grants, enter into contracts and cooperative agreements, and provide technical assistance.

2(b) GATHERING INFORMATION.—

3(1) SAMPLING.—The Statistics Commissioner may use the statistical method known as sampling (including random sampling) to carry out this part.

4(2) SOURCE OF INFORMATION.—The Statistics Commissioner may, as appropriate, use information collected—

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

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

7(3) COLLECTION.—The Statistics Commissioner may—

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

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

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

11(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—

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

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

2(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.

#### **SEC. 155. REPORTS.**

(a) PROCEDURES FOR ISSUANCE OF REPORTS.—The Statistics Commissioner, shall establish procedures, in accordance with section 186, 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.

1 (b) REPORT ON CONDITION AND PROGRESS OF EDUCATION.— Not later than June 1, 2003, and each June 1 thereafter, the Statistics Commissioner, shall submit to the President and the appropriate congressional committees a statistical report on the condition and progress of education in the United States.

2(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.

#### **SEC. 156. DISSEMINATION.**

1(a) GENERAL REQUESTS.—

2(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.

3(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.

1(b) CONGRESSIONAL REQUESTS.—The Statistics Center shall furnish such special statistical compilations and surveys as the relevant congressional committees may request.

1(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 non-profit organizations or agencies, and the cost of such projects shall be shared equitably as determined by the Secretary.

2(d) FEES.—

3(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.

4(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.

5(e) ACCESS.—

6(1) OTHER AGENCIES.—The Statistics Center shall, consistent with section 183, cooperate with other Federal agencies having a need for educational data in providing access to educational data received by the Statistics Center.

7(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.

#### **SEC. 157. 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.

#### **SEC. 158. STATE DEFINED.**

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