

April 19, 2023

The Honorable Bernie Sanders
Chair
Senate Committee on Health, Education
Labor and Pensions
428 Senate Dirksen Office Building
Washington, DC 20510

The Honorable Bill Cassidy
Ranking Member
Senate Committee on Health, Education
Labor and Pensions
428 Senate Dirksen Office Building
Washington, DC 20510

Dear Chair Sanders and Ranking Member Cassidy,

We are writing on behalf of the Learning and Education Academic Research Network (LEARN), a coalition of 41 leading research colleges of education across the country. We are responding to the Committee's request for input regarding policies the Committee should consider during the reauthorization of the Education Sciences Reform Act (ESRA), the Educational Technical Assistance Act, and the National Assessment of Education Progress Authorization Act. As education researchers, we feel that a reauthorization of ESRA is not only timely, but critical to ensuring that the education research community can meet the educational needs of children and families for years to come.

As the Committee begins to discuss potential policy changes to ESRA, LEARN would like to reiterate our support and appreciation for the institutional independence that ESRA provides for the Institute for Education Sciences (IES). Throughout the years, LEARN has supported IES reauthorization bills that have moved in both chambers with bipartisan support. Fundamentally, LEARN does not believe that the major structures of IES need to be changed, but we acknowledge that, because ESRA was enacted in 2002 and expired in 2008, there are several policy reforms that can improve IES's efficacy in promoting high-quality research, supporting researchers in the field and changes that will help IES streamline many of its everyday operations.

Provided below are LEARN's recommendations for the Committee's consideration:

Regarding IES' Structure and Everyday Operations

- 1. Maintaining IES's structure and institutional independence.** Specifically, LEARN supports: (1) the current quasi-independent status of IES within the U.S. Department of Education; (2) the appointment and Senate confirmation of a director whose term spans administrations; and (3) the existence of a board that assists the director in the setting of IES priorities and provides oversight. In our view, this structure and independence has allowed IES to function in a way that aligns with IES's mission of supporting and promoting reliable research, evaluation and statistics that can help educators, policymakers and other stakeholders improve outcomes for all students.
- 2. Ensuring that IES communications to educators are regularly disseminated in an effective manner and done in such a way that is accessible to the field.** LEARN

believes that IES needs stronger systems of communication with the education field at large if research-based practice is to be more widely adopted. The past efforts of IES to communicate with the education field—specifically with superintendents, principals, teachers, researchers and scholars—have failed to ensure these individuals understand and can effectively utilize the research funded by IES to improve teaching and learning. Likewise, IES could do more to encourage researchers funded by the Institute to have active plans to disseminate the results of their work. We recommend that the Committee add statutory language in the listing of the Director’s duties that facilitates a consistent and accessible line of communication between IES, educators and other stakeholders.

Proposed language –

- (1) Paragraph (12) of section 114(f) is redesignated as paragraph (14)
- (2) Paragraphs (11) and (12) of section 114(f) are amended to read as follows:

“(11) To coordinate—

(A) the wide and effective dissemination of information on scientifically valid research to educators, researchers, scholars and the public through evidence-based practices that maximize the use of such research in an effective manner; and

(B) the effective application and facilitation of research, including research funded by the Institute, in education settings.

“(12) To widely and effectively publicize the research, statistical information and other information and activities of the Institute through media campaigns and other related activities.

“(13) To require recipients of contracts, grants and cooperative agreements under this Act to have a plan for dissemination of the results of the work enabled by such contracts, grants and cooperative agreements and to disseminate such work.”.

- 3. Maintain a separate authorization for NCSER and include robust authorization levels for all IES programs.** The National Center for Special Education Research (NCSER) is the only Federal agency charged with conducting research on and developing and providing evaluations of programs for students with disabilities, a population of students we know the Committee understands has been historically underserved. Despite being tasked with such an important role, past reauthorization efforts have included discussions of consolidating NCSER’s authorization of appropriations section within other IES authorities. We urge the Committee to recognize the distinct role that NCSER plays by maintaining this separate authorization of appropriations for NCSER. In addition, we urge that the Committee consider including a robust authorization level for NCSER to signal the importance of growth in appropriations for this authority.

In addition to raising NCSER’s authorization level, we urge the Committee to also consider reflecting the prominence of education research by including robust authorization levels for IES’s other authorization of appropriations authorities. IES programs across the board, when compared to other Federal research agencies like NIH or NSF, are consistently underfunded. In a 2022 National Academy of Sciences, Engineering and Medicine (NAEM) report titled [*The Future of Education Research*](#)

[at IES](#), a diverse panel of 17 experts in the field came to consensus that Congress should re-examine the IES budget as it is currently severely underfunded despite the continuously expanding work of IES. In alignment with this trusted outside evaluation, LEARN urges the Committee to heed NASEM’s call and include a robust authorization level for all other IES authorization of appropriations sections.

