



## BILL SUMMARY

### EDUCATION & THE WORKFORCE COMMITTEE

## THE STRENGTHENING EDUCATION THROUGH RESEARCH ACT

The *Education Sciences Reform Act* (ESRA) is the main federal law governing and promoting high-quality education research. The law, enacted in 2002, expired at the end of fiscal year 2008. In 2002 ESRA established the Institute of Education Sciences (IES), a semi-independent research arm of the Department of Education to conduct research on early childhood, elementary, and secondary education, special education, and higher education. It replaced the Office of Educational Research and Improvement (OERI).

In 2002 Congress reauthorized two additional laws within ESRA. The *Educational Technical Assistance Act* authorized the Comprehensive Centers and the Statewide Longitudinal Data Systems (SLDS) programs. The *National Assessment of Educational Progress Authorization Act* authorized the National Assessment of Educational Progress (NAEP), the largest nationally representative and continuing assessment of American students' knowledge of various subject areas (such as math, reading, science, writing, the arts, civics, economics, geography, U.S. history, and technology), and the National Assessment Governing Board (NAGB), which is the entity created to oversee the NAEP test and release of the results.

Since passage of ESRA, there has been broad bipartisan consensus that the quality of education research has increased dramatically. For the first time, IES required stringent standards to be applied to education research, much like those at the National Science Foundation and the National Institutes of Health. IES research has helped researchers and state and local leaders learn about important topics, such as teacher effectiveness, rural education, education technology, reading and math interventions, school choice, and student achievement.

IES also conducts large-scale evaluations of federal education programs, including Titles I and II of the *Elementary and Secondary Education Act* (ESEA), the D.C. Opportunity Scholarship program, and various aspects of the *Individuals with Disabilities Act* (IDEA), to examine whether taxpayer dollars are being used effectively. In 2013 the Government Accountability Office (GAO) released a report examining several aspects of IES. The report found the agency has significantly improved the quality of education research over the last decade, but more could be done to ensure the relevance of its research and assess program dissemination efforts.

The *Strengthening Education through Research Act* represents the first reauthorization of ESRA. The Act proposes to strengthen IES by:

- Improving and streamlining the federal education research system.
- Increasing relevance of education research while maintaining rigor.
- Promoting accountability for federal education programs.
- Maintaining independence from politics and bias.
- Protecting student and individual privacy.
- Continuing NAEP to measure student achievement.
- Establishing responsible authorization levels.

## **Improving and Streamlining the Federal Education Research System**

IES operates a federal research system consisting of four research centers: (1) the National Center for Education Research (NCER); (2) the National Center for Education Statistics (NCES); (3) the National Center for Education Evaluation and Regional Assistance (NCEE); and (4) the National Center for Special Education Research (NCSER). Within NCEE, there are 10 Regional Educational Laboratories (RELs) and, within NCER and NCSER, there are 16 Research and Development Centers (R&D centers) to conduct basic and applied education research on improving academic achievement and disseminate results to federal, state, and local policymakers.

Outside of IES, the department operates the Comprehensive Centers (CCs) program, a technical assistance system designed to help states implement federal laws, including ESEA and IDEA; reform low-performing schools; and produce research and products on specific areas of expertise. There are currently 22 CCs in operation, including 15 regional centers and seven content-focused centers. The *Strengthening Education through Research Act* streamlines these programs to create a more effective and efficient network of research.

**Reorganizing Regional Educational Laboratories and Comprehensive Centers:** As noted, IES operates a system of 10 regional labs and the department operates a system of 22 comprehensive centers. The bill reorganizes these systems and clarifies each entity's responsibilities by:

- Distinguishing the responsibilities of the RELs and CCs, which currently have overlapping duties. Under the bill, the RELs will be limited to conducting and disseminating applied research to help states and districts apply and evaluate research-based practices, while the CCs will provide technical assistance to states to help school districts and schools in meeting the goals of the ESEA and other federal education laws.
- Aligning the regions of states that each entity serves to ensure coordination of activities to prevent duplication.
- Reducing the number of CCs from 22 to 17 to eliminate duplication of efforts. The bill also caps the number of CCs at 17 and the RELs at 10 to ensure the agencies cannot continue to increase the number of centers.
- Requiring ongoing independent evaluations of both entities based on measurable performance indicators to ensure their effectiveness and relevance to the field.

