

# Presidential Documents

## Title 3—

## Executive Order 12900 of February 22, 1994

### The President

### Educational Excellence for Hispanic Americans

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to advance the development of human potential, to strengthen the Nation's capacity to provide high-quality education, and to increase opportunities for Hispanic Americans to participate in and benefit from Federal education programs, it is hereby ordered as follows:

**Section 1.** There shall be established in the Department of Education the President's Advisory Commission on Educational Excellence for Hispanic Americans (Commission). The Commission shall consist of not more than 25 members, who shall be appointed by the President and shall report to the Secretary of Education (Secretary). The Commission shall comprise representatives who: (a) have a history of involvement with the Hispanic community; (b) are from the education, civil rights, and business communities; or (c) are from civic associations representing the diversity within the Hispanic community. In addition, the President may appoint other representatives as he deems appropriate.

**Sec. 2.** The Commission shall provide advice to the President and the Secretary on: (a) the progress of Hispanic Americans toward achievement of the National Education Goals and other standards of educational accomplishment; (b) the development, monitoring, and coordination of Federal efforts to promote high-quality education for Hispanic Americans; (c) ways to increase State, private sector, and community involvement in improving education; and (d) ways to expand and complement Federal education initiatives. The Commission shall provide advice to the President through the Secretary.

**Sec. 3.** There shall be established in the Department of Education the White House Initiative on Educational Excellence for Hispanic Americans (Initiative). The Initiative shall be an interagency working group coordinated by the Department of Education and shall be headed by a Director, who shall be a senior level Federal official. It shall provide the staff, resources, and assistance for the Commission and shall serve the Secretary in carrying out his or her responsibilities under this order. The Initiative is authorized to utilize the services, personnel, information, and facilities of other Federal, State, and local agencies with their consent, and with or without reimbursement, consistent with applicable law. To the extent permitted by law and regulations, each Federal agency shall cooperate in providing resources, including personnel detailed to the Initiative, to meet the objectives of this order. The Initiative shall include both career civil service and appointed staff with expertise in the area of education, and shall provide advice to the Secretary on the implementation and coordination of education and related programs across Executive agencies.

**Sec. 4.** Each Executive department and each agency designated by the Secretary shall appoint a senior official, who is a full-time officer of the Federal Government and responsible for management or program administration, to report directly to the agency head on activity under this Executive order and to serve as liaison to the Commission and the Initiative. To the extent permitted by law and to the extent practicable, each Executive department and designated agency shall provide any appropriate information requested by the Commission or the staff of the Initiative, including data relating

to the eligibility for and participation by Hispanic Americans in Federal education programs and the progress of Hispanic Americans in relation to the National Education Goals. Where adequate data is not available, the Commission shall suggest the means of collecting the data.

**Sec. 5.** The Secretary, in consultation with the Commission, shall submit to the President an Annual Federal Plan to Promote Hispanic American Educational Excellence (Annual Federal Plan, or Plan). All actions described in the Plan shall be designed to help Hispanic Americans attain the educational improvement targets set forth in the National Education Goals and any standards established by the National Education Standards and Improvement Council. The Plan shall include data on eligibility for, and participation by, Hispanic Americans in Federal education programs, and such other aspects of the educational status of Hispanic Americans as the Secretary considers appropriate. This Plan also shall include, as an appendix, the text of the agency plans described in section 6 of this order. The Secretary, in consultation with the Commission and with the assistance of the Initiative staff, shall ensure that superintendents of Hispanic-serving school districts, presidents of Hispanic-serving institutions of higher education, directors of educational programs for Hispanic Americans, and other appropriate individuals are given the opportunity to comment on the proposed Annual Federal Plan. For purposes of this order, a "Hispanic-serving" school district or institution of higher education is any local education agency or institution of higher education, respectively, whose student population is more than 25 percent Hispanic.

**Sec. 6.** As part of the development of the Annual Federal Plan, each Executive department and each designated agency (hereinafter in this section referred to collectively as "agency") shall prepare a plan for, and shall document, both that agency's effort to increase Hispanic American participation in Federal education programs where Hispanic Americans currently are underserved, and that agency's effort to improve educational outcomes for Hispanic Americans participating in Federal education programs. This plan shall address, among other relevant issues: (a) the elimination of unintended regulatory barriers to Hispanic American participation in Federal education programs; (b) the adequacy of announcements of program opportunities of interest to Hispanic-serving school districts, institutions of higher education, and agencies; and (c) ways of eliminating educational inequalities and disadvantages faced by Hispanic Americans. It also shall emphasize the facilitation of technical, planning, and development advice to Hispanic-serving school districts and institutions of higher education. Each agency's plan shall provide appropriate measurable objectives for proposed actions aimed at increasing Hispanic American participation in Federal education programs where Hispanic Americans currently are underserved. After the first year, each agency's plan also shall assess that agency's performance on the goals set in the previous year's annual plan. These plans shall be submitted by a date and time to be established by the Secretary.

**Sec. 7.** The Director of the Office of Personnel Management, in consultation with the Secretary and the Secretary of Labor, to the extent permitted by law, shall develop a program to promote recruitment of Hispanic students for part-time, summer, and permanent positions in the Federal Government.

**Sec. 8.** I have determined that the Commission shall be established in compliance with the Federal Advisory Committee Act, as amended (5 U.S.C. App. 2). Notwithstanding any other Executive order, the responsibilities of the President under the Federal Advisory Committee Act, as amended, shall be performed by the Secretary, in accordance with the guidelines and procedures established by the Administrator of General Services.

**Sec. 9. Administration.** (a) Members of the Commission shall serve without compensation, but shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in the Government service (5 U.S.C. 5701-5707).

(b) The Commission and the Initiative shall obtain funding for their activities from the Department of Education.

(c) The Department of Education shall provide such administrative services for the Commission as may be required.

**Sec. 10.** Executive Order No. 12729 is revoked.

A handwritten signature in black ink, reading "William D. Clinton". The signature is written in a cursive style with a large, prominent "W" and "C".

THE WHITE HOUSE,  
*February 22, 1994.*