- 4. Offer two grant cycles per year to better meet the needs of schools, students and other education research stakeholders.** Often, findings from education research can take too long to reach the practitioners who need high-quality tools and resources the most. Likewise, if a meritorious application is not funded through an IES competition each year, the researcher seeking the grant funding must typically wait a full calendar year to seek funding again. The current once-a-year-at-best grant cycle for IES funding opportunities shortchanges both practitioners and the researchers seeking to expand our educational knowledge. To remedy this, LEARN recommends that the Committee require that IES return to its twice-a-year submission and review process.

Proposed language – Section 133 is amended by inserting at the end the following:

“(d) National Center for Education Research Grant Cycles.—(1) Consistent with paragraph (2), the Commissioner of the Research Center shall, for research to be conducted through contracts, grants or cooperative agreements under this section, ensure, to the greatest extent possible, that at least two separate application periods take place for any such contract, grant or cooperative agreement issued by the Secretary or the Institute in a given fiscal year

“(2) The Secretary and the Director shall take steps to implement paragraph (1) not later than the beginning of the third fiscal year after the passage of the xxxxx Act. The Director shall provide an explanation in the Federal Register for any contract, grant or cooperative agreement opportunity for which two separate application periods in a given fiscal year is not provided.”.

Regarding the National Board for Education Sciences (NBES)

- 5. Ensuring that the National Board for Education Sciences is fully appointed and filled.** Despite recent appointments by President Biden to NBES, the Board has not had a full complement of members since the Obama Administration in 2016. Without a complete NBES, IES functions without a critical aspect of its organizational support system, one that is responsible for several important duties: including advising the Director of IES to ensure that the institutes priorities are consistent with its mission; strengthening procedures for technical and scientific peer review; presenting recommendations to strengthen education research; soliciting advice and information from the field; and ensuring IES is compliant with ESRA.

While LEARN looks forward to the recent NBES appointees taking their seats on the board, we urge the Committee to ensure that a thinly or unpopulated board is less likely to happen in the future. To remedy this, LEARN urges the Committee to include a provision in its ESRA reauthorization that would require the President to appoint a full slate of NBES members within one year of the passage of an ESRA reauthorization bill. Should an NBES vacancy arise, we recommend the same one-year

deadline for an appointment to fill that vacancy. Lastly, we support a provision included in the Strengthening Education through Research Act (SETRA) that would permit a board member whose term has expired to remain on the board for up to one year while his or her replacement is appointed.

Proposed language - Section 116(c)(4) is amended by adding at the end the following:

“(E) Appointments After the Passage of [xxxxx Act].—The President shall appoint the maximum number of members permitted under paragraph (1) within one year of the passage of the [xxxxx Act]. If a vacancy arises on the Board, the President shall appoint an individual to fill such vacancy within one year of the existence of such vacancy.”.

6. Ensuring that NBES members have a robust understanding of education research and the scientific methods needed to conduct high-quality research.

LEARN believes that NBES members should reflect the needs of the education research field and, as such, should have a robust understanding of the methods and topics that IES will address. Current statutory language requires a majority of NBES members to be qualified in a number of fields but fails to emphasize the need for qualified individuals to also have a working understanding of education and education research. For this reason, LEARN recommends that the Committee consider adding statutory language that would promote the appointment of members with strong educational research backgrounds, especially those from underrepresented and underserved populations.

Proposed language – Section 116(c)(4)(A)(i) is amended to read as follows:

“(i) Not fewer than 8 researchers in the field of statistics, evaluation, social sciences, or physical and biological sciences **(who are also knowledgeable about education research,** which may include those researchers recommended by the National Academy of Sciences **and those from underrepresented and underserved populations.**

Additionally, we request that Committee adopt additional language surrounding the kinds of organizations that the President shall consult when considering new appointments to NBES. As a peer example, the statutory language for the appointment of the NSF Board includes a specific mention of “equitable representation of scientists and engineers who are women or who represent minority groups” to be included as members and includes language that requires the President, when considering nominations for the board, to consider input from “other scientific, engineering, or educational organizations.” This additional language would ensure that an Administration actively seeks diverse input resulting in the highest quality NBES Members and a board that is equitably represented.

Proposed language – Section 116(c)(2) is amended to read as follows:

“(2) Advice.—The President shall solicit advice regarding individuals to serve on the Board from—

“(A) the National Academy of Sciences.