**Streamlining R&D Centers:** NCER currently operates a system of 10 R&D Centers to conduct basic research on topics of national importance. The bill eliminates the specific topics listed in statute that must be examined and the number of required centers, providing more flexibility in the number and types of topics that may be pursued. In order to ensure diverse topics are investigated, the legislation ensures that IES will conduct research in each of the education levels: pre-kindergarten, K-12, and postsecondary education.

**Enhancing Coordination with Public and Private Entities:** IES is headed by a presidentially-appointed, Senate-confirmed director and run by the independent National Board for Education Sciences. The bill enhances the board's role in providing suggestions to the director on how to create strategic partnerships with public and private entities conducting research to eliminate duplication of efforts. It also requires the director take into consideration scientifically-valid research performed by public and private entities when making awards to ensure limited taxpayer dollars are spent effectively. Lastly, the bill allows the board flexibility to organize in subcommittees, either temporary or permanent, to examine topics of importance to IES.

## **Increasing Relevance of Education Research While Maintaining Rigor**

In 2001 the *No Child Left Behind Act* called for the use of "scientifically-based research" (SBR) as the foundation for classroom instruction. Since passage of the law, critics have contended the new standard is too strict and limits the ability of states, school districts, and schools to implement programs and practices that have not undergone rigorous evaluations. For example, a limited number of programs have been found to meet the SBR definition, making it irrelevant in helping to increase the prevalence of research based programs in the classroom. Many programs exist that have proven effective in increasing student achievement, though they did not meet the rigor of SBR. The 2013 GAO report also found there is often a significant delay in IES' efforts to disseminate key data and findings to education officials, leading to concerns about the agency's ability to produce timely and relevant research that meet various needs. The *Strengthening Education through Research Act* increases the relevance of IES' work while maintaining rigor.

Moving to a Definition of Scientifically Valid Research: The bill replaces "scientifically-based research standards" with the term "scientifically-valid research" (SVR). The move to SVR upholds a strong standard of research, but is more inclusive than the current definition of the range of valid research methodologies utilized by IES. For example, the new definition allows IES to focus on those studies beyond experimental design and randomized controlled trials that help increase the relevance of the agency's work. Moving to SVR also provides for consistency across definitions in ESRA, the *Higher Education Act*, and the *Head Start Act*.

Ensuring Relevance, Utilization, and Dissemination of IES Priorities and Products: The bill refocuses IES' efforts to ensure services are high quality and relevant to the education field. This is accomplished in several ways:

- The director must ensure that all IES work is relevant, utilized, and widely-disseminated through various means and to various audiences including researchers, practitioners, and policymakers.
- The board must include at least two practitioners to advise the director on education research needs in the classroom.
- The work of IES and its four centers must include research on the impact of education initiatives and how they are implemented.
- Practitioners and policymakers at the state and local levels, as well as researchers, must be partners in providing input into the activities of IES, particularly the RELs and CCs, to ensure the work will help improve student achievement on the ground.

Updating Uses of Funds and Data Collection at the Centers: The bill updates the uses of funds and data collection at the four centers to ensure research is focused on modern and significant needs in education. Examples include:

- Adding options for research around online and hybrid learning.
- Modernizing data collection from antiquated references, such as "in-service professional development" (referencing course work) and "highly qualified teachers," to information around professional development, pre-service preparation, and teacher evaluation.
- Requiring dissemination of the Program for International Student Assessment (PISA) exam results in addition to the Trends in International Mathematics and Science Study (TIMSS) results to compare student achievement in the U.S. to foreign nations.
- Ensuring NCSER focuses on supporting research for effective special education practice, innovations in the special education field, professional development of all personnel; examining the needs of children with disabilities who are English learners, gifted and talented, or who have other unique learning needs; and supporting

research for postsecondary and employment outcomes for special education students, including those in career and technical education programs.