“(B) The National Science Board.

“(C) The National Science Advisor.

“(D) Organizations that focus on educational research.

“(E) Organizations that represent individuals who conduct education research.

“(F) Organizations that represent individuals who lead State Educational Agencies, Local Educational Agencies, Elementary and Secondary Schools and Institutions of Higher Education, including Minority-Serving Institutions.”.

- 7. Requiring NBES to evaluate the effectiveness of IES in carrying out its mission every three years.** The absence of a populated NBES in recent years left a gulf in assessing the effectiveness of IES. Current law requires NBES to make recommendations to enhance the ability of IES to carry out its priorities and mission between three and five years after the passage of ESRA in 2002. While the Board has as one of its duties the review and regular evaluation of IES, we see the importance of standardizing the period of the Board to produce recommendations to enhance IES’s work. By providing a timelier cadence of evaluation, NBES can more effectively provide IES with ways to improve its operations and methods of carrying out its mission and better meet the needs of the education research community. We therefore urge the Committee to require such an evaluation of IES’s ability to carry out its priorities and mission by NBES at not less than every three years.

Proposed language – Section 116(f) is amended to read as follows:

“(f) Recommendations.—The Board shall submit to the Director, the Secretary, and the appropriate congressional committees a report that includes any recommendations regarding any actions that may be taken to enhance the ability of the Institute to carry out its priorities and mission. **Such recommendations shall be submitted by the Board—**

“(A) not less than 3 years after the passage of xxxxx Act;

“(B) every 3 years beginning after the submission of the recommendations described in subparagraph (A).”.

- 8. Implementing a timeline for the development and submission of priorities for IES.** While the Director is required to propose priorities for IES to NBES, the statute does not envision any time frame by which such priorities must be proposed. This leaves such actions largely in the hands of the Director with no expectation of any systemic approach to judging when the Institute should be assessing the need for developing and adopting new priorities. For this reason, LEARN recommends that the Committee include language under the Director’s responsibilities that requires the Director to propose priorities to NBES every four years to better reflect the ongoing needs of students and educators. This time frame will allow the Director to adjust IES priorities and focus to address education topics and issues that arise.

Proposed language – Section 115(a) is amended by inserting “not less than 1 year after the enactment of the xxxxx Act and every 4 years after such initial proposal is made after the passage of the xxxxx Act” after “centers”).

- 9. Strengthen the ability to hire the Executive Director of NBES.** For the NBES to function effectively, it needs staff to help board members carry out board duties. This requires an Executive Director of NBES to hire and retain individuals for different roles. LEARN recommends that the Committee include statutory language that strengthens the ability of IES to hire an Executive Director of NBES and state that this individual would report to the NBES Chair. This reform, we believe, will allow NBES to better support IES so that its operations are executed in a timely and efficient manner.

Proposed language – Section 116(c)(8)(A) is amended to read as follows:

“(A) Executive Director.—

“(1) The Board shall have an Executive Director who shall--

“(A) be appointed by the Board; and

“(B) report to the Chair of the Board.

“(2) The Executive Director shall be appointed by the Board within 6 months of the passage of the xxxxx Act. If such Executive Director position is vacant, the board shall appoint an individual to such position within 6 months of such vacancy.”.

Regarding the Efficiency and Effectiveness of Federal Education Research

- 10. Implementing a consistent opportunity for public input on IES Priorities and the research plan required of NCER.** Public input on the priorities that govern the Institute’s overall work as well as the research plan that the National Center for Education Research (NCER) is required to develop is essential. We urge the Committee to maintain language for such input on the setting of priorities for IES and adopt a similar requirement for public input on NCER’s research plan. By providing a consistent opportunity for public input in both these areas, the Committee can ensure that IES remains efficient and up to date in meeting the needs of the field and the education research community at large.

Proposed language – Section 133(a)(2) is amended by-

(1) striking “; and” in subparagraph (A); and

(2) inserting after subparagraph (B), the following:

“(C) shall be subject to public comment for not less than 60 days (including by means of the Internet) and through publishing such plan in the Federal Register.”.

- 11. Supporting the next generation of researchers.** In keeping with IES’ mission to support the advancement of research through specialized training and development, LEARN strongly encourages the Committee to strengthen section 189 of the statute which requires IES to establish fellowships at institutions of higher education (IHEs). While the section currently focuses on graduate and postdoctoral study, with a particular focus on recruiting women and other underserved and underrepresented populations, LEARN also supports expanding fellowships for early career researchers

and for researchers focused on new and emerging areas of study. LEARN also requests that the Committee include a requirement that IES report to the authorizing committees within 120 days of the passage of an ESRA reauthorization on the Institute's plans for the ongoing implementation of this requirement with a recommendation on how much funding IES would need to provide meaningful support for such fellowships.