- Moving from a focus on providing grants to build K-12 statewide longitudinal data systems to providing grants to align pre-K to postsecondary and the workforce data systems consistent with all privacy protections, and enabling states to use statewide longitudinal data systems to support school improvement, close achievement gaps, and improve teaching.

### **Promoting Accountability for Federal Education Programs**

Education research plays an important role in assessing and reviewing the quality of K-12 instructional programs. It provides information that helps parents make decisions about their child's education and allows taxpayers and policymakers to evaluate whether federal, state, and local dollars are being used effectively. The 2013 GAO report found IES does not always properly evaluate the efficacy of its own programs and research arms, so the agency does not know if they are meeting the mandated goal of providing usable research and information to policymakers and practitioners. The *Strengthening Education through Research Act* improves accountability of federal education programs and processes.

Increasing Accountability: The bill evaluates federal investments in education research by:

- Requiring an evaluation of each of the four centers every three years by an independent contractor.
- Expanding the requirements of the performance management system at IES to require the director to set measureable performance indicators for the management of each center and grant, contract, or cooperative agreement. The indicators will include ensuring timeliness of product development and publication, as well as ensuring stakeholders are formally contributing feedback to all IES activities on an ongoing basis to increase their relevance and usefulness.
- Allowing for renewal of grants, contracts, and cooperative agreements funded out of the centers only if they demonstrate progress on their performance indicators. Current law allows for automatic renewal of awards at NCER for a period of five years. The legislation expands the renewal authority to all the Centers, but only for an additional two years and only if entities have demonstrated progress on their performance indicators under the performance management system.

Requiring Transparency: The bill requires IES to report on its activities and those of each center, including the following:

- A strategic plan for each center to prevent overlap of priorities and activities.
- A posting of the amount, duration, recipient, and purpose of all grants, contracts, and cooperative agreements awarded at IES within 120 days of award.
- A reporting of the activities the secretary asks the director to undertake. Current law allows the secretary to request additional assignments of the director. The bill requires any assignments completed under this authority are reported.

### **Maintaining Independence from Politics and Bias**

The current IES governance structure is designed to provide national leadership free from political pressure from the administration or Congress. The *Strengthening Education through Research Act* maintains and strengthens this important role of IES.

Designating IES as the Primary Evaluation Arm of the Department: Current law is unclear about the entity responsible for conducting evaluations of federal education programs, specifically those funded under ESEA. The bill designates IES, independent from the

department, as the primary entity for research on, and evaluations of, federal education programs administered by the department.

IES Director-Appointed NCES Commissioner: Under current law, the NCES commissioner is the only commissioner at IES who is presidentially-appointed and Senate confirmed. The bill aligns the appointment of the NCES commissioner with the director-appointed nature of the other centers. This will help insulate all IES commissioners from political influence.

Providing More Authority to the Director: As noted, current law allows the secretary to request additional work assignments of the director. The bill clarifies that the director may accept additional assignments as appropriate, and requires that they are reported in the triennial evaluation report.

Involving the Director in the Contracting Process: More than 50 percent of all IES awards are contracts awarded by the department's contracting office, subject to different regulations and oversight than grants and cooperative agreements. While it is appropriate for IES to utilize many departmental functions, the director should be involved in the contracting awards process and the performance management of such contracts. The bill requires the secretary to consult with the director or appropriate designee in both the award and performance management processes of all contracts to ensure objectivity in the awards and quality of the award recipients.