Proposed language – Section 189 is amended to read as follows:

“Sec. 189. Fellowships.

“In order to strengthen the national capacity to carry out high quality research, evaluation, and statistics related to education, the Director shall establish and maintain research, evaluation, and statistics fellowships in institutions of higher education which may include the establishment of such fellowships in historically Black colleges and universities and other institutions of higher education with large numbers of minority students) that **support early career researchers**, graduate and postdoctoral study, **and fellowships in new and emerging areas of study** onsite at the Institute or at the institution of higher education. In establishing the fellowships, the Director shall ensure that women and minorities are actively recruited for participation. **The Director shall report to the appropriate congressional committees within 120 days of the passage of the xxxxx Act on the Institute's plans for the ongoing implementation of the requirements of this section with a recommendation on the amount of funding the Institute would need to provide meaningful support for such fellowships.”.**

- 12. Encourage the formation of research practice partnerships (RPPs).** LEARN believes that research practice partnerships help promote high-quality research that is not only more useful for practitioners, but that is often more scalable than other proposals. For this reason, we urge the Committee to include language which encourages IES to utilize RPPs as one of several approaches to grantmaking by NCER.

Proposed language – Section 133(a)(6) is amended by inserting before the period “, including that such research is conducted through research-practice partnerships where appropriate”.

- 13. Support the development of innovative educational research (ARPA ED).** LEARN is aware that there has been ongoing discussion and legislation introduced surrounding the idea of an ARPA-like program for education research. In the event an ARPA-like Center for education research is created, LEARN would urge the Committee to include several components to ensure that such Center is structured to have maximum impact. Specifically, we recommend that the Committee:

- Require that the center be led by Commissioner with equal stature and responsibility as the Commissioners for NCER and NCSER;
- Require such Commissioner to establish, with public input, annual priorities to guide the center's work and focus;

- Require that the center be integrated with IES to maximize the effectiveness of Federal resources and production of high-quality research;
- Require all center-funded projects to outline how researchers will publicly disseminate and scale their evidence-based resources, and encourage researchers to leverage the agency’s existing dissemination network to meet this requirement; and
- Ensure that IHEs and minority serving institutions (MSIs) are eligible to apply for all center-led competitions.

These recommendations, we believe, will ensure that any ARPA-like center will be created and structured in a way that allows the center to best meet its goal of supporting high-quality, innovative education research.

14. Streamlining IES’ review process. As it stands, IES’ review process of grant applications takes far too long, leading to long waiting periods before practitioners are informed as to whether they will be awarded a grant and can move forward with partnerships to accomplish their intended work. Other agencies, such as NSF, utilize review models that are quicker and more efficient. LEARN recommends that the Committee adopt statutory language that requires IES to formally evaluate its review process with the goal of streamlining its systems for improved efficiency over time.

Proposed language – Section 134 is amended by adding at the end the following:

“(d) Review.—The Director shall carry out a review of the processes and procedures used to review applications submitted for contracts, grants and cooperative agreements to ensure that the most efficient and timely processes and procedures are utilized. Such review shall be conducted within one year of the passage of the xxxxx Act and shall be informed by processes and procedures utilized by the National Science Foundation for such purposes. The results of such review shall be reported to the appropriation congressional committees.”.

15. Require the Director to develop a mechanism to support the availability of school districts which are willing to partner with researchers. Researchers in the field often spend an exorbitant amount of time simply trying to find school district partners which will volunteer to partner on research matters. For this reason, LEARN urges the Committee to require IES to develop a volunteer registry through which researchers could readily find eligible school districts that are willing to engage in research. Such a voluntary registry would greatly streamline the process of acquiring partner districts for researchers.

Proposed language – Part A is amended by adding after section 120, the following:

“Sec.121. Voluntary Research Partnership Registry.

The Director shall, within one year of the passage of the xxxxx Act, establish a registry of local educational agencies, elementary and secondary schools, institutions of higher education and other similar organizations that are seeking to participate in research funded under this Act. Inclusion in such registry

shall be completely voluntary on behalf of such agencies, schools, institutions and organizations. The Director shall publicize the existence of such registry.”.

The LEARN Coalition believes that, collectively, these recommendations will improve ESRA and allow IES to better meet the needs of education researchers, policymakers, schools and students. We thank the Committee for the opportunity to share our concerns and insights, and we look forward to any future opportunity to engage with the Committee on these issues.

Sincerely,

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