Increasing Evaluation Authority: Current ESEA law allows the secretary to reserve funds for program evaluation, but there is no role for the IES director in these efforts. Additionally, the 2013 GAO report states that IES has limited ability to prioritize evaluations, and the department's ESEA program requirements prevent the agency from combining evaluation funds across programs to conduct the most important evaluations. This bill specifies new authorities for ESEA program evaluation in several places:

- Allows the secretary, in consultation with the IES director, to reserve 0.5 percent of all ESEA programs (in line with current law) and 0.25 percent of Part A of Title I to carry out high-quality evaluations and increase their usefulness.
- Enables the secretary to combine the reserved funds to increase the funds available for high-quality evaluations of each program over time.
- Requires the director and secretary to develop a biennial plan for ESEA program evaluations and to disseminate all evaluation results.

### **Protecting Student and Individual Privacy**

While IES collects and reports on extensive student data that is helpful and necessary to understand many aspects of pre-kindergarten, K-12, and postsecondary education, it is important that all privacy protections are adhered to in these endeavors. To this end, the *Strengthening Education through Research Act* strengthens and protects student and individual privacy.

Strengthening Privacy Language: The bill provides for extensive protection of individually identifiable information, particularly with regard to data collection at NCES.

Clarifying Data Access Requirements: NCES has authority to share data with other federal agencies and interested research parties provided they adhere to all privacy requirements. The bill clarifies that if interested parties and agencies request data access, such persons must explain the intent for use of the data, how data access can meet those intended purposes, and how they will protect the data. The bill also clarifies that NCES can deny access to data if there are scientific deficiencies in the research design or research intent for use of the data, or if there is potential for privacy violations or misuse of data.

Prohibiting National Database and Endorsement of Curricula: Current law is clear that no federal funds under the Act can be used to establish a nationwide database of individually identifiable information or to endorse, approve, or sanction any curricula at any level of education. The bill strengthens this language and dictates that no funds can be used to mandate, direct, control, or coerce the curriculum or academic standards or assessments of a state or local educational agency. Lastly, the bill makes clear that any cooperative education statistics partnerships established under the bill are voluntary.

### **Continuing NAEP to Measure Student Achievement**

The state of education is a topic of great interest to policymakers, superintendents, principals, teachers, and parents. Impartial, trusted information is critical to understanding whether the nation's schools are successfully educating students and raising performance levels. The National Assessment of Educational Progress or NAEP is uniquely designed to provide this information. Known as the "Nation's Report Card," NAEP provides a common yardstick for measuring the progress of a sample of students' education across the country. Additionally, the NAEP long-term trend assessment allows the math and reading performance of today's students to be compared with that since the early 1970s.

The *Strengthening Education through Research Act* improves NAEP and its National Assessment Governing Board (NAGB), by:

- Clarifying that NAGB, as the independent governing board of NAEP, has the responsibility for releasing NAEP results to ensure they are free from politics.
- Clarifying that NCES has the responsibility for the content of the NAEP reports, ensuring they are valid and reliable.
- Strengthening NAGB's role in overseeing and setting policy, consistent with its statutory duties, for NAEP, particularly in terms of the subject areas and grades or ages to be assessed and the year in which such assessments will be conducted.
- Designating NAGB as the entity responsible for nominating members of its board to be appointed by the secretary, allowing for other organizations to submit additional names if the original nominations are not satisfactory.
- Enabling NAGB to provide input to the IES director on the annual budget for NAEP.

### **Establishing Responsible Authorization Levels**

The *Strengthening Education through Research Act* restores fiscal discipline to federal education research activities. The bill includes overall authorization levels for each of the fiscal years (FY) 2015-2020, in line with the *Bipartisan Budget Act of 2013* and the nondefense discretionary caps set by the *Budget Control Act of 2011*(BCA). Specifically, the bill uses FY 2014 appropriated figures for FY 2015, and increases authorization levels each year through FY 2020 at the same percentage rate increase as those dictated by the BCA for nondefense discretionary spending. Overall, the bill authorizes funding levels at **\$97 million below** what is currently authorized for FY 2003-2008.